

Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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SIMSBURY BOARD OF SELECTMEN

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

Regular Meeting – September 28, 2022 – 6:00 p.m. AMENDED

PLEDGE OF ALLEGIANCE

PUBLIC AUDIENCE

- Participants can address the Board of Selectmen in person at the meeting
- Email townmanager@simsbury-ct.gov by noon on Wednesday, September 28, 2022 to register to address the Board of Selectmen live through Zoom
- Written comments can be emailed to townmanager@simsbury-ct.gov. Written comments will not be read into the record, but forwarded to all Selectmen via email

FIRST SELECTMAN'S REPORT

TOWN MANAGER'S REPORT

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

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

SELECTMEN ACTION

- a) Tax Refund Requests
- b) Communities Challenge Grant – Simsbury Meadows Band Shell Expansion
- c) Alcohol Waiver Request – Apple Barn Event
- d) Proposed Revision to the Capital and Capital Non-Recurring (CNR) Fund Policy
- e) Creation of Work Group to Develop an Ordinance Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property

APPOINTMENTS AND RESIGNATIONS

- a) Resignations from Community for Care Committee and Aging and Disability Commission
- b) Appointments to Various Boards and Commissions
- c) Reappointments to Business Development Committee

REVIEW OF MINUTES

- a) Regular Meeting of September 12, 2022

COMMUNICATIONS

- a) Memo from M. Capriola re: Public Gathering Permits, dated September 15, 2022

- b) Draft Written Comment from M. Capriola re: Proposed Aquarion Rate Increases, dated September 29, 2022
- c) Letter from T. Roy re: Firetown Road Sidewalk Gap Closure Project, dated September 12, 2022

EXECUTIVE SESSION

- a) Pursuant to General Statutes Section 1-200(6)(D): Purchase and Sale of Real Property – 2 Farms Village Road
- b) Pursuant to General Statutes Section 1-200(6)(D): Purchase and Sale of Real Property – Parcel A, Intersection of County Road and Holcomb Street
- 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:** Tax Refund Requests
2. **Date of Board Meeting:** September 28, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Colleen O'Connor, Tax Collector
Maria E. Capriola

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

If the Board of Selectmen supports approving the tax refunds as presented, the following motion is in order:

Move, effective September 28, 2022 to approve the presented tax refunds in the amount of \$6,812.45, 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 \$6,812.45. The attachment dated September 28, 2022 has a detailed listing of all requested tax refunds.

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

- a) Requested Tax Refunds, dated September 28, 2022

REQUESTED TAX REFUNDS
SEPTEMBER 28, 2022

	BILL NUMBER	TAX	INTEREST	TOTAL
List 2021				
179 Powder Forest LLC	21-01-00023	\$93.94		\$93.94
ACAR Leaseing LTD	21-03-50082	\$476.22		\$476.22
ACAR Leaseing LTD	21-03-50066	\$340.19		\$340.19
Allen Ashley	21-03-50363	\$5.00		\$5.00
Allen Seth	21-03-50381	\$5.00		\$5.00
CCAP Auto Lease LTD	21-03-52913	\$650.65		\$650.65
Daimler Trust	21-03-54179	\$1,288.89		\$1,288.89
Hallifax Carolyn	21-03-57567	\$43.11		\$43.11
Honda Lease Trust	21-03-58456	\$168.48		\$168.48
Honda Lease Trust	21-03-58271	\$850.23		\$850.23
Joyce Timothy	21-03-59230	\$42.90		\$42.90
Lepkowski Paul	21-03-60852	\$68.30		\$68.30
Levinson Jeffrey R	21-03-60920	\$84.30		\$84.30
McLean-Shinman Carolyn A	21-03-62316	\$21.98		\$21.98
Morand Virginia	21-03-62924	\$16.16		\$16.16
Porsche Leasing LTD	21-03-64927	\$915.57		\$915.57
Prom Jeanne M	21-03-65118	\$15.00		\$15.00
Pusapati Sudheer	21-03-65183	\$175.40		\$175.40
Ryan Deborah & Richard	21-03-66222	\$10.18		\$10.18
Subramani Vinoth K	21-03-68069	\$50.26		\$50.26
Toyota Lease Trust	21-03-68795	\$511.46		\$511.46
USB Leasing LT	21-03-69173	\$555.83		\$555.83
Vault Trust	21-03-69341	\$232.86		\$232.86
Wagner Amy	21-03-69762	\$190.54		\$190.54
Total 2021		\$6,812.45	\$0.00	\$6,718.51
TOTAL 2021		\$6,812.45	\$0.00	\$6,812.45
TOTAL ALL YEARS		\$6,812.45	\$0.00	\$6,812.45



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Communities Challenge Grant – Simsbury Meadows Band Shell Expansion

2. **Date of Board Meeting:** September 28, 2022

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

4. **Action Requested of the Board of Selectmen:**
If the Board is supportive of submitting a grant application for the Communities Challenge Grant, the following motion is in order:

Move, effective September 28, 2022, to authorize submittal of a grant application for the Communities Challenge Grant for the Performing Arts Center Facility.

5. **Summary of Submission:**
The state has opened Round Two of the Communities Challenge Grant Program. "The Department of Economic and Community Development ("DECD") is undertaking a competitive grant application process to fund multiple projects under the CT Communities Challenge Grant Program in an effort to improve livability, vibrancy, and equity of communities throughout the state. The Program is intended to potentially create approximately 3,000 new jobs. It is DECD's goal to allocate up to 50% of the funds to eligible and competitive projects in distressed municipalities." (source: DECD). One of the categories for projects that may be funded includes, "Public space improvements that provide amenities to the community, including open spaces, public art projects, wayfinding, and lighting and safety improvements."

The Performing Arts Center has a desire to pursue this grant opportunity as a potential funding source to make improvements to the Performing Arts Center Facility, more specifically, the band shell expansion. The grant application deadline is on October 7, 2022.

6. **Financial Impact:**
The grant program will award grants in the range of \$1M-\$10M, with a 50% local match required. The Town has \$350,000 and the PAC has \$390,000 that could be used as a grant match, for a total of \$740,000. Therefore, if awarded, the state would match up to \$740,000¹, for a total of \$1.48M² in available revenue towards the project.

¹ This amount could increase and needs to be vetted further

² This amount could increase if the grant award exceeds \$740,000

Should the grant be awarded, the Town has \$350,000 budgeted for restrooms at Simsbury Meadows that could be reallocated to a larger band shell expansion project; this would require future action of the Boards of Selectmen and Finance. The bandshell expansion project, if approved, would include the public restrooms for which the \$350,000 had been designated for.

The status of the current cost estimate for the project is \$2.1M, inclusive of construction, design fees (\$140k), FF&E, incidentals to construction, and inflation. A vendor has estimated the raw construction cost at \$1.7M; additional work is being done on this estimate.

Should the grant be awarded, additional discussions would need to occur prior to acceptance in order to ensure that sufficient funding is in place to fund the entirety of the project.

7. Description of Documents Included with Submission:

- a) Grant Program Overview
- b) Grant Application



Connecticut Department of Economic and Community Development

CT Communities Challenge Grant Program Notice of Funding Availability – Round 2

Date: Released – August 1, 2022

Summary: The Department of Economic and Community Development (“DECD”) is undertaking a competitive grant application process to fund multiple projects under the CT Communities Challenge Grant Program in an effort to improve livability, vibrancy, convenience and equity of communities throughout the state. The Program is intended to potentially create approximately 3,000 new jobs. It is DECD’s goal to allocate up to 50% of the funds to eligible and competitive projects in distressed municipalities.

Successful projects will likely include multiple of the below elements:

- **Transit-oriented development** that densifies commercial and/or residential land uses near transit hubs
- **Downtown / major hub development** that improves or reuses existing property (Brownfields remediation may be a component of such application)
- **Essential infrastructure** that facilitates future development
- **Housing** to support affordability, accessibility and local workforce
- **Mobility improvements** that increase connectivity to transit and promotes economic activity, including pedestrian, ADA, and bicycle improvements
- **Public space improvements** that provide amenities to the community, including open spaces, public art projects, wayfinding, and lighting and safety improvements

Other projects that can demonstrate livability, vibrancy, convenience and equity of communities throughout the state are also eligible.

Schedule (Round 2):

Monday, August 1, 2022	Application/NOFA Available
Friday, October 7, 2022	Application Deadline
December 2022 (Tentative)	Announcement of Awards

Note: Unlike in Round 1, there is no Intent to Apply Form for Round 2.

Application Process and Forms: The Application Form is available on the DECD Website on the Funding Opportunities Page dedicated for the CT Communities Challenge Grant Program: https://portal.ct.gov/DECD/Content/Business-Development/05_Funding_Opportunities/CT-Communities-Challenge-Grant

Applications are due by 3:00 PM on Friday, October 7, 2022. You will submit your application by uploading it to a unique sharepoint link. You must request your unique sharepoint link by emailing CTCommunitiesChallenge@ct.gov by 3:00 PM on Monday, October 3, 2022.

Application Page Limit (excluding attachments): DECD encourages all applicants to be as succinct as possible with their responses to the questions in the application forms. DECD will only accept responses to the questions included in the space provided within the forms. Responses presented outside of the forms may not be reviewed. Incomplete applications will be rejected.

Grant Size: \$1M to \$10M per project.

Available Funding (Round 2): DECD will release up to \$55 million in this competitive round. If funds remain available after Round 2, there may be a third funding round.

Source of Funding and Enabling Statutes: Public Act No. 21-2 (2021), Sec. 488, authorizes the DECD Commissioner, in coordination with the Secretary of the Office of Policy and Management, to implement this Program under the state's Economic Action Plan.

Eligible Applicants: Municipalities, economic development agencies and regional councils of governments are eligible to be the primary applicants for this Program. DECD encourages public-private partnerships. Eligible entities are welcome to partner with one or more of the following types of organizations: private developers, business organizations, other institutions or each other to submit an Application.

All applicants (or Project Applicant Teams) must provide proof of access to the site, site control or a path to site control if required to implement the project.

Applicants may submit multiple projects; however, DECD recommends that applicants submit shovel-ready applications.

Eligible Uses: DECD would prefer that the majority of grant funds be used for construction- and renovation-related hard costs. A limited and reasonable portion of the funds may be used for design and engineering-related soft costs, land acquisition, project management, administrative and DECD's legal expenses to prepare the Contract. DECD's legal expenses for the DECD contract work (Assistance Agreement) is usually in the range of \$5K to \$10K depending on how

complicated the project is. DECD funds cannot be used for legal expenses of the client team for the Assistance Agreement work.

Mortgage Lien: If selected for a CT Communities Challenge grant, Applicant shall provide a non-recourse mortgage (the "Mortgage") of its property as security for the Applicant's obligations of completing the Project. DECD shall release the Mortgage when DECD has determined in its sole judgment that the Applicant, Implementing Partner and/or Project Developer has completed the Project. If the Project is not completed by five years after the award date, DECD may foreclose the Mortgage but not seek a deficiency judgment. The Mortgage may be subordinated to the lien of a lender or other entities providing financing for the redevelopment of the Project Property referred to in the Commissioner's Proposal. Completion of the Project shall be demonstrated by Municipality providing proper documentation that shall be determined in the award letter.

Match Criteria: This is a matching grant program and therefore, preference will be given to applications that demonstrate public-private partnership and significant leverage of state funds with private and local funding. The minimum match requirement for projects located in distressed municipalities is 25% and for projects located in other municipalities is 50%. In general, contributed soft costs from third party vendors and contribution of land will be accepted for match; however, in-kind applicant staff time will not be counted.

Please note that any federal funds in the project will trigger a review by the State Historic Preservation Office (SHPO) pursuant to Section 106 of the National Historic Preservation Act (NHPA).

Definitions:

1. **Distressed Municipalities List:** The Distressed Municipalities' lists identify the state's most fiscally and economically distressed municipalities. The lists are based on statistical indicators measuring the fiscal capacity of each municipality including tax base, personal income of residents and the residents' need for public services. The 2021 Distressed Municipalities list includes 25 municipalities (Ansonia, Bridgeport, Chaplin, Derby, East Hartford, East Haven, Griswold, Hartford, Meriden, Montville, New Britain, New London, Norwich, Putnam, Sprague, Stratford, Torrington, Voluntown, Waterbury, West Haven, Winchester, Windham, Groton, Plainfield, Sterling).
2. **Opportunity Zones:** A Qualified Opportunity Zone (OZ) is an economically distressed community where new investments, under certain conditions, may be eligible for preferential tax treatment. Localities qualify as OZs if they have been nominated for that designation by a state, the District of Columbia, or a U.S. territory and that nomination has been certified by the Secretary of the U.S. Treasury via his delegation of authority to the Internal Revenue Service (IRS). Please click the links for more information on [Connecticut's OZ Program](#), the [CT OZ Map](#) and the [U.S. HUD OZ Map](#).

3. **Economic Development Agencies:** “Economic development agency” means (A) a municipal economic development agency or entity created or operating under chapter 130 or 132; (B) a nonprofit economic development corporation formed to promote the common good, general welfare and economic development of a municipality or a region that is funded, either directly or through in-kind services, in part by one or more municipalities; (C) a nonstock corporation or limited liability company established or controlled by a municipality, municipal economic development agency or an entity created or operating under chapter 130 or 132; or (D) an agency, as defined in section 32-327

4. **Regional Councils of Governments (COGs):** For the latest list of the COGs and the list of member municipalities, please visit:

<https://portal.ct.gov/OPM/IGPP/ORG/Planning-Regions/Planning-Regions---Overview>

5. **Transit-oriented Development** - C.G.S. Section 13b-79o, *Transit-oriented Development* refers to the development of residential, commercial, and employment centers within one-half mile of walking distance of public transportation facilities, including rail and bus rapid transit and services, that meet transit supportive standards for land uses, built environment densities, and walkable environments, in order to facilitate and encourage the use of those services.

6. **Brownfields** – C.G.S. Section 32-760 (2), “Brownfield” means any abandoned or underutilized site where redevelopment, reuse or expansion has not occurred due to the presence or potential presence of pollution in the buildings, soil or groundwater that requires investigation or remediation before or in conjunction with the redevelopment, reuse or expansion of the property.

7. **Environmental Justice** – The U.S. EPA defines [Environmental Justice](#) as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys: 1. The same degree of protection from environmental and health hazards, and 2. Equal access to the decision-making process to have a healthy environment in which to live, learn, and work.

8. **Affordable Housing** – If an application involves a net addition of 10 or more residential dwelling units for rent, a portion of those units must be deed-restricted for 30 years to be offered at below-market rent. If the project involves a net addition of 10 or more residential dwelling units for sale, some of those units must be deed-restricted in perpetuity to be offered for sale at below-market price. Applicants may choose whether to provide 10% of units affordable to households making 50% of the area median income (AMI), or 20% of units affordable to households making 80% of AMI. Affordable unit rent may not exceed 30% of the criteria AMI, and affordable unit sale price may not exceed an amount that would lead to expected monthly housing costs exceeding 30% of the criteria

AMI. Expected monthly housing costs are the expected sum of monthly property taxes, 30-year mortgage payment assuming 3% down payment and prevailing interest rates, and any common charges. Units must be on-site, the unit sizes and finishes must be comparable to market-rate units, the unit bedroom counts for affordable units must be in the same proportion as market-rate units, and the affordable units must be distributed evenly throughout the market-rate units. If construction is phased, affordable units must be constructed as proportionally as is feasible in each phase. Affordable units must use the same building access as market-rate units and have comparable access to building amenities. The DECD Commissioner may approve projects not in compliance with the above policy following a written request with detailed justification from applicant.

Award/Scoring Criteria:

Note: DECD will require proof of commitment of full capital stack and private leverage value of the proposed project, as presented in the Application (e.g., bank term sheets, offer letter from funding agency, etc.) In order to be considered in the scoring of a CT Communities Challenge application, a project or project phase must have a complete capital stack assuming CT Communities Challenge funds are awarded.

- A. Features and Characteristics of Proposed Project that support the livability and vibrancy in the local community and region
 - Downtown and major hub development
 - Transit-oriented Development
 - Optimal mix of uses to generate vibrancy of neighborhoods
 - Connectivity options for pedestrians and non-pedestrians
 - Optimal increase in residential density, supported by available infrastructure, that will enhance the vibrancy of community
 - Improvement of infill, vacant, dilapidated and underutilized sites in the community
 - Public space improvements including open spaces, active gathering spaces, public art etc.
 - Adaptive Reuse of property
 - Brownfield Redevelopment
 - Historic and/or cultural preservation
 - Redevelopment of Areas with Available Infrastructure
 - Other features and characteristic that will enhance livability, vibrancy, convenience and equity of communities
- B. Community Benefit/Engagement, Inclusive Growth and Resilience
 - Diversity Equity and Inclusion (DEI) of development team
 - Proactive efforts for proposed development to serve and benefit existing communities, their people and their cultures

- Mitigation of previous negative effects on historically disenfranchised communities, including people with disabilities and elder residents
- Consideration of Environmental Justice (EJ) initiatives and goals
- Provision of some asset that is otherwise absent in the community
 - affordable/workforce housing
 - food access
 - open/recreational space
 - gathering space
 - public/regional facilities
 - ADA Improvements
- Enhancing resiliency/green energy/sustainability
- Location in an Opportunity Zone, Enterprise Zone or Distressed Municipality category

C. Economic Impact

- Return on Investment
 - Local match/share of total cost
 - DECD share of total cost
 - Total debt leverage
 - Private debt leverage
- Job creation (permanent full-time equivalent; direct)
- Increase in tax contribution/increase in grand list/increase in property value

D. Shovel-readiness

- Level of planning/drawings (conceptual, 30%, 60%, 90% etc.)
- Assembly of funding/capital stack and presence of private and other partners crucial to project implementation
- Level of local approvals obtained (zoning and other permits); plan or path charted out to obtain necessary local and state permits
- Level of infrastructure available (missing infrastructure and cost/plan/source)

E. Applicant team

- Applicant Team experience completing similar projects and on time
- Private partner experience completing similar projects and on time
 - Project examples and available references
- New partnerships that offer creative and dynamic solutions to the challenge project described in the application

Contact/Questions: Questions regarding the Application should be addressed to CTCommunitiesChallenge@ct.gov. Any clarification or supplemental information will be added to the dedicated [Program Webpage](#).

Mailing List: Sign up for the [Mailing List](#) to receive any notifications on this Program.



Disclaimer: DECD reserves the right to amend or cancel this NOFA, to modify or waive any requirement, condition or other term set forth in this NOFA or the program application, to request additional information at any time from one or more applicants, to select any number of applications submitted in response to this NOFA, or to reject any or all such applications, in each case at DECD's sole discretion. DECD may exercise the foregoing rights at any time without notice and without liability to any applicant or any other party. Applications to this NOFA shall be prepared at the sole expense of the applicant and shall not obligate DECD to procure any of the services described therein or herein from any applicant. DECD shall not be obligated to any applicant until a final written agreement has been executed by all necessary parties thereto and all applicable approvals have been obtained. As such, any funds expended by the applicant prior to these approvals will be done so entirely at the risk of the applicant.

CT COMMUNITIES CHALLENGE GRANT PROGRAM ROUND 2

MAIN APPLICATION FORM

Please contact CTCommunitiesChallenge@ct.gov by 3:00 PM on Monday, October 3, 2022 to request access to a unique sharepoint folder, where you will be able to upload your application and supporting files.

Program Summary

The Department of Economic and Community Development ("DECD") is undertaking a competitive grant application process to fund multiple projects under the CT Communities Challenge Grant Program in an effort to improve livability, vibrancy, convenience and appeal of communities throughout the state. The Program is intended to potentially create approximately 3,000 new jobs. It is DECD's goal to allocate up to 50% of the funds to eligible and competitive projects in distressed municipalities.

Note

Please be sure to refer to the Notice of Funding Availability (available at the [CT Communities Challenge Grant Program Website](#)) and include all relevant attachments that support any information and statements being provided in this application.

This application may be reviewed by the CT Office of Policy and Management and other state or quasi-state agencies. Projects funded under this program are subject to the Connecticut Environmental Policy Act ("CEPA"), other environmental regulations, and DECD regulations related to procurement and bidding procedures.

Please contact DECD at CTCommunitiesChallenge@ct.gov for further information on program requirements.

PLEASE READ CAREFULLY: The response fields included within this application have been assigned character limit restrictions. Please be sure that all text is visible in the provided spaces prior to signing the form. Once the document has been signed, any text extending beyond the space provided WILL NOT BE VISIBLE. Please adjust your response lengths accordingly.



A. GENERAL SECTION

SECTION I APPLICANT & PROJECT INFORMATION

1. Applicant Name: _____
Federal Employer Identification Number (FEIN): _____
Business Address: _____
City: _____ ZIP Code: _____
Contact Name: _____ Title: _____
Telephone: _____ Email: _____
2. If Applicant is applying as an Economic Development Agency (EDA), provide supporting documentation including the Articles of Incorporation and justification (narrative) as by which statutory authority it qualifies to be an EDA.
3. Project Name: _____
4. Total Project Cost: \$ _____
5. Amount of DECD Financial Assistance requested: \$ _____
6. Total Grantee/Local Match (*Minimum of 25% for distressed municipalities and 50% for others*): \$ _____
 - a. Briefly describe the source of any proposed match funds



7. Project Address: _____

City: _____ ZIP Code: _____

Total Site Acreage: _____ # of Parcels: _____

Please list parcel-level detail in table below.

Parcel Address	ZIP Code	Parcel ID / Tax-Assessor ID	Acreage

8. Is the project in a Distressed Municipality? Yes ☐ No ☐

SECTION II PUBLIC-PRIVATE PARTNERSHIP INFORMATION

1. Is the Applicant partnering with a private entity? Yes ☐ No ☐

If Applicant is partnering with a private entity,

Name of Private Partner: _____

Enter the company's or organization's legal name above. IF a special-purpose entity (SPE), describe the SPE, the partners (list all 5% or more owners) and the parent company. Please attach the organization's articles of incorporation. SPE Description:

Federal Employer Identification Number (FEIN): _____

State of Connecticut Tax ID: _____

Business Address: _____

City: _____ ZIP Code: _____

Contact Name: _____ Title: _____

Telephone: _____ Email: _____

Describe the nature of partnership (financial, access agreement etc.): _____

2. Business Status (for private development partner or a private/non-profit applicant entity)

- A. Is the private entity registered with the Connecticut Office of the Secretary of the State? Yes ☐ No ☐

Please attach a copy of the Certificate of Legal Existence.

Certificates can be obtained online by visiting <https://portal.ct.gov/SOTS/Business-Services/Legal-Existence>

- B. Are there any lawsuits pending against the private partner/organization, its affiliates who will be involved with the project, or the parent organization (describe)?

SECTION III OWNERSHIP AND ACCESS DETAILS

1. **Please provide the current property owner name - Please attach the tax assessor's property card(s).**
2. **If Applicant or any Project Partner is not the property owner, describe how and when ownership and access to property (if needed), will be obtained. Please attach the Letter of Intent, Purchase and Sale Agreement, Access Agreement or other documentation from owner indicating willingness to provide access:**

SECTION IV PROJECT SUMMARY

1. **Please provide a summary of the overall project – project description, purpose and need, goals and objectives.**

Please help us understand the project and include any relevant project details. Please make sure to specify the scope and use of the requested funds under the CT Community Challenge Grant. Please attach 1. A locational map that provides relevant regional or locational site information; 2. A site map that illustrates project boundaries and neighboring property information and 3. A conceptual project plan.

2. **Background/History of the Project Site** Brief summary of general site and property characteristics; previous use of property, whether it is an adaptive reuse project, contamination history and timeline, name of the "Potentially Responsible Party" for contamination present on site, any other relevant information.

3. **Development Team** Brief summary of the development team and role.

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- 6. Project Funding Sources:** Please use the table below to indicate the total estimated cost for the project, the targeted or identified funding sources, type of funding – debt, equity/cash, or tax credit, status of fund assembly, gaps in funding, status and timeline of funding sources that are being sought (such as federal or state historic tax- credits, low-income housing tax credits, bank financing etc.)

SOURCE	Amount	Debt, Equity/Cash, Tax Credits	Status
TOTALS:			

Note 1: DECD will require proof of commitment of full capital stack and private leverage value of the proposed project, as presented in the Application (e.g., bank term sheets, offer letter from funding agency, etc.) In order to be considered in the scoring of a CCC application, a project or project phase must have a complete capital stack assuming CCC funds are awarded.

Additional Notes (if any):

7. Project Costs and Budget: Please use the table below to provide the budget breakdown. Please read the notes at the bottom of the table and use space provided to include any comments or responses.

Project Activity (Use of Funds)	Source of Fund						
	DECD ¹	Other State	Federal	Local	Private	Developer	Total
Land purchase							
Pre-development							
Planning activities/ Studies							
Engineering							
Abatement							
Remediation							
Demolition							
Construction							
Administration soft costs							
Development fee							
DECD Legal costs ²							
Other costs - specify							
Other costs - specify							
Other costs (specify)							
Total							

Note 1: If the project funds include programs other than the CT Community Challenge Grant, please indicate as such. Also, DECD prefers that majority (more than 95%) of program funds are used for hard costs. It is preferable that soft costs are funded from non-DECD sources.

Note 2: If the project funds include other state agency fundings sources, please indicate the status of those funds including the program from which they are requested and whether the funds have been approved by bond commission if applicable.

Note 3: DECD's legal expenses for the DECD contract work (Assistance Agreement) is usually in the range of \$5K to \$10K depending on how complicated the project is. DECD funds cannot be used for legal expenses of the client team for the Assistance Agreement work.

8. Project Schedule and Timeline: Brief summary of the timeline, anticipated project start date, completion of pre-development activities to date.

9. Any other relevant information:

Use additional space if needed for above responses or any other relevant information you would like to convey.

SECTION V POTENTIAL ENVIRONMENTAL IMPACTS

1. Indicate the potential level of direct and/or indirect impacts to the environmental resources listed in the table below. Briefly describe any potential impacts in the comment box at the end.

Resources	Potentially significant with mitigation	Not significant with mitigation	No anticipated significant effects	Unknown at this time
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surface or Groundwater resources <i>*including quality, quantity, or impacts to public drinking water supply</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floodplains (100-year) or Floodways	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stream channel encroachment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fish and/or Wildlife Habitats <i>*including the presence of endangered, threatened, and special concerns species and habitats (NDDDB)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coastal resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural lands and/or soils	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Historic sites and districts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Archeologically sensitive areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aesthetic / scenic resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Designated open space and recreational uses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surrounding land uses / neighborhood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transportation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utilities and Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (Please explain)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Briefly explain any potential impacts identified above, and provide additional comments as needed.

3. By signing this form, the applicant understands and acknowledges that the proposed project may warrant further review under the Connecticut Environmental Policy Act (CEPA), and agrees to comply with all requirements and costs associated with such review, and further acknowledges that the applicant is in a position to cover any and all additional costs associated with such review.

SECTION VI ELIGIBILITY FOR DISCRETIONARY STATE FUNDING

Applicable only for municipal applicants

In accordance with [C.G.S. § 8-23](#), as amended by [Public Act 15-95](#), any municipality that has not adopted a plan of conservation and development (POCD) within the past ten years is ineligible for discretionary state funding unless they request and receive a waiver from the prohibition on a grant-by-grant basis from the OPM Secretary. In conjunction with this completed **Application Form**, municipalities are required to submit a signed copy of the **Municipal Certification of Eligibility for Discretionary State Funding** to verify their eligibility to receive discretionary state funding under this grant program. Please visit the following website for more information:

[Guidance for Maintaining Eligibility for Discretionary State Funding](#)

Notes:

SECTION VII SHPO and NHPA OBLIGATIONS

Please note that if the project involves federal funding, the project will need to be in compliance with Section 106 of the National Historic Preservation Act (NHPA) and the National Environmental Policy Act (NEPA). Separately, if this project is successful in receiving this grant and involves other state funding, it will have to be in compliance with several state laws including the CT Environmental Policy Act (CEPA). Please visit the State Historic Preservation Office's (SHPO) [webpage](#) for more info. Please answer the below questions and submit the Project Notification Form to assess the impacts to historic, cultural and archaeological resources and understand the federal and state obligations.

- 1. Does the project include or assist in reuse or rehabilitation of any mills or historic structures (appearing on the National Register of Historic Places, State Register, or a designated Local Historic Property)?** Yes ☐ No ☐ Details:

- 2. Are you planning to alter, partially demolish or fully demolish any structures on the property?:** Yes ☐ No ☐ Details:

- 3. If the project includes alteration or demolition of buildings more than 50 years in age, please indicate the dates of construction for the affected buildings. Details:**

- 4. Please attach a copy of the State Historic Preservation Office (SHPO) [Project Notification Form](#). Also indicate if the form has already been submitted to the SHPO. If determination has already been obtained, provide a copy of the SHPO determination letter as well:**

B. PROJECT MERITS SECTION

SECTION I SUPPORT OF LIVABILITY AND VIBRANCY; ADAPTIVE REUSE

1. The goal of the CT Communities Challenge Grant funding is to improve the livability and vibrancy of communities in Connecticut. Using the space provided below – describe how the proposed features and characteristics of the project will support the livability and vibrancy in the local community and region. Examples of features and characteristics are suggested below:

- Downtown and major hub development
- Transit-oriented Development
- Optimal mix of uses to generate vibrancy of neighborhoods
- Connectivity options for pedestrians and non-pedestrians
- Optimal increase in residential density, supported by necessary infrastructure, that will enhance the vibrancy of community
- Improvement of infill, vacant, dilapidated and underutilized sites in the community
- Public space improvements including open spaces, active gathering spaces, public art etc.
- Other features and characteristics that will enhance livability, vibrancy, convenience, and appeal of communities

2. **The State Conservation & Development Policies: The Plan for Connecticut (2018-2023) requires state funded projects to focus on infill development and redevelopment opportunities in areas with existing infrastructure, such as in cities or town centers, which are at an appropriate scale and density for the particular area; and promote the continued use or adaptive reuse of existing facilities, particularly those with historical and/or cultural significance, and support the redevelopment of former brownfields and other underutilized or abandoned facilities at a scale and density appropriate for the surrounding area.**

Please describe in the space provided how the proposed project will enable

- Adaptive reuse;
- Brownfield redevelopment;
- Historic and/or cultural preservation; and/or
- Redevelopment of areas with available infrastructure

SECTION II COMMUNITY BENEFIT/ENGAGEMENT, INCLUSIVE GROWTH AND RESILIENCE

1. **Provide a brief summary of how the community will benefit from this project. Why is this project a good fit and how do you know? What are the proactive efforts for proposed development to serve and benefit existing communities, their peoples and their cultures? Indicate how the community was, or will be, informed of the project and plans for community engagement throughout the project. How does the proposed project mitigate previous negative effects on historically disenfranchised communities, including people with disabilities and elder residents:**

2. If the project includes 10 or more new housing units, please describe the affordable housing plan for the units and confirm that it is in keeping with the CCC affordable housing requirements laid out in the Notice of Funding Availability.

3. Describe below how the proposed project impacts the community and provide a characteristic or feature that was otherwise absent from the community/region. Examples include:

- affordable/workforce housing,
- food access,
- open/recreational space,
- gathering space,
- public/regional facilities, and/or
- ADA Improvements

4. Explain how project features and characteristics will

- enhance resiliency in the community,
- support green energy,
- adopt climate change measures such as low impact development,
- minimize impacts to the flood plain and/or
- adopt sustainability and green building design.

5. Is the project site within these categories:

- Opportunity Zone – Yes ☐ No ☐ Details: (include confirmation – parcel ID etc.):

- Distressed Municipality – Yes ☐ No ☐ Details:

- Enterprise Zone – Yes ☐ No ☐ Details:

6. Please indicate what Diversity Equity and Inclusion (DEI) practices are currently being adopted by the Applicant Team that demonstrate and reflect a culture and commitment to diversity, equity, and inclusion. Also, explain how the Applicant Team is seeking to further its DEI commitment through this project. What are the plans for community engagement and local hiring?

7. Explain how the proposed project is aligned with Environmental Justice goals of 1. providing the same degree of protection from environmental and health hazards to all; and 2. To provide everyone equal access to the decision-making process to have a healthy environment in which to live, learn, and work.

SECTION III ECONOMIC IMPACT

1. Return on Investment – For each of the below questions, please be as detailed as possible in outlining the figures used to calculate percentages.

- A. **Applicant (Local) funding commitment:** What percentage of the total project cost is being funded with applicant funds? %
- B. **DECD share:** What percentage of the total project cost is being requested in Communities Challenge funds? %
- C. **Total non-state leverage:** What percentage of the total project cost is being funded by non-state dollars (equity and debt)? %
- D. **Private partner funding:** What percentage of the total project cost is being funded by the Private Partner (equity)? %
- E. **Private Funding:** What percentage of the total project cost is being funded by the private sector (private partner equity, bank loans, equity investment from investors etc.)? %

- 2. Job creation:** Please provide the number and type of permanent full-time equivalent (only direct) jobs expected to be created by the proposed project.

3. Increase in grand list

- A. Current valuation of property \$
- B. Projected valuation post-project \$

Additional Notes (if any):

SECTION IV SHOVEL READINESS

The CT Community Challenge Grant funds are intended to be gap financing to enable a transformative project idea to be implemented. The DECD funding should be the last funding in. Therefore, this Program would like to target shovel-ready projects that can be initiated immediately and completed within the next two to three years.

- 1. Has the approval from Town Council/Board of Alderman/Board of Selectman/Applicant Board/COG Board etc. been obtained a. to request this funding from DECD; 2. to undertake this project; and 3. partner with the private entity and other on the development team on the proposed project? If yes, please attach Approval/Certified Resolution.**

___ Yes

___ No

- 2. Please describe status of discussions of local approvals and participation of community groups and other key stakeholders.**

- A. Briefly describe any local support/approvals, or pre-development activities that support this project. Does the project have site plan, other planning and zoning approvals, variances etc. from the host municipality to move ahead with the project? If no, describe the plan or path that is charted out to obtain the same? What is the status and timeline of obtaining the same?**

- B. Does the project require local inland wetland permits and if so, have they been obtained/applied for? What is the status?**
- C. Please list any other local, state or federal approvals or permits which will be necessary for the project to proceed and the timetable and process to achieve them.**
- D. Will the project be a major traffic generator (MTG) as defined by Section 14-312-1 of the [Office of the State Traffic Administration \(OSTA\) regulations](#)? *An MTG is defined as any development of 100,000 square feet or more of gross floor area or 200 or more parking spaces.* What steps have been taken to initiate the process and what is the expected timeline?**

3. **Please provide the status level of the project plans and construction design drawings (whether conceptual, 10%, 30% 60%, 100%)? (DECD may request for the drawings as described prior to any award)**
4. **Please describe status of assembling funding sources to complete the project (please attach Project Budget/Proforma and commitment letters from other funders).**
5. **Does the project site have all necessary public utilities, roads and other infrastructure required for the redevelopment project? If no, what additional (or upgrade of) public infrastructure would be required and what is the expected cost? Is there a plan in place to address the need and is there a funding source identified?**

6. Any other information that describes the shovel readiness of the project.

Additional Notes (if any):

SECTION V APPLICANT TEAM CAPABILITY

- 1. Provide at least five examples of similar scale projects that the Applicant Team has undertaken including references:** For each project: Provide project name; address; project scope; total project costs; details of funding sources; if DECD/other state agency funding was involved; project period; indication if project was completed on time and on budget; project issues and how they were resolved, and project testimonials/references and contact information.



Additional Notes (if any):

- 2. Please list the project team members. Please summarize their experience and skillset to undertake such projects. Please include the percentage of team members' expected available time to work on this project if the project is selected. Development team members including municipalities must demonstrate sufficient time allocated to manage this funding if awarded.**

(Developer, environmental professionals, environmental attorneys, financial partners, development consultants, municipal officials, development companies, etc.).



3. Please describe new partnerships that offer creative and dynamic solutions to the project described in the application.

SECTION VI CHECKLIST OF DOCUMENTS

Please attach copies of the following documentation, as applicable.

All documents with an asterisk* are required documents.

Please note: All documents should be numbered and named in accordance with the checklist items below PRIOR to submittal to DECD

- ☐ 1. Tax Assessor Property Card(s)*
- ☐ 2. Letter of Intent to Purchase Property/Purchase and Sales Agreement
- ☐ 3. Access Agreement or documentation from owner indicating willingness to provide access
- ☐ 4. Articles of Incorporation (if applicable, for EDAs and private entities)
- ☐ 5. Certificate of Legal Existence (for private entities)*
- ☐ 6. Locational Maps, Site Plan, Conceptual Project Plan*
- ☐ 7. Market Study, if available
- ☐ 8. Feasibility Study/Structural Analysis, if available
- ☐ 9. Town Council Approval/Certified Resolution
- ☐ 10. Site Plan/Zoning Approvals
- ☐ 11. Local Inland/Wetland Permits (if applicable)
- ☐ 12. Copies of Available Local, State and Federal Permits (if applicable)
- ☐ 13. SHPO Project Notification Form and Determination Letter (if available)*
- ☐ 14. Supporting Environmental Documentation (that support the application)
- ☐ 15. Project Pro Forma Worksheet
- ☐ 16. Municipal Certification of Eligibility for Discretionary State Funding
- ☐ 17. Project Testimonials/Examples and References

SECTION VII CERTIFICATION BY APPLICANT

It is hereby represented by the undersigned, that to the best of my knowledge and belief no information or data contained in the application and attachments are in any way false or incorrect and that no material information has been omitted. Your application and the contents of your application and our discussions with you are subject to public disclosure. We may communicate with the municipality, state agencies (including the CT Office of Policy and Management, DEEP, the CT Department of Transportation, the CT Department of Housing, the CT Department of Public Health), the EPA, and the general public. Projects **funded under this program may be subject to the Connecticut Environmental Policy Act ("CEPA"), as well** as other environmental regulations, and DECD regulations related to procurement and bidding procedures. State funding may require placement of a lien on project property. In addition, if the applicant is a private corporation, a personal guaranty may be also required from each owner of 10% or more. In addition, the undersigned agrees that any funds provided pursuant to this application will be utilized exclusively for the purposes represented in this application, as may be amended and agreed to by the DECD. DECD reserves the right to modify or waive any requirement, condition or other term set forth in this Application, to request additional information at any time from one or more applicants, to select any number of applications submitted to this program, or to reject any or all such applications, in **each case at DECD's sole discretion**. DECD may exercise the foregoing rights at any time without notice and without liability to any applicant or any other party. Applications to this program shall be prepared at the sole expense of the applicant and shall not obligate DECD to procure any of the services described therein or herein from any applicant. DECD shall not be obligated to any applicant until a final written agreement has been executed by all necessary parties thereto and all applicable approvals have been obtained. As such, any funds expended by the applicant prior to these approvals will be done so entirely at the risk of the applicant.

Signature:	Printed Name:
Date:	Title:

PLEASE READ CAREFULLY: The response fields included within this application have been assigned character limit restrictions. Please be sure that all text is visible within the provided spaces. Once the document has been signed, any text extending beyond the space provided **WILL NOT BE VISIBLE**. Please adjust your response lengths accordingly.

In addition, the document cannot be edited once a signature is applied using the sign option on Adobe Acrobat. Please make sure the application is complete and all responses are visible (start and end of response) prior to applying your signature.

SECTION VIII REMINDERS (BEFORE SUBMITTAL)

Before submitting a completed application package, please check the following:

- Ensure that all response fields have been completed/filled in. If fields are left blank, DECD may deem the application incomplete. If a particular field is not applicable, please state as such and state the reasons.
- Responses should be included in the allotted space provided in this application.
- Ensure that all required attachments (documents marked with an asterisk* in **Section VI**) are submitted along with the completed application form. Ensure that items included with the application submittal are checked off in the boxes provided in Section VI.
- The attachments should be submitted as individual documents (named and numbered in accordance with **Section VI** above). Please do not submit attachments as a single combined PDF.
- Ensure that the Application form has been signed & dated.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Alcohol Permit Request – Apple Barn Event
2. **Date of Board Meeting:** September 28, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Tom Tyburski, Director of Culture, Parks and Recreation *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports issuing an alcohol permit for the event at the Apple Barn, the following motion is in order:

Move, effective September 28, 2022, to issue an alcohol permit for the legal possession and use of alcohol for an event at the Apple Barn on October 20, 2022.
5. **Summary of Submission:**
Culture, Parks and Recreation Department staff is requesting that participants attending a "Paint and Sip" class be permitted to possess and consume alcohol at the Simsbury Farms Apple Barn on October 20, 2022. If permitted, participants would be allowed to bring their own alcohol to the program and no one under age 21 will be allowed to attend the program. Per Town Code (63-2) possession and consumption of alcohol in town buildings is limited and a permit issued by the Board of Selectmen and Town Manager is required.
6. **Financial Impact:**
If the Paint and Sip program were to sell out at 20 participants, the Culture, Parks and Recreation Department would net about \$270 to the Special Revenue Fund.
7. **Description of Documents Included with Submission:**
 - a) Excerpt from Chapter 63 of the Code of Ordinances, Alcoholic Beverages

Excerpt from Chapter 63 of the Code of Ordinances, Alcoholic Beverages
Article II – Public Consumption
Adopted by the Board of Selectmen 3-24-2003

63-2 Possession or consumption in Town buildings limited; permit required.

Except as permitted under the provisions of this article, no person shall consume any alcoholic beverage or have in his or her possession or control an open container containing any alcoholic beverage while he or she is an occupant in any Town-owned building. For the purposes of this article, alcoholic beverages shall be as those terms are defined in Connecticut General Statutes Section 30-1(3).

A.

Exception to prohibition; permit required. Notwithstanding the provisions of this § 63-2, any person may possess and consume alcoholic liquor in Town-owned buildings, excluding buildings operated by the Board of Education, if a written permit so authorizing said possession and consumption has been obtained from the office of the Town Manager for a specific event on a specific date or dates. Such a permit may be issued by the Town Manager upon receipt of a completed application on a form approved by the Board of Selectmen and upon a determination by the Board of Selectmen that the issuance of the permit will not be detrimental to the public safety, health or welfare or result in a violation of any other ordinance of the Town, or state or federal law.

[Amended 7-12-2021]

B.

Property exempted. The premises known as the "Simsbury Farms Restaurant," including the patio, located at the Simsbury Farms Recreation Complex, is specifically exempted from this permitting requirement set forth in § 63-2A of this article. The purpose of this exemption for § 63-2A is to permit patrons of the Simsbury Farms Restaurant to bring their own alcoholic liquor, as those terms are defined in the Connecticut General Statutes Sections 30-1(5) and 30-1(19), to the restaurant for consumption that is customary and incidental to consumption with meals served at the restaurant. This exemption shall be subject to the ongoing review of the Board of Selectmen and shall be reviewed by the Board of Selectmen at least annually



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Revision to Capital and Capital Non-Recurring (CNR) Fund Policy
2. **Date of Board Meeting:** September 28, 2022
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 proposed revision to the Capital and Capital Non-Recurring (CNR) Fund Policy, the following motion is in order:

Move, effective September 28, 2022, to endorse the proposed revision to the Capital and Capital Non-Recurring (CNR) Fund Policy as presented.

5. **Summary of Submission:**

The Board of Finance has proposed the attached revision to the Capital and Capital Non-Recurring Policy. The proposed new wording is in Section 6, Accounting Guidelines, of the Policy:

For Capital and Non-Recurring projects only, anticipated budget transfers between projects can be overspent within \$5,000 or 20% of the total project budget, whichever is less, as long as the total anticipated overages do not exceed anticipated savings from other projects. The transfer and close out requests will go before the Board of Selectmen and Board of Finance at year end for formal close out.

Since the Board of Selectmen also has appropriation duties under the Charter, the Board of Finance is seeking concurrence from the Board of Selectmen on the proposed policy change.

The Board of Finance reviewed this at their July 19, 2022 meeting.

6. **Financial Impact:**

None

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

- a) Proposed Revisions to the Capital and Capital Non-Recurring (CNR) Fund Policy



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

TOWN OF SIMSBURY CAPITAL AND CAPITAL NON-RECURRING FUND POLICY

Adopted by the Simsbury Board of Finance on February 19, 2019

I. Introduction & Purpose

The use and purpose of this policy is to promote consistency and continuity in decision making related to capital improvement planning and to set the general parameters within which capital spending decisions are made. This policy establishes the general financing goals and the specific elements that comprise a long-range planning and financing strategy, including capital financing guidelines and the transfer of funds to and from the Capital Projects Funds, Capital and Non-Recurring Fund and Capital Reserve Fund.

The goals of this policy statement are to:

1. Make a strong commitment to the strategic management of the Town's capital financing process.
2. Promote financial stability and focus attention on the Town's long term financial capacity to meet capital needs.
3. Designate acceptable parameters of debt issuance and management.
4. Provide a framework for monitoring capital financing practices and results.
5. Effectively communicate the Town's priorities and plans for undertaking capital projects to internal and external stakeholders.
6. Provide a framework for monitoring capital financing practices and results.

II. Effective Date

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

III. Definitions and Guidelines

1. Capital Project is defined as any project, resulting in or contributing to the acquisition of, or addition to, a capital asset with an anticipated cost equal to or exceeding \$10,000 for equipment purchases, \$20,000 for building improvements and \$100,000 for infrastructure improvements and with an anticipated life equal to or exceeding (5) five years for equipment purchases, and (10) ten years for buildings, improvements and infrastructure.
2. The capital plan shall be prepared and updated annually by the Town Manager and Finance Director and present programmatic needs and priorities for a (6) six year period.

3. Per CGS 8-24, the Planning Commission must review and approve the capital plan annually for consistency with the Plan of Conservation and Development.
4. The first year of the (6) six year capital plan will be adopted annually by the Board of Selectmen and the Board of Finance as part of the budgeting process.
5. Future operating costs associated with new capital projects and assets will be projected and included in operating budget forecasts.
6. Each capital project submitted for consideration shall identify operating budget impacts and potential financing methods available.
7. The Town shall take the appropriate actions to maintain its “Aaa” credit rating and strategically utilize debt service expenditures.
8. The Town Manager and Finance Director will recommend the optimum mix and financing sources for all capital projects, in conjunction with the adopted Debt Management Policy.
9. Whenever possible, capital costs should be financed by means other than borrowing. Borrowing shall be limited to infrastructure or facility improvement projects with an estimated life expectancy of at least 15 years and cost of at least \$250,000.
10. Capital projects financed through the issuance of general obligation bonds shall be financed for a period no longer than 10 years unless specifically authorized by the Board of Finance and , when practical, for a period which does not exceed the useful life of the asset.
11. Maintenance Scheduling – The Town intends to set aside sufficient revenues to finance ongoing maintenance needs and to provide periodic replacement and renewal to keep its capital facilities and infrastructure systems in good repair to maximize a capital asset’s useful life and to avoid unnecessary borrowing.

IV. Capital Projects Fund(s) Policy

The Capital Project Fund(s) is used to account for the financial resources used for the acquisition of major pieces of equipment, vehicles in the fleet, studies (if related to a larger capital project), professional services, building improvements, land acquisitions, building acquisitions or construction of major capital facilities and capital infrastructure improvements.

This fund may receive contributions from the sale of town owned buildings and property, transfers from the General Fund, transfers from the Capital Reserve Fund, unexpended balances of completed capital projects in the Capital Projects Fund(s), grants and donations.

If applicable, funds shall be invested in accordance with the Town’s investment policy.

V. Capital and Non-Recurring Fund Policy

The Capital and Non-Recurring Fund is established to provide for small capital and non-recurring expenditures which would distort year to year budget comparison. Non-recurring is to mean an expenditure that occurs no more frequently than once in a five year period.

Capital items and studies of single or aggregate cost that exceed \$10,000 but are less than \$250,000 shall be accounted for as expenditures in the capital and non-recurring fund. The Capital and Non-Recurring Fund may also include fleet purchases that are less than \$250,000 per vehicle.

The Town shall not fund on-going operating expenditures from the Capital and Non-Recurring Fund.

On an annual basis, the General Fund will fund the CNR Fund utilizing a charge-back method. The charge-back method will spread out the CNR expenditures evenly over a five (5) year period. In the event items purchased from the CNR fund hold a life cycle of less than five (5) years, those purchases will be financed over a period not to exceed their life cycle.

The CNR Fund will hold a reserve sufficient enough to maintain an overall positive balance in the CNR fund.

This fund may receive contributions from transfers from the General Fund, transfers from the Capital Reserve Fund, transfers from Special Revenue Funds, unexpended balances of completed capital projects in the Capital Projects Fund(s), grants and donations.

If applicable, funds shall be invested in accordance with the Town's investment policy.

VI. Capital Reserve Fund Policy

The Capital Reserve Fund is established to allow more flexibility, to serve as a future source of cash to capital financing of capital projects, and to provide a revenue source for emergency capital needs such as an emergency repair to a building not covered by insurance. It is a part of the Town's capital financing strategy and seeks to fund to a level deemed sufficient to fully fund recurring expenditures for replacement capital equipment and maintaining public facilities that do not meet the Town's general obligation bond issuance guidelines.

The target funding level shall be an amount sufficient to fund the capital fund budget cash to capital plus \$50,000. This is to ensure a sufficient balance remains in the Capital Reserve Fund for emergencies. Purchases utilizing the Capital Reserve Fund shall be authorized by the Town Manager or her/his designee and the Director of Finance and shall be approved by the Board of Selectmen and Board of Finance prior to expenditure. In the event of an emergency where an expenditure is made without prior approval by the Board of Selectmen and the Board of Finance, the expenditures shall be brought to the Board of Selectmen and Board of Finance for ratification as soon as possible. The Town Manager or her/his designee shall attempt to reach the First Selectman and Chairperson of the Board of Finance prior to the emergency expenditure. The First Selectman shall advise members of the Board of Selectman and the Chair of the Board of Finance shall advise members of the Board of Finance as soon as possible of the emergency. An emergency is defined as an urgent event or circumstance requiring an expenditure to preserve life or property or to address unique and serious circumstances that could not have been reasonably foreseen and which require immediate attention.

This fund may receive contributions from the sale of town owned buildings and property, transfers from the General Fund, transfers from Special Revenue Funds, unexpended balances of completed capital projects in the Capital and Non-Recurring Fund and Capital Projects Fund(s), grants, donations and interest from investments.

If applicable, funds shall be invested in accordance with the Town's investment policy.

VII. Accounting Guidelines

The following are a list of specific accounting practices related to capital transactions:

1. On the first day of the fiscal year, the General Fund appropriations to the Capital Projects Fund(s), Capital and Non-Recurring fund and Capital Reserve Fund will be transferred.
 2. On the first day of the fiscal year, the Capital Reserve Fund appropriations to the Capital Projects Fund(s) and the Capital and Non-Recurring Fund will be transferred.
 3. All bond proceeds will be deposited directly into the Capital Projects Fund(s).
 4. Proceeds from the sale of town property will be deposited directly into the Capital Projects Fund or Capital Reserve Fund upon recommendation by the Board of Finance
 5. Interest earned by the Capital Projects Fund(s) for the entire fiscal year will be transferred into the Capital Reserve Fund on the last day of the fiscal year, if applicable.
 6. Grant funds, including school construction progress payments will be deposited into the Capital Projects Fund(s).
 7. All debt service payments and debt issuance costs will be paid from the General Fund and/or Debt Service Fund.
 8. All capital projects expenditures will be paid directly from the Capital Projects Fund(s).
- ~~8.9.~~ For Capital and Non-Recurring projects only, anticipated budget transfers between projects can be overspent within \$5,000 or 20% of the total project budget, whichever is less, as long as the total anticipated overages do not exceed anticipated savings from other projects. The transfer and close out requests will go before the Board of Selectmen and Board of Finance at year end for formal close out.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Creation of Work Group to Develop an Ordinance Prohibiting the Use of Tobacco, Vaping, and Cannabis Products on Public Property
2. **Date of Board Meeting:** September 28, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Wendy Mackstutis, First Selectman
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports forming a work group to review the feasibility of establishing an ordinance to prohibit the use of tobacco, vaping, and cannabis products on public property, the following motions are in order:

Move, effective September 28, 2022 to establish a Board of Selectmen work group to review the feasibility of establishing an ordinance to prohibit the use of tobacco, vaping and cannabis products on public property.

Further move to appoint INSERT NAME and INSERT NAME to the work group.

5. **Summary of Submission:**
First Selectman Mackstutis has requested that this item be placed on the agenda. The Board of Selectmen's adopted 2021-2023 goals identified a desire to draft an ordinance regarding the sale of cannabis. Discussion has also occurred regarding a broader ordinance to address the use of tobacco, vaping and cannabis products on public property. The Town Manager's adopted FY 22/23 goals include, "Develop a policy or regulations regarding the prohibition of tobacco, vaping, and other similar products on town owned property."

Our practice for ordinance development has been to establish a work group of the Board, with support from staff. Ultimately, the work group would present its findings and recommendations to the full Board of Selectmen at a later date. When the work of the group is complete, the intent would be for it to be disbanded.

If this work group is established, at least two members of the Board will be needed to assist with the initiative. Management Specialist Tom Fitzgerald and I will be the primary staff support, with other staff members assigned as needed.

6. Financial Impact:

Staff time would be required to support the work of the group such as conducting research, drafting a possible ordinance, and preparing meeting materials.

7. Description of Documents Included with Submission:

a) Board of Selectmen Adopted 2021-2023 Goals

2021-2023 SIMSBURY BOARD OF SELECTMEN GOALS - ADOPTED AUGUST 25, 2022

Goal	Initiative
Strong Financial Management & Capital Planning	Engage in long range planning of Capital between BOS, BOF and BOE.
Strong Financial Management & Capital Planning	Explore shared services between Town of Simsbury and Simsbury Board of Education.
Strong Financial Management & Capital Planning	Continue prioritization and implementation of Facilities Master Plan items, including clean energy initiatives.
Strong Financial Management & Capital Planning	Continue prioritization and implementation of parks and open space master plan, including investing in our athletic fields, Tariffville Park, Simsbury Farms, and sustainable land management.
Strong Financial Management & Capital Planning	Prioritize filling gaps in trail connectivity - especially Tariffville gap.
Support the Health, Safety & Well-Being of our Community	Support town-wide DEI initiatives. Develop a DEI vision for the community and the organization.
Support the Health, Safety & Well-Being of our Community	Conduct police services staffing study and implement changes.
Support the Health, Safety & Well-Being of our Community	Support our seniors through efforts towards becoming an Age Friendly Community.
Develop an Economic Vision for our Community	Create a MOU with Main Street Partnership.
Develop an Economic Vision for our Community	Engage in a charette and rezoning for Tariffville Village to allow/promote business development in this area (In partnership with the Planning Commission).
Develop an Economic Vision for our Community	Draft ordinance regarding the sale of cannabis. Educate Board of Selectmen and the community on the topic.
Fostering an Engaged, High Quality Workforce	Invest in our workforce through professional development opportunities.
Fostering an Engaged, High Quality Workforce	Engage in an employee satisfaction survey.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignations from Community for Care Committee and Aging and Disability Commission

2. **Date of Board Meeting:** September 28, 2022

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

4. **Action Requested of the Board of Selectmen:**
The following motions are in order:

Move, retroactive to July 1, 2022, to accept the resignation of Deb Schwager as a Regular Member of the Community for Care Committee.

Move, retroactive to September 15, 2022, to accept the resignation of Sally Rieger as a Regular Member of the Community for Care Committee.

Move, retroactive to September 12, 2022, to accept the resignation of Erin Leavitt-Smith as a Regular Member of the Aging & Disabilities Commission.

5. **Summary of Submission:**

The Town Clerk has received the resignation of Deb Schwager (R) as a Regular Member of the Community for Care Committee. Ms. Schwager's term was to expire December 4, 2023. Pursuant to our Charter, since Ms. Schwager is a Republican, her replacement must be from the same political party.

The Town Clerk has received the resignation of Sally Rieger (D) as a Regular Member of the Community for Care Committee. Ms. Rieger's term was to expire December 4, 2023. Pursuant to our Charter, since Ms. Rieger is a Democrat, her replacement must be from the same political party.

There are five vacancies¹ for Community for Care. Staff prepared and circulated a public announcement seeking volunteers for this Committee in August.

The Town Clerk has received the resignation of Erin Leavitt-Smith (D) as a Regular Member of the Aging & Disabilities Commission. Ms. Leavitt-Smith's term was to expire January 1, 2024. Pursuant to our Charter, since Ms. Leavitt-Smith is a Democrat, her replacement must be from the same political party.

¹ The Committee currently consists of seven membership slots.

6. Financial Impact:

None

7. Description of Documents Included with Submission:

- a) Deb Schwager's Resignation Letter, dated September 12, 2022
- b) Sally Rieger's Resignation Letter, dated September 15, 2022
- c) Erin Leavitt-Smith's Resignation Letter, dated September 12, 2022

From: Deborah Schwager >
Sent: Wednesday, September 7, 2022 11:27 AM
To: Lydia Tedone
Cc: Davis Chris <cdavis@pd.simsbury-ct.gov>; Gene Ott ; Goetz Heather
<hgoetz@simsbury-ct.gov>; Krasula Katie <kkrasula@simsburyschools.net>; Formanek Kristen
<kformanek@simsbury-ct.gov>; Sally Rieger Loveland Rachael
<rloveland@simsbury-ct.gov>
Subject: Re: Upcoming Meeting

Hello All~

Let me start by asking forgiveness for my not having sent this sooner. It's been a long, exciting, and also difficult summer! I was saddened to see that Cheryl needed to step down, and now, so must I. Our family made the difficult decision to sell our home this summer for the same reasons as many others: an irresistible seller's market, our children having become independent (we think?!), and with eventual plans for a home in another state.

Therefore, I'm no longer eligible to serve on the committee as I no longer officially reside in Simsbury. Although my contributions to this group were minor, having jumped in during the height of the pandemic shutdown, I'd looked forward to doing more this fall.

Thank you for having me along for a little while, and for your continued good work. I'd say more, but then I'd have to cry! Simsbury is more than the sum of its parts. It's people like you and so many others who make it so special, and I'll always miss this beloved town.

With gratitude~
Deb Schwager

Form submission from: Resignation Submission Form

Simsbury CT via Simsbury CT <cmsmailer@civicplus.com>

Thu 9/15/2022 4:16 PM

To: Town Clerk <townclerk@simsbury-ct.gov>

Submitted on Thursday, September 15, 2022 - 4:16pm

Submitted by anonymous user: 32.212.253.57

Submitted values are:

Member's Name: Sally Rieger

Address:

Phone #:

Email:

Type of Member: regular

Name of Board/Commission: Community For Care

Effective Date of Resignation: 09/15/2022

Reason for Resignation: meeting time now is a conflict

Any Additional Comments: Thank you for the opportunity to serve on the Community for Care. Its mission remains very important.

The results of this submission may be viewed at:

<https://www.simsbury-ct.gov/node/98363/submission/27781>



Munroe Trish

From: Leavitt-Smith Erin
Sent: Thursday, September 8, 2022 2:53 PM
To: Munroe Trish
Subject: Resignation

Hello Trish,

I am writing to inform you of my resignation on the Aging and Disabilities Commission effective Sept 12th. I have informed Diana Yeisley as the chair as well. It has been a pleasure serving on the commission these past few years.

Sincerely

Erin Leavitt-Smith





Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Appointments to Various Boards and Commissions

2. **Date of Board Meeting:** September 28, 2022

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

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen accepts the recommended appointments, the following motions are in order:

Move, effective September 28, 2022, to appoint Joleen Benedict as a Regular Member of the Design Review Board to fill a vacancy for a term ending December 6, 2025.

Move, effective September 28, 2022, to appoint Elaine Lang as Regular Member of the Historic District Commission to fill a vacancy for a term ending January 1, 2023.

Move, effective September 28, 2022, to move Jennifer Seiderer from an Alternate Member of the Aging & Disability Commission to a Regular Member to fill a vacancy for a term ending January 1, 2024.

5. **Summary of Submission:**
The Town Clerk has received from the Democratic Town Committee the following recommendations for appointments:

1. Joleen Benedict (D) as a Regular Member of the Design Review Board. The appointee would be filling the vacancy created by the resignation of Khamla Vorasane (D) from this position effective April 20, 2022. Pursuant to our Charter, since the vacancy occurred mid-term, it must be filled by the same political party, which in this case is the Democratic party. The appointee will serve until the term ends on December 6, 2025.
2. Elaine Lang (D) as a Regular Member of the Historic District Commission. This vacancy was created by the resignation Julie Carmelich (D) effective December 8, 2020. Pursuant to our Charter, since the vacancy occurred mid-term, it must be filled by the same political party, which in this case is the Democratic party. The appointee will serve until the term ends on January 1, 2023.
3. Jennifer Seiderer (D) moving from Alternate Member to Regular Member of the Aging & Disability Commission. The appointee would be filling the vacancy created by the

resignation of Erin Leavitt-Smith (D) from this position effective September 12, 2022. Pursuant to our Charter, since the vacancy occurred mid-term, it must be filled by the same political party, which in this case is the Democratic party. The appointee will serve until the term ends on January 1, 2024.

6. Financial Impact:

None

7. Description of Documents Included with Submission

- a) Bio of Joleen Benedict
- b) Bio of Elaine Lang
- c) Bio of Jennifer Seiderer

Joleen Benedict



09/09/2022

Dear Community Members and Leaders,

I am excited about the nomination to join the Design Review Board for Simsbury. As a long-time resident of our wonderful town (I have been here since I was a child), I feel that it is a great honor and opportunity to help our town maintain a beautiful, charming and small town look and feel. Moreover, I am eager to serve our great community by becoming more involved in town government.

While living in Amherst, MA, I participated in the Chamber of Commerce by becoming a member of the Historical Preservation Committee. This experience was fascinating and rewarding, as the recently renovated Emily Dickinson Museum, along with the Austin Dickinson home have been preserved. For some time the plan, according to a family will, was to raze the Austin Dickinson home. Today both homes have been splendidly preserved and expanded into living history museums.

I am eager to help and work with other committee members to review building and renovation plans for Simsbury. I have recently joined the Democratic Party and have enjoyed meeting many people. Their dedication, kindness, enthusiasm and hopes for our great town are impressive. I look forward to this opportunity to get more involved.

Thank you for your time and kind consideration in reviewing my background and hopes for joining the Design Review Board. Please reach out if I can provide more information.

With warm regards and best wishes,

Joleen

Joleen Urban Benedict

Elaine Lang has been involved in preserving Simsbury's History since she volunteered with the Historical Society as a child in the 1970s and 1980s. Returning to Simsbury to raise her children, she became involved in many community service organizations, including service on the Simsbury Historical Society Board of Directors from 2011-2017 and as President of the society from 2013-2016. She served on the Board of Selectmen from 2015-2017, and has served on the Design Review Board since 2017.

Jen Seiderer*Aging & Disability Alternate*

My name is Jennifer (Jen) Seiderer and I live in Weatogue with my husband, Gregg, and my two sons, Eli and Jude. I've lived in Weatogue and been a registered Democrat here in CT since 2006; I've also been employed by The Hartford since 2006.

As a lifelong Democrat with an undergraduate degree in Social Work and a strong interest in advocacy and social justice at the local, state, and federal levels, I'm keenly aware that progress is best begun at the local or grassroots level. For that reason, I'm interested in volunteering for membership in our local Simsbury government. I am open to nomination to the Aging and Disability Commission or another group that might most benefit from my interests and skills. I love Simsbury and want to make our beautiful town more accommodating; I believe Simsbury will be better for being more just and diverse.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Reappointments to the Business Development Committee
2. **Date of Board Meeting:** September 28, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports the recommendation of the Town Manager, the following motions are in order:

Move, effective September 28, 2022, to reappoint Eric Wellman as a regular member of the Business Development Committee with a term expiring December 4, 2023.

Move, effective September 28, 2022, to reappoint Chris Peterson as an alternate member of the Business Development Committee with a term expiring December 4, 2023.

Move, effective September 28, 2022, to reappoint Tom Earl as a regular member of the Business Development Committee with a term expiring December 4, 2023.

Move, effective September 28, 2022, to reappoint Bill Ethier as a regular member of the Business Development Committee with a term expiring December 4, 2023.

Move, effective September 28, 2022, to reappoint Derek Peterson as a regular member of the Business Development Committee with a term expiring December 4, 2023.

Move, effective September 28, 2022, to reappoint Dave Ryan as a regular member of the Business Development Committee with a term expiring December 4, 2023.

5. **Summary of Submission:**

The Business Development Committee consists of five members and one alternate member appointed by the Board of Selectmen to two-year terms. Membership composition is as follows: one member of the Board of Selectmen (E. Wellman); one alternate member of the Board of Selectmen (C. Peterson); one member of the Zoning Commission (D. Ryan); one member of the Economic Development Commission (T. Earl); and one member at large (B. Ethier), who is an elector of the community with expertise related to economic and business development. The Town Manager serves as an ex-officio non-voting member of the Committee with full participation rights. The

Town Manager serves as the administrative chair and makes recommendations for Committee appointments to the Board of Selectmen.

All current Committee members are willing to continue to serve. I believe they possess skill sets well suited for the work of the Committee. For housekeeping purposes, I am recommending the reappointment of all existing members with terms expiring on December 4, 2023. Moving forward, the terms of this Committee would be coterminous with the Board of Selectmen terms, similar to most other "temporary" committees of the Town.

6. Financial Impact:

None

7. Documents Included with Submission:

a) Fee Waiver and Tax Abatement Program Guidelines

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m. in the Main Meeting Room of the Town Offices. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members: Chris Peterson, Eric Wellman, Sean Askham and Heather Goetz. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; and other interested parties.

a) Proclamation for Suicide Awareness Month

**Proclamation Recognizing September as
Suicide Prevention Awareness Month**

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

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

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

WHEREAS, from 2020 CDC date, suicide is the 15th leading cause of death in Connecticut, 3rd leading cause of death for ages 10-24, and the 2nd leading cause of death for ages 28-34;

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

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

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

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

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

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

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

IN WITNESS THEREOF, we have placed our signatures and the great seal of the Town of Simsbury.
Dated the 12th day of September 2022.

Mr. Askham made a motion, effective September 12, 2022, to endorse a Proclamation for Suicide Prevention Month. Further move, to authorize Eno Hall to be it up in purple for the rest of the month of September in support of Suicide Prevention Awareness. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

SELECTMEN ACTION

a) Tax Refund Requests

Mr. Askham made a motion, effective September 12, 2022, to approve the presented tax refunds in the amount of \$31,751.91, and to authorize Town Manager, Maria E Capriola, to execute the tax refunds. Ms. Goetz seconded the motion. All were in favor and the motion passed.

b) Recover Friendly Community Initiatives

Mr. Askham made a motion, effective September 12, 2022, to proclaim the Town of Simsbury as a “Recovery-Friendly Community.” Mr. Wellman seconded the motion. All were in favor and the motion passed.

c) Donation from Elinor and Wayne Hoffman

Ms. Abbuhl made a motion, effective September 12, 2022, to accept a donation from Elinor and Wayne Hoffman in the amount of \$3,000 for the purpose of aiding residents in need with our thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

d) Grant from the Secretary of the State for Absentee Ballot Preparation for November 8, 2022 Election

Mr. Wellman made a motion, effective September 12, 2022, to accept a grant from the Secretary of the State in the amount of \$10,709.3 for the purpose of assisting the Town Clerk’s Office with the process of absentee ballots for the upcoming election, and to authorize Town Manager, Maria E. Capriola, to execute all documents related to the grant award. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

e) Social Media Account Request from Open Space Committee

Mr. Askham made a motion, effective September 12, 2022, to approve the creation of Simsbury Open Space Committee Facebook, Twitter and Instagram accounts to be used by the Committee to publicize their efforts, of which Town staff will have oversight. Mr. Wellman seconded the motion. All were in favor and the motion passed.

f) Proposed Settlement Agreement – Pending Tax Appeal for DWW SOLAR II, LLC

Mr. Askham made a motion, effective September 12, 2022, to approve the Joint Stipulation for Judgement for Docket No. HHB-CV-21-6070863-5, DWW SOLAR II, LLC vs. Town of Simsbury for the tax appeal on the taxable personal property located at 55-60 Hoskins Road as presented, and authorize Town Attorney Robert DeCrescenzo to execute the agreement. Mr. Wellman seconded the motion. All were in favor and the motion passed.

APPOINTMENTS AND RESIGNATIONS

a) Resignation of Cheryl A. Cook and Tom Steen from Community for Care

Ms. Goetz made a motion, retroactive to August 1, 2022, to accept the resignation of Cheryl A. Cook as Regular Member of the Community for Care Committee with our thanks. Further move, retroactive to September 1, 2022, to accept the resignation of Tom Steen as a Regular Member of the Community for Care Committee with our thanks. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

b) Resignation of Robert Mule from the Board of Ethics

Mr. Askham made a motion, retroactive to September 7, 2022, to accept the resignation of Robert Mule as a Regular Member of the Board of Ethics with our thanks. Mr. Wellman seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting Minutes of August 8, 2022-

Ms. Mackstutis made a motion to amend item f: Public Gathering Permit to say that Ms. Mackstutis questioned and was not in favor of the need for fireworks. She was concerned people were not aware of it as it was not the 4th of July or another planned event but after hearing that the Fire Department approved it and it was safe, she voted with the Board in favor. Ms. Goetz seconded the motion. Ms. Mackstutis and Ms. Goetz were in favor with Mr. Peterson, Mr. Askham, Ms. Abbuhl and Mr. Wellman against the motion. Therefore, the motion did not pass.

Under Website submission – Ms. Mackstutis made a motion to add that she was committed to sending an apology to those impacted who might have been expecting one and did not receive a timely response from the Board of Selectmen. Ms. Goetz seconded the motion. Mr. Peterson, Ms. Goetz and Ms. Mackstutis were in favor with Mr. Askham, Ms. Abbuhl and Mr. Wellman against the change. Therefore, the motion did not pass.

b) Special Meeting of August 25, 2022 –there were no changes to the Special Meeting Minutes of August 25, 2022 and, therefore, the minutes were adopted.

Ms. Goetz made a motion to change the minutes under item (c), after Ms. Capriola is quoted, to reflect that Ms. Ms. Goetz raised concerns regarding internal transparency and that Town Manager Maria Capriola stated this discussion would be better addressed in executive session, to which there were no objections. Ms. Mackstutis raised related concerns.

Ms. Mackstutis seconded the motion. Ms. Goetz and Ms. Mackstutis were in favor with Mr. Peterson, Mr. Askham, Mr. Wellman and Ms. Abbuhl against. Therefore, the motion did not pass.

EXECUTIVE SESSION

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

Mr. Wellman made a motion to adjourn to Executive Session at 8:00 p.m. pursuant to CGS §1-200(6)(a) Review of Staff Performance and to include only the Board of Selectmen. Mr. Askham seconded the motion. All were in favor and the motion passed.

ADJOURN FROM EXECUTIVE SESSION

Mr. Wellman made a motion to adjourn Executive Session at 8:50 p.m. Mr. Askham seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Wellman made a motion to adjourn at 8:50 p.m. Mr. Askham seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

TOWN OF SIMSBURY

Fee Waiver and Tax Abatement Program Guidelines *Adopted by the Board of Selectmen on February 8, 2021*

1. Purpose

The goal of economic development is to improve the life of community residents by retaining and expanding existing businesses and attracting new businesses. Simsbury's Fee Waiver and Tax Abatement Program support the town's economic development.

The specific goals of the Simsbury Fee Waiver and Tax Abatement Program include one or more of the following: generating additional tax revenue, lasting employment opportunities, providing quality goods and services, improving the aesthetics of the community, preserving an historic site, providing desirable recreational and entertainment opportunities.

This policy is intended to provide guidelines; it does not prohibit the Board of Selectmen from taking any action it deems appropriate as allowable by statute.

2. Effective Date

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

3. Types of Businesses Targeted by This Policy

- Corporate headquarters and satellite offices
- Research and high technology facilities
- Advanced technology manufacturing facilities (only applies to job creation and real estate growth, does not apply to personal property growth)
- Existing Simsbury business expansion
- Mixed-use development of a building or site
- Affordable housing units or housing units developed for underserved populations.
- New or existing recreational or entertainment businesses
- Historical preservation
- Re-development of properties in certain neighborhoods (e.g. Tariffville, downtown, North village)
- Green/sustainable improvements
- Appropriate entrepreneurial businesses

4. Types of Assistance Available

- A. **Tax Abatement** – the assessment of real property may be reduced for a period of time
- The town may reduce the assessment of real property as allowed by Connecticut General Statutes Chapter 203, Sec. 12-65b, as amended from time to time. Any written agreement entered into under this statute shall normally not be for a period longer than ten years, with a maximum average abated not to exceed a range of 40-60%. The Town

reserves the right to cap the total abatement amount granted. However, these guidelines do not prohibit the Board of Selectmen from taking any action it deems appropriate as allowable by statute.

- B. Waiving or Reducing of any Town Permit Fees** – reduction amount is variable depending on impact of proposed project. The town may waive up to 50% of any town permit fees upon determination that such a fee waiver would encourage the development or expansion of quality businesses, especially those in the targeted industries. The Town reserves the right to cap the total amount of fees waived. Sewer fees and fire code fees are not applicable for this potential reduction in fees.

5. Application Requirements and Procedures

- **Step 1**

Applicant submits a Business Development Assistance Application (supplied by the town) to the Planning Department. The Planning Director will review the application to evaluate its consistency with the most current Plan of Conservation and Development. The Assessor and Finance Director will then complete an analysis regarding the anticipated value of the improvements, and will prepare various abatement scenarios for review.

These departmental analyses are forwarded to the Town Manager for review. The Town Manager will submit scenarios based upon the guidelines established in this Policy to the Business Development Committee (BDC).

The BDC consists of five members and one alternate member appointed by the Board of Selectmen to two year terms. Membership composition is as follows: one member of the Board of Selectmen; one alternate member of the Board of Selectmen; one member of the Board of Finance; one member of the Zoning Commission; one member of the Economic Development Commission; and one member at large, who is an elector of the community with expertise related to economic and business development. The Town Manager serves as an ex-officio non-voting member of the Committee with full participation rights. The Town Manager serves as the administrative chair and makes recommendations for Committee appointments to the Board of Selectmen.

- **Step 2**

The Business Development Committee and Town Manager will review and confer on the application and provided scenarios. The Town Manager, with assistance from staff, will resolve any issues with the applicant.

- **Step 3**

The Business Development Committee and the Town Manager make a final recommendation to the Board of Selectman.

- **Step 4**

Upon approval by the Board of Selectman, the Town Manager will work with the applicant and the town attorney to draft a legal contract that assures that all the provisions of the Tax Abatement Program will be met. The contract will include a provision for verifying that minimum investments or job creation have been met.

- **Step 5**

In order for the incentive to become legal the Board of Selectman must approve the final Business Development Incentive(s) in contract form by majority vote. The Board of Selectman shall then authorize the Town Manager to sign the proposed final contract as approved in form.

Note: the Fee Waiver and Tax Abatement Program is completely separate from the statutorily required local land use approval process. Response timeframes associated with each step in the process are dependent upon staff workload capacity, as well as the availability of the members of the Business Development Committee and the Board of Selectmen in order to meet in a timely manner within the requirements set forth in the Freedom of Information Act.

6. Transparency

A portion of the town website shall be dedicated to tax abatement information which would include awards and abatement documents

7. Accountability

Tax abatements will not be granted if the contractually required minimum real estate and/or personal property investment has not occurred. If the tax abatement is linked to job creation and/or retention, the abatement will not be granted until the minimum required new jobs has been verified; annual reporting thereafter will be required to verify that the agreed upon minimum number of new jobs have been retained at their Simsbury location.

Economic Development Strategies – To Attract and Retain Businesses

The Town of Simsbury is committed to the strategies and aspirations listed below.

1. Diversification and broadening of tax base to minimize tax increases

- Increase Grand List value in order to minimize tax increases

2. Streamline planning and zoning practices

- Continue updating land use regulations
- Implement suggestions received from local businesses to simplify and make transparent all permitting and zoning requirements
- Consolidate land use bodies and allow administrative approvals by staff

3. Maintain Simsbury's quality of life offerings

- Maintain excellent school system, attractive parks and trails, library, social services, senior center, well maintained infrastructure

4. Business retention – stay in touch with businesses

- Continue EDC outreach such as surveys, meetings and visits to ensure the concerns and needs of our businesses are addressed by town government
- Partner and collaborate with Chamber of Commerce, Main Street Partnership, and Business and Career Center
- Maintain and update marketing materials to promote Simsbury as a place to live, work and play
- Promote state programs (Small Business Incentive Program, Grow Connecticut Rebate Program, etc.) available to business community

5. Make infrastructure improvements

- Make investments in critical infrastructure: transportation, technological (fiber optics, band width), and building infrastructure. Maintain proper stewardship of town resources

6. Support Entrepreneurs and current town businesses

- Fund and support the Library's Business Resource and Career Center and our partner organizations such as the Chamber and Main Street
- EDC led effort to facilitate co-working spaces for entrepreneurs
- Maintain EDC outreach practices
- Assign ombudsmen from EDC to work directly with businesses interested in moving to Simsbury or eager to stay in town

7. Provide diverse housing options

- Continue to support the development of varied housing options that address the range of needs in our community, including affordable housing units and housing units for underserved populations



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

MEMORANDUM

To: Board of Selectmen
From: Maria Capriola, Town Manager
Cc: George McGregor, Planning Director; Laura Barkowski, Code Compliance Officer; Tom Tyburski, Director of Culture, Parks and Recreation; Nick Boulter, Chief of Police; Chris Davis, Deputy Chief of Police; Greg Samselski, Police Lt.; Tom Roy, Director of Public Works/Town Engineer; Patrick Tourville, Fire Marshal
Date: September 15, 2022
Subject: Administrative Approval of Public Gathering Permits

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

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

Name of Event	Location	Date	Type
Simsbury Fly-In	Simsbury Airport, Gifts of Love Parking Area	September 24 & 25, 2022	Food Truck Festival (Saturday), Fly-in & Car Show (Sunday)
Simsbury Untapped	PAC	September 25, 2022	Substance-Free Recovery Friendly Festival
Glasgow Wedding	Flower Bridge	October 15, 2022	Wedding Photos

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



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

September 29, 2022

Jeffrey R. Gaudiosi, Esq.
Executive Secretary
Public Utilities Regulatory Authority
10 Franklin Square
New Britain, CT 06051

Re: Opposition to Aquarion Water Company Proposed Rate Increases
PURA Docket No. 22-07-01

Dear Mr. Gaudiosi,

I am expressing my concern with the rate increase proposed by Aquarion Water Company under PURA Docket No 22-07-01.

The Town has always had a good working relationship with Aquarion Water Company; however, I find an increase of 13.9% in the first year and 27.8% over a three-year period to be unacceptable. Our residents are already facing record inflation and a challenging economic climate. The proposed increase on a basic need such as water is extreme and insensitive to the financial challenges experienced by many of our residents.

One of Simsbury's major concerns when Aquarion purchased the Village Water Company of Simsbury in May 2000 was the potential for increased costs. Our residents were assured that the rates would be kept low due to the larger and more efficient operational capabilities of Aquarion. The proposed rate increases are not consistent with the commitments made by Aquarion in May of 2000.

Residents of Simsbury face one additional challenge associated with Aquarion water: the water provided is high in mineral content, or "hard," leading to additional challenges and expenses. Due to the marginal water quality, our residents and business have to replace plumbing fixtures and pumps much more frequently than is typical. I believe this should be considered in the fee structure for Simsbury.

Thank you for allowing the opportunity to provide written public comment. Should you need to follow-up, please contact me at 860-658-3230 or townmanager@simsbury-ct.gov.

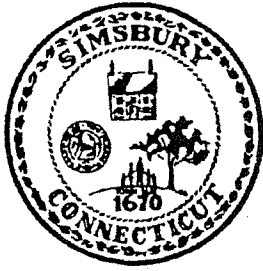
Regards,



Maria Capriola
Town Manager

cc: Tom Roy, Director of Public Works/Town Engineer
Adam Kessler, Deputy Town Engineer
Jim Baldis, Fire Chief
Patrick Tourville, Fire Marshal
Board of Selectmen

DRAFT



Town of Simsbury

66 TOWN FOREST ROAD, WEST SIMSBURY, CONNECTICUT 06092

Phone (860) 658-3222

E-mail troy@simsbury-ct.gov

Thomas J. Roy, P.E. ~ Director of Public Works ~ Town Engineer

September 12, 2022

Subject: Firetown Road Sidewalk Gap Closure Project

Dear Resident:

Currently, there is not a safe walking area along Firetown Road between West Street and Plank Hill Road. This gap in our sidewalk system was identified as a priority in our 2018 Town of Simsbury Pedestrian and Bicycle Master Plan. In an effort to provide a safe walking path in this area, the Town applied for and received two grants for construction of sidewalk to connect West Street and Plank Hill Road. This project is officially referred to as the Firetown Road Sidewalk Gap Closure Project.

In the next several weeks, you will begin to see surveyors on site. The surveyors from Alfred Benesch & Company will perform a location and topographic survey of the Town right-of-way and adjacent areas along Firetown Road beginning in late September 2022. At times, the surveyors may be on your property to gather the necessary information. We expect that this topographic survey will be completed within 4 to 6 weeks from that start date.

The Town will be designing the project and will be sharing information with residents as part of this process. Once we have our survey completed and have preliminary design concepts, we will be sharing them with the public and, if there is sufficient interest, we will hold a meeting(s) to receive input from residents of this neighborhood. We are currently anticipating construction during the 2023 construction season.

If you have any questions on this work, please contact Daniel Gannon, Project Engineer, at 860-658-3260.

Sincerely,

Thomas J. Roy, PE
Director / Town Engineer
Department of Public Works