Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Lisa L. Heavner - First Selectman

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SIMSBURY BOARD OF SELECTMEN
Main Meeting Room – Simsbury Town Hall – 933 Hopmeadow Street, Simsbury
Regular Meeting – May 23, 2016 – 6:00 p.m.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

To receive public comment concerning the proposal of the Tariffville Fire District Water Commission (TWC) to replace and relocate the water storage tank on Laurel Hill to a location immediately adjacent to the existing tank. TWC is also requesting modification to an existing State of Connecticut Conservation and Public Recreation Easement for the purpose of ensuring that TWC's proposed infrastructure is located outside the boundaries of an established Easement.

CLOSE PUBLIC HEARING

PUBLIC AUDIENCE

PRESENTATIONS

- Captain Nick Boulter Graduates from FBI National Academy

FIRST SELECTMAN'S REPORT

SELECTMEN ACTION

a) Tariffville Fire District Water Commission:
   1) Approve modifications, as requested by the Tariffville Fire District Water Commission, to the existing conservation and recreational easement on Laurel Hill in favor of the State of Connecticut to permit construction of a water storage tank on the site, subject to final approval by the State of Connecticut
   2) Approve the issuance of a temporary construction easement on a portion of the property to facilitate construction of the water tank

b) Approve Tax Refunds

c) Approve Language of Referendum Questions and Other Final Budget Actions

d) Set Date for Automatic Referendum, pursuant to Section 406 of the Town Charter, for Tuesday, June 7, 2016 from 6:00 a.m. to 8:00 p.m. at Henry James Memorial School

e) Approve the request of the Aging and Disability Commission to designate the month of June, 2016 as Handicapped Parking Awareness Month

f) Approve the bid and authorize entering into an agreement with Golf Irrigation Services to provide the materials and installation of a lightning protection system for the Simsbury Farms Complex and Memorial Pool

g) Set Public Hearing Date to receive public comment on Charter Revision Commission Draft Report

h) Revision to Gift Acceptance Approval at April 25, 2016 meeting

OTHER BUSINESS

a) Update and Discussion on Senior Community Center Project

APPOINTMENTS AND RESIGNATIONS

REVIEW OF MINUTES

a) Special Meeting of May 9, 2016
b) Regular Meeting of May 9, 2016

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

1. Personnel
2. Finance
3. Welfare
4. Public Safety
5. Board of Education

ADJOURN

Most of the documents reviewed by the Board of Selectmen at this meeting can be located at:
http://www.simsbury-ct.gov/board-of-selectmen

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

TOWN OF SIMSBURY
PUBLIC HEARING NOTICE
REPLACEMENT AND RELOCATION OF TARIFFVILLE WATER TANK

Notice is hereby given that the Board of Selectmen will hold a public hearing on Monday, May 23, 2016 at 6:00 p.m. in the Main Meeting Room of Town Hall, 933 Hopmeadow Street, Simsbury, CT 06070 to receive public comment concerning the proposal of the Tariffville Fire District Water Commission (TWC) to replace and relocate the water storage tank on Laurel Hill to a location immediately adjacent to the existing tank. TWC is also requesting modification to an existing State of Connecticut Conservation and Public Recreation Easement for the purpose of ensuring that TWC's proposed infrastructure is located outside the boundaries of an established Easement. Information about the project can be found on the Town of Simsbury's website, www.simsbury-ct.gov on the Board of Selectmen's page.

Public Hearing Date: Monday, May 23, 2016 at 6:00 p.m.

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Tariffville Water Storage Tank Replacement Project

2. **Date of Submission:** May 19, 2016

3. **Date of Board Meeting:** May 23, 2016

4. **Individual or Entity making the submission: (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting):**

Woodard & Curran, Inc. on behalf of the Tariffville Fire District Water Commission, will present the information to the Board of Selectmen. Contact Jay Sheehan at 860-265-6385 or Shelby Beauchemin at 860- 253-2221 for additional information. Woodard & Curran, 1699 King Street, Suite 406, Enfield, CT 06082

5. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**

The Individual or Entity making the submission requests that the Board of Selectmen:

1. Approve modifications, as requested by the Tariffville Fire District Water Commission, to the existing conservation and recreational easement on Laurel Hill in favor of the State of Connecticut to permit construction of a water storage tank on the site, subject to final approval by the State of Connecticut; and

2. Approve the issuance of a temporary construction easement on a portion of the property to facilitate construction of the water tank.

6. **<u>Summary of Submission</u> (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any <u>additional</u> information in an attached memorandum.):**

i. The Tariffville Fire District would like to begin the construction phase of this project as soon as possible.
ii. The Tariffville Fire District, State of Connecticut Department of Energy and Environmental Protection, Town of Simsbury.
iii. There are not any financial impacts or commitments by the Town of Simsbury for this action.
iv. The Temporary Construction Easement and modifications to the Conservation and Recreational easement documents will be reviewed and approved by Town counsel.

7. **<u>Financial Impact</u> (Include a description of any impact on the finances of the Town of Simsbury):**

There are not any financial impacts or commitments by the Town of Simsbury for the project.

8. **<u>Description of documents included with submission</u> (All documents must be in final form and signed by the appropriate party.):**

The following documents are included with this submission and attached hereto:

1. Report from Planning Commission date April 20, 2016
2. Report from Open Space Committee date April 11, 2016
3. Report from Culture, Parks, and Recreation Commission dated May 5, 2016
4. Approval Letter from Conservation Commission dated May 5, 2016
5. Letter to State of Connecticut dated May 11, 2016, requesting modifications to the Conservation and Recreational easement.

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

RECEIVED
APR 20 2016
TOWN of SIMSBURY
FIRST SELECTMAN'S OFFICE

Date: April 20, 2016

To: Lisa Heavner, First Selectman

From: Michael Glidden CFM CZEO, Assistant Town Planner

Re: CGS 8-24 Referral on the replacement of the Tariffville Water Storage Tank

The referral from the Board of Selectmen pursuant to Connecticut General State Statutes 8-24 for the modification to the Conservation Easement and Replacement of the Water Storage Tank for the Tariffville Water Company was reviewed and discussed by the Planning Commission at their April 12th, 2016 regular meeting. The Commission voted that the proposed modifications to the conservation easement and replacement of the water storage tank were consistent with the Town of Simsbury's 2007 Plan of Conservation and Development.

A copy of the meeting minutes are attached to this correspondence.

Please contact me if you have any further questions or concerns regarding this matter.

PLANNING COMMISSION
APRIL 12, 2016
REGULAR MEETING

I. CALL TO ORDER

Chairman William Rice opened the Regular Meeting of the Planning Commission at 7:00 p.m. in the Main Meeting Room at the Town Offices. Other members and alternates in attendance were: Elizabeth Burt, Holly Beum, Robert Kulakowski, Erin Leavitt-Smith, Ron Locandro, Jr., and Mark Drake. Also present were Jamie Rabbitt, Director of Planning and Community Development; Michael Glidden, Assistant Town Planner; Janis Prifti, Commission Clerk; and other interested parties.

1. Pledge of Allegiance

II. ROLL CALL

1. Appointment of Alternates

Chairman Rice reviewed that the Simsbury Planning Commission is comprised of 6 regular members and 3 alternate members. Chairman Rice indicated that this evening one regular member is absent, Alan Needham, and he appointed Alternate Elizabeth Burt to serve in his absence.

III. APPLICATIONS:

1. Old Business
a. Public Hearings:

2. New Business
b. Receipt of New Applications

i. Application #16-01 of Mansour Prime Properties, LLC, Agent; Royce Palmer, Owner; for a 23-lot affordable housing subdivision under CGS 8-30g on the property located at 80 Climax Road (Assessor's Map D20, Block 608, Lot 001). Zone R-40. *(received 03/22/2016; decision must be rendered by 05/26/2016)*

Chairman Rice read Application #16-01 into the record and invited the Applicant to comment. The Applicant responded they were present but had no comment. Chairman Rice believed there would be quite a bit of public comment to come on Application #16-01.

Chairman Rice made a motion to defer public comment to the Public Hearing to be held on May 10, 2016, at Eno Memorial Hall, 7:00 p.m.

Commissioner Kulakowski seconded the motion, and it was passed unanimously by Commissioners Leavitt-Smith, Kulakowski, Locandro, Beum, Burt, and Rice.

c. Referrals

i. CGS 8-3a Referral to the Zoning Commission on Zoning Application #16-09 of Kenneth T. Pignone, Petitioner, for Text Amendments to the Town of Simsbury Zoning Regulations to: Article Four, Definitions; and Article Seven, Section 9, Accessory Dwelling Units.

Chairman Rice read the referral for Application #16-09 into the record and summarized it is a referral from the Zoning Commission asking the Planning Commission to evaluate the proposed text amendments for consistency with the Plan of Conservation and Development (POCD). Chairman Rice then recused himself due to possible conflict of interest; and Commissioner Kulakowski, Commission Secretary, became Acting Chairman.

At 7:05 p.m., Regular Commission Member, Alan Needham, joined the meeting; however, Commissioner Burt remained seated. Acting Chairman Kulakowski appointed Alternate Commission Member, Mark Drake, to serve for Chairman Rice during his recusal.

Mr. Rabbitt clarified the referral for Application #16-09 from the Zoning Commission requires an opinion from the Planning Commission regarding the proposed amendments to regulations and their consistency with the POCD. He believed the POCD to be relatively clear on the types of housing it wants to encourage in Town, which include accessory apartments - so that any potential changes to that or restrictions placed on size, location, or the ability for someone to reapply could be considered inconsistent with the goals and objectives of the POCD, and the Planning Commission must make that decision.

Commissioner Drake asked for an update on present regulations. Mr. Rabbitt explained that present regulations allow individuals within a residential zone to convert an existing dwelling to utilize part of the home in an accessory manner, so there is a primary residence and a rental unit within the home; the Commission has both approved and denied some of those applications. Mr. Rabbitt indicated some denials were based on location; there are sections in the regulations that deal with the Commission's ability to react to conditions associated with an application's impacts on the neighborhood where it is proposed. Mr. Rabbitt noted the primary issue at stake in the proposed amendments is the applicant's ability to reapply following denial as the amendments would take that right away, which could present legal issues. The Commissioners discussed which Commission they would reapply to; Mr. Rabbitt responded they would reapply to a different or similar commission with slightly different conditions. Commissioner Drake asked about the Zoning Board of Appeals (ZBA) jurisdiction over variances. Mr. Rabbitt explained the ZBA cannot issue a use variance, which is in essence illegal in Connecticut; any decision of a Zoning Commission or commission is appealable to a Superior Court in Connecticut - there is no variance of a commission's decision at the local level nor to ZBA; decisions of a Zoning Enforcement officer are appealable to ZBA. Mr. Rabbitt confirmed appeals to ZBA occur only if an applicant is clearly outside the regulations. However, in this

instance Mr. Rabbitt indicated accessory units are allowed by the regulations through a permitting process, and some items reviewed by the Commission are subjective, e.g. does it affect and adjacent property, the neighborhood or community. Commissioner Drake asked if in existing zoning regulations there is a regulation about turning residential property into rental property, although hardship and in-law apartments have been allowed. Mr. Rabbitt clarified the primary use of a property must be single-family owner-occupied and then regulations allow an accessory unit can be added following a permitting process – evaluation criteria include not changing the home's character, providing parking and entry; separation of uses, hard data on the impact on the neighborhood, properties, and traffic, etc.; however, a home cannot be bought for investment purposes and converted to a duplex with the owner not living there. Mr. Rabbitt explained that current regulations allow accessory units and the proposed amendments would prohibit the ability for someone to reapply; and there would be changes to provisions for how the Commission evaluates an accessory unit with pieces pulled from different municipalities, perhaps in a less cohesive manner. Mr. Rabbitt continued the Planning Commission's decision focuses on consistency with the POCD. The Commissioners discussed their need to fully understand the proposed amendments and examples. Mr. Rabbitt proposed Staff highlight the changes to provide a comparison for discussion at the next meeting; Acting Chairman Kulakowski requested a redline of changes in order to weigh it against the POCD. Commissioner Beum asked how denying the right to appeal related to the POCD; the Commissioners noted their analysis would be more involved than that.

The Commissioners discussed that alternates have always been able to comment at meetings over many years. However, Mr. Rabbitt discussed that the Town Attorney recently reviewed the legal policies and procedures with the Conservation Commission clarifying that, unless an alternate is seated, they cannot partake Commission business with the exception of the public hearing process where an unseated alternate can ask questions associated with the hearing process because the public at that time is allowed to ask questions. Mr. Rabbitt understood that past practices have been different but clarified this is a formal referral that the Commission needs to act on and the applying entity has the right for it to be acted on by the 6-member Commission, not 8 or 9 members. Acting Chairman Kulakowski indicated the Commission would defer to the legal requirements and procedures.

Acting Chairman Kulakowski made a motion to table Application #16-09.

Commissioner Burt seconded the motion, and it was passed unanimously.

At 7:25 p.m. William Rice returned to Chair the Commission and Commissioner Drake was no longer seated; and Commissioner Burt remained seated.

ii. CGS 8-24 Referral on the replacement of the Tariffville Water Storage Tank

Chairman Rice read the CGS 8-24 referral into the record.

Shelby Beauchemin represented the Tariffville Fire District and reviewed that the current Tariffville water storage tank located on Laurel Hill is on land purchased with a DEEP open

space grant given to the Town of Simsbury and there is a conservation and public recreation easement on the land. She indicated the current water storage tank and associated water main are on their own easement; they are proposing a new easement for the new water main that is within the road accessing the tank on the Woods Road access leg off of Mountain Road; and they are also proposing a new easement around the proposed water storage tank, which would be located adjacent to the existing water storage tank. She indicated the new tank would look similar to the existing tank in size and concrete material; the existing 330,000-gallon tank is over 80 years old and is the only tank in the Tariffville system and is vital to their infrastructure, e.g. it regulates system pressure and helps with fire flow. She believed the project to be in accordance with the POCD, under Policy 1 regarding infrastructure that the Town must insure that an adequate and safe water supply for consumption and fire protection exists to serve current and future users.

Chairman Rice asked if they are seeking any other deviations or variances, other than the easements? Ms. Beauchemin responded they would seek a special exception from Zoning for an infrastructure improvement. Chairman Rice clarified the Commission is evaluating this referral from the perspective of the POCD. Commissioner Beum asked if there would be destruction of vegetation. Ms. Beauchemin showed the Commissioners a photo of a vegetated area where some trees would need to be removed. She noted that off of Mountain Road is Woods Road which accesses the current tank and is maintained and has been improved by Eversource, which also allowed Tariffville to piggyback putting in the new water line and save on costs. She explained there would be about 5-6 feet of backfill against the tank and some regrading. She indicated for the conservation and public recreation easement, some hikers use the area to access Metacomet Trail with the tank only barely visible from the hiking trail.

Mr. Rabbitt reviewed there are two aspects for the proposal: 1) physical construction of the improvement within the Town plan; and 2) the adjustments of the easements to accommodate it. Chairman Rice asked if there were any recreation aspects to the parcel? Mr. Rabbitt confirmed a State marked trail does cross the area and the Water Company is committed to assuring the trail stays open and an integral part of the system. Ms. Beauchemin confirmed a new 8-foot high chain link fence with barbed wire at the top will surround the tank area; and she showed the Commissioners the location of silt fence and hay bales on the design drawings to protect wetlands with a special construction entrance to prevent movement of sediment away from the site.

Commissioner Beum made a motion that the proposed Tariffville Water Storage Tank replacement and associated easements modifications are consistent with the 2007 Town of Simsbury POCD.

Commissioner Leavitt-Smith seconded the motion, and it was passed unanimously.

iii. CGS 8-24 Referral Town of Simsbury FY 16-17 Proposed Capital Improvement Plan

Chairman Rice read the CGS 8-24 referral into the record.

Jeff Shea, Town Engineer, indicated that this review is typically done during the budget process

with a request for a positive referral from the Planning Commission for the Plan; he provided information sheets for each project and offered to provide specific details, as requested. Mr. Shea clarified the West Mountain Road sewer interceptor project was approved in a previous year and is therefore not included in the suggested resolution; but the Massaco Street Extension is included in this plan.

Commissioner Burt asked about the open space plan improvements on page 10 estimated construction cost of $715,000 and what is being constructed? Mr. Shea responded for fiscal year 2017, they are requesting $400,000 for completion of an open space master plan for the entire Town as they recently completed an inventory of all their parcels rated at the preliminary level regarding environmental quality; the next step would be to look at the parcels and determine what resources, security, and improvements may need to occur on those parcels with the master plan providing a blueprint going forward. Commissioner Burt asked what would be constructed? Mr. Shea indicated the $715,000 includes funding allocated prior to this fiscal year for 2018, 2019 and 2020 and how those funds will be spent is not known at this time but act as placeholders. He said in fiscal year 2017, the $220,000 for 1 Old Bridge Road would be for demolishing the structure and providing passive recreational improvements to the parcel; a master concept plan for the property has been completed and they are advancing the design. Commissioner Leavitt-Smith asked whether the supplemental appropriation dollars are set or contingent on funding for two asterisked projects for 2016? Mr. Shea responded the BOF has not acted at this time on how those projects will be funded, e.g. fund balance or bonding.

Mr. Rabbitt confirmed the proposed resolution cites numerous parts of the POCD; the resolution could be read into the record in its entirety or reference the resolution prepared by Bond Counsel received by the Planning Department on April 12, 2016 that starts out "TOWN OF SIMSBURY RESOLUTION OF PLANNING COMMISSION .....through item #25". Chairman Rice asked if the Commission is being asked to approve these projects? Mr. Rabbitt clarified the Commission would be making a decision that the projects that are part of the Town Capital Improvement program, which spans a number of years, is consistent with the objectives of the POCD; whether they are constructed in that timeframe or dropped off the list, they have to be on a list, but under 8-24 they may return to the Commission if their scope changes. Commissioner Rice noted the 2nd page of the resolution states "RESOLVED, that the Planning Commission of the Town of Simsbury approves the following projects pursuant to 8-24 of the Connecticut General Statutes." Mr. Rabbitt responded that approval indicates determining consistency with POCD, not regulatory approval; this is an 8-24 referral from the BOS regarding potential improvements to Town-owned property. Chairman Rice expressed preference for revising the resolution to indicate consistency with the POCD as opposed to "approves". Mr. Rabbitt clarified the resolution would be revised on page 2 to state, "RESOLVED, that the Planning Commission of the Town of Simsbury finds that the following projects pursuant to 8-24 of the General Statutes of Connecticut are generally consistent with the goals and objectives of the Town of Simsbury Plan of Conservation and Development." Once the motion is approved, Mr. Rabbitt will assure the BOS is aware of the change to the resolution's language.

Chairman Rice made a motion that the Planning Commission finds that the 25 Capital Improvement Projects identified in the document that starts out by saying, "TOWN OF SIMSBURY RESOLUTION OF PLANNING COMMISSION" are generally in accordance with

the requirements and expectations of the 2007 Plan of Conservation and Development, subject to amending the text, as discussed, to change the word "approves" to "finds that the projects are generally consistent with the POCD".

Commissioner Locandro seconded the motion, and it was passed unanimously.

Mr. Rabbitt requested the Commission add item b. iv. for the 8-30g Application for Climax Road referral to Conservation Commission; a ¾ vote of the Commission is needed to amend the Agenda.

Chairman Rice made a motion to amend the Agenda to add item b. iv. CGS 8-30g Referral to the Conservation Commission of the Subdivision Application submitted for 80 Climax Road.

Commissioner Kulakowski seconded the motion.

The Commissioners discussed the referral to the Conservation Commission. Mr. Rabbitt clarified that the Conservation Commission has statutory requirements regarding erosion and sedimentation control for the Town, which applies to review of this Application, and this would be a formal referral to them; their formal approval is required to come back to the Planning Commission in a timely manner before its review. Mr. Rabbitt clarified the Public Hearing opens on 05/10/2016 with 35 days by statute to close that proceeding, and the applicant can consent to an additional 65 days of extensions at any time during the proceedings, which now would be Public Hearing or post Public Hearing. Mr. Rabbitt explained an Application is treated on the merits of its validity, not on any past procedure. Chairman Rice called a point of order with the motion seconded and a vote required.

The motion was passed unanimously.

i. CGS 8-30g Referral to the Conservation Commission of the Subdivision Application submitted for 80 Climax Road

IV. GENERAL COMMISSION BUSINESS

1. Executive Session

a. Pending Litigation

Chairman Rice noted according to the Guidelines a motion to enter Executive Session must be approved by ¾ of the members. Commissioner Kulakowski suggested approving the meeting minutes before the Executive Session.

Mr. Rabbitt indicated regarding litigation he did not yet have an answer from Counsel; he will meet with Counsel tomorrow noting litigation has not been filed against the Planning Commission and suggested tabling this item. The Commissioners felt it was very important to understand the whole situation. Mr. Rabbitt noted under Executive Session, the Freedom of Information Act (FOIA) provides that if there is pending or the threat of imminent litigation the

Commission can go into Executive Session to discuss that litigation, and can also invite the necessary Town Staff with information germane to the conversation e.g. Town engineer, counsel, planning director, assistant planner, environmental scientist, etc. and must identify who those individuals are potentially providing guidance; they can also go into Executive Session for personnel matters with the ability for those individuals to be present and to have that session in open forum. Mr. Rabbitt preferred to get clarification from Town Counsel prior to discussion with the Commission in order to comply with FOIA; this discussion may be on the Agenda in 2 weeks.

Chairman Rice made a motion to strike the matter of "Executive Session" from the Agenda.

Commissioner Locandro seconded the motion, and it was passed with 5 in favor and 1 opposed.

2. Commission Education/Workshop (time permitting)

Chairman Rice tabled discussion of the Workshop.

V. APPROVAL OF MINUTES of March 8, 2016

The Commissioners discussed reflecting the seating of members in the minutes.

Commission Secretary Kulakowski made a motion to accept the March 8, 2016, Minutes, as written.

Commissioner Locandro seconded the motion, and it was passed unanimously.

Chairman Rice asked if there was any new business.

Commissioner Leavitt-Smith inquired how the date of 05/10/2016 was decided for the Public Hearing? Mr. Rabbitt explained it was partly based on available space and size of the space given the amount of calls received; the date of 06/14/2016 is also reserved at Eno if needed; also the application abuts Avon requiring notification to them and also 35-days' notice to the Capital Region Council of Governments before scheduling a hearing – if they are tight on those dates, the hearing may need to be continued.

Commissioner Beum noted the public does not understand all the rules and regulations. Mr. Rabbitt indicated Staff would work diligently to explain policies and procedures at any Public Hearing to the public. Commissioner Leavitt-Smith believed significant information is available and the public will arm themselves with as much information as possible. Mr. Rabbitt added that if conduct of a public hearing is a concern and what 8-30g is, it can be discussed at the next meeting avoiding any specifics regarding any applications before the Commission. Chairman Rice noted there are some Facebook pages with a lot of chatter. Mr. Rabbitt clarified the appropriate time for discussion is during the hearing process for an application on the specifics of that procedure or as correspondence from Staff that gets into the public record; Staff is prepared for all applications to explain the process. Mr. Rabbitt reiterated that the purpose of a

Public Hearing is for the Commission to receive comments; during public testimony for an application care must be taken to assure comments are germane to the regulatory process; and counsel advises using the 3-minute rule with an opportunity to go around the room again.

On another topic, Commissioner Locandro asked about the basis for recusals. Mr. Rabbitt responded those determinations should be made on an individual basis, but if there is a perception of conflict, it is safest to recuse oneself.

Chairman Rice noted there would be another Commission meeting prior to the Public Hearing for further discussion. Commissioner Beum expressed sympathy for the voters understanding of the process.

VI. ADJOURNMENT

Commissioner Kulakowski made a motion to adjourn the meeting at 8:19 p.m.

Commissioner Locandro seconded the motion, and it was passed unanimously.

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Lisa L. Heavner - First Selectman

To: Board of Selectmen
From: First Selectman Lisa Heavner
Re: Open Space positive referral of the Tariffville Water Storage Tank Proposal
Date: April 11, 2016

On April 6, 2016 at the Open Space Committee regular meeting, Mr. David Ryan moved that the committee recommend approval of the Tariffville Water Storage Tank Replacement Project with Mr. Rieger's attached memo included. Mr. William Rice seconded. All voted in favor, the motion passed.

Attached please find a memorandum to the Open Space Committee from Donald Rieger dated April 6, 2016 for Board of Selectmen consideration. Please also find draft minutes from the Open Space Committee meeting held on April 6, 2016.

Telephone (860) 658-3230
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LHeavner@simsbury-ct.gov
www.simsbury-ct.gov

An Equal Opportunity Employer

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

Memorandum

to: The Open Space Committee
from: Donald F. Rieger, Jr.
date: 6 April 2016
re: Tariffville Water Storage Tank Replacement Project

A few points to be considered as we frame our response to the referral:

1. The Woodard & Curran 17 March 2016 letter completely mischaracterizes the DEEP/OER as having "determined that Federal and State listed endangered, threatened species or species of special concern ... are not present at the project site". The DEEP/OER 9 October 2015 letter says only that the Natural Diversity Data Base does not contain any records of extant populations. It goes on to say that the information reflects only a preliminary review and is not the result of comprehensive or site-specific field investigations. Knowledgeable practitioners treat the Natural Diversity Data Base as merely a starting point of investigation, never an end point, and would agree with the DEEP/OER letter's statement that it should not be substituted for on-site surveys. We should consider recommending that the town require a professional survey of the flora and fauna of the site to be disturbed.

2. We have not yet seen the deed from the Gersten estate to the town. It will require review.

3. None of the DEEP materials we have seen shows the DEEP's consent *as grantee* under the Conservation and Public Recreation Easement and Agreement. The town should require such a consent, accompanied by an opinion of the Attorney General to the effect that the consent is valid, binding and enforceable and within the authority of the officer executing it.

4. The Woodard & Curran 17 March 2016 letter raises the possibility that PCBs are present. We should consider recommending that a determination be made *a priori* so that any needed containment practices may be expertized and in place from the outset rather than improvised by a contractor later.

5. The terms of the new easement over the woods road should explicitly subject to the terms of the Conservation and Public Recreation Easement and Agreement. Thus no paving, etc.

6. There is an informal trail connecting the woods road in the vicinity of the water tank with the New England Trail near where it ascends to the Bartlett Tower site. We should consider recommending that, to the extent that it is disturbed in the construction process, it be restored.

CALL TO ORDER

First Selectman Lisa Heavner called the regular meeting of the Open Space Committee to order at 4:34 PM on Wednesday, April 6, 2016. The meeting was held in the main meeting room of the Simsbury Town Offices located at 933 Hopmeadow Street, Simsbury, CT. In attendance were the following committee members: Don Rieger, William Rice, and Dave Ryan. Staff included Gerard Toner, Director of Culture, Parks and Recreation; Town Engineer Jeff Shea; and Director of Planning and Community Development James Rabbitt.

PLEDGE OF ALLEGIANCE

All stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

No one spoke at public audience.

REVIEW/ADOPT MINUTES OF MARCH 2, 2016

No changes were made to the minutes.

REFERRAL OF TARIFFVILLE WATER STORAGE TANK REPLACEMENT PROJECT

(Members moved this item up on the agenda.)
Shelby Beauchemin and Jay Sheehan from Woodard & Curran, an engineering firm in Enfield, made a presentation to the committee on the Tariffville water storage tank replacement. Walter Banzhaf, from the Tariffville Water Company, was also present.
Background: The tank is more than 80 years old and needs to be replaced. The water tank is vital to local fire service and local water pressure. The tank also serves 1,300 users with drinking water. The proposed tank will have the identical footprint and will be located immediately adjacent to the existing tank.
The presentation included how the project will be funded, easement issues, road access and the possible environmental impact, as well as some talk of the approval process.
Mr. Rieger asked if the access to the site was able to handle the traffic for the project. Ms. Beauchemin said the existing access was reconstructed by Eversource (formerly CL&P) not that long ago, and carried more equipment than will be needed for this project. She added that if anything does arise, it will be addressed.
Mr. Rieger also asked why the tank is basically the same kind, cast-in-place concrete. Were there no improvements in storage tank technology over the years. Mr. Sheehan said there have been changes but this tank lasted 80 years and so they are looking to use a similar type. He said the hope is the new tank gets the same lifespan or more.
Ms. Heavner noted that Town Attorney Robert DeCrescenzo will review the town deed, the state Department of Energy and Environmental Protection and other documents before the project is approved.
Mr. Rabbitt added that there is an informal trail nearby and recommend adding language that if it is disturbed it be restored. Mr. Sheehan said restoration is in the contract.
There was a question about the existence of PCBs – there are none but Mr. Sheehan said he would double check.
Mr. Rieger asked about species on the site, saying the database used for site analysis and cited in a letter mischaracterized the issue. Stating that no record of any endangered species was found for the site does not mean that there is nothing there. He said best practice is to do an on the ground survey.
There was some discussion on how to meet this request. Ultimately, it was determined the project needs to be done and if anything is found is will be relocated.

MOTION: Mr. Ryan moved that the committee recommend approval of the Tariffville Water Storage Tank Replacement Project with Mr. Rieger's attached memo included. Mr. Rice seconded. All voted in favor, the motion passed.

RESCIND THE MARCH 3, 2016 MOTION TO ADOPT OPEN SPACE STEWARDSHIP POLICY
ADOPT OPEN SPACE STEWARDSHIP POLICY (These two agenda items were taken together.)
In the Open Space Stewardship Policy there was a word change under the "Evaluation" section after subset letter 'G." It had read ".... the committee shall solicit public comment in one or more public hearings ..." The word "hearings" was changed to "meetings." The updated Open Space Stewardship Policy is attached.

MOTION: Mr. Rieger made the motion to rescind and adopt the Open Space Stewardship Policy with the above word change. Mr. Ryan seconded. All voted in favor, the motion passed.

ADJOURN
Mr. Ryan moved to adjourn and Mr. Rice seconded. All voted in favor. The meeting was adjourned at 4:58 PM.

Respectfully submitted,
Stephanie Riefe

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Culture, Parks and Recreation Department

May 5, 2016

To: Lisa Heavner, First Selectman

From: Gerard G. Toner, Director

At their regular meeting on April 28, the Culture, Parks and Recreation Commission heard a presentation from Jay Sheehan of Woodard and Curran on the proposed Tariffville Water Storage Tank Replacement project. Woodard and Curran is designing the new storage tank for the Tariffville Fire District Water Commission.

The proposed tank will be located directly adjacent to the existing tank on a parcel of Town owned open space. The project is consistent with the goals of the Town's Plan of Conservation and Development. After Mr. Curran's presentation, the Commission had the opportunity to ask questions on the project and the site.

After discussion, a motion was made by Frank Salls and seconded by Gerard Wetjen to support the design and construction of the water tank as presented by Woodard and Curran. The motion passed unanimously.

Please contact me for any further information.

Cc: David Bush, Chairman, Culture, Parks and Recreation Commission
Jerome Shea, Town Engineer

Telephone (860) 658-3281
Facsimile (860) 658-3206

rbazzano@simsbury-ct.gov
http://www.simsbury-ct.gov/

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8:30 a.m. - 7:00 p.m. Monday
8:30 a.m. - 4:30 p.m. Tuesday thru Thursday
8:30 a.m. - 1:00 p.m. Friday

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

RECEIVED
MAY 05 2016
Town of Simsbury
First Selectman's Office

RECEIVED
MAY - 5 2016
TOWN OF SIMSBURY, CT
TOWN CLERK'S OFFICE

May 5 2016

Woodard and Curran
Attn.:Shelby Beauchemin P.E.
1699 King Street Suite 406
Enfield, Connecticut 06082

REFERENCE: Application #16-12 of Shelby Beauchemin, P.E., Woodard and Curran, Applicant; Town of Simsbury, Owner; for construction activities associated with the replacement of the Tariffville Water Storage Tank on the property located on the westerly side of Mountain Road, Tariffville, across from 56 Mountain Road, being shown as Assessor's Map K05, Block 127, Lot 020. Zone R-25

Dear Ms. Beauchemin:

The Town of Simsbury's Conservation Commission, at a regular meeting held on Tuesday, May 2, 2016, unanimously approved the applicant's request to conduct regulated activities associated with the replacement of the Tariffville Water Storage Tank on the property located on the westerly side of Mountain Road, Tariffville, across from 56 Mountain Road. The regulated activities are subject to jurisdiction in accordance with CT General Statutes, Section 22a-36 through 22a-45, inclusive, as amended, and the Simsbury Inland Wetlands and Watercourses regulations.

This permit is a grant of approval to conduct the following regulated activities:

1. Filling and grading of area of proposed water storage tank
2. Storm water outlet construction associated with tank's construction
3. Temporary disturbance associated with construction access to the project site
4. Erosion and Sedimentation measures associated soil disturbance

The Conservation Commission has reviewed the application materials and attaches the following conditions to minimize impacts associated with the proposed regulated activity and protect the inland wetlands and watercourses on this site:

SPECIAL CONDITIONS:

1) Prior to the issuance of a building permit the applicant shall provide the following reports/documentation to the Commission's agent:
   a) Environmental testing/reports concerning hazardous building material or soil contamination
   b) Remediation plans for removal and disposal of all hazardous materials identified in said environmental reports (if needed)

c) Flora and Fauna survey report from onsite investigation specific to area of proposed construction activities

2) Approval is specific area of disturbance as noted per the submitted plans. If additional area of disturbance is required associated with remediation or unforeseen field conditions, a re-application may be required if the area of disturbance is enlarged or altered.
3) Relocate the outlet for the outlet structure so that it would not present a long-term erosion and sediment control concern with regards to the woods road.
4) Applicant shall provide revised site plan which illustrates possible enlargement to outlet structure in order to control over land flow. Said plan is to be approved by Commission's agent prior to implementing the change.

STANDARD CONDITIONS:

1. The Conservation Commission's agent shall be notified at least 48 hours prior to commencement of any regulated activity.

2. Final stabilization of disturbed soil areas shall be stabilized with the application of loam, seed, required plantings and appropriate erosion control measures.

3. At all times during site work and until soil areas are stabilized, the applicant shall install and maintain erosion and sediment control measures such as fabric filter fence, staked hay bales or other measures deemed necessary by the Commission's agent to prevent erosion and sedimentation impacts to wetlands and watercourses.

4. Erosion control and soil stabilization measures shall comply with the approved plans and the guidelines as established in the Connecticut Guidelines for Soil Erosion and Sediment Control, 2002, CTDEP Bulletin 34.

5. Upon direction of the Commission's agent, erosion and sediment control measures shall be removed by the applicant following stabilization of the site.

All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, deposition of fill, obstructions of flow, encroachments or other regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in permit modification, suspension or revocation.

In the event that any additional wetland or watercourse regulated activities are required as a result of other agency permitting to support the proposed activity, the Simsbury Conservation Commission reserves the right to reconsider the proposed regulated activity and may require modifications to minimize the impact to wetland resources.

In evaluating this application, the Commission has relied on information provided by the applicant. If such information subsequently proves to be false, incomplete and/or inaccurate, this permit may be modified, suspended or revoked.

This permit shall be valid for a period of 5 years. Permit extensions may be authorized in accordance with CT General Statutes sections 22a-36 through 22a-45 inclusive. If the regulated activity is not completed within this time frame, the permit may be held to be invalid by the Conservation Commission or the applicant may be required to petition the Commission for an extension or re-issuance of the permit. The Commission may require the applicant to furnish additional information at that time.

The Conservation Commission renders this Summary Ruling in accordance with the Simsbury Inland Wetlands and Watercourses Regulations based on the following considerations:

A. Short-term impacts from the proposed development will be controlled by installation and maintenance of erosion and sediment controls and construction run-off controls.
B. Strict adherence to the terms and conditions imposed with this permit will protect the quality of wetlands and surface waters on this property.

This permit will be strictly enforced. If the Conservation Commission finds that the applicant has not complied with the permit conditions or has exceeded the scope of this permit as set forth herein, or, if the intended use of the general site is not as represented by the application or the plan of record, the Commission may suspend or revoke this permit, direct the Assistant Town Planner to issue a cease and desist order, require the applicant to modify, extend or revise the site work, or require the applicant to restore the area to its original condition.

Very Truly Yours,

Michael Glidden CFM CZEO
Assistant Town Planner

cc: Lisa Heavner, First Selectman
Tariffville Fire District Water Commission 42 West Pointe Terrace Tariffville, Ct 06081
Town Clerk
File Planning Department
File Building Department
File Assessor Department

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

May 11, 2016

Mr. Graham J. Stevens, Office Director
Constituent Affairs & Land Management
Connecticut Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

Re: Conservation Easement Modification for Tariffville Water Storage Tank Replacement Project

Dear Mr. Stevens:

The existing Tariffville Fire District (TFD) Water Storage Tank located on property owned by the Town of Simsbury is a cast-in-place concrete tank constructed more than 80 years ago and is nearing the end of its useful life. The TFD is proposing to replace the tank in-kind with a new tank of similar capacity and materials to serve the village of Tariffville. The proposed location for the replacement tank is in an area adjacent to the existing tank that is currently part of the Conservation and Recreational Easement Area previously established in favor of the State of Connecticut. A relatively new water main is also located with this Easement Area.

The Town of Simsbury acquired the property also known as "Laurel Hill" with funding provided through the Open Space and Watershed Acquisition (OSWA) grant program. When the property was acquired by the Town of Simsbury and the conservation and recreational easement was established, the existing tank and original water main from the water tank to Mountain Road were specifically redacted from the conservation and recreation easement.

The Town of Simsbury is requesting that the easement held by DEEP under the OSWA program be modified to accommodate the proposed water tank and associated water main. Attached is a copy of the original map on file for the conservation easement and a plan showing the existing and proposed water tank and water main. The plan also shows the easement area proposed to be removed from the conservation easement (in red) and the easement area proposed to be added to the conservation easement (in green).

The Town of Simsbury is also requesting that the DEEP consider the request for a temporary construction easement within the conservation easement area during construction of the water tank. A temporary construction easement is required so that the contractor has sufficient work area as well as a staging area. The contractor requires an office trailer, an equipment trailer and areas to cast the concrete walls for the new tank. The temporary construction easement is also shown on the enclosed plan.

Telephone (860) 658-3260
Facsimile (860) 658-3205

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

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

Should you have any questions please feel free to contact Jerome Shea, our Town Engineer, or Shelby Beauchemin at Woodard & Curran (860) 253-2221 or sbeauchemin@woodardcurran.com.

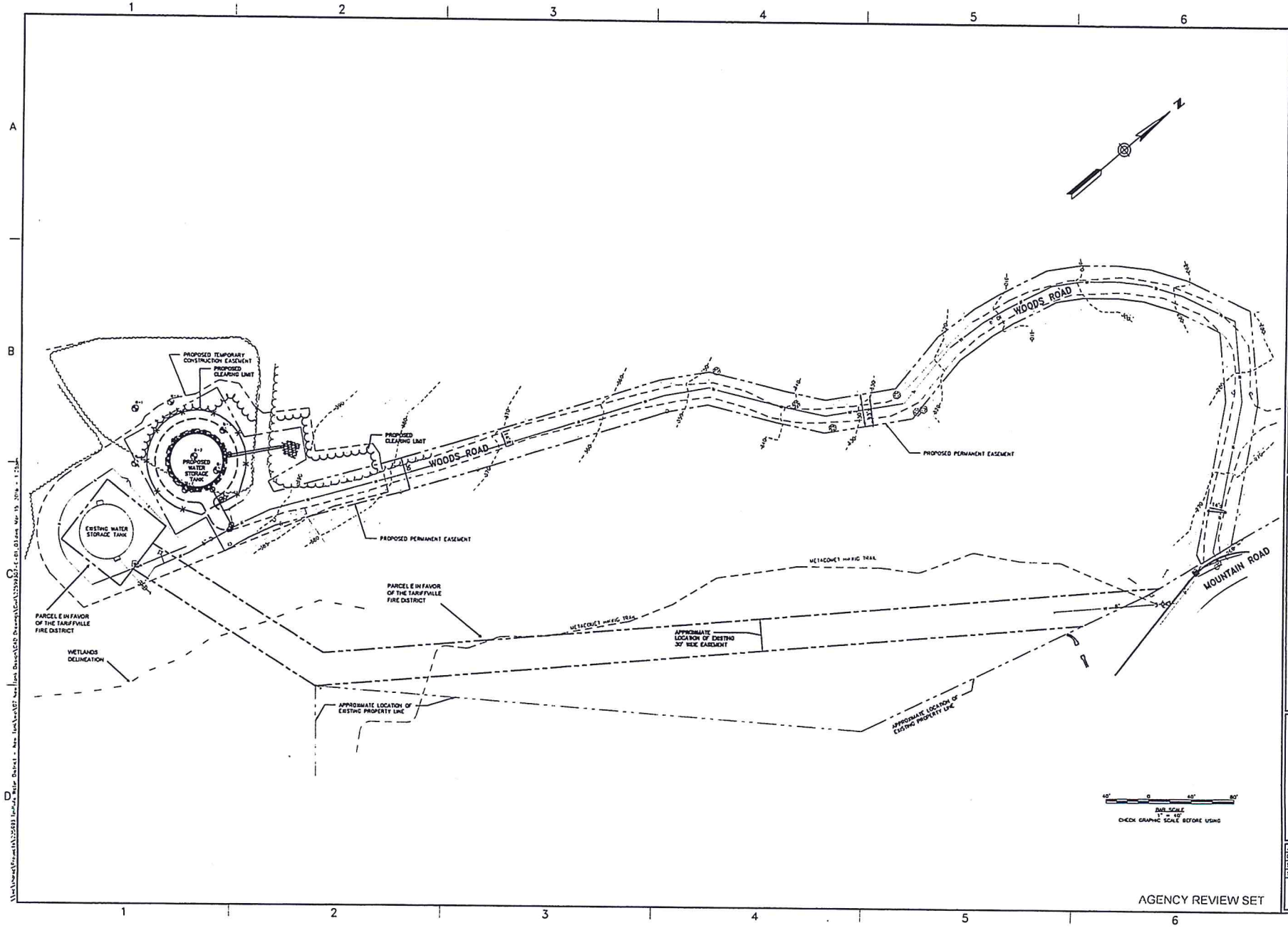
We appreciate your consideration of the request in advance.

Sincerely,

Lisa Heavner
First Selectman

Enclosures

cc: Jerome Shea, Town Engineer
Robert Decrescenzo, Town Counsel
Shelby Beauchemin, Woodard & Curran



WOODARD & CURRAN
1209 King Street, Suite 400
Enfield, Connecticut 06082
855.347.6788 | www.woodardcurran.com
COMMITMENT & INTEGRITY DRIVE RESULTS

REV	DESCRIPTION	DATE

DESIGNED BY: SJB
DRAWN BY: JCK
DRAWING: 72034-C-01.dwg

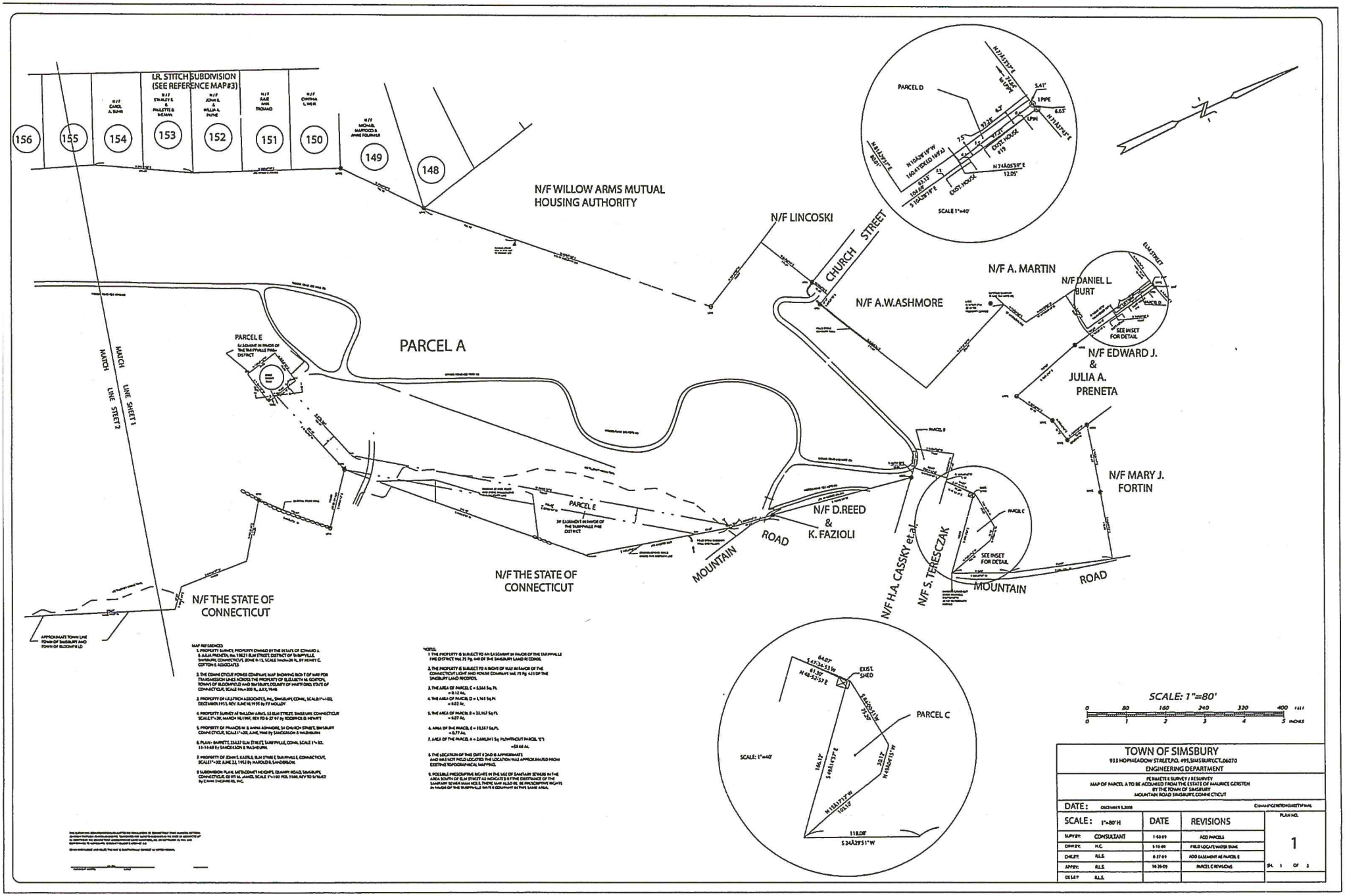
EASEMENT PLAN

TARIFFVILLE FIRE DISTRICT
WATER COMMISSION
TARIFFVILLE, CONNECTICUT

WATER STORAGE TANK REPLACEMENT

JOB NO.: 2339903.07
DATE: MARCH, 2016
SCALE: 1"=40'
SHEET: OF

FIGURE 1



MAP REFERENCES

1. PROPERTY SURVEY, PROPERTY OWNED BY THE ESTATE OF EDWARD J. & JULIA PRENETA, No. 196,31 ELM STREET, DISTRICT OF SIMSBURY, SIMSBURY, CONNECTICUT, ZONE R-15, SCALE 1inch=30 ft., BY HENRY C. COTTON & ASSOCIATES

2. THE CONNECTICUT POWER COMPANY, MAP SHOWING 200 FT OF WAY FOR TRANSMISSION LINES ACROSS THE PROPERTY OF ELIZABETH M. GORTON, TOWN OF BLOOMFIELD AND SIMSBURY, COUNTY OF HARTFORD, STATE OF CONNECTICUT, SCALE 1inch=200 ft., A.E.S, 1948

3. PROPERTY OF L.R.STITCH ASSOCIATES, INC., SIMSBURY, CONN., SCALE 1"=100, DECEMBER 1993, REV JUNE 10, 1995 by FF MOLLOY

4. PROPERTY SURVEY AT SHALLOW ARMS, 55 ELM STREET, SIMSBURY, CONNECTICUT SCALE 1"=30', MARCH 18, 1997, REV TO 6-27-97 by ROGERSON & HEWITT

5. PROPERTY OF FRANCIS W. & ANNA ASHMORE, 54 CHURCH STREET, SIMSBURY CONNECTICUT, SCALE 1"=20', JUNE, 1988 by SANDERSON & WALSHBURN

6. PLAN - BARRETT, 25&27 ELM STREET, SIMSBURY, CONN, SCALE 1"= 20', 11-14-68 by SANDERSON & WALSHBURN

7. PROPERTY OF JOHN E. & ATILA, ELM STREET, SIMSBURY, CONNECTICUT, SCALE 1"=20', JUNE 23, 1992 by HAROLD R. SANDERSON.

8. SUBDIVISION PLAN, METCOMET HIGHTS, QUARRY ROAD, SIMSBURY, CONNECTICUT, OCT 19 96, JAMES, SCALE 1"=100' FEB. 1986, REV TO 9/16/93 by E.M.ING ENGINEERS, INC.

NOTES:

1. THE PROPERTY IS SUBJECT TO AN EASEMENT IN FAVOR OF THE SIMSBURY FIRE DISTRICT VOL 75 Pg. 440 OF THE SIMSBURY LAND RECORDS.

2. THE PROPERTY IS SUBJECT TO A RIGHT OF WAY IN FAVOR OF THE CONNECTICUT LIGHT AND POWER COMPANY VOL 75 Pg. 431 OF THE SIMSBURY LAND RECORDS.

3. THE AREA OF PARCEL C = 8,544 Sq. Ft.
= 0.12 Ac.

4. THE AREA OF PARCEL D = 1,945 Sq. Ft.
= 0.02 Ac.

5. THE AREA OF PARCEL E = 32,167 Sq. Ft.
= 0.07 Ac.

6. AREA OF THE PARCEL E = 12,167 Sq. Ft.
= 0.27 Ac.

7. AREA OF THE PARCEL A = 2,480,841 Sq. Ft. WITHOUT PARCEL "E"
= 53.02 Ac.

8. THE LOCATION OF THIS DATA IS ZA-D IS APPROXIMATE AND WAS NOT FIELD LOCATED. THE LOCATION WAS APPROXIMATED FROM EXISTING TOPOGRAPHICAL MAPPING.

9. POSSIBLE PRESCRIPTIVE RIGHTS IN THE USE OF SANITARY SEWERS IN THE AREA SOUTH OF ELM STREET AS INDICATED BY THE EXISTENCE OF THE SANITARY SEWER MAIN NO. 5. THERE MAY ALSO BE, BE PRESCRIPTIVE RIGHTS IN FAVOR OF THE SIMSBURY WATER COMPANY ON THIS SAME AREA.

TOWN OF SIMSBURY 933 HOPMEADOW STREET,P.O. 495,SIMSBURY,CT.,06070 ENGINEERING DEPARTMENT			
PERIMETER SURVEY / RESURVEY MAP OF PARCEL A TO BE ACQUIRED FROM THE ESTATE OF MAURICE GERSTEN BY THE TOWN OF SIMSBURY MOUNTAIN ROAD SIMSBURY, CONNECTICUT			
DATE: DEC 2 MAY 5, 2008			CHANGE REFER DASHSHEET W MAL
SCALE: 1"=80'H	DATE	REVISIONS	PLAN NO.
SURV BY: CONSULTANT	1-10-09	ADD PARCELS	1
DRW BY: H.C.	5-11-09	FIELD LOCATE WATER TANK	
CHK BY: R.L.S.	6-27-09	ADD EASEMENT RE PARCEL E	
APPR BY: R.L.S.	10-20-09	PARCEL C REVISIONS	SH. 1 OF 2
DES BY: R.L.S.			

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING
AGENDA SUBMISSION FORM

1. **Title of submission:** Tax Refunds

2. **Date of submission:** May 17, 2016

3. **Date of Board Meeting:** May 23, 2016

4. **Individual or Entity making the submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting):**

   Colleen O'Connor- Tax Collector

5. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**
   Individual or Entity making the submission requests that the Board of Selectmen:

   Tax refunds to be approved by State Statue 12-129. Some of the reasons for refunds on cars are –vehicle sold, destroyed, donated, moved out of state or appealed the taxes.

   Real Estate refunds are due to the fact that both a bank and an attorney's office pay the taxes because of sale of house or re-finance.

6. **Summary of Submission (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any additional information in an attached memorandum.):**

7. **Financial Impact (Include a description of any impact on the finances of the Town of Simsbury):**

   Approve tax refunds per attached printout in the amount of **$ 302.97**

8. **Description of documents included with submission (All documents must be in final form and signed by the appropriate party.):**
   The following documents are included with this submission and attached hereto:

   Tax Refunds.xls

	BILL NUMBER	TAX	FIRE	INTEREST	TOTAL
List 2012					
					$0.00
					$0.00
Total 2012		**$0.00**	**$0.00**	**$0.00**	**$0.00**
List 2013					
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
Total 2013		**$0.00**	**$0.00**	**$0.00**	**$0.00**
List 2014					
Falco, Joshua	14-03-55465	$180.22	$5.77		$185.99
Mackinnon Gerald F	14-03-61151	$122.75			$122.75
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
Total 2014		**$302.97**	**$5.77**	**$0.00**	**$308.74**
TOTAL 2012		**$0.00**	**$0.00**	**$0.00**	**$0.00**
TOTAL 2013		**$0.00**	**$0.00**	**$0.00**	**$0.00**
TOTAL 2014		**$302.97**	**$5.77**	**$0.00**	**$308.74**
					$308.74
TOTAL ALL YEARS		**$302.97**	**$5.77**	**$0.00**	**$308.74**

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING
AGENDA SUBMISSION FORM

1. **Title of submission:** Approval of Final Budget Motions

2. **Date of submission:** May 20, 2016

3. **Date of Board Meeting:** May 23, 2016

4. **Individual or Entity making the submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting):**

   Thomas F. Cooke – Director of Administrative Services
   Sean M. Kimball – Interim Director of Finance/Treasurer

5. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**
   The Individual or Entity making the submission requests that the Board of Selectmen:

   Approve the attached motions upon the recommendation of Bond Counsel.

6. **Summary of Submission (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any additional information in an attached memorandum.):**

   The attached motions are consistent with the actions taken by the Board of Finance at its May 18th meeting. The motions are necessary to move the budget process forward.

7. **Financial Impact (Include a description of any impact on the finances of the Town of Simsbury):**

   NA

8. **<u>Description of documents included with submission</u> (All documents must be in final form and signed by the appropriate party.):**

The following documents are included with this submission and attached hereto:

Motions

Resolution of the Board of Selectmen

RESOLVED, that the Board of Selectmen hereby approves the following projects, which were not included in the Town's Capital Improvement Plan for the ensuing year but the need to fund such projects is in the best interest of the Town:

Town Projects
Street Lighting Purchase/Lighting Improvements
Simsbury Veterans Memorial
Plan of Conservation and Development
Land Planning Studies
Energy Efficiency Upgrade Buyout

WPCA Projects
Skidsteer Track Loader
Oxidation Ditch Dissolved Oxygen Control
WPCA Storage Building

Resolution of the Board of Selectmen

RESOLVED,

Upon motion duly made, seconded and adopted, the reading into the minutes of the full text of the resolutions set out below is waived, copies of the resolutions having been made available to those in attendance, and is recorded in these records immediately preceding these minutes.

General Purpose Projects (Bonds):	
Multi-Use Connections & Master Plan Updates	$ 1,160,000
Open Space Planning and Improvements	400,000
Street Lighting Purchase / Lighting Improvements	$865,000
Highway Pavement Management	2,500,000
Public Works Complex Infrastructure Improvements	450,000
Town Hall Site and Safety Improvements	385,000
Portable Generator Infrastructure	175,000
Simsbury Veteran's Memorial	100,000
	$ 6,035,000

Water Pollution Control Projects (SUF):	
Sewer Main Extensions Massaco Street	$ 104,000
Hopmeadow / Center Area Sewer Repairs	100,000
Skidsteer Track Loader with Brush Cutter	83,103
Oxidation Ditch Dissolved Oxygen Control	27,000
Storage Building	65,000
	$ 379,103

Board of Education Projects (Bonds):	
District Network Infrastructure	$ 450,000
HJMS – Renovation – Phase 2	1,950,000
Climate Control (Phase II)	950,000
	$ 3,350,000

Additional CIP Items Approved by the BOF on May 18, 2016 to be funded with Cash:

General Purpose Projects (Cash):	
Energy Efficiency Financing Buyout	$ 92,753
Park Improvements	$ 30,000
Athletic Field Improvements	$ 30,000
Window Replacement	$ 44,000
Land Use Studies	$ 92,500
Greenway Improvements	$ 240,000
Dam Evaluations and Repairs	$ 145,000
Simsbury Farms Golf Course Improvements	$ 125,000
Plan of Conservation & Development	$ 130,000
	$ 929,253

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING $1,160,000 FOR DEVELOPMENT OF THE MULTI-USE TRAILS TO THE TARIFFVILLE CONNECTION AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate ONE MILLION ONE HUNDRED SIXTY THOUSAND DOLLARS ($1,160,000) for development of the multi-use trails, as part of the Tariffville Connection of the East Coast Greenway. The project will begin at the existing Farmington Valley Greenway and extend through Tariffville, connecting to the trails at the Bloomfield town line, and include construction of trails and associated bridges and culverts, parking facilities, traffic signals, resurfacing, surfacing, signs and fences, and related work. The Town anticipates receipt of grants to defray, in part, the appropriation. The appropriation may be spent for survey fees, engineering and other consultants' fees, site work, permit fees, easements, modifications to existing private improvements impacted by the project, construction and equipment costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed ONE MILLION ONE HUNDRED SIXTY THOUSAND DOLLARS ($1,160,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed ONE MILLION ONE HUNDRED SIXTY THOUSAND DOLLARS ($1,160,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the

Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The First Selectman and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

FURTHER RESOLVED,

(a) that pursuant to the Charter, the resolution above shall be submitted to the voters in the manner provided by Section 406 thereof on June 7, 2016, between the hours of 6:00 A.M. and 8:00 P.M.

(b) The resolution shall be placed upon the voting machines or paper ballots under the following heading:

> "SHALL THE TOWN OF SIMSBURY APPROPRIATE $1,160,000 FOR DEVELOPMENT OF MULTI-USE TRAILS AS PART OF THE TARIFFVILLE CONNECTION; AND AUTHORIZE BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?"

Voters approving said resolution will vote "Yes" and those opposing said resolution shall vote "No".

Electors and persons qualified to vote in town meetings who are not electors will vote at the following polling place:

Henry James Memorial Junior High School Gymnasium
155 Firetown Road, Simsbury, Connecticut

Absentee ballots will be available from the Town Clerk's office.

(c) Notice of the referendum shall be given by the Town Clerk.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING $400,000 FOR OPEN SPACE PLANNING AND IMPROVEMENT; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate FOUR HUNDRED THOUSAND DOLLARS ($400,000) for open space planning, including development of an open space master plan for the operation and management of open space and conservation easements; improvements, including better water access, pavilions, parking and access improvements, signage, trail improvements, plantings, culvert and bridge replacement; invasive vegetation removal, interpretive educational and entrance signage; and related work. The appropriation may be spent for survey fees, permit fees, engineering and other consultants' fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope, of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed FOUR HUNDRED THOUSAND DOLLARS ($400,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed FOUR HUNDRED THOUSAND DOLLARS ($400,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The First Selectman and the Treasurer are authorized to amend such declaration of

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

(f) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING $865,000 FOR PURCHASE OF AND IMPROVEMENTS TO THE STREET LIGHTS; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate EIGHT HUNDRED SIXTY-FIVE THOUSAND DOLLARS ($865,000) for purchase of and improvements to the street lights, including the conversion of streetlights to a more energy efficient LED lighting. The appropriation may be spent for equipment, furnishings, materials, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Board of Selectman may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed EIGHT HUNDRED SIXTY-FIVE THOUSAND DOLLARS ($865,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed EIGHT HUNDRED SIXTY-FIVE THOUSAND DOLLARS ($865,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The First Selectman and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by

this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING $2,500,000 FOR REPAVING, REPAIR AND REHABILITATION OF THE TOWN ROADWAYS PURSUANT TO THE TOWN'S PAVEMENT MANAGEMENT PROGRAM; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate TWO MILLION FIVE HUNDRED THOUSAND DOLLARS ($2,500,000) for the repaving, repair and rehabilitation of the Town roadways pursuant to the Town's pavement management program, including repair and repaving on existing sections. The project shall include: crack sealing, chip sealing; hot in place asphalt recycling (heat scarification), milling and overlay, full depth reconstruction; and related engineering, inspection, testing and support services. The appropriation may be spent for equipment, materials, land and easement acquisition, site improvements, material testing, survey fees, engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope, of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to TWO MILLION FIVE HUNDRED THOUSAND DOLLARS ($2,500,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed TWO MILLION FIVE HUNDRED THOUSAND DOLLARS ($2,500,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an

aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The First Selectman and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

FURTHER RESOLVED,

(a) that pursuant to the Charter, the resolution above shall be submitted to the voters in the manner provided by Section 406 thereof on June 7, 2016, between the hours of 6:00 A.M. and 8:00 P.M.

(b) The resolution shall be placed upon the voting machines or paper ballots under the following heading:

> "SHALL THE TOWN OF SIMSBURY APPROPRIATE $2,500,000 FOR REPAVING, REPAIR AND REHABILITATION OF THE TOWN ROADWAYS PURSUANT TO THE TOWN'S PAVEMENT MANAGEMENT PROGRAM; AND AUTHORIZE BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?"

Voters approving said resolution will vote "Yes" and those opposing said resolution shall vote "No".

Electors and persons qualified to vote in town meetings who are not electors will vote at the following polling place:

Henry James Memorial Junior High School Gymnasium
155 Firetown Road, Simsbury, Connecticut

Absentee ballots will be available from the Town Clerk's office.

(c) Notice of the referendum shall be given by the Town Clerk.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING $450,000 FOR INFRASTRUCTURE IMPROVEMENTS TO THE PUBLIC WORKS COMPLEX; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate FOUR HUNDRED FIFTY THOUSAND DOLLARS ($450,000) for infrastructure improvements to the Public Works Complex, including: installation of a permanent lift station; installation of a sanitary sewer force main connecting to the sewage pump station on Long View Drive; replacement of existing water service to provide for the truck wash facility; installation of replacement unit heaters in the Vehicle Maintenance Garage, improvements to storm drainage system, security gate replacement; electrical upgrades and installation of emergency generator; maintenance building roof replacement; installation of emergency sprinkler system in the maintenance building, expansion of administrative space; and related work. The appropriation may be spent for design, engineering and other consultants' fees, equipment costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed FOUR HUNDRED FIFTY THOUSAND DOLLARS ($450,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed FOUR HUNDRED FIFTY THOUSAND DOLLARS ($450,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the

Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The First Selectman and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING $385,000 FOR SITE AND SAFETY IMPROVEMENTS AT TOWN HALL; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate THREE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS ($385,000) for site and safety improvements at Town Hall, including: vehicular access and safety improvements at Routes 10 and 202: pedestrian crossing improvements at Routes 10 and 202; expansion of storage and security improvements for Police Department in the rear parking area; replacement and relocation of the maintenance garage; sidewalk, curbing and paver repair and replacement; flagpole installation; landscaping; and related work. The appropriation may be spent for design, engineering and other consultants' fees, construction costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed THREE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS ($385,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed THREE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS ($385,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the

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

(f) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING $175,000 FOR PORTABLE GENERATOR INFRASTRUCTURE; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS ($175,000) for acquisition of portable generator infrastructure, including retrofitting of electrical system at Eno Memorial Hall, Simsbury Public Library and Town Hall. The appropriation may be spent for design, engineering and other consultants' fees, equipment, construction, acquisition and installation costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS ($175,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS ($175,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The First Selectman and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the

continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING $100,000 FOR THE SIMSBURY VETERAN'S MEMORIAL; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate ONE HUNDRED THOUSAND DOLLARS ($100,000) for design and construction of the Simsbury Veteran's Memorial. The appropriation may be spent for design, engineering and other consultants' fees, construction costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed ONE HUNDRED THOUSAND DOLLARS ($100,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed ONE HUNDRED THOUSAND DOLLARS ($100,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The First Selectman and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by

this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING FROM THE SEWER USE FUND $104,000 FOR COSTS IN CONNECTION WITH THE REPAIR AND REPLACEMENT OF SEWER MAINS ON MASSACO STREET; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate from the Sewer Use Fund ONE HUNDRED FOUR THOUSAND DOLLARS ($104,000) for costs in connection with the repair and replacement of sewer mains on Massaco Street. The appropriation may be spent for design, construction and installation costs, equipment, materials, engineering, part-time employees, inspection and consultant fees, administrative costs, legal fees, and other expenses related to the project. The Water Pollution Control Authority may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING FROM THE SEWER USE FUND $100,000 FOR COSTS IN CONNECTION WITH SEWER REPAIRS IN THE HOPMEADOW/CENTER AREA; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate from the Sewer Use Fund ONE HUNDRED THOUSAND DOLLARS ($100,000) for costs in connection with sewer repairs in the Hopmeadow/Center area, following a review by the Planning and Zoning Commission pursuant to Section 8-24 of the Connecticut General Statutes, Revision of 1958, as amended. The appropriation may be spent for design, construction and installation costs, equipment, materials, engineering, part-time employees, inspection and consultant fees, administrative costs, legal fees, and other expenses related to the project. The Water Pollution Control Authority may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING FROM THE SEWER USE FUND $83,103 FOR ACQUISITION OF A SKIDSTEER TRACK LOADER WITH BRUSH CUTTER; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate from the Sewer Use Fund EIGHTY-THREE THOUSAND ONE HUNDRED THREE DOLLARS ($83,103) for the acquisition of a Skidsteer track loader with brush cutter. The appropriation may be spent for equipment costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Water Pollution Control Authority may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING FROM THE SEWER USE FUND $27,000 FOR PURCHASE, INSTALLATION AND PROGRAMMING OF TWO ADDITIONAL DISSOLVED OXYGEN METERS FOR THE OXIDATION DITCH; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate TWENTY-SEVEN THOUSAND DOLLARS ($27,000) for the purchase, installation and programming of two additional dissolved oxygen meters for the oxidation ditch. The appropriation may be spent for equipment costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Water Pollution Control Authority may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING FROM THE SEWER USE FUND $65,000 FOR A COLD STORAGE BUILDING TO SUPPLEMENT THE CURRENT OPEN AIR STORAGE; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate SIXTY-FIVE THOUSAND DOLLARS ($65,000) for a cold storage building to supplement the current open air storage. The appropriation may be spent for design, engineering and other consultants' fees, site work, construction and equipment costs, permit fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Water Pollution Control Authority may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING $450,000 FOR DESIGN, ACQUISITION AND INSTALLATION OF A SCHOOL DISTRICT-OWNED NETWORK INFRASTRUCTURE TO REPLACE AGING EQUIPMENT; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate FOUR HUNDRED FIFTY THOUSAND DOLLARS ($450,000) for design, acquisition and installation of a school district-owned network infrastructure to replace aging equipment. The appropriation may be spent for design, engineering and other consultants' fees, equipment costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Education may determine the particulars, and may reduce or modify the scope, of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed FOUR HUNDRED FIFTY THOUSAND DOLLARS ($450,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed FOUR HUNDRED FIFTY THOUSAND DOLLARS ($450,000). The notes shall be issued pursuant to Section 7-378 and 10-289a of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The First Selectman and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the

continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING $1,950,000 FOR RENOVATIONS AND IMPROVEMENTS TO HENRY JAMES MEMORIAL SCHOOL (PHASE II); AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate ONE MILLION NINE HUNDRED FIFTY THOUSAND DOLLARS ($1,950,000) for renovations and improvements to Henry James Memorial School (Phase II), including: second floor hallway renovation; finishing first floor hallways and renovation of stairwells; hazardous materials testing and abatement; fire suppression improvements; replacement of elevator; gymnasium maintenance and HVAC design; plumbing improvements; and additional architectural design development and cost estimates for expanded scope of Phase III renovations. The appropriation may be spent for architectural services, testing, interior construction, equipment, furnishings, materials, site improvements, hazardous material matters, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Education may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed ONE MILLION NINE HUNDRED FIFTY THOUSAND DOLLARS ($1,950,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed ONE MILLION NINE HUNDRED FIFTY THOUSAND DOLLARS ($1,950,000). The notes shall be issued pursuant to Section 7-378 and 10-289a of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the

Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The First Selectman and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

FURTHER RESOLVED,

(a) that pursuant to the Charter, the resolution above shall be submitted to the voters in the manner provided by Section 406 thereof on June 7, 2016, between the hours of 6:00 A.M. and 8:00 P.M.

(b) The resolution shall be placed upon the voting machines or paper ballots under the following heading:

> "SHALL THE TOWN OF SIMSBURY APPROPRIATE $1,950,000 FOR RENOVATIONS AND IMPROVEMENTS TO HENRY JAMES MEMORIAL SCHOOL (PHASE II); AND AUTHORIZE BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?"

Voters approving said resolution will vote "Yes" and those opposing said resolution shall vote "No".

Electors and persons qualified to vote in town meetings who are not electors will vote at the following polling place:

Henry James Memorial Junior High School Gymnasium
155 Firetown Road, Simsbury, Connecticut

Absentee ballots will be available from the Town Clerk's office.

(c) Notice of the referendum shall be given by the Town Clerk.

TOWN OF SIMSBURY

RESOLUTION APPROPRIATING $950,000 FOR SCHOOL CLIMATE CONTROL IMPROVEMENTS (PHASE II); AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Simsbury appropriate NINE HUNDRED FIFTY THOUSAND DOLLARS ($950,000) for school climate control improvements (Phase II), including installation of localized cooling improvements (primarily ductless split systems) in all 7 schools as well as completion of a larger spaces at Simsbury High School and Henry James Memorial School. The appropriation may be spent for engineering and other consultants' fees, equipment costs, design and construction costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed NINE HUNDRED FIFTY THOUSAND DOLLARS ($950,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed NINE HUNDRED FIFTY THOUSAND DOLLARS ($950,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The First Selectman and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such

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

(f) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

FURTHER RESOLVED,

(a) that pursuant to the Charter, the resolution above shall be submitted to the voters in the manner provided by Section 406 thereof on June 7, 2016, between the hours of 6:00 A.M. and 8:00 P.M.

(b) The resolution shall be placed upon the voting machines or paper ballots under the following heading:

> "SHALL THE TOWN OF SIMSBURY APPROPRIATE $950,000 FOR SCHOOL CLIMATE CONTROL IMPROVEMENTS (PHASE II); AND AUTHORIZE BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?"

Voters approving said resolution will vote "Yes" and those opposing said resolution shall vote "No".

Electors and persons qualified to vote in town meetings who are not electors will vote at the following polling place:

Henry James Memorial Junior High School Gymnasium
155 Firetown Road, Simsbury, Connecticut

Absentee ballots will be available from the Town Clerk's office.

(c) Notice of the referendum shall be given by the Town Clerk.

TOWN OF SIMSBURY

RESOLUTION RECOMMENDING APPROPRIATIONS FROM GENERAL FUND AVAILABLE CASH:

RESOLVED, That the Board of Selectmen recommends that the Town of Simsbury appropriate from General Fund available cash the following amounts for the purposes set forth below:

CIP #	General Purpose Projects **(CASH)**		
(add)	Energy Efficiency Financing Buyout	$	92,753
4	Park Improvements	$	30,000
5	Athletic Field Improvements	$	30,000
24	Window Replacement	$	44,000
19a	Land Use Studies	$	92,500
6	Greenway Improvements	$	240,000
25	Dam Evaluations and Repairs	$	145,000
2	Simsbury Farms Golf Course Imp	$	125,000
19	Plan of Conservation & Dev	$	130,000

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Handicapped Parking Awareness Month

2. **Date of Submission:** 17 May 2016

3. **Date of Board Meeting:** 23 May 2016

4. **Individual or Entity making the submission: (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting):**

   Town of Simsbury
   Aging and Disability Commission

5. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**
   The Individual or Entity making the submission requests that the Board of Selectmen:

   The Town of Simsbury Aging and Disability Commission is requesting that the Board of Selectmen recognize the month of June 2016 as Handicapped Parking Awareness Month.

6. **<u>Summary of Submission</u> (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any <u>additional</u> information in an attached memorandum.):**

The Town of Simsbury Aging and Disability Commission, as part of its Action Plan, seeks to educate the Simsbury community as to the legalities of handicapped parking. The Commission will send out press releases to various media outlets and distribute posters as a methodology of education the community as well as additional initiatives.
The awareness program began in 2012 when the Board of Selectmen designated June as Handicapped Parking Awareness Month and the Commission would like to see this continue on an on-going basis. The Commission will also request that the Simsbury Police Department pay special attention to public and town owned parking areas to ensure appropriate enforcement of current laws related to handicapped parking.

7. **<u>Financial Impact</u> (Include a description of any impact on the finances of the Town of Simsbury):**

None.

8. **<u>Description of documents included with submission</u> (All documents must be in final form and signed by the appropriate party.):**

The following documents are included with this submission and attached hereto:

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING
AGENDA SUBMISSION FORM

1. **Title of submission:** Public Hearing on Charter Revision Commission Draft Report

2. **Date of submission:** May 18, 2016

3. **Date of Board Meeting:** May 23, 2016

4. **Individual or Entity making the submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting):**

   Thomas F. Cooke – Director of Administrative Services – tcooke@simsbury-ct.gov
   Robert M. DeCrescenzo, Esq. – Town Counsel

5. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**
   The Individual or Entity making the submission requests that the Board of Selectmen:

   Schedule a public hearing for Monday, June 13, 2016 at 6:00 p.m. to receive public comment on the draft final report of the Charter Revision Commission as required by Section 7-191(b) of the Connecticut General Statutes.

6. **Summary of Submission (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any additional information in an attached memorandum.):**

   The draft Final Report of the Charter Revision Commission was transmitted to the Board of Selectmen on May 9, 2016. Pursuant to Section 7-191(b) of the Connecticut General Statutes, the Board of Selectmen as the appointing authority is required to hold at least one public hearing to receive comment on the draft Final Report. All public hearings on the Final Report must be completed within forty-five (45) days of the filing of the draft Final Report with the Town Clerk.

Additional information concerning the charter revision procedure is included in the attached memorandum.

7. **<u>Financial Impact</u> (Include a description of any impact on the finances of the Town of Simsbury):**

   The public hearing will have no financial impact on the town.

8. **<u>Description of documents included with submission</u> (All documents must be in final form and signed by the appropriate party.):**
   The following documents are included with this submission and attached hereto:

   Memorandum from Thomas Cooke dated May 16, 2016.

   Link to Charter Revision Commission Draft Final Report:

   http://www.simsbury-ct.gov/sites/simsburyct/files/uploads/160505_final_report_for_filing_with_town_clerk.pdf

M E M O R A N D U M

To: Board of Selectmen

From: Thomas F. Cooke – Director of Administrative Services

Re: **Final Report of the Charter Revision Commission**

Date: May 16, 2016

Ladies and Gentlemen:

On May 9, 2016 you received copies of the Final Report of the Charter Revision Commission from Town Clerk Carolyn Keily. The Commission filed its report on the 9th with the Town Clerk which triggers the following timelines:

- **Within 45 days of submission to the Town Clerk,** the Board of Selectmen shall hold at least one public hearing on the draft report.

- **Within 14 days of the last public hearing**, the Board of Selectmen shall make recommendations to the Commission for changes to the draft.

- **Within 30 days of receipt of the recommendations**, the Commission shall make its final report to the Board of Selectmen.

- **Within 15 days of receipt of the Final Report**, the Board of Selectmen shall vote on whether to approve the proposed Charter.

- **Within 30 days of approval of the Charter**, the proposed Charter shall be published in full in a newspaper having a general circulation in Simsbury. Thereafter, the matter will be sent to referendum.

In the event that the Board of Selectmen does not approve the proposed Charter, there is a process for electors to petition for the Charter to go to referendum.

This is intended as a general outline for you. If you have specific questions, please let me know and I will forward them to Bob DeCrescenzo.

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING
AGENDA SUBMISSION FORM

1. **Title of submission:** Acceptance of Gift of Furniture from Viking Demolition

2. **Date of submission:** May 18, 2016

3. **Date of Board Meeting:** May 23, 2016

4. **Individual or Entity making the submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting):**

   Thomas F. Cooke – Director of Administrative Services – tcooke@simsbury-ct.gov

5. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**
   The Individual or Entity making the submission requests that the Board of Selectmen:

   Revise its prior acceptance of a gift of furniture valued at approximately $7,400 to reflect that the gift was received Viking Demolition and not from The Hartford.

6. **Summary of Submission (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any additional information in an attached memorandum.):**

   As previously reported to this Board, Town Staff was contacted by The Silverman Group and informed that The Hartford wanted the Town of Simsbury to have the opportunity to select furniture from The Hartford's former premises at 200 Hopmeadow Street. After the town removed furniture from the premises, it learned that title had already passed from The Hartford to The Silverman Group's demolition contractor, Viking Demolition. As stated in the attached letter, Viking Demolition is acknowledging its gift to the town and releasing any future claims to the furniture. This submission seeks to correct the record to identify the actual donor.

The furniture inventory remains as follows:

Type	Quantity	Approximate Value	Total
Task Chairs	43	$100	$4,300
Conference Chairs	28	$75	$2,100
Side Chairs	6	$25	$150
Tables	2	$25	$50
Computer Cabinets	3	$200	$600
Tables/Kitchen	4	$50	$200
			$7,400

7. **<u>Financial Impact</u> (Include a description of any impact on the finances of the Town of Simsbury):**

   No immediate impact. Ultimately this will minimize the need to replace existing furniture.

8. **<u>Description of documents included with submission</u> (All documents must be in final form and signed by the appropriate party.):**

   The following documents are included with this submission and attached hereto:

   May 4, 2016 letter from Viking Demolition

May 4, 2016

Thomas F Cooke
Director of Administrative Services
Town of Simsbury
933 Hopmeadow Street
Simsbury, CT 06070

Reference; 200 Hopmeadow Street, Furniture Gift.

Dear Mr. Cooke

This Letter serves to acknowledge the Furniture Gift from Viking Demolition to the Town of Simsbury.

Please be advised that the Town of Simsbury may utilize the Furniture in its sole discretion, and that Viking Demolition relinquishes any future claim to the gift. The Type and quantities of Furniture are listed below.

Please feel free to contact me with any questions.

43 Task Chairs 28 Conference Chairs 6 side Chairs 2 Tables

3 Computer Cabinets 4 Tables/Kitchen

Thank you,
Viking Demolition, Inc.

Frank Incarnato
V.P. of Operations
Cc: Project

58 BOROUGH STREET, RUTHERFORD, NJ 07070 • 609-443-3500

CALL TO ORDER

The Special Meeting of the Board of Selectmen was called to order in the Main Meeting Room at 5:33 p.m. Present were: First Selectman Lisa Heavner; Board members Michael Paine, Cheryl Cook, Christopher Kelly, Elaine Lang and Sean Askham. Others in attendance included Thomas Cooke, Director of Administrative Services, Sean Kimball, Director of Finance, and other interested parties.

Ms. Heavner said she put out the poster of Money Magazine's "Best Places to Live in America". She said Simsbury is a great place to live, not because of what we have, but because of the people who make it such a great community.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

There was no public audience at this time.

SELECTMEN ACTION

a) Approval of the Hometown Hero Nominees

Ms. Lang made a motion to approve the Hometown Hero Nominees for 2016; Peter Askham, Roger Coombes, Pam Kelley, and Nick Mason. Mr. Kelly seconded the motion. All were in favor and the motion passed.

Ms. Heavner said this is an opportunity to recognize and thank all of you who are shining of the community who step up to help this community.

PRESENTATIONS

- **Hometown Hero Awards Presentation Ceremony:**
  - **Peter Askham**

Ms. S. Askham congratulated his dad, Peter, who has served the Town for many years in a variety of volunteer positions. His posts include 19 years on the Simsbury Board of Finance; the Simsbury Economic Development Commission and the Board of the Simsbury Public Library.

Mr. Askham was also a Simsbury youth soccer coach for 12 years and has earned several levels of coaching licenses. He was also on the Friends of Simsbury Crew Board and has volunteered preparing its tax returns for 12 years.

Mr. Askham is a member of the St. Mary's credit union board and he was the founder of Simsbury Bank. He has also been a member of the Simsbury Republican Town Committee for 27 years.

Mr. Askham said a large reason why he is standing here is because his dad's volunteerism and selflessness to give to the community has inspired not only him but many others. He thanked his dad and said this is very much deserved.

Mr. P. Askham thanked the Board of Selectmen, Board of Finance and the Home Town Hero selection committee for this honor. He also thanked the residents for their volunteerism. It takes a lot of people and a lot of effort to make this town so great and he appreciates them. He also thanked his wife and family for always allowing him to follow his passion. He said his parents instilled community involvement in him.

Mr. Askham gave everyone a challenge: that residents get involved; that everyone work together for improvement; and to leave the town in a better place from when you started here.

Ms. Heavner recognized and thanked Michael Paine, Tom Horan, Roger Spear, T. J. Donohue and Len Lanza who were part of the 2015 Hometown Hero Selection Committee.

- **Roger Coombes**

Mr. Kelly said he and Mr. Coombes have been friends since the 7th grade. He said he can vouch for everything that was put into this nomination. He said Mr. Coombes and his family have been a part of sports in Simsbury since the 60's and 70's. He said Mr. Coombes coached little league, and the travel basketball team for 15 years. Mr. Coombes has had a positive impact on so many of our youth. He teaches tactic, strategy, and fun, but also value to athletes. He has been the voice of SCTV basketball and football for 10 years. In fact, he bleeds blue and gold. Mr. Kelly was very pleased to recognize Mr. Coombes tonight.

Mr. Coombes said it is always exciting to coach our youth. He still sees graduating athletes who still talk to him. It's very gratifying. Mr. Coombes thanked the Town and Selection Committee for this great honor. It's very exciting. He was born and raised in Simsbury and he thanked his family for all their support. He also thanked Farmington YMCA, St. Mary's of Simsbury, Simsbury Little League, Simsbury Travel Basketball, Simsbury Babe Ruth and Simsbury High School.

- **Pam Kelley**

Mr. Paine said Ms. Kelley is beyond a wonderful asset to the Town and especially for the Simsbury Public Library, where she has been an active volunteer with the Friends of the Simsbury Public Library. She has also been a "sorter" and "packer" for the annual used book sale. She has also been the sole organizer of the ongoing bookstore. She does all this in her free time while also helping care for her grandchildren and working at Tulmeadow Farm.

Mr. Paine said Ms. Kelley also continues to serve on the Simsbury Volunteer Fire Company Ladies Auxiliary which she has done for 15 years.

Mr. Paine congratulated and thanked Ms. Kelley for all she does.

Ms. Kelley thanked everyone for this honor and said it was a great thing to stand amongst the other Hometown Heroes. She said she came to volunteering as everyone in her family was a volunteer. She said you just get up and just do it. Ms. Kelley said it is great to live in the greatest Town.

- **Nick Mason**

Ms. Heavner thanked Mr. Askham and Mr. Mason for helping her with the budget. She said they never put politics into their positions but look at it is as being public servants.

Ms. Heavner said Mr. Mason is a very good person and it is an honor to know him. She feels the community is better for what he and the others have done for the community. Mr. Mason is also a very kind man who can be counted on.

Mr. Heavner said Mr. Mason has been a member of the Board of Finance for 14 years. He is the treasurer for Simsbury Community Television, the Old Drake Hill Flower Bride, and the Powder Forest Homeowners' Association. He is the board president and past treasurer of the Farmington Valley Visiting Nurse Association and active on the Simsbury Democratic Town Committee. Mr. Mason is also active in the Simsbury Chamber of Commerce and on the board of Simsbury Bank.

Ms. Heavner said Mr. Mason is a long-time member of the Simsbury Light Opera Company and he teaches an annual seminar/class in the "banking school".

Mr. Mason is a frequent rower on the Farmington River, a marathon runner, a devoted husband, father and grandpa.

Mr. Mason said he retired from his job 15 years ago. He feels it is good to be involved in different things. He feels Simsbury is a great place to live, work and volunteer and he feels grateful to be a part of it. It has been a lot of fun. He read his horoscope from yesterday's paper. He thanked his wife and the Board of Selectmen.

Ms. Heavner said there were refreshments in Room 103 for everyone.

ADJOURN

Mr. Askham made a motion to adjourn at 6:00 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Sincerely,

Kathi Radocchio
Clerk

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:04 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Lisa Heavner; Board members Sean Askham, Elaine Lang, Christopher Kelly, Michael Paine and Cheryl Cook. Others in attendance included: Thomas Cooke, Director of Administrative Services, Sean Kimball, Director of Finance; Sarah Nielson, Main Street Partnership; and other interested parties.

PLEDGE OF ALLEGIANCE

Two members of Boy Scout Troop 76 lead in the Pledge of Allegiance.

PUBLIC AUDIENCE

Walter Banzack, 26 Westpoint Terrace, Tariffville and member of the Tariffville Water Commission, noted that item d) of the agenda should be Tariffville Water Tank, not water tower.

Steve Mitchell, 165 Old Farms Road and Bruce Donald, President of the Farmington Valley Trails Council, etc. spoke about the East Coast Greenway bike trails. Mr. Mitchell said he was representing the Tourism Committee and that Simsbury is an economic driver for the trails. He and Mr. Banzack spoke about the marketing for the East Coast Greenway and the trails. More information can be seen at Simsbury bike trails/biking. They spoke about having more available parking spaces for bikers.

Susan Masino, 41 Madison Lane, spoke about upcoming events at The Grange including Spring Cleaning and Electronic Recycling this Saturday at Andy's Market from 9-12. She said Troop 76 will be helping out and a drive-up, drop off is available.

Ms. Masino also spoke about biking and the scheduling of buses to hopefully run during the weekends and at nights to bring in more tourists.

Mr. Askham made a motion to amend the agenda to add an Executive Session pursuant to CGS §1-200(6)(B) in connection with pending litigation – Gladney vs. Simsbury, USDC Case No. 3:13-cv-00646 (MPS). Mr. Kelly seconded the motion. All were in favor and the motion passed.

PRENSENTATIONS

- **Memorial Day Parade Wounded Warrior Bake Sale**

Haley Latorre, from Simsbury High School, spoke about the 6th annual Wounded Warrior Project Bake Sale. She spoke about how she became a part of this project. The Bake Sale will be held on May 30, 2016 at Martocchio Music parking lot at 12:30 with all proceeds benefiting the Wounded Warrior Project. For more information or to donated baked goods visit: www.woundedvetsstrong.com or send an email to simsburykidswwp@gmail.com.

Ms. Latorre also spoke about a new project called "Wounded Vets Strong", which was started this spring at the High School. This will help in the support of Fisher House and the Wounded Warrior Project. The Fisher House also helps Veterans and their families to find places to live and get medical attention if needed.

- **Quarterly Financials Update**

Mr. Kimball said the Town's revenues are favorable. He went through the rest of the quarterly budget figures. Mr. Kimball said the State hasn't approved their budget to date and is now having to go into a special session.

Mr. Kimball spoke about the Board of Finance asking for the Board of Education and Board of Selectmen to decrease their budgets. They have not yet approved the Simsbury budget either.

There was more discussion on the Simsbury and State budgets and when they will be approved. It was noted that the Board does not wish to reduce or change the Assistant Town Engineer position as they feel that department is understaffed.

Mr. Shea asked the Board to continue with the Town's master plan study and not move it out four years. The Town staff has done a great job to help, but there is a lot of information to gather before the plan gets approved and the staff can't do it all. He said it could possibly be put out one year, but four would be too long. There was also some concern from the Board about moving the plan out four years.

There was also some discussion on Eversource. Ms. Heaver said there are ongoing conversations with the Town and Eversource at this time.

Mr. Askham made a motion to amend the agenda to add First selectman's Report after item e) Approve Tax Refunds. Mr. Paine seconded the motion. All were in favor and the motion passed.

a) Budget Discussion and Possible Action

Mr. Askham made a motion that the Town's facilities mast plan be moved out of the current CIP Plan. Ms. Lang seconded the motion. All were in favor and the motion passed.

b) Approve Appropriation from Reserve for Simsbury High School Turf Field Replacement in the amount of $660,000

Ms. Heavner introduced Burke LeClair to explain this issue. Mr. LeClair spoke about the proposed House Bill No. 5139 that seeks to "prohibit the installation of ground cover that contains shredded or ground rubber recycled…tires in municipal and public school playgrounds."

Mr. LeClair said this project is very important and has been several years in the making. It needs to be completed before the start of the next school season. He highlighted some issues they reviewed in their consideration process. He also explained how they came up with the $660,000.

Mr. Kelly made a motion to approve a supplemental appropriation in accordance with Section 809(c) of the Town Charter in the amount of $660,000 for the Simsbury High School Turf Field Replacement Project. Mr. Paine seconded the motion. All were in favor and the motion passed.

Ms. Lang made a motion to recommend, to the Board of Finance, the removal of this project (#51) from the Capital Improvement Program list of projects for 2016-17 funding. Ms. Cook seconded the motion. All were in favor and the motion passed.

c) Approval of Main Street Investment Fund Grant Application

Ms. Heavner said Main Street Investment Fund grant applications must be projects that are part of a plan previously approved by the governing body of the municipality to develop or improve a Town commercial center to attract small businesses, promote commercial viability and improve aesthetics and pedestrian access.

Sarah Nielson gave a power point presentation and thanked Ms. Heavner and Mr. Cook for all their help, along with all the Department Heads. She said the State is currently funding the Main Street Investment Fund.

Ms. Cook made the following motion:

Certified Resolution of the Legislative Body

The Legislative Body of the Town of Simsbury, Connecticut met on Monday, May 9, 2016 and adopted a resolution by the vote of 6 to nothing which:

(1) Authorizes submission of the funding application – Simsbury Streetscape Project under the Main Street Investment Fund Program referenced in Section 78 and 79 of the PA 11-1; and
(2) Identifies Lisa Heavner, First Selectman, as an individual authorized to sign the State of Connecticut Department of Housing Main Street Investment Fund application and administer the grant and the project. Such application is attached to and made part of this record.

Attested to by: (to be determined)

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

d) Set Public Hearing Date for Proposal to Relocate the Tariffville Water Tank

Ms. Lang made a motion to set a Public Hearing Date of May 23, 2016 at 6:00 p.m. for proposal to relocate the Tariffville Water Tank. Mr. Askham seconded the motion. All were in favor and the motion passed.

e) Approve Tax Refunds

Mr. Askham made a motion to approve the tax refunds in the amount of $93.78 as recommended the approved by the Tax Collector. Ms. Cook seconded the motion. All were in favor and the motion passed.

FIRST SELECTMAN'S REPORT

Ms. Heavner said there is a Medication Drop Box is located in the lobby of the Police Department.

She also announced that the Simsbury Farms Golf Course is one of six courses selected to receive pro-bono consulting visits and evaluations by the United States Golf Association and the American Society of Golf Courses Architects.

Ms. Heavner announced that the Department of Public Works received a pro-bono road safety audit of trail and street intersections through the Connecticut Department of Transportation's Community Connectivity Program.

Ms. Heavner congratulated Captain Nick Boulter who was one of 230 law enforcement officers from across the country and beyond who graduated from the FBI National Academy Program in Virginia. This Academy is a professional course of study for U.S. and international law enforcement leaders.

Ms. Heaver said road paving will be in full swing in the next few weeks. For more information go to: http://simsburytv.org/v/liQsDCrWBaA.

Ms. Heavner thanked everyone who joined the Board on their ride May 5th.

Ms. Heavner said the Garden Homes is now under construction along with 272 residential units for rent by Land Works as part of the Highcroft Apartment Homes and Highcroft Townhomes along Powder Forest Drive. She said Berkshire Bank is working on interior fit-out and is not yet open.

Ms. Heavner congratulated and welcomed Andy and Mary Clair Whalen, owners of Maher's Simsbury Paint Store as a new business to Simsbury.

Mr. Heavner reminded everyone that Simsbury's Memorial Day Parade will be held on Monday, May 30th. The Tariffville parade will begin at 9:00 a.m. at the foot of Winthrop Street and concludes at St. Bernard Cemetery. The Simsbury Parade begins at 1:30 p.m. at Owen Brook and concludes at Eno Memorial Hall. She thanked the many volunteers for all their time and effort to organize these parades.

Ms. Heavner went through the schedule for the Talcott Mountain Music Festival at the Simsbury Meadows Performing Arts Center.

OTHER BUSINESS

There was no other business at this time.

APPOINTMENTS AND RESIGNATIONS

a) Acknowledge the resignation of Philip J. Purciello, III (R) as a regular member of the Conservation Commission/Inland Wetlands & Watercourses Agency effective April 26, 2016

Ms. Cook made a motion to acknowledge the resignation of Philip Purciello as a regular member of the Conservation Commission/Inland Wetlands & Watercourses Agency effective April 26, 2016 with thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

b) Appoint Jason L. Levy (R) as a regular member of the Conservation Commission/Inland Wetlands & Watercourses Agency with an expiration date of January 1, 2020

Mr. Paine made a motion to appoint Jason Levy as a regular member of the Conservation Commission/Inland Wetlands & Watercourses Agency with an expiration date of January 1, 2020. Mr. Askham seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting Minutes of April 25, 2016

Mr. Paine made a motion to approve the Regular Meeting Minutes of April 25, 2016 as amended. Mr. Askham seconded the motion. All were in favor and the motion passed.

- Amendment to page 1, Public Hearing, paragraph 4, It is a very fair Amendment and feels it is a very important gesture (change from "jester to gesture").

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

Ms. Heavner said the Clean Energy Task Force are applying for an electric vehicle charging station at Town Hall.

Ms. Cook said the Community for Care has cancelled their June 8th meeting and program as there was a conflict with the graduation ceremony. They will have a regular meeting on June 1st.

Mr. Askham said the Board received the Charter Revision Commission's final report. Mr. Cooke said the Board now has 45 days to consider and hold a Public Hearing. He will email the Board members with the procedures.

1. **Personnel -** No report at this time.

2. **Finance -** No report at this time.

3. **Welfare -** No report at this time.

4. **Public Safety –** No report at this time.

5. **Board of Education –** No report at this time.

Mr. Kelly made a motion to amend the agenda to add more public audience. Ms. Lang seconded the motion. All were in favor and the motion passed.

Joan Coe, 26 Whitcomb Drive, apologized for missing the first part of this meeting. She spoke again about the issue with her car bumper sticker, about furniture donated from The Hartford, the Charter Revision Commission's final report changes and other issues.

Robert Kalechman, 971 Hopmeadow Street, spoke the High School turf replacement budget issue, The Hartford donation of furniture, the Charter Revision Committee's final report, and other issues.

ADJOURN TO EXECUTIVE SESSION

Ms. Cook made a motion to adjourn to Executive Session pursuant to CGS §1-200(6)(B) in connection with pending litigation – Gladney vs. Simsbury, USDC Case No. 3:13-cv-00646 (MPS) at 7:40 p.m.; to include Thomas Cooke, Director of Administrative Services. Mr. Askham seconded the motion. All were in favor and the motion passed.

ADJOURN FROM EXECUTIVE SESSION

Ms. Lang made a motion to adjourn from Executive Session at 8:05 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

ADOURN

Ms. Lang made a motion to adjourn at 8:05 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk