



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Lisa L. Heavner - First Selectwoman

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## SIMSBURY BOARD OF SELECTMEN

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

Regular Meeting – December 12, 2016 – 6:00 p.m.

### PLEDGE OF ALLEGIANCE

### PUBLIC AUDIENCE

### PRESENTATIONS

- Paving Update and Snow Preparation – Tom Roy, Director of Public Works

### FIRST SELECTMAN'S REPORT

### SELECTMEN ACTION

- Approve Tax Refunds
- Set Public Hearing Date for proposed Sidewalk Policy
- Solar Array Grant – Simsbury High School
  - Authorize the First Selectwoman to execute the Memorandum of Understanding (MOU) with CT Green Bank, subject to review by Town Counsel
  - Accept Solar Array Grant in the amount of \$40,500
  - Recommend to the Board of Finance a FY17 Supplemental Appropriation pursuant to Charter Section 809(a) in the amount of \$57,074
- Approve Eagle Scout Projects
- Approve Public Gathering Permit Applications for 2017 Events
- Accept Donation of \$200,000 for the Simsbury Veterans Memorial
- Review proposed ordinance for Water Conservation and possibly set Public Hearing Date

Telephone (860) 658-3230  
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LHeavner@simsbury-ct.gov  
[www.simsbury-ct.gov](http://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

- h) Approve 2017 Ground Licenses for various Town owned Agricultural Properties
- i) Contract Amendment for Neighborhood Facilities:
  - a) Authorize Contract Amendment of the \$204,000 State grant for funding of design services required for the Senior/Community Center Project
  - b) Approve Resolution authorizing First Selectman to execute Contract Amendment extension with the State of Connecticut
- j) Approve the Tentative Agreement between the Town of Simsbury and UE Local 222, CILU/CIPU Local #41 (Dispatchers), and authorize the First Selectwoman to Execute the Collective Bargaining Agreement as modified

**OTHER BUSINESS**

**APPOINTMENTS AND RESIGNATIONS**

- a) Acknowledge the resignation of Laurel Hennebury (D) as a regular member of the Technology Task Force effective December 4, 2016
- b) Appoint Thomas A. Kyzivat (D) as an alternate member of the Zoning Commission with and expiration date of December 2, 2019
- c) Appoint Derek Peterson (R) as a regular member of Board of Finance with an expiration date of December 4, 2017
- d) Appoint Jan Losee (D) as a regular member of the Tourism Committee with an expiration date of December 4, 2017
- e) Reappoint Michael Jennings (U) as a regular member of the Aging and Disability Commission with an expiration date of January 1, 2021
- f) Reappoint Thomas Rechen (R) as a regular member of the Board of Ethics with an expiration date of January 1, 2021
- g) Reappoint Kristen Barnett (R) as a regular member of the Economic Development Commission with an expiration date of December 4, 2017
- h) Reappoint Elizabeth Woollacott (R ) as a regular member of the Historic District with an expiration date of January 1, 2022
- i) Reappoint James Fleming (R) as a regular member of the Police Commission with an expiration date of January 1, 2021

**REVIEW OF MINUTES**

- a) Regular Meeting of November 28, 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

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Tax Refunds
2. **Date of submission:** December 6, 2016
3. **Date of Board Meeting:** December 12, 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 **\$ 13,442.28**

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
<b>List 2013</b>					
					\$0.00
					\$0.00
					\$0.00
					\$0.00
<b>Total 2013</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>List 2014</b>					
					\$0.00
					\$0.00
					\$0.00
					\$0.00
<b>Total 2014</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>List 2015</b>					
ARI Fleet LT OR	15-03-50541	\$547.96	\$15.22		\$563.18
CAB East LLC	15-03-52355	\$377.17	\$10.48		\$387.65
Campion Zachariah R	15-03-52516	\$158.80	\$4.41		\$163.21
Carlson Ashley M	15-03-52610	\$402.44	\$11.18		\$413.62
Fitzsimmons Heidi C	15-03-55840	\$126.54	\$3.51		\$130.05
Garceau Michael J	15-03-56305	\$1,546.38	\$42.95		\$1,589.33
Honda Lease Trust	15-03-58090	\$353.56	\$9.82		\$363.38
Honda Lease Trust	15-03-58209	\$367.20	\$10.20		\$377.40
Hsu Theodore C	15-03-58431	\$390.42	\$10.84		\$401.26
Hughes Sean M	15-03-58496	\$257.51	\$7.15		\$264.66
Kendall Debra J	15-03-59492	\$112.07	\$3.11		\$115.18
Kevorkian Christopher S	15-03-59582	\$158.76	\$4.41		\$163.17
Kissa Karl M	15-03-59708	\$165.42	\$4.59		\$170.01
Leek Morgan S	15-03-60514	\$318.96	\$8.86		\$327.82
Lindberg Michael D	15-03-60761	\$284.76	\$7.91		\$292.67
Lindquist Jennifer L	15-03-60771	\$109.26	\$3.03		\$112.29
Mcakerchery Suresh	15-03-61177	\$73.51	\$2.04		\$75.55
Magarian John C	15-03-61237	\$849.28	\$23.59		\$872.87
McCauley John F	15-03-61803	\$131.76	\$3.66		\$135.42
Newton Robert R	15-03-63221	\$1,136.52	\$31.57		\$1,168.09
Nissan Infiniti LT	15-03-63366	\$526.57	\$14.63		\$541.20
Nissan Infiniti LT	15-03-63373	\$104.76	\$2.91		\$107.67
Nissan Infiniti LT	15-03-63414	\$180.29	\$5.01		\$185.30
O'Brien Kathryn A	15-03-63590	\$62.82	\$1.74		\$64.56
Petersen Paul E	15-03-64410	\$377.46	\$10.48		\$387.94
Porsche Leasing LTD	15-03-64718	\$354.49	\$9.85		\$364.34
Porter Scott D	15-03-64740	\$217.51	\$6.04		\$223.55
Pritam Amrita	15-03-64896	\$27.76	\$0.77		\$28.53
Quigley Marion C	15-03-64988	\$410.33	\$11.40		\$421.73
Steinmetz Daniel J	15-03-67630	\$38.34	\$1.06		\$39.40
Tighe Colleen T	15-03-68321	\$54.97	\$1.53		\$56.50
Toyota Lease Trust	15-03-68466	\$332.64	\$9.24		\$341.88
Toyota Lease Trust	15-03-68496	\$443.74	\$12.33		\$456.07

Toyota Lease Trust	15-03-68513	\$443.74	\$12.33		\$456.07
Toyota Lease Trust	15-03-68519	\$223.38	\$6.20		\$229.58
USB Leasing LT	15-03-68898	\$212.62	\$5.91		\$218.53
Vault Trust	15-03-69136	\$407.70	\$11.32		\$419.02
Wilbur Nicholas C	15-03-69888	\$674.64	\$18.74		\$693.38
Wing, Susan J	15-03-70043	\$335.27	\$9.31		\$344.58
Yoel Jacob A	15-03-70284	\$144.97	\$4.03		\$149.00
<b>Total 2015</b>		<b>\$13,442.28</b>	<b>\$373.36</b>	<b>\$0.00</b>	<b>\$13,815.64</b>
<b>TOTAL 2013</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>TOTAL 2014</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>TOTAL 2015</b>		<b>\$13,442.28</b>	<b>\$373.36</b>	<b>\$0.00</b>	<b>\$13,815.64</b>
					<b>\$13,815.64</b>
<b>TOTAL ALL YEARS</b>		<b>\$13,442.28</b>	<b>\$373.36</b>	<b>\$0.00</b>	<b>\$13,815.64</b>



# Town of Simsbury

66 Town Forest Road, P.O. Box 495, Simsbury, Connecticut 06070

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

## **BOARD OF SELECTMEN MEETING** **AGENDA SUBMISSION FORM**

1. **Title of submission:** Sidewalk Maintenance and Replacement Practices –  
Review of Ordinance / Town Code

2. **Date of submission:** December 7, 2016

3. **Date of Board Meeting:** December 12, 2016

4. **Individual or Entity making the submission:**

Thomas J. Roy, P.E. – Director of Public Works

5. **Action requested of the Board of Selectmen:**

Schedule a Public Hearing to allow for modifications to Town Code Section 137 as it relates to maintenance and replacement of sidewalks.

6. **Summary of Submission:**

Over the past few years, there have been a number of questions raised about the Town's policy and procedures for the maintenance and replacement of sidewalks in Town. The attached memo outlines our existing maintenance and replacement practices and recommends holding a public hearing to consider modifications to our existing ordinance to remove the current requirement that property owners abutting a sidewalk that is in need of replacement be assessed for the full cost of this capital construction work.

7. **Financial Impact:**

Assuming the Town Code is changed, the Town would be responsible for the Capital Costs for sidewalk replacements. We currently have a line item in our Capital Program for FY 18 for sidewalk resurfacing with a budgetary value of \$1.2M. These funds would be sufficient to fund the replacement of approximately 65% of the Town's sidewalks.

8. **Description of documents included with submission:**

- May 17, 2016 Memo titled, "Sidewalk Ordinance – Current Practices and Recommended Modifications"
- Copy of Town code 137 – with proposed modifications
- CRCOG Town's Sidewalk Policies



# Town of Simsbury

66 TOWN FOREST ROAD, P.O. BOX 495, SIMSBURY, CONNECTICUT 06070

~ Department of Public Works ~

## Memorandum: Sidewalk Ordinance – Current Practices and Recommended Modifications

**To:** Lisa Heavner, First Selectman  
**CC:** Board of Selectmen, Jeff Shea, Tom Cooke  
**From:** Thomas J. Roy - PE, Director of Public Works  
**Date:** December 8, 2016

Over the past few years, there have been a number of questions raised about the Town's policy and procedures for the maintenance and replacement of sidewalks in Town. I believe this is an important issue that has an impact on many of our residents and businesses and is deserving of careful consideration. How the Town approaches the construction and maintenance of sidewalks is an important part of the community's goals in terms of striking the appropriate balance between preserving our rural character and promoting a more walkable community.

The information presented below is intended to provide an overview of our current maintenance and replacement practices and provide alternative processes for consideration:

### Town Assets:

Sidewalks*	13.9 miles
Paved multi-use paths	10.7 miles
Stone dust multi-use paths	2.5 mi
Neighborhood trails	unmeasured
Hiking Trails	6,700 acres

\*Sidewalks are defined as any hard-surfaced walkway which is five feet or less in width and generally paralleling a road or highway and is for the exclusive use of pedestrians. Sidewalks can be constructed of concrete or bituminous pavement (asphalt). Concrete walks typically have a life expectancy of 25+/- years and bituminous walks have a life expectancy of 12 +/-years. Sidewalks on State roadways fall under Simsbury's ordinance, including the costs for replacement unless the replacement is in conjunction with a state roadway rehabilitation project.

### Current Challenges:

- With many of the neighborhoods that have sidewalks, only being served by a walk on one side of the road, it is not perceived as "fair" for one side of the street to receive the full burden of maintaining the sidewalk for the benefit of all of the residents in the neighborhood.
- Sidewalks in some neighborhoods have deteriorated to the point that they have effectively been removed – sections are grassed over or individual residents have removed them. The Town has been reluctant to assess homeowners for the cost of replacing deteriorated sidewalks.

**Current Sidewalk Maintenance and Replacement Practices:**

Simsbury Town Ordinance, *Chapter 137, Streets and Sidewalks (complete ordinance is attached)*, places the responsibility for maintenance of sidewalks on the adjacent property owners. This includes both snow removal and costs for repair or reconstruction. The overall content of this ordinance is common and is similar to several local towns, including: Avon, Bloomfield, Canton, Farmington and Granby.

It is important to note that the maintenance requirements can be a major deterrent for residents/neighborhoods interested in installing new sidewalks, as many homeowners do not want to take on the responsibility for snow removal or the future replacement costs.

*Snow Removal:*

The requirement that abutting property owners take responsibility for the snow removal is standard practice in Connecticut. Attached is a 2011 study completed by CRCOG regarding various Towns and their sidewalk ordinances. This study found that all Towns that responded to the study required abutting property owners to remove snow from sidewalks.

For sidewalks that are adjacent to Open Space, the Town has historically been responsible for snow removal and winter maintenance. Similarly, for walks adjacent to schools, the Board of Education has been responsible for snow removal.

*Repair and Replacement:*

Based on our Town Ordinance, when a sidewalk needs repairs or replacement the responsibility falls on the abutting property owner. This is a difficult ordinance to enforce in a community like Simsbury where we have a limited sidewalk network and in most neighborhoods with sidewalks, the walks are only on one side of the street. We therefore place a heavy burden on the homeowners that are adjacent to the sidewalks as these assets are beneficial to the entire neighborhood; and homeowners on one side of the street take on all the responsibility for sidewalk maintenance and replacement costs, while the other side enjoys the benefits.

It is a common ordinance to require abutting property owners with the repair of sidewalks and it may help to share some of the liability associated with sidewalks to the abutting property owners. In theory, the abutting property owner has control over the maintenance and should be able to identify any potential defects in a timely manner due to their proximity to the walk.

Some of the Towns in the region have admittedly not enforced their ordinances requiring that home owners pay for the cost of replacing old and deteriorated sidewalks.

**Streetscape Program:**

The Town has initiated Streetscape projects that include the construction of decorative sidewalks in many of our downtown areas. We have been fortunate in receiving various grants to support

our ongoing efforts to provide these improvements. All costs in excess of grant funding have been provided by the town. The abutting property owners, in most cases the businesses have not been required to pay for these enhancements.

**Recommended Modification to Existing Practices and Ordinance:**

Modify section 137-3 of the Simsbury Town Code to remove the burden of assessing residents for the cost for replacing continuous sections of sidewalk that are in need of replacement due to normal wear and tear. This will require the Town to budget and manage the replacement of these assets. Assuming we modify the ordinance, Public Works would be able to put our sidewalk maintenance and replacement on a schedule similar to our roadway program, allowing us to keep our assets in good repair with a regular maintenance, inspection and replacement program. A red-line copy of the proposed changes to the ordinance is attached.

*Cost Implications:*

The cost for the future maintenance of our sidewalks is difficult to estimate accurately as we have not done an in-depth inspection and inventory of our walks. However, based on the lack of investment into the Town's sidewalks for the last few years, we can base our initial costs on needing to replace 65% of our concrete and bituminous sidewalks in the first five years and the remaining walks in the next five years, so that we would have a full replacement of all of our walks with the exception of our streetscapes in a 10 year period. The sidewalks that have been part of the streetscape program are not included in the replacement calculations as these walks are relatively new or already scheduled for replacement.

We have been carrying a budget of \$1.2M in our capital program for sidewalk improvements in FY18. This funding would be sufficient to initiate a replacement program and design and replace the initial 65% of our walks.

**Attachments:**

- Town Ordinance, *Chapter 137 Streets and Sidewalks with suggested text changes*
- *2011 CRCOG Summary of Sidewalk Policies*
- *Map depicting current sidewalk locations*

**CODE OF THE TOWN OF SIMSBURY, CONNECTICUT, v37 Updated 02-01-2014 / PART II GENERAL  
LEGISLATION / Chapter 137, STREETS AND SIDEWALKS**

[HISTORY: Adopted by the Board of Selectmen of the Town of Simsbury: Art. I, 5-14-1990; Art. II, 1-8-1990; Art. III, 1-28-1991. Amendments noted where applicable.]

**GENERAL REFERENCES**

**Bicycles on sidewalks -- See Ch. 67.**

**Open burning in streets -- See Ch. 75.**

**Littering -- See Ch. 106.**

**Offenses on public property -- See Ch. 115.**

**Vehicles and traffic -- See Ch. 149.**

**ARTICLE I**

**Sidewalk Maintenance**

**[Adopted 5-14-1990EN]**

**§ 137-1. Snow and ice removal. [Amended 2-28-1994]**

- A. Winter maintenance required. The owner, agent of the owner or the occupant of any building or land bordering upon any street, square or public place within the town where there is a sidewalk shall cause to be removed therefrom any and all snow, sleet and ice within a period of 24 hours after the cessation of the snow, sleet or rainfall; and, whenever any such sidewalk or any part thereof shall be covered with ice, the owner, agent of the owner or the occupant of the building or land adjacent thereto shall, within the space of two hours after sunrise, cause such sidewalk to be made safe and convenient by removing the ice therefrom or by covering the same with sand or other suitable substance.
- B. Property owners' exemption for town-maintained walks. The provisions of this section shall not apply to owners, agents or occupants of buildings or land bordering sidewalks for which the Town of Simsbury has, by agreement, assumed the responsibility for removal of snow and ice or for covering the same with sand or other suitable substance to make them safe and convenient.
- C. No person, firm or corporation shall plow any snow or ice from any private property across any town street or highway, nor shall any person, firm or corporation place or cause to be placed any snow or ice from any private property upon a town street or highway.
- D. Enforcement provisions. It shall be the duty of the police force, under the direction of the Chief of Police, to see that the foregoing provisions relating to snow and ice are strictly complied with; and it shall be the duty of the Chief of Police to report promptly all cases of neglect to the offending party, whose duty it shall be forthwith to cause all walks so reported as being neglected to be properly cleaned or protected.
- E. Fine for noncompliance. Persons who shall violate any of the provisions of this section or refuse or neglect to comply with the same after notification shall be guilty of a misdemeanor and shall be fined the sum of \$90 for each offense and shall also be liable for the costs incurred by the town to remove snow and/or ice and sand the walk. All costs shall be a lien on the property until paid, as per the provisions of Connecticut General Statutes Section 7-148©(6)©.

**CODE OF THE TOWN OF SIMSBURY, CONNECTICUT, v37 Updated 02-01-2014 / PART II GENERAL LEGISLATION / Chapter 137, STREETS AND SIDEWALKS**

**§ 137-2. Repair or replacement requirements.**

The Board of Selectmen, when in its opinion a sidewalk is in need of repair or replacement, is hereby authorized, by giving notice by certified mail to the owner at his last known address, to order the owner of the land fronting on any street or highway to repair or replace the sidewalk in front of said property and within such time as the Board of Selectmen may prescribe. Said notice shall contain a description of the needed repairs. When the owner of such land shall neglect or refuse to repair or replace any such sidewalk within the time and in the manner ordered by the Board of Selectmen as above provided, the Board of Selectmen may proceed to have said repairs or replacement made at the expense of the property owner. The expense of said replacement or repair shall be addressed as a benefit against the owner of the property adjoining such sidewalk and shall be a lien upon such property in accordance with the provisions of Connecticut General Statutes Sections 7-139 and 7-140, as the same may be amended from time to time.

**§ 137-3. Town repair or replacement; ~~assessment policy.~~**

When continuous sidewalks fronting properties with different owners need replacement or resurfacing, the Board of Selectmen may undertake such work as part of the Town's maintenance or capital replacement work. ~~and assess the benefits against the owners of said properties. Notification of property owners, hearings and determination of assessments shall be in accordance with the provisions of Connecticut General Statutes Sections 7-139 through 7-142, as the same may be amended from time to time.~~

**§ 137-4. Statutory liability provisions adopted.**

The provisions of Connecticut General Statutes Section 7-163a, as the same may be amended from time to time, are hereby adopted.

CROCOG Town Sidewalk Policies  
Towns listed Alphabetically

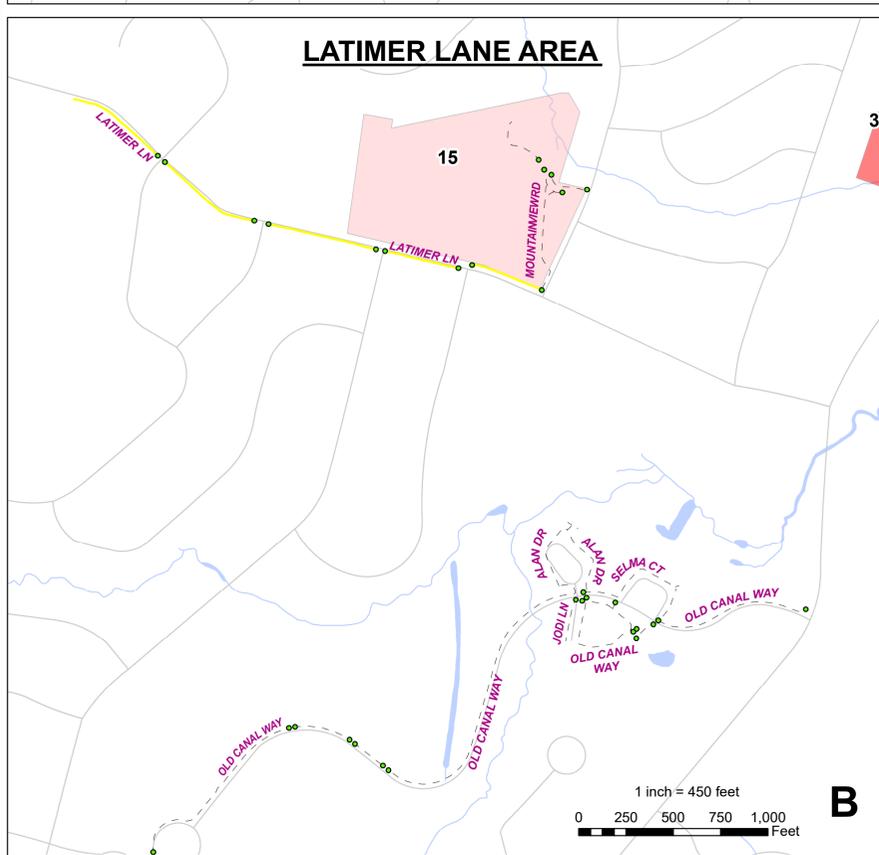
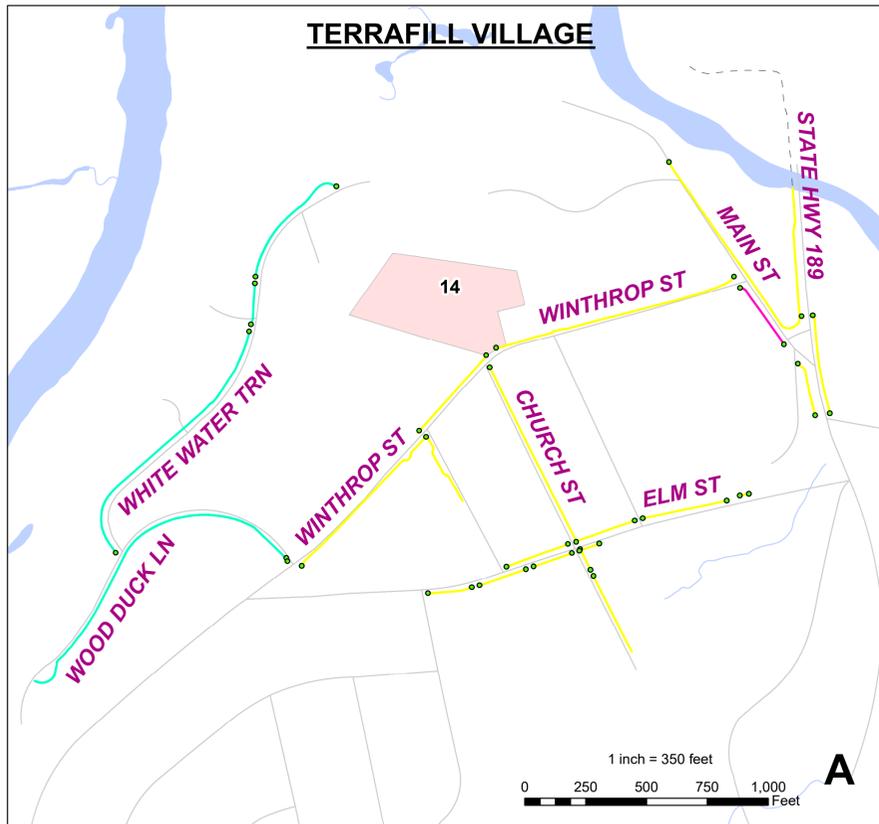
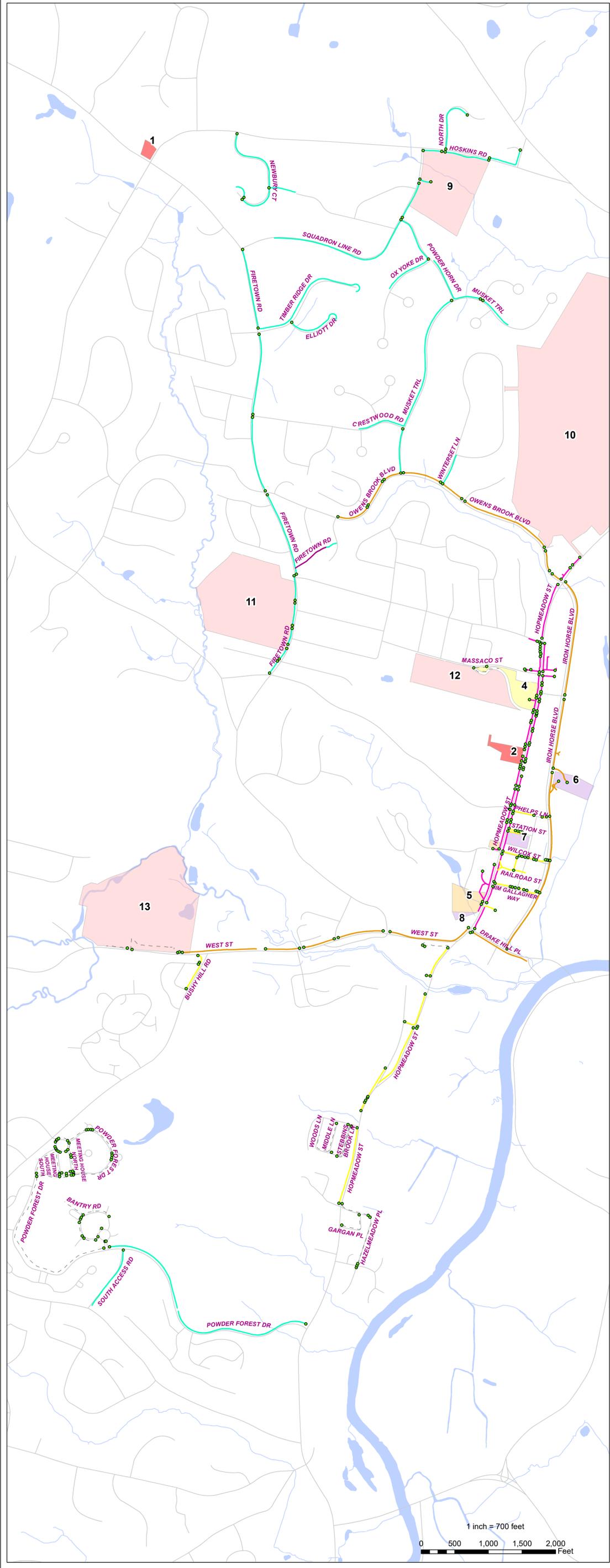
Municipality	Census 2010	Responsible for Longterm up keep of sidewalk	responsible for snow removal	notes
Andover	3,303	abutter	abutter	few sidewalks in place
Avon	18,098	abutter	abutter	because of concern with requiring property owners to maintain, about 30 years ago, decision was made not to require sidewalks
Bloomfield	20,486	abutter	abutter	ordinance allows for assessment if town inspects sidewalk
Bolton	4,980	??	??	few sidewalks in place
Canton	10,292	abutter	abutter	
East Granby	5,148	Town	abutter	few sidewalks in place
East Hartford	51,252	abutter	abutter	
East Windsor	11,162	abutter	abutter	
Ellington	15,602	town	abutter	
Enfield	44,654	town	abutter	have had resistance to new sidewalks
Farmington	25,340	abutter	abutter	
Glastonbury	34,427	town	abutter	have an annual sidewalk repair line item of \$60,000 for their 122 miles of sidewalk.
Granby	11,282	abutter	abutter	
Hartford	124,775	abutter	abutter	when the City does repairs to a sidewalk when the property owner will not, a lien is placed on the property for the improvement.
Hebron	9,686	town	abutter	The town has been expanding sidewalks in the town center with CIP funds or with STEAP grants. Summer of 2011: installing walks along the entire north side of Main Street with a STEAP grant.
Manchester	58,241	town	abutter	spend \$0.5 to \$1 M per year on Capital maintenance for sidewalks
Marlborough	6,404	?	?	
Newington	30,562	town	abutter	
Rocky Hill	19,709	town	abutter	
Simsbury	23,511	abutter	abutter	the town has done some repairs where they could have assessed the property owner, but have not done so

CRCOG Town Sidewalk Policies  
Towns listed Alphabetically

Somers	11,444	town	abutter	in CIP budget, have budgeted ~\$50,000 per year (this is old information)
South Windsor	25,709	abutter	abutter	
Stafford	12,087			
Suffield	15,735	abutter	abutter	
Tolland	15,052	??	abutter	
Vernon	29,179	1/2 abutter	abutter	abutter pays 1/2 of installation or maintenance cost
West Hartford	63,268	town	abutter	for new sidewalks, have a petition process and a series of criteria that must be met. If all the criteria are met, the town will cover 50% of the sidewalk installation cost. If the criteria are not met, the property owners will pay for installation. Spend in excess of \$200,000 per year on sidewalk maintenance (245 miles of sidewalk) and an additional amount for sidewalk replacement. Do not replace sidewalks as part of road reconstruction projects unless there are grade issues.
Wethersfield	26,668	town and abutter	abutter	the abutter is required to pay a certain percentage of sidewalk maintenance costs
Windsor	29,044	town	abutter	the town budgets approximately \$50,000 to \$100,000 annually in the CIP for sidewalk repair. The amount invested in new sidewalks by the town varies from year to year.
Windsor Locks	12,498	town	abutter	
<b>Region w/o Hartford</b>	644,823			
<b>Capitol Region</b>	769,598			

Sidewalk information source: CRCOG phone interviews, 2003 and 2004, updated in 2011

2010 Population Source: U.S.Census



#### Sidewalks

- Bituminous: 32,024 Feet
- Bike Path: 15,553 Feet
- Concrete: 18,786 Feet
- Street Scape: 10,590 Feet
- Neighborhood Connector: 566 Feet
- Private: N/A
- Sidewalk Ramps



#### Town Facilities

- 1 - Firetown Fire Station
- 2 - Main Fire House
- 3 - Weatogue Fire Station
- 4 - Town Hall
- 5 - Simsbury Public Library
- 6 - Simsbury Meadows
- 7 - Eno Memorial Hall
- 8 - Boy Scout Hall
- 9 - Squadron Line Elementary
- 10 - Westminster School
- 11 - Henry James Memorial School
- 12 - Central Elementary
- 13 - Simsbury High School
- 14 - Tariffville Elementary School
- 15 - Latimer Lane Elementary School

<b>Town Facilities</b>	Municipal
Fire	School
Library	Other





# Town of Simsbury

66 Town Forest Road, P.O. Box 495, Simsbury, Connecticut 06070

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

## **BOARD OF SELECTMEN MEETING** **AGENDA SUBMISSION FORM**

1. **Title of submission:** Grant for Solar Array at Simsbury High School
2. **Date of submission:** December 8, 2016
3. **Date of Board Meeting:** December 12, 2016
4. **Individual or Entity making the submission:**  
  
Thomas J. Roy, P.E. – Director of Public Works
5. **Action requested of the Board of Selectmen:**
  - Authorize the First Selectman to execute the MOU with CT Green Bank (pending legal review) to allow for the receipt of the Grant Funding.
  - Authorize the Town to receive the \$40,500 grant for a new solar array to be located at Simsbury High School.
  - Request that the Board of Finance create a supplemental appropriation for \$57,074 to allow for the necessary expenditures for this project.
6. **Summary of Submission:**

Since the inception of our Clean Energy Task Force in 2008 the Town of Simsbury has been earning credits toward a solar array through the CT Green Bank. This project began as part of the 20% by 2010 campaign and has continued through our Solarize Simsbury program and our CPACE programs.

At this point the Town has earned a 9kWh system solar array with a value of \$40,500. The Town, Clean Energy Task Force and members of the Board of Education have been working on getting a solar project installed at the High School using these funds, and we are now ready to move forward. Based on the infrastructure required and an economy of scale, we have a cost proposal to install a 15kWh system at the school and the BOE will fund the additional cost of the larger

system within their budget. The total cost of the proposed system is \$57,074 and when completed, this system will produce 17,800 kWh per year, with a value of over \$2,500 per year. If approved, Millennium Builders will be the contractor for the installation of this array.

In order to move forward, we will need to execute the attached MOU with the CT Green Bank, and request the Board of Finance make a supplemental appropriation for the full value of this project. Project costs will be billed to this appropriation and all grant funds will be distributed to the general fund. The full value of the grant funding will be released to the Town as soon as we provide the Green Bank with the executed MOU, copy of the cost proposal and a letter stating we are initiating the project.

7. **Financial Impact:** The total project cost is \$57,073 and the grant is \$40,500. The Board of Education will make up the difference.

8. **Description of documents included with submission:**

Clean Energy Communities, CT Green Bank MOU

**CLEAN ENERGY COMMUNITIES PROGRAM  
MEMORANDUM OF UNDERSTANDING**

This Clean Energy Communities Program – Memorandum of Understanding (“Agreement”) is made between the CONNECTICUT GREEN BANK (“Green Bank”), a quasi-public agency of the State of Connecticut, having its offices at 845 Brook Street, Rocky Hill, Connecticut 06067, and the Town of SIMSBURY (“Municipality”), a Connecticut municipality. GREEN BANK and Municipality are individually referred to as a “Party” or collectively as “Parties” to this Agreement.

**WHEREAS**, GREEN BANK, which is charged under the Connecticut General Statutes (“Conn. Gen. Stat.”) Section 16-245n, to promote and support the growth, development, and commercialization of clean renewable energy sources and to stimulate demand for clean renewable energy and the deployment of clean renewable energy sources;

**WHEREAS**, Municipality has committed to the “Clean Energy Communities Program” under which it agrees to reduce energy use in municipal facilities and to obtain a percentage of the annual electricity usage for its municipal properties from clean, renewable sources, as evidenced by the attached Exhibit A, the “Clean Energy Communities Municipal Pledge,” which is incorporated into this Agreement;

**WHEREAS**, Municipality has supported clean energy equivalent to 16% of the annual electricity usage for municipal facilities for the fiscal year 2015 and intends to gradually build up to reach the goal of 20% by 2018;

**WHEREAS**, Municipality acknowledges that clean, renewable sources are those defined as Connecticut Class I renewable energy sources or meeting Green-e certification standards;

**WHEREAS**, Municipality acknowledges that certain action steps to support clean energy may be substituted in lieu of making a clean energy purchase; and

**WHEREAS**, as of the date of this Agreement, municipality has earned a reward of nine (9) kilowatts (kW) of clean energy systems through the Renewable Energy track of the Clean Energy Communities program according to program data;

**THEREFORE**, in consideration of the foregoing and the mutual benefits and detriments described herein, GREEN BANK and Municipality acknowledge their understandings as follows:

**Section 1. Condition of Funding.** This Agreement is contingent upon sufficient funds being available in the future from GREEN BANK under the Clean Energy Communities Program (“Program”). The Project will be placed on GREEN BANK’s contingent funding waiting list upon GREEN BANK’s receipt of this Agreement duly executed by both Parties. Failure by Municipality to return the signed Agreement to GREEN BANK in a timely manner may result in GREEN BANK withdrawing this contingent funding offer.

**Section 2. Key Terms.**

- (a) Municipality is a Clean Energy Community;
- (b) Subject to Section 1 above, the Municipality is eligible to receive from GREEN BANK, at no expense, a reward equivalent to a nine (9) kW solar photovoltaic (PV) system.
- (c) GREEN BANK has established an equivalent value for each kW of reward to be worth \$4,500.
- (d) Municipality has advised that it will use the reward funds to install a solar PV system at a public school in Simsbury.
- (e) GREEN BANK will pay Municipality the total sum of \$40,500 (based on a reward of 9 kW times the established equivalent value of \$4,500). Payment will be made in two installments: 50% when construction of the system is commenced and 50% when the system is operational and receives a satisfactory inspection from the Green Bank.
  - a. Municipality shall select a solar contractor to install the solar PV system.
  - b. Before the Green Bank is to make a payment to the Municipality, the Municipality must provide the Green Bank with an invoice, a copy of the executed installation agreement and any additional information reasonably requested by Green Bank.
- (f) **Municipality shall collaborate with GREEN BANK to prepare any press releases and to plan for any dedication ceremony related to this installation or program;**
- (g) GREEN BANK shall not be obligated to provide the funding for this system if there are insufficient funds for such purpose because of any legislative or regulatory action expressly curtailing, reducing, or eliminating GREEN BANK funding.

**Section 3. Role of the Principal Contacts.**

- (a) GREEN BANK's principal contact for this Agreement is Bob Wall, Associate Director of Outreach; 860-257-2354, Bob.Wall@CTGreenBank.com.
- (b) Municipality's principal contact for this Agreement is \_\_\_\_\_
- (c) These principal contacts will be responsible for the joint coordination of activities and resolution of issues cutting across organizational lines in their respective organizations.

**Section 4. Ownership and Liability.**

1. As owner of the System, Municipality shall bear sole liability for all claims arising out of the use and/or performance, as well as physical malfunctions, of the System including all claims for damages asserted by third-parties to this Agreement.
2. Municipality agrees to indemnify GREEN BANK in all claims alleged against Municipality as a result of the expressed liabilities set forth in (1) of this Section.

**Section 5. Miscellaneous.**

- (a) This Agreement may only be modified or amended by a writing executed by all of the Parties to the Agreement.
- (b) In no event shall this Agreement be deemed to give any rights or entitlements to any third party, this Agreement being solely for setting forth the understandings of the Parties.
- (c) This Agreement shall be governed and construed in accordance with the laws of the State of Connecticut and shall be subject to all applicable laws governing the subject matter hereof.
- (d) This Agreement may be executed in counterparts, each of which shall be deemed an original but all of which together shall constitute the same instrument.

**IN WITNESS WHEREOF**, the Parties have executed this Agreement as of the last date upon which the Parties have affixed their signatures below.

CONNECTICUT GREEN BANK

TOWN OF SIMSBURY

Signature

Signature

Bryan T. Garcia

Lisa L. Heavner

President & Chief Executive Officer

First Selectman

Date

Date

**Exhibit A.**

**CLEAN ENERGY COMMUNITIES MUNICIPAL PLEDGE**

The Clean Energy Communities program is an initiative funded by both the Clean Energy Finance and Investment Authority (CEFIA-formerly known as the Connecticut Clean Energy Fund) and the Connecticut Energy Efficiency Fund. CEFIA and the Energy Efficiency Fund develop programs which collectively seek to have Connecticut cities and towns both reduce energy use and increase support for clean, renewable energy for municipal facilities. The Energy Efficiency Fund programs are administered by The Connecticut Light and Power Company, The United Illuminating Company, Yankee Gas Services Company, The Southern Connecticut Gas Company, and/or Connecticut Natural Gas Corporation (collectively, "the Companies")

By applying currently available energy efficiency and clean, renewable energy technologies the Town of Simsbury can save money, create a healthier environment and strengthen local economies; and accordingly, the Town of Simsbury makes the following Clean Energy Communities Municipal Pledge:

1. The Town of Simsbury pledges to reduce its municipal building energy consumption by 20% by 2018. Building energy consumption shall be determined by benchmarking municipal building energy consumption to a baseline fiscal year. The Town of Simsbury can elect from the following fiscal years to determine its energy baseline year: 2008-2009, 2009-2010, 2010-2011, or 2011-2012.

a. The Town of Simsbury will seek to reduce its municipal building energy consumption for municipal facilities by at least 20% by 2018. The schedule follows:

- i. Fiscal Year 2012-2013: 5% Reduction
- ii. Fiscal Year 2013-2014: 8% Reduction
- iii. Fiscal Year 2014-2015: 11% Reduction
- iv. Fiscal Year 2015-2016: 14% Reduction
- v. Fiscal Year 2016-2017: 17% Reduction
- vi. Fiscal Year 2017-2018: 20% Reduction

b. The Town of Simsbury will work with the Companies, contractors or other entities to benchmark all of its municipal buildings (including board of education buildings) to determine all municipal building energy usage.

c. Beginning July 1, 2015, the Town of Simsbury agrees to provide documentation of its municipal building energy consumption on an annual basis by the end of the first quarter of the following fiscal year.

d. The Town of Simsbury pledges to create its own Municipal Action Plan (MAP) to determine its path in reducing its energy consumption. The Town of Simsbury may satisfy this requirement by submitting a pre-existing municipal energy plan, sustainability plan, climate change action plan or similar document.

## Town of Simsbury Communities MOU

e. There is no penalty if the Town of Simsbury fails to meet the reduction amounts set forth in the schedule above. However if these reduction targets are not met starting July 1, 2015, the Town of Simsbury will not be eligible to receive Bright Ideas Grants from the Connecticut Energy Efficiency Fund and Companies under the Clean Energy Communities program.

2. The Town of Simsbury pledges to purchase 20% of its municipal building electricity from clean, renewable energy sources by 2018.

a. The Town of Simsbury will seek to make a voluntary purchase of at least 20% of the electricity for municipal facilities from clean, renewable energy sources by annual CEC program requirements. The schedule follows:

i. Fiscal Year 2012-2013: 15% Purchase

ii. Fiscal Year 2013-2014: 16% Purchase

iii. Fiscal Year 2014-2015: 17% Purchase

iv. Fiscal Year 2015-2016: 18% Purchase

v. Fiscal Year 2016-2017: 19% Purchase

vi. Fiscal Year 2017-2018: 20% Purchase

b. The Town of Simsbury agrees to provide CEFIA documentation of its municipal clean energy purchases on an annual basis by the end of the first quarter of the following fiscal year. CEFIA intends to request documentation of municipal clean energy purchases for FY2011-2012 in July 2012.

c. The Town of Simsbury acknowledges that clean, renewable sources are those defined in section 16-1 of the general statutes as Connecticut Class I renewable energy sources or meeting Green-e® Energy certification standards.

d. The Town of Simsbury may satisfy the voluntary purchase requirement by purchasing Green-e® Energy certified Renewable Energy Credits (RECs), enrolling one or more municipal facilities in the CT Clean Energy Options<sub>SM</sub> program, installing renewable energy systems (provided that the RECs associated with such system(s) are quantifiable and not held by a third-party) or any combination thereof.

e. There is no penalty if the Town of Simsbury fails to meet the items set forth in the schedule above; however, the Town of Simsbury will not be eligible to receive incentive rewards from CEFIA under the Clean Energy Communities program.

3. The Town of Simsbury agrees to promote energy efficiency and clean, renewable technologies in its community. The Town of Simsbury is encouraged to establish a Clean Energy Task Force, or comparable body. This entity will assist the municipality in meeting the Clean Energy Communities Municipal Pledge and to perform education and outreach among residents, businesses and institutions within the community concerning energy efficiency and clean, renewable energy programs.

By taking the pledge and meeting the Clean Energy Community Program requirements outlined by CEFIA and the Connecticut Energy Efficiency Fund, the Town of Simsbury may qualify, subject to the terms of separate formal contracts, for the following grants:

Town of Simsbury Communities MOU

- a. CEFA. For every 100 points, the Town of Simsbury may earn a 1 kilowatt (or equivalent) clean energy system.
- b. Energy Efficiency Fund. For every 100 points, the Town of Simsbury may earn a Bright Idea Grant that can be used for energy-saving projects. The Town of Simsbury is eligible for two Bright Idea Grants per fiscal year.



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Mary A. Glassman, Date  
First Selectman  
Town of Simsbury

\* The Town of Simsbury understands that the Clean Energy Communities Municipal Pledge is not a contract, and that CEFA, the Energy Efficiency Fund, and the Companies have not contracted, committed, agreed or promised, to perform or incur any obligations, in any manner, hereunder.



# 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 Eagle Scout Projects – Chris Reilly & Akash Kaza
2. **Date of submission:** December 6, 2016
3. **Date of Board Meeting:** December 12, 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):

Gerard G. Toner, Director of Culture, Parks and Recreation

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:*

Authorize the Eagle Scout projects as proposed to be completed on Town owned property.

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.):

At a special meeting of the Culture, Parks and Recreation Commission on November 3, the following Eagle Scout projects were proposed to be completed on town owned property:

Chris Reilly: Repairs, renovations to the Simsbury Skate Park. Materials for repairs will be funded by the Culture, Parks and Recreation Department.

Akash Kaza: Construct and install benches at the Simsbury Farms playground/tennis court area.

The Commission was impressed with both proposals and unanimously recommended that they be forwarded to the Board of Selectmen for approval. Both young men will make presentations to the Board.

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

The projects offer a positive financial impact to the Town since they both involve renovations and improvements to existing facilities that are very popular with the public. The Town would otherwise be funding these improvements.

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:*

Materials related to their projects will be distributed at the meeting.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission: Public Gathering Permits – Recommendation for Approval**
2. **Date of submission:** December 6, 2016
3. **Date of Board Meeting:** December 12, 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):**

Gerard G. Toner, Director of Culture, Parks and Recreation

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 Public Gathering Applications for the 2017 Iron Horse Half Marathon, 10K and 5K and the Simsbury-Granby Rotary Club River Run.

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.):**

Upon receipt of public gathering application for the events listed above, a Public Gathering Permit application meeting was held on December 6, 2016.

Those at the meeting included Lieutenant Fred Sifodaskalakis, Assistant Town Planner Mike Glidden, and Public Works Director Tom Roy, and me.

Representatives were on hand to discuss the following annual events:

Simsbury-Granby Rotary Club River Run  
Iron Horse Half Marathon, 10K and 5K

April 30, 2017  
June 4, 2017

Both events are similar in format to past years. The officials of both organizations will coordinate with staff of the Performing Arts Center and the Farmington Valley Health District on their requirements for the event.

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

There is no financial impact to the Town.

**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:*

NA



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Simsbury Veterans Memorial, Inc. Donation
  
2. **Date of submission:** December 7, 2016
  
3. **Date of Board Meeting:** December 12, 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
  
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 accept the donation of \$200,000 from Simsbury Veterans Memorial, Inc. for the construction of the Simsbury Veterans Memorial project.
  
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.):**
  - i. The construction of the Simsbury Veterans Memorial project was substantially complete on November 11, 2016.
  - ii. Town of Simsbury and the Simsbury Veterans Memorial, Inc.
  - iii. An agreement between the Town of Simsbury and the Simsbury Veterans Memorial, Inc. (SVM) under a MOU requires the SVM to contribute \$200,000 to supplement the \$150,000 in STEAP grant funding for costs and expenses associated with the project.
  - iv. All documents related to the project have been reviewed by Town Counsel.

- v. Attached is the MOU between the Town of Simsbury and the Simsbury Veterans Memorial, Inc.

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

There is no direct financial impact to the Town of Simsbury. The Town will, however be responsible for future maintenance of this facility.

**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:*

Letter from Lisa A. Heavner to the SVM, Inc. requesting a distribution under the MOU dated December 7, 2016.



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

December 7, 2016

Mr. Leonard Lanza  
Chairman  
Simsbury Veterans Memorial, Inc.  
2 Fire Brick Lane  
Simsbury, CT 06070-1662

**RE: Simsbury Veterans Memorial Project**

Dear Mr. Lanza:

The Town Engineer has made us aware that the Simsbury Veterans Memorial project is substantially complete. Although there are several minor items that need to be completed to close out the project, we understand the Simsbury Veterans Memorial, Inc. has requested that their pledge of \$200,000 under the attached Memorandum of Understanding be satisfied during calendar year 2016.

The Town of Simsbury has expended to date funds that exceed the \$150,000 in STEAP funds and also expended additional funding in excess of \$200,000 consistent with the attached MOU.

I am formally requesting the pledge of \$200,000 from the Simsbury Veterans Memorial, Inc. per the Memorandum of Understanding. We trust this request is consistent with the Memorandum of Understanding Between the Town of Simsbury and Simsbury Veterans Memorial, Inc.

Thank you for all your hard work on this important project. Please contact me if you have questions.

Sincerely,

Lisa L. Heavner  
First Selectman

cc:

Tom Cooke, Director of Administrative Services  
Sean Kimball, interim Director of Finance / Treasurer  
Jerome F. Shea, Town Engineer

Enclosure

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

[jshca@simsbury-ct.gov](mailto:jshca@simsbury-ct.gov)  
[www.simsbury-ct.gov](http://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 of Understanding  
Between  
The Town of Simsbury and Simsbury Veterans Memorial, Inc.**

This Memorandum of Understanding Agreement (the "Agreement") is entered into by and between the Town of Simsbury, a municipality organized and existing under the laws of the State of Connecticut ("Town") and Simsbury Veterans Memorial, Inc., a Connecticut Nonstock Corporation ("SVM"), effective this 12<sup>th</sup> day of August, 2015.

The parties now desire to enter into this Agreement to provide for their respective rights and duties relating to a certain Memorial to be known as: "Simsbury Veterans Memorial" to be located at Hopmeadow Street and Eaglewood Lane, Simsbury, Connecticut (the "Memorial") and to work together to design and construct the Memorial, which is intended to be a permanent public monument.

1. SVM is a Connecticut Nonstock Corporation organized under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, for the purpose of raising money for the construction of the Memorial.
2. The Town is a duly organized municipal corporation under the laws of the State of Connecticut.
3. SVM has retained the services of Terri-Ann Hahn of LADA, P.C., 104 West Street, Simsbury, Connecticut (the "Design Architect") to prepare the plans and specifications (the "Design Documents") for the construction of the Memorial (the "Project").
4. The State of Connecticut Department of Energy and Environmental Protection ("DEEP") has agreed to award the Town a grant in the amount of one hundred and fifty thousand (\$150,000) dollars under the Small Town Economic Assistance Program (the "STEAP Grant") for the express purpose of funding the Project.
5. SVM has raised and collected a sum of money to be used for the Project (the "Memorial Fund") from which SVM pledges to provide the Town up to the amount of two hundred thousand (\$200,000) dollars (the "Pledge") to supplement the STEAP Grant for the sole and express purpose to pay for the reasonable and necessary costs and expenses of the Project above and beyond the amount of the STEAP Grant.
6. The Town will pay for all of the reasonable and necessary costs and expenses of the Project, including all permits, licenses, certificates, materials, services and professional fees (the "Expenses"). SVM is not responsible for and shall not incur any Expenses for the Project.
7. SVM will donate to the Town funds from the Pledge (the "Distributions") in a lump sum amount necessary to cover the full cost of the Project net of the STEAP Grant, at the time of

the signing of the Construction Contract and for the Expenses at such other times and in such other amounts as requested by the Town as reasonable and necessary to complete the Project, which requests will not be unreasonably denied by SVM. It is expected that the Town will request Distributions from SVM when the general contractor's payment requisitions have been approved by the Town, after the full amount of the STEAP Grant has been exhausted.

8. The Town agrees to use the final signed and sealed Design Documents prepared by the Design Architect for the construction of the Memorial without any material modifications or deviations except as required by applicable statutes, regulations, codes, ordinances, court orders, or the terms of the STEAP Grant.

9. The Town will designate the Town Engineer as Contract Administrator for the Project. The Town Engineer will be responsible for compiling and distributing the final bid package for the Project, overseeing the bidding process, selecting the general contractor in accordance with the bid documents and applicable law, and overseeing and administering the Project until final completion.

10. A Memorial Oversight Committee (the "Committee") will be comprised of members of the Board of Directors of SVM and the Design Architect. The Committee will serve as an informal building committee to advise the Town Engineer during the course of the Project. The Town will keep the Committee informed and involved during final planning, bidding, contractor selection, construction and completion of the Project. Approval by the Committee is required for the final bid specifications, contractor selection, and any material changes from the Town approved design for the Project.

11. As a convenience to the Town staff, SVM is designating as a single point of contact for both the Committee and SVM: SVM Chairman Leonard Lanza, 2 Firebrick Lane, Simsbury, CT 06070; home ph (860) 658-2128; email lenlanza@comcast.net.

12. Upon final completion of the Project, the Town will own the Memorial and will be responsible for all maintenance, upkeep, landscaping and necessary repairs ("Maintenance") of the Memorial, including any requirements by the suppliers of the materials to maintain any applicable warranties.

13. Following the final completion of the Project, SVM, its successors or assigns, may request permission of the Town to add the names of veterans to the Memorial. SVM, its successors or assigns, may also seek permission from the Town for certain veterans' organizations, such as the Veterans of Foreign Wars or the American Legion, or for groups or representatives from active duty or reserve military services or the National Guard, to conduct ceremonies at the Memorial, which permission will not be unreasonably denied.

14. Following the final completion of the Project, the Town will not move, demolish, or materially modify or alter the Memorial without the express written permission of SVM, its successors or assigns, except to the extent that an imminent threat to persons or property requires immediate action which renders it impracticable to obtain such prior written permission. It is acknowledged that any attempt by any person or entity to move, demolish, or materially modify or alter the Memorial without the express written permission of SVM, its successors or assigns, will cause irreparable harm to SVM, its successors or assigns.

15. Following the final completion of the Project, the Town will not sell, lease, transfer or otherwise provide rights to control, move, demolish, modify or alter the Memorial to any person or entity without the express written permission of SVM, its successors or assigns.

16. To the fullest extent permitted by law, the Town shall indemnify and hold harmless SVM, including its, directors, officers, agents attorneys, and employees, from and against all claims, damages, losses, liabilities, obligations, costs, fines, penalties, expenses, and damages arising out of or resulting from the design, construction or Maintenance (or lack thereof) of the Memorial.

17. Any provision of this Agreement which shall prove to be invalid, void, illegal, or unenforceable in any respect, shall in no way affect, impair, or invalidate any other provision hereof, and such remaining provisions shall remain in full force and effect.

18. This Agreement may be amended only by a written amendment signed by each of the parties.

19. This Agreement contains the entire agreement of the parties with respect to the subject matter hereof, and supersedes any prior written or oral agreements between them concerning the same. There are no representations, agreements, arrangements, or understandings, oral or written, between the parties hereto, relating to the subject matter of this Agreement, which are not fully expressed herein.

20. All questions with respect to the construction of this Agreement, and the rights and liabilities of the parties hereto, shall be governed by the laws of the State of Connecticut, without giving effect to its conflict of laws principles.

21. All notices required or permitted by this Agreement shall be in writing. Notice shall be sufficiently given for all purposes when: (a) personally delivered to the recipient; (b) mailed by certified mail, postage prepaid, return receipt requested; (c) delivered by overnight delivery service, charges prepaid or charged to the sender's account; or (d) delivered by email if receipt of the email content can be confirmed, with time of receipt being the uniform time the email enters the information processing system that the recipient has designated or uses for the purpose of receiving email. Notices shall be addressed to the parties as follows: in the case of SVM, to the

mailing address c/o Leonard Lanza, 2 Firebrick Lane, Simsbury, CT 06070, and in the case of the Town: First Selectman, Town of Simsbury, 933 Hopmeadow Street, Simsbury, CT 06070..

22. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

23. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

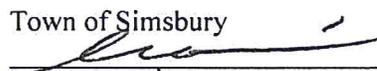
24. This Agreement shall be deemed the joint work product of the parties and may not be construed against either party as drafter.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives on the day and date stated above.

Simsbury Veterans Memorial, Inc.

---

Date:  
By: Leonard Lanza  
Title: Chairman

Town of Simsbury  
  
Date: 8/12/15  
By: Lisa L. Heavner  
Title: First Selectman



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Proposal for Water Shortage Ordinance
2. **Date of submission:** 11/18/2016
3. **Date of Board Meeting:** 11/28/2016
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):

Conservation Commission Chairperson: Margery Winters

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:*

Approval of proposed ordinance regarding water conservation

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):
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:*

Proposed ordinance attached to submission form



## Town of Simsbury Conservation Commission

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

15 November 2016

Town of Simsbury Board of Selectmen  
933 Hopmeadow Street  
Simsbury, Connecticut 06070

Ladies and Gentlemen:

Among the statutorily permitted activities of a conservation commission is to "formulate watershed management and drought management plans". It is in that connection that we wish to suggest to you that consideration be given to adopting a town code article dealing with water shortages.

We have looked at the code provisions on the books in Greenwich. Many consider these the gold standard of Connecticut ordinances. We have taken the liberty of marking them up to fit Simsbury's circumstances as we understand them. For example, where the Greenwich ordinance refers to their Director of Health, we have substituted the Farmington Valley Health District. Where Greenwich refers to their one water utility, we have substituted the Aquarion, Avon and Tariffville water companies. More substantively, where Greenwich refers to *aquifer depletion*, we use *ground water depletion* to make clear that we are considering all ground water sources in town, not merely the defined aquifer areas.

We think this matter is timely and well worth your attention. We would be pleased to discuss it with you in whatever format you think would be most productive. Thank you for your consideration of this matter.

Simsbury Conservation Commission

by Margery Winters  
its Chairman

# DRAFT

## MUNICIPAL CODE Town of SIMSBURY, CONNECTICUT

### Chapter 157- WATER SHORTAGES

- **Sec. 157-1. - Purpose.**

Pursuant to the General Statutes of the State of Connecticut, it is hereby declared to be in the best interest of the public health and safety of the residents and citizens of the Town of Simsbury to regulate and restrict the use of water during a water shortage or a threatened water shortage, or state of ground water depletion.

- **Sec.157-2. - Definitions.**

(a)

When used in this ordinance, unless the context otherwise requires:

(1)

*Person* shall be construed to mean and include an individual, a corporation, a partnership, a trust, an unincorporated organization or any other group or organization.

(2)

*State of ground water depletion* shall exist whenever the Board of Selectmen, after consultation with the Director of Public Works, the Chairman of the Town Conservation Commission, and with the Farmington Valley Health District, determines that the underground water supplies within the town are at, or are in danger of reaching, levels insufficient to provide for the needs of the public health, preservation of human life, sanitation, safety, welfare, or economic needs of these served by wells within the town.

(3)

*Threatened water shortage* shall exist whenever the Board of Selectmen, after consultation with the Director of Public Works, the Farmington Valley Health District, the Aquarion Water Company, the Avon Water Company and with the Tariffville Water Company, determines that the adequacy of the town water supply is threatened after consideration of the following items to wit: amount of water available; water demands; time of year; weather forecast data; and any other relevant factors.

(4)

*Town* means the Town of Simsbury.

(5)

*Water* means potable water.

(6)

*Water shortage* shall exist whenever the Board of Selectmen, after consultation with the Director of Public Works, the Farmington Valley Health District, the Aquarion Water Company, the Avon Water Company and with the Tariffville Water Company determines after considering the factors set forth in Subsection (3) above that the water supplies available to the town are at, or are in danger of reaching levels insufficient to provide for the normal needs of the public health, preservation of human life, sanitation, safety, welfare and economy of the town.

- **Sec.157-3. - Drought management plan.**

Upon a determination that there is a threatened water shortage, the Board of Selectmen may:

- (a) Adopt a drought management plan covering all matters of water conservation;
- (b) On behalf of the town, petition the State of Connecticut department in charge of public utility control for implementation of the plan through the State's statutory and regulatory powers in coordination with Town ordinance power;
- (c) Apply to the Board of Finance for funds for implementation of the plan.

- **Sec.157-4. - Certain uses prohibited during shortage.**

Upon a determination that a water shortage exists, the Board of Selectmen, in addition to the powers set forth in § 157-3 above, shall have the power to declare to be unlawful any or all of the following acts concerning water obtained from the Aquarion Water Company, the Tariffville Water Company, or other public utility water company subject to such reasonable and necessary exceptions as are determined by the Board of Selectmen to be in the public interest. Such action shall be effective upon publication pursuant to § 157-9 of this Article:

- (a) Using water to sprinkle, water or irrigate any plants, lawns, grass, ground covers, vines, flowers, shrubbery, trees or any other vegetation unless necessary to sustain food crops, crops for harvest or stocks of a business inventory;
- (b) Using water for private and/or public recreational, ornamental or decorative purposes, including but not limited to fountains, pools or ponds;
- (c) Using water to wash or clean motor vehicles or trailers unless done as a means of livelihood at a commercial facility, which use may be limited by the Board of Selectmen to facilities using a completely recyclable water system or those facilities using not more than three (3) gallons of water per vehicle. This restriction shall not apply to vehicles required by law to be washed or cleaned for sanitary, health or safety reasons;
- (d) Using water to wash or flush sidewalks, driveways, pavements, porches or other outdoor surfaces;
- (e) Using water to wash the outside of buildings or structures;

- (f) Using water to wash or clean windows unless done as means of livelihood and only then by washing or cleaning exclusively from a bucket or container of three (3) gallons capacity or less;
- (g) Using water from fire hydrants, other than for health or safety;
- (h) Permitting plumbing and related fixtures to remain in a state of disrepair, resulting in the escape of water;
- (i) Operating an air-conditioning device or system using water as a coolant unless the same shall be of the water recirculating type;
- (j) Serving water to eating facilities' customers, except on request.

- **Sec.157-5. - State of ground water depletion.**

Upon a determination that a state of ground water depletion exists, the Board of Selectmen shall have the power to apply any or all of the prohibitions contained in § 157-4 of this Article to the use of water from water wells within the town, subject to such reasonable and necessary exceptions as are determined by the Board of Selectmen to be in the public interest, such action shall be effective upon publication pursuant to § 157-9 of this Article.

- **Sec.157-6 . - Exceptions.**

Whenever the Board of Selectmen shall make an exception pursuant to § 157-4 or 157-5 above, it may attach reasonable conditions to the same to reduce or terminate the need for exceptions.

- **Sec.157-7 . - Use of water to maintain health standards.**

The Farmington Valley Health District shall have the authority to permit a reasonable use of water in any case necessary to maintain adequate health and sanitation standards.

- **Sec.157-8. - Violations and penalties.**

Any person who commits an unlawful act within the meaning of this Article shall be subject to a fine not to exceed fifty dollars (\$50.) for each offense. Each violation of a separate section shall be considered a separate offense and shall not merge with a violation of any other section. Any violation continued more than one (1) day shall constitute a separate offense for each day such violation continues.

- **Sec.157-9 . - Publication of notice of prohibitions.**

Notice of the action of the Board of Selectmen taken pursuant to this Article shall be published in a newspaper having a general circulation in the town.

- **Sec.157-10. - Termination of prohibitions.**

Any actions of the Board of Selectmen taken under this Article shall continue in effect until the Board of Selectmen, after consultation with the appropriate officials set forth above, determines that the threatened water shortage, or state of aquifer depletion, as the case may be, no longer exists. The Board of Selectmen shall cause notice of the various terminations to be published in the manner provided for in §157-9 of this Article.

- **Sec.157-11. - Invalidity.**

If any part, subsection, sentence, clause, phrase or other portion of this article is, for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed to be a separate, distinct and independent provisions and such holding shall not affect the validity of the remaining portions hereof.



# Simsbury Police Department

933 Hopmeadow Street

P.O. Box 495

Simsbury, CT 06070



PETER N. INGVERTSEN  
CHIEF OF POLICE

## MEMORANDUM

TO: Lisa L. Heavner, First Selectman  
FROM: Peter N. Ingvertsen, Chief of Police  
DATE: December 2, 2016  
SUBJECT: "Water Shortage Ordinance"

After consideration of the proposed Water Shortage ordinance I concluded that the current staffing levels of the Police Department could handle any complaints generated by an ordinance of this type. Of course in times of extreme extended drought the demand on the department could be much greater.

The task of enforcing this ordinance would be the sole responsibility of the Police Department. This ordinance at times would require actual legal enforcement, resulting in the issuance of infractions by the Police Department to members of the community. My greatest concern is the negative response from the community and resulting undesirable reflection on the Police Department. These are sensitive times for law enforcement and my Department works very hard to maintain an open and harmonious relationship with the community it serves.

The long term impact of an ordinance of this type is unknown, and based on the results of my review I feel that this ordinance could potentially hurt the Police Department's excellent relationship with members of the Simsbury community.

Please contact me with any questions.

**Subject:** Other Towns' Enforcement

**From:** Sally or Don Rieger [<mailto:dfrandsr@aol.com>]

**Sent:** Tuesday, November 29, 2016 1:39 PM

**To:** Heavner Lisa

**Subject:** Other Towns' Enforcement

Lisa, to finish up my assignment from last evening, I am not finding any town besides Greenwich that has enacted an ordinance and put restrictions in place. A state-declared water emergency exists for Stamford, Darien, New Canaan and Greenwich. Darien and New Canaan appear to have done nothing other than to urge their citizens to comply with Aquarion's watering ban. Stamford has done that but also, without specifying procedures or penalties, has ordered that golf courses water only tee boxes and greens, not fairways. On that basis, there is nothing further for me to report regarding enforcement procedures.

dfr

**Subject:** Greenwich enforcement

**From:** Sally or Don Rieger [<mailto:dfrandsr@aol.com>]  
**Sent:** Tuesday, November 29, 2016 9:34 AM  
**To:** Heavner Lisa  
**Subject:** Greenwich enforcement

Lisa, this is an excerpt from the Town of Greenwich November 2 Press Release:

"As of November 2, Greenwich Police have investigated 279 reports of violations of the water use ban. Police have issued a total of 126 warnings and one summons for violating the ban. A summons carries a \$91 fine. (Violations of the water use ban may be reported to Greenwich Police at 203-622-8004)"

The short answer to last evening's question is that Greenwich enforcement is by having complaints directed to the police, who issue warnings as appropriate and threaten summons if repeat offenses occur. By all appearances, warnings have been sufficient to elicit compliance.

The evolution of Greenwich's plan may be seen in the attachments. Phase 1 in September was pretty bare bones. Phase 2, as the situation worsened in October, is reasonably detailed, removing some of the flexibility permitted in Phase 1 and including a number of restrictions on town departments. You will observe that the selectmen have exercised discretion. For example, they permit golf courses to water tee boxes and greens. The November update reaffirms Phase 2 and doubles down on the education, mentioning the possible penalties and offering tips on how homeowners can reduce their consumption.

It is worth emphasizing that from the beginning the restrictions have applied to all persons, whether on water company water or private wells.

I am sorry I was not prepared with this level of detail last evening.

dfr



# TOWN OF GREENWICH

Office of First Selectman (203) 622-7710 Fax (203) 622-3793  
Town Hall • 101 Field Point Road • Greenwich, CT 06830  
E-Mail: [ptesei@greenwichct.org](mailto:ptesei@greenwichct.org)

Peter J. Tesei  
*First Selectman*

## PRESS RELEASE

For Immediate Release

Town of Greenwich Enacts Phase 2 of Water Use Restrictions

October 6, 2016

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As the Town's water supplies continue to diminish, the Greenwich Board of Selectmen unanimously approved the enactment of Phase 2 of the Town's Water Supply Emergency ordinance at a special meeting held Thursday, October 6, 2016. Phase 2 restrictions are effective immediately and will remain in effect until further notice.

Although water consumption has been reduced, this action is necessary in order to further decrease the demand on both the Town's public and private water supplies including private wells. With the continued lack of rain, the Aquarion Water Co. reservoir system that services the Town of Greenwich is at 29 percent of capacity, down from 34 percent a week ago.

(Aquarion estimates that more than 10 inches of rain is needed to fully recharge the reservoir system.)

Included in the expanded water use restrictions, all residents as well as all industrial and commercial businesses "must immediately formulate and implement a water conservation plan that reduces consumption by 20 percent."

Water use for irrigation of existing lawns is prohibited. Variances for newly seeded lawns and plantings issued during Phase I are null and void. To protect water resources from siltation, variances may be granted by the Conservation Director for seeding (no sod) of bare soil to limit erosion.

Also, all eating facilities are prohibited from serving of water. However, water may be served only upon request of a patron.

For its part, the Town of Greenwich has implemented several changes in its operations, across many departments and agencies.

- The Greenwich Fire Department is now assigning a tanker truck response for all calls in areas that are served by Aquarion because of concerns about water pressure and fire flow availability. The Department also has delayed its hose testing program until Spring, saving an estimated 40,000 gallons of water. The Department's public education presentation no longer include a hose/water flow station for the children, and the Department is now longer providing watering participation for public events including last weekend's Muddy Up event and the upcoming Pineapple Run.

## Town of Greenwich Enacts Phase 2 of Water Use Restrictions – Page 2

- The Inland Wetlands & Watercourses Agency is allowing applicants with pending planting requirements to postpone such plantings until the spring.
- The Fleet Department has suspended all vehicle washing operations.
- The Department of Public Works no is using water when using street-sweepers for street cleaning. The Department also is limiting routine maintenance of sewer lines with the use of Vac-All trucks because of the water needed to clean the lines.
- All playing field maintenance, re-sodding and tree plantings have been deferred until spring by the Parks & Recreation Department. And all field sprinkler systems have been shut down. The Department's boat bottom cleaning program that is underway as mariners haul out their boats from Town marinas employs a water recycling program. The Griffith Harris Golf Club is irrigating only tees and greens with water from a pond on the course.

Since Phase 1 of the Water Use Ban was approved unanimously by the Board of Selectmen on Sept. 22, the Greenwich Police Department has received 153 complaints on water ban violations 67 of which resulted in property owners receiving a warning. The Water Ban also allows for officers to issue a summons to repeat water use offenders that carries a \$91 fine for each violation. As of Thursday, October 6, property owners have been compliant and no summonses have been issued.

The complete regulations contained in the Water Use Ban can be found here.

1. Water Supply Emergency Phase II - For Implementation immediately.
  - 1.1. The use of fire hydrants for any purpose other than fire protection, public health requirements, or other emergency or authorized use, is prohibited.
  - 1.2. Outdoor Water Irrigation
    - 1.2.1. Mandatory water ban of all outdoor watering unless necessary to sustain food crops or crops for harvest by commercial farms. Watering of new plantings is allowed by bucket or watering can.
    - 1.2.2. Water use for irrigation of existing lawns is prohibited. Variances for newly seeded lawns and plantings issued during Phase I are null and void. To protect water resources from siltation, variances may be granted by the Conservation Director for seeding (no sod) of bare soil to limit erosion.
    - 1.2.3. Watering of plants at commercial operations is allowed according to restrictions in section 1.6.
    - 1.2.4. New plantings and lawn seeding/sodding should be postponed for a late fall or spring planting.
  - 1.3. Prohibition of all other outdoor water uses, including but not limited to:
    - 1.3.1. Use of water for private and/or public ornamental or decorative purposes including but not limited to fountains, waterfalls, reflecting pools, and/or ponds.
    - 1.3.2. Use of water to wash or clean motor vehicles or vessels unless done as a means of livelihood at a commercial facility with recycling system in place

## Town of Greenwich Enacts Phase 2 of Water Use Restrictions – Page 3

- 1.3.3. (see section 1.8). Boats being removed from the water for the winter season may use hand held hose or bucket to clean bottom.
- 1.3.4. Use of water to flush driveway, sidewalks, decks or other outdoor surfaces.
- 1.3.5. Use of water to clean outsides of buildings, decks or structures. No power washing is allowed.
- 1.3.6. Use of water to clean windows unless done as a means of livelihood and only then by washing exclusively from a bucket or container of three (3) gallons capacity or less.
- 1.4. No new water diversions or hookups are to be allowed to provide for outdoor or non-essential use. This includes the drilling of new irrigation wells, or diversions from ponds, streams or other surface waters. All residents are asked to maintain surface water levels for fire protection purposes.
- 1.5. Swimming pools and hot tubs shall not be filled unless the following exemption criteria is met:
  - 1.5.1. Water used to fill is obtained from an acceptable source that is not under drought advisory or restrictions and is independent of private wells and/or the public water supply system.
  - 1.5.2. Use of the pool is necessitated by a documented medical or health related reason.
  - 1.5.3. Commercial and public swimming pools already in operation may maintain water levels but cannot be refilled if drained.
- 1.6. Restrictions on industrial and commercial (including private clubs) consumption:
  - 1.6.1. All industrial and commercial businesses must immediately formulate and implement a water conservation plan that reduces consumption by twenty percent (20%). This plan shall be in writing and shall be kept on the premises and available for inspection by Town officials. For purposes of this Plan, the average water meter readings for the last 12 months will be the minimum basis for the determination by each business or facility of its reduction in its water conservation plan.
  - 1.6.2. Businesses shall follow the outdoor water restrictions in previous sections unless specifically referenced otherwise in this document.
  - 1.6.3. Each plant nursery or other commercial grower engaged in the business of growing, distributing or selling plants shall prepare and implement a water conservation plan as described above. Such plans must be submitted to the Conservation Director. Watering of new plants being installed is allowed at time of planting only. Plants must be able to survive without irrigation. Trucking in water from outside is allowed provided that the water is obtained from an acceptable source that is not under drought advisory or restrictions and is independent of private wells and/or the public water supply system. A bill of sale showing origin of water is required.
  - 1.6.4. Mandatory restrictions on watering of fairways at golf courses. Courses must limit irrigation to tee areas and greens and be in compliance with their Drought Management Plans. All courses are required to maintain adequate levels in ponds registered with the fire department as fire ponds

## Town of Greenwich Enacts Phase 2 of Water Use Restrictions – Page 4

- 1.6.5. with the fire department. Voluntary maintenance of pond and other surface water levels are requested to ensure proper fire safety.
- 1.7. No serving of water to eating facility customers, except on request.
- 1.8. The operation of commercial automatic and “do it yourself” car/vehicle washes is permitted if the car wash meets either of the following exemption criteria and has filed a water conservation plan in accordance with the requirements detailed above.
  - 1.8.1. The use of re-circulating systems is required. If no recycling system is operational, the car wash establishment must demonstrate that it uses no more than a maximum total of 45 gallons of potable water including make-up and rinse water, per unit washed.
  - 1.8.2. Vehicle washing by auto/boat dealers is prohibited with the exception of prepping a unit that has been sold or is in for service. Washing for these purposes must be in compliance with the requirements above.
- 1.9. Leaks in residential water connections shall be repaired within forty-eight (48) hours of detection.
- 1.10. In addition to mandatory requirements, all residents are required to reduce water usage by 20%. This includes making sure that all plumbing and air conditioning systems that use water are in good repair with no leakage.
- 1.11. No drawing of water for transport by truck from any surface water supply except for emergency purposes as determined by the Director of Health and the Fire Chief.
- 1.12. The Fire Department will continue monitoring of public land for fire hazards and possible park closures.
- 1.13. Additional restrictions may be adopted as recommended by the Director of Health, Conservation Director, and the Fire Chief at any time.

- END -

*For more information, please contact Conservation Director Denise Savageau at 203-622-6461, or Executive Assistant to the First Selectman, Barbara Heins, at 203-622-7702.*

**Contact: Denise Savageau**  
Conservation Director  
Phone (203) 622-6461  
Fax (203) 622-3795  
denise.savageau@greenwichct.org

Town of Greenwich  
101 Field Point Road  
Greenwich, CT 06830

**Office of the First Selectman  
Town of Greenwich**

# Press Release



## Water Supplies Being Monitored by Town

The rain that fell last weekend did little to change the drought conditions in Greenwich and the region. Reservoir levels for the Greenwich system remain low at 26.1% and groundwater levels also remain low. Last week the reservoir levels were at 26.2%.

All restrictions adopted by the Board of Selectmen on October 6, 2016 remain in effect. This applies to all residents including those on private wells, not just those served by Aquarion.

"Residents are reminded that we are still in a water supply emergency and although we are grateful for the rain, it will take a series of rainfall events to bring us out of this drought" said First Selectman Peter Tesei. "Greenwich residents have significantly reduced demand on our water resources by complying with the outdoor water ban and I applaud their efforts. It has made a real difference during this emergency. All residents need to continue to reduce water usage to ensure that we have adequate supplies through the winter and also allow for the reservoirs and wells to recover for the spring."

As of Nov. 2, Greenwich Police have investigated 279 reports of violations of the water use ban. Police issued a total of 126 warnings and one summons for violating the ban. A summons carries a \$91 fine. (Violations of the water use ban may be reported to Greenwich Police at 203-622-8004.)

On Oct. 28, the Connecticut Interagency Drought Work Group issued the first ever Drought Watch for Connecticut. Across the state, the reservoirs levels collectively are below 65%. Gov. Dannel Malloy asked residents statewide to reduce water consumption.

The National Weather Service website shows that over the past 60 days, rainfall in Greenwich is at least 75% below normal. In October, the rainfall across much of the town averaged between 75% and 90% of normal. Normal rainfall in October for the Greenwich/Stamford region is 4.8".

"The Town is actively monitoring drought conditions looking at rainfall data, stream flow and ground water conditions, and reservoir levels, and all indicate that our water resources are stressed," said Conservation Director Denise Savageau. "We really need several months of above average precipitation to get us out the drought, refill our reservoirs and recharge the groundwater."

Savageau heads up the Greenwich Water Supply Team that includes Fire Chief Peter Siecienski, Director of Health Caroline Baisley, Emergency Management Director Dan Warzoha, and the First Selectman. The team monitors water supplies throughout the year not only for drinking water but also looking at fire safety and stream flow.

The Town is preparing for the potential of an extended drought which could include additional restrictions. "It is our responsibility to prepare for natural disasters including drought," Tesei said. "As with other natural disasters, we are preparing for the worst and hoping for the best."

To get a 20% reduction in indoor water use, residents are reminded to practice water conservation in their homes and businesses by following these simple tips:

- Flush toilets only when necessary.
- Don't use the toilet as a wastebasket.
- Take shorter showers, don't use bathtubs unless necessary and then fill bathtubs only half-way.
- Don't let the water run while brushing teeth, shaving, washing your hands, or doing dishes.
- Keep a bottle or pitcher of drinking water in the refrigerator.
- Wash only full loads in the washing machine or dishwasher.
- Check for water leaks, especially in the bathroom.
- Replace older plumbing with low flow toilets and showerheads.

Information on the Water Supply Emergency can be found on the following websites:

For Town mandatory restrictions:

[http://www.greenwichct.org/News/First\\_Selectman/water\\_shortage\\_ordinance\\_enacted/](http://www.greenwichct.org/News/First_Selectman/water_shortage_ordinance_enacted/)

For Update on Aquarion:

<http://www.aquarionwater.com/CT/emergency-update>

For Update on CT Water Status:

<http://www.ct.gov/waterstatus/site/default.asp>

\*\*\*\*\* end \*\*\*\*\*

**Town of Greenwich Water Supply Team Contacts:**

Denise Savageau, Conservation Director – 622-6461 – lead contact

Peter Tesei, First Selectman – 622-7710

Caroline Baisley, Director of Health – 622-7836

Daniel Warzoha, Emergency Management Director – 622-2222

Peter Siecienski, Fire Chief – 622-3951

Bill No: 2036227894L  
Account Number: 147495

This certificate received on file

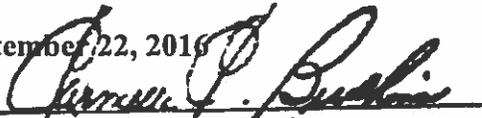
On SEP 22 2016

To be published in Greenwich Time

Friday, September 23, 2016 2:00 pm

To be filed with Town Clerk:

Thursday, September 22, 2016

  
Town Clerk

**PROOF OF PUBLICATION REQUIRED WITH BILLING STATEMENT**

**STATE OF CONNECTICUT  
TOWN OF GREENWICH  
BOARD OF SELECTMEN**

**Notice of Mandatory Water Restrictions**

In order to protect the drinking water supplies and provide for adequate fire protection, the following drought response measures were adopted by the Board of Selectmen at their September 22, 2016 meeting for all public and private water supplies effective immediately. This is in accordance with Town Ordinances: Article 5 – Water Shortages.

1. Phase I - For Immediate Implementation
  - 1.1. Mandatory water ban of all outdoor watering unless necessary to sustain food crops or crops for harvest by commercial farms. Hand held hose on residential properties will be allowed for gardens.
  - 1.2. Mandatory restrictions on all other outdoor uses, including but not limited to:
    - 1.2.1. Use of water for private and/or public recreational, ornamental, or decorative purposes including but not limited to fountains, pools, or ponds.
    - 1.2.2. Use of water to wash or clean motor vehicles unless done as a means of livelihood at a commercial facility.
    - 1.2.3. Use of water to flush driveway, sidewalks, decks or other outdoor surfaces.
    - 1.2.4. Use of water to clean outsides of buildings or structures
    - 1.2.5. Use of water to clean windows unless done as a means of livelihood and only then by washing exclusively from a bucket or container of three (3) gallons capacity or less.
  - 1.3. Mandatory restrictions on watering of fairways at golf courses. Courses must limit irrigation to tee areas and greens and be in compliance with their Drought Management Plans. All courses are required to maintain adequate levels in ponds registered with the fire department as fire ponds with the fire department. Voluntary maintenance of pond and other surface water levels are requested to ensure proper fire safety.
  - 1.4. No new water diversions or hookups are to be allowed to provide for outdoor irrigation or non-essential use. This includes the drilling of new wells, or diversions from ponds, streams or other surface waters that is not already

established. All residents are asked to maintain surface water levels for fire protection purposes.

- 1.5. No drawing of water for transport by truck from any surface water supply except for emergency purposes as determined by the Director of Health and the Fire Chief.
- 1.6. In addition to mandatory requirements, all residents are asked to voluntarily reduce all water usage. This includes making sure that all plumbing and air conditioning systems that use water are in good repair with no leakage.
- 1.7. All Town departments will review water usage and reduce all non-essential usage.
- 1.8. No new lawns or plantings should be installed during this water shortage. A variance of water use may be granted by the Conservation Director for the watering of newly planted lawns or landscaping that were installed prior to mandatory restrictions.

Denise Savageau, Conservation Director  
Dated: September 22, 2016 at Greenwich, CT

# Greenwich's Water Supply: Our Drought Response Plan

September 2015

## **Introduction**

In July 1995, a Drought Response Plan (DRP) was adopted by the Connecticut and New York-American Water Companies; the Towns of Greenwich and Darien in Connecticut; and the Town and City of Rye and villages of Rye Brook and Port Chester in New York. It is a result of long term planning for water supply needs. Aquarion Water Company is now the local supplier and works with the Town on the plan.

## **What is a Drought Response Plan?**

A drought response plan is designed to provide uniform procedures to be implemented during drought conditions and/or excessive demand to reduce water consumption. It is a systematic way to bring together water company and local officials to respond to effectively to water shortages.

## **How does the plan work?**

The DRP is a four-stage plan following guidelines established by both the Connecticut Department of Public Health and Westchester County Health Department. The first stage, Drought Advisory, promotes voluntary water conservation and public outreach/education to reduce water consumption. The Water Supply Advisory has a goal of 10% reduction in water use.

The next three stages, Drought Watch, Drought Warning, and Drought Emergency, place mandatory restrictions on water use. The goal is to reduce consumption by 15%, 20%, and 25% respectively as we move through the stages. The phases have increasingly stringent restrictions on water use. During a Drought Emergency all non-essential use of water is prohibited.

In Greenwich, the Board of Selectmen and the Board of Health have authority to enact mandatory water restrictions during times of water shortages. They do this under advisement from the Water Supply Team that includes the Conservation Director - lead, Director of Health, Fire Chief, Emergency Management Director, First Selectman, and Town Administrator; and the water company.

**What if I have a well instead of being part of the public water utility?**

During times of drought, Greenwich officials closely monitor information for both public and private supplies. Our Conservation Director and Fire Chief make recommendations to the First Selectman and Director of Health on both surface and groundwater sources. Town regulations allow for restrictions to be placed on all consumers, including those served by private wells.

**What triggers the announcement of a Drought Advisory?**

A Water Supply Advisory is announced when the reservoir storage falls below a certain level for that time of year and when long-range weather forecasts are not favorable and/or when conditions are abnormally dry impacting stream and groundwater levels. Excessively high consumption rates may also trigger an advisory. This stage encourages voluntary conservation and creates public awareness. It is also the time when public officials from each affected town and water company officials meet to review the DRP and prepare for additional action.

**What types of mandatory restrictions are in the plan?**

Mandatory restrictions take effect once a Drought Watch is declared. Restrictions become more stringent if the drought continues and we move through the different phases in the plan.

Drought Watch - is designed to reduce water usage by 15%. Mandatory restrictions may include serving water to restaurant patrons only upon request, prohibiting the use of hoses for street, driveway, sidewalk and/or automobile washing, prohibition of watering golf course roughs, and the use of water for power washing. All businesses are required to have a written water conservation plan on the premises with a goal of 15% reduction in water use.

Drought Warning - imposes additional restrictions to reduce water usage by 20% including prohibiting the filling of residential swimming pools, and additional restrictions on watering lawns and landscaping. Business water conservation plans increases to 20%.



Drought Emergency - imposes additional restrictions to reduce water usage by 25% including the prohibition of use of water for residential landscaping. Business water conservation plans increases to 25%.

The exact nature of the mandatory restrictions will be determined by the Board of Selectmen and/or the Board of Health based on recommendations from the Conservation Director, Director of Health, the Fire Chief, Emergency Management Director, and the water company.

**How do I get more information on our water supply and/or the Drought Management Plan?**

Officials will use the local media for updates on the water supply situation and what stage of the DRP we are in. We will also update the Towns website.

For additional information specific to Greenwich, you can contact any of the following staff:

Denise Savageau, Conservation Director - 622-6461 - team leader

Caroline Baisley, Director of Health 622-7836

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## **DPH Commissioner Declares Public Water Supply Emergency for City of Waterbury**

With drought conditions persisting and too little precipitation forecast for the foreseeable future, Connecticut Department of Public Health Commissioner Dr. Raul Pino today signed an order declaring a temporary 30day public water supply emergency for the City of Waterbury. The City's Water Bureau provides water to residents and businesses in Waterbury and sells water to portions of Middlebury, Wolcott and Watertown. Late last week, the City informed DPH that its water supply reservoirs are approaching critically low levels and requested the emergency declaration.

DPH, in consultation with the Department of Energy and Environmental Protection (DEEP) and the Public Utility Regulatory Authority (PURA), determined that the declaration was necessary to prevent further depletion of the water supply. This order will allow the City of Waterbury to reduce the amount of water it is required to discharge to the Shepaug River from the current level of six million gallons per day to 1.5 million gallons per day, the allowable level during winter months. In order to move to the lower level, the City must institute mandatory water conservation measures and demonstrate to DPH that it is maximizing the use of all current water sources. To view the Commissioner's Declaration and Order, please [click here](#).

This is the second public water system in as many months to request a declaration to allow the system to take extraordinary steps in order to ensure an adequate supply of drinking water for areas facing a substantial depletion of their public water supply as a result of ongoing drought conditions. The first, Aquarion Water Company (AWC), was granted an emergency order on September 29 th in order to divert water from other areas of its system to the towns of Greenwich, Stamford, Darien and New Canaan. Yesterday, an amended order was issued to AWC to allow further diversion to the four towns.

"As our drought conditions persist, we may face the reality of more systems needing emergency assistance to ensure adequate supplies of drinking water. With very little precipitation in our forecast for the foreseeable future, it is critical that all Connecticut residents, regardless of location, conserve water during this prolonged period of dry weather," said Commissioner Pino.

The DPH order places several conditions that Waterbury must meet for the duration of the public water supply emergency. Those conditions include: prohibiting Waterbury from adding new customers without prior approval by DPH; continuing mandatory outdoor watering bans; requiring Waterbury to provide weekly public notifications on water supplies for the affected towns; requiring Waterbury to update its drought plan and drought triggers; requiring Waterbury to perform a water audit of its top 20 largest water users and assist users with identifying ways to reduce usage; and providing several weekly reports to DPH, DEEP, and local health departments on water supply measurements, effectiveness of conservation practices, communications with town and local health officials in the affected towns, results of water quality monitoring, and information on the managed daily water release into the Shepaug River.

The order will remain in effect for 30 days, but Waterbury can apply for additional 30 day extensions, up to a maximum of 150 days.

**Connecticut**

**Drought Preparedness and Response Plan**

**August 4, 2003**

**Prepared by Interagency Drought Work Group  
as accepted by the  
Connecticut Water Planning Council**

The Interagency Drought Work Group consists of staff from:

Department of Environmental Protection,

Department of Public Health,

Department of Public Utility Control,

Department of Agriculture,

Office of Emergency Management, and

Office of Policy and Management

with assistance from the

U.S. Geological Survey

# Connecticut Drought Preparedness and Response Plan

## I. Introduction

The purpose of this drought plan is to preserve essential water uses during a drought (water used to satisfy federal, state, and municipal public health and safety requirements, water used for firefighting, and water needed to maintain aquatic life forms), to recommend a framework for an integrated approach to the assessment of drought conditions, and to set forth drought action levels and the appropriate responses that should occur as drought conditions worsen. Droughts have occurred periodically in Connecticut 1964-1968 1981, 1987, and 2002. This plan grew out of activities undertaken in response to the drought that occurred during the Spring of 2002, and reflects the desire of the participating state agencies to develop more formalized operating procedures in order to improve the effectiveness and predictability of future state drought response activities.

This plan provides statewide guidance to assess and to minimize the impacts of a drought on Connecticut. To accomplish these objectives the Drought Preparedness and Response Plan:

1. Defines a process to guide state agencies to address drought-related activities, including monitoring, impact assessment, and the preparedness for successively more severe drought stages,
2. Identifies activities that may be implemented to coordinate drought assessment, response and impact mitigation,
3. Identifies the state, local, federal and private sector entities that are primarily responsible for managing drought-related activities, and
4. Promotes effective mobilization of public and private resources to manage drought mitigation efforts.

Connecticut has been involved in water conservation planning and drought mitigation in the past. There have been a number of accomplishments that leave the state better prepared to conserve water and mitigate drought impacts:

- The 81 water utilities that serve over 1,000 people or 250 customers have prepared water supply plans. As a part of these plans, each of these water utilities is required to have a water conservation component and an emergency contingency plan component.
- The individual water utility plans outline actions to be taken in response to local public water supply conditions.
- In 1989 a law was passed that required the sale of only low flow devices, such as shower heads and low flow toilets.

- In the same year a law was passed that required water utilities to make available, free of charge, many of these low flow devices to encourage their customers to retrofit their residences with water conserving devices.
- The 81 water utilities are now required by law to make an annual distribution of water conservation educational information to their customers.
- In the late 1980's a program was established to retrofit state agency buildings with water saving fixtures and devices.

An effective drought response program hinges on communication among state agencies and public water providers and the timely dissemination of clear and succinct information to the public. An effort has already been made to develop a comprehensive information dissemination system consisting of a dedicated web site with links to other state, federal, and private drought information. There also needs to be a mechanism of direct technical assistance to significant water user groups.

A drought is not a distinct event that has a clearly defined beginning and end; nor does it affect all water users equally. Taking a proactive approach to drought management requires continuous monitoring of factors indicating the onset and extent of drought conditions. To supply real-time weather, streamflow, groundwater, reservoir and soil information, a network of data-gathering sites, operated by various federal and state agencies is necessary and monitoring activities need to be increased as conditions warrant.

Responses may vary from drought to drought depending upon the conditions and resources most affected. For instance, one type of drought is the hydrological drought that results in deficiencies in surface and subsurface water supplies. It is characterized by low streamflow, and by low reservoir and groundwater levels. It usually results from a general lack of precipitation of several months and may require several months of above average precipitation to recover. Another type of drought is the agricultural drought. It occurs when there is inadequate precipitation and soil moisture to sustain crops and vegetation and results in serious damage and economic loss to agriculture. It is associated with the growing season and may occur and recover with greater suddenness than a hydrological drought. These two types of drought are not mutually exclusive and will usually occur together with varying degrees of severity.

As a result of the variability in the types of drought, the variability in the relative severity of the drought experienced among the different regions or water utilities, and the changing seasons when the drought may occur, this plan must be flexible and adjust to the local circumstances. Conditions must be evaluated as they occur and the responses that are most appropriate selected to address those specific conditions. The various drought stages and specific actions within each stage that are recommended in this plan may need to be adapted, as conditions warrant, to the unique circumstances that are occurring.

Severe droughts of long duration will have dire consequences on many aspects of society.

This plan identifies the role of the lead state agencies, however, the resources of these agencies may be overwhelmed during such a drought. While continuing water conservation practices and proactive drought planning and response mitigation will help prepare for such eventualities, an emergency reallocation of state personnel may be required to execute activities required to manage a severe drought.

## **II. Responsibilities**

Managing drought is a responsibility shared by numerous organizations and agencies at all levels.

### **FEDERAL**

#### **Office of the President**

Declare drought emergencies when necessary, allowing areas of the State to receive financial and other assistance from the Federal Emergency Management Agency.

#### **The National Oceanic and Atmospheric Administration (NOAA)**

Track national and regional weather conditions.  
Provide drought data to the State of Connecticut via the National Weather Service (NWS).

#### **U.S. Geological Service (USGS)**

Track streamflow and ground water levels.  
Provide information on streamflows and groundwater levels to the Interagency Drought Working Group.

#### **U.S. Department of Agriculture (USDA)**

Provide assistance to farmers suffering from drought.

### **CONNECTICUT**

#### **Governor**

Provide overall direction of state government drought response.  
Close forestlands as necessary in extreme drought conditions pursuant to Sec. 23-50 Connecticut General Statutes (CGS).

#### **Office of Policy and Management (OPM)**

Coordinate state agency drought management activities.  
Member of Interagency Drought Working Group

#### **Department of Environmental Protection (DEP)**

Member of Interagency Drought Working Group

Maintain drought information on website.

Consult with manufacturing and commercial establishments that are large water users in order to provide advice on methods that can be instituted to decrease their consumption.

Respond to questions concerning water quality standards and classifications.

Provide current and historic information on precipitation, evapotranspiration, etc.

As a result of a water supply emergency declaration by the Governor, the Commissioner of DEP shall be empowered under Sec. 22a-378 to take a number of steps:

- Regulate diversions, discharges, minimum streamflow standards, dams, and enforce minimum streamflow release requirements, discharges, and other activities when public health and safety is threatened.
- Suspend a diversion permit or impose conditions on a permit.
- Declare a forest fire danger/drought emergency and regulate open burning in or adjacent to woodlands and brushlands.

#### **Department of Public Health (DPH)**

Has jurisdiction over all matters concerning the purity and adequacy of any source of water and protects public health through regulatory oversight of public water systems and the provision of technical assistance pursuant to CGS Section 25-32(a).

Assess and respond to any impacts of water shortages on public health and on water utilities.

Regulate permitting requirements for sale of excess water by any public water system to another public water system.

Coordinate drought response actions with local health officials and utilities. Mission is to influence the behavior of public water systems so that they take all necessary precautions to protect and preserve sources and systems of supply.

Member of Interagency Drought Working Group.

Develop public education and outreach materials for the public.

Assess any detrimental condition affecting supply adequacy, including drought pursuant to Public Health Code (PHC) Section 19-13-B46.

Require each community water supply system to maintain a supply in excess of system demands, and immediately implement conservation measures, as

necessary pursuant to PHC Section 19-13-B102 (O) and (P). RCSA Section 25-32d-1-(c)(5) also requires systems supplying water to 1,000 or more people to implement their required conservation and emergency contingency plans.

Collect and analyze information on the status of public water supplies as the central resource to for the compilation of data, coordination of activities, and information dissemination regarding instances of drought related water system failure.

Regulate new sources of water supply.

May identify and order the temporary emergency use of water sources

Work with water purveyors to develop emergency plans.

Provide technical assistance to utilities and local health departments and to private well users through local health departments. Also, relays drought information to the local health officers of the impacted communities.

Lead agency with regard to monitoring public water supplies for drought impact.

Oversight of community and nontransient noncommunity water systems.

Require state agencies and commercial enterprise to equip an automatic lawn sprinkler system with a rain sensor device to override the sprinkler system when adequate rainfall has occurred.

### **Department of Public Utility Control (DPUC)**

Determine the terms of the sale of any water sold pursuant a declaration of a public drinking water supply emergency by Commissioner of Public Health pursuant to Section 25-32b when the water utilities that are party to the sale cannot determine such terms or if one of such water utilities is regulated by the Public Utilities Control Authority.

Consider any special emergency regulations, which may be necessary and proper to ameliorate the present situation for those communities, which are served by private water utilities.

Member of Interagency Drought Working Group

### **CT Office of Emergency Management (OEM)**

The Office of Emergency Management is charged with developing and maintaining civil preparedness within Connecticut. Civil preparedness is any activity that minimizes the affect of a natural or man-made disaster or enemy attack on the civilian population. The OEM has several responsibilities:

- Maintain the local branch of the National Warning System (NAWAS);

- Develop and maintain various types of emergency operations plans for state government;
- Provide technical planning assistance to communities as requested or as needed;
- Provide training programs for state and local municipalities in civil preparedness;
- Conduct emergency operations drills and exercises;
- Work with DEP to administer the Hazard Mitigation Programs of the state.
- Coordinate with Governor's Info line (211) to respond to public inquiries; and
- Work with the Department of Public Health regarding the provision of emergency water and power equipment and water buffaloes for emergency use.

Member of the Interagency Drought Working Group.

**CT Department of Agriculture (DOA)**

Provide assistance to farmers suffering from drought.

Member of the Interagency Drought Working Group

Provide information on the impacts of a drought on the agricultural community.

**CT National Guard**

Assist with emergency distribution of public water.

### **III. Pre-Drought Preparedness**

Droughts can vary widely in duration, severity, and local impact. They can have widespread social and economic significance that require the response of numerous parties. As a result, drought response cannot be just about last minute preparations but must be factored into the overall management of the water resources of the state. This drought plan assumes that the following long-term planning and readiness activities will be undertaken.

The ability to accurately assess the severity of current conditions and to predict the future status of a drought depends upon extensive, long-term monitoring and data collection. Taking a proactive approach to drought management requires continuous monitoring of factors indicating the onset and extent of drought conditions. There is a need to supply real-time weather, streamflow, groundwater, reservoir, and soil moisture information to water planning professionals who can compare it with a reliable historical record. A network of data-gathering sites, operated by various state, federal and local agencies and organizations must be maintained and utilized in order to obtain the necessary information. Therefore, there needs to be an ongoing monitoring effort to ensure that the most accurate and up-to-date information is available for the decision-making process.

The water utility water supply plans prepared by the major water utilities include a water conservation component and an emergency contingency planning component. Included are triggers for implementing stricter water conservation at various stages during a drought. In addition, Water Utility Management Committees in the preparation of their areawide water supply plans are now required to evaluate water conservation as one of their charges. This drought plan incorporates and supplements these efforts.

Water conservation should be established as a priority in all water management decisions because there would be insufficient lead-time during emergencies to undertake water saving improvements. In addition, water conservation is more important than ever due to increasing demands on water supplies and the high costs and difficulties in developing new supplies. Therefore, water conservation should become an ongoing process in the planning and the daily functioning of each water utility.

Municipal authority is necessary to enforce locally required drought response measures. Many municipalities do not have local ordinances in place in order to implement water conservation measures during droughts and other emergencies. What is needed is to request that each of the municipalities have in place the necessary local ordinance that is tailored to the needs and priorities of each individual community. An important component of such an ordinance would be the requirement for adequate coordination between the municipality and the water utility that serves the community, when the water utility is investor-owned.

Further, Appendix B list a number of studies and actions that must be more fully developed for this plan to be implemented more effectively.

## **IV. Drought Stages and Responses**

The drought stages and activities that follow are intended to guide implementation of the state's response to the drought depending upon seasonality and meteorological events that occur. Each drought stage is determined by weighing all of the criteria used to determine the severity of a drought (Precipitation, Ground Water, Streamflow, Reservoir Levels, Palmer Drought Severity Index, Crop Moisture Index and the Fire Danger).

These seven drought criteria mentioned above are re-assessed each month, therefore, the drought stages are adjusted only once per month. This facilitates a smooth progression from Advisory to Watch to Warning on a monthly basis if the drought worsens. The spacing of re-assessments every 30 days also provides time for conservation measures to be effective.

The following drought stages are Normal, Advisory, Watch, Warning and Emergency. The term normal refers to conditions that do not negatively impact water supplies, vegetation, or water quality in the state. The baseline used for rainfall for example is the average monthly rainfall between 1955 – 1985.

The terms Advisory, Watch, Warning and Emergency are defined at each stage in this plan. The following section defines each stage and the actions that may be taken to respond to that stage.

### **A. DROUGHT ADVISORY STAGE**

#### **Drought Stage Criteria**

A decision to issue a Drought Advisory is based on assessing the current and forecasted conditions of surface waters, ground water, reservoirs, soils, and vegetation relative to normal conditions. Each measure and index serves only as a relative guide.

Recommendations can be based on what the majority of the indicators show. The criteria for consideration are as follows:

Precipitation:	Two months cumulative below 65% of normal,
Ground Water:	Three consecutive months below normal,
Streamflow:	Two out of three months below normal,
Reservoirs:	Average levels less than 80% of normal.
Palmer Drought Severity Index:	-2.0 to -2.99
Crop Moisture Index:	-1.0 to -1.99 abnormally dry,
Fire Danger:	Moderate.

## Actions

- Issue a Drought Advisory and a joint press release: - Commissioners of DPH, DEP and DPUC
  - a. Set a voluntary water use reduction goal of 10 percent for all residents and organizations (both private and public water supplies).
  - b. Release DPH fact sheet on conservation methods.
  - c. Urge residents to cooperate with local utilities as conditions may be worse in specific areas requiring greater efforts in accordance with adopted utility plans.
  - d. Urge residents and businesses to cut back on unnecessary water use, such as lawn watering, washing cars, etc.
- Initiate the Interagency Drought Workgroup to: - (OPM)
  - a. Systematically collect, analyze, and disseminate real-time drought-related information.
  - b. Reaffirm duties and responsibilities and assure information flow among state government agencies.
  - c. Disseminate an up-to-date inventory of state and federal programs related to drought emergencies.
  - d. Recommend appropriate drought stage based upon available data and evaluations.
  - e. Provide the timely and accurate assessment of drought impacts.
  - f. Provide accurate and timely information to the media and public.
- Initiate website activation consisting of both drought assessment information and water conservation and contingency management activities. Provide links to all appropriate state agencies managing the drought response. - DEP/OEM/DOIT/DPH/USGS
- Hold news conference to announce activation of a drought web site and information line, and outline a media plan to notify the public of ongoing conservation measures. - Commissioners of DPUC, DEP, and DPH
- Disseminate information on water conservation tips to homeowners, e.g., “Water Efficiency Measures for Residents,” and “Water Efficiency Measures for Landscaping”, such as through the Internet, public service announcements and other timely mailings by water utilities. - DPH/DEP/Water Industry
- Notify all water utilities to communicate with their consumers to practice voluntary conservation. - DPH
  - a. Review database of water suppliers and communicate vital information and assess needed technical and financial assistance in an emergency. - DPH
  - b. Maintain a map of water systems that have requested voluntary conservation and have placed mandatory water restrictions using triggers points contained in their individual water use plans. - DPH
  - c. Implement water conservation measures pursuant to appropriate utility specific triggers in approved Water Supply Plans. – Water Industry

- Offer technical assistance to water utilities experiencing problems to assist with system management and promotion of water conservation with specific measures tailored to each water utility. – DPH/Water Industry
  - a. Assist water utilities in strengthening conservation measures.
  - b. Undertake repairs to bring unaccounted for water to a level of 15% or lower.
  - c. Postpone discretionary, scheduled water consuming repair work and shutdowns.
  - d. Offer water use audit to all large water users and offer to send notices of conservation with specific water reduction steps to customers. Provide assistance to large customers in detecting and fixing water leaks, and in the installation of additional water conservation devices.
  - e. Continue to assess dam leakage at reservoirs; if necessary undertake repairs where the lowering of water levels is not required.
  - f. Postpone routine distribution system flushing.
  - g. Suspend all routine exercises that require fire hydrants to be opened and flushed.
  - h. Notify municipal public works departments and fire responders to suspend all exercises that require fire hydrants to be opened and flushed.
  - i. Evaluate riparian releases.
- Submit drought assessment reports as necessary to agency heads – Interagency Drought Workgroup
- Expedite drought-related diversion permit applications - DEP
- Broadcast public service announcements to television and radio stations as resources permit. – DPH
- Partner with home improvement industry and utilities – to urge the purchase of water saving devices and appliances. – DPUC
- Incorporate water saving assistance to major water users as a part of on-going industry inspection program. – DEP
- Direct state agencies to conserve water at state facilities. – Governor, Commissioners, or DPH.
- Consider sending a letter or develop a paycheck stuffer to urge state employees to conserve water at home. – DPH
- Recommend municipalities designate an official “Drought Coordinator”.

### **Monitoring**

- Monitor daily, weekly, or monthly as appropriate, the primary indicators of drought severity and produce weekly a Drought Assessment Report for agency heads and for posting to the state drought web site:
  - a. Ground water levels and trends - USGS
  - b. Stream flows and trends – USGS
  - c. Reservoir levels and trends - DPH
  - d. Number of utilities at voluntary and mandatory response levels – DPH
  - e. Number of utilities with special problems – DPH
  - f. Palmer Drought Severity Index – DEP

- g. Crop Moisture Index – DEP
- h. Daily Forest Fire Danger Report – DEP
- i. Cumulative Rainfall Deficit. - DEP
- Continue to review and improve data collection pertaining to primary indicators as appropriate – All agencies
  - a. Select most appropriate stream gauging stations and groundwater observation wells for more frequent monitoring. - USGS/DEP.
  - b. Review water supply systems that have historically had adequacy problems, “target systems,” and provide technical assistance as needed. - DPH
  - c. Review National Weather Service (NWS) drought status and precipitation data. - DEP
  - d. Review reservoir storage reports of the systems that use surface water supplies, to assess the adequacy of the state’s surface water sources, to institute weekly reservoir level reporting for selected systems, and to establish additional monitoring of water supply tributaries. Send letter to “Water Utilities of Concern” and those utilities that have not submitted adequate data. - DPH.
  - e. Compile and prepare weekly assessment – Interagency Drought Workgroup
  - f. Continue review and analysis of aggregate water production usage records for progress toward meeting drought objectives.
- Continue monitoring of local water supply conditions, respond to customer complaints and problems related to drought conditions, and report any drought-related problems to DPH. – Water Utility Industry
- Review activities of neighboring states through websites, and in coordination with National Weather Service and USGS. - DEP
- Survey local health departments and well drillers concerning well drilling activity related to drought. - DPH

### **Coordination**

- Hold regularly scheduled state interagency meetings to facilitate communication, to comprehensively respond and assess the situation, and to jointly develop next-step recommendations. - OPM, DEP, DPH, OEM, DPUC, and DOA with technical assistance from USGS.
- Designate agency spokesperson(s) to coordinate interaction with the public and expedite information referrals. – All appropriate agencies
- Hold bi-weekly meetings with water utility industry representatives to assess individual and collective conditions, identify problems with system management and water conservation performance, and to craft coordinated approaches by government and industry. - DPH in coordination with DEP, OPM, and DPUC
- Coordination with CT Section of American Water Works Association’s (AWWA) Water Conservation Committee to effectively communicate needed conservation actions, such as a water conservation brochure. -DPH

- Send letter to local health directors asking for their assistance to promote water conservation, monitor local situation, and report problems. – DPH
- Periodic meetings with local health directors
- Periodic meetings with various water use groups, for example:
  - Pool & spa industry – DPH
  - Car wash industry – DPH
  - Horticultural industry – DPH
- Initiate *Door-To-Door* initiative, for example – DPH
  - Medical community
  - Schools, day care centers and others
- Meet with weather forecasters to improve informed reporting and accurate state perspective on the drought. - DPH

### **Preparedness**

- Survey and assess municipal drought preparedness - DPH:
  - Advise municipalities to review and enact appropriate ordinances to enable the enforcement of water conservation if needed in the future and to coordinate enforcement efforts with investor-owned water utilities, when pertinent.
  - Advise water utilities to work with their municipalities to implement the current water conservation goal and to review and develop local ordinances.
- Issue guidance document for private well users who may require assistance with well repairs or enhancement and make this available via Internet. – DPH/DEP
- Develop, post, and maintain an appropriate web site that is linked to state agency sites with relevant information to assist in informing the public, the water utilities, business, and industry. --Appropriate state agencies
- Evaluate adequacy of current agency legislative authorities. – Appropriate state agencies
- Establish up-to-date list of approved water haulers and link the list to state web site. – DPH/DEP
- Establish up-to-date list of approved bottled water purveyors and link the list to state web site. – DPH/DEP
- Establish up-to-date list of licensed well drillers and link the list to state web site. – DPH/DEP
- Disseminate generic press releases and notification letters to water systems, local health directors, well drillers, etc. – DPH
- Review plan for managing potential forest fire hazards and threats. – DEP
- Identify non-essential water uses relative to the Drought Watch Stage and time of year. (See Section IV for guidance) – Interagency Drought Workgroup

## **B. DROUGHT WATCH STAGE**

## **Drought Stage Criteria**

A decision to issue a Drought Watch is based on assessing the current and forecasted condition of surface waters, ground waters, reservoirs, soils, and vegetations relative to normal conditions and shall be guided by the following criteria:

Precipitation:	Three months cumulative below 65% of normal,
Ground Water:	Four consecutive months below normal,
Streamflow:	Four out of five months below normal,
Reservoirs:	Average levels less than 70% of normal.
Palmer Drought Severity Index:	-3.0 to -3.99
Crop Moisture Index:	-2.0 to -2.99 excessively dry,
Fire Danger:	High.

## **Actions**

- Enter a Drought Watch Stage - Governor/Commissioners
  - Set a voluntary water use reduction goal of 15% for all residents and organizations,
  - Send letter to municipal officials urging municipal governments take steps to conserve water by 15%.
  - Request all public water suppliers to issue voluntary conservation appeals of 15% to all of their customers.
  - Send letter to state agencies requiring water conservation measures and to review and update any drought/emergency plan.
- Ensure municipal preparedness - DPH/Water Industry
  - Obtain feedback from large water systems concerning adequacy of municipal authorities in place for water emergencies.
  - Follow-up and provide technical assistance to towns regarding local ordinances (recommend model ordinances, authorities, and fines.)
- Monitor implementation of individual water supply plans and determine if local/regional water supply situation warrants a targeted emergency declaration - DPH
- Provide technical assistance to utilities on managing systems during dry conditions, including administering an expedited review of proposed system upgrades and alternative water supplies for drought-impacted community water systems and assist in the identification of emergency connections. - DPH
- Consider enabling local health directors to permit emergency private well construction with proper protection from cross connection within existing water utility service areas. - DPH
- Initiate contact with federal agencies (FEMA/EPA/USGS/USDA/Corps) in order to identify federal assistance capabilities – Interagency Drought Workgroup
- Schedule in-stream flow releases for best management of fish and wildlife resources and suspend spring freshet requirements where appropriate after

analysis has been completed of where conservation and emergency measures have been implemented but are not meeting goals - DEP

- Review and implement, as needed, the plan for managing potential forest fire hazards and threats. – DEP
- Target heavy water users and evaluate mechanisms for water use reduction. Use guidance provided in “Industrial/Commercial/Institutional Water Users – Planning Guidance for Water Conservation and Emergency Contingency Plans” and “Agricultural Water Users - Planning Guidance for Water Conservation and Emergency Contingency Plans”. - DPH/water industry

### **Monitoring**

- Continue frequent monitoring of ground water observation wells and streamflows. – DEP/USGS
- Initiate weekly reservoir level reporting to DPH for specific systems with problems. – DPH
- Request local health directors to track and to report, for both shallow and deep wells, problems related to the drought. - DPH
- Monitor utilities of concern. - DPH
- Review adequacy of water monitoring and consumption records. - Water Utilities

### **Coordination**

- Coordinate with the Army Corps of Engineer on potential use of flood control reservoirs for water supply purposes. – DEP
- Request water utilities, that have the capability, to provide water use data to customers (e.g. annual bar chart of monthly usage similar to electric industry) - DPUC

### **Preparedness**

- Assist agriculture industry by determining possible issues, prospective situations, and remedial steps that can be taken, as necessary. - DOA.
- Review and if necessary implement plans for dealing with potential forest fire hazards and threats. – DEP
- Request municipalities to designate a municipal drought coordinator and specify the required role and responsibilities of a municipal drought coordinator during an Emergency. - OEM
- Consider using existing state authority to implement a ban of non-essential water uses if drought conditions worsen. - Interagency Drought Working Group
- Determine where temporary interconnections between water utilities are needed and, where feasible, expedite or waive permits. - DPH/DEP/Water Utilities
- Identify non-essential water uses during the Drought Warning Stage relative to time of year (See Section IV for guidance.) – Interagency Drought Workgroup

- Advise holders of registered and permitted water diversions of the conditions that are prerequisite to a suspension of minimum stream flow standards pursuant to CGS 22a-6 and RCSA 26-141a-4(b). - DEP
- Consider preparations to reactivate “emergency” and “inactive” sources of water supply for potential use. – DPH/Water Industry

## C. DROUGHT WARNING STAGE

### Drought Stage Criteria

A decision to issue a Drought Warning is based on assessing the current and forecasted condition of surface waters, ground waters, reservoirs, soils, and vegetations relative to normal conditions and shall be guided by the following criteria:

Precipitation:	More than four months cumulative below 65% of normal,
Ground Water:	Four consecutive months below normal,
Streamflow:	Six out of seven months below normal,
Reservoirs:	Average levels less than 60% of normal.
Palmer Drought Severity Index:	Minus four or less.
Crop Moisture Index:	Minus three or less, severely dry
Fire Danger:	Very high.

### Actions

- Enter a Drought Warning Stage - Governor
  - Set a water use reduction goal of 20% for all residents, organizations, and state agencies.
  - Establish Drought Task Force of state and local government personnel and private interests to:
    - A. Coordinate the actions of state agencies and other organizations to respond to immediate and temporary need for providing emergency drinking water to communities that are soon expected to exhaust their supply of or access to potable drinking water.
    - B. Assess and report potential impacts of water shortage on state’s economy, communities, agricultural and natural resources.
- Determine on a service area or broader geographic basis the need to declare a public water supply emergency pursuant to Section 25-32b and direct appropriate water utility actions. - DPH
- Determine the terms of the sale of any water pursuant to an order by DPH for the sale, supply or taking of any waters or the temporary interconnection of water mains for the transfer of water among water utilities. - DPUC (if a DPUC regulated water utility)
- Begin implementation of temporary interconnections between water utilities where determined to be necessary. - DPH

- Assist community water systems in exploring alternative sources of water for non-potable uses. DPH/DEP
- Issue emergency and temporary permits, as appropriate, and expedite drought-related emergency requests for water utility interconnections and access to alternative water sources. - DPH/DEP/DPUC
- Undertake physical measures necessary to bring “emergency” and “inactive” sources of water supply on-line. – DPH/Water industry
- Direct municipal drought coordinator to provide situation reports periodically. - OEM
- Identify leaks and focus accelerated repairs and implementation of water efficiency improvements at state government facilities. – Facility managers of all state agencies
- Contact individual, large industrial users to reduce water usage. - Water Utilities
- Evaluate requests for exemption from the Minimum Streamflow Regulations and expedite approval on a case-by-case basis, where the water supply status and the actions of utilities warrant such action. - DEP
- Prohibit aquifer pumping tests unless a) the test is associated with a groundwater remediation project, or b) the test is associated with a replacement well for a previously approved, allocated diversion source, or c) the test is associated with a drinking water supply well necessary to ensure an adequate water supply during this water emergency. - DEP/DPH
- Implement, as needed, the plan for managing potential forest fire hazards and threats. – DEP
- Assess agricultural impacts of worsening drought – DOA/USDA
- Increase public education and information as appropriate for this stage. - Interagency Drought Workgroup/Water Utilities

### **Monitoring**

- Continue Drought Watch Stage monitoring activities.

### **Coordination**

- Work closely with local health directors to assess public health threats and take actions as needed. - DPH
- Provide regular situation status reports to the Federal Emergency Management Agency and the US Army Corps of Engineers regarding drought impacts and response measures being taken by state and local officials. - OEM
- Request the USDA Farm Service Agency to apply for emergency federal agricultural assistance. - DOA
- Prepare a request for a Presidential Disaster Declaration. – OEM and DEP

### **Preparedness**

- Prepare for possible declaration of a drought emergency. - Interagency Drought Workgroup
- Recommendations made to Governor on communications strategy. – Interagency Drought Workgroup
- Develop plans to deliver drinking water to key distribution stations within each municipality. Assess capability and finalize readiness plans for the mobilization of water distribution and storage equipment to armories and other designated locations. Explore alternative means of water delivery during outages. - OEM/CT National Guard/Municipal Drought Coordinators
- Identify unused or underutilized high yield aquifers developable as temporary emergency water supplies. - DEP
- Identify non-essential water uses at Drought Emergency Stage (See Section IV for guidance.) – Interagency Drought Workgroup

## **D. DROUGHT EMERGENCY STAGE**

### **Drought Stage Criteria**

A decision to issue a Drought Emergency shall involve assessing the current and forecasted condition of surface waters, ground waters, reservoirs, soils, and vegetation relative to normal conditions and shall be guided by the following criteria:

Precipitation:	More than six months cumulative below 65% of normal,
Ground Water:	Eight consecutive months below normal,
Streamflow:	Seven months below normal,
Reservoirs:	Average levels less than 50% of normal or less than 50 days of supply.
Palmer Drought Severity Index:	Minus four or less.
Crop Moisture Index:	Minus three or less, severely dry
Fire Danger:	Extreme.

### **Actions**

- Declare a water supply emergency. - Governor/DPH
- Mandate 25% water conservation by residents, businesses, and state agencies. - Governor
- Activate appropriate elements of the CT National Guard as necessary. – Governor
- Secure emergency legislation and funding from General Assembly as needed. - Governor/Drought Task Force
- As appropriate, close woodlands and brushlands to all persons except owners or tenants pursuant to CGS Sec 23-50. - Governor
- Invoke a ban on open burning, in accordance with CGS Sect. 23-49a. - DEP
- Activate as appropriate and staff the State Emergency Operations Center. - OEM

- Coordinate with Governor’s Infoline (211) to respond to public inquiries. - OEM
- Order interconnections between water utilities as needed and where feasible. - DPH
- Utilize authorities under a declared water supply emergency pursuant to Section 22a-378 to undertake actions as needed relative to approving temporary suspension of diversion permits, issuing orders for new diversions. - DEP
- Assist owners of residential wells with drought-related problems and obtaining permits to construct wells or evaluate the feasibility of connecting to a public water supply. - Local Health Officials
- Enforce compliance with mandatory drought restrictions. - Local Drought Coordinators/state and local police with cooperation of local water utilities
- Process applications for exemptions or variances to mandatory drought restriction. - Local drought coordinators (possibly DPH for very large or complex water users)
- Initiate use of “emergency” and “inactive” sources of water supply. – DPH/Water industry
- Issue permits and conditions for the use of Class B waters for drinking water purposes, as necessary, on a case-by-case basis pursuant to CGS Section 22-378 and Section 25-32(b). - DPH/DEP
- Consider substituting non-potable water for potable water where non-potable water is consistent with public health and the environment (see Section V for guidance). - DPH/DEP
- Bring accessible and developable high yield aquifers into production. - DEP
- Administer the emergency transfer, sale, or lease of water throughout the state. - DPH/DPUC
- Initiate transporting and distributing potable water to provide essential water to key municipal emergency potable water stations (trucking water and laying water pipe, as necessary). - OEM/CT National Guard
- Disseminate information and technical assistance for irrigation improvements available under federal emergency programs to agricultural growers. - DOA/USDA

### **Monitoring**

- Continue Drought Warning Stage monitoring activities.

### **Coordination**

- Direct efforts of local health directors relative to conserving, monitoring, and reporting. - DPH
- Request federal USDA to make an Agricultural Disaster Declaration. - DOA
- Apply for federal assistance and funding as appropriate. - Governor/OEM/Interagency Drought Task Force
- Identify alternative potable water sources; improve distribution and transmission of potable water; divert water from current sources; and bridge existing water

- systems, including the determination of appropriate methods for financing emergency drinking water operation. - Interagency Drought Workgroup
- Submit a request for a Presidential Disaster Declaration to the Federal Emergency Management Agency. - OEM and DEP

## **E. POST DROUGHT ACTIONS**

The primary objectives of the post drought stage are to maintain, as far as possible, the resources affected by drought, and to assist in the post-drought return and restoration of those resources, taking into consideration resource maintenance and long-term sustainability.

- Administer available funding of federal long-term drought relief. - OEM/OPM
- Provide risk management programs to assess the financial condition of individual agricultural enterprises and give alternatives for operators to utilize in drought recovery. - DOA/UCONN Extension
- Follow-up with drought-impacted community water systems to restore operations and to ensure that drought-driven system improvements and modifications are in compliance with applicable standards. - DPH
- Prepare report summarizing the drought-related issues for the governor and commissioners, to include an assessment of activities undertaken to mitigate drought impacts, successes realized and recommended improvements. -- Interagency Drought Workgroup.
  - A. Recommend improvements to economic impact assessment tools.
  - B. Recommend appropriate amendments to state legislation and municipal ordinances.
  - C. Recommend programs to encourage efficient use of potable waters.
  - D. Recommend the level of resource monitoring that is needed to establish accurate baseline conditions.
  - E. Conduct lessons learned with agencies, interagency Drought Working Group, water utilities and other stakeholders. When appropriate, end use of class B sources and emergency reservoirs and wells.
  - F. Improve drought preparedness and response plan as needed.

## **V. Non-Essential Uses**

### **DROUGHT ADVISORY, WATCH, and WARNING STAGES**

Below is a listing of non-essential uses for the Emergency Stage of a drought. It is assumed that most, if not all, of these non-essential uses would be banned during a Drought Emergency Stage. However, some of these non-essential uses would be curtailed during a Drought Advisory Stage, a Drought Watch Stage, or a Drought Warning Stage. The non-essential uses and the degree of curtailment will be determined at the time each stage is entered based upon the specific circumstances determined at that time.

The delineation of non-essential uses during these earlier phases is dependent upon seasonality, water supply capacity of a particular water utility, and the variability of the severity of a drought within the state. As a result, the Interagency Drought Working Group will make determinations based upon the unique conditions, drawing from this list.

It is believed that this flexible approach is desirable so there would be no rigid “do’s” and “don’ts” that would entail unnecessary hardship during the various early stages of a drought. This approach should enable the proper authorities to determine at what point in each of the stages certain non-essential water uses should be curtailed or banned.

### **DROUGHT EMERGENCY STAGE**

If water use demands remain at levels that cannot be sustained under current and forecasted conditions despite the coordinated water management measures implemented in previous drought stages the following restrictions and authorizations are recommended. It should be recognized that during the most severe emergency even these activities may be curtailed.

Emergency restrictions and authorizations shall apply equally to all water users in the affected regions, regardless of whether the water used is drawn from ground or surface water (such as a pond, lake, river or stream), a public water supplier, or a private well. However, this statewide emergency does not prevent any local government from instituting water use restrictions that are more stringent, provided the local restrictions do not conflict with state or federal law.

Hardship exemptions from the restrictions on water use imposed during an emergency may be obtained in accordance with procedures established by the local municipality.

Municipal and state law enforcement agencies shall be responsible for enforcement of these emergency restrictions.

Due to the severity of the continuing drought conditions, all residents, visitors, businesses and government agencies must fully comply in a cooperative effort to avoid a more serious water shortage by compliance with the following restrictive measures.

1. The serving of water in restaurants, clubs or eating places is prohibited, unless specifically requested by the patron.
2. The washing of any vehicles other than fire engines, and HAZMAT vehicles is prohibited, except in the following cases:
  - A. Washing of vehicles performed by a commercial enterprise engaged in car washing is permitted, provided the following requirements are met:
    1. Vehicles shall not be pre-rinsed except with recycled water;
    2. Rinse cycles shall be forty (40) seconds or less per vehicle. This may be accomplished by increasing conveyor speeds;
    3. Additional measures shall be implemented to minimize water use, such as reducing the size of water nozzles where possible and plugging all unnecessary out-flows;
    4. All fixtures and equipment shall be inspected for leaks on a daily basis. Necessary repairs shall be made immediately; and
    5. Water conservation awareness shall be encouraged by the car wash operators by the placement of posters and literature where customers and employees will have access to them.
  - B. Washing of vehicles at car dealerships is permitted, provided the following requirements are met:
    1. Except as set forth in 5. below, vehicles may only be washed just prior to delivery to customers or prior to placement in display showrooms;
    2. The amount of water used shall be the minimum necessary, and rinse time shall be no longer than 2 to 3 minutes;
    3. All hoses must not leak and shall be equipped with a hand-held nozzle that automatically shuts off when released;
    4. Wash and/or rinse water shall be recycled to the extent practicable; and
    5. New vehicles at a dealership may be washed in accordance with the conditions at 2. through 4. above once per month if necessary to preserve the vehicle's finish.
  - C. Washing of boats at boat dealerships and marinas is permitted, provided the following requirements are met:
    1. Except as set forth in 5. and 6. below, boats may only be washed just prior to delivery to customers or prior to placement in display showrooms;
    2. The amount of water used shall be the minimum necessary, and rinse time shall be no longer than 2 to 3 minutes per area washed;

3. All hoses must not leak and shall be equipped with a hand-held nozzle that automatically shuts off when released;
  4. Wash and/or rinse water shall be recycled to the extent practicable;
  5. Boat bottoms may be cleaned using a powerwasher in accordance with 2., 3., and 4. above.
  6. New boats at a dealership may be washed in accordance with the conditions at 2. through 4. above once per month if necessary to preserve the boat's finish;
  7. Boats at a marina may be washed to remove salt spray and for sanitary reasons;
  8. Marine engines may be flushed with fresh water; and
  9. Trailered boats must be washed at a commercial car wash.
3. The use of water for washing paved surfaces, such as streets, roads, sidewalks, driveways, garages, parking areas and patios is prohibited, except in the following cases:
- A. Water use for roadway milling, and for the preparation of asphalt street or driveway re-coating and sealing, is permitted, provided the amount of water used is the minimum necessary;
  - B. Washing of paved surfaces at eating and drinking establishments is permitted for sanitation purposes, provided the amount of water used is the minimum necessary;
  - C. Use of water for municipal street sweeping is permitted, provided that only non-potable water is used, the amount of water used is the minimum necessary; and an appropriate sign is prominently displayed on the street sweeping vehicle, clearly indicating that the water used is non-potable water; and
  - D. Where the municipal or county health department deems that such washing is necessary to avert a threat to public health, and provided that the amount of water used is the minimum necessary.
4. The use of water for the flushing of sewers is prohibited, except in the following cases:
- A. Where non-potable water is utilized, provided that the amount of water used is the minimum necessary, and provided that an appropriate sign is prominently displayed, clearly indicating that the water used is non-potable water; and
  - B. Where the municipal or county health department deems that flushing is necessary to avert a threat to public health.
5. The use of fire hydrants is prohibited, except in the following cases:
- A. As necessary for fire fighting or fire protection purposes;

- B. As necessary for testing or fire drills only if the testing or drill is deemed necessary in the interest of public safety by the municipal governing body and the applicable water purveyor, and is specifically approved by the municipal governing body and the applicable water purveyor; and
  - C. Where a commercial enterprise has traditionally used water from the hydrant with prior written permission from the applicable water purveyor, provided that such use is necessary for the maintenance of the business. If a hydrant is used in this manner, water usage shall be metered.
6. The use of water for power washing of buildings, vehicles, pavement, or other surfaces is prohibited, except if the power washing is performed by a commercial enterprise engaged in power washing or where the power washing is required by law, as in the case of a dairy operator. A commercial enterprise performing power washing shall comply with all applicable limits relating to specific power washing activities. For example, a commercial power washing business engaged in washing cars at a car dealership shall comply with the limits for car washing at car dealerships set forth at 2B above.
7. The outdoor use of any water for ornamental or aesthetic purposes, including fountains, artificial waterfalls and reflecting pools, is prohibited, except if necessary to preserve or support wildlife, or for sanitary or structural purposes where draining is impractical.
8. The watering of lawns is prohibited except in the following cases:
- A. Lawn watering is permitted in order to establish and maintain newly laid sod or newly seeded grass associated with new construction (this exemption shall not apply to seeding over existing lawn areas), within the following limits:
    - 1. The amount of water used shall be the minimum necessary to establish and maintain the grass;
    - 2. The watering is permitted for the first 45 days only, starting on the date of planting or of laying the sod. Documentation of the date of seed planting or sod laying shall be produced upon the request of the appropriate authorities;
    - 3. The watering may occur only between 6:00 A.M. and 9:00 A.M. and between 5:00 P.M. and 8:00 P.M.; and
    - 4. The watering shall not exceed 45 minutes per area watered on any one day, except that watering may be extended to one hour per area watered on the day that sod is laid.
  - B. Commercial application of fertilizers, pesticide or herbicides that require water usage should cease. If such application preceded the drought restriction the following limits should be imposed.

1. The amount of water used shall be the minimum necessary to ensure the appropriate absorption of the fertilizer, pesticide or herbicide;
  2. The watering is permitted for 2 days only, starting on the date that the chemical is applied. Documentation of the date of application shall be produced upon the request of the appropriate authorities;
  3. The watering may occur only between 6:00 A.M. and 9:00 A.M. and between 5:00 P.M. and 8:00 P.M.;
  4. The watering shall not exceed 45 minutes per area watered on any one day; and
  5. This exemption shall only be valid for a single chemical application once every three months.
- C. A commercial landscaper may water newly seeded or sodded grassed areas during normal seasonal working hours outside of the hours listed above, by a means designed and operated to assure effective conservation, provided that:
1. Watering is performed in accordance with the following practices. Water needs vary considerably among the turf grasses. Consider this when establishing a lawn, for it may significantly reduce irrigation needs during the summer.
    - Lightly water newly seeded or sprigged lawns at frequent intervals. Keep the seed or sprigs moist but not saturated during this initial growth period. This may require watering four or five times on hot, windy days.
    - The first 10 days to 2 weeks are especially critical. If young plants dry out, they may die. After a couple of weeks root system development should be well under way and the watering frequency can be slowly reduced. At about 1 month after seedling or sprigging the lawn it should be treated as an established lawn.
    - Water newly sodded lawns much like established lawns except more frequently. After the sod is applied, soak it with enough water so that the soil under the sod is wet to a depth of 2 to 3 inches. Each time the sod begins to dry out, re-soak it. Roots develop fairly rapidly and within 2 weeks or so the sod can be treated like an established lawn.
    - Ideally, a lawn should be watered just before it begins to wilt. Most grasses take on a dull purplish cast and leaf blades begin to fold or roll. Grass under drought stress also shows evidence of tracks after someone walks across the lawn. These are the first signs of wilt. With careful observation and experience, one can determine the correct number of days between waterings.

- Early morning is considered the best time to water. The wind is usually calm and the temperature is low so less water is lost to evaporation. The worst time to water is late evening because the lawn stays wet all night, making it more susceptible to disease.
- When watering a lawn, wet the soil to a depth of 4 to 6 inches. Soil type affects the amount of water needed to wet soil to the desired depth.
- It takes about 1/2 inch of water to achieve the desired wetting depth if the soil is high in sand, and about 3/4 inch of water if the soil is a loam. For soils high in clay, an inch of water is usually necessary to wet the soil to the desired depth.
- If waterings are too light or too frequent the lawn may become weak and shallow-rooted, which in turn makes it more susceptible to stress injury.
- Use the following steps to determine the amount of water the sprinkler or sprinkler system puts out and check its distribution pattern at the same time.
- Determine the rate at which the sprinkler applies water to the lawn.
  - Set out three to five empty cans in a straight line going away from the sprinkler. Set the last can near the edge of the sprinkler's coverage.
  - Run the sprinkler for a set time such as 1/2 hour.
  - Measure the amount of water in each can.
  - Each can will contain a different amount of water. Usually, the can closest to the sprinkle will have the most water. The sprinkler pattern must overlap to get an even wetness of the soil. Use this information to find out how long it takes the sprinkler to apply 1 inch of water. For example, if the can contains about 1/4 inch of water after the sprinkler runs 1/2 hour, it would take  $4 \times 1/2$  or 2 hours to apply 1 inch.
- Run the sprinkler or sprinkler system long enough to apply at least 1 inch of water or until runoff occurs. If runoff occurs first:
  - Stop sprinkler and note running time.
  - Allow water to soak in for 1/2 hour.
  - Start sprinkler.
  - If runoff occurs, repeat above steps until at least 1 inch of water has been applied and allowed to soak into the soil.
- Do not water again until the lawn has completely dried out. (This usually takes 5 or 6 days.)

- Apply enough water to wet the soil to a depth of 4 to 6 inches.
  - Avoid frequent light applications of water.
  - Water in early daylight hours.
  - Select a turfgrass with a low water requirement.
  - Avoid using soluble nitrogen fertilizers. (They promote high growth rates, which in turn, increase water requirements of the plant.)
  - Many soils will not take an inch of water before runoff occurs. If this is a problem with a lawn, try using a wetting agent, also called a surfactant, which reduces the surface tension of water making it "wetter." This "wetter" water runs into the soil at a faster rate and goes deeper than water in a non-treated soil.
  - There are a number of wetting agents available; apply them according to directions on their labels. If this does not solve to runoff problem, it may be necessary to apply 1/2 inch one day and 2 inches the next day.
2. During the initial 45 day grow-in period a sign shall be displayed on the front lawn of the property. The sign shall be at least four feet wide by four feet high, with lettering large enough to be clearly visible from the nearest road. The sign shall read:

AUTHORIZED LIMITED WATERING OF NEW LAWN

Company Name

Address

Telephone Number

3. Documentation of the planting date shall be produced upon the request of the appropriate authorities.
- D. Lawn watering is permitted if it is necessary for the revegetation of land in order to prevent soil erosion following earth-moving activities, provided that:
1. The amount of water used shall be the minimum necessary to accomplish the revegetation;
  2. The activity is a construction-related project that complies with the *Connecticut Guidelines for Soil Erosion and Sediment Control, 2002*, of DEP;
  3. The watering is limited to the disturbed area; and
  4. Documentation of the planting date shall be produced upon the request of the appropriate authorities.

E. Testing of a customer's newly installed or newly repaired sprinkler system by a commercial enterprise engaged in the installation or repair of lawn irrigation systems is permitted, within the following limits:

1. The amount of water used shall be the minimum necessary to test the sprinkler system,
2. The test shall be limited to a maximum of ten (10) minutes per sprinkler zone, and
3. During the period of the test a sign shall be displayed on the front lawn of the property. The sign shall be at least four feet wide by four feet high, with lettering large enough to be clearly visible from the nearest road. The sign shall read:

AUTHORIZED LIMITED TESTING OF SPRINKLER SYSTEM  
Company Name  
Address  
Telephone Number

F. All lawn watering authorized herein shall use the minimum amount of water necessary.

G. All lawn watering authorized herein shall be performed in such a way that no puddling or runoff of water occurs.

H. All lawn watering authorized herein shall be performed in such a way that no paved surfaces are included in the area watered.

9. The watering of vegetation other than lawns is prohibited, except that the watering of trees, shrubs, and vegetable or flower gardens is permitted, using the minimum amount of water necessary, within the following limits:

A. The water shall be applied with one of the following:

1. A watering can; or
2. A hose that does not leak, and is equipped with a hand-held nozzle that automatically shuts off when released.

B. All watering authorized herein shall use the minimum amount of water necessary.

C. All watering authorized herein shall be performed in such a way that no puddling or runoff of water occurs; and

D. All watering authorized herein shall be performed in such a way that no paved surfaces are included in the area watered.

10. Watering of athletic playing fields, including those used by professional, college/university and youth league sports teams, as well as those owned or operated by public and private schools and parks, is permitted within the following limits:
  - A. Watering may occur only between 8:00 P.M. and 6:00 A.M.;
  - B. Watering may not exceed 45 minutes per area watered on any one day;
  - C. No grass or dirt areas outside of the essential playing area may be watered;
  - D. Under no circumstances shall a water cannon be used; and
  - E. Water conservation measures shall be instituted to the maximum extent practicable.
  
11. The watering of agricultural food crops, sod at commercial sod farms, and the watering of nursery stock at nurseries or retail outlets is permitted and is exempt from restrictions at this time, provided that all watering is done in accordance with best management practices (See Appendix A), and:
  - A. The use and diversion from all sources is less than 50,000 gallons per day and
  - B. Any use and diversion of 50,000 gallons per day or more authorized by CGS Section 22a-368 et al of the Water Diversion Policy Act.
  
12. The use of water for outdoor recreational purposes, not covered by paragraph 10, is prohibited, except that:
  - A. Golf courses covered by a valid DEP Water Diversion Permit or Registration may use water within the following limits:
    1. For tees, greens, and fairways, watering by sprinkler or other conserving mechanical means is permitted between 9:00 P.M. and 6:00 A.M., provided that the amount of water used is the minimum necessary for vegetation survival;
    2. Hot spot watering (syringing) with a hand held hose is permitted between 11:00 A.M. and 4:00 P.M., provided that no area is watered for more than 10 minutes per day;
    3. If seeding or resodding is necessary, newly seeded or sodded fairways may be watered between 9:00 A.M. and 4:00 P.M., provided that no area may be watered for more than 45 minutes on any given day;
    4. Rough or other grass areas not addressed above may not be watered by any means;
    5. Under no circumstances shall a water cannon be used;

6. Watering shall be done in accordance with Connecticut DEP Best Management Practices for Golf Course, Special Water Report No. 37, Connecticut Institute of Water Resources, UCONN, and
  7. Under no circumstances shall total monthly cumulative water use exceed 50% of either the monthly allocated water for that golf course, or the average utilization rate the past 5 years, whichever is lower, based on the permit or registration issued by the Department. Metered usage from all water sources shall be submitted to the Inland Water Resource Division of DEP on a monthly basis, within 7 days of the end of the calendar month.
- B. Golf courses that use treated wastewater only for irrigation are exempt from these restrictions.
- C. Watering of clay tennis courts is permitted, using sprinklers or hand-held watering devices, provided that watering occurs for no more than 10 minutes per day, between 8:00 P.M. and 6:00 A.M. and/or between 12:00 noon and 3:00 P.M.
- D. Filling of family, public and private swimming pools, including but not limited to outdoor hot tubs, spas, jacuzzis, is prohibited, except in the following cases:
1. Newly constructed or installed swimming pools may be filled once upon completion of construction, provided that, if the water is from the local municipal water purveyor, its use is approved by that purveyor;
  2. A pool that was drained prior to the declaration of the emergency may be refilled once;
  3. A pool that was not drained prior to the declaration of the emergency may not be drained and refilled unless the draining is necessary in order to make structural or other essential repairs, or draining is the only way that the pool can be adequately cleaned for healthy operations;
  4. If a pool requires repairs in order to preserve the structural integrity of the pool and/or its supporting infrastructure, the pool may be drained for repair and subsequently refilled one time only. A person seeking to use water for this purpose shall notify the local police, fire, and public works departments prior to draining the swimming pool to provide notice to authorities and provide for an opportunity for reuse in accordance with 5. below;
  5. Every reasonable effort shall be made to collect and re-use water drained from a pool, including use by the local fire department or public works department;
  6. Topping of pools (that is, adding water to a partially filled pool) is permitted, provided that the amount of water used is the minimum

necessary to maintain the integrity of the pool's circulation and filtration system(s); and

7. Pools should only be drained if absolutely necessary.

## **VI. Guidance for the Use of Non-Potable Water**

DEP and DPH will consider the use of non-potable water as an alternate source for activities currently supplied by potable sources, where appropriate and consistent with public health and the environment. Water pollution control facilities may make available, for temporary use, treated effluent which meets all of its National Pollutant Discharge Elimination Systems (NPDES) permit requirements, as a substitute for potable water sources, after consideration of the following guidance:

- The domestic treatment works must be in compliance with its existing NPDES discharge permit;
- Prior to allowing the re-use of its effluent, the treatment works must obtain written approval from the Department of Public Health after coordination with the Department of Environmental Protection. The written approval must be issued after the declaration of an emergency;
- Any decrease in the treatment works' effluent discharge into a receiving water body, caused by re-use of effluent, shall not jeopardize the base flow of the receiving water, nor shall it impact downstream natural resources or water supply withdrawals;
- Recommended applications include: landscaping beds, street sweeping, nurseries, non-edible crops, golf courses, and roadside plantings,
- Unless specifically approved in writing by the Department of Public Health, prohibited applications include: residential lawns and other recreational areas, indoor use, edible crops, or any area where there is a high probability of immediate human contact;
- The application of treated effluent shall not produce surface runoff or ponding;
- Individuals spraying the effluent should use proper care and precautions so as not to come in contact with or inhale the aerosolized water vapors;
- Treated effluent shall be sprayed only in areas, and at times, which would have limited or no public access;
- Prior approvals for re-use where authorized in a NPDES permit remain valid except where the treatment plant discharge is upstream of an area for which the Department of Environmental Protection has established a minimum required passing flow for the receiving water body, which is not being met. In those cases, prior approvals are revoked for the duration of the declared water emergency;
- Where treated effluent is in use, signs shall be posted informing the public that the water being applied is treated effluent;
- Domestic treatment works shall maintain a list of users of treated effluent. The list shall include the name of the user, date of pickup, number of gallons used, and the location and means of disposal; and
- Re-use of treated effluent shall not be considered a basis for increasing permitted capacity for a treatment works.

## APPENDIX A

### MANUAL OF BEST MANAGEMENT PRACTICES FOR AGRICULTURE GUIDELINES FOR PROTECTING CONNECTICUT'S WATER RESOURCES

Connecticut Department of Environmental Protection, U.S. Soil Conservation Service,  
and Connecticut Council on Soil and Water Conservation

1993

(The U.S. Soil Conservation Service's name was changed to U.S. Natural Resource Conservation Service subsequent to development of these guidelines in 1993)

#### Irrigation Water Management

##### **Definition**

Determining and controlling the rate, amount, and timing of irrigation water in a planned and efficient manner. "Amount planned" in schedule of implementation measured in number of acres.

##### **Purpose**

To efficiently apply irrigation water to crops in a manner to conserve water, prevent soil erosion, and minimize leaching and runoff transport of nutrients and/or pesticides to ground water and surface water respectively.

##### **Where Used**

This practice should be followed whenever irrigation is used to meet the moisture requirements of crops being grown.

##### **Water Quality Impacts**

Improper irrigation can result in serious degradation of surface and ground water quality. Careful irrigation management can minimize leaching and reduce the potential for pesticide and nutrient contamination of ground water, and decrease runoff, erosion, and transport of nutrients and pesticides to surface water.

##### **Planning Considerations**

The first step in planning an irrigation system is the development of a water budget and water balance for the crop to be irrigated. The Soil Conservation Service (SCS) and/or the Cooperative Extension System (CES) can provide assistance. Sources of water, various adaptable irrigation systems, and the economics of operation need to be considered.

An irrigation system may be portable, or it may be established on the land to be irrigated.

System components may include wells, a storage reservoir, a conveyance system, a sprinkler or trickle application system, suitable pumps, and a recycle storage pond to capture irrigation water down slope of the operation. Refer to Standards and Specifications for these components in the SCS Field Office Technical Guide (FOTG), Chapter 15 in the Engineering Field Manual, and the Conservation Irrigation Guidelines for Massachusetts (SCS).

If fertilizers and/or pesticides are to be applied through irrigation systems (chemigation) consult with CES specialists for guidance. A chemigation system must be developed and operated with extreme care to prevent contamination of source water drawn from wells. Chemigation can allow nutrients and pesticides to be timed according to crop needs rather (Management – 1993) than physical application constraints, but the ease of application may also lead to overuse. It is critical, therefore, that plant nutrients applied through chemigation only be used in accordance with an approved plant nutrient management plan. Likewise, pesticides applied through chemigation must only be used in accordance with an approved pest- and pesticide management plan, which incorporates the principles of integrated pest management.

To minimize potential contamination of ground and surface water by irrigation consider the following:

1. Location of watercourses, wells, and wetlands relative to area irrigated, and need for vegetated separating distances. Vegetated separating distances between irrigated areas and wetlands should be at least 25 feet. On sloping land and next to sensitive or pristine wetlands, the separating distance should be increased.
2. Permeability of soils and leaching potential to ground water.
3. Runoff potential to transport nutrients or pesticides to surface waters.
4. Best management practices needed to control surface runoff, curtail erosion, and minimize leaching. Refer to the Plant Nutrient Management and Pest and Pesticide Management BMPs to determine nutrient and pesticide needs and application timing.
5. Use of an irrigation system such as trickle or drip irrigation, which allows the operator to precisely control the amount and timing of water delivery to the crop. A system, which prevents excess delivery of water, will minimize leaching of chemicals.

Consider water source quality (possible testing), capacity volume, and availability in late summer months.

### **Planning Criteria**

*The irrigator shall have the knowledge and capability to manage and apply irrigation water in such a manner that the objectives mentioned under "Purpose" can be reasonably attained. The knowledge should include:*

1. Knowledge and ability to develop and use water budgets and water balances for each crop grown.
2. How to adjust stream size, application rate, or irrigation time to compensate for changes in such factors as intake rate or the amount of water to be applied.
3. How to recognize erosion caused by irrigation.
4. How to estimate the amount of irrigation runoff from an area.
5. How to evaluate the uniformity of water application.

Install backflow prevention devices on all systems.

The operator needs to apply for and secure any local; state, or federal permits needed for a storage reservoir before construction.

The operator needs to apply for and secure a state Water Diversion Permit for water withdrawals of more than 50,000 gallons during any 24-hour period, or for construction of any pond, which will receive its water supply from a wetland or watercourse. The Division of Inland Water Resources in DEP's Bureau of Water Management is responsible for issuing diversion permits.

### **Plans and Specifications**

An irrigation water management plan needs to be developed and shall be in keeping with the purpose and principles in this standard. Any permits as noted above, must be secured.

SCS will provide technical assistance on planning and designing components of an irrigation system.

## **APPENDIX B**

### **POSSIBLE FUTURE WORK ITEMS FOR DROUGHT PLAN**

1. Improve the continuity of the nomenclature, triggers and actions between the state drought plan and nomenclature, triggers and actions of the individual drought plans.
2. Ensure adequate state and municipal authority is in place to implement in a timely manner the water use restrictions. This will entail the enactment of local ordinances for enforcement and evaluating the adequacy of agency statutory authority well in advance of the next drought.
3. Expand the state plan to address agriculture and non-utility water usage.
4. Develop a more precise, pre-prepared and coordinated multi-media outreach strategy.
5. Clarify and detail the information and reports required of utilities and municipal coordinators in order to adequately assess problems and success in the implementation of restrictions in each of the various drought stages.
6. Establish or verify the feasibility and method to readily establish information needed during a drought emergency; (e.g. municipal drought coordinators, bottled water purveyors, approved water haulers.)
7. Ensure opportunities to use flood control reservoirs are integrated into individual and areawide plans in order to have timely access to such resources.
8. Clarify the representation, role and responsibility of the Drought Task Force to be established in the more advanced stages of a drought.
9. Improve and maintain integrity of water resource monitoring data that is essential to an accurate assessment of drought conditions.
10. Enable the conversion of county data of National Weather Service or other agencies to substate regions more responsive to drought conditions and areawide water resource and distribution systems.
11. Explore appropriateness of adopting regulations to implement water use restrictions.



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Ground Licenses – Agricultural Properties
  
2. **Date of submission:** December 5, 2016
  
3. **Date of Board Meeting:** December 12, 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):**  
Jerome F. Shea, P.E., Town Engineer
  
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: Authorize a one year extension of ground licenses for various town owned agricultural properties.*
  
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.):**
  - (i) Current ground licenses expire on December 31, 2016.
  - (ii) Town of Simsbury and the following:  
Daren P. Hall  
Anthony Napolitano (dba Anthony's Family Farm)  
Tim Ryan (dba The Ryan Family Flower Farm)
  - (iii) The Town would receive fees for annual licensing of the properties as indicated on the attached letter to the Board of Selectmen.
  - (iv) Licensing documents were previously reviewed and approved by Town counsel.
  - (v) Letter from the Town Engineer to the Board of Selectmen dated November 21, 2016.

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

There is no impact on the finances of the Town of Simsbury.

**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:*

1. Letter dated November 21, 2016 from Jerome F. Shea, Town Engineer



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

**Jerome F. Shea - Town Engineer**

November 21, 2016

Board of Selectmen  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070-0495

Dear Selectmen:

**Subject: Ground Licenses – Agricultural Properties**

The following farmers have requested use of town land for agriculture for the 2017 planting season. The use may be permitted by amendment, or extension, of approved Ground License Agreements.

Farm	Site	Size	Fee	Action
Anthony Napolitano	Barndoor Hill Rd.	5 ac.	\$ 300.00	License Renewal
Daren P. Hall	Barndoor Hill Rd.	17 ac.	\$1,020.00	License Renewal
Tim Ryan	Terry's Plain Road	6 ac.	\$ 468.00	License Renewal

These farmers have used the properties in a satisfactory manner in accordance with their respective License agreements. It is recommended that the Licenses be extended, as noted above, for a one year period.

Sincerely,

Jerome F. Shea, P.E.  
Town Engineer

cc: Lisa Heavner, First Selectman  
Tom Cooke, Director of Administrative Services  
Sean Kimball, Director of Finance / Treasurer  
Debra Sweeney, Accounting Manager

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

[jshea@simsbury-ct.gov](mailto:jshea@simsbury-ct.gov)  
[www.simsbury-ct.gov](http://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



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

## **BOARD OF SELECTMEN MEETING** **AGENDA SUBMISSION FORM**

1. **Title of Submission:** Contract Amendment for Neighborhood Facilities (Bond Fund) Funding for Design Services for the Senior/Community Center
  
2. **Date of Submission:** December 5, 2016
  
3. **Date of Board Meeting:** December 12, 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):**  
Jerome F. Shea, Town Engineer
  
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. Authorize Contract Amendment of the \$204,000 State grant for funding of design services required for the Senior/Community Center Project.
2. Approve Resolution authorizing First Selectman to execute Contract Amendment extension with the State of Connecticut.
3. All provisions of the previously authorized grant remain the same.

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.):

- i. Contract to be extended by December 31, 2018 to accommodate revised project schedule.
- ii. State of Connecticut Department of Social Services, Town of Simsbury.
- iii. There is no local funding required as part of the grant.
- iv. Contract has been reviewed and approved by Town Counsel.

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

There is no financial impact as a result of this grant.

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:*

- 1. Resolution for Approval.
- 2. Memo from Jerome Shea to Lisa Heavner.
- 3. Contract Amendment Document.

**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.):**

- i. Contract to be extended to December 31, 2018 to accommodate revised project schedule.
- ii. State of Connecticut Department of Social Services, Town of Simsbury.
- iii. There is no local funding required as part of the grant.
- iv. Contract has been reviewed and approved by Town Counsel.

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

There is no financial impact as a result of this grant.

**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:*

1. Resolution for Approval.
2. Memo from Jerome Shea to Lisa Heavner.
3. Contract Amendment Document.



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

## CERTIFIED RESOLUTION

I, Ericka Butler, Town Clerk of the Town of Simsbury, a Connecticut corporation, do hereby certify that the following is a true and correct copy of a resolution duly adopted at a meeting of the Board of Selectmen of Simsbury duly held on December 12, 2016, at which meeting a duly constituted quorum of the Board of Selectmen was present and acting throughout and that such resolution has not been modified, rescinded or revoked and is at present in full force and effect.

RESOLVED, that Lisa L. Heavner, who is the First Selectman of the Town of Simsbury is empowered to enter into and amend contractual instruments in the name, and on behalf of the Contractor with the Department of Social Services of the State of Connecticut, for the Neighborhood Facilities program and to affix the corporate seal.

In Witness whereof, the undersigned has affixed his/her signature and the corporate seal of the Contractor, this \_\_\_ day of December, 2016.

---

Ericka Butler, Town Clerk



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

*Jerome F. Shea - Town Engineer*

## MEMORANDUM

**To:** Lisa A. Heavner, First Selectman

**From:** Jerome F. Shea, Town Engineer *JFS*

**Subject:** **State of Connecticut Grant #128-NF-03-Contract Amendment  
Senior / Community Center Design Services**

**Date:** December 5, 2016

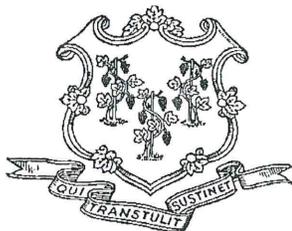
We have recently requested an amendment to the grant agreement for funding previously obtained for Senior/Community Center Design Services. The Board of Selectmen approved the original agreement on May 11, 2015. The term of the contract will be extended for an additional two (2) years and the end date of the contract is changed from 12/31/2016 to 12/31/2018. This extension is to allow additional time to complete the design phase for the project.

Through the initiative of our legislative delegation and more specifically Representative John Hampton, the Town of Simsbury was fortunate to receive \$204,000 from the State of Connecticut for design of the Senior/Community Center. These funds were approved by the State Bond Commission in January of 2014.

A resolution from the Board of Selectmen is required to authorize the First Selectman to execute the Contract Amendment. Attached are the required resolution and a copy of the Contract Amendment. The agreement has been reviewed for form and legality by Town Counsel.

Please let me know if you have any questions.

cc: Tom Cooke, Director of Administrative Services  
Sean Kimball, Director of Finance/Treasurer



STATE OF CONNECTICUT  
DEPARTMENT OF SOCIAL SERVICES

## CONTRACT AMENDMENT

**Contractor:** Town of Simsbury  
**Contractor Address:** 933 Hopmeadow Street, Simsbury, CT .06070  
**Contract Number:** 14DSS6002FQ / 128-NF-03  
**Amendment Number:** A1  
**Amount as Amended:** \$204,000  
**Contract Term as Amended:** 1/9/2014- 12/31/2018

---

The contract between Town of Simsbury (the Contractor) and the Department of Social Services (the Department), which was last executed by the parties and approved by the Office of the Attorney General on 6/23/2015, is hereby further amended as follows:

1. The term of the contract is extended for an additional two (2) years and the end date of the contract is changed from 12/31/2016 to 12/31/2018. This extension is to allow additional time to complete the project as originally contracted.

**All terms and conditions of the original Contract, and any subsequent amendments thereto, which were not modified by this Amendment remain in full force and effect.**

# SIGNATURES AND APPROVALS

14DSS6002FQ/128-NF-03 A1

The Contractor IS NOT a Business Associate under the Health Insurance Portability and Accountability Act of 1996 as amended.

## CONTRACTOR

Town of Simsbury

\_\_\_\_\_  
Lisa Heaver, First Selectman

\_\_\_/\_\_\_/\_\_\_  
Date

## DEPARTMENT OF SOCIAL SERVICES

\_\_\_\_\_  
RODERICK L. BREMBY, *Commissioner*

\_\_\_/\_\_\_/\_\_\_  
Date

## OFFICE OF THE ATTORNEY GENERAL

\_\_\_\_\_  
ASST. / ASSOC. ATTORNEY GENERAL (*Approved as to form*)

\_\_\_/\_\_\_/\_\_\_  
Date



# 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 Tentative Agreement with UE Local 222,  
CILU/CIPU, Local #41 (Dispatchers)

2. **Date of submission:** December 7, 2016

3. **Date of Board Meeting:** December 12, 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](mailto:tcooke@simsbury-ct.gov)

Peter N. Ingvertsen – Chief of Police – [pingvertsen@simsbury-ct.gov](mailto:pingvertsen@simsbury-ct.gov)

Nicholas Boulter – Captain – [nboulter@simsbury-ct.gov](mailto:nboulter@simsbury-ct.gov)

Eric D. Gomes – Employee Benefits and Human Resources Coordinator –  
[egomes@simsbury-ct.gov](mailto:egomes@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:*

Approve the Tentative Agreement between the Town of Simsbury and UE Local 222, CILU/CIPU, Local #41 (Dispatchers), and authorize the First Selectwoman to execute the collective bargaining agreement as modified.

**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 Town and the UE Local 222 have negotiated a successor contract to the 2011-2016 collective bargaining agreement. The modified terms are as follows:

**1. Term of Contract**

- July, 2016 to June, 2019

**2. Insurance and Retirement Benefits**

• **Defined Benefit Plan**

- i. The defined benefit plan will be closed to employees hired after the execution date of this agreement. (As previously negotiated, contributions for covered employees increased to 4% of base wages on July 1, 2016 and will increase to 4.5% and ultimately to 5% on July 1, 2017 and 2018 respectively.)

• **Defined Contribution Plan**

- i. Participation for new hires is mandatory. It matches the provisions recently approved for the AFSCME unit, including a 5% mandatory employee contribution and a 7% Town match. The plan also includes a rolling vesting schedule for the first five years with full vesting thereafter.

• **Health Insurance**

- i. The PPO plan option will be discontinued effective July 1, 2018. This matches the AFSCME agreement as well.
- ii. Employees will be provided with an annual credit of \$2,000 for declination of the Town's health care plan, provided an employee can present evidence on an annual basis of coverage by other health insurance. Once again, this matches the AFSCME agreement.
- iii. (As previously negotiated, employee OPEB contributions increased to 1.5% of base wages on July 1, 2016 and will increase to 2.0% on July 1, 2017. New hires currently contribute 2% towards OPEB.)

**3. Wages**

- Over the five-year term of the prior agreement, the Town's competitive position in relation to comparator towns deteriorated significantly. In order to restore the Town's position to just above the mid-point and in recognition of the change in retirement benefits, the following changes were negotiated:
  - i. A one-time adjustment to the contract steps (costing approximately \$3,600); and
  - ii. Annual increases of 4% (costing approximately \$14,500 in the first year)

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

See above



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Resignation

2. **Date of submission:** 12/6/2016

3. **Date of Board Meeting:** 12/12/2016

4. **Individual or Entity making the submission**

Laurel Hennebury, 2 Rosewood Drive, Simsbury

5. **Action requested of the Board of Selectmen**

1. Accepts the resignation of Laurel Hennebury, as a Regular Member of the Technology Task Force.

6. **Summary of Submission**

1. Resignation: Laurel Hennebury  
Board: Technology Task Force  
Party: (D)  
Effective: December 4, 2016  
Full Term of Office: 12/5/2015-12/4/2017

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

NONE

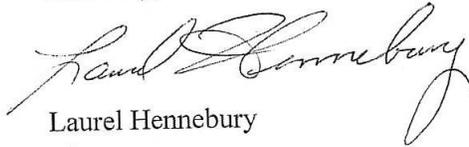
8. **Description of documents included with submission (All documents must be in final form and signed by the appropriate party.):**

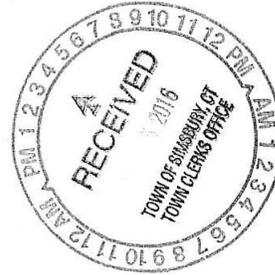
Copy of resignation letter from Laurel Hennebury

Hi Mike, I hope all is well. I am writing to inform you that I am resigning from the Simsbury Technology Task Force. It is with very mixed emotions that my family has decided to leave Simsbury in the spring to move full-time to our Amston Lake house in Lebanon.

It has been a pleasure working with this group and getting to know some really terrific and very dedicated people in our Town's government. I know that together you will continue to build on your successes to meet the current and future technology needs of the Town.

Sincerely,

  
Laurel Hennebury





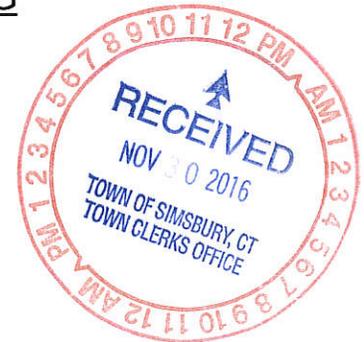
# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM



1. **Title of submission:** Democratic Party Nomination
2. **Date of submission:** November 30, 2016
3. **Date of Board Meeting:** December 12, 2016
4. **Individual or Entity making the submission:** Simsbury Democratic Town Committee, Thomas Frank, Chair, Nominations Committee, 19 Banbury Drive, West Simsbury, CT 06092

5. **Action requested of the Board of Selectmen:**

*The Entity making the submission requests that the Board of Selectmen:*

Respectfully request approval of the following **appointment** to the Zoning Commission following nomination by the Simsbury Democratic Town Committee on 12/08/2016. This nominee is a registered voter enrolled in the Democratic Party replacing Bruce Elliott, also enrolled in the Democratic Party, who resigned as of November 20, 2016.

Thomas A. Kyzivat, 3 Cricket Lane, Simsbury CT 06070 (**Alternate Member**, Zoning Commission with a term ending 12/02/2019).

6. **Summary of Submission:** Simsbury Democratic Town Committee requests approval of the above named individual to the office and term indicated.

7. **Financial Impact:** None known

8. **Description of documents included with submission:**

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

None



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Republican Party – New Appointments and Re-Appointments

2. **Date of submission:** 12/8/2016

3. **Date of Board Meeting:** 12/12/2016

4. **Individual or Entity making the submission**

Simsbury Republican Town Committee

5. **Action requested of the Board of Selectmen**

Request approval of the following appointments and re-appointments following the nomination by the Republican Town Committee on 12/7/2016

6. **Summary of Submission**

**New appointments:**

1. Jan Losee, (D), Tourism Committee, term ending 12/4/2017
2. Derek Peterson, (R), Board of Finance, term ending 12/4/2017

**Re-Appointments:**

1. Michael Jennings, (U), Aging & Disability Commission, 4 yr. term: 1/2/2017-1/1/2021
2. Thomas Rechen, (R), Board of Ethics, 4 yr. term: 1/2/2017-1/1/2021
3. Kristen Barnett, (R), Ec. Dev. Comm., 4 yr. term: 1/2/2017-**12/4/2017**
4. Elizabeth Woollacott, (R), Historic District, 5 yr. term: 1/2/2017-1/1/2022
5. James Fleming, (R), Police Comm., 4 yr. term: 1/2/2017-1/1/2021

7. **Financial Impact (Include a description of any impact on the finances of the Town of Simsbury):** NONE

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

### **CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Lisa Heavner; Board members Sean Askham, Christopher Kelly, Cheryl Cook, and Michael Paine. Ms. Lang was absent. Others in attendance included Tom Roy, Director of Public Works; Gerard Toner, Director of Culture, Parks and Recreation; Jerome Shea, Town Engineer; David Ryan, President of the Performing Arts Center; Thomas Cooke, Director of Administrative Services; Attorney Bob DeCrescenzo, and other interested parties.

### **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

### **PUBLIC AUDIENCE**

Dominique Avery, 12 Madison Lane, said SCTV is working on their major capital fund raising campaign. They are trying to make improvements at Town Hall. She said they obtained a grant of \$35,000 from the Hartford Fund for Public Giving but they need to get matching funds. For more information, go to [SimsburyTV.org](http://SimsburyTV.org).

Joan Coe, 26 Whitcomb Drive, spoke about changing to a Town Manager form of Government, the PAC concerts, the Planning Hearing on 80 Climax Road, moving SCTV from Eno Memorial Hall, Aging & Disabilities dangers with the brick pavers, and other issues.

Robert Kalechman, 971 Hopmeadow Street, spoke about the new President of the U.S., corruption in government, the same people volunteering for Commissions, the Police Commission, and other issues.

Michael Rinaldi, 32 Pinnacle Mountain Road, spoke about SCTV being a great asset to the Town and how they should be moved to the High School, the Charter Revision decision, the Senior Center, the budget problems, and other issues.

### **PRESENTATIONS**

#### **• Connecticut Natural Gas in Tariffville**

Mr. Roy said this is an interesting and unique project. He introduced Anthony Sherman and Terry Ella.

Mr. Sherman spoke about a four mile addition on Rte. 189 and spoke about the costs. He said gas would be available to 85 homes and 15 businesses along this route. He said they would need a financial commitment from the Town by January 31, 2017. He said the goal is to start the project in spring of 2017. It should be completed by 2017.

Mr. Roy said this project could have cost savings if done with the bike path project. The funds on the project would not be due until 2018 with a 7 year payment structure.

There was some discussion on this project and budget issues and who could benefit from this project. There was also discussion on possible savings, if residents were surveyed, input from different boards, etc. More information is still to come.

### **FIRST SELECTMAN’S REPORT**

Ms. Heavner said Simsbury received a CT Recreation Trails Program Grant in the amount of \$305,000 from the State Department of Energy and Environmental Protection to construct a multi-purpose trail from the Farmington Valle Greenway at Routes 10/202 and 315 to Curtiss/Pattison Parks. She thanked all who worked on this project.

Ms. Heavner said the Town received a Greater Hartford Transit District Operating Grant in the amount of \$6,517, which will be used to assist the Town with operating costs associated with Dial-A-Ride.

Ms. Heavner congratulated Gail Ryan who received the 2016 Outstanding Library Trustee Award from the Association of Connecticut Library Boards. Gail has been an active member of the Library Board since 1991.

Ms. Heavner said the Simsbury Public Library’s *Innovators’ Workshop Makerspace* is now open during all Library hours. Please call the Library at (860) 658-7663ext.2200 or go to <http://www.simsburylibrary.info/services/innovators-workshop> for information.

Ms. Heavner told everyone to prepare for the winter season. She said the website: <http://www.ct.gov/dph/cwp/view.asp?a=3115&q=482616>. She also reminded everyone to sign up for emergency alerts at <http://www.simsbury-ct.gov/alerts>.

Ms. Heavner said the Planning Commission kicked-off the planning process for Simsbury’s common vision for the future of the community and polices that will help us get there. She asked residents to consider filling out the on-line survey at [https://www.surveymonkey.com/r/Simsbury\\_POCD](https://www.surveymonkey.com/r/Simsbury_POCD).

Ms. Heavner reminded everyone about the drought watch. She said all Connecticut residents and businesses are requested to voluntarily reduce water demand by 15%. For tips on how to conserve, go to <http://www.fvhd.org>.

Ms. Heavner said revaluation of all real estate in Simsbury is now underway. For questions, contact Sean Kimball, Director of Finance at [skimball@simsbury-ct.gov](mailto:skimball@simsbury-ct.gov) or call (860) 658-3244.

Ms. Heavner said the Social Services Department has been designated as an official intake site for residents wanting to apply for the Connecticut Energy Assistance Program. Please call (860) 658-3283 for assistance.

Ms. Heavner invited everyone to join the Simsbury Aging & Disabilities Commission for a free presentation and discussion on “The Impact of Medication Management on Chronic Diseases” on November 29<sup>th</sup> from 6:30 – 8:00 p.m. at the Simsbury Public Library.

Ms. Heavner said Simsbury Celebrates had the largest crowd ever. She thanked everyone for their hard work on this event.

Ms. Heavner said the Business Resource Center at the Simsbury Public Library is happy to highlight business news on their Facebook Page and other social media. For information, go to [sarahl@simsburylibrary.info](mailto:sarahl@simsburylibrary.info) or #splbusinessbuzz.

Ms. Heavner said Federal Economic Injury Disaster Loans are available by going to SBA’s secure website at <https://disasterloan.sba.gov/ela> or [disastercustomerservice@sha.gov/disaster](mailto:disastercustomerservice@sha.gov/disaster).

Ms. Heavner said the Library is offering programing on a consistent night for business people or those interested in business. She said to watch for *Wednesday Night is Business Night*. For more info go to <http://www.simsburylibrary.info>.

Ms. Heavner said *Table 570 Asian Fusion* will open on December 1<sup>st</sup>. This was formerly Green Tea on 570 Hopmeadow Street.

Ms. Heavner said there will be a ribbon cutting ceremony for *Illumina Skin Care/Massage* on December 8<sup>th</sup> at 1 Grist Mill Road from 4-5 p.m. Their website is <http://www.illuminaskincaremassage.com>.

Ms. Heavner asked everyone to welcome *BE Investment Management* to Town. Their website is [www.BEInvestmentmgmt.com](http://www.BEInvestmentmgmt.com).

Ms. Heavner said *Benny’s* at 562 Hopmeadow Street has completed a new dining room expansion, package store improvements, parking and landscaping improvements. Their website is <http://bennysofsimsbury.com>.

Ms. Heavner gave a *Silverman Group* and other updates that are also on her report. *The Silverman Group* public hearing can be seen on SCTV also.

Ms. Heavner said the *Warming Center* at Simsbury Farms is now open.

### **FIRST SELECTMEN ACTION**

#### **a) Approve Tax Refunds**

Mr. Kelly made a motion to approve tax refunds in the amount of \$2,304.92 as requested and approved by the Tax Collector. Mr. Askham seconded the motion. All were in favor and the motion passed.

**b) Approval to destroy up to 25 outdated Ballistic Vests**

Mr. Paine recused himself.

Ms. Heavner said this request comes to the Board from the Chief of Police. She said there is great risk in selling these outdated vests due to safety and liability issues. She said destruction will be observed by the Police Department.

Ms. Cook made a motion to approve destroying up to 25 outdated Ballistic Vests previously purchased by the Town for Police Officers. Mr. Kelly seconded the motion. All were in favor and the motion passed.

Mr. Paine returned to the meeting.

**c) Approve Eagle Scout Projects**

Mr. Toner introduced Eagle Scout Ryan Smith, from Troop 76, to present his project. Mr. Toner said Culture, Parks and Recreation voted unanimously to approve this project. He made a presentation with five components including flower boxes being replaced, planting three trees and mulching, replacing a rotted post, painting a bench, and installing a bike route sign.

Mr. Paine made a motion to approve Ryan Smith’s Eagle Scout project, as proposed, to be completed on Town owned property. Ms. Cook seconded the motion. All were in favor and the motion passed.

**d) Acceptance of Connecticut Recreation Trails Program Grant for Multi-Use Trail to Curtiss/Pattison Parks**

Ms. Heavner said Simsbury received a Connecticut Recreation Trails Grant in the amount of \$305,000 from DEEP for the multi-use trail connection from the Farmington Valley Greenway to Curtiss/Pattison Parks.

Mr. Shea said the grant was applied for to make this connection under a master plan. This is a small piece of this connection, which provides a great link. The Town will be providing \$80,000 for the overall project costs.

Mr. Kelly made a motion to accept grant from the State of Connecticut Department of Energy and Environmental Protection (DEEP) in the amount of \$305,000 to construct a multi-purpose trail from the Farmington Valley Greenway at Routes 10/202 & 315 to Curtiss/Pattison Parks. Mr. Paine seconded the motion. All were in favor and the motion passed.

Ms. Cook made a motion to approve the following resolution:

**Connecticut Recreation Trails Program Grant for Multi-Use Trail to Curtiss/Pattison Parks**

**“Certified Resolution”**

Be it resolved that it is in the best interests of the Town of Simsbury to enter into contracts with the Department of Environmental Protection.

In furtherance of this resolution, Lisa L. Heavner the First Selectman is duly authorized to enter into and sign said contracts on behalf of the Town of Simsbury. The First Selectman is further authorized to provide such additional information and execute such other documents as may be required by the State or Federal government in connection with said contracts and to execute any amendments, rescissions, and revisions thereto.

The Town Clerk is authorized to impress the seal of the Town of Simsbury on any such document, amendment, rescission, or revision.

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

**e) Review proposed ordinance for Water Conservation and possibly set Public Hearing Date**

Donald Rigger gave a presentation on a proposed ordinance regarding water conservation. The Conservation Commission thinks an ordinance is needed. He said the Statewide Drought Management Plan looks to municipalities. He said water companies also have drought plans, but they don't have any enforcement authority. Also, voluntary restraint doesn't really have good history.

Mr. Rieger said they looked at the Greenwich ordinance and tried to define information for Simsbury.

Mr. Rieger went through the proposed ordinance. The Board asked for more information on this issue. Attorney DeCrescenzo said the Town is within its authority to make an ordinance for the Town. Attorney DeCrescenzo is reviewing this proposed ordinance.

After some discussion, Mr. Rieger will try to get more information for the Board on this issue. Attorney DeCrescenzo will also give his opinion after reviewing this proposal.

No action was taken.

**f) Simsbury Performing Arts Center, Inc. 2016 Review**

Mr. Ryan, President of SMPAC, said there were 16 events at Simsbury Meadows in 2016 with over 28,000 people in attendance.

Mr. Ryan said they are asking for people to make donations to purchase chairs to save on renting them. For more information go to [WWW.SIMSBURYMeadowSMUSIC.COM](http://WWW.SIMSBURYMeadowSMUSIC.COM).

Mr. Ryan gave the Board a check, in the amount of \$10,000 for their rent.

Mr. Ryan said the PAC wants to do improve parking lot A and to get a ticket booth. He also went through projects they are looking for in 2018 and 2019 Mr. Ryan said they want to include their requirements in terms of needs for expansion and get them into the Plan of Conservation and Development and to get public input and to get them into the capital budget for the Town.

Mr. Ryan asked the Board of endorse candidates for the Simsbury PAC, Inc. Board.

Mr. Kelly made a motion to endorse the following candidates for the Simsbury PAC, Inc. Board: Catherine Barnard, 7 Richard Road; Joe Campolieta, 3 Browngate Lane; Jeff Dornenburg, 225 Old Farms Road; Robert Hensley, 21 Cedar Hill Road; Ferguson Jansen, 3 Fox Den Road; Nick Mason, 6 Erin’s Way; Jane Porterfield, 125 Westledge Road; David Ryan, 20 Westledge Road; and Linda Schofield, 3 Ryan Circle. Mr. Askham seconded the motion. All were in favor and the motion passed.

**g) Approve Request for Proposal (RFP) for 2017 Cities Grant Application**

Ms. Heavner said this request is coming to the Board from the Housing Authority. This request is for the Board of Selectmen to submit a Request for Proposal to secure a qualified firm or individual for professional and technical services to prepare a 2017 Small Cities Community Development Program Application and to provide administrative and technical support to implement activities including program income during the contract period.

Ms. Cook made a motion that the Board of Selectmen submit a Request for Proposal to secure a qualified firm or individual for professional and technical services to prepare a 2017 Small Cities Community Development Program Application and to provide administrative and technical support to implement activities including program income during the contract period. Mr. Askham seconded the motion. All were in favor and the motion passed.

**h) Approve Regular Meeting Schedule for 2017**

Mr. Askham made a motion to approve the 2017 Board of Selectmen Regular Meeting Schedule as presented. Ms. Cook seconded the motion. All were in favor and the motion passed.

**OTHER BUSINESS**

**a) Discussion regarding Implementation of Charter Changes found in the New Charter including Form of Government in December 2017 – Attorney Robert DeCrescenzo**

Ms. Heavner said this Board can start the discussion on the Charter changes now or they can leave it for the next Board of Selectmen. The changes do take effect in 2017.

Attorney DeCrescenzo said the new Charter was approved on November 8, 2016. It actually takes effect on December 4, 2017. He went through the changes that will be made at that time. He went through ideas of how to start the process on hiring a Town Manager.

There was discussion on hiring a firm to help find a Town Manager. Also, there needs to be discussion on the First Selectman’s salary changes.

There was discussion on the changes and how this Board could help in this process and not just leave it until the new Board is in place.

### **APPOINTMENTS AND RESIGNATIONS**

**a) Acknowledge the resignation of Charles A Minor (D) as a regular member of the Economic Development Commission effective November 1, 2016**

Mr. Kelly made a motion to acknowledge the resignation of Charles Minor as a regular member of the Economic Development Commission effective November 1, 2016 with our thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

**b) Acknowledge the resignation of Barbara Petitjean (R) as a regular member of the Board of Finance effective November 16, 2016**

Mr. Askham made a motion to acknowledge the resignation of Barbara Petitjean as a regular member of the Board of Finance effective November 16, 2016 with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

**c) Appoint Thomas E. Frank (D) as a regular member of the Economic Development Commission with an expiration date of January 1, 2018**

Mr. Kelly made a motion to appoint Thomas Frank as a regular member of the Economic Development Commission with an expiration date of January 1, 2018. Mr. Askham seconded the motion.

After discussion, Ms. Cook made a friendly amendment to change the expiration date on the motion for Mr. Frank to December 4, 2017 due to the change in the Charter. Mr. Askham seconded the motion. All were in favor and the motion passed.

**d) Appoint David Moore (D) as a regular member of the Economic Development Commission with an expiration date of December 4, 2017**

Mr. Kelly made a motion to appoint David Moore as a regular member of the Economic Development Commission with an expiration date of December 4, 2017. Mr. Paine seconded the motion. All were in favor and the motion passed.

**e) Appoint Mike Long (D) as a regular member of the Tourism Committee with an expiration date of December 4, 2017**

Ms. Cook made a motion to appoint Mike Long as a regular member of the Tourism Committee with an expiration date of December 4, 2017. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**f) Reappoint Edward M. Cosgrove (D) as a regular member of the Police Commission effective January 1, 2017 with an expiration date of January 1, 2021**

Ms. Cook made a motion to reappoint Edward Cosgrove as a regular member of the Police Commission effective January 1, 2017 with an expiration date of January 1, 2021. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**g) Reappoint Mark A. Orenstein (D) as a regular member of the Aging & Disability Commission effective January 1, 2017 with an expiration date of January 1, 2021**

Ms. Cook made a motion to reappoint Mark Orenstein as a regular member of the Aging & Disability Commission effective January 1, 2017 with an expiration date of January 1, 2021. Mr. Paine seconded the motion. All were in favor and the motion passed.

**h) Reappoint Kevin Crimmins (D) as a regular member of the Board of Ethics effective January 1, 2017 with an expiration date of January 1, 2021**

Ms. Cook made a motion to reappoint Kevin Crimmins as a regular member of the Board of Ethics effective January 1, 2017 with an expiration date of January 1, 2021. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) Regular Meeting of November 14, 2016**

No changes were made to the Regular Meeting Minutes of November 14, 2016, and therefore, the minutes were adopted.

**SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS**

- 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.

**ADJOURN TO EXECUTIVE SESSION**

**a) Executive Session pursuant to 1-200(6) concerning the lease of Simsbury Meadows  
Performing Arts Center**

Mr. Askham made a motion to adjourn to Executive Session, with the Director of Administrative Services, Tom Cooke in attendance at 8:22 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

**ADJOURN FROM EXECUTIVE SESSION**

Mr. Askham made a motion to adjourn from Executive Session at 9:03 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

**ADJOURN**

Mr. Askham made a motion to adjourn at 9:03 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Respectfully submitted,  
Kathi Radocchio  
Clerk