



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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## SIMSBURY BOARD OF SELECTMEN

Main Meeting Room – Simsbury Town Hall – 933 Hopmeadow Street, Simsbury  
Regular Meeting – January 22, 2018 – 6:00 p.m. immediately following Special Meeting

### PLEDGE OF ALLEGIANCE

### PUBLIC AUDIENCE

### PRESENTATIONS

- Aquarion Water Company Conservation

### SELECTMEN ACTION

- Approve Tax Refunds
- Approval of Application and Acceptance of Revisiting the Founding Era Grant
- Acceptance of Donations to the Simsbury Farms Golf Course
- Authorize the use of Halloran and Sage to provide legal services to the Town of Simsbury on matters associated with 200 Hopmeadow Street
- Authorize the Town Manager to execute FY2017 Homeland Security Grant Program Application and approve acceptance of such grant if awarded
- Approve Waiver of Permit Fee for Simsbury Housing Authority
- Approve 2018 Budget Workshop Schedule

### OTHER BUSINESS

- Discussion on Historic Tobacco Agricultural Structures at 45 Hoskins Road

### APPOINTMENTS AND RESIGNATIONS

- Reappoint Donald Kipetz (U) and Robert R. Moran (U) as Hearing Officers with an expiration date of December 2, 2019

### *Aging & Disability Commission*

- Reappoint, Victor Bible III (U), Lorraine Doonan (D), Cheryl Lauben (R) and Arlene E. Zappile as alternate members of the Aging & Disability Commission with an expiration date of January 1, 2018
- Appoint Cheryl Lauben (R) as an alternate member of the Aging & Disability Commission with an expiration date of January 1, 2018

- c) Appoint Susan Krinsky (R) as a regular member of the Aging & Disability Commission with an expiration date of January 1, 2019
- d) Appoint Kathryn Robbins (R) as a regular member of the Aging & Disability Commission with an expiration date of January 1, 2020

***Building Code Board of Appeals***

- a) Reappoint Richard Cortes (D) and Samuel Ziplow (D) as alternate members of the Building Code of Appeals with an expiration date of January 1, 2020

***Clean Energy Task Force***

- a) Reappoint Robert Beinstein (R) as regular member of the Clean Energy Task Force with an expiration date of December 2, 2019
- b) Appoint Timothy Walczak (R) as a regular member of the Clean Energy Task Force with an expiration date of December 2, 2019

***Community for Care***

- a) Reappoint Sharon I. Lawson (R), Judy Sturgis (R) and Nancy Sheetz as regular members of the Community Committee with an expiration date of December 2, 2010

***Conservation Commission / Inland Wetlands Agency***

- b) Reappoint James I. Morrison (D) and Margery C.B. Winters (R) as regular members of the Conservation Commission / Inland Wetlands Agency with an expiration date of January 1, 2022
- c) Appoint Chad J. Thompson (R) as a regular member of the Conservation Commission / Inland Wetlands Agency with an expiration date of January 1, 2020
- d) Appoint Jill G. Powilatis (R) as a regular member of the Conservation Commission / Inland Wetlands Agency with an expiration date of January 1, 2022
- e) Reappoint Charles W. Haldeman (D) as an alternate member of the Conservation Commission / Inland Wetlands Agency with an expiration date of January 1, 2022

***Culture, Parks & Recreation Commission***

- a) Reappoint David W. Bush (R), Lori A. Coppinger (D), Sarah K. Cramer (R), Kelly J. Kearney (R), William K. Mullen (R) and Gerard H. Wetjen (R) as regular members of the Culture, Parks & Recreation Commission with an expiration date of January 1, 2022

***Fair Rent Commission***

- a) Reappoint Cornelia Mason (R) and David Richman (R) as regular members of the Fair Rent Commission with an expiration date of November 30, 2021

***Historic District Commission***

- a) Reappoint Marguerite Carnell (D) as a regular member of the Historic District Commission with an expiration date of January 1, 2023
- b) Appoint Heather Goetz (U) as a regular member of the Historic District with an expiration date of January 1, 2023
- c) Appoint Peter Adamowicz (U) as an alternate member of the Historic District with an expiration date of January 1, 2022

***Insurance Committee***

- a) Reappoint Thomas Gilmore (D), Paul H. Mikkelson, (R) and Edward F. Sparkowski (R) as regular members of the Insurance Committee with an expiration date of December 2, 2019

***Open Space Committee***

- a) Reappoint Helen Peterson (D) as a member at large of the Open Space Committee with an expiration date of December 2, 2019
- b) Appoint Robert Heagney (R) as a member at large of the Open Space Committee with an expiration date of December 2, 2019

***Public Building Committee***

- a) Reappoint Richard Cortes (D), Richard A. Derr (R), Francis Kelly (D) and Richard E. Ostop (D) as regular members of the Public Building Committee with an expiration date of December 2, 2019

***Recycling Committee***

- a) Re-appoint Lori P. Fernand (D), Rosemary V. Fusco (R), Carol Miller (R) and Mary N. Turner (R) as regular members of the Recycling Committee with an expiration date of December 2, 2019
- b) Appoint Andrea Penta (D) as a regular member of the Recycling Committee with an expiration date of December 2, 2019

***Tourism Committee***

- a) Reappoint Dominique Avery (D), Joseph Buda (D), Patricia Carbone (D), Paulette Clark (D), Joyce R. Howard (R), Michael Long (D), Katherine A. Oakes (R), Diane Phillips (D), Charmaine L. Seavy (D) and Richard D. Wagner Jr. (R) as regular members of the Tourism Committee with an expiration date of December 2, 2019

***Water Pollution Control Authority***

- a) Reappoint Lucian M. Dragulski (R), Thomas J. Hickey (R), Michael A. Park (D) and Jerry G. Sheehan (D) as regular members of the Water Pollution Control Authority with an expiration date of January 1, 2022

***Technology Task Force Committee***

- a) Reappoint Michael T. Doyle (R), Harald Bender (U), Lawrence A. DiSciaccia (D), John W. Jahne (U), Mark A. Orenstein (D), Ramon W. Rosati (D), William J. Rucci (U), and Jeremy B. Wallman (U) to the Technology Task Force with an expiration date of December 2, 2019

***Zoning Board of Appeal***

- a) Appoint Kathryn Robbins (R) as an alternate member of the Zoning Board of Appeals with an expiration date of December 2, 2019

***Zoning Commission***

- a) Appoint Gavin Schwartz (R) as an alternate member of the Zoning Commission with an expiration date of December 2, 2019

**REVIEW OF MINUTES**

- a) Regular Meeting of January 8, 2018

**SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS**

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

**ADJOURN**



# 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:** January 16, 2018
3. **Date of Board Meeting:** January 22, 2018
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 **\$ 41,803.27.**

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 2014</b>					
					\$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>					
					\$0.00
					\$0.00
<b>Total 2015</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>List 2016</b>					
Corelogic-Bensch	16-1-00587	\$3,707.78			\$3,707.78
Bordett Harvey M	16-1-00774	\$3,723.09			\$3,723.09
Corelogic-Devine	16-1-02014	\$2,464.56			\$2,464.56
Dyson Michele D	16-1-02261	\$10,117.33			\$10,117.33
Lereta - Martin, Jonathan	16-1-04955	\$6,630.68			\$6,630.68
Stevenson Kenneth D Jr	16-1-07799	\$4,512.25			\$4,512.25
Northwest FCU-Froman	16-1-07859	\$214.76			\$214.76
Corelogic-Turner	16-1-08243	\$4,301.39			\$4,301.39
Central Conn.Cardiolgsts	16-2-40150	\$3,382.35			\$3,382.35
Harris Audra	16-3-57886	\$27.80	\$0.89		\$28.69
Hess David	16-3-58179	\$235.60	\$7.60		\$243.20
Trovato Christopher	16-3-69223	\$131.28			\$131.28
Baldis James	16-4-80176	\$8.00			\$8.00
Bonchick Michael	16-4-80299	\$152.17			\$152.17
Williams Jr George	16-4-81195	\$499.43			\$499.43
Honda Lease Trust	16-4-81506	\$454.40			\$454.40
Honda Lease Trust	16-4-81537	\$454.40			\$454.40
Hyundai Lease Titling	16-4-81596	\$359.79	\$11.61		\$371.40
JP Morgan Chase	16-4-81728	\$154.59			\$154.59
Mikkelson David	16-4-82339	\$115.46			\$115.46
Uribe Flavio	16-4-83416	\$156.16			\$156.16
					\$0.00
					\$0.00
<b>Total 2016</b>		<b>\$41,803.27</b>	<b>\$20.10</b>	<b>\$0.00</b>	<b>\$41,823.37</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>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>TOTAL 2016</b>		<b>\$41,803.27</b>	<b>\$20.10</b>	<b>\$0.00</b>	<b>\$41,823.37</b>
					\$41,823.37
<b>TOTAL ALL YEARS</b>		<b>\$41,803.27</b>	<b>\$20.10</b>	<b>\$0.00</b>	<b>\$41,823.37</b>



# 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 Public Library – Approval for Application and Receipt of Revisiting the Founding Era Grant
2. **Date of submission:** 1/16/18
3. **Date of Board Meeting:** 1/22/18
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):**  
Lisa Karim, Library Director
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.):**  
Approval to apply for and receive the Revisiting the Founding Era grant, a project of the American Library Association and the Gilder Lehrman Institute of American History, supported by the National Endowment for the Humanities.

The primary goal of the project is to encourage an appreciation of the Founding Era through community conversations based on historical documents and themes of enduring importance. Revisiting the Founding Era will provide primary sources and other materials to help librarians and community leaders become familiar with the people, events, and ideas of the Founding Era as well as provide them with the means to explore modern issues in light of Founding Era history in community conversations. This project also contains a required teen component to help young people develop critical thinking and effective communication skills.

Engaging residents in community conversations on topics both contemporary and historical is an objective of the Library's current plan of service. Community conversations facilitated by the Library to date have been well received by participants. Finally, the Library's current plan of service also includes an emphasis on intergenerational programming. Revisiting the Founding Era is an opportunity for the Library to expand critical programming as outlined in the current plan of service.

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 application is currently in process and scheduled for completion before the January 31, 2018 submission deadline. Award notification is February 28, 2018. Programming dates would be 12/1/18 - 3/31/19 or 12/1/19 - 3/31/20.

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

Positive financial impact of approximately \$1,000 to fund costs associated with implementing programs, as well as access to support materials, resources and programming specialists from the Gilder Lehrman Institute.

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



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SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Acceptance of Donations to the Simsbury Farms Golf Course
2. **Date of submission:** January 17, 2018
3. **Date of Board Meeting:** January 22, 2018
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  
Culture, Parks and Recreation Department

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 donations from the Friends of Simsbury Farms and the Simsbury Farms Men's Golf Club toward two projects at the Simsbury Farms Golf Course.
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 Friends of Simsbury Farms and the Simsbury Farms Men's Golf Club have expressed their interest in making donations to projects at the Simsbury Farms Golf Course.

The first one involves the purchase and installation of a solar powered aerator for the pond on the 15<sup>th</sup> hole. This addition would increase water circulation and improve the

area both aesthetically and environmentally. The total cost is \$7,500 and would be shared equally by the two organizations.

The second project involves the purchase and installation of a weather station unit that would be used in conjunction with the golf course irrigation system. This unit will help control the distribution of water through the system, based on a number of factors including weather, humidity and soil conditions. The unit would also be compatible with any future upgrades to the irrigation system.

The total cost is \$5,000 and will be funded entirely by the Friends of Simsbury Farms.

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

NA

**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:** Legal Counsel
2. **Date of submission:** January 18, 2017
3. **Date of Board Meeting:** January 23, 2017
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):**

James D. Rabbitt, AICP, Director of Planning and Community Development

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 use of Halloran and Sage to provide legal services to the Town of Simsbury on matters associated with 200 Hopmeadow Street (Former Hartford ITT 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.):**

The Town of Simsbury has used attorney Mike Zizka to advise the town on matters associated with the development and permitting of 200 Hopmeadow Street due to conflicts with Town Counsel. By letter dated January 10, 2018 the town was notified that Mr. Zizka was leaving the firm of Murtha Cullina LLP and moving to Halloran and Sage, LLP. The town was provided the options of staying with Murtha Cullina or moving the files over to Halloran and Sage, or choosing other counsel altogether.

I recommend that the town continued to work with attorney Mike Zizka on matters associated with 200 Hopmeadow.

After discussions with Mr. Zizka I have been advised that Mr. Zizka's billing rate will remain the same. Utilizing Mr. Zizka for matters associated with 200 Hopmeadow is the most cost-efficient and time-efficient course at this point.

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

**Maintains current billing rate (\$275 per hour).**

**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

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Homeland Security Grant Program MOA
  
2. **Date of submission:** January 15, 2018
  
3. **Date of Board Meeting:** January 22, 2018
  
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):**  
Kevin Kowalski
  
5. **Action requested of the 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.):**  
To empower acting Town Manager Sean Kimball to sign a MOA AGREEMENT REGARDING THE USE OF FEDERAL HOMELAND SECURITY GRANT FUNDS TO SUPPORT REGIONAL SET-ASIDE PROJECTS
  
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.**  
Each Year the Federal Government, Homeland security provide funds for training and other operations dealing with homeland security. We have over the last several years directed those funds to the Capital Region for regional projects which we can take advantage of.
  
7. **Financial Impact (Include a description of any impact on the finances of the Town of Simsbury):**  
N/A
  
8. **Description of documents included with submission (All documents must be in final form and signed by the appropriate party.): MOA**  
*The following documents are included with this submission and attached hereto:*

Resolutions  
Memorandum of Agreement

**AUTHORIZING RESOLUTION OF THE**

**Town of Simsbury**

**CERTIFICATION:**

I, Ericka Butler, the Town Clerk of Board of Selectmen, do hereby certify that the following is a true and correct copy of a resolution adopted by Board of Selectmen at its duly called and held meeting on January 22, 2017 at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

RESOLVED, that the Board of Selectmen may enter into with and deliver to the State of Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Sean Kimball, as Interim Town Manager of Board of Selectmen, is authorized and directed to execute and deliver any and all documents on behalf of the Board of Selectmen and to do and perform all acts and things which he/she deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

The undersigned further certifies that Sean Kimball now holds the office of Interim Town Manager and that he/she has held that office since December 4, 2017.

IN WITNESS WHEREOF: The undersigned has executed this certificate this \_\_\_\_\_ day of \_\_\_\_\_.

Ericka Butler, Town Clerk

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(or "L.S." if  
no seal

**AUTHORIZING RESOLUTION OF THE**

**Town of Simsbury**

**CERTIFICATION:**

I, Ericka Butler, the Town Clerk of Board of Selectmen, do hereby certify that the following is a true and correct copy of a resolution adopted by Board of Selectmen at its duly called and held meeting on January 22, 2017 at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

RESOLVED, that the Board of Selectmen may enter into with and deliver to the State of Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Maria Capriola, as Town Manager of Board of Selectmen, is authorized and directed to execute and deliver any and all documents on behalf of the Board of Selectmen and to do and perform all acts and things which he/she deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

The undersigned further certifies that Maria Capriola now holds the office of Town Manager and that he/she has held that office since January 29, 2018.

IN WITNESS WHEREOF: The undersigned has executed this certificate this \_\_\_\_\_ day of \_\_\_\_\_.

Ericka Butler, Town Clerk

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(or "L.S." if  
no seal



**FFY 2017 STATE HOMELAND SECURITY GRANT  
PROGRAM Region 3 MEMORANDUM OF AGREEMENT**



**Data Sheet**

**Step 1- Fill out this datasheet form to auto populate MOA document in this PDF file.**

**THIS DATASHEET MUST BE COMPLETED ELECTRONICALLY**

**Step 2-After populating the document, print out entire MOA and obtain the correct signatures as outlined by the completion checklist on the following page.**

<b>Town Information:</b> 	
<b>Person Completing Document:</b>	Kevin J Kowalski
<b>Municipality Name:</b>	TOWN OF SIMSBURY
<b>Town CEO Name:</b>	Sean Kimball
<b>Town CEO Title (ie. Mayor):</b>	Acting Town Manager

**\*Municipality Name - Municipalities can enter the name as either the long or short name, for example: enter name as either "New Haven" or "City of New Haven"**

<b>Point of Contact Information:</b> 	
<b>POC Name &amp; Title:</b>	Kevin J Kowalski EMD
<b>Address:</b>	871 Hopmeadow st Simsbury CT 06070
<b>Email:</b>	kkowalski@simsburyfd.org
<b>Phone:</b>	860-658-1971
<b>Fax:</b>	860 658-5611



**FFY 2017 STATE HOMELAND SECURITY GRANT PROGRAM  
Region 3 MEMORANDUM OF AGREEMENT  
CHECKLIST**



Please use this checklist to insure completion and accuracy of the following agreement.

## 1. Instructions for: TOWN OF SIMSBURY

**Received by:** Kevin J Kowalski

**For the MOA:**

- A municipal point of contact been identified in Part III, Section L.
- The Chief Executive Officer has signed and dated the agreement.
- The Chief Executive Officer's name and title has been typed in the space provided.

**Authorizing Resolution Attached**

The Blanket Resolution Template includes the recommended language for the resolution. If you do not use this template, the resolution must reference the FFY 2017 Homeland Security Grant Program. No resolutions will be accepted.

Please note: The Fiduciary and Municipality shall complete Appendix A Custodial Ownership and Memorandum of Agreement (Appendix A), for any municipality that takes ownership of equipment purchased with 2017 HSGP funds by the REPT. *(These documents are not attached to this MOA, but will be sent directly to the Fiduciary)*

**Once complete, mail the complete MOA package to: Cheryl Assis, Capitol Region Council of Governments, 241 Main Street, Hartford, CT 06106**

## 2. Instructions for the Capitol Region Council of Governments

**Received by:** \_\_\_\_\_

**Review and Signature**

- The Chief Executive Officer has signed and dated the agreement.
- The Chief Executive Officer's name and title has been typed in the space provided.
- The Region 3 REPT Chair has signed and dated the agreement.
- The Region 3 REPT Chair's name has been typed in the space provided.
- All of the items listed on this checklist have been completed and are correct.

Once complete please contact your DESPP/DEMHS Program Manager to schedule a MOA review meeting.

Please note: The Fiduciary shall complete Appendix A, Custodial Ownership, for any Municipality that takes ownership of equipment purchased with 2017 HSGP funds by the REPT. *(These documents are not attached to this MOA, but will be sent directly to the Fiduciary)*

**DUE DATE: February 2, 2018**

# MEMORANDUM OF AGREEMENT

## REGARDING USE OF FEDERAL FISCAL YEAR 2017 STATE HOMELAND SECURITY GRANT FUNDING AND CUSTODIAL OWNERSHIP OF REGIONAL ASSETS IN DEMHS Region 3

### I. AGREEMENT REGARDING THE USE OF FEDERAL HOMELAND SECURITY GRANT FUNDS TO SUPPORT REGIONAL SET-ASIDE PROJECTS

#### A. Introduction

The following facts are understood and agreed to by all parties:

1. The parties to this part of the Memorandum of Agreement (MOA) are the State of Connecticut Department of Emergency Services and Public Protection (DESPP), including the Division of Emergency Management & Homeland Security (DEMHS), the municipality of TOWN OF SIMSBURY, the Capitol Region Council of Governments (Fiduciary) and the Region 3 Regional Emergency Planning Team (Region 3 REPT).
2. DESPP is the designated recipient and State Administrative Agency (SAA) of the United States Department of Homeland Security for Federal Fiscal Year 2017 State Homeland Security Grant Program (SHSGP), Award No. EMW-2017-SS-00063. DEMHS is the division of DESPP responsible for program management of the grants, including consulting with the DEMHS Advisory Council, and the DEMHS Regional Planning Teams to provide a coordinated and integrated program of emergency management and homeland security.
3. The DEMHS Coordinating Council, now known as the DEMHS Advisory Council, has approved the allocation formula for grant funds available under the SHSGP;
4. DESPP/DEMHS is retaining pass-through funds from 2017 SHSGP in the total amount of \$1,473,804 on behalf of local units of government, for the following six regional set-aside projects designed to benefit the state's municipalities:
  - a. Expand Regional Collaboration;
  - b. Connecticut Intelligence Center/Fusion Center/Critical Infrastructure;
  - c. CBRNE Detection;
  - d. Metropolitan Medical Response System;
  - e. Citizen Corps. Program; and
  - f. Medical Preparation and Response
5. DEMHS – in coordination and cooperation with the municipalities located within DEMHS Region 3 including TOWN OF SIMSBURY – has created, and established bylaws for, the Region 3 REPT, a multi-disciplinary, multi-jurisdictional regional group to facilitate planning and resource coordination within DEMHS Region 3.
6. TOWN OF SIMSBURY is eligible to participate in those Federal Fiscal Year 2017 SHSGP regional allocations made through the Region 3 REPT and not included in the set-aside projects, in the amount of \$353,659 (and an additional \$55,000 for the regional bomb squad) for Region 3 which will be made available to the jurisdictions in Region 3 in the manner recommended by the Region 3 REPT in accordance with its approved bylaws, upon execution of the grant application and as accepted by the SAA.

#### B. Purpose of Agreement

The SAA and TOWN OF SIMSBURY enter into Part I of this MOA authorizing the SAA to act as the agent of TOWN OF SIMSBURY and allowing the SAA to retain and administer grant funds provided under 2017 SHSGP for the six regional set-aside projects listed above, and also for The Capitol Region Council of Governments to provide the financial and programmatic oversight described below.

#### C. SAA and TOWN OF SIMSBURY Responsibilities.

The SAA agrees to administer the SHSGP grant funds of \$1,473,804 in furtherance of the six regional set-aside projects listed above.

TOWN OF SIMSBURY agrees to allow the SAA to provide financial and programmatic oversight of the \$1,473,804 for the purpose of supporting the allocations and uses of funds under the

2017 SHSGP consistent with the 2017 State Homeland Security Grant Application that has been reviewed and approved by the federal Department of Homeland Security and supported by the Initial Strategy Implementation Spending Plan (ISIP) as part of the Biannual Strategy Implementation Report (BSIR) approved by the Emergency Management & Homeland Security Council, now known as the DEMHS Advisory Council. TOWN OF SIMSBURY agrees to allow the SAA to hold, manage, and disburse the grant funds that have been reserved for the six regional set-aside projects listed above.

**D. Capitol Region Council of Governments & TOWN OF SIMSBURY Responsibilities.**

TOWN OF SIMSBURY also agrees to allow the Capitol Region Council of Governments to provide financial and programmatic oversight of the Federal Fiscal Year 2017 regional allocation not included in the six regional set-aside projects in the amount of \$353,659 (an additional \$55,000 for the regional bomb squad) targeted to member municipalities in DEMHS Region 3 and recommended through the Region 3 REPT in accordance with its approved bylaws. Such funds will be applied to specific projects developed and approved by the Region 3 REPT and DEMHS.

**II. AGREEMENT REGARDING CUSTODIAL OWNERSHIP OF REGIONAL ASSETS**

**A. Introduction**

The following facts are understood and agreed to by all parties:

1. The parties to this part of the Memorandum of Agreement (MOA) are the State of Connecticut Department of Emergency Services and Public Protection (DESPP), including the Division of Emergency Management & Homeland Security (DEMHS), the municipality of TOWN OF SIMSBURY, the Capitol Region Council of Governments (Fiduciary), and the DEMHS Region 3 Regional Emergency Planning Team (Region 3 REPT).
2. DESPP is the designated recipient and State Administrative Agency (SAA) of the United States Department of Homeland Security for grants awarded beginning in Federal Fiscal Year (FFY) 2004, up to the present time. DEMHS is the division of DESPP responsible for program management of the grants, including consulting with the DEMHS Advisory Council, and the DEMHS Regional Planning Teams to provide a coordinated and integrated program of emergency management and homeland security.
3. TOWN OF SIMSBURY has agreed to operate as the custodial owner of the asset(s) described in Appendix A, on behalf of TOWN OF SIMSBURY, the region, and if necessary, the State. (Please note: If a town takes ownership of assets, the Fiduciary will assist them in completing Appendix A. The Appendix will be added to this MOA).
4. The parties also agree that TOWN OF SIMSBURY may operate as the custodial owner of additional assets purchased on behalf of the Region from FFY 2017 grant funds, as approved by the Region 3 REPT, and DEMHS, which assets will be added to Appendix A by the Fiduciary within thirty (30) days of approval by the Region 3 REPT.
5. The Region 3 REPT has been established to foster regional collaboration and mutual aid through, among other things, collaborative plan development, resource sharing and coordination.
6. The Capitol Region Council of Governments (Fiduciary) has agreed to operate as the fiscal agent for the federal SHSGP grants awarded to DEMHS Region 3 for Federal Fiscal Year 2017.

**B. Purpose.**

DESPP/DEMHS, the Region 3 REPT, Capitol Region Council of Governments (Fiduciary), and TOWN OF SIMSBURY, enter into Part II of this MOA regarding asset(s) for which TOWN OF SIMSBURY agrees to be the custodial owner, and which are described in the approved 2017 Subgrant Application and will be added to this MOA as Appendix A.

**C. Agreements and Responsibilities of the Parties.**

**1. Definitions.**

As used in this MOA:

- The term "authorized training" means training that is authorized by DESPP/DEMHS.
- The term "custodial owner" means a political subdivision or tribe that has agreed to accept title and responsibility for the asset(s), subject to possible redeployment under the terms outlined in Paragraph C(4) below.

**2. Responsibilities of DESPP/DEMHS and Capitol Region Council of Governments (Fiduciary)**

In its role as SAA, DESPP/DEMHS will subgrant funds to Capitol Region Council of Governments which, as the Region 3 Fiscal Agent, will procure the asset(s) listed in their approved Subgrant Application (which will be added to Appendix A).

**3. Appendix A.**

The parties agree that decisions regarding the placement of regional assets in TOWN OF SIMSBURY may be made after the execution of this agreement and that Appendix A shall be completed accordingly. TOWN OF SIMSBURY agrees to be bound by the terms of this agreement for any asset added to Appendix A. The parties also agree that Appendix A must be signed by the DEMHS Deputy Commissioner, the chair of the Region 3 REPT, and the Chief Executive Officer, or his/her designee, of TOWN OF SIMSBURY.

**4. Responsibilities of Custodial Owner**

TOWN OF SIMSBURY understands that it is the Custodial Owner, on behalf of itself and the Region, of the asset(s) which will be added to Appendix A, as may be amended pursuant to Paragraph C(4) above. As Custodial Owner, TOWN OF SIMSBURY agrees:

- a. To safeguard the asset(s) in a secure location, including, for example, providing refrigeration or protection from the elements, if appropriate;
- b. To regularly test, use and maintain the asset(s) in working order. It is understood by the parties that trained personnel of TOWN OF SIMSBURY's municipal agencies may use the asset(s) for appropriate emergency response/emergency management purposes, including authorized training and exercise;
- c. To provide the asset(s) in a timely manner, in working order, and with appropriate staffing, if necessary, when deployment is requested: under the terms of this MOA; under a mutual aid agreement, including a civil preparedness mutual aid agreement approved by DESPP/DEMHS, as required by Conn. Gen. Stat. §28-7(d); under the terms of the intrastate mutual aid system, Connecticut General Statutes §28-22a; or at any time by the State of Connecticut, including DESPP/DEMHS;
- d. To provide the asset(s) in a timely manner, in working order, and with appropriate staffing, if necessary, when deployment is requested for authorized training and/or exercise;
- e. To maintain records of the use of the asset(s), including deployment for an actual incident or for authorized training, and to provide these records to DESPP/DEMHS as requested;
- f. To maintain an inventory of the asset(s), including a unique tagging system (including the DEMHS logo) so that the asset(s) can be easily identified as separate from the Custodial Owner's other property, and to provide that inventory to DESPP/DEMHS as requested.
- g. To maintain all necessary insurance regarding the asset(s) and their use;
- h. To cooperate with any state or federal audit of the asset(s) and/or their use;
- i. To abide by the bylaws and/or procedures established under any applicable State of Connecticut or regional plan;
- j. That the State, including DESPP/DEMHS, does not guarantee any further funding for, or provision of repairs to, the asset(s) beyond the terms of this MOA;
- k. That all maintenance and operations of the asset(s) by TOWN OF SIMSBURY shall conform to the manufacturer's recommendations. If appropriate, TOWN OF SIMSBURY shall maintain trained personnel available to transport and supervise the operation of the asset(s). All personnel or agents of TOWN OF SIMSBURY performing any maintenance or repair services in connection with these asset(s) shall be fully qualified and authorized or permitted under federal, state, and local laws to perform such services.

**5. Responsibilities of the REPT.**

The Region 3 REPT understands and acknowledges that, in accepting responsibility as the custodial owner of the asset(s), TOWN OF SIMSBURY is furthering regional collaboration and mutual aid on behalf of all of the members of Region 3.

**6. Assignment of Asset(s).**

If TOWN OF SIMSBURY does not comply with the requirements under this MOA, or terminates its involvement in this MOA, then DESPP/DEMHS, in consultation with the REPT Chair, may redirect the asset(s), preferably to a different town within the Region. Whenever possible, DESPP/DEMHS will provide 60 days' notice before re-assigning the asset.

**III. GENERAL TERMS OF AGREEMENT APPLICABLE TO ALL PARTS OF THIS MEMORANDUM OF AGREEMENT****A. Effective Date.**

The terms of this agreement will become effective when all parties have executed it.

**B. Authority to Enter Agreement.**

DESPP/DEMHS is authorized to enter into this Agreement through the Deputy Commissioner of the DESPP/DEMHS pursuant to the authority provided under Connecticut General Statutes §4-8 and Titles 28 and 29. The Municipality of TOWN OF SIMSBURY is authorized to enter into this agreement through its Chief Executive Officer, authorized pursuant to the attached [original or certified copy of resolution, ordinance or charter provision]. The other persons executing this Memorandum of Agreement (MOA) on behalf of their respective entities hereby represent and warrant that they have the right, power, legal capacity, and appropriate authority to enter into this agreement on behalf of the entity for which they sign, as indicated by valid resolutions, if necessary.

**C. Duration of Agreement.**

Part I of this MOA, as modified with the consent of the parties, remains in full force and effect until the end of the grant period, or any extension thereof, covered by this MOA, unless cancelled by the SAA, giving TOWN OF SIMSBURY written notice of such intention at least thirty (30) days in advance. Any party may terminate its involvement with Part II of this agreement upon sixty days' written notice to the other parties. DESPP/DEMHS reserves the right to cancel any funding under this MOA without prior written notice when the funding is no longer available.

**D. Amendment of the Agreement.**

This agreement may be modified upon the mutual written consent of the parties.

**E. Litigation.**

The Parties agree to good faith consultation with one another to resolve disagreements that may arise under or relating to this MOA before referring the matter to any other person or entity for settlement. The Parties agree that any disputes under Part II, Paragraph C.6 shall be resolved by DEMHS. The Parties also agree that the sole and exclusive means for the presentation of any claim against the State, including the SAA, arising from this agreement shall be in accordance with Chapter 53 of the Connecticut General Statutes (Claims Against the State) and the Parties further agree not to initiate legal proceedings in any State or Federal Court in addition to, or in lieu of, said Chapter 53 proceedings.

**F. State Liability.**

The Parties agree to indemnify and hold harmless the State of Connecticut with regard to the activities described within this MOA, and recognize that the State does not waive its right to sovereign immunity with regard to any provision of this MOA. The State of Connecticut assumes no liability for funding under the terms of this MOA until TOWN OF SIMSBURY, through the Region 3 REPT, is notified by the SAA that this MOA has been approved and executed by DEMHS and by any other applicable state agency.

**G. Audit Compliance.**

If TOWN OF SIMSBURY through the Region 3 REPT, agrees to serve as a host or custodial owner of equipment purchased with the grant funds referenced in this MOA, then TOWN OF SIMSBURY must comply with the Federal Single Audit Act of 1984, P.L. 98-502 and the Amendments of 1996, P.L. 104-156 and with the Connecticut Statutes §7-396a and 396b, and the State Single Audit Act § 4-230 through 236 inclusive, and the regulations promulgated thereunder. TOWN OF SIMSBURY agrees that all fiscal records, if any, pertaining to the projects shall be maintained for a period of not less than three (3) years from the date of the signing of this MOA. Such records will be made available to state and/or federal auditors upon request.

**H. Lobbying, Debarment, and Suspension.**

TOWN OF SIMSBURY commits to compliance with the requirements under 28 CFR Part 66 (Uniform Administrative Requirements for Grants to States); 28 CFR Part 69, New Restrictions on Lobbying; 28 CFR Part 67, Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug Free Workplace (Grants); Office of Management and Budget (OMB) Circular A-87, addressing cost principles for grants to state and local governments; 28 CFR Part 70 (Common Rules for Administrative Requirements for Grants to Non-Profits); OMB Circulars A-122 and A-21 addressing Cost Principles for Grants to Non-Profit Entities and requirements included in the Department of Homeland Security Office of Grants and Training Financial Guides.

**I. Executive Orders.**

This contract is subject to the provisions of Executive Order No. Three of Governor Thomas J. Meskill promulgated June 16, 1971, and, as such, this contract may be cancelled, terminated or suspended by the State Labor Commissioner for violation of or noncompliance with said Executive Order No. Three, or any State or federal law concerning non-discrimination, notwithstanding that the Labor Commissioner is not a party to this contract. The parties to this contract, as part of the consideration hereof, agree that said Executive Order No. Three is incorporated herein by reference and made a part hereof. The parties agree and abide by said Executive Order and agree that the State Labor Commissioner shall have continuing jurisdiction in respect to contract performance in regard to non-discrimination, until the contract is completed or terminated prior to completion. TOWN OF SIMSBURY agrees, as part consideration hereof, that this contract is subject to the Guidelines and Rules issued by the State Labor Commissioner to implement Executive Order No. Three, and that it will not discriminate in its employment practices or policies, will file all reports as required, and will fully cooperate with the State of Connecticut and the State Labor Commissioner.

This contract is also subject to the provision of Executive Order No. 16 of Governor John G. Rowland promulgated August 4, 1999 adopting a zero tolerance policy for workplace violence, and as such, this contract may be cancelled terminated or suspended by the State for violation of or noncompliance with said Executive Order No. Sixteen. The parties to this contract, as part of the consideration hereof, agree that said Executive Order No. Sixteen is incorporated herein by reference and made a part thereof. The parties agree to abide by such Executive Order.

The contract is also subject to provisions of Executive Order No. Seventeen of Governor Thomas J. Meskill promulgated February 15, 1973, and, as such this contract may be cancelled, terminated or suspended by the contracting agency or the State Labor Commissioner for violation of or non-compliance with said Executive Order No. Seventeen, notwithstanding that the Labor Commissioner may not be a party to this contract. The parties to this contract, as part of the consideration hereof, agree that Executive Order No. Seventeen is incorporated herein by reference and made a part hereof. The parties agree to abide by such Executive Order and agree that the contracting agency and the State Labor Commissioner shall have joint and several continuing jurisdiction in respect to contract performance in regard to listing all employment openings with the Connecticut State Employment Service.

**J. Non-Discrimination Clause.**

In accordance with Public Act 88-351, the Town agrees and warrants that, (a) For the purposes of this section, "minority business enterprise" means any small grantee or supplier of materials fifty-one percent or more of the capital stock, if any, or asset(s) of which is owned by person or persons: (1) Who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise and (3) who are members of a minority, as such term is defined in subsection (a) of Conn. Gen. Stat. Sect. 32-9n; and "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations. "Good faith efforts" include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements.

For purposes of the section, "Commission" means the Commission on Human Rights and Opportunities.

For purposes of this section, "Public works contract" means any agreement between any individual, firm or corporation and the State or any political subdivision of the State other than a municipality for construction, rehabilitation, conversion, extension, demolition or repair of a public building, highway, or other changes or improvements in real property, or which is financed in whole or in part by the State, including but not limited to, matching expenditures, grants, loans, insurance or guarantees.

The Town agrees and warrants that in the performance of the contract such Town will not discriminate or permit discrimination against any person or group or persons on the grounds of race, color, religious creed, age, marital status, national origin, sex, mental retardation or physical disability, including but not limited to, blindness, unless it is shown by such Town that such disability prevents performance of the

work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut. The Town further agrees to take affirmative action to insure that applicants with job related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by such Town that such disability prevents performance of the work involved: the Town agrees, in all solicitations or advertisements for employees placed by or on behalf of the Town, to state that it is an "affirmative action – equal opportunity employer" in accordance with the regulations adopted by the Commission; the Town agrees to provide each labor union or representative of workers with which such Town has a collective bargaining agreement or other contract of understanding and each vendor with which Town has a contract of understanding, a notice to be provided by the Commission advising the labor union of workers' representative of the Town's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; the Town agrees to comply with each provision of this section and Conn. Gen. Stat. Sect. 46a-68f and with each regulation or relevant order issued by said Commission pursuant to Conn. Gen. Stat. Sect. 46a-56, as amended by Section 5 of Public Act 89-253, 46a-68e and 46a-68f; the Town agrees to provide the Commission of Human Rights and Opportunities with such information requested by the Commission, permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the Town as related to the provisions of this section and section 46a-56. If the contract is a public works contract, the Town agrees and warrants that he will make good faith efforts to employ minority business enterprises as subgrantees and suppliers of materials on such public works project.

Determination of the Town's good faith efforts shall include but shall not be limited to the following factors: The Town's employment and subcontracting policies, patterns and practices; affirmative advertising, recruitment and training; technical assistance activities and such other reasonable activities or efforts as the Commission may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

The Town shall develop and maintain adequate documentation, in a manner prescribed by the Commission, of its good faith efforts.

The Town shall include the provisions of subsection (b) of this section in every subcontract or purchase order entered into in order to fulfill any obligation or a contract with the State and such provisions shall be binding on a subgrantee, vendor or manufacturer, unless exempted by regulations or orders of the Commission. The Town shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for non-compliance in accordance with Conn. Gen. Stat. Sect. 47a-56, as amended by Section 5 of Public Act 89-253; provided, if such Town becomes involved in, or is threatened with litigation with a subgrantee or vendor as a result of such direction by the Commission, the Town may request the State of Connecticut to enter into any such litigation prior thereto to protect the interest of the State and the State may so enter.

The Town agrees to comply with the regulations referred to in this section as they exist on the date of this contract and as they may be adopted or amended from time to time during the term of this contract and any amendments thereto.

Pursuant to Public Act 89-227, as amended, as of January 1, 1991, no agency of the State of Connecticut may purchase new products packaged in or composed in whole or part of polystyrene foam if such foam is manufactured using chlorofluorocarbons (CFC). Manufacturers are required by the Act to provide information regarding the CFC content of polystyrene foam used in such products or packaging to any person selling the product who requests such information. By submitting an offer to sell to or accepting an order from the State of Connecticut the vendor certifies that no CFC are used in the manufacture of polystyrene foam contained in such products or packaging.

**K. Non-discrimination on the Grounds of Sexual Orientation.**

1. The Town agrees/warrants that in the performance of the contract such Town will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the State of Connecticut, and that employees are treated when employed without regard to their sexual orientation.
2. The Town agrees to provide each labor union or representative of workers with which such Town has a collective bargaining agreement or other contract or understanding and each vendor with which such Town has a contract or understanding and each vendor with which such Town or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor

union or workers' representative of the Town's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment;

3. The Town agrees to comply with each provision of this Section and Sections 46a-68f of the General Statutes and with each regulation or relevant order issued by said Commission pursuant to Sections 46a-56, 46a-68e and 46a-68f of the General Statutes;
4. The Town agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the Town as related to the provisions of this section and Section 46a-56 of the General Statutes.
5. The Town shall include the provisions of paragraph (1) of this addendum in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the State and such provisions shall be binding on a subgrantee, vendor or manufacturer unless exempted by regulations or orders of the Commission. The Town shall take such actions with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for non-compliance in accordance with Section 46a-56 of the General Statutes; provided, if such Town becomes involved in, or is threatened with, litigation with a subgrantee or vendor as a result of such direction by the Commission, the Town may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the State and the State may so enter.

**L. Points of Contact.**

<b>1. The Point of Contact for the SAA</b>	
<b>Name &amp; Title:</b> Deputy Commissioner William J. Hackett	
<b>Address:</b> 1111 Country Club Road, Middletown, CT 06457	
<b>Emails:</b> <a href="mailto:william.j.hackett@ct.gov">william.j.hackett@ct.gov</a> and <a href="mailto:rita.stewart@ct.gov">rita.stewart@ct.gov</a>	<b>Phone:</b> 860-685-8431
	<b>Fax:</b> 860-685-8902
<b>2. The Point of Contact for TOWN OF SIMSBURY</b> (Please fill in the following fields)	
<b>Name &amp; Title:</b> Kevin J Kowalski <span style="float: right;">EMD</span>	
<b>Address:</b> 871 Hopmeadow st Simsbury CT 06070	
<b>Email Address:</b> kkowalski@simsburyfd.org	<b>Phone:</b> 860-658-1971
	<b>Fax:</b> 860 658-5611

**M. Other provisions.**

Nothing in this agreement is intended to conflict with current laws or regulations of the State of Connecticut or TOWN OF SIMSBURY. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals on the dates written below:

**THE** TOWN OF SIMSBURY

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Its Chief Executive Officer  
 Duly Authorized  
 Typed Name &  
 Title: Sean Kimball Acting Town Manager

**The Capitol Region Council of Governments**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Its Chief Executed  
 Officer Duly  
 Authorized  
 Typed Name \_\_\_\_\_

**2017 HSGP Omnibus MOA THE Region 3 REGIONAL EMERGENCY PLANNING**

**TEAM** By: \_\_\_\_\_

Date: Its Chair \_\_\_\_\_

Duly Authorized

Typed Name: \_\_\_\_\_

**DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION/  
DIVISION OF EMERGENCY MANAGEMENT & HOMELAND SECURITY**

By: \_\_\_\_\_

William J. Hackett

Duly Authorized

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:** Permit Fee Waiver
  
2. **Date of submission:** 18 January 2018
  
3. **Date of Board Meeting:** 22 January 2018
  
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):  
Edward J. LaMontagne  
Executive Director  
Housing Authority of the Town of Simsbury
  
5. **Action requested of the Board of Selectmen** (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):  
*The Individual or Entity making the submission requests that the Board of Selectmen: The Housing Authority of the Town of Simsbury requests that the Board of Selectmen approve the waiving of the Building Permit Fee for the replacement of the generator at the Virginia Connolly Residence.*
  
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 Housing Authority of the Town of Simsbury was awarded a 2017 Small Cities Grant on 30 July 2017, in part, for the replacement of the generator at the Virginia Connolly Residence. The bid has been awarded to Northeast Generator in the amount of \$74,900.00.  
The low bid was higher than the original estimate for the generator project and any cost savings would help to offset any potential overruns.

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

The cost of the building permit for this project would be \$1,036.00.

**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:*



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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

1. **Title of submission:** 2018 Budget Workshop Schedule
2. **Date of submission:** January 16, 2018
3. **Date of Board Meeting:** January 22, 2018
4. **Individual or Entity making the submission:**

Sean Kimball, Interim Town Manager

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

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

Adopt a schedule for budget workshop dates and times based on the available dates described herein.

6. **Summary of Submission:**

Pursuant to the Charter, the Director of Finance, at the discretion of the Town Manager, is required to present the budget to the Board of Selectmen no later than the first day of March (section 805). The current plan is to present at the February 26<sup>th</sup> Regular Meeting, but this will be confirmed once the new Town Manager is on board.

The following budget workshop dates are presented for your consideration:

- Saturday, 3/10: Budget presentations by Town Staff – day long workshop starting at 8:00 a.m.
- Thursday 3/15 – 6:00 p.m.

In total this schedule offers one (1) Saturday meeting and (1) evening meeting. The meetings will be held in the Main Meeting Room located in the Simsbury Town Hall.

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

N/A

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

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



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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

1. **Title of submission:** Reappointment of Hearing Officers
2. **Date of submission:** January 17, 2018
3. **Date of Board Meeting:** January 22, 2018
4. **Individual or Entity making the submission:**  
  
Melissa Appleby, Deputy Town Manager
5. **Action requested of the Board of Selectmen:**  
*The Individual or Entity making the submission requests that the Board of Selectmen:*  
  
Approve the reappointments of Donald Kipetz (U) and Robert R. Moran (U) as Hearing Officers with an expiration date of December 2, 2019
6. **Summary of Submission:**  
  
Reappoint Hearing Officers for the 2017-2019 Board of Selectmen term.
7. **Financial Impact (Include a description of any impact on the finances of the Town of Simsbury):**  
  
N/A
8. **Description of documents included with submission:**  
*The following documents are included with this submission and attached hereto:*  
  
N/A



# 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 16, 2017
3. **Date of Board Meeting:** November 27, 2017
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:**

:

Respectfully request approval of the following appointment to the **Recycling Committee** following nomination by the Simsbury Democratic Town Committee on 11/15/2017 to fill an existing vacancy. This nominee is a registered voter enrolled in the Democratic Party.

Andrea J. Penta ... 71 Hopmeadow Street, Simsbury CT 06070  
Regular Member, Recycling Committee – 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:** Democratic Party Re-Appointments
2. **Date of submission:** November 16, 2017
3. **Date of Board Meeting:** January 22, 2018
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:**

Respectfully request approval of the following **re-appointments** to the Boards, Commissions or Committees indicated, following an affirmative vote by the Simsbury Democratic Town Committee on November 15, 2017. Everyone on this list is a registered voter enrolled in the Democratic Party residing in Simsbury (street addresses shown below). Their current terms expire on either December 4, 2017 or January 1, 2018.

### Aging and Disability Commission (4 year terms)

Alternate – Lorraine Doonan; 4 Pine Glen Road

Alternate – Arlene E. Zappile; 2 Powers Court

### Building Code Board of Appeals (2 year terms)

Alternate – Richard Cortes; 17 Rosewood Drive

Alternate – Samuel Ziplow; 60 East Weatogue Street

### Conservation Commission/Inland Wetlands & Watercourses Agency (4 year terms)

Alternate – Charles W. Haldeman; 17 Banks Road

Member – James I. Morrison; 27 Oxford Court

### Culture Parks and Recreation Commission (4 year term)

Member – William K. Mullen; 4 Sanctuary Drive

Member – Lori Coppinger; 103 Old Farms Road, West Simsbury

### Historic District Commission (5 year term)

Member – Marguerite Carnell; 33 Seminary Road

### Insurance Committee (2 year term)

Thomas R. Gilmore; 3 Hyer Drive

Open Space Committee (2 year term)

Helen K. Peterson; 20 Longview Drive

Public Building Committee (2 year terms)

Richard Cortes; 17 Rosewood Drive

Francis J. Kelly; 1 West Street

Richard E. Ostop; 14 Crane Place

Recycling Committee (2year term)

Lori P. Fernand; 15 Camille Lane

Tourism Committee (2 year terms)

Dominique Avery; 12 Madison Lane

Charmaine L. Seavy; 18 Quarry Road

Joseph Buda; 6 Apple Land

Patricia Carbone; 126 Hopmeadow Street

Michael T. Long; 8 Erins Way

Diane D. Phillips; 40 Hickory Hill Road

Paulette Clark; 154 Wolcott Woods

Water Pollution Control Authority (4 year terms)

Michael A. Park; 30 Woodhaven Drive

Jerry G. Sheehan; 20 Saxton Brook Drive

6. **Summary of Submission:** Simsbury Democratic Town Committee requests approval of the re-appointments listed above to the offices and for the terms 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 Nominations
2. **Date of submission:** January 16, 2018
3. **Date of Board Meeting:** January 22, 2018
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):**

Simsbury Republican Town Committee: Robert Heagney, Chair

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:*

Respectfully request approval of the following appointments and re-appointments to the Boards and Commissions indicated. The following nominations by the Simsbury Republican Town Committee were voted on and approved at our meeting on Wednesday, January 10, 2018. Every candidate is a registered Republican except where noted.

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.):**

See attached list.

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

N/A

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:*

See attached list

## **Board/Commission**

### **Regular/Alternate, First Name, Last Name, Mailing Address, Expiration**

#### **Aging & Disability**

Reg Susan J. Krinsky, 24 Oakhurst Road, Simsbury, CT 06070 01/01/19  
(Appointment as Reg- she is currently an Alt)  
Reg Kathryn M. Robbins, 4 Crossroads Dr., Simsbury, CT 06070 01/01/20  
(New)  
Alt Cheryl Lauben, 33 Harvest Hill Rd, West Simsbury, CT 06092 01/01/20  
(New)  
Alt Victor Bible III, 15 Alder Road, Simsbury, CT 06070 01/01/20  
(Re-Appointment -Unaffiliated)

#### **Clean Energy Task Force**

Reg Robert Beinstein, 26 Fairview Street, Simsbury, CT 06070 12/02/19  
(Re-Appointment)  
Reg Timothy Walczak, 35 Banks Road, Simsbury, CT 06070 12/02/19  
(New)

#### **Community for Care Committee**

Reg Sharon I. Lawson, 20 Pennington Dr., Simsbury, CT 06070 12/02/19  
Reg Judy Sturgis, 15 Surry Circle, Simsbury, CT 06070 12/02/19  
Reg Nancy A. Scheetz, 15 Harvest Hill Rd, West Simsbury, CT 06092 12/02/19  
(All three are Re-Appointments)

#### **Conservation Commission / IW&WA**

Reg Chad J. Thompson, 6 School House Rd, Simsbury, CT 06070 01/01/20  
(New Appointment)  
Reg Jill G. Powilatis, 4 Watson Drive, West Simsbury, CT 06092 01/01/22  
(New Appointment)  
Reg Margery C.B. Winters, 111 Old Farms Rd, West Simsbury 06092 01/01/22  
(Re-Appointment)

#### **Culture, Parks & Recreation Commission**

Reg David W. Bush, 4 Katherine Lane, Simsbury, CT 06070 01/01/22  
Reg Sarah K. Cramer, 35 Alder Road, Simsbury, CT 06070 01/01/22  
Reg Kelly J. Kearney, 32 Winterset Lane, Simsbury, CT 06070 01/01/22  
Reg Gerard H. Wetjen, 29 Wood Duck Lane, Tariffville, CT 06081 01/01/22  
(All four are Re-Appointments)

#### **Fair Rent Commission**

Reg Cornelia Mason, 6 Erin's Way, Simsbury, CT 06070 11/30/21  
Reg David A. Richman, 1 Saddle Ridge Dr., West Simsbury, CT 06092 11/30/21  
(Both are Re-Appointments)

Historic District Commission

Reg Heather Goetz, 72 E. Weatogue St. Simsbury, CT 06070 01/01/22  
Alt Peter Adamowicz, 5 Humphrey St., Simsbury, CT 06070 01/01/23  
(Both are new Appointments)  
(Unaffiliated)

Insurance Committee

Reg Paul H. Mikkelson, 11 Whitcomb Dr., Simsbury, CT 06070 12/02/19  
Reg Edward F. Sparkowski, 18 Westridge Dr., Simsbury, CT 06070 12/02/19  
(Both are Re-Appointments)

Public Building Committee

Reg Richard A. Derr, 76 Hedgehog Lane, West Simsbury, CT 06092 01/01/22  
(Re-Appointment)

Recycling Committee

Reg Rosemary V. Fusco, 8 Southbridge Court, Simsbury, CT 06070 12/02/19  
Reg Carol Miller, 16 Deer Park Road, Weatogue, CT 06089 12/02/19  
Reg Mary N. Turner, 11 Barnard Drive, Simsbury, CT 06070 12/02/19  
(All three are Re-Appointments)

Technology Task Force

Reg Michael T. Doyle, 48 Sunset Hill Rd, Simsbury, CT 06070 12/02/19  
(Re-Appointment)

Tourism Committee

Reg Joyce R. Howard, 116 Terry's Plain Road, Simsbury, CT 06070 12/02/19  
Reg Katherine A. Oakes, 14 Hunting Ridge Drive, Simsbury, CT 06070 12/02/19  
Reg Richard D. Wagner, 198 Westledge Road, West Simsbury, CT 06092 12/02/19  
(All three are Re-Appointments)

Water Pollution Control Authority

Reg Lucian M. Dragulski, 7 Daniel Lane, West Simsbury, CT 06092 01/01/22  
Reg Thomas J. Hickey, 6 Gretel Lane, Simsbury, CT 06070 01/01/22  
(Both are Re-Appointments)

Zoning Board of Appeals

Alt Kathryn Robbins, 4 Crossroads Dr., Simsbury, CT 06070 12/02/19  
(New Appointment)

Zoning Commission

Alt Gavin Schwartz, 9 Wyngate, Simsbury, CT 06070 12/02/19  
(New Appointment)

Open Space Committee

Reg Robert W. Heagney, 8 Fawnbrook Ln, Simsbury, CT  
(New Appointment)

06070 12/02/19

Attachment to SRTC Board of Submission for Board and Commission appointments dated  
January 16, 2018.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Technology Task Force Reappointments
2. **Date of submission:** January 17, 2018
3. **Date of Board Meeting:** January 22, 2018
4. **Individual or Entity making the submission:**

Melissa A.J. Appleby, Deputy Town Manager – [mappleby@simsbury-ct.gov](mailto:mappleby@simsbury-ct.gov)

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

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

Approve the reappointments of Michael T. Doyle (R), Harald Bender (U), Lawrence A. DiSciaccia (D), John W. Jahne (U), Mark A. Orenstein (D), Ramon W. Rosati (D), William J. Rucci (U), and Jeremy B. Wallman (U) to the Technology Task Force with an expiration date of December 2, 2019.

6. **Summary of Submission:**

Reappointment of Technology Task Force members for the 2017-2019 Board of Selectmen term.

We are in the process of recruiting additional members, as membership level is down to 8 members from 11. A request for additional appointments may be made in the near future.

7. **Financial Impact:**

None

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

None

## **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 Eric Wellman; Board members Michael Paine, Sean Askham, Chris Peterson, Cheryl Cook and Christopher Kelly. Others in attendance included: Sean Kimball, Interim Town Manager; Melissa Appleby, Deputy Town Manager; Attorney Robert DeCrescenzo; Thomas Roy, Director of Public Works, Gerard Toner, Director of Culture, Parks and Recreation; James Rabbit, Director of Planning and Community Development; Jerome Shea, Town Engineer; Mohamed Razzaq, UConn Intern; and other interested parties.

## **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

## **PUBLIC HEARING**

### **To receive public comment concerning a proposed ordinance, Section 157, Water Shortages**

Mr. Wellman said these changes would allow the Board of Selectmen the ability to take steps to limit use of water in cases of water shortages where voluntary conservation measures are not enough.

Donald Rieger, 9 Stodmor Road, secretary of the Conservation Commission, said it is that Commission that originally proposed this ordinance to the Board of Selectmen. He said the reason for the ordinance can be found in the Connecticut Preparedness and Response Plan. He feels this proposal is a good tool kit that can be used before an emergency takes place.

Joan Coe, 26 Whitcomb Drive, said Simsbury has an abundant supply of water. She doesn't agree with an ordinance as monitoring really can't be regulated.

John Schaefer said he supports the amendment to Section 157. However, he did have concerns with 157-5(a) as it seems unfair. He also has concerns with 157-7 about watering plants.

Brian O'Donnell, 10 Lewis Street, Tariffville, a member of the Tariffville Water Commission, isn't sure if the ordinance is the right way to go about anticipating or preventing problems. The Tariffville Water Commission does monitor the aquifer that we draw from. They already have the power to limit water usage if necessary. He feels the Town and Water Commission will have overlapping jurisdictions to it. He would like the Town to work with the Tariffville Water Commission on these issues.

## **CLOSE PUBLIC HEARING**

Ms. Cook made a motion to adjourn the Public Hearing at 6:18 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

## **PUBLIC AUDIENCE**

Joan Coe, 26 Whitcomb Drive, spoke about some staff and volunteer members, filing a complaint, severance packages, vehicle purchasing, Simsbury Farms, and other issues.

Joe Treacy, 40 Berkshire Way, spoke about the proposed Deepwater Wind Solar Project. He said now that the Siting Council approved this project, he would like the Board to take-up an appeal. He said there are many issues that have not been addressed.

Rob Penissi, 11 Flintlock, spoke about the proposed Deepwater Wind Solar Project. He said he created a facebook group to give people more information. He would like the Board to explore Deepwater Wind further and appeal this project.

Elaine Lang, 12 Musket Trail, thanked the Town for their great professionalism during the blizzard. She said there will be an annual Martin Luther King Day remembrance and presentation at First Church at 2 p.m.

Linda Low, 8 Kilbourne Road, asked the Board to go forward with an appeal on the proposed solar project to protect the safety and wellbeing of residents and the impact on the water quality for our great Town. She would like the appeal to include the building south of Hoskins.

Laura Nigro, 4 Kilborne Farms Lane, said the Siting Council didn't protect the residents. They had a blind eye to the evidence. She also asked that the Town appeal the ruling. She also asked that the Town provide information on what the next steps should be.

Raymond Hanley, Westcott Road, said the Town does a good job in conservation and preservation. He asked that if the Town appeals the Deepwater Wind decision, that they also look forward. Deepwater Wind won't be the last one to try to get a solar project in our Town.

Lis Shlansky, 44 Berkshire Way, said she is an abutter of the proposed solar project. She has concerns on health and safety of the community. She is also concerned about the details of the project and aquifer issues.

## **PRESENTATIONS**

### **•Bicycle Friendly Community**

Mr. Roy, Diana Moody, Deb Thibodeau and Patty Jacobus gave a presentation on the Bicycle Friendly Community. They said in 2010 Simsbury received a Bronze Award and in 2014 a Silver Award for being a Bicycle Friendly Community. They are now applying for another grant. They use Encouragement, Enforcement, Education, Evaluation and Engineering for this bicycling community. It is most important to support them, fund them, promote them and work with them to make bicycling possible.

## **FIRST SELECTMAN'S REPORT**

The First Selectman reviewed his report, which is part of the agenda packet. Mr. Kimball, as Interim Town Manager, provided an update on various items per Mr. Wellman's request.

## SELECTMEN ACTION

### **a) Possible Action on Proposed Water Shortage Ordinance**

Mr. Kelly made a motion to approve the draft ordinance, Section 157 – Water Shortages, with the following three amendments:

- 1) Section 157-2 – Definitions  
Replace definition of “person” in 157-2(a)(10) with *Person* shall be construed to mean, to include an individual, a corporation, a partnership, a business, a trust, an unincorporated organization or any other group or organization.
- 2) Typo in 157-2 (3) line 3 – to say Farmington Valley Health District, and other persons the Board deems appropriate shall determine that the adequacy of the Town...and
- 3) Section 159-9, Violations and penalties – Add, after first sentence of paragraph, Fines associated with the activities of a corporation, partnership, trust, business or organization will be levied against the entity and not employees or members of those entities.

Mr. Peterson seconded the motion.

There was discussion on concerns of the Tariffville Water Commission not being involved in this process. The Board felt that more discussion and information is needed on this item.

Mr. Kelly withdrew his motion.

Mr. Askham made a motion to table this item. Ms. Cook seconded the motion. All were in favor and the motion passed.

### **b) Approve Tax Refunds**

Mr. Askham made a motion to approve tax refunds in the amount of \$28,178.77 as requested and approved by the Tax Collector. Mr. Paine seconded the motion. All were in favor and the motion passed.

### **c) Simsbury Farms Gift:**

- 1) **Accept a gift from the Friends of Simsbury Farms, Inc. in the amount of \$76,000 for the construction of basketball courts at the Simsbury Farms complex**
- 2) **Approve the agreement between the Town of Simsbury and the Friends of Simsbury Farms, Inc.**
- 3) **Approve and refer to the Board of Finance a supplemental appropriation in the amount of \$76,000**

Mr. Wellman said a family generously said they would donate up to \$76,000 to construct two basketball courts at the Simsbury Farms Complex. The courts have been a part of the Farms master plan since 1998, but have yet to be built.

Mr. Askham made a motion to accept a gift from the Friends of Simsbury Farms, Inc. in the amount of \$76,000 for the construction of basketball courts at the Simsbury Farms Complex; approve the agreement between the Town of Simsbury and the Friends of Simsbury Farms, Inc., and approve and refer to the Board of Finance a supplemental appropriation in the amount of \$76,000. Mr. Paine seconded the motion. All were in favor and the motion passed.

**d) Hopmeadow Street Banners – Installation Policy**

Mr. Wellman said the long-time volunteers, who have been hanging the banners on Hopmeadow Street, said they will no longer be able to perform this service. Town staff has requested a moratorium on banners until a new policy is developed on hanging these banners.

Mr. Roy said they are looking at the cost, time, etc. of hanging the banners. They were asked to hang a Martin Luther King banner in December.

Mr. Askham made a motion to approve a moratorium on the hanging of banners across Hopmeadow Street adjacent to Shultz Park, after the Martin Luther King banner is put in place, until Town staff identify a specific policy and process for managing this work. Ms. Cook seconded the motion. All were in favor and the motion passed.

**e) Approve 2018 Ground Licenses for various Town owned Agricultural Properties**

Mr. Wellman said the ground licenses expired on December 31, 2017. There is no impact on the finances of the Town of Simsbury.

Mr. Shea said these are reasonable requests. They have both been good stewards of the land.

Mr. Askham made a motion to authorize a one year extension of ground license, with two one year options for Daren P. Hall as long as the annual rent is paid the first of each year. Mr. Peterson seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to authorize a three year extension of ground license for Anthony Napolitano as long as the annual rent is paid the first of each year. Mr. Paine seconded the motion. All were in favor and the motion passed.

**f) Authorize Submission of a State Local Bridge Grant to rehabilitate Firetown Road Bridge over Bissell Brook**

**g) Authorize Submission of a State Local Bridge Grant to rehabilitate Barndoor Hills Road Bridge over Bissell Brook**

Mr. Wellman said f) and g) really go together. The Town’s contribution would be 50%, which is already available in the 2018 capital improvement project budget.

Mr. Shea said they took a closer look at the bridges in Town and prioritized them. These bridges have not been touched in over 20 years.

Mr. Askham made a motion to authorize submission of a State Local Bridge Grant to rehabilitate Firetown Road Bridge over Bissel Brook. Ms. Cook seconded the motion. All were in favor and the motion passed.

Ms. Cook made a motion to authorize submission of a State Local Bridge Grant to rehabilitate Barndoor Hills Road Bridge over Bissel Brook. Mr. Paine seconded the motion. All were in favor and the motion passed.

**h) Revisit Charge to the Public Building Committee for the relocation of Simsbury Community Television (SCTV)**

Mr. Wellman said the Public Building Committee is asking this Board to release them from the charge of relocating SCTV.

Ms. Cook feels they are looking for guidance on this issue. Mr. Shea said they are looking to get it off their agenda.

Mr. Askham said this project will be reconsidered in the near future. After some discussion, it was decided to thank the Committee and ask them to hold on for a few months. There was no motion on this item.

**i) Accept Fiscal Year 2018 Dial-A-Ride (DAR) Operating Assistance Grant**

Mr. Askham made a motion to authorize the Acting Town Manager to sign the Operating Assistance Grant Contract between the Greater Hartford Transit District and the Town of Simsbury in the amount of \$6,322. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**j) Accept Donation in the amount of \$5,000 from Middle School Semi-Formal Dance for Social Services Department Programs**

Mr. Askham made a motion to accept a financial donation from proceeds of Middle School Semi-Formal Dance in the amount of \$5,000 to support Community and Social Services Department programs with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

**k) Accept Donation in the amount of \$5,000 from Garrity Asphalt Reclaiming, Inc. for the Keep Simsbury Warm Programs**

Mr. Askham made a motion to accept the financial donation from Garrity Asphalt Reclaiming, Inc. in the amount of \$5,000 to assist needy residents with such needs as heat, food and shelter with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

**l) Accept Donation in the amount of \$1,500 from Robert Hensley & Associates, LLC for the Simsbury Food Closet**

Mr. Peterson made a motion to accept the financial donation in the total amount of \$1,500 from Robert Hensley & Associates, LLC to the Simsbury Food Closet with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

**OTHER BUSINESS**

**a) Deepwater Wind Proposed Solar Project Update**

Mr. Wellman said the Siting Council approved a 26 mega-watt solar farm in Simsbury.

Attorney DeCrescenzo went through the process on the five separate parcels. The date of the mailing triggers the appeal period. This appeal needs to be done by February 5, 2018. He went through the process of where

the Town can go from here. He said the developer has to file a D & M plan. The Board needs more information before they can decide whether or not to appeal this decision.

Mr. Wellman said this issue will be discussed further in Executive Session.

**b) Discussion on Historic Tobacco Agricultural Structures**

Mr. Wellman said there wouldn't be any decision tonight. This is just a discussion on the three historic structures on 45 Hoskins Road. He is looking for some guidance as they are in disrepair. The landowner did obtain a permit to demolish them.

Marguerite Carnell, 33 Seminary Road, Vice Chair of the Simsbury Historic Commission and Julie Carmilick spoke about the historical significance of the buildings, which are on the National Registry of Historic Places. They told the Board about different grants that are available for this property. The Board will obtain more information on this property before making a decision.

There was some discussion on endorsing a study on the barns and property. The Board needs to know if there will be a viable use of the land.

**APPOINTMENTS AND RESIGNATIONS**

**a) Acknowledge the resignation of Ronald P. Zappile (R) as a regular member of the Housing Authority effective December 31, 2017**

Ms. Cook made a motion to accept the resignation of Ronald P. Zappile as a regular member of the Housing Authority effective December 31, 2017 with our thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

**b) Open Space Committee – discussion regarding appointments of members at large**

Mr. Wellman said the new Charter says the Board needs to proceed with three members of the public to join the Open Space Committee. He said he would ask Town Committees for suggestions. If anyone else is interested, they could mail their resume to the Town Manager for review.

Ms. Cook said there is a volunteer process in the Town Clerk's office. The process goes through the parties and committee chairs. Something can be placed on the Town website for people to come forward if they are interested.

There was no motion on this item.

**REVIEW OF MINUTES**

**a) Regular Meeting of December 11, 2017**

There were no changes to the Regular Meeting minutes of December 11, 2017, and, therefore, the minutes were adopted.

**SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS**

1. **Personnel** – there was no report at this time.
2. **Finance** – there was no report at this time.
3. **Welfare** –there was no report at this time.
4. **Public Safety** – there was no report at this time.
5. **Board of Education** – there was no report at this time.

Ms. Cook, liaison for Community for Care said there will be a program on Wednesday, January 10<sup>th</sup> at the Library to discuss mental health and other issues about the LGBT community.

**ADJOURN TO EXECUTIVE SESSION**

- a) **Pursuant to CGS§1-200(6)(B) to discuss matters concerning the Deepwater Wind Proposed Solar Project**

Mr. Askham made a motion to adjourn to executive session pursuant to CGS§1-200(6)(B) to discuss matters concerning the Deepwater Wind Proposed Solar Project at 9:22 p.m. and to include Attorney DeCrescenzo, James Rabbitt, Sean Kimball and Melissa Appleby. Ms. Cook 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. Mr. Kelly seconded the motion and the motion passed. The Board of Selectmen adjourned from Executive Session at 10:35 p.m.

**ADJOURN**

Mr. Askham made a motion to adjourn the meeting. Mr. Kelly seconded the motion and the motion passed. The meeting was adjourned at 10:35 p.m.

Respectfully submitted,

Kathi Radocchio  
Clerk