



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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**SIMSBURY BOARD OF SELECTMEN**  
**Regular Meeting – March 14, 2022 – 6:00 p.m.**  
**Main Meeting Room, Simsbury Town Hall**

## **PLEDGE OF ALLEGIANCE**

## **PUBLIC AUDIENCE**

- Participants can address the Board of Selectmen in person at the meeting
- Email [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov) by noon on Monday, March 14, 2022 to register to address the Board of Selectmen live through Zoom
- Written comments can be emailed to [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov). Written comments will not be read into the record, but forwarded to all Selectmen via email

## **FIRST SELECTMAN'S REPORT**

## **TOWN MANAGER'S REPORT**

## **SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS**

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

## **SELECTMEN ACTION**

- a) Tax Refund Requests
- b) Donation from Keith and Carol McLean-Shinaman
- c) Recommended Appointment of Director of Planning and Community Development
- d) Proposed State Historic Preservation Office Historic Preservation Enhancement Grant Application
- e) Revisions to Animal Control Officer Job Description
- f) Creation of Deputy Town Engineer Classification
- g) Naming Rights Committee
- h) American Rescue Plan Act (ARPA) Policy Resolution
- i) FY 22/23 Budget Discussion and Adoption

## **APPOINTMENTS AND RESIGNATIONS**

- a) Resignation of Peter Van Loon from the Economic Development Commission
- b) Proposed Appointment of Carrie Meckel to the Economic Development Commission
- c) Proposed Appointment of Tom Earl to Business Development Committee
- d) Appointment of David Blume to Library Board of Trustees
- e) Resignation of Richard Cortes from the Public Building Committee, Building Code Board of Appeals and Planning Commission

**REVIEW OF MINUTES**

- a) Regular Meeting of February 28, 2022

**COMMUNICATION**

- a) Memo from Zoning Commission re: Decision on ADU Opt Out, dated February 28, 2022

**EXECUTIVE SESSION**

- a) Pursuant to CGS §1-200(6)(B) Concerning Pending Claims Litigation – Simsbury Property Group, LLC v. Town of Simsbury (Assessment Appeal)

**SELECTMEN ACTION**

- j) Stipulated Agreement for Simsbury Property Group, LLC v. Town of Simsbury

**ADJOURN**



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Tax Refund Requests
2. **Date of Board Meeting:** March 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Colleen O'Connor, Tax Collector  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports approving the tax refunds as presented, the following motion is in order:

*Move, effective March 14, 2022, to approve the presented tax refunds in the amount of \$4,394.25, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds.*

5. **Summary of Submission:**  
Tax refunds need to be issued from time to time for motor vehicles, real property, and personal property. Some of the most common reasons tax refunds need to be issued for motor vehicles include: sale of the vehicle; the vehicle is destroyed; the vehicle is donated; the owner has moved out of state; or, the owner has successfully appealed the taxes. Real estate refunds are typically due to the fact that during the sale or refinancing of a property, both a bank and an attorney's office have paid taxes owed, resulting in an overpayment to the Town. Overpayments of personal property taxes are rare; often overpayments of personal property are due to a person or entity forgetting that they paid in full in July, then also sending the January installment.

In a legal opinion from the Town Attorney dated May 22, 2001, he stated that CGS §12-129 "requires that all applications for tax refunds be referred to the Board (of Selectmen) for their consideration and action." Once approved by the Board of Selectmen, the Town Manager will sign off on tax refund applications. As a reminder, the Tax Collector's Office is responsible for collecting revenue for the Fire District pursuant to Special Act #264 of the Legislature in 1945. However, tax refunds for the Fire District are not under the jurisdiction of nor approved by the Board of Selectmen and are therefore not included in the requested tax refunds presented.

6. **Financial Impact:**  
The aggregate amount of all tax refunds as presented is \$4,394.25. The attachment dated March 14, 2022 has a detailed listing of all requested tax refunds.
7. **Description of Documents Included with Submission:**
  - a) Requested Tax Refunds, dated March 14, 2022

REQUESTED TAX REFUNDS  
MARCH 14, 2022

	BILL NUMBER	TAX	INTEREST	TOTAL
<b>List 2020</b>				
Cummings Janina B	20-01-01828	\$1,309.35		\$1,309.35
Johnson Charles K	20-01-03891	\$286.15		\$286.15
Miller Austin M	20-03-62404	\$27.69		\$27.69
VW Credit Leasing Ltd	20-03-69345	\$867.35		\$867.35
VW Credit Leasing Ltd	20-03-69360	\$384.08		\$384.08
VW Credit Leasing Ltd	20-03-69384	\$50.13		\$50.13
Honda Lease Trust	20-04-81716	\$226.33		\$226.33
Honda Lease Trust	20-04-81717	\$274.33		\$274.33
JT and S Truck Rental Inc	20-04-81997	\$968.84		\$968.84
<b>Total 2020</b>		<b>\$4,394.25</b>	<b>\$0.00</b>	<b>\$4,394.25</b>
<b>TOTAL 2020</b>		<b>\$4,394.25</b>	<b>\$0.00</b>	<b>\$4,394.25</b>
<b>TOTAL ALL YEARS</b>		<b>\$4,394.25</b>	<b>\$0.00</b>	<b>\$4,394.25</b>



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Donation from Keith and Carol McLean-Shinaman
2. **Date of Board Meeting:** March 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Kristen Formanek, Director of Community and Social Services  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports acceptance of the McLean-Shinaman donation, the following motion is in order:  
  
*Move, effective March 14, 2022, to accept a donation from Keith and Carol McLean-Shinaman in the amount of \$1,850 for the purpose of supporting Simsbury Community and Social Services Department's Food Pantry program.*
5. **Summary of Submission:**  
Keith and Carol McLean-Shinaman have provided a financial donation in the amount of \$1,850 to the Community and Social Services Department's Food Pantry program. The donation will be used to provide emergency food assistance to Simsbury residents in need.  
  
Chapter 100 of our Code of Ordinances, "Gift Policy," Section 100-2 "Monetary Donations" states that no donation of more than \$1,500 may be accepted without Board of Selectmen approval. If the donation is accepted I will direct staff to send a thank you letter to Keith and Carol McLean-Shinaman.
6. **Financial Impact:**  
The \$1,850 donation from Keith and Carol McLean-Shinaman will be used to provide emergency food assistance to Simsbury residents in need. The funds would be deposited into a Social Services special revenue fund used for this purpose.
7. **Description of Documents Included with Submission:**  
None



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Recommended Appointment of Director of Planning and Community Development
2. **Date of Board Meeting:** March 10, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager *Maria E. Capriola*

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen concurs with the recommendation of the Town Manager to appoint George McGregor as Director of Planning and Community Development, the following motion is in order:

*Move, to appoint Mr. George McGregor to the Director of Planning and Community Development position effective Monday, April 11, 2022 with an annual starting salary of \$125,000 and employment-related benefits assigned to that position.*

5. **Summary of Submission:**

I have completed the recruitment process for the Planning and Community Development Director position and identified a preferred candidate. Finalists for the position participated in first and second round interviews with external Town Planners, the Town Manager, Chairs of various Land Use Boards/Commissions, Selectman Goetz, the Fire Marshal, the Leadership Team, the Chair of the EDC, Executive Directors of the Chamber of Commerce and the Main Street Partnership, and Planning and Building Departmental staff. Additionally, finalists were required to submit writing samples. From that process, a preferred candidate emerged. We have also utilized our standard background check and pre-employment screening process.

I have identified Mr. George McGregor as the preferred candidate for the Director of Planning and Community Development position. Mr. McGregor currently serves as the Town Planner for the Town of Vernon, and previously served as the Planning Director for the Sumter City-County Planning Department in Sumter, South Carolina. He holds a bachelor's degree from Fairfield University and a Master's Degree in City and Regional Planning from Clemson University. Mr. McGregor is AICP certified. He has been serving in the Planning field for over 25 years.

Mr. McGregor is available to begin work on April 11, 2022. Thomas Hazel, our current Acting Director of Planning and Community Development, would return to his role as Assistant Town Planner at that time.

Section 704 of the Charter states:

*“The Town Manager shall appoint and may remove, each such action to be taken with the approval of the Board of Selectmen, the following Town officers, each of whom shall serve an indefinite term (unless otherwise established in Section 704):... (h) Director of Community Planning and Development/Town Planner...”*

This position reports to the Town Manager and is a member of our leadership team. Mr. McGregor will receive employment related benefits assigned to the Director of Planning and Community Development position and would be a non-union employee.

**6. Financial Impact:**

Sufficient funds are budgeted in the Planning budget to support this starting salary.

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

a) Letter of Interest and Resume, G. McGregor

December 22, 2021

Maria Capriola

Town Manager

Town of Simsbury

933 Hopmeadow Street

Simsbury, CT 06070

Re: Planning and Community Development Director

Dear Ms. Capriola:

Please accept this letter, resume, and Town application as consideration for the position of Planning and Community Development Director. I have twenty-six years of professional planning experience working for public jurisdictions as well as with the private sector.

I am currently the Town Planner in Vernon, CT. Prior to that I was the Planning Director for the Joint Sumter City-County Planning Department, in Sumter, South Carolina, jurisdictions with diverse populations of 40,541 and 107,456, respectively. This tenure included the management of a staff of seventeen with responsibility for planning, code enforcement, GIS, and transportation planning.

I am a resident of nearby Bloomfield, having moved here during the pandemic in 2020 in order to be closer to family and friends.

Thank you in advance for your consideration.

With Regards,

George K. McGregor, AICP

# George K. McGregor, AICP

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LOCAL GOVERNMENT PLANNING DIRECTOR and MPO EXECUTIVE DIRECTOR

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Extensive track record of developing local land use planning policy and regulatory framework options for elected and appointed leaders. Planning Professional experienced in local government public planning, transportation planning, private sector planning, management, project management, and development.

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## AREAS OF EXPERTISE

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- Comprehensive and Strategic Planning
  - Zoning Administration
  - Site Plan and Subdivision Review
  - Code Enforcement
  - MPO Administration
  - Capital Project Management
  - Elected Official Communications
  - Public Presentations
  - Commission/Board Facilitation
  - Developer/Land Use Negotiations
  - Historic Preservation
  - Budget Management & Purchasing
  - Grant Winning
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## PROFESSIONAL EXPERIENCE

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### **Town of Vernon, CT** **Town Planner**

**February 2020-Present**

Direct land use policy and regulatory framework for Hartford-region town, population 30,215.

- Supports Planning & Zoning Commission, Inland Wetlands Commission, Conservation Commission, Design Review Commission, Open Space Task Force, and Conservation Commission.
- Managed Plan of Conservation and Development 2021 Update process (adopted).
- Facilitates all Land Use Applications and Zoning Amendments during review and approval processes.

### **Sumter, SC City-County Planning Department** **Planning Director**

**March 2007-January 2020**

Provide vision and leadership for a JOINT City-County Planning Department with +17 FT positions carrying out current and future land use, code enforcement, and transportation planning for two distinct jurisdictions (*County Population 107,456; City population 40,541*).

- Managed \$30 million in transportation projects as Executive Director of the MPO.
- Directed all levels of current and future planning management and administrative duties.
- Developed an \$1,341,783 Departmental Budget (Planning/Codes combined).
- Facilitate Joint Planning Commission, Joint Board of Zoning Appeals, MPO, and Historic Preservation Design Review Board.

**Major Achievements:**

- Awarded 2010 & 2016 South Chapter of the American Planning Association for Outstanding Planning Project
- \$3.2 Million SC Housing Authority NIP Grant Award for Acquisition and Demolition of blighted properties (2015)
- \$20 Million Capital Penny Sales Tax Transportation Project Management 2008-Present
- \$156,000 DOD Joint Land Use Study Grant Award (2015)
- 2009 Comprehensive Plan re-write (2014, 2019 Update)
- Shot Pouch Trail Master Plan 2011
- 2007 & 2017 Long Range Transportation Plan (2012 Update)
- Abandoned Housing Study 2010 (2014/2018 Update)
- 260 + blighted houses demolished
- 2019 City Affordable Housing Study
- Non-Conforming Sites and Uses Zoning Ordinance revisions (2010)
- Landscaping and Tree Protection Ordinance (2013)
- 2019 Downtown Master Plan

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**Greenvest, LC, Vienna VA**

**April 2006 to March 2007**

**Director of Community Development**

Directed development and entitlement processes, including a Comprehensive Plan Amendment and corresponding Rezoning Application in Loudoun County, VA to permit up to 15,000 new residential units, 783,000 s.f. of non-residential space, and an unprecedented development package commitment to over \$415 million in public improvements.

- Directed approval and entitlement processes for planned, mixed-use residential projects.
- Managed engineers, planners, attorneys, environmental experts and other design team members.
- Developed planning and entitlement budgets.
- Negotiated complex development agreements with local governments and stakeholders.

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**Reed Smith, LLP, Leesburg, VA**

**January 2003 to April 2006**

**Senior Land Use Planner**

Senior Planning consultant and project manager position working with clients to secure land use approvals in high growth northern Virginia communities.

- Obtained residential and commercial/office development approvals for clients, including but not limited to: The Washington Commanders, Pulte Homes, Centex Homes, Brookfield Properties, St. John Properties, Toll Brothers, Lerner Corporation, Greenvest LC, and Stanley Martin Homes.

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**OTHER PROFESSIONAL EXPERIENCE 1995-2003**

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- **Lerner Enterprises, Dulles VA—Project Manager and Entitlements (2000-2003)**
  - Land Use Application and Project Management for D.C. Area Real Estate Company
- **Loudoun County, VA—Planner/Advisor Manager/Program Manager (1997-2000)**
  - Land Use Application Management for fast growing jurisdiction

- **Sumter City-County Planning Commission—Planner/Zoning Administrator/Planning Coordinator (1996-1997)**
  - Diversified responsibilities for a local joint planning department
- **Appalachian Council of Governments, Greenville, SC—Community and Regional Planner (1995-1996)**
  - General regional planning duties for SC Upstate Region entities

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#### EDUCATION

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##### **Fairfield University / Bachelor of Arts**

Fairfield, Connecticut

##### **Clemson University / Master of City and Regional Planning**

Clemson, South Carolina

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#### SELECT RELEVANT PROFESSIONAL PRESENTATIONS

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**Housing Development in South  
Carolina-Challenges and Opportunities**  
SCAPA Summer Conference, June 2019

**SCAPA Summer Conference, July 2012**

**Floodplain Management: Lessons from the  
2015 Flood**  
SC Association of Counties, May 2016

**Shaw Air Force Base and the Sumter  
Community**  
SCAPA Summer Conference, July 2011

**Jackpot! Why Internet Gaming Matters to  
You After All**

**Code Enforcement: It's Not Just a Job, It's  
an Adventure**  
SCAPA Fall Conference, October 2010

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#### PRIMARY AUTHORSHIP, EDITING, and MANAGEMENT

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- *Town of Vernon Plan of Conservation and Development 2022 Update (Manager/Editor)*
- *Sumter 2030 Comprehensive Plan*, November 2009 (Author) and December 2014 (Update) (Author), *2040 Update* (Land Use Chapter Author/Editor) 2019
- *City of Sumter Abandoned Housing Survey*, April 2010 and 2014 Update (Co-Author)
- *Master Plan for Shot Pouch Creek*, January 2011 (Editor)
- *SUATS Long Range Transportation Plan Update*, April 2013 (Editor)
- *2015 Neighborhood Initiative Program Grant Application* (Author)
- *2015 Department of Defense Joint Land Use Study Grant Application* (Author)

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#### PROFESSIONAL AFFILIATIONS

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Connecticut Chapter of the American Planning Association (2020)  
South Carolina Chapter of the American Planning Association (Director, At-large 2018-2019)  
American Institute of Certified Planners (1997)  
Planning Accreditation Board Site Visit Team Member (2019)  
Kiwanis Club of Sumter, SC (President 2016-2017)



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

- Title of Submission:** Proposed State Historic Preservation Office Historic Preservation Enhancement Grant Application
- Date of Board Meeting:** March 14, 2022
- Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Daniel F. Gannon, Project Engineer; Thomas J. Roy, Director of Public Works/Town Engineer *Maria E. Capriola*

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

If the Board of Selectmen approves the grant application for the State Historic Preservation Office Historic Preservation Enhancement Grant for Meadowood Barns, the following motion is in order:

*Move, effective March 14, 2022, to approve the application for the State Historic Preservation Office Historic Preservation Enhancement Grant for Meadowood Barns.*

In the event that the grant is awarded, the following additional motion is in order:

*Move, to accept the State Historic Preservation Office Historic Preservation Enhancement Grant for Meadowood Barns grant and to authorize Town Manager, Maria E. Capriola, to execute all documents related to the grant award.*

**Summary of Submission:**

This grant is to apply for \$20,000 for architectural services for restoration of the barns on the Meadowood property. Our Building Official has done a preliminary analysis of the structures and a cursory Engineering Inspection was performed by Silva Engineering, LLC. A cursory inspection report is included as an attachment to the grant application which is included with this submission. There are a total of 13 barns on the property, of which several may be rehabilitated for historic preservation purposes, others for agriculture use, and some due to the deteriorated state may not be able to be saved.

**Financial Impact:**

No local match is required. Other than staff time associated with administering the grant, there are no costs to the Town. Based on staff's budgetary estimates at this time, the grant application will seek approximately \$20,000 in funding.

Approximately \$250k has been committed from the Good To Great Grant and approximately \$85k has been committed from a donor for construction services

associated with barn restoration. A Historic Restoration Fund Grant of up to \$200k may be applied for in the future for construction services associated with barn restoration.

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

a) Grant Application

## Historic Preservation Enhancement Grant Application Cover Sheet

### GRANT INFORMATION

**Non-Matching Federal Funds up to \$20,000**

### APPLICANT INFORMATION

Name of Municipality: Town of Simsbury

Chief Elected Official: Maria E. Capriola

Federal Employer ID Number: 06-6002085

DUNS Number: 60670262

Street Address: 933 Hopmeadow Street

Municipality: Simsbury

State: Connecticut

ZIP Code: 06070

Contact Name: Daniel F. Gannon

Daytime Phone: (860) 658-3260

Email Address: dgannon@simsbury-ct.gov

Website: <https://www.simsbury-ct.gov>

Mailing address: 933 Hopmeadow Street

Municipality: Simsbury

State: Connecticut

ZIP Code: 06070

### PROJECT INFORMATION

*Brief explanation of the project including address and date of construction of the historic resource, if applicable:*

The project associated with this application consists of Architectural Services for the restoration of several tobacco barns located on Firetown Road, Assessor's Parcel Map F03 Block 327 Lot 004 and Assessor's Parcel Map E04 Block 207 Lot 001 and several barns along Hoskins Road, Map G04 Block 327 Lot 005. The approximate dates for completion of the Architectural services is from May 2022 to July 2022.

Grant Amount Request: \$ 20,000.00

Has the applicant received a grant from SHPO in the past:

yes  no

Is this a subsequent phase of a project:

yes  no

Is this a new initiative:

yes  no

*List any previous grants received from SHPO (include grant type, date awarded, and award amount):*

The Good to Great Program awarded \$500,000 in 2021 for the acquisition of the Meadowood property.

## Historic Preservation Enhancement Grant Application Cover Sheet

### LEGISLATIVE INFORMATION

U.S Representative's Name: Jahana Hayes	District # 5th
State Senator's Name: Kevin Witkos	District # 8th
State Representatives Name: John Hampton	District # 16th

### AUHTORIZATION

Name of Authorized Official:

Title

Signature:

Date:

## Historic Preservation Enhancement Grant Application Checklist

Required Items	Included	N/A	Comments
Application Cover Sheet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See attached
Project Narrative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See attached
Photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See Cursory Inspection Report
Budget	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Budget Narrative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Certified Resolution	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See attached
W-9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See attached
Vendor Profile Form	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Direct Deposit Forms Incl. copy of cancelled check or Deposit Slip	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See attached

Applicant Name: Town of Simsbury – Maria E. Capriola

Project Name: Restoration of Meadowood Open Space Tobacco Barns

Amount Requested: \$ 20,000.00

Signature: \_\_\_\_\_

Date \_\_\_\_\_

# **Project Narrative**

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**Meadowood – Barn Restoration**

# Project Narrative

## Application Purpose

The application consists of the Architectural Services for restoration of several tobacco barns on a property located along Firetown Road, Map F03 Block 327 Lot 004 and Assessor's Parcel Map E04 Block 207 Lot 001 and Architectural Services for the restoration of several barns along Hoskins Road, Map G04 Block 327 Lot 005. These Architectural Services will supplement structural stability measures to bring the barns to a condition where they are safely secure and possibly to a condition where they may be viewed internally by the public.

## History and Cursory Assessment of the Project Site

These properties consisting of 288 acres of land have been acquired to protect and preserve the historical barns and create new open space for residents of Simsbury, along with a parcel commonly referred to as the Barndoor Hills Triangle. Also, some of the land will have continued use for agriculture. After the recent acquisition, several of the barns were deemed unsafe and in poor condition. The condition of four barns along Firetown Road were identified through a cursory inspection report prepared by James L. Silva, P.E. of Silva Engineering, LLC (see attached). Since the Town of Simsbury has acquired the property, one of the existing barns partially collapsed and was demolished in 2020 prior to the engineering inspections, and more recently in October, 2021 Barn No. 1 was demolished due to the poor condition and safety of the public. Barn No. 1 was significantly laterally leaning, as shown in Photo No. 2 in the cursory inspection report. In early December, 2021 the existing barns were temporarily braced through the use of cross bracing using cabling to survive the potential wind and snow loads through the winter season until the funds were available to permanently stabilize these barns. The project's ultimate goal is to rehabilitate up to 4 of the existing barns to prevent future needed demolition or collapse. This grant application and matching funds would fund the feasibility studies, conditions assessment, and architectural plans and specifications for this permanent stabilization and restoration.

Summaries were written for the five barns inspected by Silva Engineering, LLC in the cursory inspection report:

- *Barn No. 2: The existing structural condition of this barn is similar to, but not as advanced as that which was observed in Barn No. 1 (since demolished). There were indications of advanced decay of the sill, and initial shifting of the east wall off the concrete pier foundations. The interior columns showed signs of slight displacement. The outward list of the east wall is also not as significant as Barn No. 1.*
- *Barn No. 3: The structural members of this barn are in generally fair condition. Though there were areas of decay along the sill, the sill was still set on the piers, and lateral displacement was limited.*
- *Barn No. 4: Large openings in the roof have caused significant decay to the sills and lower portions of the structure. There was significant moisture visible in the structural members.*

- *Barn No. 5: The interior was not accessible for inspection. Shifting of the sill was observed on the east wall at the south corner from the exterior of the structure.*

Measures have been taken in the Winter 2021/2022 season to temporarily stabilize the barns through cross bracing using guy wires.

The observed history of the site is primarily comprised of farm fields in the eastern and western portions of the property and forested land in the northern portion. Historically the property was used for agricultural purposes, farms, and as open space. In miscellaneous photographs between 1934-1958, 21 barns were located in the open fields adjacent to Hoskins Road and Firetown Road. In 1968, 8 more barns were erected in the portion of the site which was previously forested. In 1980 it appears 9 of the original barns were demolished. At this time, it appears that the surrounding areas of the site were seeing an increase in residential development. In the mid-2000s the agricultural fields appeared to still be in use from signs of cultivation. Two additional barns on the site were also removed in 2012.

#### **Future Plans for the Project Site following Completion of Architectural Services**

The ultimate goal for this project is to not only rehabilitate the structures and retain the integrity of the historic barns, but provide a future location which residents of the Town of Simsbury can create a site to honor the legacy of Martin Luther King Jr. who worked on the land at one time and view the historical attributes of the barns. The barns are located on Town of Simsbury Open Space, therefore one of the barns may become a visiting center for residents to explore the interior of the barn pending further investigations and analyses of the barns by the chosen structural engineer and architect.

The different aspects of the project will be coordinated by the Town Manager of the Town of Simsbury front office, Building Department, Planning and Zoning Department, and Engineering Department, as applicable. The Parks and Recreation department will operate and/or manage the barns, once permanently restored. The lasting impacts of the project will be preserving and enhancing the history associated with these barns.

# **Cursory Engineering Inspection Report – Silva Engineering, LLC**

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**Meadowood – Barn Restoration**



## SILVA ENGINEERING, LLC

www.silvaengineering.com

P.O. Box 414  
2 North Eagleville Rd, Storrs, CT 06268

Consulting Engineers

Phone: 860.423.4506  
860.477.0480

October 7, 2021

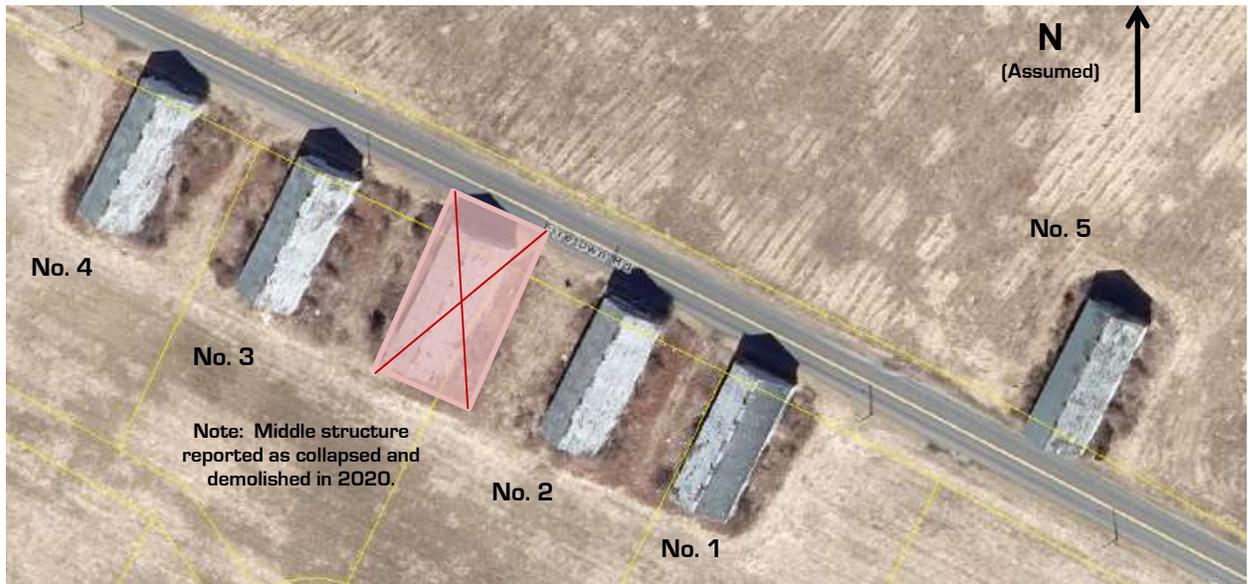
Mr. Thomas J. Roy, P.E.  
Director  
Town of Simsbury Public Works  
66 Town Forest Road  
West Simsbury, CT 06092  
Email: troy@simsbury-ct.gov

Reference: Inspection of Firetown Road Tobacco Barns

Dear Mr. Roy

At your request, on October 7, 2021 Mr. James L. Silva, P.E. Principal (Silva Engineering, LLC) conducted a cursory visual inspection of the Firetown Road Tobacco Barns in order to review the present condition of the Barns and to assess possible general stabilization requirements. Mr. Michael Glidden (Simsbury Director of Planning) also attend the site meeting.

The inspection and evaluation was prompted by recent observations and reports of a significant list of Barn No. 1 (see Photo No. 1 below.) Due to the visible level of sway of Barn No. 1 towards the east, the Town had closed a portion of Firetown Road as a safety precaution on October 6, 2021.



2019 Image [https://simsbury.mapxpress.net/ags\\_map/](https://simsbury.mapxpress.net/ags_map/)

**Photo No. 1**  
**Aerial View of Barns No. 1 through No. No. 5**

## **BARN NO. 1**

Access into Barn No. 1 was made from the south end of the building. Daylight was visible through large areas of the roof (See Photo No. 2), and many of the wood framing members had areas of visible excessive moisture. Significant decay of the timber sills was observed, particularly at the north end (streetside) of the building. Along the north portion of the east wall, the wood sill was observed to have shifted off the concrete pier foundations, resulting in an extreme eastward tilt of the east wall. This outward wall displacement also affected the two interior column lines that run in the north/south direction. (See Photos No. 3 – No. 5).

Due to the level of visible decay, along with the excessive easterly displacement and instability of the structure, we find that the structure is in imminent danger of collapse. In our opinion, restoration or temporary stabilization of the structure is not feasible. It is our recommendation that the structure be demolished as soon as feasible, preferably before the next rain or wind event.



**Photo No. 2**  
**Barn No. 1 - View from south towards north end of Barn**  
**(Center and East Bay)**



**Photo No. 3**  
**Barn No. 1 – Enlarged View of partial collapse of Barn Framing System**  
**(Center and East Bay)**



**Photo No. 4**  
**Barn No. 1 - View from south towards north end of Barn**  
**(West and Center Bay)**



**Photo No. 5**  
**Barn No. 1 – Enlarged View of partial collapse of Barn Framing System**  
**(West and Center Bays)**

## **EXISTING CONDITIONS – BARNS No. 2 through No. 5**

After completing the inspection of Barn No. 1, Barns No. 2 through No. 5 were also inspected. In general, intermittent external guy wire systems were installed on the east and west side of the structures, however, many of the guy wires were observed to be either missing, loose or broken. Additionally, significant vegetative growth is adjacent to and attaching to the structures. The following are our general observations.

### **Barn No. 2**

The existing structural condition of this barn is similar to, but not as advanced as that which was observed in Barn No. 1. There were indications of advanced decay of the sill, and initial shifting of the east wall off the concrete pier foundations. The interior columns showed signs of slight displacement. The outward list of the east wall is also not as significant as Barn No. 1.

### **Barn No. 3**

The structural members of this barn are in generally fair condition. Though there were areas of decay along the sill, the sill was still set on the piers, and lateral displacement was limited.

### **Barn No. 4**

Large openings in the roof have caused significant decay to the sills and lower portions of the structure. There was significant moisture visible in the structural members.

**Barn No. 5**

The interior was not accessible for inspection. Shifting of the sill was observed on the east wall at the south corner from the exterior of the structure.

**GENERAL RECOMMENDATIONS – BARNs No. 2 through No. 5**

In order to maintain the structural integrity and to allow for future of preservation of the Barns, we recommend immediate stabilization efforts be implemented.

Based on the general and brief inspection of the structures, we recommend the following efforts be implemented in the immediate future:

- Install temporary roofing system to prevent water infiltration  
    Note: A temporary roofing system may increase potential snow loads to the structure, and partial collapse of the roof system may occur where there is decay in roof rafters.
- Reinstallation / repair / replacement of guy wire systems
- Stabilization / temporary shoring of walls and sills
- Removal of vegetation from surrounding areas of building

Please contact this office if you need further assistance, or if you have any questions regarding our observations and recommendations.

Sincerely,

SILVA ENGINEERING, LLC

James L. Silva, P.E.  
Principal

# **Project Timeline**

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**Meadowood – Barn Restoration**

## Project Timeline

<u>Phase</u>	<u>Timeline</u>
Submit Grant Application	March 2022
Issue RFP for Architectural Services	April 2022
Grant Application Approved	April 2022
Execute Contract with Architect	May 2022
Prepare Plans, Specifications, & Cost Estimate	May 2022 – July 2022
Advertise for Construction Bids	July 2022
Construction	August 2022 – November 2022

# Budget

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Meadowood – Barn Restoration

## Appendix A: Budget

	Grant Share	Applicant Share	Total
<b>Consultant Fees (list type of consultant)</b>	\$ 20,000.00	\$ 0	\$ 20,000.00
<b>Supplies</b>			
<b>Printing/Copying</b>			
<b>Postage</b>			
<b>Advertising</b>			
<b>Other (Specify)</b>			
<b>Total</b>	\$ 20,000.00	\$ 0	\$ 20,000.00

# **Budget Narrative**

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**Meadowood – Barn Restoration**

## Budget Narrative

The source of funding for design architectural services is \$20,000 in federal funds from the Historic Preservation Enhancement Grant, and \$20,000 in state funds from the Survey and Planning Grant. The Historic Preservation Enhancement Grant funds will be used as match funding for the Survey and Planning Grant, which requires a dollar-for-dollar match.

**Form W-9**

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**Meadowood – Barn Restoration**

## Request for Taxpayer Identification Number and Certification

**Give Form to the  
 requester. Do not  
 send to the IRS.**

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type.  
 See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>Town of Simsbury</b>		
2 Business name/disregarded entity name, if different from above		
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input checked="" type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>	
5 Address (number, street, and apt. or suite no.) See instructions. <b>933 Hopmeadow Street</b>		Requester's name and address (optional)
6 City, state, and ZIP code <b>Simsbury, CT 06070</b>		
7 List account number(s) here (optional)		

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

<b>Social security number</b>	
[ ] [ ] [ ] - [ ] [ ] - [ ] [ ] [ ] [ ] [ ] [ ]	
<b>or</b>	
<b>Employer identification number</b>	
0 6 - 6 0 0 2 0 8 5	

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	Signature of U.S. person ▶ <i>Amy Morivether</i>	Date ▶ <i>8/28/18</i>
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### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

## **Certificate of Title**

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**Meadowood – Barn Restoration**



**CERTIFICATE OF TITLE**

OUR FILE NO.: **ST41938**

ISSUED TO: **State of Connecticut and Updike, Kelly & Spellacy, P.C.**

EFFECTIVE DATE: **December 17, 2021 at 5:00 P.M.**

THIS IS TO CERTIFY that as of the date set forth above and as disclosed by the land records of the Town of Simsbury, County of Hartford, and State of Connecticut, title to the real property known as:

**Portions of Meadowood Subdivision, Simsbury, Connecticut**

as more particularly described in Schedule A attached hereto is vested in:

**The Town of Simsbury**

pursuant to a certain Special Warranty Deed granted by River Bend Development CT, LLC dated September 27, 2021 and recorded September 29, 2021 in Volume 989 at Page 953 of the Simsbury Land Records, free and clear of all encumbrances, except as hereinafter set forth:

1. Said premises are subject to building lines, setback lines and veranda lines, if established, and any and all provisions of any statute, ordinance and municipal regulation, including but not limited to Zoning and Planning regulations, Inland-Wetland regulations, Flood Plain Zone regulations, and public law affecting said premises.
2. Riparian and/or littoral rights, beach rights, wharf rights, pier rights, tidal rights and/or any rights in rivers, brooks, streams, lakes, ponds, bays, navigable waters.
3. Inchoate liens not perfected by recording with the Town Clerk and/or errors in indexing of public records.
4. Real Estate taxes to the Town of Simsbury on the List of October 1, 2020., not yet due and payable. (See Schedule B)
5. Easement in favor of The Connecticut Power Company dated November 26, 1940 and recorded in Volume 75 at Page 588 of the Simsbury Land Records.
6. Caveat in favor of the State of Connecticut dated May 23, 1988 and recorded in Volume 344 at Page 479 of the Simsbury Land Records.
7. Electric Distribution Easement in favor of The Connecticut Light and Power Company dated February 13, 1990 and recorded in Volume 367 at Page 1085 of the Simsbury Land Records.
8. Easement for Water Conduit Right-of-Way in favor of The Village Water Company of Simsbury dated May 1, 1996 and recorded in Volume 457 at Page 60 of the Simsbury Land Records.
9. Easement set forth in a deed dated October 31, 1994 and recorded in Volume 437 at Page 54 of the Simsbury Land Records.



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Simsbury, Connecticut

10. Temporary Barn Work Easement in favor of The Trust for Public Land dated as of September 24, 2021 and recorded in Volume 989 at Page 963 of the Simsbury Land Records. (Affects a portion of Lot 1.)
11. Conservation and Public Recreation Easement and Agreement between the Town of Simsbury and the State of Connecticut recorded December 9, 2021 in Volume 993 at Page 960 of the Simsbury Land Records.
12. Notes, notations, facts, conditions, building lines and easements shown on Map Nos. 3914 through 3922, inclusive, and 4084 through 4092, inclusive, all on file in the Simsbury Town Clerk's Office.

This Certificate of Title is issued to **State of Connecticut and Updike, Kelly & Spellacy, P.C.** only, and is not assignable without the prior written consent of Sound Title, LLC.

The information contained in this Certificate is limited to an examination of the Simsbury Land Records commencing **February 24, 1964** (the "Commencement Date") and continuing through and including **December 17, 2021 at 5:00 p.m.** (the "Effective Date"). All matters recorded on the Simsbury Land Records prior to the Commencement Date or subsequent to the Effective Date are expressly excluded from this Certificate.

**SOUND TITLE, LLC**

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

Andrew R. Sherriff, Jr.  
Counsel & Manager



Our File No.: ST41938  
Property Address: Meadowood Subdivision  
Simsbury, Connecticut

## SCHEDULE A LEGAL DESCRIPTION

### Lot 1

ALL THAT CERTAIN piece or parcel of land located southerly of the southerly side of Firetown Road in the Town of Simsbury, County of Hartford, State of Connecticut, said parcel being labeled, "Lot 1 Area = 45.00± Acres, Open Space Area = 45.00± Acres, (Includes Barn Envelope Area = 1.36± Acres) Proposed DEEP Area = 42.76± Acres, on a plan entitled, "Monumented Property Survey Prepared For The Town Of Simsbury Lot 1 Depicting Easements In Favor Of State Of Connecticut DEEP Firetown Road Simsbury, Connecticut date: 07-27-2021 Scale: 1"=100' Sheet 1 of 1" certified by Todd S. Hesketh L.S. 17945 F.A. Hesketh & Associates, Inc. 3 Creamery Brook, East Granby, CT 06026. Said plan is or shall be filed at the Office of the Town Clerk in the Town of Simsbury. Said piece or parcel being more particularly described as follows:

Beginning at a Rebar marking the southeasterly corner of the herein described parcel and an angle point in other land of the Town of Simsbury;

Thence N 75°40'22" W a distance of 2335.24 feet along other land N/F Town of Simsbury and land N/F State of Connecticut, in part by each, to a Rebar;

Thence N 75°16'00" W a distance of 411.12 feet along land N/F Marie S. Swartzentuber and land N/F Jon F. & Christina Rooney, in part by each, to an iron pipe on the easterly line of land N/F Julia C. Donahue and land N/F Kayla & William N. King III, said point being the southwesterly corner of the herein described parcel;

Thence N 33°32'07" E a distance of 1071.22 feet along land of said King, land N/F Nicholas & Brenda B. Peper, land N/F Gail & Grant F. Bubsey and land N/F Eunice M. Emley, in part by each, to a Rebar, being the northwesterly corner of the herein described parcel;

Thence S 64°01'59" E a distance of 388.12 feet to a Rebar, being the northwesterly corner of a "Barn Envelope Area";

Thence S 25°58'01" W a distance of 109.03 feet along said Barn Envelope Area to a Rebar;

Thence S 64°01'59" E a distance of 541.64 feet along said Barn Envelope Area to a Rebar;

Thence N 25°58'01" E a distance of 109.03 feet along said Barn Envelope Area to a Rebar;

Thence S 64°01'59" E a distance of 98.30 feet to a Rebar;

Thence, S 60°57'29" E a distance of 616.94 feet to a Rebar at a point of curvature;

Thence southeasterly, along a curve to the right having a central angle of 10°08'30", a radius of 1171.48 feet and an arc length of 207.36 feet to a Rebar. Said point bearing S 55°53'14" E a chord distance of 207.09 feet from said point of curvature;

Thence S 50°48'59" E a distance of 632.57 feet to a Rebar;



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Thence S 46°58'29" E a distance of 77.87 feet to a Rebar on the westerly line of other land N/F Town of Simsbury. The last nine courses being though Lot 1;

Thence S 23°55'37" W a distance of 280.91 feet along said other land N/F Town of Simsbury to the point and place of beginning.

**Said Lot 1 contains 42.76+/- acres.**

## **Lot 2**

ALL THAT CERTAIN piece or parcel of land located on the southeasterly side of Holcomb Street and easterly side of Barndoor Hills Road in the Town of Simsbury, County of Hartford, State of Connecticut labeled, "Lot 2 Area = 2.71± Acres Open Space Area = 2.71± Acres Proposed DEEP Easement Area = 2.71± Acres", on a plan entitled, "Monumented Property Survey Prepared For The Town Of Simsbury Lot 2, 3, 4, 5 And 6 Depicting Easements In Favor Of State Of Connecticut DEEP And The State Of Connecticut Dept. Of Agriculture Holcomb Street, Hoskins, Barndoor Hills, Firetown and County Roads Simsbury, Connecticut date: 07-27-2021 Scale: 1"=200', Sheet 1 of 2" certified by Todd S. Hesketh L.S. #17945 F.A. Hesketh & Associates, Inc. 3 Creamery Brook, East Granby, CT 06026. Said plan is or shall be filed at the Office of the Town Clerk in the Town of Simsbury. Said piece or parcel being more particularly described as follows:

Beginning at a Rebar being the northerly corner of the herein described parcel and northwesterly corner of Lot 3, on the southeasterly line of Holcomb Street;

Thence S 32°18'30" E a distance of 415.23 feet along the southwesterly line of Lot 3 to a Rebar and other land N/F Town of Simsbury, said point being the easterly corner of the herein described parcel;

Thence S 79°11'51" W a distance of 493.28 feet along said other land N/F Town of Simsbury to a Rebar on the easterly street line of Barndoor Hills Road, said point being the southwest corner of the herein described parcel;

Thence northerly along Barndoor Hills Road and a curve to the right having a central angle of 27°59'40", a radius of 376.20 feet and an arc length of 183.81' feet to a point. Said point bearing N 03°10'10" W a chord distance of 181.99' feet from said point on a curve;

Thence northerly along Barndoor Hills Road and a curve to the right having a central angle of 15°24'49", a radius of 376.20 feet and an arc length of 101.20 feet to a point. Said point bearing N 03°06'45" E a chord distance of 100.90 feet from said point on a curve;

Thence N 10°49'10" E a distance of 75.00 feet along Barndoor Hills Road to a point;

Thence N 24°29'40" E a distance of 61.73 feet along Barndoor Hills Road to a point;

Thence N 45°37'10" E a distance of 75.00 feet along the southeasterly line of Holcomb Street to a SHD Monument;



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Simsbury, Connecticut

Thence continuing N 45°37'10" E a distance of 229.26 feet along the southeasterly line of Holcomb Street to the point and place of beginning.

**Said Lot 2 contains 2.71 +/- Acres.**

**Lot 4**

ALL THAT CERTAIN piece or parcel of land at the southerly terminus of Windham Drive, the southerly terminus of Fairfield Lane and the northerly street line of Firetown Road in the Town of Simsbury, County of Hartford and State of Connecticut shown as "Lot 4 Area = 94.09+/- Open Space Area = 94.09 Acres (Includes Barn Envelope Area = 8.83+/- Acres) Proposed DEEP Easement Area = 85.26+/- Acres" on a plan entitled, "Monumented Property Survey Prepared For The Town Of Simsbury Lot 2, 3, 4, 5 And 6 Depicting Easements In Favor Of State Of Connecticut DEEP And The State Of Connecticut Dept. Of Agriculture Holcomb Street, Hoskins, Barndoor Hills, Firetown and County Roads, Simsbury, Connecticut Date: 07-27-2021 Scale: 1"=200', Sheet 1 of 2" certified by Todd S. Hesketh L.S. #17945, F.A. Hesketh & Associates, Inc., 3 Creamery Brook, East Granby, CT 06026. Said plan is or shall be filed at the Office of the Town Clerk in the Town of Simsbury. Said piece or parcel being more particularly described as follows:

Beginning at a Rebar marking a northeasterly corner of the herein described parcel and the northwesterly corner of "Lot 5, Farmland Preservation Area", on the southerly line of other land N/F Town of Simsbury;

Thence S 13°59'46" W a distance of 728.00 feet to a Rebar;

Thence N 75°49'59" W a distance of 734.53 feet to a Rebar. The last two courses being along Lot 5;

Thence N 75°49'59" W a distance of 598.90 feet along other land N/F Town of Simsbury to a Monument;

Thence N 75°35'10" W a distance of 263.78 feet along land N/F Noelle M. Fazzino to a Rebar marking the southeasterly corner of land N/F Village Water Company of Simsbury;

Thence N 14°24'50" E a distance of 260.00 feet to a Rebar;

Thence N 75°35'10" W a distance of 424.51 feet to a Rebar;

Thence N 14°24'50" E a distance of 479.00 feet to a Rebar;

Thence N 75°35'10" W a distance of 182.91 feet to a Rebar;

Thence S 14°24'50" W a distance of 279.00 feet to a Rebar;

Thence S 75°35'10" E a distance of 152.91 feet to a Rebar;

Thence S 14°24'50" W a distance of 250.00 feet to a Rebar;

Thence S 75°35'10" W a distance of 404.50 feet to a Rebar;



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Thence S  $14^{\circ}24'50''$  W a distance of 210.00 feet to a Rebar at the northeasterly corner of land N/F Mark G. Schmitz and the southwesterly corner of said Village Water Company of Simsbury. The last nine courses being along said Village Water Company of Simsbury;

Thence N  $75^{\circ}35'10''$  W a distance of 838.80 feet along said Schmitz, land N/F Andrew William Curtiss, land N/F Barbara A. Bush, land N/F Jason and Laura Crisco, and land N/F John and Kathleen Coyle, in part by each, to a Rebar;

Thence N  $78^{\circ}33'20''$  W a distance of 170.93 feet to a Rebar at the northwest corner of said Coyle;

Thence S  $01^{\circ}50'40''$  E a distance of 52.50 feet along land N/F William P. and Tracy M. Keenan to a Rebar;

Thence S  $17^{\circ}09'00''$  W a distance of 428.01 feet along said Keenan to an Iron Pipe being the southwest corner of land N/F William J. and Jennifer V. Zeronsa;

Thence S  $65^{\circ}57'39''$  E a distance of 153.94 feet along said Zeronsa to a Rebar and land N/F Linda O. and Robert M. Ellis;

Thence S  $35^{\circ}00'33''$  W a distance of 850.71 feet along said Ellis, land N/F Kevin and Clement McCann, land N/F Danielle E. and Matthew J. Erdmann, land N/F Patrick J. and Christine O. Egan, in part by each, to a Rebar being the northwest corner of land N/F Steven James and Lisa M. Dean;

Thence S  $41^{\circ}42'08''$  W a distance of 398.03 feet along said Dean and land N/F Marguerite D. and Steven S. Allen, in part by each, to a Rebar being the northwest corner of land N/F Penelope K. Okines Sanborn and Kevin D. Sanborn;

Thence S  $39^{\circ}11'28''$  W a distance of 356.95 feet along said Sanborn and other land N/F Town of Simsbury, in part by each, to a P.K. on the northerly street line of Firetown Road, said point being the southeast corner of the parcel herein described;

Thence N  $49^{\circ}57'50''$  W a distance of 27.30 feet along said Firetown Road to a point of curvature;

Thence, along a curve to the left having a central angle of  $05^{\circ}55'53''$ , a radius of 1236.48 feet and an arc length of 128.01 feet to a point, said point bearing N  $53^{\circ}51'37''$  W a chord distance of 127.95 feet from said point of curvature;

Thence N  $25^{\circ}48'00''$  E a distance of 368.82 feet to a point;

Thence N  $30^{\circ}47'30''$  E a distance of 477.69 feet to a point;

Thence, N  $27^{\circ}33'24''$  E a distance of 377.36 feet to a point;

Thence N  $18^{\circ}23'37''$  W a distance of 416.60 feet to a point;

Thence N  $27^{\circ}08'24''$  E a distance of 216.84 feet to a point;

Thence N  $44^{\circ}52'14''$  E a distance of 155.08 feet to a point;



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Thence N 12°47'15" E a distance of 258.59 feet to a point;

Thence N 49°23'57" W a distance of 105.64 feet to a point;

Thence N 07°49'20" W a distance of 207.81 feet to a point;

Thence N 10°22'10" W a distance of 234.49 feet to a Rebar on the southerly line of other land N/F Town of Simsbury. The last ten courses being along said Town of Simsbury;

Thence S 80°35'10" E a distance of 654.81 feet along said other land N/F Town of Simsbury, land N/F Mary E. Endrelunas, the southerly terminus of Windham Drive and land N/F Helen C. and Phillip Prestigomo, Jr., in part by each, to a Rebar;

Thence N 13°30'10" E a distance of 461.03 feet along said Prestigomo, land N/F Chaun S. Jones and Ritchie Jones, land N/F Robert W. and Alison M. Metz and land N/F Kenneth D. and Lorie W. Cornett, in part by each, to a point, said point being the northwest corner of the parcel herein described;

Thence S 75°46'50" E a distance of 813.37 feet along said Cornett, land N/F Donna M. Case-Rossato and Peter G. Rossato, land N/F Brian Przybylowski and Mallory K. Hudak and land N/F Marc L. & Jennifer D. Lehman, in part by each, to a Rebar;

Thence S 77°29'40" E a distance of 720.80 feet along said Lehman, the southerly terminus of Fairfield Drive, land N/F James E. & Suretha Koontz and other land N/F Town of Simsbury, in part by each, to a point;

Thence S 72°10'50" E a distance of 914.15 feet along said Town of Simsbury, land N/F David T. White, land N/F Kathleen M. Caputo and other land of the Town of Simsbury, in part by each, to a Rebar, said point being a northeast corner of the parcel herein described;

Thence S 14°28'40" W a distance of 423.30 feet along said Town of Simsbury to a Rebar;

Thence S 75°59'30" E a distance of 286.08 feet still along said Town of Simsbury to the point and place of beginning.

**Excepting therefrom** a certain piece or parcel of land depicted as "Barn Envelope 8.83+/- Acres" on said plan, more particularly described as follows:

Commencing at a Rebar labeled "P.O.C.", the southwesterly corner of land N/F Town of Simsbury and the easterly end of a "survey tie line";

Thence N 79°59'54" W a distance of 512.25 feet along said survey tie line, to a Rebar marking the northeast corner of the exception parcel herein described;

Thence S 14°09'59" W a distance of 629.72 feet to a Rebar marking the southeast corner of the exception parcel herein described;

Thence N 75°50'00" W a distance of 610.93 feet to a Rebar marking the southwest corner of the exception parcel herein described;



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Thence S 14°09'59" W a distance of 629.72 feet to a Rebar marking the northwest corner of the exception parcel herein described;

Thence S 75°50'00" E a distance of 610.93 feet to the point and place of beginning.

Said exception area contains 8.83+/- Acres.

**Lot 4 containing 94.09+/- Acres**

**Lot 4, after Barn Envelope exception contains 85.26+/- Acres.**

**Total DEEP Easement Area (Lots 1, 2 & 4) containing 130.73+/- Acres**



Our File No.:  
Property Address:

ST41938  
Meadowood Subdivision  
Simsbury, Connecticut

### SCHEDULE B

<b>Address</b>	<b>List Number</b>	<b>Annual Amount</b>	<b>Status</b>
2 Barn Owl Court	30421319	\$49.83	Paid
4 Barn Owl Court	30421320	\$50.22	Paid
6 Barn Owl Court	30421321	\$51.76	Paid
8 Barn Owl Court	30421322	\$51.38	Paid
10 Barn Owl Court	30421323	\$53.70	Paid
12 Barn Owl Court	30421324	\$67.99	Paid
Barn Owl Court	30421332	\$0.00	Paid
11 Barn Owl Court	30421331	\$54.47	Paid
Barn Owl Court	30421330	\$137.92	First Half Paid
9 Barn Owl Court	30421329	\$60.26	Paid
7 Barn Owl Court	30421328	\$56.78	Paid
5 Barn Owl Court	30421327	\$51.38	Paid
Barn Owl Court	30421326	\$12.75	Paid
3 Barn Owl Court	30421325	\$55.24	Paid
12 Turkey Hill Lane	30421336	\$52.15	Paid
10 Turkey Hill Lane	30421335	\$53.70	Paid
8 Turkey Hill Lane	30421334	\$55.24	Paid
2 Turkey Hill Lane	30421333	\$56.40	Paid
1 Turkey Hill Lane	30421337	\$74.95	Paid
3 Turkey Hill Lane	30421338	\$73.40	Paid
5 Turkey Hill Lane	30421339	\$62.19	Paid
7 Turkey Hill Lane	30421340	\$67.99	Paid
9 Turkey Hill Lane	30421341	\$56.78	Paid
11 Turkey Hill Lane	30421342	\$55.24	Paid
Firetown Road	30418622	\$739.00	First Half Paid
Sundial Circle	30421311	\$927.12	First Half Paid
2 Sundial Circle	30421289	\$806.22	First Half Paid
4 Sundial Circle	30421290	\$806.22	First Half Paid
6 Sundial Circle	30421291	\$806.22	First Half Paid
8 Sundial Circle	30421292	\$806.22	First Half Paid
10 Sundial Circle	30421293	\$806.22	First Half Paid
12 Sundial Circle	30421294	\$806.22	First Half Paid
14 Sundial Circle	30421294	\$806.22	First Half Paid
16 Sundial Circle	30421296	\$806.22	First Half Paid
18 Sundial Circle	30421297	\$806.22	First Half Paid
20 Sundial Circle	30421298	\$806.22	First Half Paid
22 Sundial Circle	30421299	\$806.22	First Half Paid
24 Sundial Circle	30421300	\$806.22	First Half Paid
26 Sundial Circle	30421301	\$806.22	First Half Paid
28 Sundial Circle	30421302	\$806.22	First Half Paid
30 Sundial Circle	30421303	\$806.22	First Half Paid



Our File No.:  
Property Address:

ST41938  
Meadowood Subdivision  
Simsbury, Connecticut

Sundial Circle	30421304	\$39.40	Paid
3 Sundial Circle	30421305	\$806.22	First Half Paid
5 Sundial Circle	30421306	\$806.22	First Half Paid
11 Sundial Circle	30421307	\$806.22	First Half Paid
17 Sundial Circle	30421308	\$806.22	First Half Paid
21 Sundial Circle	30421309	\$806.22	First Half Paid
Sundial Circle	30421310	\$37.47	Paid
36 Cold Spring Road	30421281	\$883.09	First Half Paid
Cold Spring Road	30421273	\$616.53	First Half Paid
30 Cold Spring Road	30421280	\$1,036.82	First Half Paid
28 Cold Spring Road	30421279	\$1,036.82	First Half Paid
26 Cold Spring Road	30421278	\$1,036.82	First Half Paid
24 Cold Spring Road	30421277	\$1,036.82	First Half Paid
22 Cold Spring Road	30421276	\$1,036.82	First Half Paid
20 Cold Spring Road	30421275	\$1,075.07	First Half Paid
18 Cold Spring Road	30421274	\$1,075.07	First Half Paid
4 Barn Swallow Circle	30421282	\$883.09	First Half Paid
6 Barn Swallow Circle	30421283	\$883.09	First Half Paid
8 Barn Swallow Circle	30421284	\$883.09	First Half Paid
Barn Swallow Circle	30421285	\$5,952.88	First Half Paid
Barn Swallow Circle	N/A	N/A	N/A
Barn Swallow Circle	30421286	\$1,613.58	First Half Paid
Barn Swallow Circle	30421287	\$50.61	Paid
1 Burbank Road	30421219	\$1,014.05	First Half Paid
3 Burbank Road	30421220	\$1,014.05	First Half Paid
5 Burbank Road	30421221	\$1,014.05	First Half Paid
7 Burbank Road	30421222	\$1,014.05	First Half Paid
2 Burbank Road	30421218	\$1,082.03	First Half Paid
Hoskins Road	30421217	\$57.56	Paid
Meadowood Circle	N/A	N/A	N/A
Meadowood Circle	30421228	\$659.80	First Half Paid
Meadowood Circle	N/A	N/A	N/A
1 Meadowood Circle	30421223	\$1,151.96	First Half Paid
3 Meadowood Circle	30421224	\$1,151.96	First Half Paid
7 Meadowood Circle	N/A	N/A	N/A
5 Meadowood Circle	30421225	\$1,151.96	First Half Paid
11 Meadowood Circle	30421227	\$1,151.96	First Half Paid
Meadowood Circle	30421231	\$32.84	Paid
Juniper Lane	30421233	\$2,188.00	First Half Paid
Reid Drive	30421234	\$24,626.24	First Half Paid
Torchwood Lane	30421235	\$12,084.24	First Half Paid
Meadowood Circle	30421229	\$2,480.44	First Half Paid
Meadowood Circle	30421230	\$2,366.09	First Half Paid
Meadowood Circle	30421205	\$108.55	First Half Paid



Our File No.:  
Property Address:

ST41938  
Meadowood Subdivision  
Simsbury, Connecticut

43 Meadowood Circle	30421206	\$1,151.96	First Half Paid
45 Meadowood Circle	30421207	\$1,151.96	First Half Paid
49 Meadowood Circle	30421208	\$1,151.96	First Half Paid
51 Meadowood Circle	30421209	\$1,151.96	First Half Paid
55 Meadowood Circle	30421210	\$1,151.96	First Half Paid
57 Meadowood Circle	30421211	\$1,151.96	First Half Paid
61 Meadowood Circle	30421212	\$1,160.06	First Half Paid
63 Meadowood Circle	30421213	\$1,166.62	First Half Paid
65 Meadowood Circle	30421214	\$1,151.96	First Half Paid
67 Meadowood Circle	30421215	\$1,151.96	First Half Paid
69 Meadowood Circle	30421216	\$1,151.96	First Half Paid
Thistle Down Road	N/A	N/A	N/A
Forsythia Lane	N/A	N/A	N/A
Forsythia Lane	30421237	\$3,968.08	First Half Paid
Forsythia Lane	30421236	\$19,229.62	First Half Paid
Forsythia Lane	30421238	\$11,125.83	First Half Paid
Forsythia Lane	30421343	\$363.52	First Half Paid
39 County Road	30421201	\$3,094.65	First Half Paid
43 County Road	30421202	\$3,071.85	First Half Paid
45 County Road	30421203	\$3,115.51	First Half Paid
47 County Road	30421204	\$3,093.50	First Half Paid
9 Forsythia Lane	30421239	\$1,151.96	First Half Paid
7 Forsythia Lane	30421240	\$1,151.96	First Half Paid
5 Forsythia Lane	30421241	\$1,151.96	First Half Paid
Thistle Down Road	30421242	\$81.51	Paid
2 Thistle Down Road	30421243	\$1,113.71	First Half Paid
4 Thistle Down Road	30421244	\$1,113.71	First Half Paid
6 Thistle Down Road	30421245	\$1,113.71	First Half Paid
4 Salmon Way	30421255	\$1,113.71	First Half Paid
6 Salmon Way	30421256	\$1,113.71	First Half Paid
8 Salmon Way	30421257	\$1,113.71	First Half Paid
Salmon Way	30421254	\$23.18	Paid
10 Salmon Way	30421258	\$1,113.71	First Half Paid
12 Salmon Way	30421259	\$1,113.71	First Half Paid
14 Salmon Way	30421260	\$1,113.71	First Half Paid
16 Salmon Way	3041261	\$1,113.71	First Half Paid
18 Salmon Way	30421262	\$1,113.71	First Half Paid
20 Salmon Way	30421263	\$1,113.71	First Half Paid
22 Salmon Way	30421264	\$1,113.71	First Half Paid
Cold Spring Road	30421272	\$95.03	Paid
21 Salmon Way	30421271	\$1,113.71	First Half Paid
19 Salmon Way	30421270	\$1,113.71	First Half Paid
17 Salmon Way	30421269	\$1,113.71	First Half Paid
15 Salmon Way	30421268	\$1,113.71	First Half Paid



Our File No.:  
Property Address:

ST41938  
Meadowood Subdivision  
Simsbury, Connecticut

13 Salmon Way	30421267	\$1,113.71	First Half Paid
11 Salmon Way	30421266	\$1,113.71	First Half Paid
9 Salmon Way	30421265	\$1,113.71	First Half Paid
8 Thistle Down Road	30421246	\$1,113.71	First Half Paid
10 Thistle Down Road	30421247	\$1,113.71	First Half Paid
2 Cold Spring Road	30421248	\$1,113.71	First Half Paid
4 Cold Spring Road	30421249	\$1,113.71	First Half Paid
6 Cold Spring Road	30411250	\$1,113.71	First Half Paid
8 Cold Spring Road	30421251	\$1,113.71	First Half Paid
10 Cold Spring Road	30421252	\$1,113.71	First Half Paid

*END OF DESCRIPTION*



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Revisions to Animal Control Officer Job Description
2. **Date of Board Meeting:** March 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Nicholas Boulter, Chief of Police; Chris Davis, Deputy Chief of Police *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen is in support of the housekeeping job description changes, the following suggested motion is in order:

*Move effective, March 14, 2022, to revise the Animal Control Officer job description as presented.*

5. **Summary of Submission:**  
With the recent retirement of the Animal Control Officer, the Town has reviewed the current job description. The job description hasn't been updated since 2007. The proposed job description changes are minor and reflect two housekeeping updates: the name change of a state-wide organization; and the pay grade to reflect the change that happened in 2009.

Attached please find the proposed revised job description for the Animal Control Officer. The Chief of Police, Deputy Chief of Police, a Police Lieutenant, Police Sergeant, and the retired Animal Control Officer were involved in revising the job description.

No changes are recommended to the work schedule, pay grade, or FLSA status.

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

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

The Chair of the Police Commission reviewed this. The Personnel Sub-Committee also reviewed and endorsed this proposal at their February 25, 2022 meeting. The Union is in agreement with the Town regarding the proposed changes.

**6. Financial Impact:**

None

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

a) Proposed Job Description Changes – Animal Control Officer

## TOWN OF SIMSBURY

**TITLE:** Animal Control Officer

**GRADE:** ~~A0~~-A1

**DEPARTMENT:** Police

**DATE:** ~~6/12/07~~ March 14, 2022

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### **POSITION DESCRIPTION:**

Performs routine and complex public safety work in the enforcement of animal control ordinances.

### **SUPERVISION RECEIVED:**

Works under the general supervision of the Chief of Police or his/her designee.

### **ESSENTIAL DUTIES AND RESPONSIBILITIES:**

- Patrols streets to locate stray animals and promptly captures animals (domestic/wildlife) and transports them to an animal shelter.
- Responds to complaints concerning animal problems or violations of animal control ordinances, including but not limited to animals running at large, bites, property damage, or injuries. The word “animals” shall include all domestic animals as well as all wildlife which may be encountered.
- Removes dead, injured or dangerous animals from streets and residential premises.
- Compiles a variety of data regarding animal control data; prepares daily, monthly, and annual reports of activities.
- Investigates violations of animal control ordinances and issues warnings or citations as required; appears in court to testify regarding animal control cases.
- Serves various criminal or civil notices or papers related to enforcement of animal control ordinances.
- Coordinates a public relations program in order to foster public awareness of ordinances regarding animal control and humane treatment of animals by taking a proactive approach to issues such as bear awareness and management, rabies vaccinations and clinics, animals left in vehicle, and sick wildlife.
- Works closely with the media, public interest groups and businesses to promote improved care and control of animals.
- Works an assigned shift and may be required to use own judgment in deciding course of action being expected to handle difficult and emergency situations without assistance.
- Maintains normal availability by radio or telephone for consultation on major emergencies or precedent.
- Carries out duties in conformance with Federal, State laws, and Town ordinances.
- Maintains contact with police supervisory personnel to coordinate investigation activities, provide mutual assistance during emergency situations and provides general information about Department activities.
- Maintains departmental equipment, supplies and facilities, paying strict attention to disinfecting the vehicle and equipment used to transport sick, injured, deceased, and found animals between each transport so as not to infect uninfected animals.
- Participation in development and monitoring of Animal Control budget, and purchasing of equipment and supplies.
- Serves as a member of various employee committees.
- Maintain uniform and grooming standards as described in General Order (GO) 22-3.
- [Membership in the CT State Animal Response Team](#)

**REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:**

- Knowledge of law enforcement principles, procedures, techniques, and equipment.
- Working knowledge of animal restraint and care techniques.
- Skill in operating the tools and equipment listed below.
- Ability to learn the applicable laws, ordinances, and department rules and regulations; Ability to communicate effectively orally and in writing.
- Ability to establish and maintain effective working relationships with peers, supervisors and the public. Ability to interact and establish productive relationships with the public geared towards proactive problem solving measures.
- Ability to develop public service announcements and speak on public access television and other media.
- Ability to work independently and exercise sound judgment in evaluating situations and in making decisions.
- Ability to follow verbal and written instructions.
- Ability to meet the special requirements listed below.
- Ability to learn the Town's geography.
- Willingness to be "on call" at all hours of day and night.
- Ability to demonstrate proficiency with a firearm and obtain annual firearms qualification.
- Ability to achieve certification as an Animal Control Officer
- Ability to obtain state certification and licensing for Nuisance Wildlife Control; certification for Emergency First Aid and CPR for Animals.
- Ability to achieve certification in the Collect System.

**TOOLS AND EQUIPMENT USED:**

Patrol vehicle (truck, van, car) animal capture equipment, (firearm/rifle) police radio, ASP baton, oc spray, pager, first aid equipment, personal computer.

**PHYSICAL DEMANDS:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

- While performing the duties of this job, the employee is frequently required to sit and talk and/or hear.
- The employee is occasionally required to stand; use hands to finger, handle, or feel objects, tools, or controls; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and taste or smell.
- The employee must occasionally lift and/or move more than 50 pounds
- Specific vision abilities required by this job include close vision, distance vision, color vision, and peripheral vision, and the ability to adjust focus.
- Ability to be vaccinated for pre-exposure rabies.

**WORK ENVIRONMENT**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job.

- While performing the duties of this job, the employee frequently works in all types of outside weather conditions: (not limited to cold, heat, rain, snow)
- The employee occasionally works near moving mechanical parts; in high, precarious places; and is occasionally exposed to wet and/or humid conditions.
- The noise level in the work environment is usually moderate.

**REQUIRED MINIMUM QUALIFICATIONS:**

- Education and Experience: High school diploma or GED equivalent; and experience in the behavior and handling of both domestic and wild animals; or an equivalent combination of education and experience.

- **Membership in the CT Strategic Animal Rescure Team.**

**SPECIAL REQUIREMENTS:**

Must possess a valid State Driver's License.

NOTE: The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Creation of Deputy Town Engineer Classification
2. **Date of Board Meeting:** March 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Tom Roy, Director of Public Works/Town Engineer  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports approving the creation of the Deputy Town Engineer Classification, the following motion is in order:

*Move effective, March 14, 2022 to endorse the creation of the position classification of Deputy Town Engineer and the job description as presented. Further move to endorse a salary range for the Deputy Town Engineer position of \$95,000 - \$120,000.*

5. **Summary of Submission:**  
The Simsbury Engineering Department was recently moved to a division under Public Works with the Director of Public Works now serving as the Town Engineer. To keep the Engineering Division at current staffing levels, and to accommodate the recent structural reorganization, we are proposing the creation of a Deputy Town Engineer classification. This position would report to the Director of Public Works/Town Engineer while overseeing the day to day operations of the Engineering Division. The position would supervise the Project Engineer and Administrative Secretary in the Division. The proposed title of Deputy Town Engineer is consistent with other departments across the organization such as the Deputy Town Manager, Deputy Finance Director and Deputy Chief of Police.

The Town Manager's Office worked to conduct benchmarking for external Deputy/Assistant Town Engineer positions in departments that are led by a Director of Public Works/Town Engineer to find a competitive salary range for the proposed Deputy Town Engineer.

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

*"...the Town Manager shall cause to have prepared a statement of the duties and responsibilities of each position in the Town service and of the minimum qualifications for appointment to such position. The statement so prepared shall become effective upon the approval by resolution of the Board of Selectmen and*

*may be amended, upon recommendation of the Town Manager, by resolution of the Board.”*

This was reviewed and approved by the Personnel Sub-Committee at their March 10, 2022 meeting.

**6. Financial Impact:**

As reported at your February 28th Board of Selectmen meeting, depending on the starting rate of pay for the selected Deputy Town Engineer candidate, the overall estimated cost of the reorganization is expected to be cost neutral up to and including a cost of \$15,000. Funds are budgeted in contingency for FY 22/23 to accommodate the reorganization. The Deputy Town Engineer will be an exempt, unaffiliated position as many of the day-to-day duties of our former Town Engineer position are being assumed by this new position. The proposed pay scale (annual salary) for the Deputy Town Engineer would be \$95,000 - \$120,000 with a typical 40-hour work week and flexible scheduling.

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

- a) Proposed Job Description – Deputy Town Engineer
- b) Salary Benchmarking Analysis

## Town of Simsbury

**TITLE:** Deputy Town Engineer      **DATE:** ~~May 11, 1998~~ March XX, 2022

**DEPARTMENT:** Public Works, Engineering Division

**AFFILIATION:** Unaffiliated      **FLSA STATUS:** Exempt

### POSITION DESCRIPTION:

Responsible for administrative, professional and technical engineering work in planning, ~~and~~ organizing, and ~~supervising-directing~~ the Engineering Division in the execution of professional engineering services. Sample duties include: Supervises assigned staff; manages budgets; prepares applications and manages grant awards; develops plans and specifications for Town maintenance and improvement projects; reviews work performed by consulting engineers; reviews subdivision and site plans; field surveying, administration and inspection of construction; and preparing studies and budget estimates for Town and School capital projects. The Deputy Town Engineer may serve as Acting Director when the Director is absent, as assigned. Reports to ~~First-Selectman~~ Director of Public Works/Town Engineer.

### ESSENTIAL FUNCTIONS:

- Supervises and evaluates the Engineering staff in the review of plans, designs, construction specifications, technical reports, proposed ordinances and regulations for conformance to engineering standards and the provision of technical advice and assistance to Town departments, boards and assistance to Town departments, boards and commissions.
- Supervises assigned staff in the Engineering Division. Coordinates staff work procedures, assignments, schedules and workloads; trains, motivates and evaluates assigned staff; reviews progress and directs changes as needed.
- Develops, coordinates, and implements professional development, and cross-training programs for assigned employees.
- Engages in work related to collective bargaining and labor-management relations such as grievances, and disciplinary processes in accordance with relevant laws, regulations, personnel policies and collective bargaining agreements.
- Directs the technical developments of engineering plans and specifications for capital improvement projects, of subdivision reviews, or reviews of private development affecting public property, and of other division assignments.
- Participates directly in monitoring the design and development of plans and specifications for selected complex projects including water, street, sewer and drainage systems and landfill and recycling systems.
- Coordinates and communicates technical input for Town and school capital projects for the Public Building Committee, consulting engineers and architects, prospective

contractors, government agencies, general public, and town staff and officials relating to capital improvement programs.

- Staffs commission/agency meetings, as related to public works operations, public buildings, and town infrastructure, which may occur during early morning, evening and weekend hours.
- Assists the Director of Public Works/Town Engineer with the Pavement Management Program.
- Develops and recommends facilities' engineering and project policy ~~to the First Selectman.~~
- Responsible for recommending and directing design, evaluation and administration for new capital projects, alterations, additions or extensions of Town infrastructure, including: public facilities, roads, bridges, Open Space and trails.
- Prepares the annual engineering division budget and capital project budget; ~~and presents and defends budget requests before the First Selectman, Board of Selectmen, and Board of Finance.~~
- Manages ~~and controls~~ the expenditure of division fund allocations within the constraints of approved operating and capital budgets. Provides capital project information to the Director of Finance for project bonding.
- Monitors and manages departmental operating revenues and expenditures, and assigned capital project budgets, throughout the fiscal year. Provides purchase order and purchasing card review and approval, as needed, in accordance with financial management policies and procedures.
- Confers with State and federal officials and other municipalities regarding intergovernmental projects, programs and problems regarding public facility design and construction.
- Confers with Town officials and the public to provide information and to resolve problems.
- Utilizes computer technology, through staff or consulting services, in order to provide relevant information for project development and monitoring, as well as long term maintenance; manages CADD systems for civil engineering projects and town wide mapping systems. Participates in the development and implementation of GIS system.
- Prepares specifications for consulting services in engineering and capital program design. Selects consulting engineers and architects for capital and special projects; supervises and administers performance of inspections of capital improvement projects by Town staff and consultants. Supervises and administers the provision of traffic engineering services by Town staff and consultants.
- Supervises and administers the provision of traffic engineering services by Town staff and consultants.
- Manages environmental monitoring for water, storm water, sewer, landfill, health, hazardous waste and recycling programs, as required by State and federal permits.
- Monitors, supervises and enforces construction contract work; provides engineering assistance to construction personnel interpreting plans and specifications; administers contracts prepared internally and by outside Consulting engineers and architects.
- Conducts investigations, analyzes and reports on special problems with assistance of staff.

- Assists in ordinance development. Serves as an authorized enforcement agent of the town as assigned, such as but not limited to stormwater management and water shortage.
- ~~Advices, directs and trains assigned personnel; participates in~~ Coordinates grant application development and administration of grant programs.
- Provides coordination with local utilities for roadway excavations and utility line assignments.
- Responds to emergency calls on a 24-hour basis.
- Performs other related duties as required.

**REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:**

- Thorough knowledge of the principles and practices of modern civil engineering, particularly as applicable to municipal public works, planning subdivisions, zoning site plans, special studies and investigations, and construction of general public facilities projects.
- Thorough knowledge of the investigation, design and construction of general public works projects.
- Thorough knowledge in the development and administration of capital improvement projects and related budgets.
- Considerable knowledge of public works operations, and construction of public works projects administration.
- Ability to organize, direct and coordinate the work of technical and professional personnel engaged in various municipal engineering activities.
- Considerable ability to establish and maintain effective working relationships with Board/Commission members, co-workers, developers, vendors, contractors, consultants, other governmental agencies and the general public.
- Ability to effectively communicate both orally and in writing.
- Ability to make concise and effective technical reports and to direct the preparation and maintenance of engineering records.
- Ability to establish and maintain effective working relationship with employees, other Town officials and the public; possess working knowledge of microcomputer civil engineering applications.

**REQUIRED EQUIPMENT OPERATION:**

- Drive a car, operate office equipment including but not limited to PC and Computer Aided Design Systems.

**REQUIRED PHYSICAL EFFORT:**

- Able to walk 1-2 miles over terrain under construction.

**REQUIRED MINIMUM QUALIFICATIONS:**

- Graduation from college with a B.S. degree in Civil Engineering plus ~~6-7~~ 3-5 years of progressively responsible employment in civil engineering including ~~3~~ 2 years of project management and supervisory experience, or equivalent. A master's degree in a relevant field may substitute for some experience.

**SPECIAL REQUIREMENTS:**

- Must possess a State of Connecticut Professional Engineer's license (If licensed in another state, must be able to obtain reciprocity within 1 year of appointment) and a valid driver's license.

**Assistant Town Engineer Raw Data**

Title	Annual Salary		Current	PE Status		Masters Degree		
	Min.	Max		Required?	Currently Have	Required?	Currently Have	
<b>Simsbury</b>								
Cheshire	Assistant Town Engineer	\$62,927	\$95,459	vacant	preferred	N/A	No	N/A
Cromwell	Town Engineer/Assistant Director of PW	\$89,812	\$126,376	\$126,376	Yes	Yes	No	No
Farmington	Civil Engineer	\$77,177	\$99,037	\$78,913	preferred	No	No	No
Glastonbury	Assistant Town Engineer	\$80,262	\$108,381	\$110,545	preferred	Yes	No	Yes
Mansfield	Assistant Town Engineer	\$77,684	\$98,220	\$98,220	Yes	Yes	No	Yes
Rocky Hill								
South Windsor	Town Engineer/Deputy Director of PW	\$67,816	\$123,000	\$123,085	Yes	Yes	No	
Wethersfield								
Windsor	Assistant Town Engineer	\$86,880	\$121,630	\$107,950	Yes	Yes	No	No
	<b>AVERAGE</b>	\$77,508	\$110,300	\$107,515				
	<b>MEDIAN</b>	\$77,684	\$108,381	\$109,248				
	<b>MINIMUM</b>	\$62,927	\$95,459	\$78,913				
	<b>MAXIMUM</b>	\$89,812	\$126,376	\$126,376				



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Naming Rights Committee

2. **Date of Board Meeting:** March 14, 2022

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

Maria E. Capriola, Town Manager *Maria E. Capriola*

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

If the Board of Selectmen supports activating the Naming Rights Committee to review and recommend possible names for the Performing Arts Center facility expansion, the following motions are in order:

*Move, effective March 14, 2022 to activate the Naming Rights Committee. The Committee is tasked with reviewing suggested names for the Performing Arts Center Facility Expansion and with recommending a name to the Board of Selectmen.*

*Further move to appoint the following people to the Naming Rights Committee:  
Eric Wellman, Board of Selectmen Member  
INSERT NAME, Board of Selectmen Member*

5. **Summary of Submission:**

The Performing Arts Center Board of Directors is interested in exploring donor options for the expansion of the facility. They are also interested in exploring options related to "Naming Rights for Consideration."

Pursuant to the Town of Simsbury's Naming Rights Policy (Section 3D) dated January 14, 2019, the Board of Selectmen may opt to establish a work group to review suggested names. The Committee would be tasked with reviewing potential names for the project should it proceed. The group will also be asked to recommend a name to the Board of Selectmen. A recommended name will need to meet the guidelines outlined in the Town's Naming Rights Policy.

Board of Selectmen member Eric Wellman is currently the liaison to the Performing Arts Center Board and is willing to assist with this discussion and participate in the Naming Rights Committee. A second member of the Board of Selectmen should be added to the workgroup.

6. **Financial Impact:**

Currently, the naming rights discussion is exploratory in nature and no proposed donation has been offered.

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

- a) Town of Simsbury Naming Rights Policy, dated January 14, 2019



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## TOWN OF SIMSBURY NAMING RIGHTS POLICY

*Adopted by the Simsbury Board of Selectmen on August 12, 2013*

*Revised Date: May 12, 2014*

*Revised Date: January 14, 2019*

### **I. Purpose**

The purpose of this policy is to establish the criteria and procedures for granting Naming Rights for Simsbury Town-owned facilities. The Naming Rights Policy recognizes that the naming of publically owned facilities is a legislative act. As such, this policy applies to all Town owned real property.

### **II. Effective Date**

This policy shall remain in effect until revised or rescinded and replaces the revised policy dated May 12, 2014. The Town reserves the right to amend this policy as necessary.

### **III. Naming Rights Defined**

There are two circumstances in which "Naming Rights" may be granted. In each case, Naming Rights shall be established through a specific written agreement about the nature of the naming right. Such Agreement shall be negotiated between the parties or their representatives. Any such agreement shall be governed by the provisions of this policy.

#### **A. Naming Rights in Consideration**

"Naming Rights in Consideration" is in consideration of a significant financial contribution, sponsorship or other commercial transaction wherein the Town receives a monetary gain in exchange for the naming of a Town facility.

Naming Rights in Consideration may be granted by the Town in consideration of financial contribution made to the Town normally in the form of a cash gift. Naming Rights in Consideration may also be granted in return for provision to the Town of an appropriate sponsorship, including a grant of money or the provision or supply of equipment, materials, land or services. Naming Rights in Consideration may be granted at the sole discretion of the Town by majority vote of the Board of Selectmen after a finding that the naming rights are consistent with this policy and in the best interests of the Town.

#### **B. Naming Rights in Recognition**

"Naming Rights in Recognition" is the naming of a Town facility, building or portion thereof in recognition of a significant contribution to the Town. The recognized contribution can be in the form of financial or other gift from a donor unrelated to the award of the naming right, or meritorious service, and is at the discretion of the Town in agreement with the party or their representatives. Naming Rights in Recognition may be

granted at the sole discretion of the Town by majority vote of the Board of Selectmen after a finding that the naming rights are consistent with this policy and in the best interests of the Town, and subject to the agreement of the party or the party's representative, except as provided in Section 3 below governing the naming of Board of Education facilities.

One of the following three criteria shall be fulfilled in order for the granting of Naming Rights in Recognition to be considered:

- a) Recognition of historical significance and/or outstanding service to the Town, State of Connecticut or the United States of America while serving in a community service, public office, historic significance, or administrative capacity or other form of outstanding service to the community as determined by the Board of Selectmen;
- b) Recognition of the career or professional achievements of distinguished alumni of the Simsbury Public Schools or for distinguished service in the United States Military;
- c) Recognition of a generous financial or other contribution from a donor (in the form of a donation, bequest, sponsorship etc.), such contribution being voluntary and not rendered in consideration of the granting of naming rights.

The Town may solicit suitable monetary donations from the advocates of such recognition, particularly if the request comes from other than a family member.

### **C. Board of Education Facilities**

Proposals for the naming of Town property occupied and/or used by the Board of Education shall be referred to the Board of Education. The Board of Education shall have the authority to establish its own policy with respect to the naming of Town property occupied and/or used by the Board of Education, provided that the Board of Education policy includes a public hearing requirement prior to any final decision with respect to the naming of such property.

### **D. Procedure**

Proposals for the naming of a Town facility shall be directed to the Town Manager on a the prescribed form. After an administrative review for the completeness of the request, the Town Manager or her/his designee shall transmit the proposal to the Board of Selectmen. The Board may then take one of three actions: (a) accept the proposal; (b) reject the proposal; or (c) refer the proposal to a naming rights committee appointed by the Board of Selectmen. The naming rights committee shall consist of at least two members of the Board of Selectmen; other stakeholders may be appointed to the Committee as deemed necessary by the Board. If the proposal is referred to a naming rights committee, that committee shall, after review, make its recommendation to the Board of Selectmen. Such recommendation may include: (a) rejection of the proposal; (b) acceptance of the proposal; or (c) request a call for additional proposals from the public. In the event that a name is proposed for a newly constructed facility, the Board of Selectmen shall request a call for additional proposals from the public. The Board of Selectmen shall hold a public hearing prior to taking final action on a properly submitted proposal. Notice of the public hearing shall be provided in a manner consistent with

Section 404 – “Public hearing on and publication of ordinances.” Notice shall also be provided on the Town website and sent via the Town’s electronic distribution list.

#### **IV. Granting Naming Rights**

In granting naming rights, either in consideration or in recognition, due regard should be taken of the need to maintain an appropriate balance between commercial considerations and the role which names of public buildings and spaces play in contributing to the Town’s sense of identity.

The granting of Naming Rights shall always be consistent with the Town’s vision and mission as defined by the Board of Selectmen. The long-term effects of the Naming Rights shall be considered in all decisions. The Town agency affected by the naming right to be granted may be consulted before any decision is made. Each granting of Naming Rights shall be memorialized by an agreement as defined by this and all other applicable Town policies.

##### **A. Facilities for Which Naming Rights May Be Awarded**

The term “facilities” as used in the Policy shall apply to the following:

- Town Owned Buildings – provided that the interior features of a Town owned building may be named separately from the main building subject to the criteria and procedures set forth in this policy
- Auditoriums/Theaters
- Gymnasiums
- Libraries
- Gardens/Walks
- Streets
- Athletic Fields/Facilities
- Concessions/Locker Rooms
- Paths or trails

For the purposes of this policy, the term “facilities” shall not apply to such minor items as benches, trees, refuse cans, flagpoles, water fountains or similar items.

##### **B. Delegation of Approval Authority**

The Simsbury Board of Selectmen is the body that grants Naming Rights except as provided in Section III.C above. This authority may not be delegated.

##### **C. Informed Consent**

Except in the case of historical figures, the Town shall not grant a Naming Right without the informed written consent of the named party or the named party’s legal representative.

##### **D. Monetary Valuation of Naming Rights**

Monetary valuations may be assigned to Naming Rights possibilities on a case-by-case basis to aid with making decisions about granting Naming Rights. The Town Manager shall determine the monetary valuation of each Naming Right after receiving a recommendation from the Town Finance Director, who may take advice from such persons or other professionals as needed and transmit it to the Board of Selectmen. Each case should take

into account market comparisons for Naming Rights. As appropriate, the Town may seek professional valuation services for the valuation of the naming rights.

#### **E. Duration of Naming Rights**

The duration of Naming Rights shall be decided or negotiated on a case-by-case basis.

#### **F. Physical Display of Naming Rights**

The physical display of the Naming Rights shall be decided or negotiated on a case-by-case basis. In the case of buildings, the physical display of the Naming Rights will take into account the identification of the Town and opportunities offered by the named building for the Town.

In cases of Naming Rights in Recognition, plaques or tablets may be installed in the building in recognition of a distinguished member of the Town community whose services were identified with the functions of those buildings.

### **V. Other Matters**

#### **A. Transferability**

Named Rights may be transferred upon written approval of the Board of Selectmen.

#### **B. Renewability**

Naming Rights that have expired may be renewed by mutual agreement between all the parties.

#### **C. Limit on Naming Rights**

a) On the part of the Town

The Town's right to use the name and other brand elements of the Named Party shall only be permitted by express agreement with the Named Party

b) On the part of the Named Party

The Named Party after whom a building or part of a building is named shall have no rights to the purpose to which that building or part of the building is applied unless provided for in the specific contract between the parties. The Town will not agree to any condition in a contract that could unnecessarily limit the following: progress towards the Town's mission and purpose, statutory obligations, or the local authority of the Simsbury Board of Education.

In turn, the Named Party shall bear no liability in respect of that building or part of a building unless any such limits must be included in the Naming Rights agreement.

#### **D. Early Termination of Naming Rights**

In the event that this policy or any specific contract entered into in accordance with this policy is breached, the parties may terminate a Naming Rights agreement in advance of the scheduled date. A Naming Rights agreement may also be terminated under the following conditions:

a) Termination by the Town

The Town reserves the right, at its sole discretion, to terminate Naming Rights without refund of consideration, prior to the scheduled termination date, should it feel it is necessary to do so to avoid the Town being brought into disrepute.

b) Termination by the Named Party

The Named Party may without refund of consideration at its sole discretion, terminate its acceptance of the Naming Rights prior to the scheduled termination date, in the event that the Town directly brings the Named Party into disrepute.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** American Rescue Plan Act (ARPA) Policy Resolution
2. **Date of Board Meeting:** March 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports adopting the resolution as presented, the following motion is in order:

*Move, effective March 14, 2022, to adopt the American Rescue Plan Act Program Funding Resolution as presented.*

5. **Summary of Submission:**

Simsbury is anticipated to receive \$7,515,665 in funding through the Coronavirus State and Local Fiscal Recovery Funds program to address the economic fallout related to the pandemic. The Board of Finance established a special revenue fund for the ARPA funds in June of 2021. The Town Attorney has advised that the Board of Selectmen adopt a policy resolution to formally document the intended uses for the funds.

The resolution, as presented, indicates that the Board of Selectmen intends to use ARPA funding on COVID recovery programs, services, projects, and purchases such as: public health recovery; business recovery; non-profit recovery; student educational recovery and literacy efforts; Mental health and well-being recovery; Diversity, equity, and inclusion initiatives; capital projects that support air-quality and HVAC systems in town-owned facilities; capital projects and purchases that support town-owned outdoor infrastructure such as parks, playgrounds, trails, open spaces, and other outdoor amenities; and other categories or items as may be determined by the Board at a later date. These recommended categories are very much in the spirit of the original intended uses of the ARPA funds.

This resolution was reviewed by the Finance Sub-Committee at their meeting on March 3, 2022. At that meeting, the sub-committee agreed that the Board of Selectmen will consider appropriations of ARPA funds through the annual budget process to the extent possible. Proposed expenditures from the ARPA special revenue fund outside of the budget process will be considered as supplemental appropriations.

The Town Attorney assisted in drafting the resolution and has reviewed it.

**6. Financial Impact:**

Fifty-percent (\$3,757,832) of the anticipated ARPA funds have been received by the Town; the remaining 50% is expected to be received in June 2022. Funds must be incurred by December 31, 2024 and expended by December 31, 2026. Depending on how the funds will be used, staff time will be required to administer the disbursement of funds. Staff is also be required to submit reports to the State regarding the use of funds.

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

a) American Rescue Plan Act Program Funding Resolution

SIMSBURY BOARD OF SELECTMEN

RESOLUTION  
AMERICAN RESCUE PLAN ACT PROGRAM FUNDING

**WHEREAS**, the Town of Simsbury is in receipt of funding from American Rescue Plan Act (“ARPA”); and

**WHEREAS**, the intent of the funding is to assist the Town in meeting immediate pandemic needs and to promote long-term recovery from the effects of the COVID-19 pandemic; and

**WHEREAS**, on June 15, 2021 the Simsbury Board of Finance established a Special Revenue Fund for the recording of the receipt and expenditure of ARPA funds; and

**WHEREAS**, on January 1, 2022 the United States Department of the Treasury published its Final Rule for the State and Local Fiscal Recovery Funds (“SLFRF”) program regarding the municipal expenditure of ARPA funds, and

**WHEREAS**, on January 24, 2022 the Board of Selectmen held a public hearing to solicit comments and recommendations for the expenditures of SLFRF Program funds; and

**WHEREAS**, the Board of Selectmen finds that SLFRF Program funding to support the following programs in the amount listed herein is consistent with the ARPA Final Rule and will assist the Town in its long-term recovery from the effects of the COVID-19 pandemic.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Board of Selectmen intends to use ARPA funding on COVID recovery programs, services, projects, and purchases such as but not limited to:

- Public health recovery
- Business recovery
- Non-profit recovery
- Student educational recovery and literacy efforts
- Mental health and well-being recovery
- Diversity, equity, and inclusion initiatives
- Capital projects that support air-quality and HVAC systems in town-owned facilities
- Capital projects and purchases that support town-owned outdoor infrastructure such as parks, playgrounds, trails, open spaces, and other outdoor amenities
- Other categories or items as may be determined by the Board at a later date

2. When possible, the Board of Selectmen will consider appropriations of ARPA dollars through the annual budget process. Other uses of ARPA dollars will be considered as a supplemental appropriation.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** FY 22/23 Budget Discussion and Adoption
2. **Date of Board Meeting:** March 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Melissa A.J. Appleby, Deputy Town Manager; Amy Meriwether, Finance Director/Treasurer
4. **Action Requested of the Board of Selectmen:**  
If the Board is prepared to take action on the FY 22/23 budget this evening, you may do so. Budget motions will be provided at your meeting Monday evening following the Saturday budget workshop. Should the Board need additional time to discuss the budget, a meeting was scheduled on March 16<sup>th</sup> on your 2022 regular meeting schedule.
5. **Summary of Submission:**  
The Board is scheduled to continue its discussion on the FY 22/23 budget from their March 10<sup>th</sup> and 12<sup>th</sup> budget workshops. If needed, the Board can carry the discussion forward to a meeting March 16<sup>th</sup>. The Board of Selectmen approved budget will be presented to the Board of Finance on March 22<sup>nd</sup>. The public hearing on the budget is scheduled for April 5, 2022.
6. **Financial Impact:**  
The Manager's proposed operating budget was released on February 28<sup>th</sup>.  
  
As proposed by the Town Manager, in order to fund the proposed budgets, a mill rate of approximately 37.07 mills is needed, or a .34 mill decrease. This would equate to an annual tax decrease of \$73 per year for the median valued single family home. Should the recommended service improvements be funded, a mill rate of approximately 37.24 mills is needed, or a .17 mill decrease. This would equate to an annual tax decrease of \$36 per year for the median valued single family home.  
  
The above numbers are subject to change based upon the outcome of budget workshop discussions and budget discussions held by the Board this evening.  
  
Budget items are routinely added to the following website: <https://www.simsbury-ct.gov/finance/pages/2022-2023-budget-information>
7. **Description of Documents Included with Submission:**
  - a) FY 2022/2023 Sample Budget Motions
  - b) Budget Workshop Flagged Items

**FY2022-2023 Budget Resolutions**  
**Board of Selectmen Approved Budget**

Move, effective March 14, 2022 to approve the Board of Selectmen 2022-2023 Operating Budget in the amount of **\$25,466,760**, to include the following changes from the Town Manager's Proposed Budget:

- \$7,500 – Increase for Pollinator Initiative
- \$7,500 – Increase for Simsbury Farms 50<sup>th</sup> Anniversary Community Events
- \$4,225 – Increase for Executive Coaching
- \$117,242 – Increase for IT Specialist Position
- \$5,000 – Increase for Supplemental Network Engineering Support
- \$20,000 – Increase for Construction Inspection
- \$283,551 – Increase for Two Patrol Officer Positions
- \$110,789 – Increase for CALEA Specialist Position
- \$125,000 – Increase for Youth & Family Social Worker Position and Associated Costs
- \$10,000 – Increase for Service Dog Operating Costs
- \$25,000 – Decrease for Legal (Labor Relations)
- \$564,574 – Increase for Cash for Capital
- \$3,757,833 – Transfer In from the American Rescue Plan Act Fund for Revenue Loss
- \$3,632,833 – Transfer Out to Cash for Capital

Move, effective March 14, 2022 to approve the Water Pollution Control 2022-2023 Operating Budget in the amount of **\$4,341,139** (including Avon & Granby CWF share).

Move, effective March 14, 2022 to approve the Residential Property 2022-2023 Operating Budget in the amount of **\$54,172**.

Move, effective March 14, 2022 to approve the Simsbury Parks and Recreation Fund 2022-2023 Operating Budget in the amount of **\$2,218,035**.

Move, effective March 14, 2022 to approve the Debt Service 2022-2023 Operating Budget in the amount of **\$6,371,525**.

Move, effective March 14, 2022 to approve the Capital and Non-Recurring Plan for 2022-2023 in the amount of **\$2,509,775** including:

- \$416,510 to be funded by the General Fund via the Five-Year Payback Method
- \$763,753 to be funded by the General Fund
- \$335,000 to be funded by American Rescue Plan Act funds
- \$191,500 to be funded by the Town Aid Road Fund
- \$280,000 to be funded by the Sewer Use Fund
- \$290,512 to be funded by the Capital Reserve Fund
- \$15,000 to be funded by Anticipated Trade-In Value
- \$59,000 from Project Savings
- \$18,500 from Donations
- \$140,000 from the Golf Equipment Fund

**FY2022-2023 Budget Resolutions**  
**Board of Selectmen Approved Budget**

Move, effective March 14, 2022 to add the following new projects to the Capital Improvement Plan for 2022-2023 in accordance with Charter Section 803(b):

Multi-Use Connections/Trails Development (Curtiss Park to Tariffville)	\$300,000
Tariffville Park Court Replacement	\$350,000
District Climate Control Improvements	\$1,650,000

Move, effective March 14, 2022 to approve the Capital Improvement Program to include the following projects in 2022-2023, with total funding of **\$12,522,744** for 2022-2023:

		<u>Recommended Funding</u>
Golf Course Irrigation System Replacement	\$2,550,000	Bonds
Multi-Use Connections/Trails Development (Rt 10 to Curtiss Park)	\$1,582,744	Grants
Multi-Use Connections/Trails Development (Curtiss Park to Tariffville)	\$300,000	American Rescue Plan Act Funds
PAC Grant Match/Rotary Park Restrooms	\$350,000	Capital Reserve Fund
Tariffville Park Court Replacement	\$350,000	American Rescue Plan Act Funds
Highway Pavement Management	\$1,205,000	Bonds/Grants/Cash
Sidewalk Reconstruction	\$200,000	Bonds
Municipal Site and Safety Improvements (Town Hall)	\$450,000	Bonds
Old Drake Hill Road/Flower Bridge Repairs (Design)	\$280,000	American Rescue Plan Act Fund
Eno Entrance Improvements	\$360,000	Special Revenue Fund/Trust
Eno Parking Lot Improvements	\$245,000	Bonds
Primary Clarifier	\$150,000	Sewer Use Fund
District Network Infrastructure	\$400,000	Bonds
District Climate Control Improvements	\$1,650,000	Bonds/American Rescue Plan Act Funds
Tootin Hills - Water Distribution & Drainage Systems	\$480,000	Bonds
Central School - Electrical Service/Distribution 1950	\$250,000	Capital Reserve Fund/Cash
Central School - Replace EPDM Roof (V3)	\$370,000	Bonds/Grants
Tariffville School - Replace Roof - EPDM (V1, V2)	\$1,000,000	Bonds/Grants
Tariffville School - Replace 1984 Modulars	\$350,000	Cash

**FY2022-2023 Budget Resolutions**  
**Board of Selectmen Approved Budget**

Move, effective March 14, 2022 to refer the following capital projects to the Planning Commission in accordance with CGS Section §8-24:

Golf Course Irrigation System Replacement  
Multi-Use Connections/Trails Development (Rt 10 to Curtiss Park)  
Multi-Use Connections/Trails Development (Curtiss Park to Tariffville)  
PAC Grant Match/Rotary Park Restrooms  
Tariffville Park Court Replacement  
Highway Pavement Management  
Sidewalk Reconstruction  
Municipal Site and Safety Improvements (Town Hall)  
Old Drake Hill Road/Flower Bridge Repairs (Design)  
Eno Entrance Improvements  
Eno Parking Lot Improvements  
Primary Clarifier  
District Network Infrastructure  
District Climate Control Improvements  
Tootin Hills - Water Distribution & Drainage Systems  
Central School - Electrical Service/Distribution 1950  
Central School - Replace EPDM Roof (V3)  
Tariffville School - Replace Roof - EPDM (V1, V2)  
Tariffville School - Replace 1984 Modulars



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignation of Peter Van Loon from the Economic Development Commission
2. **Date of Board Meeting:** March 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
The following motion is in order:  
  
*Move to accept the resignation of Peter Van Loon (D) as a member of the Economic Development Commission effective March 14, 2022.*
5. **Summary of Submission:**  
Peter Van Loon has informed the Town Manager's Office that he is resigning from the Economic Development Commission effective March 14, 2022.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**  
a) Resignation Submission from Peter Van Loon - *Forthcoming*



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Appointment of Carrie Meckel to the Economic Development Commission

2. **Date of Board Meeting:** March 14, 2022

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

4. **Action Requested of the Board of Selectmen:**  
*Maria E. Capriola*  
If the Board of Selectmen supports the recommendation from the Personnel Sub-Committee regarding Ms. Meckel's appointment to the Economic Development Commission (EDC), the following motion is in order:

*Move, effective March 14, 2022 to appoint Carrie Meckel (D) to the Economic Development Commission, with a term expiring October 10, 2024.*

5. **Summary of Submission:**  
At the March 14, 2022 Board of Selectmen meeting the Board voted to accept the resignation of Peter Van Loon from the Commission. In October 2021 Mr. Van Loon had expressed that he did not seek reappointment to the EDC but would stay on until a replacement was found.

Ms. Carrie Meckel previously served on the EDC from October 2018 to August 2019 where she served as Vice Chair of the group and as the EDC's Sustainability Team member. At that time, Ms. Meckel had resigned due to work commitments, but left the Commission in good standing. In 2018, Ms. Meckel participated in a competitive process for the EDC, and was selected by the Board of Selectmen to serve. As a result, the Personnel Sub-Committee felt that Ms. Meckel would not need to re-interview for the current opening.

6. **Financial Impact:**  
None

7. **Description of Documents Included with Submission:**  
a) Carrie Meckel Volunteer Interest Form  
b) Adopted EDC Membership Policy Resolution, dated August 13, 2018



**Simsbury, CT**  
933 Hopmeadow Street

Phone: (860) 658-3200

## Volunteer Form

*Good Government Starts with You*

**Date Submitted:** February 23, 2022

**Name:** Caroline C Meckel

**Home Address:**

**Mailing Address:**

**Phone Number(s):**

**Email Address:**

**Party Affiliation:** D

**Current Occupation/Employer:** IT Compliance, Benistar Admin Services, Inc. / Girls Varsity Rugby Coach, Simsbury High School

**Narrative:** I served as the Vice Chair of the Economic Development Commission from November 2018 to August 2019. I was also liaison to the Sustainability Committee. I stepped aside from the commission when offered a teaching position and have regretted it, since, especially because the position was not a good fit. I am excited to hear that the EDC is looking to fill a vacancy and would like to apply to fill it.

I currently work as an IT Compliance specialist for a third-party administrator. I played an integral role in helping the company achieve a rigorous, risk-based cybersecurity framework certification. They had been trying, unsuccessfully, for years; no one on their team possessed the requisite skill set or will to push forward and complete the projects necessary to achieve certification. So, they called me! I am a lawyer, yet do not practice in the traditional sense. I leverage my teaching and coaching background, choosing to use my research, writing, and analysis skills for project management and documentation. I help the IT team translate legalese and navigate the universe of complex regulatory requirements into which they've been thrust - they help me learn new technical skills.

Outside of my paid work, I am passionate about serving my community by bringing my unique skillset to different volunteer groups and projects. I currently serve as Secretary of the Simsbury Greater Together Community Fund. Together with the Chair and the Liaison from the Hartford Foundation for Public Giving, we launched a new participatory grant-making process, in which Simsbury residents get to direct funds directly to non-profits serving the Town of Simsbury. We successfully completed our first grant cycle, awarding \$25,000 between the Simsbury Volunteer Ambulance Association, Gifts of Love, and A Promise to Jordan.

I also have the honor and privilege of coaching girls varsity rugby at Simsbury High School. I have been with the program since 2019, served as the interim head coach in 2021, and have just applied for the head coach position for 2022. Despite living in Simsbury since I was a child and despite the volunteer work I have done in town for years, nothing has made me feel more a part of the fabric of the community than being able to teach my favorite game to these amazing young athletes, some of whom are the children of my teachers. My rugby team was always my extended family when I played - and now, as a coach, I really feel like part of the Simsbury family. When I was awarded a grant from the US Rugby Foundation to attend a professional international coaching course, I meant it when I said: "I don't have children, I have a rugby team."



**Simsbury, CT**  
933 Hopmeadow Street

Phone: (860) 658-3200

## **Volunteer Form**

*Good Government Starts with You*

When I first applied to work with the EDC I was interested in doing so because none of my friends who grew up here stayed. It has been hard to convince them to come home; both because of negative experiences they had as kids and because they can't afford to move back, even if they wanted to. I wanted (and still do want) to make Simsbury a place where they can and want to raise their families. I have seen so much positive progress over the past decade, both in terms of the diversity of my neighbors and how those of us who were born a little different are openly accepted and respected as valued members of the community. If the EDC will have me back, I am excited to continue the work of developing economic opportunities in town for businesses and for families.

Respectfully,

Carrie Meckel

(P.S. I saw some other vacancies while filling out this form and ticked some boxes - I am always happy to accept a new challenge if the board feels there is a better candidate for the EDC or that my skill-set is needed elsewhere. In college, I majored in English and Philosophy (with a focus on medical ethics) and minored in Women, Gender, Sexuality studies. During law school, I focused on public health law. My internship was based on a community health project in New Haven and I actually wrote my thesis on epidemics and infectious disease response. I also very much enjoyed Land Use and Environmental Law. Thank you for the opportunity to serve!)

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**Board(s) / Committee(s):**  BOARD OF ETHICS  
 CLEAN ENERGY TASK FORCE  
 COMMUNITY FOR CARE COMMITTEE  
 CULTURE PARKS & RECREATION COMMISSION  
 ECONOMIC DEVELOPMENT COMMISSION

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### ***Economic Development Commission Membership Policy Resolution***

Move effective, August 13, 2018 to establish the desired skill sets and qualifications for the seven (7) Economic Development Commission membership slots as follows:

- (1) Member representing the Simsbury development community, commercial or residential
- (3) Members representing the Simsbury business community
- (1) Member with land use or architectural expertise
- (1) Member with marketing, public relations, or communications expertise
- (1) Member with tourism expertise

The intent of the Board is to fill the seven (7) membership slots with individuals possessing the identified skill sets and qualifications. If however, the Board is unsuccessful in identifying a qualified individual(s) to fulfill one or more of the membership slots, the Board of Selectmen may consider and appoint an individual(s) that possesses any of the desired skill sets identified above. No more than five (5) of the seven (7) members can be from the same political party.

Further move to establish three (3) Economic Development Commission ex-officio membership slots, in addition to the Town Manager as established by ordinance:

- (1) Member of the Board of Selectmen (liaison)
- (1) Member of the Planning Commission
- (1) Member of the Zoning Commission

The Board of Selectmen reserves the right to amend this resolution as necessary to modify membership qualifications for both regular and ex-officio members.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Appointment to the Business Development Committee

2. **Date of Board Meeting:** March 14, 2022

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

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports the recommendation of the Town Manager, the following motion is in order:

*Move, effective March 14, 2022, to appoint Tom Earl as a regular member of the Business Development Committee with a term ending August 13, 2022.*

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

I am recommending the appointment of Economic Development Commission member Tom Earl to this Committee. Mr. Van Loon was serving in the Economic Development Commission membership slot. Since Mr. Van Loon is no longer serving on the Economic Development Commission, this appointment would be to complete the remainder of his term on this Committee.

6. **Financial Impact:**  
None

7. **Documents Included with Submission:**  
a) Fee Waiver and Tax Abatement Program Guidelines



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## TOWN OF SIMSBURY

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

#### **1. Purpose**

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

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

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

#### **2. Effective Date**

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

#### **3. Types of Businesses Targeted by This Policy**

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

#### **4. Types of Assistance Available**

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

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

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

## 5. Application Requirements and Procedures

- **Step 1**

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

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

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

- **Step 2**

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

- **Step 3**

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

- **Step 4**

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

- **Step 5**

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

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

## **6. Transparency**

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

## **7. Accountability**

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

## **Economic Development Strategies – To Attract and Retain Businesses**

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

- 1. Diversification and broadening of tax base to minimize tax increases**
  - Increase Grand List value in order to minimize tax increases
- 2. Streamline planning and zoning practices**
  - Continue updating land use regulations
  - Implement suggestions received from local businesses to simplify and make transparent all permitting and zoning requirements
  - Consolidate land use bodies and allow administrative approvals by staff
- 3. Maintain Simsbury's quality of life offerings**
  - Maintain excellent school system, attractive parks and trails, library, social services, senior center, well maintained infrastructure
- 4. Business retention – stay in touch with businesses**
  - Continue EDC outreach such as surveys, meetings and visits to ensure the concerns and needs of our businesses are addressed by town government
  - Partner and collaborate with Chamber of Commerce, Main Street Partnership, and Business and Career Center
  - Maintain and update marketing materials to promote Simsbury as a place to live, work and play
  - Promote state programs (Small Business Incentive Program, Grow Connecticut Rebate Program, etc.) available to business community
- 5. Make infrastructure improvements**
  - Make investments in critical infrastructure: transportation, technological (fiber optics, band width), and building infrastructure. Maintain proper stewardship of town resources
- 6. Support Entrepreneurs and current town businesses**
  - Fund and support the Library's Business Resource and Career Center and our partner organizations such as the Chamber and Main Street
  - EDC led effort to facilitate co-working spaces for entrepreneurs
  - Maintain EDC outreach practices
  - Assign ombudsmen from EDC to work directly with businesses interested in moving to Simsbury or eager to stay in town
- 7. Provide diverse housing options**
  - Continue to support the development of varied housing options that address the range of needs in our community, including affordable housing units and housing units for underserved populations



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Appointment of David Blume to Library Board of Trustees
2. **Date of Board Meeting:** March 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Trish Munroe, Town Clerk  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen accepts the recommended appointment, the following motion is in order:  
  
*Move, effective March 14, 2022, to appoint David Blume as a Regular Member of the Library Board of Trustees with a term ending December 1, 2025 to fill a vacancy created by the resignation of Heather Goetz on December 6, 2021.*
5. **Summary of Submission:**  
The Town Clerk has received from the Republican Town Committee the recommendation of David Blume (R) as a Regular Member of the Library Board of Trustees. The appointee will serve until December 4, 2023, which is the date the newly elected Library Board of Trustees member will assume their position with a term ending December 1, 2025.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission**  
None



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignation of Richard Cortes from the Public Building Committee, Building Code Board of Appeals and Planning Commission
2. **Date of Board Meeting:** March 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Trish Munroe, Town Clerk  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**

The following motions are in order:

*Move, retroactive to February 28, 2022, to accept the resignation of Richard Cortes as a Regular Member of the Public Building Committee. Mr. Cortes' term was due to expire January 1, 2026.*

*Move, retroactive to February 28, 2022, to accept the resignation of Richard Cortes as an Alternate\* Member of the Building Code Board of Appeals. Mr. Cortes' term was due to expire January 1, 2024.*

*Move, retroactive to February 28, 2022, to accept the resignation of Richard Cortes as an Alternate Member of the Planning Commission. Mr. Cortes' term was due to expire December 4, 2023.*

5. **Summary of Submission:**

The Town Clerk has received the resignation of Richard Cortes (D) as a Regular Member of the Public Building Committee, an Alternate Building Code of Appeals Member and an Alternate Planning Commission Member.

Section 205 of the Charter, "Vacancies: elective offices," states:

*"... any vacancy, except a vacancy on the Board of Selectmen, in any elective Town office, including the Board of Education, shall be filled within forty-five (45) days of such vacancy by appointment by the Board of Selectmen, for the unexpired portion of the term or until the next regular municipal election, as defined in Section 9-1 of the General Statutes, whichever shall first occur."*

Pursuant to our Charter, since Mr. Cortes is a Democrat, his replacement as an Alternate Planning Commission Member must be from the same political party. This vacancy must be filled no later than April 14, 2022. The appointee will serve until

December 4, 2023, which is the date that the newly elected Alternate Planning Commission Member will assume their position with a term ending December 6, 2027.

**6. Financial Impact:**

None

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

a) Copies of Richard Cortes' Resignation Letters

*\* (Note: on his letter of resignation from the Building Code Board of Appeals, Mr. Cortes incorrectly states he is resigning from his position as a Regular Member instead of an Alternate Member)*

Richard Cortes

[Redacted signature line]

2/28/2022

*Trish Monroe*  
Carolyn Keily, Town Clerk  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070

Dear Ms. Keily:

I hereby resign my position as a regular  member on the  
Building Code Board of Appeals.

Please notify the Board of Selectmen that the effective date of my resignation is  
2/28/2022.

Sincerely,

  
[Redacted signature line]

Richard Cortes

[REDACTED]

02/28/2022

*Trish Monroe*

Carolyn Keily, Town Clerk  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070

Dear Ms. Keily:

I hereby resign my position as an alternate  member on the  
Planning Commission

Please notify the Board of Selectmen that the effective date of my resignation is  
2/28/2022

Sincerely,

  
\_\_\_\_\_

Richard Cortes

2/28/2022

*Trish Munroe*

~~Carolyn Keily~~, Town Clerk  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070

Dear Ms. Keily:

I hereby resign my position as a regular  member on the  
-Public Building Committee.

Please notify the Board of Selectmen that the effective date of my resignation is  
2/28/2022.

Sincerely,



## **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 and on Zoom. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl (via Zoom); Board members Eric Wellman, Chris Peterson (via Zoom), Heather Goetz and Sean Askham (via Zoom). Others in attendance included: Town Manager Maria E. Capriola, Deputy Town Manager Melissa Appleby, Public Works Director Tom Roy, Social Service Director Kristen Formanek (via Zoom), Finance Director/Treasurer Amy Meriwether, and other interested parties.

## **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

## **PUBLIC AUDIENCE**

Joan Coe, 26 Whitcomb Drive, spoke about a Police Commission presentation about the Police Department, Ambulance and Fire Department budget; the Town Manager the Town Planner and Community Development and other issues.

Sean Murphy, 312 Old Farms Road, spoke about the city of Ridgefield capping taxes for people who are over 65. He asked the Board to have a discussion on possibly doing that type of thing in Simsbury. He would like to see if this type of tax break would be viable in Simsbury.

Debbie Thibodeau, a bike path advocate, spoke about the bike/pedestrian trails which are beneficial to the community. She spoke about her support for the multi-use trails project and feels the Board needs to move forward with the design of the middle village section. She also spoke about the maintenance of the trails and asked the Board for their support with this issue.

Ms. Mackstutis read a written comment from Jess Bergman, who spoke about having more options for Public Audience for those who cannot attend meetings in person. She asked the Board to keep Zoom going so that the people don't lose their voices.

## **PRESENTATION**

### **a) Town Manager's Fiscal Year 2022/2023 Proposed Budget**

Ms. Capriola gave a presentation on the 2022/23 Town Manager's Proposed Budget.

Ms. Capriola went through budget objectives. She said she wants to strengthen long term financial stability. She went through the budget overview with the General Fund, Capital and other funds.

She also went over the reserve outlook and grand list growth. She went through General Fund expenses for 22/23 vs. 21/22 and different trends. She spoke about Debt Service, salaries, minimum wage, OPEB and interest rates.

Ms. Capriola talked about prioritizing service improvements and gave a list of requests for consideration. She also spoke about different uses for the ARPA funds and those priorities.

Ms. Capriola spoke about the Capital budget revenues and expenses and those different projects. She also spoke about the CNR funds.

Ms. Capriola said the impact on tax payers is decreasing the mill rate from 37.41 to 37.07, which does not include the Fire District.

Ms. Capriola went through where the tax dollars go and suggested topics for discussion including the ARPA Funding, debt service, capital, service improvement and policies, etc.

Mr. Capriola noted that there will be budget workshops on March 10<sup>th</sup> and 12<sup>th</sup>. The Board of Selectmen will adopt the budget on March 14<sup>th</sup> or 16<sup>th</sup> and it will then go to the Board of Finance on March 31<sup>st</sup>.

There was some discussion on the ARPA funding and Capital items and how they would be funded. Ms. Capriola asked that the Board send her any specific questions.

### **FIRST SELECTMAN’S REPORT**

Ms. Mackstutis, First Selectman, reviewed her First Selectman’s report.

### **TOWN MANAGER’S REPORT**

Ms. Capriola, Town Manager, reviewed her Town Manager’s report.

Mr. Wellman made a motion to amend the agenda to add items i) Trust Act Reporting Requirements and j) Disbanding ARPA Workgroup. Ms. Goetz seconded the motion. All were in favor and the motion passed.

### **LIAISON AND SUB-COMMITTEE REPORT**

- a) **Personnel** – There was no report at this time.
- b) **Finance** – There was no report at this time.
- c) **Public Safety** – There was no report at this time.
- d) **Board of Education** – There was no report at this time.

### **SELECTMEN ACTION**

#### **a) Tax Refund Requests**

Mr. Askham made a motion, effective February 28, 2022, to approve the tax refunds in the amount of \$10,316.25, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds Mr. Peterson seconded the motion. All were in favor and the motion passed.

#### **b) Name change for Simsbury SPIRIT Council**

Ms. Formanek said the SPIRIT Council is asking that their name change so they can be more identifiable with the work they are doing and their vision.

Mr. Askham made a motion, effective February 28, 2022, to change the name of the SPIRIT Council to the Simsbury Diversity, Equity and Inclusion Council and to update the Council’s purpose and procedure documents to reflect that change. Mr. Wellman seconded the motion. All were in favor and the motion passed

**c) Supplemental Appropriation Request – Performing Arts Center Parking and Accessibility Improvements**

Ms. Capriola said this appropriation would be for capital projects budgeted for the current fiscal year. She received five bids on this project and the total would be \$174,000, which is more than what was budgeted. She said this project would allow for handicapped accessibility. They would like to have this project completed for this years’ season of events.

Ms. Abbuhl made a motion, effective February 28, 2022, to approve the supplemental appropriation for the Performing Arts Center Parking and Accessibility Improvements project, in the amount of \$174,000 and to recommend to the Board of Finance using \$160,000 from the capital reserves and \$14,000 from project savings to fund the work. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**d) Budget status report**

Ms. Meriwether went through her budget status report through 12/31/21. She went through the general fund reserves and expenditures. She also went through the special program reserves and expenditures.

Ms. Meriwether went through the Health Insurance Fund reserves and expenditures and explained the differences.

After some discussion no action is needed at this time.

**e) Revisions to Public Works Director Classification**

Ms. Capriola said that now that Mr. Shea is retiring, the Public Works Director position has been restructured to include Town Engineer. Therefore, there is a change in the title and job description.

Mr. Peterson made a motion, effective February 28, 2022, to approve the revised job title, description and pay ranges for the Director of Public Works position as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

**f) Appointment of Town Engineer**

Ms. Capriola said this appointment needs to be separate according to the Town Charter.

Mr. Askham made a motion, effective February 28, 2022, to appoint Thomas Roy as Town Engineer, effective March 1, 2022, and to revise his annual salary to \$158,000.00 Mr. Wellman seconded the motion. All were in favor and the motion passed.

**g) Settlement Agreement from Water Damage Claim at Henry James Memorial School**

Mr. Askham recused himself.

Ms. Abbuhl made a motion, effective February 28, 2022, to approve the settlement agreement related to the Henry James Memorial School insurance claim(s) and to authorize Town Manager, Maria E. Capriola, to execute all settlement documents. Ms. Goetz seconded the motion. All were in favor and the motion passed.

Mr. Askham rejoined the meeting.

**h) Proposed Merger of Simsbury and Granby Chamber of Commerce**

Ms. Appleby said this merger is a great opportunity with benefits to the Towns.

After some discussion, Mr. Wellman made a motion, effective February 28, 2022, to approve the merger of the Simsbury and Granby Chamber of Commerce and to authorize Town Manager, Maria E. Capriola, to cast an affirmative vote for the merger. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**i) Trust Act Reporting Requirements**

Ms. Capriola said there have been recent changes to the reporting requirements associated with Public Act 19-20. She said the report is due on March 1, 2022 and it requires legislative authority.

Ms. Mackstutis said this is online reporting and she would like a copy of this report submission for our records.

Mr. Wellman made a motion, effective February 28, 2022, to authorize the Simsbury Police Department to complete and submit any and all reporting requirements related to the Trust Act on behalf of the Town of Simsbury and to provide the report to the Town of Simsbury after filing until revised. Ms. Abbuhl seconded the motion. Mr. Wellman, Ms. Goetz, Ms. Abbuhl, Ms. Mackstutis and Mr. Peterson were in favor, with Mr. Askham abstaining. Therefore, the motion passed.

**j) Disbanding ARPA Workgroup**

Ms. Mackstutis said the ARPA workgroup was formed on January 14, 2022. After discussing with other members of the group, she thought it would be a good idea to move the duties to the Finance Sub-Committee.

Mr. Askham made a motion, effective February 28, 2022 to disband the ARPA Workgroup and to reassign those duties to the Finance Sub-committee. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**APPOINTMENTS AND RESIGNATIONS**

**a) Proposed Appointments and Resignations from the Simsbury Republican Town Committee**

Mr. Askham made a motion, effective February 28, 2022, to appoint Andrew B. Bade as a Regular Member of the Conservation Commission – Inland Wetlands and Watercourse Agency with a term ending January 1, 2026. To reappoint Lucian Dragalski as a Regular Member of the Water Pollution Control Authority with a term ending January 1, 2026 and to re-appoint Thomas Hickey as a Regular Member of the Water Pollution Control Authority with a term ending January 1, 2026. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**b) Appointment of Melissa Appleby to the Board of Directors for the Farmington Valley Health District**

Mr. Wellman made a motion, effective February 28, 2022, to accept the resignation of Jeff Shea from the Farmington Valley Health District Board of Directors with our thanks. Further move, effective February 28, 2022, to appoint Melissa Appleby to the Farmington Valley Health District Board of Directors for a term set to expire on April 24, 2023. Mr. Askham seconded the motion. All were in favor and the motion passed.

**c) Resignation of Tim Walczak from Open Space Committee**

Mr. Askham made a motion, effective February 28, 2022, to accept the resignation of Tim Walczak from the Open Space Committee retroactive to February 22, 2022 with our thanks. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**d) Resignation of David Blume and Julie Eaton from Planning Commission**

Mr. Askham made a motion, retroactive to February 17, 2022, to accept the resignation of David Blume as a Regular Member of the Planning Commission and to accept the resignation of Julie Eaton as an Alternate Member of the Planning Commission with our thanks. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**e) Appointment to Planning Commission**

Mr. Askham made a motion to appoint Julie Eaton as a Regular Member of the Planning Commission with a term ending December 4, 2022 to fill a vacancy created by the resignation of David Blume on February 17, 2022. Further move, effective February 28, 2022, to appoint Craig MacComac as an Alternate Member of the Planning Commission with a term ending December 4, 2023 to fill the vacancy created by the resignation of Julie Eaton on February 18, 2022. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) Regular Meeting of February 14, 2022**

Ms. Abbuhl had a correction under Appointments and Resignation, page 5 g): Amy McLean Salis should be Amy McLean Salls. Mr. Wellman made a motion to approve the amended Regular Meeting Minutes of February 14, 2022. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**b) Special Meeting of February 14, 2022**

There were no changes to the Special Meeting Minutes of February 14, 2022, and, therefore, the minutes were adopted.

**ADJOURN**

Mr. Askham made a motion to adjourn at 8:08 p.m. Ms. Goetz seconded the motion. All were in favor and the motion passed.

Respectfully submitted,  
Kathi Radocchio  
Clerk

# Simsbury Zoning Commission

**TO:           Simsbury Board of Selectmen**

**FROM:       Simsbury Zoning Commission**

**DATE:       February 28, 2022**

## Summary

The Simsbury Zoning Commission has carefully reviewed the provisions of Connecticut Public Act 21-29. The Zoning Commission has determined that the Public Act 21-29 overrules local control of Accessory Dwelling Units (ADU). Simsbury Zoning has regulated ADUs since June 2002. Furthermore, with citizen input during public hearings and with consideration of the Plan of Conservation and Development, the Zoning Commission has amended its ADU regulations several times to reflect Simsbury needs. During the past twenty years, the Zoning Commission has approved 35 ADUs.

Because of removal of local control, the Simsbury Zoning Commission approved on January 3, 2022, by a 6-0 vote, the attached Resolution to Opt-Out of Public Act 21-29.

The Zoning Commission requests that the Board of Selectmen opt-out of Public Act 21-29 because that action is required to retain local control.

There are a number of Connecticut Towns that are considering opting out of Public Act 21-29 to retain local control. These Towns include Oxford, Wilton, Rocky Hill, Cheshire, Enfield, Southington, Westport, Darien, the Borough of Fenwick, ...

## Connecticut Public Act 21-29 Synopsis

The Connecticut Public Act 21-29 includes provisions that overrule Simsbury Zoning Commission regulations of Accessory Dwelling Units (ADU). The Simsbury Zoning Commission has established zoning regulations that reflect Simsbury's unique location, geography and citizen's needs. The "one size fits all" provisions of Public Act 21-29 would have a negative impact on Simsbury residents.

Laura Barkowski, Simsbury's Code Compliance Officer, has highlighted the differences between Simsbury Zoning Regulations and Public Act 21-29 provisions. That memo is attached.

Public Act 21-29 does provide that a Town may opt out of the provisions of Public Act 21-29.

## Simsbury Zoning Commission Decision

The Simsbury Zoning Commission has regulated ADUs since June of 2002, and it has twenty years of experience regulating ADUs. In the past twenty years, thirty-five ADU's have been approved in Simsbury.

## Simsbury Zoning Commission

The Simsbury Zoning Commission has decided that removing local control of ADU would be greatly detrimental and so it has proceeded to opt-out as provided in Public Act 21-29.

### Public Hearing

The Simsbury Zoning Commission held a public hearing on the question of whether to opt-out, or not. To provide ample opportunity for citizen comment, the public hearing was open for four regular Zoning Commission meetings, 11/15/2021, 12/6/2021, 12/20/2021 and 1/3/2022.

On 11/15/2021 there were four citizens who spoke. All four were against opting out because they felt there is a need for more housing choices. No one from the public spoke at any of the three subsequent meetings.

There were 19 written comments submitted from 18 Simsbury residents. (One written comment was from the AARP.)

Ten Simsbury residents opposed opting out for two primary reasons – first, they felt there is a need for additional housing options, and, two, several people expressed the opinion that the current Simsbury ADU regulation does not allow a large enough ADU area, especially for disabled persons.

Seven Simsbury residents expressed the opinion that we should opt out and retain local control over our Zoning Regulations. They fear the impact of unlimited ADUs throughout Simsbury's residential zones.

### Simsbury Zoning Commission ADU Considerations

Simsbury Zoning Regulations have always required that the owner of the property live in either the ADU, or the main residence. Public Act 21-29 doesn't mention this requirement, and it might be lost if Simsbury fails to opt-out.

The Simsbury Zoning Commission in its June 2020 update of the Simsbury Zoning Regulations made several changes to add ADU conditions to encourage safety through familiarity in an ADU situation.

One of the 2020 Simsbury regulation changes was to reduce the size of ADU's to the lesser of 600 sq ft, or 30% of the dwelling size. Another change was to require that there be a door between the main dwelling unit and the ADU. A third change was to require that the ADU share utilities with the main dwelling unit. Public Act 21-29, evidently to increase the supply of rental housing, prohibits these 2020 Simsbury Zoning Regulation ADU provisions.

Public Act 21-29 ADU provisions are aimed at a perceived need to increase the supply of Affordable Housing in Connecticut. In recognition of this intention, the Simsbury Zoning Commission will begin the process of revising its ADU regulations in response to the Public Act 21-29 provisions and to the testimony offered during the public hearing. It might be worthy of note that Affordable Housing under Connecticut Statutes is required to be deed restricted for 30 years to occupation by residents who qualify by having an income level of 80%, or less, of the median area income.

Any Zoning Regulation change will take several months. A Zoning Regulation change requires referrals to the Simsbury Planning Commission for its advice on whether the proposed changes are consistent with the Plan of Conservation and Development and to CRCOG for its advice with respect to the Regional Plan

## **Simsbury Zoning Commission**

of Conservation and Development. Then the Zoning Commission must hold a Public Hearing on any proposed Zoning Regulation changes, followed by a Zoning Commission vote to adopt any proposed changes.

Recommendation to the Simsbury Board of Selectmen

The Simsbury Zoning Commission asks the Board of Selectmen to proceed to opt-out of Public Act 21-29 because Public Act 21-29 removes local control of Zoning Regulations and substitutes a "one size fits all" state mandate. Attached is the Resolution approved 6-0 by the Simsbury Zoning Commission on January 3, 2022.

David Ryan,  
Chairman

Attach: (2)



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

## SIMSBURY ZONING COMMISSION

### Resolution to Opt Out of the Revisions to Connecticut General Statutes §8-2 as authorized under Section 6 of Public Act 21-29 Regarding Accessory Dwelling Units.

The Simsbury Zoning Commission initiated the opt-out process found in Section 6(f) of Public Act 21-29 regarding the regulation of Accessory Dwelling Units by requesting and receiving a positive referral from the Planning Commission on November 9, 2021, and thereafter conducted a public hearing on November 15, 2021, reconvening on December 6, 2021, December 20, 2021 and January 3, 2022.

In accordance with Connecticut General Statute §8-7d, has considered the provision of Section 6 (a) through (d) of Public Act 21-29 regarding accessory dwelling units, as set forth within Connecticut General Statutes §8-2 (as revised under Public Act 21-29) and hereby affirmatively elects to opt-out of these provisions as authorized by Section 6(f) of said Public Act.

The reasons for the Commission's decision are that (a) the Commission will be reviewing the current regulations for accessory dwelling units regulated of the Simsbury Zoning Regulations under section §3.5.2 A-B and (b) The commission will also review the Hartford-Simsbury Form Based Code and Simsbury Center Code to make changes which it deems necessary or appropriate. In its review, the Commission will consider factors such as appropriate scaling with the possibly of unit size being based on Zoning Districts; regulate the permitting process of approval consistent with Section 6(a) through (d) of Public Act 21-29 and to retain the ability to modify the regulations on an as needed or as appropriate as authorized by the Public Act.

The Commission also hereby requests that the Board of Selectman ratify by 2/3 majority the decision of this Commission opting out of the provisions of the amended Connecticut General Statutes Section 8-2 as provided for in Section 6(f) of Public Act 21-29.

Notice of this Resolution shall be published in accordance with the provisions of Section 6(f)(4) of Public Act 21-29.



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

**TO:** Zoning Commission

**FROM:** Laura Barkowski  
Code Compliance Officer

**DATE:** 9/29/2021

**SUBJECT:** Legislative Update (Accessory Dwelling Units)

Public Act 21-29 established new provisions on the regulation of accessory dwelling units (ADUs). If the Commission chooses not to opt out by January 1, 2023, the Town will default to the standards as prescribed in PA 21-29. Below is a side by side comparison of changes from what is currently allowed within the Zoning Regulations and new standards within PA 21-29.

CURRENT (SECTION 3.5.2)	LEGISLATIVE CHANGE (PA 21-29)
Attached ADUs require site plan approval  Detached ADUs require Special Exception	Permitted as of right in any district that allows single family residence  Decisions must be rendered within 65 days <i>(Applicant may consent to extensions)</i>
ADU shall not exceed 600 square feet or 25% of gross floor area of primary dwelling (whichever is less)	Must allow maximum ADU size of at least 1,000 sf or 30% of net floor area of principal dwelling (whichever is smaller) <i>*Regulations may allow a larger net floor area</i>
Shall not have separate utilities from primary dwelling	Shall not be <u>required</u> to be served by separate utilities
One ADU permitted for each lot	At least one ADU as of right in districts which allow accessory apartments
ADU shall be accessible from primary dwelling by an operable door ( <i>attached ADU</i> )	Prohibited from requiring a passageway between ADU and primary dwelling
At least one off-street parking space dedicated to ADU	Not be required to have more than one parking spot or fees in lieu of

### Additional considerations addressed by PA 21-29

- Prohibits requiring familiar, marital or employment relationship between occupants of ADUs and primary dwelling
- Prohibits minimum age for occupants
- Prohibits requiring periodic ADU permit renewals
- Prohibits being more restrictive for ADUs than principal dwellings with respect to setbacks, lot size, building frontage, coverage
- Prohibits placing a condition on a ADU to correct a non-conformity (structure or use)
- May not require fire sprinkler in ADU if not required in principal dwelling or otherwise determined by fire code
- May regulate the use of ADUs a short term rentals
- May regulate height, landscaping and architectural design so long as it does not exceed standards to single family dwellings

### Not addressed by PA 21-29

- The current regulations require the property owner to reside in either the ADU or principal dwelling. This is not addressed and would require input from legal counsel.

### Opting out

- Towns must opt out by January 1, 2023 or any current regulations that are non-complaint with PA 21-29 become null and void
- Must have Public Hearing to opt out
- Zoning Commission must state on record the reasons for opting out.
- Requires 2/3 vote from Zoning Commission **and** Board of Selectman to opt out



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Settlement Agreement - Pending Tax Appeal for Simsbury Property Group LLC
2. **Date of Board Meeting:** March 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Francine Beland, Assessor; Robert M DeCrescenzo, Esq., Town Attorney *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports approving the stipulation for judgment to settle the Simsbury Property Group, LLC real estate tax appeal, the following motion is in order:

*Move, effective March 14, 2022 to approve the Joint Stipulation for Judgment for Docket No. HHB-CV-21-6066858-S, Simsbury Property Group, LLC v. Town of Simsbury for the tax appeal on the property located at 88 Hopmeadow Street as presented, and authorize Town Attorney Robert Decrescenzo to execute the agreement.*

5. **Summary of Submission:**

The property at 88 Hopmeadow Street, known and designated as Unit 2 of the Hopmeadow Business Center, an office condominium complex, consists of a building constructed in 1982 with a building area of 3,860 +/- square feet. The property has recently sold this year, and will be occupied by a new business in Town.

The revaluation found a value of \$677,656<sup>1</sup> as of October 1, 2017 and the property owner filed an appeal for the 2020 assessment to be valued at \$200,000. The property is currently assessed at \$474,360<sup>2</sup> effective as of October 1, 2020. The agreed upon market value is \$465,000. This value was formed after consultation with a commercial appraiser.

The main point of contention in this appeal is over the valuation being too high.

- 1) The property was foreclosed in May 2018 and remained partially vacant.
- 2) Owner filing the appeal purchased the property in September 2019 for \$325,000 as a partially vacant office building that had been Foreclosed.
- 3) The property sold in January 2022 (2<sup>nd</sup> sale since the Foreclosure) for \$465,000 partially influenced by the property still not being fully occupied and is currently undergoing some repairs to be occupied by the new owner.

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<sup>1</sup> 100% of value

<sup>2</sup> 70% of value

The proposed settlement applies the Town's October 1, 2017 appraisal for the 2020 assessment year, and reduces the assessment to \$325,000 for the remaining 2 year revaluation cycle (market value of \$465,000).

**6. Financial Impact:**

The original assessment assigned at revaluation would have resulted in a tax payment of approximately \$35,500 over the last 2 fiscal years. The revised assessment of \$325,500 results in a tax payment of approximately \$24,350 for the remainder of the revaluation cycle (2020 and 2021 assessment year).

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

- a) Joint Stipulation for Judgment – Simsbury Property Group LLC v. Town of Simsbury, dated February 2022
- b) Memo from Francine Beland re: Settlement of Simsbury Property Group LLC Appeal, dated March 9, 2022

March 9, 2022

To: Maria E. Capriola, MPA, Town Manager

From: Francine Beland, Assessor

Re: Settlement of Simsbury Property Group LLC (88 Hopmeadow Street) Appeal

<b>Appellant/Owner</b>	<b>Property</b>	<b>2020 Market Value</b>	<b>2020 Assessment (AV)</b>	<b>Agreed Value</b>	<b>Revised AV</b>	<b>Assessment Change</b>
Simsbury Property Group LLC	88 Hopmeadow Street	677,656	474,360	465,000	325,500	-148,860

The subject property, 88 Hopmeadow Street, known and designated as Unit 2 of the Hopmeadow Business Center, an office condominium complex, consists of a building constructed in 1982 with a building area of 3,860 +/- square feet.

The revaluation found a value of \$677,656 as of October 1, 2017. Subject property was foreclosed in 2018 and recently sold for \$465,000.

The proposed assessment change for 88 Hopmeadow Street would reduce the estimated market value from \$ 677,656 to \$465,000 and the corresponding assessment from 474,360 to 325,500. The assessment reduction would result in a decreased town tax in the current year of \$ 5,570. Because this is occurring after the second installment of tax that was due, the reduction will result in a reimbursement for the current fiscal year.

DOCKET NO. HHB-CV-21-6066858-S

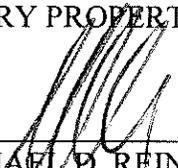
SIMSBURY PROPERTY GROUP, LLC : SUPERIOR COURT  
V. : JUDICIAL DISTRICT OF NEW BRITAIN  
TOWN OF SIMSBURY : FEBRUARY \_\_, 2022

**MOTION FOR JUDGMENT**

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

PLAINTIFF,  
SIMSBURY PROPERTY GROUP, LLC

DEFENDANT,  
TOWN OF SIMSBURY

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

BY: \_\_\_\_\_  
ROBERT M. DeCRESCENZO, ESQ.  
Updike, Kelly & Spellacy, P.C.  
Goodwin Square  
225 Asylum Street  
Hartford, CT 06103  
Tel. (860)548-2600 Fax (860)548-2680  
Juris 065040

**CERTIFICATION**

This is to certify that a copy of the foregoing was mailed or electronically delivered on February \_\_, 2022 to all counsel and self-represented parties of record and that written consent for electronic delivery was received from all counsel and self-represented parties of record who were electronically served.

Michael Reiner, Esq.  
Greene Law, P.C.  
11 Talcott Notch Road  
Farmington, CT 06032  
mreiner@greenelawpc.com

BY: \_\_\_\_\_  
ROBERT M. DeCRESCENZO, ESQ.  
Updike, Kelly & Spellacy, P.C.

DOCKET NO. HHB-CV-21-6066858-S

SIMSBURY PROPERTY GROUP, LLC : SUPERIOR COURT

V. : JUDICIAL DISTRICT OF NEW BRITAIN

TOWN OF SIMSBURY : FEBRUARY \_\_, 2022

**JOINT STIPULATION FOR JUDGMENT**

The parties hereto stipulate and agree that, solely for the purpose of resolving the above-captioned matter, judgment may be rendered in this case finding that for the purposes of real estate tax assessment only as follows:

1. The Fair Market Value of the subject property located at 88 Hopmeadow Street, Map/Lot F18-154-002, in the Town of Simsbury for the Grand List Year beginning October 1, 2020 shall be reduced from \$677,656.00 to \$465,000.00.

2. The resulting assessment shall be reduced from \$474,360.00 to \$325,500.00

3. The parties hereto further stipulate and agree that the said reduced fair market valuation for the October 1, 2020 Grand List shall not change until the next town-wide revaluation except in the event that improvements are made to the subject property, it is demolished or partially or totally destroyed, or as may be otherwise permitted by law.

4. The parties hereto further stipulate that the stipulated value will not prejudice any future town-wide revaluation figures in any way.

5. The parties further stipulate that the Stipulation for Judgment filed in this matter is binding only as to the parties and/or their successors in interest and the subject property of this matter only, and shall not be deemed as an admission as to any issues in any other litigation between the Defendant and any other parties.

6. The parties further stipulate and agree that no interest, attorneys' fees or costs are awarded to either party.

7. The parties further stipulate that any overpayment of taxes as the result of the reduced assessment will be refunded to the Plaintiff.

8. Finally, the parties further stipulate that each of the individuals signing the Joint Stipulation for Judgment has the authority to so bind the party that they represent to the terms of this Joint Stipulation for Judgment.

PLAINTIFF,  
SIMSBURY PROPERTY GROUP, LLC

DEFENDANT,  
TOWN OF SIMSBURY

BY: \_\_\_\_\_

MICHAEL D. KEINER, ESQ.  
Greene Law, P.C.  
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mreiner@greenelawpc.com

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