

Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Lisa L. Heavner - First Selectman

Watch Board of Selectmen meetings LIVE and rebroadcast on Comcast Channel 96, rebroadcast on Frontier Channel 99 and on-demand on www.simsburytv.org

SIMSBURY BOARD OF SELECTMEN

Large Program Room – Simsbury Public Library – 725 Hopmeadow Street, Simsbury

Regular Meeting – October 24, 2016 – 6:00 p.m.

PLEDGE OF ALLEGIANCE

PUBLIC AUDIENCE

PRESENTATIONS

FIRST SELECTMAN'S REPORT

SELECTMEN ACTION

- a) Approve Tax Refunds
- b) Approve Fee Schedule for Simsbury Farms Ice Rink and Paddle Tennis Courts as recommended by the Culture, Parks & Recreation Commission
- c) Approve Public Gathering Permit Applications for November 2016 Events
- d) Acceptance of Friends of Simsbury Farms donation in the amount of \$3,500 toward the construction of a sod farm at the Simsbury Farms Golf Course
- e) Acceptance of Archdiocese of Hartford donations in the amount of \$2,435 for the for the Simsbury Food Closet
- f) Acceptance of donation in the amount of \$4,000 from the Hartford Foundation for Public Giving to support Social Services Department programs
- g) Adopt Resolution authorizing the amendment of the Town of Simsbury Retirement Income Plan to reflect changes to the Plan negotiated by the Town of Simsbury and AFSCME Local 2945
- h) Authorize the First Selectman to execute DEEP and DOT easements in favor of the Town of Simsbury, and enter into the AT&T Encroachment Permit, to allow for the installation of sanitary sewer from 20 Hopmeadow Street to connect to an existing sewer line owned by the Town of Simsbury

Telephone (860) 658-3230
Facsimile (860) 658-9467

LHeavner@simsbury-ct.gov
www.simsbury-ct.gov
An Equal Opportunity Employer

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

- i) Discussion regarding Senior Center Community Project with members from Aging & Disability Commission, Public Building Committee and Performing Art Center

OTHER BUSINESS

APPOINTMENTS AND RESIGNATIONS

- a) Acknowledge the resignation of David Krayski (D) as a regular member of the Community for Care Committee effective September 27, 2016
- b) Acknowledge the resignation of David Krayski (D) as a regular member of the Tourism Committee effective September 27, 2016
- c) Appoint Joy Himmelfarb (D) as a regular member of the Aging & Disability Commission with an expiration date of January 1, 2020
- d) Acknowledge the resignation of Steven S. Mitchell (U) as a regular member of the Tourism Committee effective immediately

REVIEW OF MINUTES

- a) Regular Meeting of September 26, 2016
- b) Special Meeting of October 7, 2016

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

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

ADJOURN

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



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Tax Refunds
2. **Date of submission:** October 18, 2016
3. **Date of Board Meeting:** October 24, 2016
4. **Individual or Entity making the submission** (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting):

Colleen O'Connor- Tax Collector

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

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

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

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

Approve tax refunds per attached printout in the amount of **\$ 8,408.16**

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

Tax Refunds.xls

	BILL NUMBER	TAX	FIRE	INTEREST	TOTAL
List 2013					
Kelley Laurie A	13-01-04011	\$638.08	\$20.44		\$658.52
					\$0.00
					\$0.00
					\$0.00
Total 2013		\$638.08	\$20.44	\$0.00	\$658.52
List 2014					
Kelley Laurie A	14-01-04039	\$637.73	\$20.44		\$658.17
EAN Holdings LLC	14-03-55071	\$48.66	\$1.56		\$50.22
Hyundai Lease Titling	14-03-58563	\$184.86	\$5.92		\$190.78
Hyundai Lease Titling	14-03-58565	\$99.11	\$3.18		\$102.29
Nissan Infiniti LT	14-03-63325	\$78.85	\$2.53		\$81.38
Nissan Infiniti LT	14-03-63338	\$85.93	\$2.76		\$88.69
Nissan Infiniti LT	14-03-63351	\$549.78	\$17.63		\$567.41
Pendergast Mary A	14-03-64261	\$90.87	\$2.92		\$93.79
Toyota Lease Trust	14-03-68537	\$288.20	\$9.24		\$297.44
					\$0.00
					\$0.00
Total 2014		\$2,063.99	\$66.18	\$0.00	\$2,130.17
List 2015					
Sinnamin Buns LLC	15-02-40773	\$22.17			\$22.17
Bolin Michael W	15-03-51599	\$102.24	\$2.84		\$105.08
Bolin Michael W	15-03-51600	\$95.11	\$2.64		\$97.75
Christianson Larry T	15-03-53060	\$107.89	\$3.00		\$110.89
Christianson Larry T	15-03-53061	\$192.60	\$5.35		\$197.95
Coe Jonathan D	15-03-53278	\$112.14	\$3.11		\$115.25
Collins Richard J Jr	15-03-53358	\$13.61	\$0.38		\$13.99
Gutman Nathan	15-03-57323	\$260.28	\$7.23		\$267.51
Honda Lease Trust	15-03-58105	\$96.37	\$2.68		\$99.05
Honda Lease Trust	15-03-58126	\$128.38	\$3.57		\$131.95
Honda Lease Trust	15-03-58133	\$81.36	\$2.26		\$83.62
Honda Lease Trust	15-03-58147	\$96.37	\$2.68		\$99.05
Honda Lease Trust	15-03-58165	\$785.52	\$21.82		\$807.34
Honda Lease Trust	15-03-58172	\$226.80	\$6.30		\$233.10
Honda Lease Trust	15-03-58189	\$267.08	\$7.42		\$274.50
Honda Lease Trust	15-03-58287	\$102.49	\$2.85		\$105.34
JP Morgan Chase Bank	15-03-59110	\$364.68	\$10.13		\$374.81
Melanson Charles	15-03-62137	\$91.98			\$91.98
Melanson Suzane	15-03-62156	\$250.00			\$250.00
Nissan Infiniti LT	15-03-63343	\$267.01	\$7.42		\$274.43
Nissan Infiniti LT	15-03-63369	\$258.16	\$7.17		\$265.33
Nissan Infiniti LT	15-03-63411	\$267.01	\$7.42		\$274.43
Nissan Infiniti LT	15-03-63412	\$231.77	\$6.44		\$238.21
Nissan Infiniti LT	15-03-63435	\$407.16	\$11.31		\$418.47
Odum George B Jr	15-03-63638	\$50.00	\$1.39		\$51.39
Phelan Kathleen P	15-03-64487	\$5.60			\$5.60

Sanfilippo Megan J	15-03-66213	\$203.11	\$5.64		\$208.75
Singer, Terri E	15-03-67108	\$75.42	\$2.09		\$77.51
Toyota Lease Trust	15-03-68592	\$404.03	\$11.22		\$415.25
Vincent Thomas E	15-03-69297	\$66.53	\$1.85		\$68.38
Wheels LT	15-03-69801	\$73.22	\$2.03		\$75.25
					\$0.00
					\$0.00
Total 2015		\$5,706.09	\$148.24	\$0.00	\$5,854.33
TOTAL 2013		\$638.08	\$20.44	\$0.00	\$658.52
TOTAL 2014		\$2,063.99	\$66.18	\$0.00	\$2,130.17
TOTAL 2015		\$5,706.09	\$148.24	\$0.00	\$5,854.33
					\$8,643.02
TOTAL ALL YEARS		\$8,408.16	\$234.86	\$0.00	\$8,643.02



Town of Simsbury

933 HOPMEADOW STREET

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SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Approval of Ice Rink and Paddle Tennis Court Fees
2. **Date of submission:** October 4, 2016
3. **Date of Board Meeting:** October 10, 2016
4. **Individual or Entity making the submission** (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting):

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

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

Approve the attached fee schedule for the Simsbury Farms Ice Rink and Paddle Tennis Courts as recommended by the Culture, Parks and Recreation Commission at their September 22 meeting.

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

At their regular meeting on September 22, the Culture, Parks and Recreation Commission discussed the 2016/17 fee schedules for the Simsbury Farms Ice Rink and Paddle Tennis Courts. After a number of years of steady increases, fees for both facilities were not increased last year. It was the feeling of the Commission that although

any fee increases should be modest, they were necessary to address the increased operating costs of both areas. Staff had also looked at rental rates and daily admission rates of comparable facilities.

The attached fees were approved unanimously.

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

The proposed fees will generate additional revenues at both facilities.

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

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

The proposed fee schedule, approved by the Commission, is attached.

ANNUAL RECREATION FEES	2013	2014	2015	2016	
SKATING				C.P. & R. Comm.	
Season Passes				Recommended	
Family of 4	\$75.00	\$85.00	\$85.00	\$90.00	
Individual	\$40.00	\$45.00	\$45.00	\$50.00	
Additional	\$20.00	\$25.00	\$25.00	\$30.00	
Daily Fees					
Resident	\$3.00/\$4.00	\$3.00/\$4.00	\$3.00/\$4.00	\$3.00/\$4.00	
Non-Resident	5.00/6.00	5.00/6.00	5.00/6.00	5.00/6.00	
Learn-to-Skate	\$50.00	\$50.00	\$50.00	\$55.00	
Skate Sharpening	\$6.00	\$7.00	\$7.00	\$7.00	
Skate Rentals	\$4.00	\$5.00	\$5.00	\$5.00	
Rink Rentals (per hour)					
Resident					
Prime time	\$220.00	\$230.00	\$230.00	\$240.00	
Non-prime time	\$185.00	\$195.00	\$195.00	\$200.00	
Non-resident					
Prime time	\$235	\$245.00	\$245.00	\$255.00	
Non-prime time	\$210.00	\$220.00	\$220.00	\$230.00	
Simsbury High School	\$160.00	\$165.00	\$165.00	\$175.00	
Simsbury Youth Hockey	\$200.00	\$210.00	\$210.00	\$215.00	
PADDLE TENNIS					
Day Time - Walk-up	8	8.00	8.00	10	
Rental - days	15	15.00	15.00	16	
Rental - evenings	20.00	26.00	26.00	30.00	
Long Term - days (6 wks)					
Long Term - eve (6 wks)					
Season Rate (20) - days	350.00	350.00	350.00	350.00	
Season Rate (20) - eves	450.00	495.00	495.00	\$540.00	
programfees1617					



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Public Gathering Permits – Recommendation for Approval
2. **Date of submission:** October 18, 2016
3. **Date of Board Meeting:** October 24, 2016
4. **Individual or Entity making the submission** (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting):

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

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

Approve the Public Gathering Application for the annual Simsbury Celebrates event (November 26) and the dedication for the Veterans Memorial by the American Legion Post #84 (November 13).

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

Upon receipt of public gathering application for the events listed above, a Public Gathering Permit application meeting was held on September 21.

Those at the meeting included Lieutenant Fred Sifodskalakis, Assistant Town Planner Mike Glidden, and Custodian Supervisor Mark Rustic.

The application of the American Legion Post #84 includes the approval of the CT Department of Transportation to close Route 10 for three hours. The application summary submitted by Bruce Elliott is attached.

All other requirements have been met and they have submitted the required Certificate of Insurance.

The Simsbury Celebrates event has no changes from past years and is recommended for approval.

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

There is no financial impact to the Town.

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

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

NA

MEMORANDUM

TO: Gerry Toner - Director Simsbury Culture, Parks and Recreation Dept.
FROM: Bruce Elliott - Simsbury American Legion Post Commander *Bruce Elliott*
DATE: September 26, 2016
RE: Public Gathering Permit

Please accept this event summary as support for our Public Gathering Permit application to hold an event on Sunday November 13, 2016 beginning at 2 PM, and expected to run 60 – 75 minutes. The event is sponsored jointly by the Simsbury American Legion and Veterans of Foreign Wars posts. The program will include a Veterans Day remembrance combined with Dedication of the new Simsbury Veterans Memorial. The Memorial is presently being constructed on the southwest corner of the intersection of Eaglewood Lane and Hopmeadow Street. Completion of the Memorial is expected by the 4th week of October.

We will be inviting the public through assorted media outlets as well as mailing invitations with an RSVP card enclosed to approximately 500 people who helped by donating to the Memorial. We are planning for 400 attendees, but recognize the actual figure could be more or less than 400.

We will be making arrangements to offer shuttle transportation from the commuter parking areas between the Drake Hill Shops and Iron Horse Blvd to supplement use of public parking around the Library and in front of Boy Scout Hall. We also will be requesting use of the parking area behind the Congregational Church. Arrangements are being made for a shuttle between the Iron Horse commuter parking lots behind Fitzgerald's.

Our plan is to have speakers lead the ceremonies from a podium on the plaza of the Memorial facing the corner of Eaglewood Ln and Hopmeadow St.

We will be contracting for temporary seating to be placed on the asphalt of Eaglewood Ln and Hopmeadow St. To that end, SPD Chief Ingvertsen has applied to the CT DOT for the necessary permit to close Hopmeadow Street for 4 hours on Nov 13. In addition, closing Hopmeadow and Eaglewood will minimize the distraction of traffic noise during the event. We understand authorization is also needed from the Board of Selectmen to close Eaglewood Ln. Library Director Lisa Karim has been involved with our planning and supports closure of Eaglewood as essential with the understanding access would not be closed to the Library's south parking lot.

Following the ceremony, light refreshments will be provided by a caterer inside the Library. We expect that at least half of the attendees will leave immediately after the event, so the Library has sufficient space for the number of people we expect. The Library has a food permit from the Farmington Valley Health District, and we intend to hire a caterer with a current FVHD permit. There is no need for further permitting, inspection, or approval by FVHD.

Also attached is copy of the Insurance Certificate documenting the required insurance coverage with the Town of Simsbury as an additional insured for the event.

As recommended by the PGP committee, two portable toilets will be temporarily placed near the path from Eaglewood Ln to the parking lot at Boy Scout Hall to supplement facilities within the Library. One of the portable toilets will be designed for use by handicapped individuals.

Attached is a hand drawn map of the Hopmeadow St & vicinity from Jim Gallagher Way south to Drake Hill Road. The following Notes relate to points on the map.

- Note A Close Eaglewood Ln 1PM to 4PM preserving South parking lot access. Police cruiser and officer stationed between parking lot entrance and temporary seating remaining there for duration of closure.
- Note B Close Hopmeadow St @ Drake Hill Rd from 1PM to 4PM; Officer & cruiser remain at the intersection for duration of closure
- Note C Close driveway to Drake Hill Shops with signage & barricades 1PM to 4PM; SPD Sergeant & cruiser at that point for duration of closure
- Note D Close Hopmeadow St at Jim Gallagher Way 1PM to 4PM; Officer & Cruiser at intersection for duration of closure. Detour north bound through traffic to Drake Hill Rd to Iron Horse to intersection with Owens Brook and Hopmeadow St
- Note E1 Temp seating on Eaglewood Ln for 250 guests. Road width is 22'. Begin set up at 1PM. Complete removal by 4PM.
- Note E2 Temp seating area if needed on Library lawn. Begin set up at 1PM. Complete removal by 4PM
- Note E3 Temp seating for 150 guests on Hopmeadow St. Road width 42'. Begin set up at 1PM. Complete removal by 4PM.
- Note F Police to place signage beginning at Owens Brook – Iron Horse & Hopmeadow to inform about road closure ahead and detour south bound thru traffic onto Iron Horse to Drake Hill Rd and back onto Hopmeadow St. SPD to use discretion in placing additional signage on Hopmeadow from Owens Brook to Wilcox St.

PGP Map for
Simsbury
Veterans
Memorial Inc



Sep 26, 20



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/22/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Affinity, LLC P. O. Box 879610 Kansas City, MO 64187-9610	CONTACT NAME: Lockton Affinity, LLC PHONE (A/C, No, Ext): 800-829-8390 E-MAIL ADDRESS: FAX (A/C, No): 913-652-7599														
INSURED Metacomet Post #1926, VFW, Inc. American Legion Post #84 Po Box 211 Simsbury, CT 06070	<table border="1"><thead><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A: AIX Spec. Ins. Co.</td><td>12833</td></tr><tr><td>INSURER B:</td><td></td></tr><tr><td>INSURER C:</td><td></td></tr><tr><td>INSURER D:</td><td></td></tr><tr><td>INSURER E:</td><td></td></tr><tr><td>INSURER F:</td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: AIX Spec. Ins. Co.	12833	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

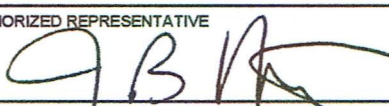
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y		HFZ-CL-0020025-5	03/01/2016	03/01/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPOP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/>						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: Simsbury Veterans Memorial Dedication Ceremony event on November 13, 2016

CERTIFICATE HOLDER

CANCELLATION

CERTIFICATE HOLDER 1926 Town of Simsbury 933 Hopmeadow Street Simsbury, CT 06070	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Parking Lot

Library

Hopmeadow

Speed Limit Sign

20'

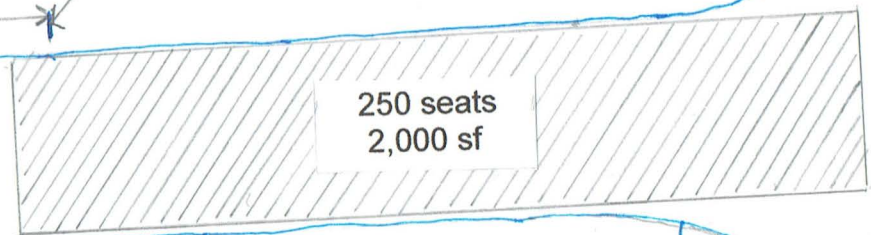
121'

39'

Eaglewood Lane

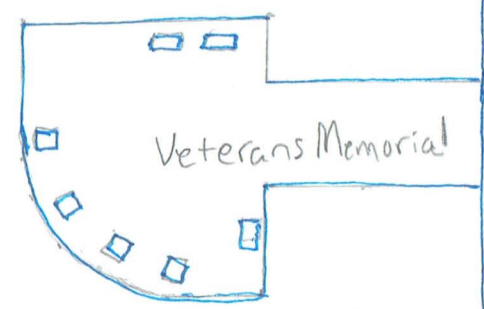


Police Cruiser

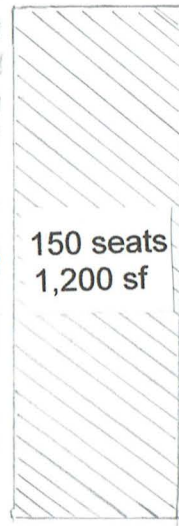


250 seats
2,000 sf

Drake Hill Shops



Veterans Memorial



150 seats
1,200 sf

NOTE: Seating blocks
reflect rule of thumb
8 sq ft+ per seat —
includes allowance for
aisles



Hopmeadow



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Accept a Donation From the Friends of Simsbury Farms
2. **Date of submission:** October 4, 2016
3. **Date of Board Meeting:** October 10, 2016
4. **Individual or Entity making the submission** (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting):

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

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

Accept the donation from the Friends of Simsbury Farms of \$3,500 toward the construction of a sod farm at the Simsbury Farms Golf Course.

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

The Friends of Simsbury Farms was established as 501-c-3 non-profit organization to raise funds for improvements at the Simsbury Farms Recreation Complex. They have generously donated \$3,500 for the establishment of a sod farm at the Simsbury Farms Golf Course. Course Superintendent Mike Wallace and his staff will be responsible for the work and it will be of great benefit to the course.

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

There will be no financial impact to the Town.

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

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

N.A.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Social Services Department

BOARD OF SELECTMAN MEETING AGENDA SUBMISSION

1. **Title of Submission:** Archdiocese of Hartford Donation
2. **Date of Submission:** October 11, 2016
3. **Date of Board Meeting:** October 24, 2016
4. **Entity making Submission:** Social Services Department
M. Lecours-Beck, Director
5. **Action Requested:** Acceptance of financial donation in the total amount of \$2,435.00 from the Archdiocese of Hartford – Archbishop's Annual Appeal
6. **Summary of Submission:** The Archdiocese of Hartford has donated the sum of \$2,435 to the Simsbury Food Closet to help us keep the shelves stocked for our needy residents.
7. **Financial Impact:** Donation of \$2,435 to Social Services Department
8. **Description of Document:** None



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Social Services Department

BOARD OF SELECTMAN MEETING AGENDA SUBMISSION

1. **Title of Submission:** Hartford Foundation For Public Giving Donation
2. **Date of Submission:** October 17, 2016
3. **Date of Board Meeting:** October 24, 2016
4. **Entity making Submission:** M. Lecours-Beck, Director of Social Services
5. **Action Requested:** Acceptance of financial donation in the amount of \$4,000.00 from Hartford Foundation for Public Giving
6. **Summary of Submission:** The Hartford Foundation for Public Giving has donated \$4,000 for our Cheese Day, Bread Day and Food Closet Programs, which assist low-income residents of Simsbury.
7. **Financial Impact:** \$4,000 donation to the Social Services Department



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Amendments to the Town of Simsbury Retirement Income Plan
2. **Date of submission:** October 18, 2016
3. **Date of Board Meeting:** October 24, 2016
4. **Individual or Entity making the submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting):**

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

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

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

Adopt the attached Resolution authorizing the amendment of the Town of Simsbury Retirement Income Plan to reflect changes to the Plan negotiated by the Town of Simsbury and AFSCME Local 2945

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

On October 7, 2016 approved a contract negotiated with and ratified by AFSCME Local 2945 which represents town employees in Public Works; Culture, Parks & Recreation; and the Water Pollution Control Authority. That contract included changes in the provisions of the pension plan applicable to these employees, including (1) a change in the normal retirement date from age 65 to age 62 or a combination of age and credited years of service equaling 85; and (2) closure of the defined benefit plan to new employees effective on October 18, 2016.

The attached Resolution is intended to authorize amendment of the defined benefit plan to reflect those changes.

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

As discussed with the Board of Selectmen on October 7, 2016

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

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

- Resolutions to be Adopted by the Board of Selectmen of the Town of Simsbury
- Amendment No. 2 to the Town of Simsbury Retirement Income Plan

**RESOLUTIONS TO BE ADOPTED
BY THE BOARD OF SELECTMEN
OF THE
TOWN OF SIMSBURY**

WHEREAS, The Town of Simsbury (the "Town") maintains the Town of Simsbury Retirement Income Plan (the "Retirement Plan") for the benefit of its eligible employees; and

WHEREAS, it is desirable that the Retirement Plan be amended in order to reflect the most recent agreement with the AFSCME bargaining unit, comprised of the Public Works and Parks Employees in the Retirement Plan.

NOW, THEREFORE, BE IT

RESOLVED: That Amendment No. 2 to the Retirement Plan, in the form presented to this meeting, be and hereby is approved and adopted, together with any modifications that are determined by counsel for the Town to be necessary or desirable to effectuate the intention thereof and to comply with the requirements of the Internal Revenue Code of 1986, as amended; and further

RESOLVED: That the First Selectwoman of the Town or any other officer designated by the First Selectwoman be, and each of them hereby is, authorized and empowered, for and on behalf of the Town, to execute Amendment No. 2 to the Retirement Plan and to take any and all other actions which may be necessary or desirable to effectuate the intention of the foregoing resolution.

**AMENDMENT NO. 2
TO THE
TOWN OF SIMSBURY RETIREMENT INCOME PLAN**

The Town of Simsbury Retirement Income Plan, as amended and restated effective as of July 1, 2015, is hereby amended as follows:

(1) Effective as of October 18, 2016, Article II of the Plan is amended by deleting the definition of "*Normal Retirement Age*" and substituting the following in lieu thereof:

"*Normal Retirement Age*" means the following:

- (a) With respect to a Division 000 Police Officer Employee, the earlier of: (i) the date on which the Participant has reached age fifty-three (53); or (ii) the date on which the Participant has completed twenty-five (25) Years of Credited Service;
- (b) With respect to a Division 001 Police Officer Employee, the date on which the Participant has reached age fifty-five (55) and completed ten Years of Credited Service;
- (c) With respect to a Police Dispatcher Employee, the earlier of: (i) the date on which the Participant has reached age sixty-five (65) and completed five Years of Credited Service; or (ii) the date on which the Participant has reached age sixty-two (62) and completed twenty-five (25) Years of Credited Service;
- (d) With respect to a Public Works and Parks Employee, the earlier of: (i) the date on which the Participant has reached age sixty-two (62) and completed five Years of Credited Service; or (ii) the date on which the Participant's age plus credited years of service is equal to or greater than eighty-five (85); and
- (e) With respect to a Nonunion Employee, a Professional Supervisor Employee, a Professional Employee, or a Secretarial/Clerical/Library Employee, the date on which the Participant has reached age sixty-five (65) and completed five Years of Credited Service.

(2) Effective as of October 18, 2016, Article II of the Plan is amended by adding the following new sentence to the end of subsection (e) of the definition of “Years of Credited Service”:

Notwithstanding any provisions of the Plan to the contrary, any Public Works and Parks Employee who is first hired on or after October 18, 2016 shall not be eligible to participate in the Plan.

(3) Effective as of October 18, 2016, Article III of the Plan is amended by adding the following new sentence at the end of Section 3.1(a)(iv):

Notwithstanding any provisions of the Plan to the contrary, any Public Works and Parks Employee who is first hired on or after October 18, 2016 shall not be eligible to participate in the Plan.

(4) Effective as of October 18, 2016, Article III of the Plan is further amended by adding the following new sentence at the end of Section 3.3(d):

Notwithstanding any provisions of the Plan to the contrary, any Public Works and Parks Employee who is first hired on or after October 18, 2016 shall not be eligible to participate in the Plan.

(5) Effective as of October 18, 2016, Article IV of the Plan is amended by deleting Section 4.1(a)(iv) and substituting the following in lieu thereof:

(iv) *Public Works and Parks Employees*

For Public Works and Parks Employees hired or rehired prior to September 4, 2013:

For the period prior to September 1, 2013	2.00% of Compensation
For the period on and after September 1, 2013 and prior to September 1, 2014	2.50% of Compensation
For the period on and after September 1, 2014 and prior to September 1, 2015	3.00% of Compensation
For the period on and after September 1, 2015 and prior to June 30, 2016	3.50% of Compensation
For the period on and after June 30, 2016 and prior to July 1, 2017	4.00% of Compensation
For the period on and after July 1, 2017 and prior to July 1, 2018	4.50% of Compensation
For the period on and after July 1, 2018	5.00% of Compensation

For Public Works and Parks Employees hired or rehired on or after September 4, 2013 who do not participate in the Employer’s defined contribution plan: 7.00% of Compensation

Participant Contributions are not required after a Public Works and Parks Employee completes thirty (30) Years of Credited Service.

Participant Contributions are not required after a Public Works and Parks Employee reaches his or her Normal Retirement Date.

(6) All section numbers and cross references thereto are appropriately amended to effectuate the intention of the foregoing amendment.

Dated this day of , 20 .

Witness:

TOWN OF SIMSBURY, CONNECTICUT

By _____

Title:



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. Title of submission:

Town of Simsbury's Acceptance of Department of Environmental and Energy Protection and Department of Transportation Easements and an AT&T Encroachment Permit at 20 Hopmeadow Street, Simsbury, CT.

2. Date of submission:

October 19, 2016 (Initially Submitted July 7, 2016)

3. Date of Board Meeting:

October 24, 2016

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

SIMSBURY DEVELOPERS, LLC
c/o Alter & Pearson, LLC
701 Hebron Avenue
Glastonbury, CT 06033
Tele: 860-652-4020
Fax: 860-652-4022
Email: rpearson@alterpearson.com

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

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

Authorize the First Selectman to execute DEEP and DOT easements in favor of the Town of Simsbury, and enter into the AT&T Encroachment Permit, to allow for the installation of sanitary sewer from 20 Hopmeadow Street to connect to an existing sewer line owned by the Town of Simsbury

6. Summary of Submission (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv)

whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any additional information in an attached memorandum.):

Simsbury Developers, LLC, is the owner of 20 Hopmeadow Street upon which a 181 unit apartment complex with club house and pool are being constructed. The development was approved pursuant to a PAD Master Development Plan controlling it and the future development of two adjacent parcels, Lots 1A and 1C.

Sewer service for the three lots is proposed via a sewer line to run east from 20 Hopmeadow Street, under the Department of Transportation's ("DOT") bike trail and DOT land to the east, continuing east through property owned by the Department of Energy and Environmental Protection ("DEEP") where it will connect to an existing Town of Simsbury sewer line. Simsbury Developers, LLC, has worked with both DOT and DEEP to secure easements from these agencies in favor of the Town of Simsbury.

On July 11, 2016, the Board of Selectmen forwarded the proposed sewer easement acceptance proposal to the Simsbury Planning Commission ("Commission") for a C.G.S. §8-24 review at the Commission's July 26, 2016 meeting. The Commission's 8-24 review was favorable.

The easement area owned by DOT is encumbered by an easement in favor of AT&T. In addition to the easement from DOT, AT&T requires that the Town and Simsbury Developers, LLC enter into an Encroachment Permit authorizing Simsbury Developers, LLC, to install the sewer line and the Town to subsequently enter onto ATT's easement for future maintenance, etc of the public sewer line.

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

The work to secure the easements and permit, and the installation of the sewer line, will be at the expense of Simsbury Developers, LLC.

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

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

DEEP EASEMENT PLAN
DOT EASEMENT PLAN
DOT EASEMENT
DEEP EASEMENT
ENCROACHMENT PERMIT
DRAFT RESOLUTIONS

- NOTES:**

MAP REFERENCES:

THIS MAP PRODUCED BY
ORIGINAL INK DRAWING
ON POLYESTER FILM
PRODUCED BY
F.A. HESKETH & ASSOC. INC.
EAST GRANBY, CT

TO MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

THIS MAP IS NOT VALID WITHOUT THE LIVE SIGNATURE AND IMPRESSION TYPE
SEAL OF THE LAND SURVEYOR WHOSE SIGNATURE APPEARS HEREON.

TODD S. HESKETH LS # 17945

TOWN NO. 128
PROJECT NO. 7001-000
SERIAL NO. 998
SHEET 1 OF 1

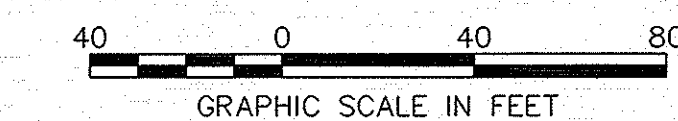
THIS MAP PREPARED BY
F.A. HESKETH & ASSOCIATES, INC.
6 CREAMERY BROOK
EAST GRANBY, CT 06026
(860) 653-8000
email mail@fahesketh.com
job #98126

EASEMENT SURVEY

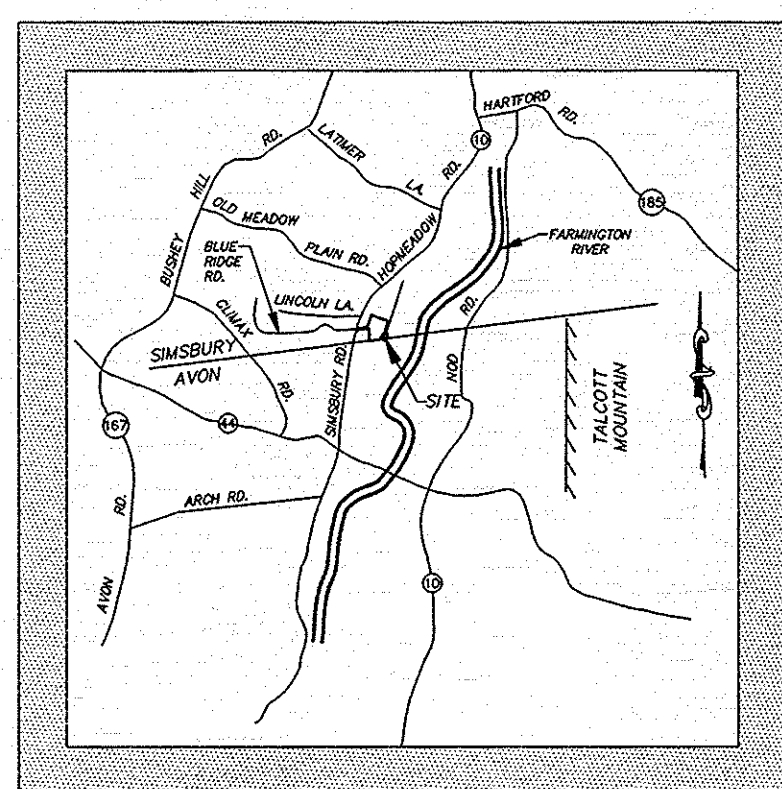
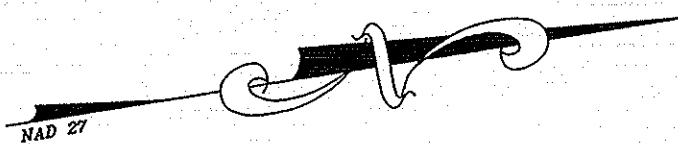
TOWN OF SIMSBURY
MAP SHOWING EASEMENT TO BE GRANTED TO
TOWN OF SIMSBURY
BY THE
STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

SCALE: 1"= 40' DATE: JUNE 2016

THOMAS A. HARLEY P.E. CHIEF ENGINEER
BUREAU OF ENGINEERING AND CONSTRUCTION



DATE	REVISION	REQ. BY
10-10-2016	COMMENTS	CDOT



VICINITY MAP

Return to:
Town of Simsbury
933 Hopmeadow Street
Simsbury, CT 06070

EASEMENT

KNOW YE, THAT the **State of Connecticut**, Department of Transportation, James Redeker, Commissioner under authority granted by Section 13b-36(b) of the General Statutes of Connecticut as revised, acting herein by Richard W. Andreski, Bureau Chief, Bureau of Public Transportation, Department of Transportation, duly authorized, for the consideration of One Thousand Dollars (\$1,000.00), does hereby give, grant, bargain, sell and convey unto the **Town of Simsbury**, a Municipal corporation existing under the laws of the State of Connecticut and having its territorial limits within the County of Hartford and State of Connecticut, with Quit-Claim Covenants, that certain full and perpetual 50 foot sanitary sewer and access easement, within an area of 3,304 square feet, more or less, ("Easement Area") located at the rear of Hopmeadow Street US Route 202/CT 10, in the Town of Simsbury, County of Hartford and State of Connecticut, and more particularly shown on a map to be filed in the Simsbury Town Clerk’s Office, entitled: “TOWN OF SIMSBURY MAP SHOWING EASEMENT TO BE GRANTED TO TOWN OF SIMSBURY BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION REAR OF HOPMEADOW STREET US RTE 202/CT 10 SCALE: 1” = 40’ DATE: JUNE 2016 Revised to 10-10-16 THOMAS A. HARLEY P.E. CHIEF ENGINEER BUREAU OF ENGINEERING AND CONSTRUCTION”. TOWN NO. 128, PROJECT NO. 7001-000, SERIAL NO. 998, SHEET 1 OF 1, bounded and described as follows:

- | | |
|-----------|--|
| WESTERLY | by land now or formerly of Simsbury Developers, LLC, 50.04 feet, as shown on said map; |
| NORTHERLY | by land of the State of Connecticut, Department of Transportation, 66.05 feet, as shown on said map; |
| EASTERLY | by land of the State of Connecticut, (DEEP), 50.04 feet, as shown on said map; |
| SOUTHERLY | by land of the State of Connecticut, Department of Transportation, 66.05 feet, as shown on said map. |

And the Grantor further grants unto the Town of Simsbury, its successors and assigns forever, a full and perpetual right and privilege to enter upon the said premises by its officers, employees, servants and agents, for the purpose of constructing, building, maintaining, cleaning, repairing, reconstructing and inspecting, at all times a sanitary sewer pipe under and across said Easement Area.

No parts of the sewer line or appurtenances are to be installed above ground. Manhole covers to access chambers will be installed to match existing grades and flush with the ground. In addition, the TOWN will utilize directional drilling techniques to install the sanitary sewer line under the access road shown on the above-referenced map so as not to interrupt access to Nod Brook Wildlife Management Area.

Town of Simsbury
(128) 7001-000-998

The STATE shall incur no expense as result of said easement and the TOWN, its successors and assigns, shall bear all direct and indirect costs of construction, building, repairing, operation and maintenance of said easement.

The TOWN, its successors and assigns, shall indemnify and hold the STATE harmless from any suit or claim which may arise in connection with any activity and usage connected with the easement including, but not limited to the installation, use and maintenance of the sanitary sewer line and appurtenances. The TOWN hereby agrees to defend the STATE as though it were not a sovereign with respect to any such suit or claim. This in no way shall be construed to be a waiver of any immunities that the STATE may possess. Furthermore, the TOWN or its contractors, subcontractors, agents and assigns will carry indemnity and public liability insurance against any said suit or claim in the following minimum amounts. Public liability limits of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate; property damage limits of not less than \$250,000; and workers compensation. The State of Connecticut and the Department of Transportation shall be named as additional insured.

The TOWN shall restore the Easement Area within 40 days of completion of the clearing, construction and grading referenced above, to the extent that the clearing, construction and grading require the TOWN to disturb said Easement Area, to the extent that said restoration is not in conflict with the purposes for which the easement is granted. In the event that weather conditions make such restoration impracticable, the TOWN may defer said restoration for not more than four months, with approval of the Department of Transportation.

The STATE herein reserves the right to itself, its successors and assigns, to continue to use the land within which the aforesaid easement has been granted for any use and purposes which shall not in any way interfere with the use thereof by the TOWN, its successors and assigns, in fulfilling the purposes for which this easement is granted.

As further consideration for, and by the acceptance of this easement, the Grantee herein, for itself, its successors and assigns, hereby agrees to now and forever indemnify and save, protect and keep harmless the State of Connecticut from every and all causes of action, suits (including without limitation reasonable attorney's fees and court costs), costs, loss, damage, liability, expense, penalty and fine whatsoever, which may arise from or relating to, or be claimed against the State of Connecticut, by any person or persons, for any and all injuries to person or property or damage of whatever kind or character consequent upon or arising from the negligent use and maintenance by the Grantee, its employees or authorized agents of (i) the Easement Area and (ii) all facilities contained in the Easement Area. Provided nothing herein shall constitute a waiver of sovereign immunity.

The above-described easement is conveyed subject to such rights and easements as may appear of record and to any state of facts which an inspection of the premises may show, including, but not limited to an easement for telecommunication lines in favor of AT&T, as more particularly shown on said map.

The above-described easement is conveyed subject to any and all provisions of any ordinance, municipal regulation, or public or private law.

Town of Simsbury
(128) 7001-000-998

TO HAVE AND TO HOLD the easement for the aforesaid purposes unto the said Town of Simsbury, its successors and assigns forever.

IN WITNESS WHEREOF, the State of Connecticut, Department of Transportation, acting herein by Richard W. Andreski, Bureau Chief, Bureau of Public Transportation, duly authorized, has caused this Instrument to be executed in its behalf this _____ day of _____, 2016.

Signed, Sealed and Delivered
in the presence of

State of Connecticut
Department of Transportation
James Redeker
Commissioner

Witness

By _____
Richard W. Andreski
Bureau Chief
Bureau of Public Transportation
Department of Transportation
Duly Authorized

Witness

STATE OF CONNECTICUT)
) ss: Newington
COUNTY OF HARTFORD)

The foregoing Instrument was acknowledged before me this _____ day of _____, 2016, by Richard W. Andreski, Bureau Chief, Bureau of Public Transportation, Department of Transportation of the State of Connecticut, on behalf of the State.

Notary Public
My Commission Expires

The terms and conditions of the foregoing instrument are hereby accepted by the Town of Simsbury.

Signed in the Presence of:

TOWN OF SIMSBURY

Witness

By: _____
Lisa L. Heavner
Its First Selectman

Witness

Town of Simsbury
(128) 7001-000-998

[illegible]

The foregoing Instrument was acknowledged before me this _____ day of _____, 2016 by Lisa L. Heavner, First Selectman, Town of Simsbury.

Notary Public
My Commission Expires:

APPROVED AS TO FORM:
George Jepsen, Attorney General

Joseph Rubin
Associate Attorney General

Date: _____

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the STATE OF CONNECTICUT, acting herein by Robert J. Klee, COMMISSIONER OF ENERGY AND ENVIRONMENTAL PROTECTION, hereinafter called the “STATE,” for the consideration of One Dollar (\$1.00) and other good and valuable consideration received to its full satisfaction of the TOWN OF SIMSBURY hereinafter called the “TOWN,” does hereby give, grant, bargain, sell, convey and confirm unto the TOWN, its successors and assigns forever, a permanent easement in whatever right, title and interest the STATE may have in, under, upon, over and across the following described land for purposes of constructing, reconstructing, installing, operating, using, maintaining, repairing, altering, expanding, inspecting and replacing a sanitary sewer line and appurtenances, together with the right to pass and repass with personnel and equipment on a certain piece or parcel of land as shown on the hereinafter referenced map, situated in the Town of Simsbury, County of Hartford and State of Connecticut, as set forth in Schedule A attached hereto.

The TOWN’s exercise of its rights set forth herein shall be subject to the TOWN first obtaining all applicable permits required by law, including those the issuance of which are within the jurisdiction of the STATE. Nothing herein shall obligate the STATE to issue any such permit. The TOWN shall at all times abide by all applicable permit requirements. The work conducted by the TOWN shall conform to all plans and documents submitted to and approved by federal, state and local authorities.

Before commencement of any activities, the TOWN shall coordinate the timing of all activities with the State’s Department of Energy and Environmental Protection’s Wildlife Division. The TOWN shall conform to the “Connecticut Guidelines for Soil Erosion and Sediment Control” by the Council on Soil and Water Conservation, as amended, during the construction, installation or maintenance of the easement areas.

No part of the sewer line or appurtenances are to be installed above ground. Manhole covers to access chambers will be installed to match existing grades and flush with the ground. In addition, the TOWN will utilize directional drilling techniques to install the sanitary sewer line under the access road shown on the hereinafter referenced map so as not to interrupt access to Nod Brook Wildlife Management Area.

The STATE shall incur no expense as result of said easement and the TOWN, its successors and assigns, shall bear all direct and indirect costs of construction, building, repairing, operation and maintenance of said easements.

The TOWN, its successors and assigns, shall indemnify and hold the STATE harmless from any suit or claim which may arise in connection with any activity and usage connected with the easement

including, but not limited to the installation, use and maintenance of the sanitary sewer line and appurtenances. The TOWN hereby agrees to defend the STATE as though it were not a sovereign with respect to any such suit or claim. This in no way shall be construed to be a waiver of any immunities that the STATE may possess. Furthermore, the TOWN or its contractors, subcontractors, agents and assigns will carry indemnity and public liability insurance against any said suit or claim in the following minimum amounts. Public liability limits of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate; property damage limits of not less than \$250,000; and workers compensation. The State of Connecticut and the Department of Energy and Environmental Protection shall be named as additional insured.

The TOWN shall restore the Easement Area within 40 days of completion of the clearing, construction and grading referenced above, to the extent that the clearing, construction and grading require the TOWN to disturb said Easement Area, to the extent that said restoration is not in conflict with the purposes for which the easement is granted. In the event that weather conditions make such restoration impracticable, the TOWN may defer said restoration for not more than four months, with approval of the above referenced Wildlife Division.

The STATE herein reserves the right to itself, its successors and assigns, to continue to use the land within which the aforesaid easement has been granted for any use and purposes which shall not in any way interfere with the use thereof by the TOWN, its successors and assigns, in fulfilling the purposes for which this easement is granted.

TO HAVE AND TO HOLD the above granted rights, privileges and authority unto the said TOWN, its successor and assigns, to its own proper use and behoof.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2016.

Signed and Sealed
in the Presence of:

Witness:

STATE OF CONNECTICUT

Witness:

By: _____
Robert J. Klee, Commissioner
Department of Energy and
Environmental Protection

STATE OF CONNECTICUT)
COUNTY OF HARTFORD) SS: HARTFORD)

The foregoing instrument was acknowledged before me on this _____ day of _____, 2016 by Robert J. Klee, Commissioner of Department of Energy and Environmental Protection, State of Connecticut, on behalf of the STATE.

Notary Public
My Commission Expires

The terms and conditions of the foregoing instrument are hereby accepted by the Town of Simsbury.

Signed in the Presence of:

TOWN OF SIMSBURY

Witness:

By: _____
Lisa L. Heavner
Its First Selectman

Witness:

STATE OF CONNECTICUT)
COUNTY OF HARTFORD) SS:

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by Lisa L. Heavner, First Selectman, Town of Simsbury.

Notary Public
My Commission Expires:

STATUTORY AUTHORITY
Connecticut General Statutes
Section 26-3

APPROVED:
George Jepsen
Attorney General

By: _____
Joseph Rubin
Associate Attorney General

Date: _____

SCHEDULE A

Beginning at a rebar set, said rebar being N 18°08'46" E a distance of 14.65 feet from a monument found on the Avon / Simsbury Town Line marking the southeasterly corner of land now or formerly the State of Connecticut Department of Transportation and the southwesterly corner of land of the State of Connecticut (DEEP)

Thence N 18°08'46" E along the common property line of land of the State of Connecticut Department of Transportation and land of the State of Connecticut (DEEP) a distance of 50.04 feet to a rebar set

Thence, S 74°03'57" E a distance of 42.13 feet to a rebar set on the westerly line of a 50' wide sewer easement in favor of the Town of Simsbury

Thence, S 31°06'36" W a distance of 51.81 feet along said easement to a rebar set

Thence, N 74°03'57" W a distance of 30.50 feet to the point and place of beginning. The last 3 courses being though land of the State of Connecticut (DEEP).

Said easement contains 1,816 square feet and is shown as "Proposed 50' Sanitary Sewer and Access Easement to be Granted to The Town of Simsbury WPCA 1,816 SQ. FT." on a map entitled Easement Survey Easement to be granted to the Town of Simsbury WPCA by the State of Connecticut DEEP rear of Hopmeadow Street Simsbury, Connecticut" Dated 06-21-2016 by F.A. Hesketh & Associates, Inc., Todd S. Hesketh L.S., Scale 1"=40'.

AFTER RECORDING, RETURN TO:

Encroachment: Sewer Line

AT&T

Route: Springfield-Hartford FT2 GA

**Markers: approximately 500 yards
north of marker 392**

**RIGHT OF WAY DEPT.
3450 Riverwood Parkway, SE
Room 162
Atlanta, GA 30339**

ENCROACHMENT PERMIT

THIS PERMIT is issued as of the ____ day of _____, 2016 by AT&T Corp
("AT&T") _____ ("Permittee").

TERMS AND CONDITIONS

1. Purpose and Scope of Permit

AT&T hereby allows and permits the Permittees the non-exclusive use of certain lands hereinafter described for the following purpose, subject to the conditions and stipulations herein set forth: To allow for and to accommodate the construction of a (1) 8 inch sewer line within a (1) 12 inch steel sleeve across AT&T's existing easement with New York, New Haven & Hartford Railroad.

2. Encroachment Location(s)

AT&T Right of Way and Easement on the AT&T's Springfield to Hartford FT"2" GA fiber route, Town of Simsbury, CT, Hartford County approximately 500 yards north of AT&T marker pole # 392. See attached Exhibit A.

3. Risk of Entry

AT&T makes no warranty whatsoever as to physical conditions which exist now, or may exist hereafter, at said Encroachment Location(s) and Permittee accepts said Encroachment Location(s) "AS IS" and agrees to enter thereupon at Permittee's own risk.

4. Permittee's Duties

By accepting this Permit, Permittee agrees, without qualification or limitation:

- (a) to make no modifications or additions to its facilities at the Encroachment Location(s) without first obtaining AT&T's prior written consent;
- (b) to notify AT&T by telephone at 1-800 252-1133 forty-eight (48) hours prior to performing any construction, demolition or repairs at the Encroachment Location(s);
- (c) to not use at the encroachment location(s) any tool, equipment, or machinery capable of being operated within five (5) feet of cable lines;
- (d) to perform construction, demolition, repair, modifications, additions and any other activities in compliance with all applicable laws and regulations and in a manner that does not interfere with the operations of AT&T;
- (e) to assume all risks of and relieve AT&T of any and all liability for loss of damage to property or facilities installed by it and any other financial loss sustained by it;
- (f) to indemnify, defend and hold harmless AT&T from and against any and all claims, demands, actions, losses, damages, assessments, charges, judgments, liabilities, settlement liabilities, costs and expenses (including, without limitation, interest, penalties, and reasonable attorneys' fees and disbursements) that may from time to time be suffered or incurred by, or asserted against AT&T because of any personal injury, including death, to any person or loss of, physical damage to or loss of use of real or tangible personal property, or for any financial loss of whatever nature, in any way arising out of or in connection with this Permit or activities undertaken pursuant to this Permit, whether caused by the acts, negligence or willful misconduct of Permittee, its agents, employees, representatives, contractors, permitted assigns, or those under Permittee's control or by failure to perform the covenants or conditions of this Permit. Permittee's obligations to indemnify and hold harmless shall survive any termination or abandonment of this Permit. For purposes of indemnifications set forth in this Permit, "AT&T" means AT&T, its affiliates, subsidiaries, parent, successors and assigns and its and their employees, directors, officers, agents, contractors and subcontractors;
- (g) to neither cause nor permit use of the rights herein granted by any other person except Permittee's lawful successors, and if Permittee is a utility company, any transferee of the utility system (or operating component of a utility system) of which the Permittee's facilities at the Encroachment Location(s) are a part;

- (h) that AT&T retains all of its rights with respect to its property, right-of-way or easement. Specifically, AT&T retains the right to access its telecommunications cable to repair, maintain or augment its telecommunications network. Any damage to Permittee's facilities as a result of AT&T's exercise of its rights with respect to its property, right-of-way or easement shall be the sole responsibility of Permittee;
- (i) to not use, have present nor transport on or about the Encroachment Location(s) any hazardous or toxic materials, wastes or substances or any pollutants or contaminants ("Hazardous Substances"), without the prior express written consent of AT&T. If at any time during the term of this Permit, Permittee knows or has reason to believe that any Hazardous Substances have come, or will come, to be located upon, about, or underneath the Encroachment Location(s), then Permittee shall, as soon as reasonably possible, give verbal and written notice of that condition to AT&T. Permittee covenants to investigate, clean-up and otherwise remediate any release of such Hazardous Substances by Permittee, its agents, employees, representatives, contractors, permitted assigns, or those under Permittee's control at Permittee's cost and expense. Permittee shall notify AT&T prior to commencing any clean-up or remediation; and
- (j) Notwithstanding any provision of this permit to the contrary, except as set forth in paragraph 4(f), in no event shall either party be liable to the other party for any special, incidental, indirect, punitive, reliance or consequential damages, whether foreseeable or not, including, but not limited to, loss of profits or revenue, cost of capital, cost of replacement services, or claims of customers or of any other third parties, occasioned by any cause whatsoever, including, without limitation, breach of contract, breach of warranty, negligence or strict liability.

5. Incompatible Facilities

This Permit is issued by AT&T and accepted by Permittee with the mutual belief that the facilities of each can exist at the Encroachment Location(s) in the form contemplated when this Permit was issued without disruption to the other. If at anytime for any reason Permittee's facilities are determined in AT&T's judgment to be incompatible with AT&T's then existing or then proposed facilities, Permittee agrees it shall cure any such incompatibility by modifying its facilities, by removing its facilities or by taking whatever other action which in AT&T's judgment is necessary.

6. Fee Title: Superiority of Prior Interest

If neither AT&T nor Permittee own fee simple title to the lands at the Encroachment Location(s), the authorization required by Permittee from the fee simple owner shall be obtained at Permittee's sole cost. In any judicial construction of this Permit, it shall be recognized that AT&T, by virtue of prior rights and prior possession and by virtue of this Permit, shall enjoy with respect to the Encroachment Location(s) rights superior to those of Permittee.

7. Cost

This permit is issued by AT&T and accepted by Permittee with the understanding that Permittee's use of the permission herein granted shall not result in any cost to AT&T. No claims for payment or performance shall be made of AT&T by Permittee and any expenses incurred by AT&T related to Permittee's exercise of the rights herein permitted shall be promptly reimbursed to AT&T by Permittee. In enforcing this permit against Permittee, AT&T shall be entitled to collect reasonable attorney's fees, court costs and interest on the principal sum.

8. Notices

Except as expressly otherwise provided, any demand, notice or other communication to be given to a party in connection with this Permit shall be given in writing and shall be given by commercial overnight delivery service addressed to the recipient as set forth below or to such other address or individual, as may be designated by notice given by the party to the other.

AT&T:

AT&T CORP.
3450 Riverwood Parkway, SE
Room 162
Atlanta, GA 30339
Right of Way Dept.

Permittee:

Simsbury Developers, LLC
820 Morris Turnpike Ste 301
Short Hills, NJ 07078

with a copy to:

AT&T Corp
Legal Department – Network Services
One AT&T Way
Room 3A118A
Bedminster, NJ 07921

with a copy to:

Alter & Pearson, LLC
701 Hebron Avenue
P.O. Box 1530
Glastonbury, CT 06033

Any demand, notice or other communication given by personal delivery shall be conclusively deemed to have been given on the day of actual delivery thereof and if given by commercial overnight delivery service on the date of receipt thereof.

9. Successors and Assigns, Including the Town of Simsbury

The permission hereby given shall be binding upon the heirs, administrators, executors and assigns of both parties. The parties acknowledge that upon completion of construction and acceptance of the improvements, all right title and interest in and to this encroachment permit shall be assigned to and accepted by the Town of Simsbury. By execution hereof, the Town of Simsbury agrees to be bound by all of the terms and conditions of this encroachment permit.

IN WITNESS WHEREOF, the parties have executed this Permit as of the date first above set forth.

Approved By: _____
Name: Mark Burkhart
Title: AT&T OSP Engineer
Date: _____

AT&T Corp.

By: _____
Name: A. S. Richardson
Title: Senior Technical Project Manager

Concurred By: _____
Name: Susan M. Knox
Title: Right of Way Manager
Date: _____

SIMSBURY DEVELOPERS, LLC

TOWN OF SIMSBURY

By: _____
Name: Mark Wilf
Title: Member

By: _____
Name: Lisa L. Heavner
Title: First Selectman

Individual(s) Acknowledgement

STATE OF _____)
COUNTY OF _____) SS:

On this ____ day of _____, 2016, before me personally
appeared to me _____ who executed the foregoing
instrument, and acknowledged that he (or they) executed the same as his (or
their) free act and deed.

Notary Public - Seal Required
My Commission Expires _____

ACKNOWLEDGEMENT

STATE OF Georgia)
COUNTY OF _____) SS:

On this ____ day of _____, 2016, before me, personally
appeared _____ to me known, who, being by me duly
sworn, did depose and say that (s)he is the Senior Technical Project Manager of
the corporation described in, and which executed the foregoing instrument, and
that (s)he signed her/his name thereto by authority of the Board of Directors.

Notary Public - Seal Required
My Commission Expires _____

ACKNOWLEDGMENT

STATE OF NEW JERSEY :
 :S.S. Short Hills
COUNTY OF ESSEX :

On this ____ day of _____, 2016 before me, the undersigned officer, personally appeared Mark Wilf, duly authorized member of Simsbury Developers, LLC, who acknowledged himself to be the person whose name is subscribed to the within instrument and acknowledged that he, being duly authorized to do so, executed the same for the purposes therein contained as said Grantor's free act and deed.

Notary Public - Seal Required
My Commission Expires_____

STATE OF _____)
COUNTY OF _____) SS:

On this ____ day of _____, 2016, before me personally appeared to me Lisa L. Heavner, First Selectman of the Town of Simsbury, who executed the foregoing instrument, and acknowledged that she (or they) executed the same as her free act and deed as said First Selectman.

Notary Public

SIMSBURY BOARD OF SELECTMEN RESOLUTION

WHEREAS, SIMSBURY DEVELOPERS, LLC, (“Developer”) has requested that the Town of SIMSBURY (“Simsbury”) accept an easement over property owned by the State of Connecticut, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION (“DEEP”); and

WHEREAS, said easement is shown as “PROPOSED 50’ SANITARY SEWER AND ACCESS EASEMENT TO BE GRANTED TO THE TOWN OF SIMSBURY WPCA 1,816 SQ.FT” on a map or plan entitled:

“EASEMENT SURVEY EASEMENT TO BE GRANTED TO THE TOWN OF SIMSBURY WPCA BY THE STATE OF CONNECTICUT DEEP REAR OF HOPMEADOW STREET, SIMSBURY CONNECTICUT F.A. HESKETH & ASSOCIATES, INC. 6 CREAMERY BROOK, EAST GRANBY, CT 06026, PHONE (860) 653-8000 FAX (860) 844-8600 DATE: 06-21-2016 DRAWN BY: CAD JOB NO: 98126 SCALE: 1” = 40’ CHECKED BY: TSH SHEET NO: 1 OF 1” (“Plan”)

WHEREAS, the purpose of the Easement is to provide a means of access necessary to provide sanitary sewer to the properties known as 20 Hopmeadow Street, and lots 1A and 1C, all as shown on a subdivision plan, which plan is on file with Simsbury town clerk as Map # 1422; and

WHEREAS, DEEP has agreed to convey the necessary easement rights to Simsbury; and

WHEREAS, the Board of Selectmen referred the proposed transfer to the Planning Commission for its review and the issuance of a report pursuant to General Statutes §8-24; and

WHEREAS, the Planning Commission has issued its report approving the acceptance of the easement.

NOW, THEREFORE, be it resolved that the Board of Selectmen authorizes the following:

1. The Town of Simsbury accepts the conveyance of the easement of the land shown as “PROPOSED 50’ SANITARY SEWER AND ACCESS EASEMENT TO BE GRANTED TO THE TOWN OF SIMSBURY WPCA 1,816 SQ.FT” on the Plan.
2. That Lisa L. Heavner, as First Selectman, is authorized to execute any and all documents necessary to consummate the transaction above contemplated.

Approved by the Board of Selectmen on this _____ day of _____, 2016.

Lisa L. Heavner, First Selectman

Sean P. Askham, Selectman

Elaine W. Lang, Selectman

Chris M. Kelly, Deputy First Selectman

Cheryl B. Cook, Selectman

Michael R. Paine, Selectman

SIMSBURY BOARD OF SELECTMEN RESOLUTION

WHEREAS, Simsbury Developers, LLC, (“Developer”) has requested that the Town of Simsbury (“Simsbury”) accept an easement over property owned by the State of Connecticut, Department of Transportation (“DOT”); and

WHEREAS, said easement is shown as “PROPOSED 50’ SANITARY SEWER AND ACCESS EASEMENT TO BE GRANTED TO THE TOWN OF SIMSBURY 3,304 SQ.FT. SUBJECT TO AN EASEMENT FOR TELECOMMUNICATION LINES IN FAVOR OF AT&T” on a map or plan entitled:

“EASEMENT SURVEY TOWN OF SIMSBURY MAP SHOWING EASEMENT TO BE GRANTED TO TOWN OF SIMSBURY BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION REAR OF HOPMEADOW STREET US RTE 202/CT 10 SCALE: 1” = 40’ DATE: JUNE 2016 THOMAS A. HARLEY P.E. CHIEF ENGINEER BUREAU OF ENGINEERING AND CONSTRUCTION REV 10-10-2016” (“Plan”)

WHEREAS, the purpose of the easement is to provide a means of access necessary to provide sanitary sewer to the properties known as 20 Hopmeadow Street, and lots 1A and 1C, all as shown on a subdivision plan, which plan is on file with Simsbury town clerk as Map # 1422; and

WHEREAS, DEEP has agreed to convey the necessary easement rights to Simsbury; and

WHEREAS, the Board of Selectmen referred the proposed transfer to the Planning Commission for its review and the issuance of a report pursuant to General Statutes §8-24; and

WHEREAS, the Planning Commission has issued its report approving the acceptance of the easement; and

WHEREAS, the proposed easement is subject to an easement for telecommunication lines in favor of AT&T, and

WHEREAS, AT&T, subject to the execution of its Encroachment Permit by Developer and Simsbury, will permit Developer and Simsbury to install its sanitary sewer line through AT&T’ easement area.

Now, Therefore, be it resolved that the Board of Selectmen authorizes the following:

1. The Town of Simsbury accepts the conveyance of the easement of the land shown as “proposed 50’ sanitary sewer and access easement to be granted to the Town of Simsbury 3,304 SQ.FT” on the Plan.

2. The Town of Simsbury agrees to be bound by the terms and conditions contained in the AT&T Encroachment Permit.

3. That Lisa L. Heavner, as First Selectman, is authorized to execute any and all documents necessary to consummate the transaction above contemplated, including but not limited to the AT&T encroachment permit.

Approved by the Board of Selectmen on this _____ day of _____, 2016.

Lisa L. Heavner, First Selectman

Sean P. Askham, Selectman

Elaine W. Lang, Selectman

Chris M. Kelly, Deputy First Selectman

Cheryl B. Cook, Selectman

Michael R. Paine, Selectman

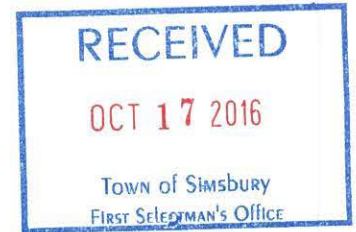


Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070



Date: October 17, 2016

To: Thomas Cooke, Director of Administrative Services

From:  Michael Glidden CFM CZEO, Assistant Town Planner

Re: CGS 8-24 Referral of Proposed Acceptance of Sewer Easements for 20 Hopmeadow Street property

At the July 26 meeting of the Simsbury Planning Commission, the above noted referral was discussed. The following recommendation was made by the Commission:

Commissioner Needham made a motion to accept the sewer easements for 20 Hopmeadow Street proposed this evening as being consistent with the goals and recommendations of the Town of Simsbury 2007 Plan of Conservation and Development.

Commissioner Beum seconded the motion, and it was approved unanimously.

Please consider this correspondence to serve as official determination from the Planning Commission that the proposed activities are considered consistent with the goals and objective of the 2007 Plan of Conservation and Development. A copy of the meeting minutes is attached to this correspondence.

**PLANNING COMMISSION
JULY 26, 2016
REGULAR MEETING**

I. CALL TO ORDER

Chairman William Rice opened the Regular Meeting of the Planning Commission at 7:00 p.m. in the Main Meeting Room at the Town Offices. Also present were Jamie Rabbit, Director of Planning and Community Development; Janis Prifti, Commission Clerk; and other interested parties.

1. Pledge of Allegiance
Chairman Rice led attendees in the Pledge of Allegiance.

II. ROLL CALL

1. Appointment of Alternates

Commission members in attendance were: William Rice, Holly Beum, Alan Needham, Erin Leavitt-Smith, Ron Locandro, Jr., and Elizabeth Burt.

1. Appointment of Alternates
Five regular members were present and Chairman Rice also appointed Alternate Elizabeth Burt to regular member status.

III. APPROVAL OF MINUTES of the July 12, 2016 Regular Meeting

In Lines 33 and 41, the date "06/28/2016" is corrected to "07/26/2016."

Chairman Rice made a motion to accept the July 12, 2016 Minutes, as amended.

Commissioner Leavitt-Smith seconded the motion, and it was passed with Commissioners Beum, Needham, Rice, Leavitt-Smith, and Burt voting in favor, and Commissioner Locandro abstaining.

IV. PUBLIC HEARINGS

- i. Application #16-01 of Mansour Prime Properties, LLC, Agent; Royce Palmer, Owner; for a 23-lot affordable housing subdivision under CGS 8-30g on the property located at 80 Climax Road (Assessor's Map D20, Block 608, Lot 001). Zone R-40. *(public hearing continued to 07/26/2016; public hearing must close by 8/17/2016)*

Chairman Rice advised the Commissioners that a 07/25/2016 stamped letter was received by the Town from Attorney Lewis K. Wise notifying the Planning Commission the Applicant has decided to withdraw Application #16-01 citing timing issues, specifically the fact that the Public Hearing needed to close by 08/17/2016; there are no regularly scheduled meetings of the Planning Commission in August, and this would have been the last meeting for the Public

Hearing.

Chairman Rice noted they plan to quickly file a new application in the future. Mr. Rabbitt advised that once the withdrawal letter was received the Public Hearing was no longer active. Mr. Rabbitt indicated revised plans were received a week ago and the Applicant decided to withdraw their Application on 07/25/2016 at 12:24 p.m.; he cautioned the Commissioners not to discuss the former Application any further and noted Staff is available to answer any process questions. From an administrative standpoint, Mr. Rabbitt clarified that as long as a Hearing is open testimony can be submitted up until the moment the Hearing is closed; once the Hearing closes no new information can come in, with the exception of Staff evaluating information submitted as of the Hearing close; it was noted a new application will stand on the record for that new application's process.

V. OLD BUSINESS

1. Application

- ii. Application #16-01 of Mansour Prime Properties, LLC, Agent; Royce Palmer, Owner; for a 23-lot affordable housing subdivision under CGS 8-30g on the property located at 80 Climax Road (Assessor's Map D20, Block 608, Lot 001). Zone R-40. *(decision must be rendered within 65 days of closing public hearing)*

VI. NEW BUSINESS

1. Receipt of New Applications

- a. None.

2. Referrals

- a. CGS 8-24 Referral of Proposed Acceptance of Sewer Easements for 20 Hopmeadow Street property

Chairman Rice noted that 8-24 deals with any property the Town has purview over or ownership of, and the proposed easement is by the State in favor of the Town for new sewer lines. Mr. Rabbitt indicated Attorney Hope representing Garden Homes was present and clarified the easement is associated with the State and also a small sliver crosses other private lands; the primary concern is that it follows a similar track for access to the Simsbury sewer interceptor as proposed during the development process. Mr. Rabbitt provided Staff's review in the Commission meeting packet, along with a proposed motion based on review of the proposal submitted by the Applicant associated with the proposed easement, which would be roughly parallel to Rte. 10; and Staff concluded was consistent with the POCD.

Mr. Hope added that Staff's statements were correct and provided the Commissioners with a copy of the subdivision map showing the different phases and the piece on Hopmeadow Street; the easement generally runs east to west from their property over private lands, and does not

intersect Hopmeadow Street. He stated the DOT would give them an easement to go under the Rail Trail, then through a small piece owned by DEEP, and then to Simsbury's existing sewer line where they would tie in. He reviewed a major benefit was to keep the hookup entirely within Simsbury, which was supported by the WPCA; and one reason was that there was some question of whether the State would be cooperative in providing the easements for hook up. He explained they explored hooking up via Hopmeadow Street and the Town of Avon, but there is a governing agreement between Avon and Simsbury and an associated fee structure. He noted added benefits that: 1) all the hookup fees remain with Simsbury; and 2) the entire future system would be within the Town for all the parcels, including the two in front piece. He showed the Commissioners a map of the two separate sewer line pieces and described the general layout.

Commissioner Beum asked if other utilities are located in this area? Mr. Rabbitt explained they are not using an open trench across the rail trail, but are digging a pushing pit and a receiving pit on the east and west sides using a "jacking" method where they hydraulically push a piece of pipe through the ground to the other side, and once the connection is made the pits are back filled and not visible to Rail Trail users, and the manhole already exists and there are no exposed pipes. Mr. Rabbitt noted their checks and balances throughout the process assure utilities recorded on the map are not affected - typically utilities leave a record. Commissioner Burt asked who would be in charge of easement/sewer maintenance? Mr. Hope responded it is a Town easement with DOT and DEEP maintaining their surface portions; the utilities are subterranean with no functional maintenance piece; and the small section containing the existing Town pipe is maintained by Simsbury. Chairman Rice clarified the existing properties will continue to be owned by DOT and DEEP, but Simsbury would be allowed to access the Town-owned sewer pipe, if required. Mr. Hope confirmed his understanding this method would not interfere with existing data communication lines, as they know where the lines are located.

Commissioner Needham noted a preference for underground sewage in the POCD.

Commissioner Needham made a motion to accept the sewer easements for 20 Hopmeadow Street proposed this evening as being consistent with the goals and recommendations of the Town of Simsbury 2007 Plan of Conservation and Development.

Commissioner Beum seconded the motion, and it was approved unanimously.

VII. GENERAL COMMISSION BUSINESS

1. Plan of Conservation and Development Update – Request for Qualifications

Chairman Rice reviewed that a POCD Update Subcommittee was established comprised of Commissioner Needham; Dave Ryan, Zoning Commission Chairman; Chairman Rice; and Planning Staff members, Jamie Rabbitt and Mike Glidden. The Subcommittee reviewed/evaluated 3 RFQs to update the POCD and was clearly able to decide on 2 quotes and a plan to establish a time/date for them to come in and speak with either the Subcommittee or full Commission – the Commissioners discussed these two options. Mr. Rabbitt noted there is a relatively tight 10-12-month timeframe for revising the POCD and preferred making a decision in August and not delaying until September. He suggested each respondent have 20-30 minutes for a presentation with 10-15 minutes for questions in order to develop a consensus with Staff. He commented that ultimately this Commission has to adopt the POCD and must be

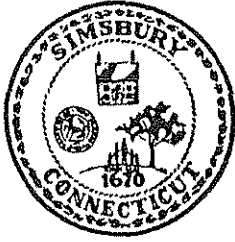
SUBJECT TO VOTE OF APPROVAL

comfortable with the contractor performing the work. He reviewed that the RFQ issued in June required responses by 06/24/2016 and was advertised through the Connecticut American Association of Planning and a couple more sites. The Commissioners discussed options for participating in the selection process. Mr. Rabbitt planned to send out digital copies of the information received to all Commission members for their review and noted the need to vet questions for the RFQ respondents in order to determine the best fit for who will deliver a thorough product in a timely manner. The Commissioners and Mr. Rabbitt agreed on a preferred meeting date of August 23rd with the 30th as a backup date from potentially 6-7 and 7-8 p.m. and believed the 2 respondents would be available with the goal of having the work begin in September. Mr. Rabbitt confirmed as long as a selection is made by August 30th, a contract could be quickly in place; he will begin working tomorrow on questions to be vetted.

VI. ADJOURNMENT

Commissioner Locandro made a motion to adjourn the meeting at 7:50 p.m.

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



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Date: July 26, 2016

To: Planning Commission

From: Michael Glidden CFM CZEO, Assistant Town Planner

Re: CGS 8-24 Referral of Proposed Acceptance of Sewer Easements for 20 Hopmeadow Street property

The above noted request has been forwarded to the Planning Commission from the Board of Selectman pursuant to Connecticut General Statute 8-24. The developer of 20 Hopmeadow Street has proposed that an easement which is associated with the installation of public sewers be deeded to the town of Simsbury. The Simsbury Water Pollution Control Authority recommends this option versus connecting. The proposal requires securing easements from CTDOT and CTDEEP in addition to the Town of Simsbury.

Connecticut General Statute 8-24 requires the legislative body of a municipality seek an advisory opinion from the Planning Commission that certain activities are considered consistent with the Plan of Conservation and Development (POCD). Referrals pursuant to CSG 8-24 are required by law for the following activities:

- locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way
- locate, relocate, substantially improve, acquire land for, abandon, sell or lease any airport, park, playground, school or other municipally owned property or public building
- locate or extend any public housing, development, redevelopment or urban renewal project
- locate or extend public utilities and terminals for water, sewerage, light, power, transit and other purposes

The Commission should decide whether the extensions of public utilities which will be within easements held by the Town of Simsbury are considered consistent with the goals and recommendations which are outlined in the POCD. Plans and construction documents have been provided with the request for the Commission's review.

For discussion purposes, staff has prepared a draft motion of approval for the referral.



Board of Selectmen

Senior Center

October 24, 2016



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Resignation (1 member on 2 committees)
2. **Date of submission:** 10/4/2016
3. **Date of Board Meeting:** 10/24/2016
4. **Individual or Entity making the submission**
David Krayeski, 24 Fairview St., Simsbury CT, 06070
5. **Action requested of the Board of Selectmen**
 1. Accepts the resignation of David Krayeski, 24 Fairview St., as a member of Community for Care and the Tourism Committee.
6. **Summary of Submission**
 1. Resignation: David Krayeski
Board: Community for Care
Party: D
Effective: September 27, 2016
Full Term of Office: 12/5/2015 to 12/4/2017
 2. Resignation: David Krayeski
Board: Tourism Committee
Party: D
Effective: September 27, 2016
Full Term of Office: 12/5/2015 to 12/4/2017
7. **Financial Impact**
NONE

8. Description of documents included with submission

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

Copy of Letter of Resignation from David Krayeski

September 27, 2016

Ericka Butler Town Clerk
Town of Simsbury
933 Hopmeadow St
P.O. Box 495
Simsbury, CT 06070

RECEIVED
OCT - 3 2016
TOWN OF SIMSBURY, CT
TOWN CLERKS OFFICE

Ms. Butler:

Please accept this letter as my official resignation from the following Simsbury Town Committees:

Community for Care
Tourism

I have expressed this decision directly to the First Selectwoman and this letter shall be for the public records.

Thank you for the opportunity.

Sincerely,



David Krayeski

24 Fairview St
Simsbury, CT 06070



Town of Simsbury



933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Democratic Party Nomination
2. **Date of submission:** October 17, 2016
3. **Date of Board Meeting:** October 24, 2016
4. **Individual or Entity making the submission:** Simsbury Democratic Town Committee,
Thomas Frank, Chair, Nominations Committee, 19 Banbury Drive, West Simsbury, CT 06092
5. **Action requested of the Board of Selectmen:**
The Entity making the submission requests that the Board of Selectmen:
Respectfully request approval of the following **appointment** to the Aging and Disability Commission following nomination by the Simsbury Democratic Town Committee on 09/21/15. This nominee is a registered voter enrolled in the Democratic Party.

Joy Himmelfarb, 126 Hopmeadow Street, Weatogue, CT 06089 (**reg. member**, Aging and Disability Commission with a term ending 01/01/2020).
6. **Summary of Submission:** Simsbury Democratic Town Committee requests approval of the above named individual to the office and term indicated.
7. **Financial Impact:** None known
8. **Description of documents included with submission:**
The following documents are included with this submission and attached hereto:

None



From: Tom Frank – Chair: Nominations Committee

To: Ericka Butler – Simsbury Town Clerk

Subject: Agenda Item ... October 24 Board of Selectmen Meeting

Hello Ericka,

Attached is an agenda item request covering an appointment to fill the vacancy on the Aging and Disability Commission. Please let me know if you have any questions.

Thank you.

Tom Frank

tom.frank.ct@gmail.com

860.651.7265



P.O. Box 664, Simsbury, CT 06070
Simsbury.Dems.info

Paid for by the Simsbury Democratic Town Committee – Cathy Barnard, Treasurer



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Resignation
2. **Date of submission:** 10/20/2016
3. **Date of Board Meeting:** 10/24/2016
4. **Individual or Entity making the submission**

Steven S. Mitchell
5. **Action requested of the Board of Selectmen**
 1. Accepts the resignation of Steven S. Mitchell, as a Regular Member of the Tourism Committee
6. **Summary of Submission**
 1. Resignation: Steven Mitchell
Board: Tourism Committee
Party: U
Effective: October 20, 2016
Full Term of Office: 12/8/2015-12/4/2017
7. **Financial Impact**

NONE
8. **Description of documents included with submission**

NONE

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Lisa Heavner; Board members Michael Paine, Cheryl Cook, Christopher Kelly, Elaine Lang and Sean Askham. Others in attendance included: Tom Roy, Director of Public Works; Ed LaMontagne, Chairman of Housing Authority; Colleen O'Connor, Tax Collector; Senator Kevin Witkos; State Representative John Hampton; Gerry Toner, Director of Parks and Recreation, members of the Fire Department, and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

Joan Coe, 26 Whitcomb Drive, spoke about the elections, the Town Manager form of government, sewer systems, successful events in Simsbury, increase in Police calls, and other issues.

Robert Kalechman, 971 Hopmeadow Street, spoke about running for State Representative, corruption in the State, the Veteran's Monument, and other issues.

Ms. Cook made a motion to amend the agenda to add item d) to accept a donation for the Simsbury Farms Golf Course toward the purchase of a memorial clock. Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Kelly made a motion to amend the agenda under Appointments and Resignations to appoint two members of the Board of Finance to the Simsbury Farms Special Revenue Fund Sub-committee. Ms. Cook seconded the motion. All were in favor and the motion passed.

Ms. Cook made a motion to amend the agenda under Appointments and Resignations to appoint Richard Jones to the Board of Ethics. Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to amend the agenda to add item e) waive fees at Eno Memorial Hall on October 2, 2016 for the community Rosh Hashanah event. Mr. Paine seconded the motion. All were in favor and the motion passed.

PRESENTATIONS

- **Proclamation – Mr. & Mrs. Tartaglia**

Dan Koppenger, V.P. of the Simsbury Fire District presented an award to Mr. & Mrs. Tartaglia, an awesome couple who did something to save the lives of a family whose house was on fire. They are just great neighbors to have. He hopes everyone follows the “See Something / Say Something” national program.

Mr. Askham also had the honor of reading a proclamation on behalf of the Town.

- **Tax Collection – Colleen O’Connor, Tax Collector**

Ms. O’Connor gave the Board some information on tax collections. She said the online payments have really increased just in one day. Through August she has collected \$8,751,487. They have also introduced “pay by text” and she can’t wait to see how this works next year.

Ms. O’Connor did remind everyone that the P.O. Box that receives the checks by mail is the Simsbury Bank Processing Center.

- **Simsbury Housing Authority – Ed LaMontagne**

Pastor Woody gave a slide show about who the Housing Authority is and what they do. The Housing Authority is comprised of the Dr. Owen L. Murphy Apartments and the Virginia Connolly Residence for a total of 110 units. They help the elderly and people with disabilities. He said their revenues are derived from subsidies from the Department of Housing, rents, and private and civic organizations.

Pastor Woody said the Housing Authority is overseen by five commissioners, four full time staff and a number of part-time staff.

Pastor Woody said they do face challenges including health insurance coverage, funding for programs and many spending reductions. They did receive a small cities grant for a new roof, driveway and sidewalk work.

Pastor Woody invited everyone to come get a tour and to see all they have to offer. Mr. LaMontagne said applications are on the website at simsburyha.com or by calling (860) 658-1147.

- **Legislative Update – Representative John Hampton & Senator Kevin Witkos**

Representative Hampton said the State budgets were very challenging. He voted against the final budget due to the lack of long term structural reforms. He said he hears people saying they don't want to live here anymore due to high taxes and other issues. There will be a special session starting on Wednesday. He has worked on issues like elder abuse, domestic violence issues, Fire Fighter cancer relief fund, the Children's Committee, and other issues.

Senator Witkos said there will be another deficit in 2017. He said there have been a lot of layoffs, but they are working hard to keep Sikorsky in our State. He said this will be an investment in our State.

Senator Witkos said Simsbury will be receiving a superintendent cut of \$115,000. He said there is also some discussion on a mileage tax.

Ms. Heavner thanked both Senator Witkos and Representative Hampton for working so well with her and the Board, updating them on the issues as soon as they possible can. It has been very helpful for the Board when they have to do the Simsbury budget.

FIRST SELECTMAN'S REPORT

Ms. Heavner said Simsbury Farms was voted the Farmington Valley's Favorite Golf Course by the Farmington Valley Visitors Association.

Ms. Heavner said safety is a top priority in the Town. All of the Highway and Buildings and Grounds staff have recently been re-certified in CPR by the Simsbury Ambulance Association. These lifesaving skills could potentially benefit both Town staff and the public during an emergency.

Ms. Heavner said there is a drought advisory in effect statewide. There are tips on how to conserve water from the State's Department of Energy and Environmental Protection at http://www.ct.gov/deep/ewp/view.asp?a=2720&q=325664&deepNAV_GID=1654.

Ms. Heavner said Election Day is November 8th. The voter registration deadline for the Presidential Election is November 1st. Info can be read on <http://www.simsbury-ct.gov/registrar-of-voters>.

Ms. Heavner said over the next 18 months each property in Town will be reassessed in-line with current market values.

The first phase is a pre-review, which includes comparisons between what is actually observed at the property and what is shown on the assessor's card. The next phase, beginning in

December, includes property questionnaires, updating records for work done under building permits inspection of recently sold properties and valuation.

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

Ms. Heavner said the first playgroup for families affected by autism was held on September 16th. Playgroups will be held again on October 21st and December 16th at 10:30 a.m. in the Friends of Simsbury Library Program Room

Ms. Heavner thanked all the volunteers, first responders and Town staff who helped make the Arts and Crafts Festival, Septemberfest, the Grange Fair, the Book Sale, and the Fly-in so successful and fun.

Ms. Heavner said the Aging and Disabilities Commission will be holding free presentations and discussions, led by healthcare experts, regarding emerging trends across all healthcare settings. The programs will be held at the Simsbury Public Library from 6:30 – 8:00 p.m. on October 25th and November 29th.

Ms. Heavner invited everyone to join students, staff, and parents for Walk/Bike to school in Simsbury. These events are part of a national *Safe Route to School* initiative that promotes health and wellness. Latimer Lane will be held on September 29th, Tootin’ Hills is October 5th and Squadron Line is on October 7th.

Ms. Heavner said “Trunk or Treat” is back on October 29th starting at 12:00 p.m. at Simsbury Farms. Pre-registration for parking is required and can be done on www.simsburyrec.com. or by contacting Simsbury Farms at (860) 658-3836.

Ms. Heavner said the Simsbury *Spooktacular* Chili Challenge will be held on October 29th from noon to 5:00 p.m. For more details visit: simsburychili.com or simsburycoc.org.

Ms. Heavner said the Tariffville Water Storage Tank is now under construction. She thanked all that were involved in this project and said she looks forward to many years of continued excellent water quality in Tariffville.

Ms. Heavner said The Library is hosting a program on October 17th at 9:30 a.m. on Grant Writing for Business. For more information go to the website:
<http://.libraryinsight.com/calendare.asp?xc=1&dp=&sm&jx=scp&nMonth=10&nYear=2-16&x=3>.

Ms. Heavner said Wednesday night is Business Night at the Simsbury Library. The first event will be on September 28th from 6:30 p.m. to 8:00 p.m. Other events will be October 5th and October 26th.

Ms. Heavner said *Best Cleaners* will be holding a ribbon cutting on October 11th at 12:00 p.m.

Ms. Heavner said *The Silverman Group* continues to press forward on their plans to develop/redevelop the site located at 200 Hopmeadow Street.

SELECTMEN ACTION

a) Approve Tax Refunds

Mr. Askham made a motion to approve tax refunds in the amount of \$3,825.97 as approved and requested by the Tax Collector. Ms. Lang seconded the motion. All were in favor and the motion passed.

b) Acknowledge FY 2017 Historic Documents Preservation Grant Application

Ms. Heavner said the Town is expected to receive \$4,000, which will be used to attach land record images to our Electronic Land Record Index.

Mr. Askham made a motion approve and sign the Town Clerk’s Application for the Targeted Grant FY 2017 Historic Documents Preservation Program. Ms. Lang seconded the motion. All were in favor and the motion passed.

c) Consider Request for Waiver of Fees for Event at Eno Memorial Hall

Sutton Kaylor and Jacob Goodwin gave a presentation about a Middle School Semi-Formal Dance on December 9th 2016, to benefit Simsbury Social Services. They said sponsors will be solicited to help with expenses. They are asking for 15-20 parent volunteers. A certificate of insurance will be provided by Re/Max Communities.

Mr. Roy said there are certain rules in place for the use of Eno Memorial Hall and he will meet with them to discuss this.

Ms. Lang made a motion to waive the Eno Hall weekend rental fee of \$750.00 for the Middle School Semi-formal Dance on December 9th. Mr. Askham seconded the motion. All were in favor and the motion passed.

d) Accept the donation of \$3,200 from members of the various golf leagues at the Simsbury Farms Golf Course toward the purchase of a memorial clock

Mr. Toner said Don Warner was a long-time golfer and starter at Simsbury Farms. He was a great, admired, and respected person there. Unfortunately, he passed away last year. The Golf leagues have decided to take the \$3,200 to purchase a clock, which the starter uses, in honor of Mr. Warner.

Ms. Cook made a motion to accept the donation of \$3,200 from members of various golf leagues at the Simsbury Farms Golf Course and use it towards the purchase of a memorial clock in honor of Donald Warner. Mr. Paine seconded the motion. All were in favor and the motion passed.

Ms. Heavner recused herself and turned the meeting over to Mr. Kelly, Deputy First Selectman.

e) Approve usage and waiver of fee at Eno Memorial Hall for a Rosh Hashanah Event

Mr. Kelly said there was a request to waive the fee, not including the custodial component, from the Farmington Valley Jewish Congregation for October 2, 2016 for their Rosh Hashanah Event in case of inclement weather, where they can't have the event at The Simsbury Meadows Bandshell.

Mr. Kelly made a motion to approve the waiving of the fee at Eno Memorial Hall on October 2, 2016 if needed. Mr. Askham seconded the motion. All were in favor and the motion passed.

Ms. Heavner rejoined the meeting.

OTHER BUSINESS

There was no other business at this time.

APPOINTMENTS AND RESIGNATIONS

a) Acknowledge the resignation of Andrew O'Connor (R) as a regular member of the Conservation Commission effective September 7, 2016

Mr. Askham made a motion acknowledge the resignation of Andrew O'Connor as a regular member of the Conservation Commission effective September 7, 2016 with our thanks. Mr. Kelly seconded the motion. All were in favor and the motion passed.

b) Appoint Jane Kimball (D) as a regular member of the Community for Care Committee with an expiration date of December 4, 2017

Mr. Askham made a motion to appoint Jane Kimball as a regular member of the Community for Care Committee with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

c) Appoint Richard Jones (U) to the Board of Ethics with an expiration date of January 1, 2017

Mr. Kelly made a motion to appoint Richard Jones to the Board of Ethics with an expiration date of January 1, 2017. Mr. Askham seconded the motion. All were in favor and the motion passed.

d) Appoint Linda Schofield and Robert Pomeroy to the Simsbury Farms Special Revenue Fund Sub-Committee

Ms. Cook made a motion to appoint Linda Schofield and Robert Pomeroy to the Simsbury Farms Special Revenue Fund Sub-Committee. Ms. Lang seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of September 12, 2016

No changes were made to the Regular Meeting Minutes of September 12, 2016 and therefore, they were adopted.

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

1. Personnel:

a. Approval of Library Head of Children’s Services Job Description

Mr. Kelly said this is an update of the Library Head of Children’s Services job description as it was last updated in 2001. There will be no financial impact on this change.

Mr. Kelly made a motion to approve the revised Head of Children’s Services job description. Mr. Askham seconded the motion. All were in favor and the motion passed.

b. Approval of Project Administrator – Public Works Job Description

Mr. Kelly said the job description change mostly reflects the updated hours of work. This does reflect a salary grade change from \$55,626-\$66,479 to 63,394 - \$75,764 and from A1 to A3.

Mr. Kelly made a motion to approve the updated Projector Administrator – Public Works job description. Mr. Askham seconded the motion. All were in favor and the motion passed.

c. Approval Unaffiliated Compensation for Fiscal Year 2017

Mr. Kelly said these recommendations are made as part of the annual compensation review process for full-time employees who are not represented by one of the Town’s unions. These recommendations are made consistent with the FY2017 budget.

Mr. Kelly made a motion for a salary increase of 2.5%, retroactive to July 1, 2016, for the following unaffiliated positions:

- Chief of Police
- Police Captain
- Deputy Director of Administrative Services
- Director of Administrative Services
- Director of Culture, Parks and Recreation
- Director of Finance
- Director of the Library
- Director of Public Works
- Director of Planning and Community Development
- Executive Assistant to the First Selectman
- Benefits and Human Resources Coordinator
- Town Engineer

Mr. Kelly said the Director of Finance and Town Clerk are not eligible.

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

Mr. Kelly made a motion for two Market Reference Range Adjustments – a 2.5% increase for the Chief of Police and a 2.5 % increase for the Police Captain retroactive to July 1, 2016. Mr. Askham seconded the motion. All were in favor and the motion passed.

Mr. Kelly made a motion to give a special increase of 7.5% for the position of Executive Assistant to the First Selectman and a 2.5% increase for the Benefits and Human Resources Coordinator retroactive to July 1, 2016. Mr. Askham seconded the motion. All were in favor and the motion passed.

2. Finance – no report at this time.

3. Welfare – no report at this time.

4. Public Safety – no report at this time.

5. Board of Education – no report at this time.

Mr. Askham spoke about the retirement program and the defined benefit program for new hires. This plan should be done away with as an option for new employees. There needs to be more study on benefit programs.

Mr. Askham said he and Mr. Kelly attended a Long Range Planning meeting. He feels they are doing a good job on building new metrics. Data is needed for future budget decisions.

ADJOURN TO EXECUTIVE SESSION

- a) Pursuant to Conn. General Statutes §1-200(6)(B) pending litigation: Town of Simsbury v. Timothy Martin**
- b) Pursuant to Conn. General Statutes §1-200(6)(D) to discuss letter received concerning 894 Hopmeadow Street**

Mr. Askham made a motion to adjourn to Executive Session pursuant to Conn. General Statutes §1-200(6)(B) pending litigation and §1-200(6)(D) at 8:34 p.m. Ms. Cook seconded the motion. All were in favor and the motion passed.

In attendance were First Selectman Lisa Heavner; Board members Michael Paine, Cheryl Cook, Sean Askham, Elaine Lang. Also in attendance were Attorney Robert DeCrescenzo and James Rabbit, Town Planner.

ADJOURN

Ms. Lang made a motion to adjourn from the Executive Session at 8:20 p.m. Ms. Cook seconded the motion. All were in favor and the motion passed.

Ms. Lang made a motion to adjourn the Regular Meeting of the Board of Selectmen at 8:20 p.m. Ms. Cook seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Lisa L. Heavner - First Selectman

SIMSBURY BOARD OF SELECTMEN

Special Meeting

Friday, October 7, 2016

7:30 A.M. – Simsbury Town Offices – Main Meeting Room

MINUTES OF MEETING

1. Call to Order

The meeting was called to order by First Selectwoman Lisa Heavner at 7:31 a.m. Selectmen Mike Paine, Cheryl Cook, Chris Kelly and Elaine Lang were also present. Selectman Sean Askham was absent. Director of Public Works Tom Roy and Director of Administrative Services Thomas Cooke were also present.

2. Pledge of Allegiance

Those in attendance stood for the pledge of allegiance.

3. Public Audience

There were no speakers at public audience.

4. Consideration and Action on Request for Approval of the Tentative Agreement between the Town of Simsbury and AFSCME Local 2945 of Council 4, AFL-CIO, Simsbury Public Works and Parks Employees, and for Authorization of the First Selectwoman to Execute the Collective Bargaining Agreement as Modified.

Ms. Heavner asked Mr. Cooke to review the proposed changes to the town's collective bargaining agreement with AFSCME. Mr. Cooke and Mr. Roy proceeded to review the submission form which provided the following information:

a. Term of Contract

- July 1, 2016 to June 30, 2019

b. Wages

- Change in steps resulting in a 3.5% increase for FY2017. New hires shall remain on the first step for 6 months and move to the second step thereafter. Step increases shall thereafter be taken in yearly increments.
- 2% general wage increase each year for FY2018 and FY2019

c. Health Insurance Plan Design

- HDHP/HSA: The voluntary High Deductible Health Plan (HDHP) with Health Savings Account (HSA) will be incorporated into the agreement. Employee contributions remain at 15% for this option.
- PPO: The PPO plan option will be eliminated effective July 1, 2018.
- HMO and PPO Premiums: Recent hires are paying a 20% premium for the PPO and HMO. For other employees, employee contributions are increasing from 16% to 17% effective July 1, 2017 (PPO and HMO); from 17% to 18% effective July 1, 2018 (HMO only – PPO discontinued); from 18% to 19% effective July 1, 2019, and from 19% to 20% effective June 30, 2020.
- Health Care “Buy-Out”: Employees who decline to participate in the town’s health insurance plans will receive an annual credit of \$2,000. Employees who elect to retire before the age of 62 and decline town health insurance will receive a \$1,000 annual credit and have the option of re-entering the health plan at age 62.

d. OPEB Contributions

- OPEB contributions will increase from 1.5% to 2% effective July 1, 2017.

e. Retirement Plan Options

- Defined Benefit Plan:
 - Plan closed: Upon ratification of the agreement, the defined benefit plan will be closed to new hires.
 - Participant contributions: Employees participating in the defined benefit plan will increase their contributions from 4% to 4.5% effective July 1, 2017 and from 4.5% to 5% effective July 1, 2018. Employees who were hired after July 1, 2016 but before ratification shall continue to pay 7%.
 - Retirement at age 62 or the “rule of 85”: Participants may retire without early retirement penalty upon reaching the age of 62 or when the participant’s age and credited years of service equal or exceed a total of 85.
- Defined Contribution Plan: Employees hired after the ratification date of the contract shall be required to participate in the defined contribution plan. Employees shall contribute 5% of base salary. The town shall contribute 7% of base salary with a rolling five year vesting period for employer contributions. All employer contributions shall vest upon completion of the fifth year and thereafter.

f. On-Call Pay

- If an issue can be addressed remotely using a town-issued device, the employee will be paid for work in one hour increments (instead of the flat rate of 4 hours of pay).

g. CDL Examinations

- Employees who operate CDL vehicles for the town will be reimbursed up to \$150 per DOT physical.

The Board of Selectmen asked questions about the immediate and long-term financial impact of the contract and discussed some of the particulars, including the on-call pay process and the Mr. Paine's experience with the CDL licensing process.

Ms. Lang made a motion to approve the tentative agreement between the Town of Simsbury and AFSCME Local 2945 of Council 4, AFL-CIO, Simsbury Public Works and Parks Employees, and to authorize the First Selectwoman to execute the collective bargaining agreement as modified. Mr. Kelly seconded the motion and it passed unanimously.

5. Adjourn

Ms. Lang made a motion to adjourn the meeting. Ms. Cook seconded the motion and it passed unanimously.

The meeting adjourned at 7:55 a.m.

Respectfully submitted,

Thomas F. Cooke
Director of Administrative Services