

**TOWN OF SIMSBURY – BOARD OF SELECTMEN  
REGULAR MEETING MINUTES – APRIL 9, 2018  
(Subject to Approval)**

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**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: Deputy First Selectman Christopher Kelly; Board members Sean Askham, Michael Paine, Cheryl Cook, and Chris Peterson. First Selectman Eric Wellman was absent. Others in attendance included: Town Manager Maria Capriola, Deputy Town Manager Melissa Appleby, Finance Director/Treasurer Sean Kimball, Director of Parks and Recreation Gerard Toner, and other interested parties.

**PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

Mr. Kelly noted that there is a box at the end of the agenda stating “following adjournment, per §CGS 1-200(2) Chapter 14, the Board of Selectmen and staff will meet to discuss strategy and negotiations with respect to collective bargaining for the unit represented by IBPO.” Ms. Capriola said this notification is best practice per State statutes and for transparency purposes.

**PUBLIC AUDIENCE**

Robert Kalechman, 971 Hopmeadow Street, spoke about his concerns on the proposed budget expenses for the school and Chamber. He also spoke about the marijuana facility, possible 5<sup>th</sup> district indiscretions, and handicapped accessibility in Town.

Joan Coe, 26 Whitcomb Drive, spoke about the Board of Finance Budget Hearing, the money for Henry James School and other budget issues. She also spoke about her staff complaints and an FOI complaint for their records, and other issues.

Susan Masino, 41 Madison Lane, spoke about a landscaping approach to the forests and the open space management. She said she has a lot of information for the Board on this issue.

John Shiman, 9 Aruja Drive, re-invited everyone to a form called “THE PLANET, OUR FORESTS, AND CHAMPIONSHIP TREES” at the Simsbury Library on April 26, 2018. There will be a light dinner at 6 p.m. and the program begins at 7 p.m.

**FIRST SELECTMAN’S REPORT**

Mr. Kelly, Deputy First Selectman, reviewed First Selectman Eric Wellman’s report.

**TOWN MANAGER’S REPORT**

Town Manager Ms. Capriola reviewed her report.

Ms. Cook made a motion to amend the agenda to add FY 18/19 Operating and Capital Budget Resolutions and to set the Budget Referendum Date to be between Mr. Kimball’s Proclamation and the Tax Refund item. Mr. Paine seconded the motion. All were in favor and the motion passed.

## **SELECTMEN ACTION**

### **a) Proclamation Recognizing Sean Kimball for his Service to Simsbury**

Mr. Kelly said this would be Mr. Kimball's last Board of Selectmen meeting as his last day is April 13, 2018. He said "Many are called on – Few are chosen." He said Mr. Kimball has served Simsbury in different capacities where he has always had depth of knowledge, was a good leader, and had good inter-personnel skills.

Mr. Askham read a Proclamation for Mr. Kimball that listed some of his accomplishments and also said that April 13, 2018 will be Sean Kimball Day. Ms. Cook said the Town appreciated his willingness to always work with everyone and appreciated his sense of humor. He was also given gifts from the Town and wished well.

Mr. Kimball thanked everyone and said it was his pleasure to serve Simsbury. He has enjoyed working with the staff and all former and current Boards.

### **b) Budget Proposals**

Ms. Cook made the following resolution:

Pursuant to Section 808 of the Town Charter the following motions were introduced at the Special Meeting of the Board of Finance on April 9, 2018:

Be it resolved, that the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of the Board of Selectmen annual budget for the fiscal year ending June 30, 2019 shall be approved and implemented in the amount of \$21,020,727.

Be it resolved, that the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of the Board of Education annual budget for the fiscal year ending June 30, 2019, shall be approved and implemented in the amount of \$69,149,552.

Be it resolved, that the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of Sewer Use Fund (Sewer Treatment Plant), Residential Rental Properties, Simsbury Farms/Special Programs, Non-Public Schools, Debt Retirement/Capital and Capital Non-Recurring annual budgets for the fiscal year ending June 30, 2019, shall be approved and implemented in the amount of \$13,189,209.

In Accordance with Section 406 (Automatic Referendum) and 808 (Duties of the Board of Finance on the Budget) of the Charter, the recommended operating budgets will be submitted to a referendum in the following forum:

Questions for Referendum Ballot:

1. Shall the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of the Board of Selectmen annual budget for the fiscal year ending June 30, 2019, be approved and implemented in the amount of \$21,020,727?

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2. Shall the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of the Board of Education annual budget for the fiscal year ending June 30, 2019, be approved and implemented in the amount of \$69,149,552?
3. Shall the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of Sewer Use Fund (Sewer Treatment Plant), Residential Rental Properties, Simsbury Farms/ Special Programs, Non-Public Schools, Debt Retirement, Capital and Capital Non-Recurring annual budgets for the fiscal year ending June 30, 2019, be approved and implemented in the amount of \$13,189,209?

Mr. Askham seconded the resolutions which was approved by 5 (five) votes in favor and 0 (zero) votes opposed. Therefore, the motion passed.

Ms. Cook made a motion to set the date of Tuesday, May 1, 2018 for automatic referendum, pursuant to Section 406 of the Town Charter, from 6:00 a.m. to 8:00 p.m. at Henry James Memorial School. Mr. Askham seconded the motion. All were in favor and the motion passed.

Mr. Askham made the following resolution:

RESOLVED, upon motion duly made, seconded and adopted, the reading into the minutes of the full text of the resolutions set out below is waived, copies of the resolutions having been made available to those in attendance, and recorded in these records immediately following these minutes. Mr. Paine seconded the motion. All were in favor and the motion passed.

RESOLVED, that the Board of Selectmen recommends and approves the following:

**CIP# General Purpose Projects (Cash)**

Greenway Improvements	\$ 275,000
Highway Pavement Management	\$ 845,000
Sidewalk Resurfacing	\$ 250,000
Ash Borer Tree Mitigation	\$ 85,000

**School Projects (Cash)**

School Facilities Master Planning/Reconfiguration Study	\$ 200,000
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**General Purpose Projects (Grants)**

Multi-Use Trails Simsbury-Bloomfield	\$ 1,020,000
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**Sewer Use Fund (Cash)**

Tariffville Sewer Rehabilitation	\$ 100,000
Primary Clarifier Rehabilitation	\$ 75,000
Plant Water System Rehabilitation	\$ 80,000
Jet Flusher Truck Replacement	\$ 175,000

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**School Projects (Bonds)**

District Network Infrastructure	\$ 400,000
HJMS Renovation Phase 3	\$ 23,965,620
Latimer Lane Boiler Replacement	\$ 900,000
School Security Improvements	\$ 850,000

Ms. Cook seconded the motion. All were in favor and the motion passed.

**c) Tax Refund Requests**

Ms. Cook made a motion, effective April 9, 2018 to approve the tax refunds in the amount of \$4,350.15 as requested and approved by the Tax Collector, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Mr. Askham seconded the motion. All were in favor and the motion passed.

**d) Proposed Public Gathering Permits for 2018 Events**

Mr. Toner went through the list of events that were submitted for Public Gathering Permits. He noted that Mr. Brown from the Farmington Valley Health District was not in attendance at the Public Gathering meeting and the events will require his approval on the serving of food.

Mr. Askham made a motion to approve, effective April 9, 2018, the public gathering applications as presented and to authorize issuance of those public gathering permits. Mr. Paine seconded the motion. All were in favor and the motion passed.

**e) Proposed Fair Housing Policy, Resolution and Proclamation**

Ms. Capriola said April is Fair Housing Month and part of the Small Cities Grant process is to engage in activities that support Fair Housing. There are a number of activities identified in our Fair Housing Plan. She is recommending that the Town adopt the various documents for Fair Housing.

Ms. Cook made a motion, effective April 9, 2018, to adopt the Fair Housing Resolution and Fair Housing Policy as presented and to authorize Town Manager Maria E. Capriola to execute the documents. Mr. Paine seconded the motion. All were in favor and the motion passed.

Ms. Cook made a motion to recognize and declare April as Fair Housing Month in the Town of Simsbury and to authorize Deputy First Selectman Christopher Kelly to execute the Fair Housing Proclamation as presented. Mr. Askham seconded the motion. All were in favor and the motion passed. Ms. Cook read the Proclamation.

**f) Proposed Revisions to Affirmative Action Policy and Compliance with Title VI of the Civil Rights Act of 1964 Policy**

Ms. Capriola said these are additional policies that needed to be updated related to equal opportunities. She said pursuant to Section 2 of the Town's Personnel Rules and Regulations administrative and personnel policies are adopted by resolution. The Town's revised Affirmative Action Policy and Compliance with Title VI of the Civil Rights Act of 1964 Policy has been reviewed and edited by labor counsel.

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Mr. Askham made a motion, effective April 9, 2018, to adopt the Affirmative Action Policy and the Compliance with Title VI of the Civil Rights Act of 1964 Policy as presented and to authorize Town Manager Maria E. Capriola to execute the documents. Mr. Paine seconded the motion. All were in favor and the motion passed.

**g) Appointment of LeClairRyan as Labor Counsel**

Ms. Capriola said the Board received notification that Mr. Harrington, the Town's Labor Counsel, left Murtha Cullina and is now at LeClairRyan. When the Town appoints counsel, they appoint the firm, not an individual and therefore, we can follow counsel to their new firm. The Town Attorney has reviewed the proposed engagement letter.

Ms. Capriola said on December 4, 2017 the Board of Selectmen motion provided staff with the option to conduct RFP's after June 30, 2018 and they will review issuance of a RFQ for labor counsel.

Mr. Paine made a motion, effective April 9, 2018, to appoint the firm of LeClairRyan as labor and employment counsel for the Town of Simsbury through December 2, 2019, with the understanding that staff has the option to conduct an RFQ for labor and employment counsel after June 30, 2018. Furthermore, to authorize Town Manager Maria E. Capriola to execute the engagement letter as presented. Ms. Cook seconded the motion. All were in favor and the motion passed.

**APPOINTMENTS AND RESIGNATIONS**

**a) Resignation of Lori P. Fernand from Recycling Committee**

Ms. Cook made a motion to accept the resignation of Lori P. Fernand from the Recycling Committee retroactive to March 19, 2018 with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

**b) Resignation of Jonathan Laschever from Design Review Board and Historic District Commission**

Ms. Cook made a motion to accept the resignation of Jonathan Laschever as a regular member of the Design Review Board retroactive March 30, 2018 with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to accept the resignation of Jonathan Laschever as a regular member of the Historic District Commission retroactive to March 16, 2018 with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) Regular Meeting of March 26, 2018**

There were no changes to the Regular Meeting Minutes of March 26, 2018 and, therefore, the minutes were adopted.

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**b) Special Meeting of April 2, 2018**

There were no changes to the Special Meeting Minutes of April 2, 2018 and, therefore, the minutes were adopted.

**SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS**

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

Mr. Paine said the Board received a letter from the Conservation Commission and it is part of their packet.

Mr. Askham asked residents to come out and vote at the referendum. It is extremely important for the Board to see what the residents want.

**COMMUNICATIONS**

There were no discussions at this time.

**ADJOURN**

Mr. Askham made a motion to adjourn at 7:00 p.m. Ms. Cook seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk

**TOWN OF SIMSBURY**  
**Resolutions of the Board of Selectmen**

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

**RESOLVED**, That the Board of Selectmen recommends and approves the following:

**CIP #      General Purpose Projects (Cash)**

Greenway Improvements	\$	275,000
Highway Pavement Management	\$	845,000
Sidewalk Resurfacing	\$	250,000
Ash Borer Tree Mitigation	\$	85,000

**School Projects (Cash)**

School Facilities Master Planning/Reconfiguration Study	\$	200,000
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**General Purpose Projects (Grants)**

Multi-Use Trails Simsbury-Bloomfield	\$1,020,000
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**Sewer Use Fund (Cash)**

Tariffville Sewer Rehabilitation	\$	100,000
Primary Clarifier Rehabilitation	\$	75,000
Plant Water System Rehabilitation	\$	80,000
Jet Flusher Truck Replacement	\$	175,000

**School Projects (Bonds):**

District Network Infrastructure	\$400,000
HJMS Renovation Phase 3	\$23,965,620
Latimer Lane Boiler Replacement	\$900,000
School Security Improvements	\$850,000

**RESOLUTION APPROPRIATING FROM THE GENERAL FUND \$275,000 FOR GREENWAY IMPROVEMENTS**

RESOLVED, That the Town of Simsbury appropriate from the General Fund TWO HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$275,000) for costs of improvements to the Greenway, including resurfacing, fencing, new signage, intersection warning systems, pavement markings, tree work, installation of root barriers, drainage improvements and related work. The appropriation may be spent for planning, engineering and construction costs, and other expenses related to the project. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

**RESOLUTION APPROPRIATING FROM THE GENERAL FUND \$845,000 FOR THE HIGHWAY MANAGEMENT PROGRAM**

RESOLVED, That the Town of Simsbury appropriate from the General Fund EIGHT HUNDRED FOURTY FIVE THOUSAND DOLLARS (\$845,000) for repaving, repair and rehabilitation of the Town roadways pursuant to the town's pavement management program. The appropriation may be spent for construction costs, and other expenses related to the project. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

**RESOLUTION APPROPRIATING FROM THE GENERAL FUND \$250,000 FOR SIDEWALK RESURFACING AND RECONSTRUCTION**

RESOLVED, That the Town of Simsbury appropriate from the General Fund TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) for sidewalk resurfacing and reconstruction, drainage and ADA accessibility improvements. The appropriation may be spent for planning, engineering, equipment, construction costs, and other expenses related to the project. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

**RESOLUTION APPROPRIATING FROM THE GENERAL FUND \$85,000 FOR ASH TREE BORER MITIGATION**

RESOLVED, That the Town of Simsbury appropriate from the General Fund EIGHTY FIVE THOUSAND DOLLARS (\$85,000) for the inventory, evaluation and removal of trees located on Town property. The appropriation may be spent for consultant fees, tree removal, stump grinding, equipment, training, management costs, and other expenses related to the project. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

**RESOLUTION APPROPRIATING FROM STATE GRANT RECIEPTS \$1,020,000 FOR A PORTION OF THE MULTI-USE TRAIL FROM TARIFFVILLE TO BLOOMFIELD**

RESOLVED, That the Town of Simsbury appropriate from State grant receipts ONE MILLION TWENTY THOUSAND DOLLARS (\$1,020,000) for the construction of a portion of the multi-use trail from Tariffville to the Town of Bloomfield. The appropriation may be spent for consultant fees, design and construction costs, and other expenses related to the project. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.



**RESOLUTION APPROPRIATING FROM THE SEWER USE FUND \$100,000 FOR TARRIFFVILLE SEWER REHABILITATION**

RESOLVED, that the Town of Simsbury appropriate from the Sewer Use Fund ONE HUNDRED THOUSAND DOLLARS (\$100,000) for costs in connection with the repair through replacement, lining and/or inserts of sewers in the Tarriffville area. The appropriation may be spent for investigations, design, equipment, engineering, construction and materials, and other expenses related to the project. The Water Pollution Control Authority may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation.

**RESOLUTION APPROPRIATING FROM THE SEWER USE FUND \$75,000 FOR PRIMARY CLARIFIER REHABILITATION**

RESOLVED, that the Town of Simsbury appropriate from the Sewer Use Fund SEVENTY-FIVE THOUSAND DOLLARS (\$75,000) for costs in connection with primary clarifier rehabilitation at the Waste Water Treatment Facility. The appropriation may be spent for investigations, design, and engineering costs, construction and materials, and other expenses related to the project. The Water Pollution Control Authority may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation.

**RESOLUTION APPROPRIATING FROM THE SEWER USE FUND \$80,000 FOR PLANT WATER SYSTEM REHABILITATION**

RESOLVED, that the Town of Simsbury appropriate from the Sewer Use Fund EIGHTY THOUSAND DOLLARS (\$80,000) for costs in connection with plant water system rehabilitation at the Waste Water Treatment Facility. The appropriation may be spent for investigations, design, and engineering costs, construction and materials, and other expenses related to the project. The Water Pollution Control Authority may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation.

**RESOLUTION APPROPRIATING FROM THE SEWER USE FUND \$175,000 FOR JET FLUSHER TRUCK REPLACEMENT**

RESOLVED, that the Town of Simsbury appropriate from the Sewer Use Fund ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000) for replacement of the jet flusher truck. The appropriation may be spent for acquisition costs and other expenses related to the project.

**RESOLUTION APPROPRIATING FROM THE GENERAL FUND \$200,000 FOR SCHOOL FACILITIES MASTER PLANNING/RECONFIGURATION STUDY**

RESOLVED, That the Town of Simsbury appropriate from the General Fund TWO HUNDRED THOUSAND DOLLARS (\$200,000) for the costs of a school facilities master planning/reconfiguration study. The appropriation may be spent for design, engineering and other consultants' fees, and other expenses related to the project. The Board of Education may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

RESOLUTION APPROPRIATING \$400,000 FOR SCHOOL DISTRICT NETWORK INFRASTRUCTURE IMPROVEMENTS; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

- (a) That the Town of Simsbury appropriate FOUR HUNDRED THOUSAND DOLLARS (\$400,000) for school district network infrastructure improvements. The appropriation may be spent for engineering and other consultants' fees, equipment costs, design and construction costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.
- (b) That the Town issue bonds or notes in an amount not to exceed FOUR HUNDRED THOUSAND DOLLARS (\$400,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.
- (c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed FOUR HUNDRED THOUSAND DOLLARS (\$400,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.
- (d) That the Town Manager and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.
- (e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

- (f) That the Town Manager and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.
- (g) That the Board of Selectmen, the First Selectman, the Town Manager, the Treasurer, the Board of Education and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

**RESOLUTION APPROPRIATING \$23,965,620 FOR RENOVATIONS TO THE HENRY JAMES MEMORIAL SCHOOL AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION**

RESOLVED,

- (a) That the Town of Simsbury appropriate TWENTY-THREE MILLION NINE HUNDRED SIXTY-FIVE THOUSAND SIX HUNDRED TWENTY DOLLARS (\$23,965,620) for renovations to the Henry James Memorial School including the addition of a library media center, science classrooms and STEM focus areas, addition of an auditorium, and renovations of the Technology Education/Family and Consumer Science wing, classroom renovations and completion of the fire suppression system. The Town anticipates receipt of grants to defray, in part, the appropriation. The appropriation may be spent for design, engineering and other consultants' fees, construction and equipment costs, materials, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Education may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation; and that the Town issue bonds or notes and temporary notes in an amount not to exceed \$23,965,620 to finance the appropriation.
- (b) That the Town issue bonds or notes in an amount not to exceed TWENTY-THREE MILLION NINE HUNDRED SIXTY-FIVE THOUSAND SIX HUNDRED TWENTY DOLLARS (\$23,965,620) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed fifteen years.
- (c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not TWENTY-THREE MILLION NINE HUNDRED SIXTY-FIVE THOUSAND SIX HUNDRED TWENTY DOLLARS (\$23,965,620). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.
- (d) That the Town Manager and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

- (e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.
- (f) That the Town Manager and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.
- (g) That the Board of Selectmen, the First Selectman, the Town Manager, the Treasurer, the board of Education and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

FURTHER RESOLVED,

- (a) that pursuant to the Charter, the resolution above shall be submitted to the voters in the manner provided by Section 406 thereof on May 1, 2018, between the hours of 6:00 A.M. and 8:00 P.M.
- (b) The resolution shall be placed upon the voting machines or paper ballots under the following heading:

“SHALL THE TOWN OF SIMSBURY APPROPRIATE \$23,965,620  
FOR RENOVATIONS TO THE HENRY JAMES MEMORIAL  
SCHOOL; AND AUTHORIZE BONDS AND NOTES IN THE SAME  
AMOUNT TO FINANCE SAID APPROPRIATION?”

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

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

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

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

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

RESOLUTION APPROPRIATING \$900,000 FOR REPLACEMENT OF THE BOILER AT LATIMER LANE SCHOOL; AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

- (a) That the Town of Simsbury appropriate NINE HUNDRED THOUSAND DOLLARS (\$900,000) for replacement of the boiler at Latimer Lane School. The appropriation may be spent for engineering and other consultants' fees, equipment costs, design and construction costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.
- (b) That the Town issue bonds or notes in an amount not to exceed NINE HUNDRED THOUSAND DOLLARS (\$900,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.
- (c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed NINE HUNDRED THOUSAND DOLLARS (\$900,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.
- (d) That the Town Manager and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.
- (e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

- (f) That the Town Manager and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.
- (g) That the Board of Selectmen, the First Selectman, the Town Manager, the Treasurer, the Board of Education and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

RESOLUTION APPROPRIATING \$850,000 FOR SCHOOL SECURITY IMPROVEMENTS; AND  
AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID  
APPROPRIATION

RESOLVED,

- (a) That the Town of Simsbury appropriate EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$850,000) for school security improvements. The appropriation may be spent for engineering and other consultants' fees, equipment costs, design and construction costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.
- (b) That the Town issue bonds or notes in an amount not to exceed EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$850,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.
- (c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$850,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.
- (d) That the Town Manager and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.
- (e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.



- (f) That the Town Manager and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.
- (g) That the Board of Selectmen, the First Selectman, the Town Manager, the Treasurer, the Board of Education and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.