

# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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## SIMSBURY BOARD OF SELECTMEN

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

Regular Meeting – November 14, 2022 – 6:00 p.m.

### PLEDGE OF ALLEGIANCE

### PUBLIC AUDIENCE

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

### PRESENTATIONS

- a) Proclamation from State of Connecticut for the Simsbury Farms 50<sup>th</sup> Anniversary
- b) Economic Development Commission Annual Report

### FIRST SELECTMAN'S REPORT

### TOWN MANAGER'S REPORT

### SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

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

### SELECTMEN ACTION

- a) Economic Development Commission Annual Work Plan, 2022-2023
- b) Request for Alcohol Permit – Apple Barn Event
- c) Proposed Friends of Simsbury Farms Donation
- d) Proposed Donation from The Boswell Family
- e) FY 22/23 Emergency Management Performance Grant (EMPG) Application
- f) Tax Refund Requests
- g) Recommend Appropriation for Latimer Lane Elementary School Project
- h) PA 21-29 Opt-Out Action of State Mandated Regulations Relating to Accessory Dwelling Units and Residential Parking Standards
- i) Schedule a Public Hearing for Proposed Amendments to the Bicycles Ordinance (Chapter 67)
- j) DESRI TVS REAL ESTATE HOLDINGS, L.L.C. V. SIMSBURY Tax Appeal Settlement
- k) COVID-19 Relief 501(C)(3) Non-Profit Grant Program

**REVIEW OF MINUTES**

- a) Regular Meeting of October 24, 2022

**COMMUNICATION**

- a) Memo from M. Capriola, re: Administrative Approval of Public Gathering Permit, dated November 9, 2022

**EXECUTIVE SESSION**

- a) Executive Session per General Statutes section 1-200(6)(B): Strategy and Negotiations of a Pending Claim and/or Litigation: Cavanaugh Claim under the Worker's Compensation Act

**ADJOURN**



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proclamation from State of Connecticut for the Simsbury Farms 50<sup>th</sup> Anniversary
2. **Date of Board Meeting:** November 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Tom Tyburski, Culture, Parks and Recreation Director *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
No action is needed.
5. **Summary of Submission:**  
This year, the Simsbury Farms Recreational Complex celebrated its 50<sup>th</sup> anniversary. The Simsbury Culture, Parks and Recreation Department and the Friends of Simsbury Farms provided numerous events and opportunities for the public to celebrate and enjoy the milestone. State Representative John Hampton and State Senator Kevin Witkos are pleased to present a state proclamation marking this wonderful anniversary.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**  
None



# Town of Simsbury

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## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Economic Development Commission Annual Report
2. **Date of Board Meeting:** November 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Melissa Appleby, Deputy Town Manager; Bob Crowther, Economic Development Commission Chair *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
This item is informational.
5. **Summary of Submission:**  
The Economic Development Commission (EDC) Ordinance requires that the EDC submit annually a report of its activities to the Board of Selectmen by October 31<sup>st</sup>, and that the Board of Selectmen provide direction to the EDC annually by November 30<sup>th</sup>. This report was emailed to all Board of Selectmen members on October 31<sup>st</sup> to meet the requirement of the Ordinance and is being presented tonight.

Excerpted language, Chapter 9 Section 5 of the Simsbury Code of Ordinances states:

*A. On or before the 31st day of October each year, the Commission shall prepare and submit to the Board of Selectmen an annual report of its activities and, if applicable, recommendations for improving the economic condition and development of the Town. The Commission may be asked from time to time to present more frequent reports of its activities and to appear before the Board of Selectmen to report on those activities.*

*B. The Board of Selectmen will provide direction and goals to the Commission on an annual basis on or before the 30th day of November each year.*

The Board of Selectmen adopted a 2021-2022 work plan for the EDC (attached) with four main areas of focus: business incentives; marketing; business outreach; and supporting entrepreneurs. This evening, EDC Chair Bob Crowther will provide an overview of the Commission's activities over the last year. A summary of their activities and observations is provided as an attachment.

The EDC has prepared suggestions for 2022-2023 work plan activities (attached), which will be on your agenda tonight under Selectmen Action. Based on the Board's meeting schedule, the 2022-2023 EDC work plan should be finalized by the Board of Selectmen no later than November 28, 2022 if it is not approved at tonight's meeting.

**6. Financial Impact:**

The EDC is recommending one project that would require financial resources: an update to the Town's tourism map. The update to the Tourism map was also supported by the former Tourism Committee. The EDC would partner with the Chamber on this initiative should it be approved. The EDC and Chamber will present this proposal more in depth to the Board of Selectmen Finance Sub-Committee in December, in advance of budget season. If ultimately approved, the funding would be appropriated as part of the FY 23/24 budget.

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

- a) Economic Development Commission 2021-2022 Annual Report
- b) Economic Development Commission 2021-2022 Adopted Work Plan
- c) Economic Development Commission 2022-2023 Draft Work Plan

# Town of Simsbury Economic Development Commission

Yearly Update  
November 2021 – October 2022

## Agenda

- Review the Economic Development Commission (EDC) Mission & Team Members
- Discuss the Role of the EDC and Economic Development in Simsbury
- Review Existing Workstream Projects and Team Assignments
- Review Accomplishments from 11/21 – 10/22
- Discuss Plans for next 6-12 Months
- Q&A Session

## Economic Development Commission (EDC) Mission & Team Members

- *EDC Mission Statement*
  - *The Commission shall serve as an advisory board to the Board of Selectman. The purpose of the Commission shall be to promote and develop the economic resources of the Town and to advance the Town's economic development goals as defined by the Board of Selectman. The Commission shall be empowered to conduct research into economic conditions and trends, and to collaborate with community organizations which promote economic development.*
  
- *Current Team Members (note: one opening)*
  - Bob Crowther - Chair, Business Outreach, liaison to Sustainability Committee & Design Review Board
  - Tom Earl – Vice Chair, Business Incentives and Business Outreach, liaison to Planning and Land Use for Development projects & DEI Council, liaison to Simsbury Historical Society
  - Brooke Freeman - Marketing, liaison to Simsbury Mainstreet Partnership Program
  - Ron Jodice –Supporting Entrepreneurs, liaison to Zoning Commission, Short-Term Rental Ordinance Committee member
  - Caroline Meckel – Create Welcome Packet & Letter from Town Management
  - Charmaine Seavy – Marketing, Business Outreach, liaison to Simsbury Mainstreet Partnership Program
  
- *Staff Members, Ex-Officio Members, and Community Partners*
  - Maria Capriola - Town Manager and ex-officio member
  - Melissa Appleby - Deputy Town Manager
  - George McGregor - Director of Planning & Community Development
  - Tom Fitzgerald – Management Specialist
  - Morgan Hilyard - Director of Simsbury Chamber of Commerce
  - Sarah Nielsen – Executive Director of Main Street Partnership
  - Heather Goetz – Board of Selectmen representative and ex-officio member
  - Open – ex officio member from the Planning Commission
  - Open – ex officio member from the Zoning Commission
  - Open – Simsbury Library Business and Career Center Coordinator

## EDC Framework

- EDC Ordinance adopted August 2018
  
- EDC required to report annually to the Board of Selectmen on its activities by October 31<sup>st</sup>
  
- Board of Selectmen provides direction and goals to the EDC annually on or before November 30<sup>th</sup>
  
- Board of Selectmen adopts an annual work plan for the EDC in November, with EDC feedback
  - Four work streams: business incentives, business outreach, marketing and supporting entrepreneurs

## EDC 2021-2022 Adopted Work Plan

Work Stream	Task	Person/People
Marketing	Completed marketing materials refresh for tourism, real estate, and business recruitment purposes.	Brooke Freeman, Charmaine Seavy Staff: Sarah Nielsen
Business Outreach	<ul style="list-style-type: none"> <li>Continue to conduct business outreach with large businesses.</li> <li>Implement visitation program for EDC members with smaller and medium sized businesses.</li> <li>Collect and track feedback.</li> </ul>	Bob Crowther, Charmaine Seavy, Tom Earl, Ron Jodice  Staff: Maria Capriola, Melissa Appleby, Tom Fitzgerald, George McGregor
Business Outreach	Create welcome letter and/or packet for new businesses, collaborating with key stakeholders. Reach out to new businesses monthly.	Carrie Meckel  Staff: Town Manager's Office, Sarah Nielsen, Morgan Hilyard
Business Outreach	Continue EDC member shadow program for development projects.	Tom Earl Staff: George McGregor
Support Entrepreneurs	Create updates to the economic development portions of the Town's official website. Once complete, conduct quarterly audit of information for relevance and accuracy.	Brooke Freeman, Charmaine Seavy Staff: Melissa Appleby, Business and Career Center Coordinator
Support Entrepreneurs	Support infrastructure for entrepreneurs. Promote access to business resources, information, and infrastructure.	TBD, Ron Jodice Staff: Business and Career Center Coordinator

## Business Outreach

- *Sample of Visits*
  - Curaleaf
  - D.E. Jacobs Associates
  - Dyno Nobel
  - EBAD
  - Ensign House
  - ISCC
  - Fitzgerald's
  - McLean
  - Mitchell's Auto
  - Phase Zero
  - Tobacco Valley Solar
  - West Street Wines
- The team conducted over a dozen business outreach visits
- Visits conducted with various businesses to get a broad perspective of doing business in Simsbury
- Participating team members varied but included EDC members, Town Manager, Deputy Town Manager, Planning Director and Selectman Goetz
- Visits included virtual and in-person, and facility tours



# Marketing

EDC Leads – Sarah Nielson from SMSP with support from Brooke Freeman, Charmaine Seavy

The goal of the initiative is to grow interest and awareness of Simsbury as an attractive place to visit, live, work and own a business

Key survey findings presented to the Board of Selectmen on 08/09/21

- People appreciate Simsbury for the following “Quality of Life” characteristics
  - *Small Town Vibe, Beauty, Public Schools, Outdoor Activities, Safety*
- Residents and visitors are able to take advantage of investments already made by the Town
  - Hiking trails, Bike trail, Simsbury Farms, the Flower Bridge, the Public Library, the Simsbury Performing Arts Center, activities on the Farmington River

Created the new branding messages with the new marketing brochure

- Team worked with Dornenburg & Kallenbach Advertising on the project
- SMSP is in the process of distributing the materials to real estate offices, the Chamber/Visitor’s Center, Town Hall, and several local businesses for use in promoting the Town

**Planning a Visit**

**Where can I stay overnight?**  
[SimsburyInn.com](http://SimsburyInn.com)  
[Simsbury1820House.com](http://Simsbury1820House.com)

**How do I find a restaurant?**  
[ShopSimsbury.com](http://ShopSimsbury.com)

**Where can I hike?**  
[FriendsOfHeubleinTower.org](http://FriendsOfHeubleinTower.org)  
[SimsburyLandTrust.org](http://SimsburyLandTrust.org)  
[McLeanCare.org/game-refuge](http://McLeanCare.org/game-refuge)

**Are there bike trails too?**  
[FCHTrail.org](http://FCHTrail.org)  
[Greenway.org](http://Greenway.org)

**How do I know what show is at the Meadows?**  
[SimsburyMeadowsMusic.com](http://SimsburyMeadowsMusic.com)  
[HartfordSymphony.org](http://HartfordSymphony.org)

**How do I find historic locations?**  
[SimsburyHistory.org](http://SimsburyHistory.org)

**Simsbury has a flower bridge?**  
[Simsbury-CT.gov](http://Simsbury-CT.gov)

**Visit SIMSBURY**  
 EST. 1670  
[SHOPSIMSBURY.COM](http://SHOPSIMSBURY.COM)

*Visit SIMSBURY CONNECTICUT*

**Hiking, Biking, Kayaking, Dining, Music, History.**

Take in a show, or simply take in the view.

### Celebrate the great outdoors in Simsbury

Routinely named as one of the most livable towns in Connecticut, Simsbury's small-town, rural ambiance is a combination of natural beauty, accessible history, walkable downtown, and exciting cultural happenings.



The Farmington River, gently winding its way through the town, boasts some of the best fly fishing in the country. The Farmington' as it is known to locals, is an enticing lure to kayakers, bird watchers and families looking to cool off on a hot summer day. If hiking is your thing, you'll find more than 50 miles of trails to explore. Our terrain spans the gamut from gentle, flat strolls to the rewards of a breathtaking view after a challenging uphill climb. Simsbury is also a Bike Friendly town, and bikers come from all over New England to ride our scenic roads and trails. Enjoy the flat, paved rail-to-trail that runs the length of town or challenge yourself with some adrenaline-fueled mountain biking. Don't forget golf, tennis, a world-class ice-skating center, or our multitude of youth sports.



Visitors enjoy our colorful Flower Bridge well into the fall. Perhaps you will happen upon an impromptu photo-shoot, or just peacefully enjoy this beautiful spot. In winter find covered outdoor skating, exciting sledging for the kids, paddle tennis, or pick-up hockey.



If history is your interest, Simsbury's heritage includes an abundance of Revolutionary War sites and many points of interest from even earlier. Stop by our Historical Society, located in the center of town, for more guidance and informative displays. Simsbury's farming heritage is on display at Flaming Farm where children get to see and learn about farm animals up close. Make sure to pick up some fresh eggs while you are there. Stop by Tulnecadow Farm for some of the best ice cream you'll ever have, or visit Rosedale Farm & Vineyard for a glass of wine or to choose from a variety of amazing fruits and vegetables.

### Relax over an award-winning meal

Don't leave Simsbury without trying one of our fabulous restaurants. Whatever you are looking for you can probably find it in Simsbury. For instance, Abigail's Restaurant. They were serving food and libation when George Washington passed through Simsbury (oh, and the upstairs just might be haunted). Look for celebrity chefs at Milbrights, Present Company and Metro Bis. Asian fusion is what it's all about at Table 570 and Meadow Restaurants.



Evergreens and Somo Grille offer fresh farm to table. And for great family fare look no further than Antonio's, Cracker Barrel Pub, Red Stone Pub, Plan B, or Maple Tree Café. In Simsbury, our locally owned restaurants shine with pride of place and unrivaled cuisine.

### Summer home of the Hartford Symphony

Simsbury Meadows Performing Arts Center has been the summer home of the Hartford Symphony for more than twenty years. Throughout July, the Symphony plays a different theme weekly, with special guests and special surprises. In addition, Simsbury Performing Arts Center offers festivals, local comedy, and bands - both local and big-name. Some of the better known acts have included Darius Rucker, Willie Nelson, Allison Kraus, The Beach Boys and Tedeschi Trucks Band. With your feet in the grass and stars overhead, you'll see what makes our performance center so special.



## Other Efforts

- Reviewing the economic development portions of the Town's official website for relevance; audit and updates in progress (Charmaine Seavy, Brooke Freeman, Staff)
- Serving as a resource for the Simsbury Historical Society as they move forward with their capital needs (grant writing, capital project management, financing, etc) (Tom Earl, Ron Jodice)
- Supporting the Town's Sustainable CT efforts (Bob Crowther)
- Participating as a committee member in Chamber Government Affairs Committee (Bob Crowther, Staff)
- Participated in the Short-Term Rental Ordinance work group; ordinance adopted by BOS November 2021 (Ron Jodice)
- Participated in review of EBAD's permit fee waiver request (Tom Earl)
- Followed Iron House Blvd apartment development (Barber Cove) (Tom Earl)

## Looking Ahead

- *Suggested opportunities for the 22-23 Work Plan*
  - Continue to “clean up” and update the town’s official website as it pertains to economic development information
  - Leveraging the work from the Marketing initiative, continue to work with SMSP and the Chamber to promote and support Tourism across the Town
    - Develop marketing “themes” (i.e. weddings, family events, outside visitors) for tourism purposes to leverage support for Town businesses integrating activities, hospitality options, restaurants and drinking establishments
    - Assist with exploring the feasibility of a Hospitality Task Force; develop and assist with an implementation plan
    - Revise the Town’s Tourism Map
  - Continue to identify creative ways to enhance our business outreach efforts to strengthen relationships with and gather feedback from our business community
  - Continue communications with the DEI Council to identify and work on areas of common interest
  - Develop a welcome letter for new businesses

**2021-2022 EDC Work Plan – ADOPTED**

Work Stream	Task	Person/People
Marketing	Complete marketing materials refresh for tourism, real estate, and business recruitment purposes.	Brooke Freeman, Charmaine Seavy  Staff: Sarah Nielsen
Business Outreach	Continue to conduct business outreach with large businesses.  Implement visitation program for EDC members with smaller and medium sized businesses. <b>NEW</b>  Collect and track feedback.	Bob Crowther, Charmaine Seavy, Tom Earl, Ron Jodice  Staff: Maria Capriola, Melissa Appleby, Tom Fitzgerald
Business Outreach <b>NEW</b>	Create welcome letter and/or packet for new businesses, collaborating with key stakeholders. Reach out to new businesses monthly.	Carrie Meckel  Staff: Town Manager's Office, Sarah Nielsen, Morgan Hilyard
Business Outreach	Continue EDC member shadow program for development projects.	Tom Earl  Staff: Planning Director
Support Entrepreneurs <b>NEW</b>	Create updates to the economic development portions of the Town's official website. Once complete, conduct quarterly audit of information for relevance and accuracy.	Brooke Freeman, Charmaine Seavy  Staff: Melissa Appleby, Business and Career Center Coordinator
Support Entrepreneurs	Support infrastructure for entrepreneurs. Promote access to business resources, information, and infrastructure.	TBD, Ron Jodice  Staff: Business and Career Center Coordinator

**2022-2023 EDC Work Plan – DRAFT**

Work Stream	Task	Person/People
Business Outreach	Continue to conduct business outreach with businesses.  Collect and track feedback.	Bob Crowther, Charmaine Seavy, Tom Earl, Ron Jodice  Staff: Town Manager's Office, George McGregor
Business Outreach	Create welcome letter and/or packet for new businesses, collaborating with key stakeholders.	Carrie Meckel  Staff: Town Manager's Office, Sarah Nielsen, Morgan Hilyard
Business Outreach <b>NEW</b>	Serve as a technical resource for the Simsbury Historical Society and/or other area non-profits who contribute to the economic and cultural vitality of our Town	Tom Earl, Ron Jodice  Staff: Maria Capriola
Marketing <b>NEW</b>	Update the Town's Tourism Map ( <i>funds permitting</i> )	Charmaine Seavy  Staff: Morgan Hilyard
Marketing <b>NEW</b>	Create marketing "themes" to promote the Town for tourism purposes	Brooke Freeman, Charmaine Seavy  Staff: Sarah Nielsen
Marketing <b>NEW</b>	Assist with exploring the feasibility of a Hospitality Task Force; develop and assist with an implementation plan	<b>TBD</b>  Staff: Morgan Hilyard
Support Entrepreneurs	Create updates to the economic development portions of the Town's official website. Once complete, conduct quarterly audit of information for relevance and accuracy.	Brooke Freeman, Charmaine Seavy, Ron Jodice  Staff: Melissa Appleby, Business and Career Center Coordinator



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Economic Development Commission 2022-2023  
Work Plan Discussion

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

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

4. **Action Requested of the Board of Selectmen:**  
The Board of Selectmen needs to adopt a work plan for the EDC no later than November 30<sup>th</sup> annually. Therefore, the following motion is needed:

*Move, effective November 14, 2022 to adopt the 2022-2023 EDC work plan as presented<sup>1</sup>.*

5. **Summary of Submission:**  
At its August 13, 2018 meeting, the Board of Selectmen adopted the Economic Development Commission Ordinance. The Ordinance requires the Board of Selectmen to provide direction and goals to the Commission on an annual basis on or before the thirtieth day of November each year.

Earlier in the evening the EDC presented a status update on their approved 2021-2022 work plan. The EDC has prepared some ideas for its 2022-2023 work plan (attached).

This evening it would be helpful for Board members to share ideas and suggestions regarding the 2022-2023 EDC work plan. Should the work plan not be finalized by the Board of Selectmen this evening, it will need to be discussed and finalized at your next meeting on November 28<sup>th</sup>.

6. **Financial Impact:**  
The EDC is recommending one project that would require financial resources: an update to the Town's tourism map. The update to the Tourism map was also supported by the former Tourism Committee. The EDC would partner with the Chamber on this initiative should it be approved. The EDC and Chamber will present this proposal more in depth to the Board of Selectmen Finance Sub-Committee in December, in advance of budget season. If ultimately approved, the funding would be appropriated as part of the FY 23/24 budget.

7. **Description of Documents Included with Submission:**  
a) Economic Development Commission 2022-2023 Draft Work Plan

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<sup>1</sup> Or, as revised, if revisions are made at the meeting.

**2022-2023 EDC Work Plan – DRAFT**

Work Stream	Task	Person/People
Business Outreach	Continue to conduct business outreach with businesses.  Collect and track feedback.	Bob Crowther, Charmaine Seavy, Tom Earl, Ron Jodice  Staff: Town Manager's Office, George McGregor
Business Outreach	Create welcome letter and/or packet for new businesses, collaborating with key stakeholders.	Carrie Meckel  Staff: Town Manager's Office, Sarah Nielsen, Morgan Hilyard
Business Outreach <b>NEW</b>	Serve as a technical resource for the Simsbury Historical Society and/or other area non-profits who contribute to the economic and cultural vitality of our Town	Tom Earl, Ron Jodice  Staff: Maria Capriola
Marketing <b>NEW</b>	Update the Town's Tourism Map ( <i>funds permitting</i> )	Charmaine Seavy  Staff: Morgan Hilyard
Marketing <b>NEW</b>	Create marketing "themes" to promote the Town for tourism purposes	Brooke Freeman, Charmaine Seavy  Staff: Sarah Nielsen
Marketing <b>NEW</b>	Assist with exploring the feasibility of a Hospitality Task Force; develop and assist with an implementation plan	<b>TBD</b>  Staff: Morgan Hilyard
Support Entrepreneurs	Create updates to the economic development portions of the Town's official website. Once complete, conduct quarterly audit of information for relevance and accuracy.	Brooke Freeman, Charmaine Seavy, Ron Jodice  Staff: Melissa Appleby, Business and Career Center Coordinator





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Request for Alcohol Permit – Apple Barn Event

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

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

Maria E. Capriola, Town Manager; Tom Tyburski, Director of Culture, Parks and Recreation *Maria E. Capriola*

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

If the Board of Selectman supports issuing an alcohol permit for the event at the Apple Barn, the following motion is in order:

*Move, effective November 14, 2022 to issue an alcohol permit for the legal possession and use of alcohol for an event at the Apple Barn on January 12, 2023.*

5. **Summary of Submission:**

Culture, Parks and Recreation Department staff is requesting that participants attending a "Paint and Sip" class be permitted to consume alcohol at the Simsbury Farms Apple Barn on January 12, 2023. If permitted, participants would be allowed to bring their own alcohol to the program and no one under age 21 will be allowed to attend the program. Per Town Code (63-2) possession of consumption of alcohol in town buildings is limited and a permit issued by the Board of Selectmen and Town Manager is required.

A permit was authorized at your September 28<sup>th</sup> meeting for a similar event held on October 20<sup>th</sup>. The event was a success and there were no issues.

6. **Financial Impact:**

If the Paint and Sip program sells out at 25 participants, the Culture, Parks and Recreation Department would net approximately \$337.50 to the Special Revenue Fund.

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

a) Excerpt from Chapter 63 of the Code of Ordinances, Alcoholic Beverages



**Excerpt from Chapter 63 of the Code of Ordinances, Alcoholic Beverages**  
**Article II – Public Consumption**  
**Adopted by the Board of Selectmen 3-24-2003**

**63-2 Possession or consumption in Town buildings limited; permit required.**

Except as permitted under the provisions of this article, no person shall consume any alcoholic beverage or have in his or her possession or control an open container containing any alcoholic beverage while he or she is an occupant in any Town-owned building. For the purposes of this article, alcoholic beverages shall be as those terms are defined in Connecticut General Statutes Section 30-1(3).

**A.**

Exception to prohibition; permit required. Notwithstanding the provisions of this § 63-2, any person may possess and consume alcoholic liquor in Town-owned buildings, excluding buildings operated by the Board of Education, if a written permit so authorizing said possession and consumption has been obtained from the office of the Town Manager for a specific event on a specific date or dates. Such a permit may be issued by the Town Manager upon receipt of a completed application on a form approved by the Board of Selectmen and upon a determination by the Board of Selectmen that the issuance of the permit will not be detrimental to the public safety, health or welfare or result in a violation of any other ordinance of the Town, or state or federal law.

[Amended 7-12-2021]

**B.**

Property exempted. The premises known as the "Simsbury Farms Restaurant," including the patio, located at the Simsbury Farms Recreation Complex, is specifically exempted from this permitting requirement set forth in § 63-2A of this article. The purpose of this exemption for § 63-2A is to permit patrons of the Simsbury Farms Restaurant to bring their own alcoholic liquor, as those terms are defined in the Connecticut General Statutes Sections 30-1(5) and 30-1(19), to the restaurant for consumption that is customary and incidental to consumption with meals served at the restaurant. This exemption shall be subject to the ongoing review of the Board of Selectmen and shall be reviewed by the Board of Selectmen at least annually



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## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Friends of Simsbury Farms Donation
2. **Date of Board Meeting:** November 14, 2022

3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Tom Tyburski, Director of Culture, Parks and Recreation *Maria E. Capriola*

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports acceptance of the donation from the Friends of Simsbury Farms, the following motion is in order:

*Move, effective November 14, 2022 to accept a donation of \$13,048 from the Friends of Simsbury Farms to partner with the Town of Simsbury on tee leveling projects at the Simsbury Farms Golf Course.*

5. **Summary of Submission:**  
The Friends of Simsbury Farms, is a 501-C-3 non-profit organization, created in January 2016, intended to plan, form, coordinate, and monitor charitable donations for the benefit of the Simsbury Farms Recreation Complex. The Friends have recently supported the purchase or cost of a variety of facility enhancements at Simsbury Farms.

The Friends of Simsbury Farms have partnered with the Simsbury Farms Golf Maintenance staff this fall to complete tee leveling projects on holes #4,5,10 & 14. This involved stripping the old sod away, laser grading the tops of these tees and then re-sodding the tops of the tees. Outside contractors were used for laser grading and bringing and installing new sod. The cost of these services was \$13,048 and the Friends of Simsbury Farms, Inc., has graciously offered to pay for these services and new sod.

Chapter 100 of our Code of Ordinances, "Gift Policy," Section 100-2 "Monetary Donations" states that no donation of more than \$1,500 may be accepted without Board of Selectmen approval. If the donation is accepted I will direct staff to send a thank you letter to the Friends of Simsbury Farms.

6. **Financial Impact:**  
Having well maintained golf tees is important to the Simsbury Farms Golf Course patrons and encourages repeat play, increasing revenue to the Town of Simsbury.
7. **Description of Documents Included with Submission:**  
None



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## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Donation from The Boswell Family
2. **Date of Board Meeting:** November 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Tom Tyburski, Director of Culture, Parks and Recreation  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports acceptance of the donation from the Boswell Family, the following motion is in order:  
  
*Move, effective November 14, 2022 to accept a donation covering the costs of new windscreens for the Platform Tennis Courts at the Simsbury Farms Recreation Complex.*
5. **Summary of Submission:**  
Christine Boswell, her family and friends hold a number of fundraisers each year in memory of Brian E. Koscher, their late husband, family member and friend. The cost of new windscreens at the Simsbury Farms Platform Tennis Courts will be \$2,473.80, the Boswell Family has graciously offered to reimburse the Culture, Parks and Recreation Department for this cost.  
  
Chapter 100 of our Code of Ordinances, "Gift Policy," Section 100-2 "Monetary Donations" states that no donation of more than \$1,500 may be accepted without Board of Selectmen approval. If the donation is accepted I will direct staff to send a thank you letter to the Boswell Family for this generous donation.
6. **Financial Impact:**  
This donation will save the Town of Simsbury \$2,473.80, the cost of the new windscreens for the platform tennis courts.
7. **Description of Documents Included with Submission:**  
None



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** FY 22/23 Emergency Management Performance Grant (EMPG) Application

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

3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Mike Berry, Emergency Management Director

*Maria E. Capriola*

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports applying for the Emergency Management Performance Grant, the following motion is in order:

*Move, effective November 14, 2022, to apply for the 2022/2023 Emergency Management Performance Grant as presented and to approve the attached resolution.*

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

*Move, to accept the 2022/2023 Emergency Management Performance Grant and to authorize Maria E. Capriola, Town Manager, to execute all documents related to the grant award.*

5. **Summary of Submission:**  
Annually, the Town submits a grant application to the state Department of Emergency Services and Public Protection for an Emergency Management Performance Grant. The grant application documents are traditionally prepared by the Fire District, but the municipal CEO is required to execute the grant application and award documents. The Fire District provides Emergency Management services to the Town. Michael Berry currently serves as the Town's Emergency Management Director.

The Town must be the applicant for the 2022/2023 Emergency Management Performance Grant. In order to receive the funds, the Town Manager must execute the attached grant application and receive authorization from the Board of Selectmen to do so.

6. **Financial Impact:**  
The Town serves as a pass through for receipt of the grant monies. Once the grant funds are received by the Town, they are then transferred to the Fire District. The grant funds are used to offset the costs of the Emergency Management Director's salary.

The grant requires a local match in the amount of \$12,697.50. The local match is provided by the Fire District, and is indirect. The indirect match of \$12,697.50 reflects part of the Fire District's contribution to Mr. Berry's salary. The local match covers the amount a municipality can apply for. There is an additional amount that is 100% funded by the federal government for PPE expenses. This amount for Simsbury is \$1,269.75.

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

- a) FY 22/23 Emergency Management Performance Grant Application



# **E.MERGENCY M.ANAGEMENT P.PERFORMANCE G.RANT**

**FFY 2022 APPLICATION  
Due: December 1, 2022**



**State of Connecticut**

**Department of Emergency Services and Public Protection  
Division of Emergency Management and Homeland Security**

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## COMPLETION CHECKLIST FOR SUB-GRANTEE

**The following forms are necessary for the timely completion of this document. Please use this aid to ensure all documents are included in your submission. More detailed information is available in the EMPG Manual.**

- Section B: Application Information and Data Sheet
- Section C: Municipal Resolution
- Section D: EMPG Financial Tool Budget Tab
- Section E: Master Staffing Pattern and Training History
- Section F: NEMA Survey attached (Optional)
- Job Descriptions have been attached if applicable (Available on website)

## DEMHS REGIONAL CONTACT INFO

**For assistance filling out this application please contact your DEMHS Regional Coordinator.**

Region 1	Robert Kenny Regional Coordinator	149 Prospect Street, Bridgeport, CT 06604 Phone: 860.250.2478 Email: <a href="mailto:Robert.Kenny@ct.gov">Robert.Kenny@ct.gov</a>	Fax: 203.334.1560
Region 2	Nicole Velardi Regional Coordinator	1111 Country Club Road, Middletown, CT 06457 Phone: 860.685.8105 Email: <a href="mailto:Nicole.Velardi@ct.gov">Nicole.Velardi@ct.gov</a>	Fax: 860.250.3453
Region 3	William Turley Regional Coordinator	DEMHS - 360 Broad Street Hartford CT 06105 Phone:860.250.2548 Email: <a href="mailto:William.Turley@ct.gov">William.Turley@ct.gov</a>  Mailing address: P.O. Box 1236 Glastonbury, CT 06033	Fax: 860.257.4621
Region 4	Michael Caplet Regional Coordinator	15-B Old Hartford Road Colchester, CT 06415 Phone:860.250.3449 Email: <a href="mailto:Mike.Caplet@ct.gov">Mike.Caplet@ct.gov</a>	Fax: 860.465.5464
Region 5	John Field Regional Coordinator	55 West Main Street, Suite 300 Box 4 Waterbury, CT 06702 Phone: 860.250.2535 Email: <a href="mailto:John.Field@ct.gov">John.Field@ct.gov</a>	Fax: 203.591.3529



## SECTION A. APPLICATION INSTRUCTIONS

Below are brief instructions for filling out each application form. Please fill out these forms completely and accurately. **Electronic signatures are accepted on all documents.** Please **sign** or **initial** where you see the following tabs:



1. **Manual:** Please print and review the EMPG Program Manual (<https://portal.ct.gov/DEMHS/Grants/Emergency-Management-Performance-Grant/Guidance-and-Forms>). The Subgrantee is responsible for the information contained in this document. More complete instructions are available in this document.
2. **Section B: Applicant Information and Datasheet:** Please fill out boxes 1-16 with the necessary information.
3. **Section C: Municipal Resolution:** Please provide a municipal resolution to grant the Chief Executive Officer the authority to sign the EMPG application package on behalf of the municipality. For more information on resolution specifics please reference the EMPG Program Manual.
4. **Section D: EMPG FINANCIAL TOOL-Budget Preparation:** Fill in your budget request for the performance period of 10/1/22-9/30/23 in the 2022 EMPG SLA Financial Tool. Please submit this budget electronically to your DEMHS Regional Office for review upon submittal of the application. Please consult the 2022 EMPG Manual for any additional forms.
5. **Section E: Master Staffing Pattern:** The Master Staffing Form comes pre-populated with the training records of local personnel who have reported completion of the IS and/or PDS course requirements. Towns may use this form to report on any additional courses completed since their last EMPG application.
6. **Additional Forms:** Please review the remaining list of forms available on our website at <https://portal.ct.gov/DEMHS/Grants/Emergency-Management-Performance-Grant/Guidance-and-Forms> to determine if any of these forms will be needed for your application:
  - Emergency Management Director Job Description** – Use this form if you have hired a new Emergency Management Director.
  - Emergency Management Deputy Director Job Description** – Use this form if you have hired a new Emergency Management Deputy Director.
  - Emergency Management Support Staff Job Description** – Use this form if you have hired new Emergency Management Support Staff (e.g. Clerical).
  - Request for Transcripts from EMI** – Use this form to request a transcript of the courses you have completed through FEMA and/or the Emergency Management Institute (EMI).

Once all of the necessary forms are filled out and signed, complete the application by signing and dating the Applicant Information and Data Sheet. Attach the Budget and all other forms and submit the Application Package to your DEMHS Regional Office.



**SECTION B. EMPG APPLICATION INFORMATION AND DATA SHEET**

All Forms Must Be Original - Copies Will Not Be Accepted

**Mail Completed Applications To:**  
DEMHS Regional Coordinator (See Page 2 of this application for contact information)

**SPCP Unit Use Only**

**1. Name of Municipality or Agency Applying for Subgrant:** **2. Period of Award for this Subgrant: 10/1/22 – 9/30/23**

**3. Emergency Management Director Name & Address**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address Line 1: \_\_\_\_\_  
Address Line 2: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**4. Official Authorized to Sign for the Applicant:**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address Line 1: \_\_\_\_\_  
Address Line 2: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**5. Municipal/Agency Financial Officer**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address Line 1: \_\_\_\_\_  
Address Line 2: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**6. Fiscal Point of Contact: (If Different than Financial Officer)**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address Line 1: \_\_\_\_\_  
Address Line 2: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**7. Applicant FEIN:**

**8. Applicant DUNS #:**

**9. Applicant Fiscal Year End:**

**10. Date of Last Audit:**

**11. Dates Covered by Last Audit:** \_\_\_\_\_ to \_\_\_\_\_

**12. Date of Next Audit:**

**13. Dates to be Covered by Next Audit:** \_\_\_\_\_ to \_\_\_\_\_

Please note that the information required for boxes 9 through 13 refers to the sub-grantee's audit cycle.

**FEDERAL AUDIT AND DEBARMENT REQUIREMENT CERTIFICATION**

**14. ACKNOWLEDGEMENT OF FEDERAL SINGLE AUDIT SELF REPORTING REQUIREMENTS**

- Sub-grantees that are required to undergo a Federal Single Audit as mandated by OMB Circular A-133 must alert CT DEMHS, in writing, to any specific findings and/or deficiencies with regard to the use of federal grant funds within 45 days of receipt of their audit report. This notification must identify the finding(s) / deficiencies and a corrective action plan for each.
- All sub-grantees must submit to CT DEMHS a copy of the audit report section pertaining to use of federal grant funds regardless of any findings or deficiencies, within 45 days of the receipt of that report.

**Initial to indicate that this requirement has been read and understood:** \_\_\_\_\_

INITIAL

**15. ACKNOWLEDGEMENT OF DEBARMENT REQUIREMENTS:**

- The sub-grantee will confirm the eligibility status (via Sam.gov) of all vendors/contractors that the sub-grantee pays with EMPG SLA funds. The subgrantee will confirm that the vendors/contractors do not appear on the SAM's Exclusion List of federally debarred or suspended vendors.

**Initial to indicate that this requirement has been read and understood:** \_\_\_\_\_

INITIAL

**16. I, the undersigned, for and on behalf of the named municipality, state agency, or regional planning organization, do herewith apply for this subgrant, attest that, to the best of my knowledge, the statements made herein are true, and agree to any general or special grant conditions attached to this grant application form.**

SIGN & DATE

Authorized Signatory: X \_\_\_\_\_ Date: \_\_\_\_\_

**SECTION C. AUTHORIZING RESOLUTION**

All Forms Must Be Original - Copies Will Not Be Accepted

This Blanket Resolution Can Also Be Used to Satisfy the Requirements of the Homeland Security Grant Program

**AUTHORIZING RESOLUTION OF THE**

\_\_\_\_\_  
*(Insert name of governing body--for example, town council)*

**CERTIFICATION:**

I, \_\_\_\_\_, the \_\_\_\_\_ of \_\_\_\_\_,  
*(keeper of the records—for ex. town clerk or secretary of council)*

do hereby certify that the following is a true and correct copy of a resolution adopted by  
\_\_\_\_\_ at its duly called and held meeting on \_\_\_\_\_, 20\_\_\_\_,  
*(name of governing body)* *(Month, Day)*

at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

RESOLVED, that the \_\_\_\_\_ may enter into with and deliver  
*(name of governing body)*

to the State of Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security, any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that \_\_\_\_\_, as \_\_\_\_\_ of  
*(name and title of officer)*

\_\_\_\_\_,  
*(Name of governing body)*

is authorized and directed to execute and deliver any and all documents on behalf of the

\_\_\_\_\_  
*(name of governing body)*  
and to do and perform all acts and things which he/she deems to be necessary or appropriate to carry out the terms of such documents.

The undersigned further certifies that \_\_\_\_\_  
*(name of officer)*

now holds the office of \_\_\_\_\_ and that he/she has held that office since \_\_\_\_\_.

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

\_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
*(Name and title of record keeper)*



The Chief Executive Officer has not changed since the previous resolution was authorized on \_\_\_\_\_  
*(Date)*

## SECTION D. EMPG SLA FINANCIAL TOOL-BUDGET

**Please Note: Applications will not be reviewed without the submittal of the EMPG Financial Tool “Application Budget” tabs.**

**A new category for PPE has been added this year.** Fill out the Application Budget portion of the tool by filling out the teal boxes for the following:

### 1. Award Amounts:

**Per Capita Award:** This amount is based on your town’s population as listed in the State Register and Manual.

**Sub grant Allocation:** This totals as you fill in the categories below.

### 2. Enter Categories:

- **Personnel-** Enter the total estimated cost for salaries or stipends for full or part-time EMDs, Deputy EMDs and support staff.
- **Organization-** Enter the total estimated cost for your phone bills, fax, internet bills, cable TV, WIFI etc. Please note that all services must be concluded and paid before seeking reimbursement.
- **Equipment-** Enter the total estimated cost for your anticipated equipment needs including printers, computers, radios, phone systems, EOC furniture etc.
- **In kind-** Enter the total estimated cost for any in-kind costs including Volunteer EMDs, Deputy EMDs or Support Staff time and any donated new equipment. Note: In-Kind Allocations require 2X the match.
- **Personal Protective Equipment (PPE)** Enter the PPE allocation from the front page into this cell. **Note: The PPE allocation can only be spent on PPE. PPE allocations are matched by state funding.**
- **All other-** Enter the total estimated cost for all other items. Must receive pre-approval from DEMHS Regional Coordinator.
- **Unallocated** – This is the remaining balance of funding that you have not yet allocated to a particular category.

EMPG Subgrant Budget (Fill In Green Cells Only)	
PER CAPITA AWARD	
Total:	\$22,840.65
Federal Per Capita Share:	\$11,420.33
Match:	\$11,420.33
SUBGRANT ALLOCATION	
Total:	\$22,840.65
Federal Per Capita Share:	\$11,420.33
Match (Includes In-Kind):	\$12,920.33
Personnel:	\$16,840.67
<i>Allocate (Enter) the total estimated cost for salaries or stipends for full or part-time EMD's, Deputy EMD's and support staff. If claiming fringe, please provide a fringe benefits letter from the Municipal Finance Director.</i>	
Organization:	\$500.00
<i>Allocate (Enter) the total estimated cost for your phone bills, fax, internet bills, cable TV, WIFI etc. Please note that all services must be concluded and paid before seeking reimbursement.</i>	
Equipment:	\$2,412.34
<i>Allocate (Enter) the total estimated cost for your anticipated equipment needs including printers, computers, radios, phone systems, EOC furniture etc.</i>	
In-Kind - Requires Double Match:	\$1,500.00
<i>Allocate (Enter) the total estimated cost for any in-kind costs including Volunteer EMDs, Deputy EMDs or Support Staff time and any donated new equipment. Note: In-Kind Allocations require 2X the match. For a volunteer time form please visit the DEMHS website at <a href="http://www.ct.gov/demhs/cwp/view.asp?a=1910&amp;q=411692">http://www.ct.gov/demhs/cwp/view.asp?a=1910&amp;q=411692</a></i>	
Personal Protection Equipment:	\$1,087.64
<i>Allocate (Enter) the total amount of PPE shown for your town here. PPE funding may be used for face masks, sanitizer, gloves, no touch devices, shields etc. No match is required for PPE.</i>	
All Other Costs	\$500.00
<i>Allocate (Enter) the total amount of all other costs (Travel, Training, Mileage, Meetings, EOC Activations, Emergency Responses etc..</i>	
Unallocated:	\$0.00
<i>Certification: I hereby certify that the information contained herein is based</i>	



## SECTION F. NEMA QUESTIONNAIRE

Each year the Division of Emergency Management and Homeland Security (DEMHS) fills out a survey from the National Emergency Management Association (NEMA). The purpose of the survey is to justify the funding we receive under the Emergency Management Performance Grant (EMPG).

To help us in filling out the survey for FY 2022, DEMHS is asking our EMPG participating towns to answer a few brief questions. Your answers will assist NEMA in justifying continued funding of the EMPG program to Congress.

1. What is your total emergency management budget: \$\_\_\_\_\_.  
*Please provide your total budget even if these costs exceed your EMPG allocation.*
  
2. Is your Emergency Management Director?:  
(Check One)  
 Full-Time  
 Part-Time  
 Volunteer
  
3. Which official (if any) has the authority to issue a mandatory evacuation order?:  
(Check One)  
 Mayor  
 First Selectman  
 Town Manager  
 Other



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

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

*Move, effective November 14, 2022 to approve the presented tax refunds in the amount of \$5,518.98, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds.*

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

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

6. **Financial Impact:**  
The aggregate amount of all tax refunds as presented is \$5,518.98. The attachment dated November 14, 2022 has a detailed listing of all requested tax refunds.
7. **Description of Documents Included with Submission:**
  - a) Requested Tax Refunds, dated November 14, 2022

REQUESTED TAX REFUNDS  
NOVEMBER 14, 2022

	BILL NUMBER	TAX	INTEREST	TOTAL
<b>List 2020</b>				
Bird, Lindsey	20-03-51485	\$41.53		\$41.53
Majocho, Margaret M	20-03-61340	\$308.26		\$308.26
Rella Roberta A	20-03-65199	\$166.47	\$81.90	\$248.37
<b>Total 2020</b>				
		<b>\$516.26</b>	<b>\$81.90</b>	<b>\$598.16</b>
<b>List 2021</b>				
Casaey Douglas B	21-03-52800	\$162.81		\$162.81
Harderlie Shawnee	21-03-57514	\$17.79		\$17.79
Harderlie Shawnee	21-03-57515	\$35.24		\$35.24
Heritage Glen Condo Assn Inc	21-03-57952	\$171.81		\$171.81
J Aeschlimann LivTrstJnt	21-03-58891	\$152.92		\$152.92
Kormushoff, Katharine A	21-03-60066	\$281.68		\$281.68
Kubasek Edward J 2nd	21-03-60220	\$35.49		\$35.49
Mann, Jagdish	21-03-61664	\$36.34		\$36.34
Nissan Infiniti LT	21-03-63635	\$140.67		\$140.67
Rella Roberta A	21-03-65499	\$157.76	\$18.83	\$176.59
Sadlon Edward S	21-03-66309	\$11.52		\$11.52
Schafer Andrew	21-03-66592	\$37.91		\$37.91
Toyota Lease Trust	21-03-68701	\$365.85		\$365.85
Toyota Lease Trust	21-03-68705	\$83.45		\$83.45
Toyota Lease Trust	21-03-68708	\$543.42		\$543.42
Toyota Lease Trust	21-03-68714	\$430.47		\$430.47
Toyota Lease Trust	21-03-68717	\$121.01		\$121.01
Toyota Lease Trust	21-03-68753	\$279.54		\$279.54
Toyota Lease Trust	21-03-68760	\$292.13		\$292.13
Toyota Lease Trust	21-03-68783	\$370.13		\$370.13
Toyota Lease Trust	21-03-68787	\$375.04		\$375.04
Toyota Lease Trust	21-03-68796	\$422.43		\$422.43
Toyota Lease Trust	21-03-68808	\$303.78		\$303.78
Toyota Lease Trust	21-03-68887	\$72.80		\$72.80
<b>Total 2021</b>				
		<b>\$4,901.99</b>	<b>\$18.83</b>	<b>\$2,683.96</b>
<b>TOTAL 2020</b>				
		<b>\$516.26</b>	<b>\$81.90</b>	<b>\$598.16</b>
<b>TOTAL 2021</b>				
		<b>\$4,901.99</b>	<b>\$18.83</b>	<b>\$4,920.82</b>
<b>TOTAL ALL YEARS</b>				
		<b>\$5,418.25</b>	<b>\$100.73</b>	<b>\$5,518.98</b>





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Recommended Appropriation for Latimer Lane Elementary School Project

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

3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Amy N. Meriwether, Finance Director/Treasurer

*Maria E. Capriola*

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

If the Board of Selectmen supports the recommendation of the Board of Education, the following suggested motions are in order:

*Move, effective November 14, 2022, to approve and recommend an additional appropriation of \$2,261,837 for the Latimer Lane Elementary School project.*

*Further recommend to fund the appropriation with cash from capital reserve, and for the outdoor learning spaces to be funded by ARPA themed grant dollars.*

5. **Summary of Submission:**

At its meeting on November 10<sup>th</sup> the Board of Education recommended an additional appropriation of \$2,261,837 for the Latimer Lane Elementary School renovation project. The additional appropriation is due to the current inflationary environment, and not due to an increase in scope. Of the \$2,261,837, \$494,863 are costs associated with outdoor learning spaces, presented as alternates #2, #3, and #5 (attached).

Bond counsel has determined that the additional appropriation, even if funded with cash, must go to referendum. If advanced by the Board of Selectmen tonight, the following key dates are anticipated:

- November 15 – Board of Finance reviews, sets a public hearing date
- November 29 – Board of Finance public hearing
- November 30 or December 1 – Board of Selectmen sets the referendum date
- January 7 – Referendum date

6. **Financial Impact:**

The recommended additional appropriation of \$2,261,837 will be partially reimbursed by the state of Connecticut. It is estimated that the reimbursement rate will be approximately 33.57%, with a net cost to the town of \$1,502,538. Of the \$1.5M, the estimated net cost to the town for the outdoor learning spaces is \$328,737.



The original appropriation of \$36,792,406 was approved by 79.5% of those voting in record budget referendum turnout in May 2021. If the additional \$2,261,837 appropriation is ultimately approved by the voters, the total appropriation for the project will be \$39,054,243. Legally, the town is required to appropriate the entirety of the project, including the expenses that will be offset by revenues from the state. With an estimated state reimbursement rate of 33.57%, the revised approximate total net cost to the town is \$25,943,734.

Staff recommends that the cost increases due to inflation be funded with cash. More specifically, staff recommends that the estimated net cost of the outdoor learning spaces, \$328,737, be funded through the use of ARPA grant dollars, keeping within the spirit of the intended uses of those funds. Staff recommends that the remaining estimated net cost of \$1,173,801 be funded from the capital reserve. If the additional appropriation is funded with cash, there is no impact to the taxpayer.

If the recommended appropriation is funded with cash as outlined above, the capital reserve will have a remaining balance of \$1,581,152. Additionally, a balance of \$3,505,747 of unappropriated ARPA funds from the second federal allocation to Simsbury will remain.

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

- a) Presentation from Tecton Architects, dated November 10, 2022



Tecton  
ARCHITECTS

# LATIMER LANE SCHOOL

*STATE PROJECT NO. 128-0111 RNV*

TRI-BOARD MEETING  
NOVEMBER 10, 2022



# Proposed Media Center



# Proposed Media Center

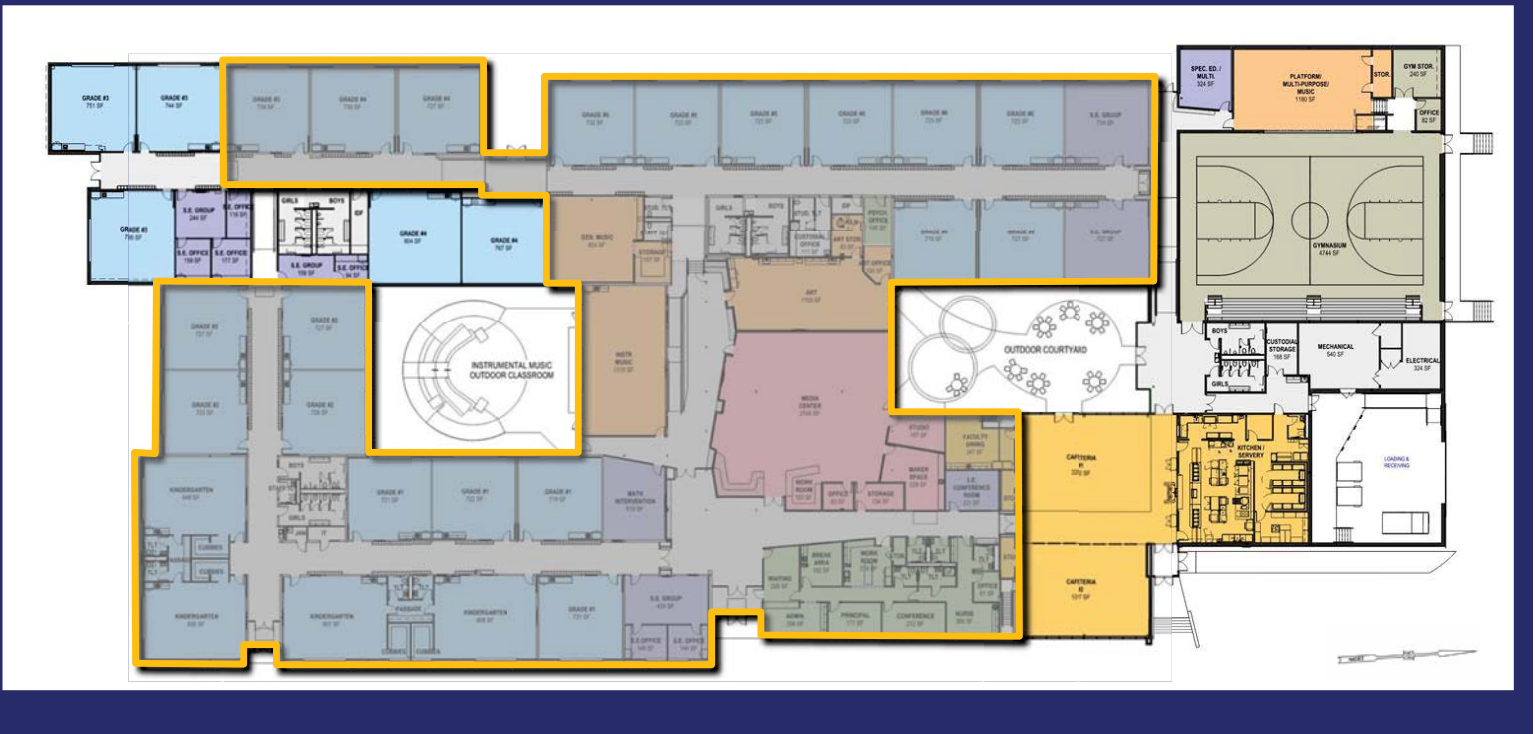




# Proposed Cafeteria



# Proposed Floor Plan





# BUDGET SUMMARY

1. Original Referendum

\$36,792,406

2. Budget Overage ~

+ \$1,766,974

*(Bid Results, allowances, soft costs)*

**Revised Budget  
(without alternates)**

**\$38,559,380**

STATE PROJECT NO. 128-0111 RNV

## ADD ALTERNATE BIDS



#1: HYBRID GEOTHERMAL HVAC SYSTEM*	\$1,651,841
#2: SITE WORK (SEAT WALLS & FIXED FURNITURE)	332,317
#3: SITE WORK (STAMPED CONCRETE)	71,148
#4: SITE WORK (POURED-IN-PLACE PLAY SURFACE)	433,456
#5: SOUTH COURTYARD	91,398
#6: STORAGE SHED	160,358
#7: RUBBER FLOORING (IN LIEU OF LINOLEUM)	328,377
#8: VEHICLE BARRIER GATE	20,798

**\$1,437,852**

STATE PROJECT NO. 128-0111 RNV



# SITE-RELATED ALTERNATE BIDS



Tecton ARCHITECTS

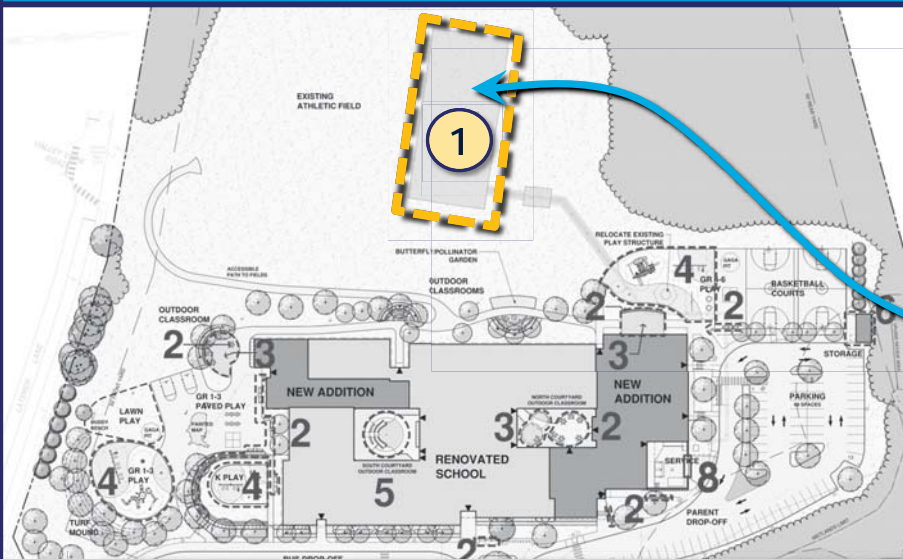


- 1 PARTIAL GEOTHERMAL WELL SYSTEM
- 2 SITE WORK SEAT WALLS & FIXED FURNITURE
- 3 SITE WORK STAMPED CONCRETE
- 4 SITE WORK POURED-IN-PLACE SURFACE @ PLAYSAPES
- 5 SITE WORK SOUTH COURTYARD SEATING
- 6 STORAGE SHED
- 8 VEHICLE BARRIER GATE AT LOADING DOCK

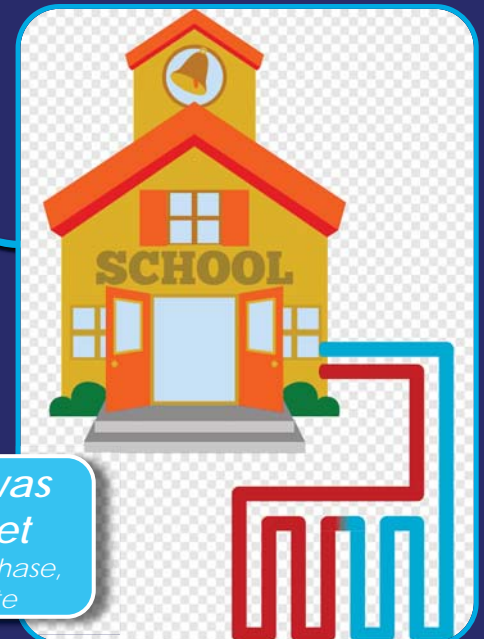
## Alt.#1 ~ HYBRID GEOTHERMAL HVAC SYSTEM



Tecton ARCHITECTS



- 1 PARTIAL GEOTHERMAL WELL SYSTEM



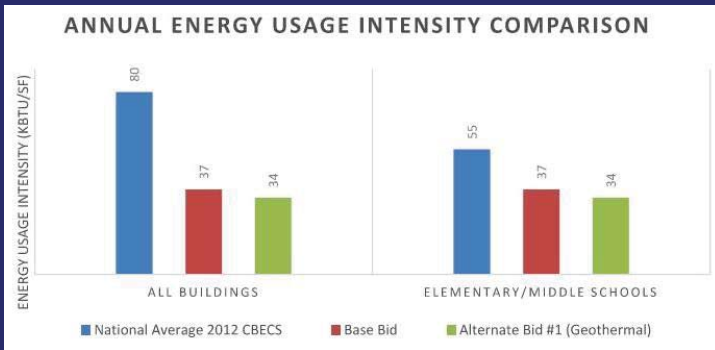
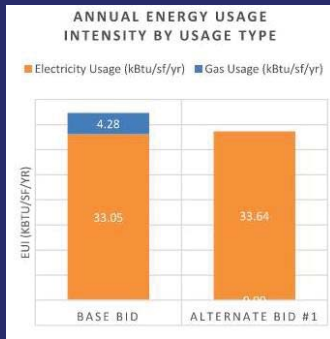
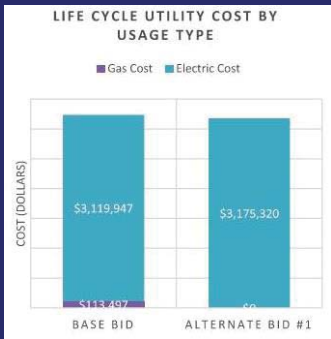
*Please note ~ Scope and cost for geothermal was contemplated after referendum budget was set*

*Born from discussions with the Clean Energy Task Force early in design phase, design team agreed to include within our design as an add alternate*

# Alt.#1 ~ HYBRID GEOTHERMAL HVAC SYSTEM



Tecton ARCHITECTS



Building Name		Latimer Lane School	
Building Size (SF)		73,580	
<b>System Energy Approach</b>	Baseline	High Efficiency	
<b>System Type</b>	Base Bid	Alt. Bid #1	
<b>Construction Cost (\$)</b>	\$ 3,448,043	\$	4,515,793
<b>First Year Energy Cost (\$)</b>	\$ 140,651	\$	138,334
<b>Discounted Payback Period (years)</b>	-	-	-
<b>Simple Payback (years)</b>	-	-	461
<b>Energy Cost Savings w/ High Efficiency (%)</b>	-	-	2%
<b>20-Year Inflated Energy Cost (\$)</b>	\$ 3,560,475	\$	3,513,493
<b>First Year Maintenance Cost (\$)</b>	\$ 13,612	\$	13,612
<b>20-Year Inflated Maintenance Cost (\$)</b>	\$ 331,073	\$	331,073
<b>20-Year Life Cycle Cost (\$)</b>	\$ 7,339,591	\$	8,360,359
<b>20-Year Savings (\$)</b>	0	\$	(1,020,768)
<b>Total Site Energy Usage (MBTU)</b>	2,746.6	2,475.1	
<b>EUI (Kbtu/SF-Yr)</b>	37.3	33.6	

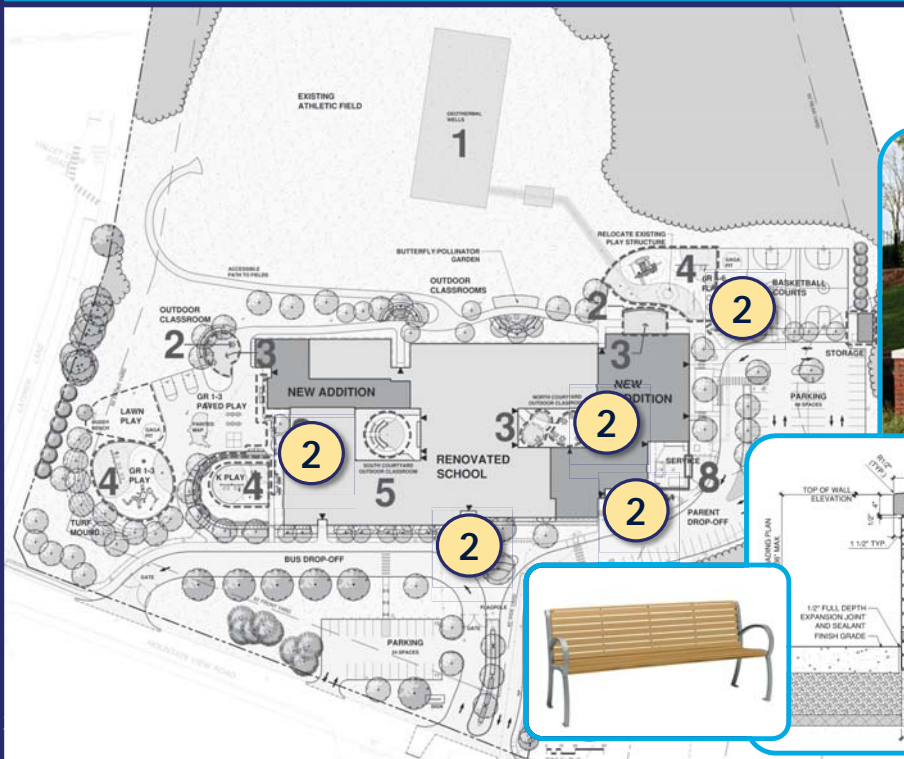
## System Configuration:

- Geothermal for Chilled Beam Water
- Water to Water Heat Pumps
- Chilled Beam Piping
- Air Source Heat Pump Dedicated Outside Air Units
- Air Source Heat Pump Air Handling Units
- Limited Electric Resistive Supplemental Heat (Preheat and Unit Heaters)

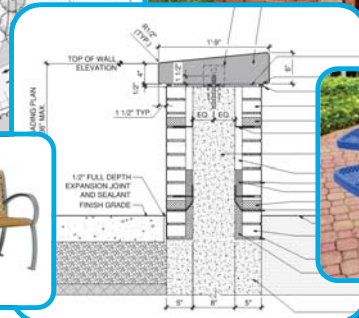
# SITE-RELATED ALTERNATE BIDS



Tecton ARCHITECTS



## 2 SITE WORK SEAT WALLS & FIXED FURNITURE

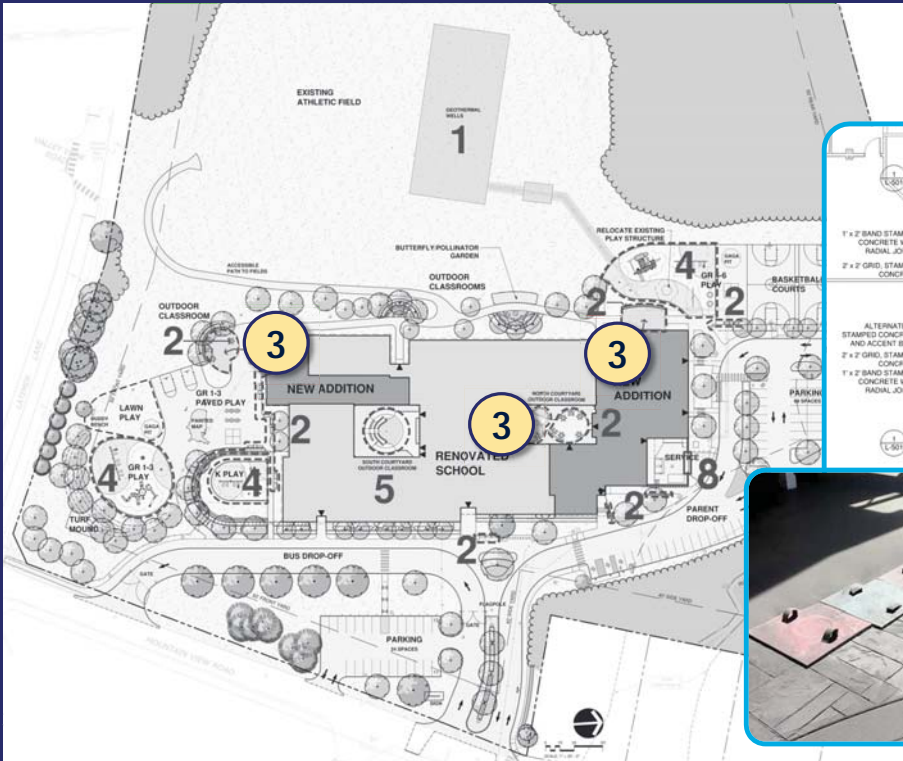




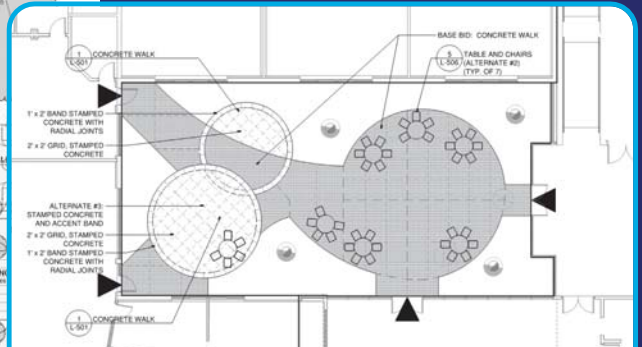
# SITE-RELATED ALTERNATE BIDS



Tecton  
ARCHITECTS



**3** SITE WORK STAMPED CONCRETE



# SITE-RELATED ALTERNATE BIDS



Tecton  
ARCHITECTS



**4** SITE WORK POURED-IN-PLACE SURFACE @ PLAYSAPES





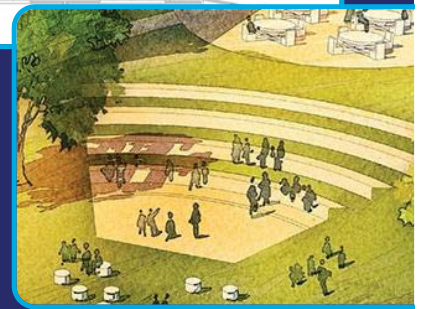
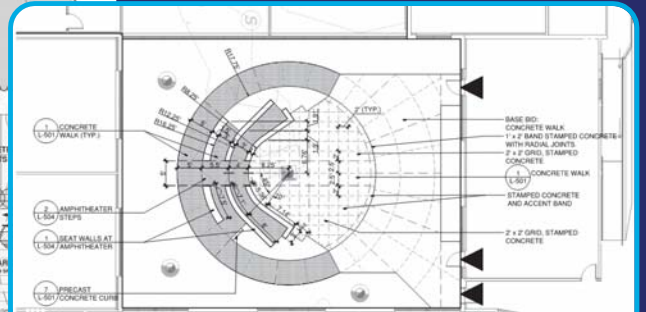
# SITE-RELATED ALTERNATE BIDS



Tecton  
ARCHITECTS



**5** SITE WORK SOUTH COURTYARD SEATING



# SITE-RELATED ALTERNATE BIDS



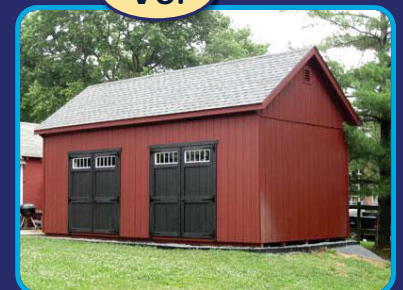
Tecton  
ARCHITECTS



**6** STORAGE SHED



VS.

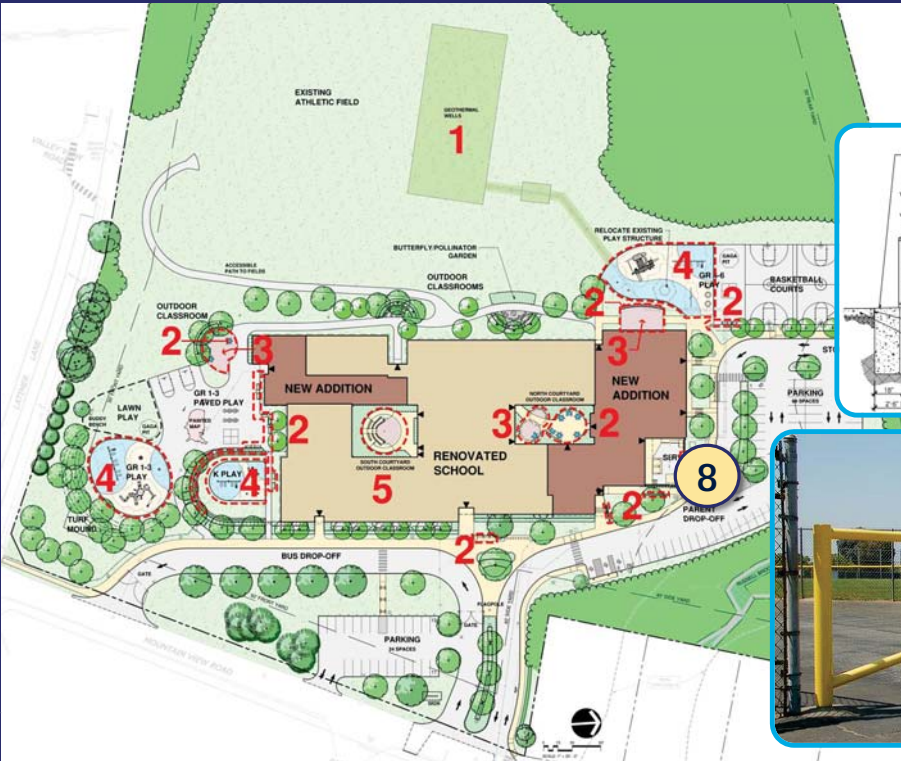




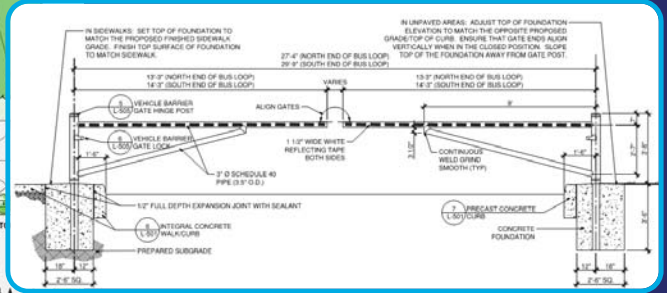
# SITE-RELATED ALTERNATE BIDS



Tecton  
ARCHITECTS



## 8 VEHICLE BARRIER GATE AT LOADING DOCK



# ADD ALTERNATE #7



Tecton  
ARCHITECTS

## RUBBER FLOORING IN LIEU OF LINOLEUM

### LINOLEUM

#### FORBO PIANO

##### CHARACTERISTICS

- AVAILABLE IN 19 COLORWAYS
  - OTHER OPTIONS IN DIFFERENT PRODUCTS
- CAN WITHSTAND 1000 PSI
- THE MOST SUSTAINABLE FLOORING OPTION
  - 97% RECYCLED MATERIAL
  - 43% RECYCLED CONTENT
  - CO<sub>2</sub> NEUTRAL AND PVC FREE
- TOPSHIELD2 HIGH PERFORMANCE UV FINISH
  - PREVENTS STAINING, SCUFFING AND SCRATCHING
- EASY CLEANING AND MAINTENANCE
  - DOES NOT REQUIRE POLISH

##### INSTALLED COST

- ~ \$5.50 SF



### RUBBER

#### NORA SENTICA

##### CHARACTERISTICS

- AVAILABLE IN 38 COLORWAYS
- TILES INSTALL FOR A SEAMLESS LOOK
- SUPERIOR FOOTFALL SOUND ABSORPTION
- FREE OF PVC, PHTHALATE PLASTICIZERS AND HALOGENS
- INCREASED SAFETY
  - FIRE RETARDANT
  - SLIP-RESISTANT
- LITTLE TO NO MAINTENANCE
  - NO FINISHING, WAXING OR SEALING
  - CAN BE CLEANED USING WATER, NO CHEMICALS REQUIRED

##### INSTALLED COST

- ~ \$10 SF
- DOESN'T INCLUDE ANY MOISTURE MITIGATION



# ADD ALTERNATE BIDS



Tecton  
ARCHITECTS

#1: HYBRID GEOTHERMAL HVAC SYSTEM*	\$1,651,841
#2: SITE WORK (SEAT WALLS & FIXED FURNITURE)	332,317
#3: SITE WORK (STAMPED CONCRETE)	71,148
#4: SITE WORK (POURED-IN-PLACE PLAY SURFACE)	433,456
#5: SOUTH COURTYARD	91,398
#6: STORAGE SHED	160,358
#7: RUBBER FLOORING (IN LIEU OF LINOLEUM)	328,377
#8: VEHICLE BARRIER GATE	20,798

STATE PROJECT NO. 128-0111 RNV



Tecton  
ARCHITECTS

## LATIMER LANE SCHOOL

STATE PROJECT NO. 128-0111 RNV

TRI-BOARD MEETING  
NOVEMBER 10, 2022



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** PA 21-29 Opt-Out Action of State Mandated Regulations Relating to Accessory Dwelling Units and Residential Parking Standards
2. **Date of Board Meeting:** November 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; George K. McGregor, AICP, Planning & Community Development Director *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen wants to opt out of the PA-21-29 provisions, the following motion is in order:  
  
*Move, effective November 14, 2022 to approve the attached resolution as presented.*
5. **Summary of Submission:**  
Public Act 21-29, approved on June 10, 2021 established a State-mandated regulatory framework for certain zoning provisions including Accessory Dwelling Units and Residential Parking Regulations.  
  
The Act allows municipalities to "opt-out" of the provisions via a two-step process. First the Zoning Commission, after a public hearing, must adopt a resolution by 2/3 majority. The Act requires the Board of Selectmen to complete the process, ratifying the Commission action with its own adoption of a resolution by 2/3 majority. The Board of Selectmen are not required to conduct a public hearing.  
  
The Zoning Commission adopted a resolution to opt-out of the Accessory Dwelling Unit standards by a vote of 6-0 on January 3, 2022.  
  
The Zoning Commission adopted a resolution to opt-out of the Residential Parking Standards by a vote of 6-0 on October 3, 2022.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**
  - a) Draft Resolution
  - b) ADU Opt-out Agenda Submission, dated May 9, 2022
  - c) Parking Standards Opt-Out Memo, dated September 19, 2022

**SIMSBURY BOARD OF SELECTMEN**

**RESOLUTION**

**PUBLIC ACT NO. 21-29 RESIDENTIAL PARKING REQUIREMENT OPT-OUT AND  
ACCESSORY DWELLING UNIT OPT-OUT**

**WHEREAS**, The Town of Simsbury Board of Selectmen intend to ratify the decision of the Town of Simsbury Zoning Commission to opt out of the provisions established in Public Act No. 21-29 Section 4 Subsection (d) Subdivision (9) inclusive and Section 6 Subsections (a) to (d) inclusive;

**WHEREAS**, The Board of Selectmen believe that it is advisable and in the best interests of the Town for the Zoning Commission to retain the ability to regulate residential parking requirements and accessory dwelling units to ensure said regulations reflect Simsbury's unique location, geography, and citizen's needs;

**WHEREAS**, The Zoning Commission approved an amendment to Section 3.5.2, Accessory Dwelling Units, on July 25, 2022, to address citizen's needs and to make changes which were deemed necessary and appropriate;

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Selectmen hereby affirmatively elect to opt out of these provisions as authorized by Section 5 and Section 6 Subsection (f) of Public Act No. 21-29.

Dated at the Town of Simsbury, Connecticut this \_\_\_\_ day of November, 2022.





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Accessory Dwelling Units (ADU) Opt-Out Considerations
2. **Date of Board Meeting:** May 9, 2022
3. **Individual or Entity Making the Submission:**  
George K. McGregor, AICP, Planning & Community Development Director
4. **Action Requested of the Board of Selectmen:**  
This presentation is informational. The Board may choose to act at a future meeting.
5. **Summary of Submission:**  
Public Act 21-29, approved on June 10, 2021, established a new framework for the regulation of Accessory Dwelling Units (ADUs) at the local level. The legislation requires that each municipality permit ADUs as a matter of right, pursuant to statutorily mandated requirements (such a maximum square footage, setbacks, and parking).  
  
The legislation includes an opt-out provision for municipalities. The Simsbury Zoning Commission, after holding a public hearing over four meetings, adopted a Resolution to affirmatively opt-out by a vote of 6-0, on January 3, 2022. According to the Statute, the "opt-out" provision requires the Board of Selectmen to complete the process, ratifying the Commission action with resolution supported by a 2/3 majority. A public hearing by the Board of Selectmen is not required.  
  
The presentation will review Public Act 21-29, summarize Simsbury's current approach to ADU regulation, identify differences between the new law and Town regulations, and discuss the Board's options for action.
6. **Financial Impact:** There are no impacts related to the opt-out decision-making process.
7. **Description of Documents Included with Submission:**
  - February 28, 2022 Transmittal Memo from the Zoning Commission
  - Commission Resolution to Opt-Out
  - September 29, 2021 Staff Memo to Zoning Commission Summarizing Issue

# Simsbury Zoning Commission

**TO:** Simsbury Board of Selectmen

**FROM:** Simsbury Zoning Commission

**DATE:** February 28, 2022

## Summary

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

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

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

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

## Connecticut Public Act 21-29 Synopsis

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

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

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

## Simsbury Zoning Commission Decision

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

## Simsbury Zoning Commission

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

### Public Hearing

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

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

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

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

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

### Simsbury Zoning Commission ADU Considerations

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

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

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

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

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



## **Simsbury Zoning Commission**

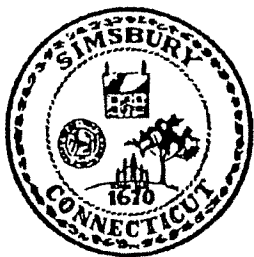
of Conservation and Development. Then the Zoning Commission must hold a Public Hearing on any proposed Zoning Regulation changes, followed by a Zoning Commission vote to adopt any proposed changes.

Recommendation to the Simsbury Board of Selectmen

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

David Ryan,  
Chairman

Attach: (2)



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

## SIMSBURY ZONING COMMISSION

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

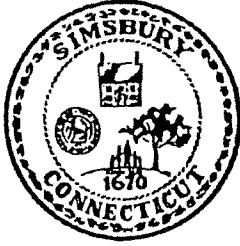
The Simsbury Zoning Commission initiated the opt-out process found in Section 6(f) of Public Act 21-29 regarding the regulation of Accessory Dwelling Units by requesting and receiving a positive referral from the Planning Commission on November 9, 2021, and thereafter conducted a public hearing on November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

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

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

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

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



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

TO: Zoning Commission

FROM: Laura Barkowski  
Code Compliance Officer

DATE: 9/29/2021

SUBJECT: Legislative Update (Accessory Dwelling Units)

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

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

Telephone (860) 658-3245  
Facsimile (860) 658-3205

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

An Equal Opportunity Employer  
8:30 - 7:00 Monday  
8:30 - 4:30 Tuesday through Friday

#### **Additional considerations addressed by PA 21-29**

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

#### **Not addressed by PA 21-29**

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

#### **Opting out**

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



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Planning & Community Development

TO: Town of Simsbury Zoning Commission

FROM: George K. McGregor, AICP, Planning Director

DATE: September 19, 2022

SUBJECT: **Public Act 21-29 Parking Standards for Residential Uses Reconsideration**

After additional Staff review and inquiry, Staff and the Town Attorney recommend that the Zoning Commission revisit the action whereby the Commission intended to “opt-out” of the state mandated parking standards for residential uses found in Public Act 21-29.

On January 3, 2022, after two previous public hearing dates, the Zoning Commission concluded its consideration of an opt-out process for two elements found in PA 21-29: Accessory Dwelling Units (ADUs) and Parking Standards for residential uses.

The public notice and the notice of action included both elements. The adopted resolution, affirmatively references the ADUs. However, it does not identify parking standards by name nor includes the proper state section references.

Recall, the State, through PA 21-29, mandates that no Town may require parking for residential uses by unit in excess of the following (as compared to the Town’s regulation):

Unit Type	Town Zoning Regulations	Center Zone	PA 21-29
Studio Unit	2 Spaces	1 Space	1 Space
One-bedroom Unit	2 Spaces	1 Space	1 Space
Two-bedrooms or more	2 Spaces	2 Spaces	2 Spaces

Staff has drafted a resolution opting out of the State mandated requirements based on the Commission’s desire to retain a local approach to land use regulation and ensure that those regulations, including parking standards, reflect Simsbury’s unique location, geography and citizens needs.

Staff has scheduled a public hearing for October 3, 2022, in order to ensure the opt out process can be completed by the Board of Selectmen by January 1, 2023.

GKM

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 Facsimile (860) 658-3205

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 8:30 – 7:00 Monday  
 8:30 - 4:30 Tuesday through Friday

**SIMSBURY ZONING COMMISSION**

**RESOLUTION**

**PUBLIC ACT NO. 21-29 PARKING REQUIREMENT OPT-OUT**

**WHEREAS**, The Town of Simsbury Zoning Commission intend to initiate the process to opt out of the provision of Subdivision (9) of Subsection (d) of Section 8-2 of the Connecticut General Statutes, as amended by Public Act No. 21-29, regarding limitations on parking spaces for dwelling units;

**WHEREAS**, The Zoning Commission believe that it is advisable and in the best interests of the Town for the Zoning Commission to retain the local ability to regulate parking requirements to ensure said regulations reflect Simsbury's unique location, geography, and citizen's needs;

**NOW, THEREFORE BE IT RESOLVED**, that the Zoning Commission hereby affirmatively elect to opt out of these provisions as authorized by Section 5 of Public Act No. 21-29.

Dated at the Town of Simsbury, Connecticut this \_\_\_ day of October, 2022.



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Office of Planning & Community Development

TO: Zoning Commission

FROM: George K. McGregor, AICP, Planning Director

DATE: September 14, 2022

SUBJECT: **PA 21-29 Parking Standards Opt-Out referral from Planning Commission**

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On September 14, 2022, the Town of Simsbury Planning Commission reviewed the above referenced draft resolution to opt out of the portion of PA 21-29 related to mandatory parking standards for residential uses.

The Commission found the proposal consistent with the Plan of Conservation and Development and forwarded a positive referral to the Zoning Commission.

GKM



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Schedule a Public Hearing for Proposed Amendments to the Bicycles Ordinance (Chapter 67)
2. **Date of Board Meeting:** November 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board is in support of obtaining feedback regarding possible amendments to the ordinance on bicycles, the following motion is in order:  
  
*Move, effective November 14, 2022 to set a public hearing to receive public comment concerning proposed revisions to Chapter 67 of the Town Code concerning Bicycles for 6:00pm on Monday, December 12, 2022.*
5. **Summary of Submission:**  
Our internal traffic authority team reviews mobility matters related to vehicles, pedestrians, and cyclists. The team consists of the Chief, Deputy Chief, Town Engineer, Deputy Town Engineer, Planning Director, and Town Manager. Staff is recommending that the town update Chapter 67 of our Code of Ordinances regarding bicycles to permit the safe and reasonable use of non-motorized bicycles and scooters on sidewalks less than eight feet wide.  
  
The draft revisions have been forwarded to the Town Attorney for review.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**
  - a) Proposed Revisions to Chapter 67, Bicycles, of the Town Code



## Chapter 67 of the Code of Ordinances, Bicycles

### § 67-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

#### **SIDEWALK**

Any hard-surfaced walkway which is ~~five~~ **less than eight** feet ~~or less~~ in width and generally paralleling a road or highway ~~and is for the exclusive use of pedestrians.~~

### § 67-2 Riding on sidewalks.

~~On and after the effective date of this chapter,<sup>[1]</sup> it shall be unlawful for any person to ride any bicycle~~ Reasonable and safe use of non-motorized bicycles and scooters on any portion of a sidewalk in the Town of Simsbury extending along a road or highway **is permitted.**

[1]

*Editor's Note: The ordinance appearing in this chapter took effect February 1, 1990.*

### § 67-3 Penalties for offenses.

The violation of this chapter shall be an infraction as provided in General Statutes Sections 51-164m and 51-164n. Any person violating this chapter shall be subject to a penalty of **\$90 per offense** ~~\$20 for the first offense and \$40 for each offense thereafter.~~

### § 67-4 Enforcement.

Pursuant to General Statutes Section 7-148(c)(10)(A), this chapter may be enforced by citations issued by a member of the Simsbury Police Department.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** DESRI TVS REAL ESTATE HOLDINGS, L.L.C. V. SIMSBURY Tax Appeal Settlement
2. **Date of Board Meeting:** November 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Francine Beland, Assessor; Robert M DeCrescenzo, Esq., Town Attorney *Maria E Capriola*

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports approving the stipulation for judgment to settle the DESRI TVS REAL ESTATE HOLDINGS LLC real estate tax appeal, the following motion is in order:

*Move, effective November 14, 2022, to approve the Joint Stipulation for Judgment for Docket No. HHB-CV-20-6060337-S, DESRI TVS REAL ESTATE HOLDINGS LLC vs. Town of Simsbury for the tax appeal on the taxable real estate located at 60 Hoskins Road as presented, and authorize Town Attorney Robert Decrescenzo to execute the agreement.*

5. **Summary of Submission:**  
The subject property, located at 60 Hoskins Road, is the real estate associated with the Tobacco Valley Solar Project that contains approximately 235 acres owned by DESRI TVS REAL ESTATE HOLDINGS LLC (Unique ID: 30418633). The tax year in question is as of October 1, 2019 (FY20-21).

The owner of the property filed an appeal of the 2019 assessment for 55 & 60 Hoskins Road to be valued at \$5M with a 70% assessed value of \$3.5M.

The 2017 revaluation found a total value of \$4.75M prior to approvals and merger, (parcels making up the 235 acres – now known as 60 Hoskins)

The Assessor found 60 Hoskins Road to be valued at \$6,885,000 with a assessed value of \$4,820,000 (70%) effective as of October 1, 2019 (valuation after all approvals for solar project and merger of lots creating 60 Hoskins Road).

Our appraiser found the fair market value, as of October 1, 2019 for both properties to be \$6.9M.

The owner agreed to withdraw the 55 Hoskins Road appeal and the parties agreed upon market value for settlement purposes of \$5M for the October 1, 2019 GL and \$5.2M for 2020-2021GL, subject to approval by the Board of Selectmen. The proposed settlement that applies to the Town's October 1, 2019 assessment year results in an assessment of \$3.5M.

The proposed settlement that applies to the remainder of the revaluation cycle (2020 and 2021 assessment years) results in an assessment of \$3.64M.

**6. Financial Impact:**

The proposed assessment change would reduce the estimated market value from \$6,885,262 to \$5,000,000 and the corresponding assessment from \$4,819,680 to \$3,500,000 for 2019 assessment year.

For assessment years of 2020 and 2021 the estimated market value would be reduced from \$6,885,262 to \$5,200,000 and corresponding assessment from \$4,819,680 to \$3,640,000.

The reduced assessment would result in a refund of approximately \$47,000 after the overage is applied to FY 22-23.

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

- a) Joint Stipulation for Judgment – *DESRI TVS REAL ESTATE HOLDINGS LLC vs. Town of Simsbury*

DOCKET NO. HHB-CV-20-6060337-S

DESRI TVS REAL ESTATE HOLDINGS, LLC : SUPERIOR COURT

V. : JUDICIAL DISTRICT OF NEW BRITAIN

TOWN OF SIMSBURY : OCTOBER 24, 2022

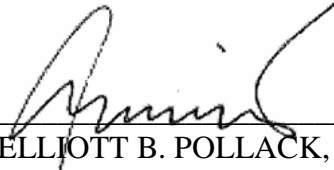
**MOTION FOR JUDGMENT**

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

PLAINTIFF,  
DESRI TVS REAL ESTATE HOLDINGS, LLC

DEFENDANT,  
TOWN OF SIMSBURY

BY



ELLIOTT B. POLLACK, ESQ.  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103-3702  
Tel. (860)424-4340 Fax (860)424-4370  
Juris 409177  
ebpollack@pullcom.com

BY

ROBERT M. DeCRESCENZO, ESQ.  
Updike, Kelly & Spellacy, P.C.  
Goodwin Square  
225 Asylum Street, 20<sup>th</sup> Floor  
Hartford, CT 06103  
Tel. (860)548-2600 Fax (860)548-2680  
Juris 065040  
rdecrescenzo@uks.com

**CERTIFICATION**

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

Elliott B. Pollack, Esq.  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103-3702  
[ebpollack@pullcom.com](mailto:ebpollack@pullcom.com)

/s/ Robert M. DeCrescenzo (309087)  
ROBERT M. DeCRESCENZO, ESQ.  
Updike, Kelly & Spellacy, P.C.

DOCKET NO. HHB-CV-20-6060337-S

DESRI TVS REAL ESTATE HOLDINGS, LLC : SUPERIOR COURT

V. : JUDICIAL DISTRICT OF NEW BRITAIN

TOWN OF SIMSBURY : OCTOBER 24, 2022

**JOINT STIPULATION FOR JUDGMENT**

The Plaintiff, DESRI TVS Real Estate Holdings, LLC (“DESRI”) and the Defendant, Town of Simsbury, hereby stipulate and agree that judgment may enter in the above-entitled case in accordance with the following:

1. For the October 1, 2019 Grand List, the Defendant, the Town of Simsbury (“Defendant and/or “Town”) agrees to reduce the true and actual value of the Plaintiff’s real estate known as **60 Hoskins Road**, Unique ID 30418633, Map H05, Block 403, Lot 026 to \$5,000,000. The revised assessment at 70% of its true and actual value as of October 1, 2019 is \$3,500,000.

2. For the October 1, 2020 Grand List, the Town agrees to reduce the true and actual value of the Plaintiff’s real estate known as **60 Hoskins Road**, Unique ID 30418633, Map H05, Block 403, Lot 026 to \$5,200,000. The revised assessment at 70% of its true and actual value as of October 1, 2020 is \$3,640,000.

3. For the October 1, 2021 Grand List, the Town agrees to reduce the true and actual value of the Plaintiff’s real estate known as **60 Hoskins Road**, Unique ID 30418633, Map H05, Block 403, Lot 026

to \$5,200,000. The revised assessment at 70% of its true and actual value as of October 1, 2021 is \$3,640,000.

Subject to the provisions of paragraph 7 of this Stipulation, the Town agrees not to increase the valuation of \$5,200,000 for **60 Hoskins Road** until the next town-wide revaluation, currently scheduled for the 2022 Grand List.

4. DESRI and the Town agree that there will be no change in the true and actual value of the Plaintiff's real estate known as **55 Hoskins Road**, Unique ID 30418631, Map H05, Block 103, Lot 024 for the Grand List years 2019, 2020 and 2021.

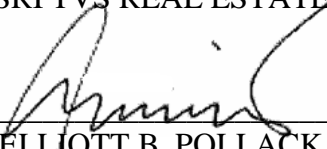
5. No costs shall be awarded to either party.

6. This stipulation is entered into for purposes of settling and compromising disputed claims and does not constitute or operate as an acknowledgement or admission of liability to either party.

7. Nothing in this agreement shall prohibit the assessor from exercising the authority granted by §§12-53a, 12-55, 12-60 or 12-63c(d) of the Connecticut General Statutes, provided further that the assessor shall make no change in the valuation of the Property pursuant to §12-55 of the Connecticut General Statutes unless there has been a physical change to the improvements by addition, demolition or damage or the finishing of previously unfinished space or the Plaintiff from appealing any increase in assessment pursuant to General Statutes §§12-111, 12-117a or 12-119 as they may apply.

8. The tax credit resulting from this Stipulation shall be applied to outstanding taxes and then to the adjusted January 1, 2023 tax installment in accordance with law.

PLAINTIFF,  
DESRI TVS REAL ESTATE HOLDINGS, LLC

BY   
ELLIOTT B. POLLACK, ESQ.  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103-3702  
Tel. (860)424-4340 Fax (860)424-4370  
Juris 409177  
ebpollack@pullcom.com

DEFENDANT,  
TOWN OF SIMSBURY

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



**CERTIFICATION**

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

Elliott B. Pollack, Esq.  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103-3702  
[ebpollack@pullcom.com](mailto:ebpollack@pullcom.com)

/s/ Robert M. DeCrescenzo (309087)  
ROBERT M. DeCRESCENZO, ESQ.  
Updike, Kelly & Spellacy, P.C.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** COVID-19 Relief 501(C)(3) Non-Profit Grant Program
2. **Date of Board Meeting:** November 14, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Melissa A.J. Appleby, Deputy Town Manager; Amy Meriwether, Finance Director *Maria E. Capriola*

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

If the Board of Selectmen accepts the recommendation from the Finance Sub-Committee, the following motions are in order:

*Move, effective November 14, 2022, to approve funding in the amount of \$2,000 for the Simsbury Main Street Partnership through the 501(c)(3) Non-Profit Grant Program.*

*Move, effective November 14, 2022, to approve funding in the amount of \$1,000 for Simsbury Youth Football & Cheer Inc. through the 501(c)(3) Non-Profit Grant Program.*

5. **Summary of Submission:**

The former ARPA Work Group and current Finance Sub-Committee have identified a non-profit grant program as a priority project for COVID relief funding. The COVID-19 Relief 501(C)(3) Non-Profit Program, which was officially approved at the August 8, 2022 Board of Selectmen meeting, provides funding to non-profit organizations to address a need or negative impact of the COVID-19 public health emergency. A total of \$150,000 has been allocated by the Board of Selectmen and Board of Finance for this program, with funding requests to be capped at \$10,000 per organization.

The application materials were released on August 9, with a deadline of September 16. Fourteen applications were received. Eight of the applications were approved at your October 12 meeting. Four more applications were approved in the full amount at your October 24 meeting, with part of the Main Street Partnership's request being approved and part being tabled to a later meeting while asking for more information.

The Finance Sub-Committee met on November 3 to discuss the remaining applications before them, following requests for additional information on those applications. The Sub-Committee is recommending approval of an additional \$2,000 to Main Street Partnership and \$1,000 to Simsbury Youth Football & Cheer. If approved, staff will issue award letters to the agencies.

**6. Financial Impact:**

The approved funding for this program is \$150,000, with individual funding requests capped at \$10,000. The total funding requested through all fourteen applications is \$139,158. Eight grant awards totaling \$79,158 were awarded at your October 12, meeting. Four grant awards and one partial grant award totaling \$48,000 were awarded at your October 24 meeting. If the last remaining application is approved and the partial grant award is now fully awarded, the aggregate amount of awarded dollars for the program will be \$130,158.

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

- a) Applications for two (2) Agencies Recommended for Funding Under the COVID-19 Relief 501(C)(3) Non-Profit Grant Program



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## COVID-19 RELIEF PROGRAM 501(c)(3) NON-PROFIT AGENCY APPLICATION

The Town of Simsbury is accepting applications from non-profit organizations for COVID-19 relief funding, made possible by the American Rescue Plan Act (ARPA). To be eligible, organizations must have a 501(c)(3) tax status and serve Simsbury residents. **The deadline to apply is Friday, September 16, 2022 at 1:00pm.** The funds provided by the Town must be expended within one year of receipt.

**Agency:** SIMSBURY MAIN STREET PARTNERSHIP, INC

**Address:** 933 HOPMEADOW ST, PO BOX 3, SIMSBURY, CT 06070

**EIN #:** 06-1447125

**Prepared by:** MELISSA BRETT **Title:** TREASURER

**E-mail:** SIMMAINST@SBCGLOBAL.NET **Telephone #:** 860-651-8577

**Provide a brief description of your agency, the services it provides, and the characteristics of the recipients of your program(s).**

WE ARE AN AWARD WINNING, NATIONALLY ACCREDITED 501(c)3 NON-PROFIT THAT FOCUSES ON FORWARD THINKING ECONOMIC DEVELOPMENT, SIMSBURY BUSINESS ADVOCACY, GRANT WRITING, SPECIAL EVENTS AND DESIGN ISSUES THAT IMPACT BOTH SIMSBURY RESIDENTS, BUSINESSES, PROPERTY OWNERS AND VISITORS.

**Funds Requested:** \$ 10,000 (may not exceed \$10,000)

**Specify how the monies requested will be expended, and how this will address a need or negative impact of the COVID-19 public health emergency (may include eligible expenses dating back to March 2020):**

\$8000 WILL GO DIRECTLY TO THE OPERATIONAL EXPENSES OF OUR ORGANIZATION. \$2000 WILL GO TOWARDS SIMSBURY CELEBRATES. BOTH SMSP AND SIMSBURY CELEBRATES WERE NEGATIVELY AFFECTED DUE TO COVID. SMSP COULD NOT HOLD OUR MAJOR FUNDRAISER FOR 2 YEARS AND SIMSBURY CELEBRATES HAD LOWER SPONSORSHIP DONATIONS DUE TO LOCAL BUSINESSES HAVING TO CLOSE OR MODIFY HOURS AND INCREASED OPERATIONAL EXPENSES.







# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## COVID-19 RELIEF PROGRAM 501(c)(3) NON-PROFIT AGENCY APPLICATION

The Town of Simsbury is accepting applications from non-profit organizations for COVID-19 relief funding, made possible by the American Rescue Plan Act (ARPA). To be eligible, organizations must have a 501(c)(3) tax status and serve Simsbury residents. **The deadline to apply is Friday, September 16, 2022 at 1:00pm.** The funds provided by the Town must be expended within one year of receipt.

**Agency:** Simsbury Youth Football & Cheer Inc.

**Address:** c/o Gavin Wentworth 20 Winterset Lane Simsbury CT 06070

**EIN #:** 881565789

**Prepared by:** Gavin Wentworth **Title:** President

**E-mail:** Gavin@wdkinsurance.com **Telephone #:** 8607090504

### Provide a brief description of your agency, the services it provides, and the characteristics of the recipients of your program(s).

We are the youth football and cheerleading program in the town of Simsbury, we rely solely on donations and participants to fund our organization  
We have 90 football players from 2nd grade to 8th grade, and 50 Cheerleaders from K-8th grade, after Covid struck  
our organization spent \$20,000, every penny we had to buy 93 new helmets, 93 new shoulder pads and 50  
new cheerleading uniforms. A league that just a year ago which was on the verge of collapse has been revitalized with new  
families and leadership, a new board with members and meeting minutes, everything is running incredibly, we have robust participation and  
engaged families but like any non profit we could use help financially, for recouping equipment costs and the plethora of associated  
monetary deficiencies.

**Funds Requested:** \$ 10,000 (may not exceed \$10,000)

### Specify how the monies requested will be expended, and how this will address a need or negative impact of the COVID-19 public health emergency (may include eligible expenses dating back to March 2020):

after Covid all of our equipment had to be replaced as it was outdated, we had seen a massive decline in participation after the 2020 Season  
was cancelled. We are finally getting back to years where numbers were good participation wise, but Monetarily we are still  
fighting to recover.



**Target Population** (please check categories):

90 Children (0-12)                       Single Adult (18 – 60)  
 40 Youth (12-18)                       Seniors (60+)  
 Families (2+ per household)     Disabled (any age)

Please complete the following table for each service or program that will be provided using ARPA funds:

*\* Your program must benefit Simsbury residents in order to be eligible for funding*

SERVICE/PROGRAM	Total # of Clients Served	# of Simsbury Clients Served	Average Time spent per Client	Cost per Client/ Unit of Service
SimsburyYouthFootball	90	90	12hrs per week	\$300
			August- Nov	
Simsbury Cheerleading	50	50	6 Hours per week	\$275
			Sept-Nov	

List all state or federal COVID-related assistance received over the last two years:

Income Source	Amount
None	

**Other documentation that must be attached:**

1. List of Board of Directors
2. Most recent annual report
3. Most recent financial audit and 990
4. Current organizational Budget Summary identifying revenues.
5. Copy of the IRS 501(c)(3) determination letter

*\*Additional information may be required upon request of the Town*

**Signatures:**

Board Chair: \_\_\_\_\_ Date: \_\_\_\_\_

Executive Director: \_\_\_\_\_ Date: \_\_\_\_\_

Submit to: Amy Meriwether  
 Director of Finance/Treasurer  
 933 Hopmeadow Street  
 Simsbury, CT 06070  
**OR** [ameriwether@simsbury-ct.gov](mailto:ameriwether@simsbury-ct.gov)

## **CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m.in the main meeting room of the Simsbury Town Offices and on Zoom. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members Chris Peterson, Eric Wellman, Sean Askham and Heather Goetz. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; and other interested parties.

## **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

## **PUBLIC AUDIENCE**

- **Participants can address the Board of Selectmen in person at the meeting**
- **Email [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov) by noon Monday, October 24, 2022 to address the Board of Selectmen live through Zoom**
- **Written comments can be emailed to [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov). Written comments will not be read into the record, but forwarded to all Selectmen via email**

Dr. Michael Rinaldi spoke about the Zoning Commission being under pressure about the marijuana issue. He said there are different uses for medical marijuana and just using marijuana recreationally. It is a controlled substance. He wants to be sure the Board has all the information possible to discuss this issue further.

Joan Coe, 26 Whitcomb Drive, spoke about the September 12, 2022 police arrest and her FOI request for more information on this arrest. She also spoke about the new hire in Planning and a public hearing that was cancelled too late, having the Town Manager’s job discussed in executive session, pickle ball issues, other topics.

## **FIRST SELECTMEN REPORT**

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

## **TOWN MANAGER’S REPORT**

Maria E. Capriola, Town Manager, reviewed her Town Manager’s report.

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

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

Mr. Peterson said the Parks and Recreation Commission will be meeting on Thursday night.

Mr. Wellman said the DEI Council meeting on affordable and inclusive housing has been rescheduled to November 9, 2022 at 6:30 to 8:30 p.m. at the Library. People need to register on the Library website. Mr. George McGregor will be the moderator.

Ms. Abbuhl said the Aging and Disability Commission had their trunk or treat event at Eno Memorial Hall today, which she believes is still going on. This is a great event. She said last week was the return of the super Thursday lunch at the Senior Center and there was a fashion show after the lunch. This was a great event and she is happy it is back.

Ms. Abbuhl said there are some events with social services and library that are coming up. On November 3, 2022 from 1-2 p.m. at the Simsbury Public Library, about what the blind and physically handicapped can do for you. Our Library is partnering with the CT State Library for the Blind and Physically Handicapped as they provide audio formats for free to CT residents who are unable to read regular print due to visual or physical disabilities.

On November 7, 2022 at noon the Simsbury Public Library and the Senior Center will be recognizing Veterans for their service, bravery, and love of our country with lunch and songs. People need to register with the Senior Center or the Library by November 2, 2022.

Mr. Askham reminded everyone that Halloween is Monday, October 31, 2022 and people need to drive safely and carefully.

Mr. Askham also thanked Representative John Hampton and his team for inviting the Board to his farewell party. He always had Simsbury's interests in mind when working on the Board of Selectmen or being State Representative.

Ms. Goetz made motion to add item (e) on the Simsbury Community Media Request. Mr. Askham seconded the motion. All were in favor and the motion passed.

Ms. Abbuhl made a motion to add item (f) on the Public Hearing on Cannabis. Mr. Wellman seconded the motion. All were in favor and the motion passed.

## **SELECTMEN ACTION**

### **a) Tax refund requests**

Mr. Askham made a motion, effective October 24, 2022, to approve the presented tax refunds in the amount of \$2,894.02 and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

### **b) Proposed Revisions to Personnel Policies**

Ms. Capriola said this was a project at the Personnel Sub-Committee level because a number of personnel policies are quite out of date. They chose to tackle the top 5, which had the largest number of members with Town-wide policies. The staff and our labor attorney discussed the FMLA policy Anti-Violence Policy, Anti-Harassment Policy and the Drug and Alcohol-Free Workplace Policy. On October 13, 2022 the Personnel Sub-Committee did endorse the changes and under the Charter, now the Board of Selectmen needs to approve the changes.

Mr. Askham noted that this would bring minor cost savings to the Town and he appreciated that this was done.

Mr. Askham made a motion, effective October 24, 2022, to approve the proposed revisions to the FMLA Policy, Anti-Violence Policy, Anti-Harassment Policy and Drug and Alcohol-Free Workplace Policy as presented. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**c) Proposed Bargaining Unit Changes for Certain Supervisory Positions**

Ms. Capriola said she was concerned that under MIRA the supervisory positions should not be in the same bargaining with the positions they are supervising. We have a number of positions that fall under that category. She thanked everyone who worked on this issue. They also did a market analysis on the impacted positions. The Personnel Sub-Committee approved these changes as well as our labor attorney. They are proposing to fix the supervisory positions from the administrative and professional bargaining group to the supervisors union. Under our Charter, in addition to job description changes, the Board needs to set the paygrades for the positions, and the moving of people and approve the new paygrades and work schedules and the new job descriptions. The Board also needs to authorize entering into agreement with the union.

Mr. Askham made a motion, effective November 1, 2022, to approve the proposed change in bargaining unit for the Assessor, Building Official, Facilities Supervisor, Golf Course Superintendent, Highway Supervisor, and Town Clerks positions to the Supervisory Union. Further move to approve the proposed paygrades and work schedules for those positions as presented. Further move to approve housekeeping edits to the job descriptions for these positions to reflect the approved changes. Further move to authorize Town manager, Maria E. Capriola, to execute the attached memorandum of agreement. Mr. Wellman seconded the motion. All were in favor and the motion passed.

**d) COVID-19 Relief 501(c)(3) Non-Profit Grant Program**

Ms. Mackstutis said at the last meeting the Board pushed through eight requests for non-profits and the Finance Sub-Committee is recommending five more. There is one outstanding request as they need more information. Ms. Abbuhl said she would be abstaining from the Main Street Partnership request as she is on the Simsbury Celebrates Committee.

Mr. Askham wanted to know why Simsbury Celebrates needs money as they send out letters for donations for this event. Ms. Mackstutis said she was told they still need money to put the event on.

Mr. Wellman said Simsbury Celebrates is a wonderful event but he doesn't understand how their request relates to COVID hardships.

There was discussion on why Simsbury Celebrates needs money. They are not a non-profit organization, but are going under Main Street Partnership which is a 501(c)(3). There was more documentation that the Board doesn't have and therefore, this issue will be discussed at the next meeting. Ms. Mackstutis said the event brings the whole Town together. It was decided to do the motions separately and to get more information to the Board on Simsbury Celebrates.

Mr. Wellman made a motion, effective October 24, 2022, to approve funding for a Promise to Jordan received through the non-profit grant program. Mr. Peterson seconded the motion. All were in favor and the motion passed.

Ms. Abbuhl made a motion, effective October 24, 2022, to approve funding for The Villages, aka the Second Chance Shop, for the non-profit program. Mr. Askham seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve the \$8,000 for Main Street Partnership and to table the \$2,000 of the top portion of the request (Simsbury Celebrates portion). Mr. Peterson seconded the motion. Ms. Abbuhl abstained from the Simsbury Celebrates portion of the request.

Mr. Peterson made a motion, effective October 24, 2022, to approve the Simsbury Meadows Performing Arts Center funding as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

Mr. Peterson made a motion, effective October 24, 2022, to approve funding for the Simsbury High School Parent-Teacher Council through this program. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**e) PURA – Docket No.**

Ms. Mackstutis said this is a Simsbury Community Media request. Patrick Fallon and Mark Orenstein came before this Board two weeks ago with a PURA request document where they need public comments by November 10<sup>th</sup>. They were opposed to the statewide consolidation of the community media stations as they feel it would impact the delivery, transparency and whole focus on Simsbury. They also provided some financial details. The request is to approve the letter stating these concerns.

Mr. Abbuhl made a motion, effective October 24, 2022, to approve the presented correspondence approving the State’s proposal to require reconciliation of local community access stations and to authorize Town Manager, Maria E. Capriola to send a letter on behalf of the Board of Selectmen. Mr. Askham seconded the motion. All were in favor and the motion passed.

**f) Schedule Public Hearing on Cannabis**

Mr. Peterson said he received a lot of inquiries on this issue after the Zoning meeting was rescheduled. He encourages everyone to come to all the meetings as the Board wants everyone to have a chance to speak on this matter.

Ms. Mackstutis said this public hearing would not be overkill. The more information the public and Board receive the better they can make a decision.

Mr. Askham made a motion, effective October 24, 2022, to set a Public Hearing to receive public comment regarding whether the Town of Simsbury should permit or prohibit the retail sale of cannabis within its Town borders for 6:00 p.m. on Monday, November 28, 2022. Mr. Peterson seconded the motion. All were in favor and the motion passed. This meeting will be at the Library.

Mr. Wellman asked that a communication be sent with a calendar of ways that people can speak. Ms. Capriola said this is being done.

**APPOINTMENTS AND RESIGNATIONS**

**a) Proposed appointment to Conservation Commission/Inland Wetlands and Watercourse Agency**

Mr. Wellman made a motion, effective October 24, 2022, to appoint Kyle Testerman as an Alternate Member of the Conservation Commission/Inland Wetlands and Watercourse Agency to fill a vacancy until January 1, 2023 and to appoint Cailyn Welsh as an Alternate Member of the Conservation Commission/Inland Wetlands and Watercourse Agency to fill and vacancy until January 1, 2026. Mr. Askham seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) Regular Meeting of October 12, 2022**

Ms. Mackstutis had a correction as she did not have a First Selectman’s report at the October 12, 2022 meeting.

**COMMUNICATIONS**

**a) Town and Board of Education Savings Initiatives** – There was no discussion at this time.

**EXECUTIVE SESSION**

**a) Pursuant to CGS §1-200(6)(a) Town Manager’s Annual Performance Review**

Mr. Askham made a motion to adjourn to executive session at 6:55 p.m. and to include the Board and Town Manager. Mr. Wellman seconded the motion. All were in favor and the motion passed.

**ADJOURN FROM EXECUTIVE SESSION**

Mr. Wellman made a motion to adjourn from Executive Session at 8:55 p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

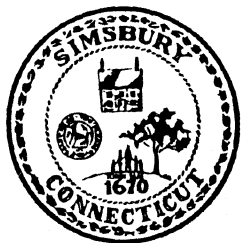
**ADJOURN**

Mr. Wellman made a motion to adjourn at 8:55 p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk





# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

## MEMORANDUM

**To:** Board of Selectmen  
**From:** Maria Capriola, Town Manager  
**Cc:** George McGregor, Planning Director; Laura Barkowski, Code Compliance Officer; Tom Tyburski, Director of Culture, Parks and Recreation; Nick Boulter, Chief of Police; Chris Davis, Deputy Chief of Police; Greg Samselski, Police Lt.; Tom Roy, Director of Public Works/Town Engineer; Patrick Tourville, Fire Marshal  
**Date:** November 9, 2022  
**Subject:** Administrative Approval of Public Gathering Permit

This memo is to inform the Board of Selectmen of a public gathering permit that I have approved via an administrative approval.

Staff from Planning, Police, Culture, Parks and Recreation, Public Works, the Fire District, and the Farmington Valley Health District reviewed the application to ensure compliance and safety measures were addressed prior to approval. Following completion of that process, the following public gathering permit has been approved by me:

Name of Event	Location	Date	Type
Simsbury Celebrates	Downtown Simsbury; multiple venues	November 26, 2022	Community festival, parade & fireworks

Should you have any questions or concerns about the application listed above, please contact me so staff and I can help answer those questions.