

Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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SIMSBURY BOARD OF SELECTMEN Regular Meeting – May 10, 2021 – 6:00 p.m.

PLEDGE OF ALLEGIANCE

PUBLIC AUDIENCE

PRESENTATIONS

- a) Traffic Enforcement and Concerns
- b) Proclamation for National Law Enforcement Week
- c) Proclamation for National Public Works Week
- d) Proclamation for Bike Month and Presentation

FIRST SELECTMAN'S REPORT

TOWN MANAGER'S REPORT

SELECTMEN ACTION

- a) Supplemental Appropriation for North End Sidewalk Project
- b) Tax Refund Requests
- c) Authorize the Board of Education to Apply for a Connecticut School Construction Grant for the Renovation and Expansion of Latimer Lane School and Referral of the Project to the Public Building Committee and Authorization of Preparation of Schematic Drawings and Specifications
- d) Engagement Letter for Bond Counsel and Conflict Waiver for Pullman and Comley
- e) Proposed Public Gathering Permit – Simsbury Culture, Parks and Recreation – Farmington River Fourth of July Canoe, Kayak and SUP Race
- f) Neighborhood Assistance Act Program Proposals; Schedule Public Hearing
- g) Rescheduling the Public Hearing Regarding Proposed Revisions to the Historic District Commission Ordinance (Chapter 25 of Town Code)
- h) Proposed Revisions to SPIRIT Rules and Procedures

APPOINTMENTS AND RESIGNATIONS

- a) Proposed Appointments to Various Boards and Commissions

REVIEW OF MINUTES

- a) Special Meeting of April 24, 2021
- b) Regular Meeting of April 26, 2021

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- a) Personnel
- b) Finance
- c) Welfare

- d) Public Safety
- e) Board of Education

COMMUNICATIONS

- a) Lower Farmington and Salmon Brook Wild and Scenic Committee Update, dated May 4, 2021

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:** Traffic Enforcement and Concerns Presentation
2. **Date of Board Meeting:** May 10, 2021
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Nicholas J. Boulter, Chief of Police
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
This presentation is informational.
5. **Summary of Submission:**
This presentation is a broad look at traffic safety and compliance in Simsbury. The presentation will include handling of complaints, equipment used to capture traffic data, enforcement/compliance methods and the use of motor vehicle crash data. Presenting this evening will be Chief Boulter.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Presentation of slides - *Forthcoming*



Town of Simsbury

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SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proclamation for National Law Enforcement Officer Memorial Week
2. **Date of Board Meeting:** May 10, 2021
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Nicholas J. Boulter, Chief of Police
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
The following motion is in order:

Move, effective May 10, 2021, to endorse a Proclamation in honor of National Law Enforcement Officer Memorial Week.
5. **Summary of Submission:**
Established in 1962, National Law Enforcement Officer Memorial Week is a time to recognize law enforcement officers who have lost their lives in the line of duty.

While a member of the Simsbury Police Department has not lost their life serving our community, it is important to remember those across the country who have and the toll that it can have on those communities, families and Police Departments.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Proclamation in Honor of National Law Enforcement Officer Memorial Week

PROCLAMATION

National Law Enforcement Officer Memorial Week

WHEREAS, President John F. Kennedy proclaimed May 15th as National Peace Officers Memorial Day in 1962, and Congress in 1962 established National Police Week to recognize the law enforcement officers who have lost their lives while serving; and,

WHEREAS, the Town of Simsbury recognizes the difficulty of the job of our Police Department and the potential dangers that go along with it; and,

WHEREAS, it is important to remember all those law enforcement officers who have lost their lives across the country; and,

WHEREAS, the year 2021 marks the 59th annual National Law Enforcement Officer Memorial Week, be it now,

RESOLVED, that the Simsbury Board of Selectmen do hereby designate the week of May 9 – 15, 2021 as National Law Enforcement Officer Memorial Week;

IN WITNESS THEREOF, we have placed our signatures and the great seal of the Town of Simsbury.

Dated the 10th day of May 2021.

Eric S. Wellman
First Selectman

Sean Askham
Deputy First Selectman

Jackie Battos
Selectman

Chris Peterson
Selectman

Wendy Mackstutis
Selectman

Michael Paine
Selectman



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proclamation for National Public Works Week

2. **Date of Board Meeting:** May 10, 2021

3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Tom Roy, Public Works Director

Maria E. Capriola

4. **Action Requested of the Board of Selectmen:**
The following motion is in order:

Move, effective May 10, 2021, to endorse a Proclamation in honor of National Public Works Week.

5. **Summary of Submission:**
The week of May 16th is National Public Works Week. Our Department of Public Works is crucial to the operation of our Town and often times their work goes unnoticed. This proclamation recognizes and thanks some of our unsung heroes of Simsbury. Our Public Works Department includes highway, sewer, and facilities/buildings and grounds employees.

6. **Financial Impact:**
None

7. **Description of Documents Included with Submission:**
a) Proclamation in Honor of National Public Works Week

PROCLAMATION
NATIONAL PUBLIC WORKS WEEK

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Simsbury; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are administrators, laborers, truck drivers, custodians, waste water treatment operators, engineers, supervisors, managers and employees at all levels of government and the private sector, who are responsible for maintaining, rebuilding, improving and protecting our communities' transportation, environment, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in Simsbury to gain knowledge of and to maintain a progressive interest in and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association, be it now,

RESOLVED, that the Simsbury Board of Selectmen do hereby designate the week May 16 – 22, 2021 as National Public Works Week; We urge all citizens to join with representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS THEREOF, we have placed our signatures and the great seal of the Town of Simsbury.

Dated the 10th day of May 2021.

Eric S. Wellman
First Selectman

Sean Askham
Deputy First Selectman

Jackie Battos
Selectman

Chris Peterson
Selectman

Wendy Mackstutis
Selectman

Michael Paine
Selectman



Town of Simsbury

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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proclamation for Bike Month and Presentation
2. **Date of Board Meeting:** May 10, 2021
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Eric Wellman, First Selectman
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
No action needed.
5. **Summary of Submission:**
Simsbury is a silver-level recognized bicycle friendly community. Various bike related events are held throughout the year. This proclamation is to honor May as Bike Month in Simsbury. Additionally, some members from our cycling community will present on upcoming bike related events and activities occurring in town.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Bike Month in Simsbury Proclamation
 - b) Presentation Slides

PROCLAMATION

May 2021 is Bike Month in Simsbury, CT

WHEREAS, millions of Americans engage in bicycling as an environmentally sound form of transportation, an excellent form of fitness, and a quality family recreation activity; and,

WHEREAS, Simsbury, CT, our state's first Bicycle Friendly Community, annually hosts Bike to Work Day, Bike to School events, community Bike Challenges, safe cycling events that attract residents and bicycle tourists to Simsbury;

WHEREAS, these events demonstrate that cycling is sustainable, economic development policy impacting our home prices, our tourism industry and our local economy by making our town attractive to businesses and citizens who enjoy safe, outdoor recreation that fosters healthy lifestyles; and

WHEREAS, recognizing that investing in bicycle-friendly communities is good public health policy, by encouraging low impact exercise, which improves overall well-being and quality of life, builds community spirit, and can reduce pollution and congestion; and

WHEREAS, the League of American Bicyclists and Connecticut cyclists view cycling as safety policy and Bike Month promotes public awareness of bicycle operation to improve reduce crashes, injuries and fatalities; and

WHEREAS, cycling is good social policy in that ALL citizens of Simsbury benefit from the availability of a complete transportation system that includes facilities dedicated to the safe and convenient movement of bicycle traffic:

NOW, THEREFORE, BE IT RESOLVED that the Town of Simsbury Board of Selectman hereby proclaims, the month of May 2021 as **BIKE MONTH** in beautiful and Silver Level Bicycle-Friendly Simsbury, Connecticut.

ERIC WELLMAN, First Selectman, Simsbury, CT

Date

May 2021



Bike Month in Simsbury

SIMSBURY BICYCLE PEDESTRIAN ADVISORY COMMITTEE

Proclamation

PROCLAMATION
May 2021 is Bike Month in Simsbury, CT

WHEREAS, millions of Americans engage in bicycling as an environmentally sound form of transportation, an excellent form of fitness, and a quality family recreation activity; and,

WHEREAS, Simsbury, CT, our state's first Bicycle Friendly Community, annually hosts Bike to Work Day, Bike to School events, community Bike Challenges, safe cycling events that attract residents and bicycle tourists to Simsbury;

WHEREAS, these events demonstrate that cycling is sustainable, economic development policy impacting our home prices, our tourism industry and our local economy by making our town attractive to businesses and citizens who enjoy safe, outdoor recreation that fosters healthy lifestyles; and

WHEREAS, recognizing that investing in bicycle-friendly communities is good public health policy, by encouraging low impact exercise, which improves overall well-being and quality of life, builds community spirit, and can reduce pollution and congestion; and

WHEREAS, the League of American Bicyclists and Connecticut cyclists view cycling as safety policy and Bike Month promotes public awareness of bicycle operation to improve reduce crashes, injuries and fatalities; and

WHEREAS, cycling is good social policy in that ALL citizens of Simsbury benefit from the availability of a complete transportation system that includes facilities dedicated to the safe and convenient movement of bicycle traffic;

NOW, THEREFORE, BE IT RESOLVED that the Town of Simsbury Board of Selectmen hereby proclaims, the month of May 2021 as **BIKE MONTH** in beautiful and Silver Level Bicycle-Friendly Simsbury, Connecticut.

ERIC WELLMAN, First Selectman, Simsbury, CT Date

Good Policy

- Biking and walking is about recreation and transportation
- Physical activity builds healthy communities
- Biking is a sustainability initiative
- Safe, well-connected routes enhance safety, livability and home values
- Safe infrastructure and a network of trails serve a wide user base - seniors, ADA, children, families, communities and tourists



SIMSBURY BICYCLE PEDESTRIAN ADVISORY COMMITTEE

Bike Month Events

- **May 5** - Squadron Line - Bike to School Day
- **May 6** - Zoom - Safe Driving around Bicycles and Pedestrians
- **May 6** - Bike Month kick-off ride
- **May 7** - Latimer Lane - Bike to School Day
- **May 21** - Bike to Work Happy Hour- Redstone Pub
- **May 20** Tooton Hill School - Bike to School Day
- **May xx** Board of Selectman's Ride - Late May
- **June 26** - Ride The State - New Haven to Southwick, MA

May 2021
Bike Month

Simsbury, CT www.simsbury.bike

Bike Month is celebrated across the country to promote bike safety and showcase the many benefits of bicycling. Join us as we Bike to Work, Bike to School, bike for wellness, and bike for fun!

CHALLENGE YOURSELF TO RIDE MORE

Ride with Us!
Log your rides
May 1 - Sept. 30.

SIMSBURY
BIKE CHALLENGE

Join virtual club
"SimsburyBike" at
lovetoride.net/usa



Events and Classes*

5th Squadron Line Bike to School Day

6th Safe Driving Around Bikes & Pedestrians, Zoom, 1:30pm

6th Bike Challenge Kickoff Ride 5:30pm

7th Latimer Lane Bike to School Day

13th Bike Maintenance, Outdoor workshop, 6:30pm.

18th Bicycle Touring, Zoom, 7pm

20th Tooton Hill Bike to School Day

21st Bike to Work (AM), Bike Month Happy Hour
Simsbury Public Library will have

LOCAL CYCLING CLUBS

• Valley Cycling • Eastern Bloc • Casual Bikers Meetup • Farmington Bike Up •
• Farmington Valley Youth Cycling • Simsbury Bike Strava Club •

Simsbury.Bike Bike & walk advocacy *For more information:
Bicycle Pedestrian Advisory Committee www.Simsbury.Bike

V5.1

SIMSBURY BICYCLE PEDESTRIAN ADVISORY COMMITTEE



Simsbury Public Library

- Always the first to offer a new event ideas
- Hosting our Zoom Meetings
- Ride to Library/Rotary Park Day Ride
- Communication resource to a very loyal base
- Hosting bike maintenance education event



Simsbury Public Schools

- Bike Safety Education - Grades 4-6
- Squadron Line Bike Fleet Purchase
- HS Summer School PE - Bike Safety
- Tootin, Squadron, Latimer - Bike/Walk to School Day
- Volunteer Advocates



Simsbury Police Department

- LED Signage
- Distracted Driving Campaigns
- Positive Ticketing
- Bike to School Support
- Traffic Calming efforts
- Advocated Meetings
- Safety Training Classes



Iron Horse Boulevard
Simsbury CT

Simsbury Department of Public Works

- Enthusiastic supporter of our vision for a safe and well-connected Simsbury
- New Ped Heads at trail crossings
- Sharrowed routes and superb road conditions
- Wayfaring signage
- Bike Pedestrian Master Plan - safety and connectivity
- Traffic calming initiatives



Simsbury Board of Selectmen

- Support of primary trails - Farmington River Trail, Farmington Canal Heritage Trail
- Annual BOS/Advocates Ride
- **Engineering 3 new trail segments linking T'Ville, Bloomfield and Hartford ...**
- **Earning Game-Changing East Coast Greenway Designation!**

Celebrate With Us!

Board of Selectman Ride - End of May

Simsbury Bike Challenge - Now!

Ride the State - June 26

Simsbury.Bike

SIMSBURY BICYCLE PEDESTRIAN ADVISORY COMMITTEE



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Supplemental Appropriation for North End Sidewalk Project

2. **Date of Board Meeting:** May 10, 2021

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

Maria E. Capriola, Town Manager; Amy Meriwether, Finance Director; Thomas Roy, Director of Public Works *Maria E. Capriola*

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

If the Board of Selectmen approves the supplemental appropriation for the North End sidewalk project, the following motion is in order:

Move, effective May 10, 2021, to approve the supplemental appropriation request for the North End sidewalk project as presented and recommend its approval to the Board of Finance.

5. **Summary of Submission:**

In August 2020, the Town was awarded an \$809,600 LOTCIP (Local Transportation Capital Improvement Program) grant for the construction of nearly one mile of sidewalk in the North End of Simsbury along Hopmeadow Street, from Hoskins to the DOT Park and Ride Facility. As we have progressed through the preliminary design phase for this important project, the CT DOT has provided review comments that will result in minor changes to the proposed work and an increase of \$147,600 to the project. These increases are to account for: \$100,000 in DOT traffic signal improvements, \$27,400 for drainage improvements and \$20,000 dollars for a section of brick pavers between the sidewalk and the roadway that is too narrow to accommodate grass. There are other minor cost modifications (increases and decreases) resulting in the revised estimated construction/grant value of \$957,200.

Through the FY 21/22 budgeting process, the capital project has been created, but for the original grant award amount of \$809,600. A supplemental appropriation of \$147,600, to a total budget of \$957,200, is needed to account for the dollars associated with the increased grant award and related costs. This will be reviewed by the Board of Finance at their May 18th meeting.

6. **Financial Impact:**

The LOTCIP grant program will cover all eligible construction costs for this project up to \$957,200; the Town is not responsible for funding the additional \$147,600 in construction project costs.

7. Description of Documents Included with Submission:

- a) LOTCIP Commitment to Fund Letter, dated April 15, 2021



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

April 15, 2021

Ms. Maria Capriola
Town Manager
Town of Simsbury
933 Hopmeadow Street
Simsbury, Connecticut 06070

Dear Ms. Capriola:

Subject: Local Transportation Capital Improvement Program (LOTICIP)
Commitment to Fund
Sidewalk Construction
State Project No. L128-0002
Hopmeadow Street (State Route 10/202)
Town of Simsbury

The Department of Transportation (Department) has received the LOTICIP application prepared by the Town of Simsbury (Municipality) and submitted through the Capitol Region Council of Governments (COG) relative to the subject project. The Department has reviewed the application materials along with the revised cost estimate provided by the Municipality and subsequently endorsed by the COG.

The LOTICIP application for this project has been approved. The Department hereby commits to fund eligible project costs as follows:

Rights of Way	\$	50,000
Eligible Utilities	\$	0
Contract Items:	\$	756,000
Contingencies:	\$	75,600
<u>Incidentals to Construction:</u>	<u>\$</u>	<u>75,600</u>
Total Funding Commitment:	\$	957,200

This Commitment to Fund is subject to funding availability and general conditions including, but not limited to, the following:

1. The project is to be administered by the Municipality in accordance with the *Local Transportation Capital Improvement Program Guidelines*, dated March 2019, as may be revised. The guidelines are available on the Department's LOTICIP web page at www.ct.gov/dot/lotcip.
2. The project costs identified in this Commitment to Fund letter are based on estimates provided by the Municipality and endorsed by the COG. These costs are to be considered capped until

adjustment, based on low bid or otherwise revised, in accordance with the LOTCIP guidelines.

3. Any scope revisions and/or twenty percent (20%) changes in cost identified during the design phase must be approved by the COG and the Department, as specified in the LOTCIP guidelines.
4. Upon completion of project design activities, the Municipality must forward to the Department, through the COG, a Final Design Submission along with supporting documentation and certifications, as defined in the LOTCIP guidelines.
5. The Municipality must execute and deliver a Project Authorization Letter (PAL) issued pursuant to the Master Municipal Agreement for Construction Projects and comply with its terms. The PAL will be forwarded to the Municipality for execution, subsequent to the receipt of the Final Design Submission package by the Department.

This commitment is further subject to the following project-specific conditions:

1. This project may require environmental permits. In accordance with the LOTCIP guidelines, the Municipality will be responsible for the acquisition of all environmental permits that may be required. Please be advised that any project that involves work within waters or wetlands may require State and/or Federal environmental permits. **It is critical that the Municipality or their consultant contact the Connecticut Department of Energy and Environmental Protection (DEEP) - Inland Water Resources Division early in the design process** to discuss permitting requirements, and to identify specific environmental concerns and design considerations. Failure to establish early coordination with DEEP may result in significant time delays in the permitting process due to the need for design changes and/or denial of permit applications. Please note, the Department hosts a monthly Interagency Coordination (Municipal) meeting where municipalities (and their consultants) can discuss municipal projects with the various regulatory agencies relative to permitting requirements, identification of specific environmental concerns and design considerations.
2. This project is anticipated to require right of way acquisitions. The application materials indicate that a Municipally-hired consultant will be responsible for all right of way acquisition activities for this project, and that the Municipality will seek reimbursement for costs associated with the acquisitions. All right of way acquisitions are to be performed in accordance with LOTCIP guidelines even if reimbursement will not be requested. In addition, any acquisitions adjacent to Route 10/202 must be closely coordinated with the Department's Office of Rights of Way through the following contact:

Mr. Thomas H. Melzen
Supervising Property Agent
(860) 594-2451
Thomas.Melzen@ct.gov

3. This project will require work be performed within the State-owned right of way along State Route 10/202 (Hopmeadow Street). As such, an encroachment permit will be required. **It is imperative that the design of the improvements proposed under this project be coordinated with the Department during the design phase to ensure conformance with applicable requirements relative to proposed work within State-owned right of way or otherwise affecting State-owned facilities. Establishing early coordination relative to the encroachment permit process is recommended.** All matters relative to the encroachment permit process for this project are to be coordinated through the following Department contact:

Mr. Aron J. Steeves
Special Services Section Manager (District 4)
(203) 591-3610
Aron.Steeves@ct.gov

4. Modifications to traffic control signals, devices, signs, and markings for public highways/roadways require review by the Local Traffic Authority and/or by the Office of the State Traffic Administration (OSTA) and/or by the Department's Division of Traffic Engineering. Traffic control signal modifications may be necessary under this project at the intersections of Route 10/202 and:
 - Hoskins Road
 - Entrance drive serving 1313 Hopmeadow Street (Big Y World Class Market)
 - Dorset Crossing
 - Wolcott Road

Coordination with OSTA should begin early in the design process. For further information regarding any approval requirements, please contact OSTA at <http://www.ct.gov/dot/osta>.

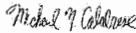
Office of the State Traffic Administration
Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, CT 06131
Phone: (860) 594-3020
Fax: (860) 594-2552
DOT.OSTA@ct.gov

Please be informed that, in accordance with the LOTCIP guidelines, the Department will initiate a Permit Need Determination and an Environmental Screening Review for this project to assist the Municipality in identifying items relative to natural resources, historic/archaeological resources, etc. that may need to be investigated or addressed during the design phase. The Environmental Screening Review is expected to be completed within approximately ninety (90) days. The Permit Need Determination is expected to be completed within approximately ninety (90) days. The results will be forwarded to the Municipality and the COG, when received.

If the Municipality accepts this Commitment to Fund, please sign below and return a copy of this letter to this office within thirty (30) days. Transmission via e-mail is acceptable.

If you have any questions, please contact the Project Manager, Mr. William Grant, P.E., at (860) 594-3229 or by e-mail at William.E.Grant@ct.gov.

Very truly yours,


Digitally signed by
Michael N. Calabrese,
P.E.
Date: 2021.04.14
21:18:28-04'00'

Michael N. Calabrese, P.E.
Division Chief of Highway Design
Bureau of Engineering and Construction

Accepted By: *Maria Capriola*
Ms. Maria Capriola
Town Manager

Date 4/19/21

- cc: Mr. Eric Wellman, First Selectman, Town of Simsbury
- Mr. Thomas J. Roy, P.E., Director of Public Works, Town of Simsbury
- Mr. Lyle Wray, Executive Director, Capitol Region Council of Governments
- Ms. Sotiria Montanari, Program Manager, Capitol Region Council of Governments



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:** May 10, 2021
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 May 10, 2021, to approve the presented tax refunds in the amount of \$229.47, 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 \$229.47. The attachment dated May 10, 2021 has a detailed listing of all requested tax refunds.
7. **Description of Documents Included with Submission:**
 - a) Requested Tax Refunds, dated May 10, 2021

REQUESTED TAX REFUNDS
MAY 10, 2021

	BILL NUMBER	TAX	INTEREST	TOTAL
List 2019				
Coolidge, Gail B	19-01-1678	\$79.10		\$79.10
Knight, Robert W	19-03-60044	\$132.41		\$132.41
Keller, Hanna	19-04-81471	\$17.96		\$17.96
Total 2019		\$229.47	\$0.00	\$229.47
TOTAL 2019		\$229.47	\$0.00	\$229.47
TOTAL ALL YEARS		\$229.47	\$0.00	\$229.47



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Authorize the Board of Education to Apply for a Connecticut School Construction Grant for the Renovation and Expansion of Latimer Lane School and Referral of the Project to the Public Building Committee and Authorization of Preparation of Schematic Drawings and Specifications.
2. **Date of Board Meeting:** May 10, 2021
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Matt Curtis, Superintendent of Schools
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports the below resolutions, the following motions are in order:
 - a. “**RESOLVED** that the Board of Selectmen authorizes the Town of Simsbury Board of Education to apply to the Office of School Construction Grants & Review and to accept or reject a grant for the proposed renovation and expansion of Latimer Lane School.”
 - b. “**RESOLVED** that the Board of Selectmen hereby establishes the permanent Public Building Committee as the building committee to the proposed renovation and expansion of Latimer Lane School.”
 - c. “**RESOLVED** that the Board of Selectmen authorizes the preparation of schematic drawings and outline specifications for the proposed renovation and expansion of Latimer Lane School.”
5. **Summary of Submission:**
The Latimer Lane School renovation and expansion project was included in year one of the Town’s Capital Improvement Plan for 2022-2027 at an estimated cost of \$36,792,406, which includes an estimated state reimbursement of \$12,744,890. On May 4, 2021 the voters approved the project funding at referendum by a vote of 2,728 to 704.

The first step is for the Board of Education to apply to the Office of School Construction Grants & Review by June 30, 2021. The resolutions above are required by the state as part of the grant process.

Once the project is referred to the Public Building Committee, an architect's agreement needs to be finalized and the project needs to be designed in order to review with the state in anticipation of going out to public bid. The construction period is estimated at 18 months and the earliest construction could start would be May 2022.

6. Financial Impact:

At the May 4, 2021 referendum, voters approved a capital project to renovate and expand Latimer Lane School in the amount of \$36,792,406 and to authorize bonds and notes in the same amount to finance the appropriation. The project was part of the Capital Improvement Plan presented and approved by the Board of Selectmen and Board of Finance during the FY 21/22 budgeting process.

7. Description of Documents Included with Submission:

- a) Six Year Capital Improvement Program
- b) Results of May 4, 2021 Referendum

Simsbury Board of Education
Six Year Capital Improvement Program
Fiscal Year 2021/22 - Fiscal Year 2026/27

	FY21/22	FY22/23	FY23/24	FY24/25	FY 25/26	FY26/27
TOOTIN HILLS						
Bituminous Pavement						
Replace exterior windows & Doors						
Water Distribution and Drainage Systems		403,147				
Terminal Units & Boilers/Pumps						
Lighting - General						
Toilet Room finish upgrades (V1, V2)						
Replace Roof (V3, V4)				963,509		
Replace Roof (V1, V2)						
Total Tootin Hills	-	403,147	-	963,509	-	-
SQUADRON LINE						
Replace Exterior Windows & Doors						
Replace Acoustical Ceilings						
Water Distribution & Drainage Systems		1,288,190				
Terminal Units						
Electrical Service/Distribuion						
Lighting - General						
Fire Alarm System						
Plumbing Fixtures/Equipment						
Replace Roof				1,658,659		
Total Squadron Line	-	1,288,190	-	1,658,659	-	-
CENTRAL SCHOOL						
Terminal Units						
Air Handling Systems						
Electrical Service/Distribution 1950		386,468				
Replace flooring						
Replace Roof (V1)						
Replace EPDM Roof (V3)		319,477				
Water Distribution and Drainage Systems						
Plumbing Fixtures/Equipment						
Heating Plant (Boilers, Pumps, etc.)						
Lighting General						
Fire Alarm System						
Total Central School	-	705,945	-	-	-	-

Simsbury Board of Education
Six Year Capital Improvement Program
Fiscal Year 2021/22 - Fiscal Year 2026/27

	FY21/22	FY22/23	FY23/24	FY24/25	FY 25/26	FY26/27
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TARIFFVILLE SCHOOL

Terminal Units						
Replace Flooring						
Replace Roof - EPDM (V1, V2)		859,811				
Water Distribution & Drainage Systems						
Water Heaters						
Lighting - General						
Total Tariffville School	-	859,811	-	-	-	-

LATIMER LANE

Latimer Lane Renovate as New	36,792,406					
Replace Exterior Windows						
Fire Protection System						
Bituminous Pavement						
Water Distribution and Drainage Systems						
Heating Plant (Boilers, Pumps, etc.)						
Terminal Units						
Electrical Service/Distribution						
Lighting - General						
Total Latimer Lane	36,792,406	-	-	-	-	-

HENRY JAMES MIDDLE SCHOOL

Henry James 6th Grade Addition						
Terminal Units						
Electrical Service/Distribution						
Replace Flooring						
Plumbing Fixtures/Equipment						
Replace Roof (BUR)			3,682,128			
Replace Roof (modified Bit)				305,200		
Water Distribution and Drainage Systems						
Lighting - General						
Fire Alarm System						
Total for Henry James	-	-	3,682,128	305,200	-	-

Simsbury High School

Simsbury Board of Education
Six Year Capital Improvement Program
Fiscal Year 2021/22 - Fiscal Year 2026/27

	FY21/22	FY22/23	FY23/24	FY24/25	FY 25/26	FY26/27
Concrete Walks						
Bituminous Concrete Walks						
Bituminous Pavement						
Terminal Units						
Control Systems						
Electrical Service/Distribution - Previous Vintages		320,995				
Site Lighting (Fixtures, Poles & Bases)						
Chain Link Fence 4' High						
Install AC on 3rd Floor						
Practice Football Field					-	
Replace Roof (v1, V2)					3,385,337	
Air Handling Systems						
Lighting - General						
Generator Systems						
Total for Simsbury High School	-	320,995	-	-	3,385,337	-
District Wide						
District Network Infrastructure		400,000		400,000		400,000
District Security Improvements	250,000		250,000		250,000	
SHS Stadium Facility Phase I (Restrooms, Kitchen)				-		
SHS Stadium Renovations Phase II (Storage)						
SHS Stadium Bleachers and Press Box Replacement	600,000					
SHS Turf Field #2 Construction (No Lighting)						
District Climate Control Phase III						
HJMS Tennis Court Replacement						
Total District Wide	850,000	400,000	250,000	400,000	250,000	400,000
TOTAL CAPITAL PROJECTS	37,642,406	3,978,088	3,932,128	3,327,368	3,635,337	400,000
FUNDING:						
Bonding	24,897,517	3,978,088	3,932,128	3,327,368	3,635,337	400,000
Grants	12,744,889			-	-	-
TOTAL FUNDING	37,642,406	3,978,088	3,932,128	3,327,368	3,635,337	400,000

Town of Simsbury, Connecticut
Results of Local Referendum May 4, 2021

QUESTIONS	Yes	No
“Shall the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of the BOARD OF SELECTMEN annual budget for the fiscal year ending June 30, 2022, be approved and implemented in the amount of \$24,979,980?”	2,947	452
“Shall the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of the BOARD OF EDUCATION annual budget for the fiscal year ending June 30, 2022, be approved and implemented in the amount of \$73,881,930?”	2924	497
“Shall the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of Sewer Use Fund (Sewer Treatment Plant), Residential Rental Properties, Simsbury Farms/Special Programs, Non-Public Schools, Debt Retirement/Capital and Capital Non-Recurring annual budgets for the fiscal year ending June 30, 2022, be approved and implemented in the amount of \$14,666,200?”	2,989	412
“Shall the Town of Simsbury appropriate from the Sewer Use Fund and anticipated grants \$3,250,000 for berm improvements at the Water Pollution Control Facility?”	3034	381
“Shall the Town of Simsbury appropriate \$36,792,406 for the renovation and expansion of Latimer Lane Elementary School; and authorize bonds and notes in the same amount to finance said appropriation?”	2,728	704
“Shall the Town of Simsbury appropriate \$2,515,860 for the purchase and improvement of Meadowood (approximately 288 acres of undeveloped land located off Hoskins Road, County Road and Firetown Road); and authorize bonds and notes in the same amount to finance said appropriation?”	3,022	439

Total Number of Names on Official Registry List of Electors	18,678
Total Number of Electors Checked as Having Voted	3,457
Percent of Electors Who Participated	18.5%
Number of Property Owners Checked as Having Voted	14
Total Number of All Voters	3,471



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Bond Counsel Conflict Waiver Request for Pullman and Comley

2. **Date of Board Meeting:** May 10, 2021

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

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports approving the conflict waiver request, the following motion is in order:

Move, effective May 10, 2021, to approve the attached conflict of interest waiver request from Pullman and Comley, LLP to represent the Town of Simsbury as Bond Counsel.

5. **Summary of Submission:**
At the March 22, 2021 Board of Selectmen meeting Pullman and Comley, LLP were appointed Bond Counsel as Attorneys Blank and Rybacki were transitioning from their previous firm to Pullman and Comley. At that meeting the Board authorized the Town Manager to execute an engagement letter for Bond Counsel services. During this process potential conflicts of interest were noted in regards to matters other attorneys at Pullman and Comley are handling.

Our Town Attorney recommended that the conflict of interest waiver request be reviewed and authorized by the Board of Selectmen. Staff and the Town Attorney have reviewed the matters, which are unrelated to the bond counsel work performed by Attorneys Blank and Rybacki, and therefore have not noted any concerns.

As an example, a similar conflict of waiver request was brought to the Board of Selectmen on November 23, 2020, as Ms. Blank and Mr. Rybacki's previous firm was performing work unrelated to bond counsel services for McLean. Other attorney(s) at their firm were performing work for McLean in regards to an easement agreement with the Town of Simsbury; the easement agreement permitted the Town to have easier access to a Town-owned bridge for maintenance purposes.

6. **Financial Impact:**
None

7. **Description of Documents Included with Submission:**
a) Conflict Waiver Request



Judith A. Blank
90 State House Square
Hartford, CT 06103-3702
p 860 424 4319
f 860 424 4370
jblank@pullcom.com
www.pullcom.com

April 12, 2021

VIA E-MAIL

Maria E. Capriola, M.P.A.
Town Manager
Town of Simsbury
Town Hall
933 Hopmeadow Street
P.O. Box 495
Simsbury, CT 06070-0495

Re: Bond Counsel Fees and Services

Dear Maria:

You have asked my firm to represent the Town of Simsbury (“Client”) in connection with the authorization and issuance of bonds, notes, and other obligations of the Client, as described in the attached Scope of Bond Counsel Services (Attachment A). No one else shall be considered a client of the firm in this matter. Our engagement shall be effective as of April 12, 2021.

Additional Undertakings. If you ask the firm to perform any additional work beyond the scope of engagement as stated above, and if the firm agrees to undertake that work, then the firm will perform that work upon the same terms as stated in this agreement, unless we have obtained a new engagement agreement from you. Unless specified in the above referenced Scope of Bond Counsel Services, the firm is not agreeing to provide services for any court or administrative proceedings, arbitrations, appeals, bankruptcies, or post-judgment proceedings.

Client Responsibilities. Client agrees to pay our invoices as provided below. Client must also cooperate with us and provide complete and detailed information when requested. Client agrees to keep us informed of any changes in contact information.

Fees and Expenses. Our fees will be based on the attached Fixed Fee Schedule (Attachment B).

Legal services that are not provided pursuant to the fixed fee schedule, will be charged at hourly billing rates for each attorney and paralegal who may work on this matter. Generally, our billing rates for attorneys currently range from \$260 per hour for associates to \$745 per hour for senior partners. The hourly rate we charge for paralegal assistance currently ranges from \$250 to \$325 per hour. For this matter, we will bill at our standard discounted municipal hourly rates of

\$455 per hour for members, \$310 per hour for associates with more than 4 years of experience, \$240 per hour for associates with experience of 4 years or less and \$140 per hour for paralegals. These rates are subject to adjustment on an annual basis to reflect changes in the levels of experience of our attorneys and paralegals and economic factors affecting the firm.

We will include in our billings the expenses we incur on your matter. Examples of such expenses may include photocopying, delivery service, computerized research, authorized travel, search and filing fees. Our representation of you also may require the assistance of outside consultants, experts or service providers. You must pay these types of outside assistance expenses directly to the service provider. If you are unwilling or unable to make satisfactory arrangements to pay the additional expenses of such outside assistance, then we may not be able to retain these services even if your matter would benefit from them.

Billing. For bond counsel services described in the Scope of Bond Counsel Services, the firm will charge you for authorization upon the first borrowing pursuant to that authorization, and for each financing at issuance. For all other services, the firm will send you monthly invoices for its services. The firm will charge interest at the rate of 1% per month (12% per annum) on any bills that remain unpaid for more than 60 days. After 60 days, we reserve the right to cease performing services for you, and to seek to withdraw our representation in any court proceeding, until satisfactory payment arrangements have been made. You agree we may collect any unpaid fees and expenses due to our firm from any recovery by you or on your behalf in connection with your claims; or by setoff against sums of yours in our possession; or by securing payment of our fees by retention of your files consistent with the Connecticut Rules of Professional Conduct pertaining to retaining liens.

Opinions and Beliefs. During our representation we may offer Client advice and recommendations. Any statements we make, however, must be considered an expression of opinion only, based upon information available, and should not be construed as a promise or guarantee.

Municipal Conflicts. Our firm represents clients throughout the State of Connecticut, including municipalities, boards of education, companies, individuals, landlords, tenants, housing authorities, borrowers, lenders, financial institutions, governmental and quasi-governmental entities and associations that may have interactions with Client in civil or criminal matters, totally unrelated to this representation. Such unrelated representation may include the municipality or governmental agency involved in your matter. Our representation of other clients may include such things as representing the municipal government; representing the board of education; appearances before municipal boards and commissions, pursuing land use applications, appeals from agency decisions; property valuation appeals; tax refund requests; representing purchasers of municipal obligations; foreclosures of liens; and representation of parties in bankruptcy. Client agrees that we may represent other clients in unrelated matters, who may be adverse to the Town of Simsbury, provided such matters are not substantially related to our work that we have been engaged to handle in this agreement, and so long as we believe our responsibilities to Client would not be materially limited due to such other representation.

In the course of representing you, and in order fully to satisfy our professional obligations, we may from time to time need to consult with the lawyers in this firm responsible for advising the firm on ethical issues that may involve our engagement with you. You acknowledge and agree that we are free to consult with our internal counsel on such matters without your consent and that such consultations are privileged and confidential. Notwithstanding this clause, we understand that Client is not agreeing this firm may make a claim for affirmative damages against Client on behalf of another client without Client's written consent. Presently, other attorneys in this firm is representing C-TEC Solar in connection with a tax appeal and Helmar Wolf in connection with a zoning matter. In addition, the firm will establish procedures to screen those firm professionals involved in the unrelated matter from access to the files in your matter.

Specific Conflict Consent. You acknowledge that another attorney within my firm currently represents DWW Solar II LLC ("DWW") which had been adverse in a siting and permitting dispute that DWW settled with the Town. This other matter is unrelated to the subject for which you have asked me to represent the Town. I have determined that my colleague's current representation of DWW in the unrelated matter will not materially limit my responsibilities to provide the Town with competent and diligent representation for the engagement covered by this agreement. By signing below, you consent to my firm continuing to represent DWW. In addition, the firm will establish procedures to screen those firm professionals involved in the unrelated matter from access to the files in your matter.

You acknowledge also that another attorney within my firm currently represents Church Home of Hartford Inc. ("Church Home") which had been adverse in connection with some resident and business matters. The Church Home matter is unrelated to the subject for which you have asked me to represent the Town. I have determined that my colleague's current representation of Church Home in the unrelated matter will not materially limit my responsibilities to provide the Town with competent and diligent representation for the engagement covered by this agreement. By signing below, you consent to my firm continuing to represent Church Home. In addition, the firm will establish procedures to screen those firm professionals involved in the unrelated matter from access to the files in your matter.

State of Connecticut. From time to time, the firm represents the State of Connecticut or some of its agencies on totally unrelated matters. We have determined that any such unrelated matter would not in any way materially limit our representation in this matter. If the Client wishes to discuss this further, then please feel free to contact me.

Electronic Technology. The firm uses various technologies, including e-mail and third party cloud-based services, to store documents, e-mails, video, and other data, and to exchange the same with our clients and others. We communicate with our clients by e-mail, facsimile, (mobile) telephone, video, or text. We may also obtain your execution of documents by a variety of remote video conference options. Some of the hosting technologies for these methods of communication reserve the right under limited circumstances to review the content of the communications on their systems. Both the terms of their conditions of use and the general acceptance of these methods of communications by the legal profession lead us to conclude that

the risk of disclosure of your confidential communications with us by using these technologies is minimal, but you should be aware of such risk. Further, it is the firm's policy to recommend email rather than text messages to preserve the attorney-client privilege in communications with clients. You acknowledge the risk of unsecure communications through text messaging. By engaging our firm, you consent to our using these technologies to represent you.

FOIA Compliance. By entering into this engagement, the Client recognizes that the traditional rules of confidentiality of communications between a client and its lawyer may be impacted by the provisions of the Freedom of Information Act ("FOIA"). Client may for example receive FOIA requests for such things as our communications with Client or our billings. Accordingly, our billing time entries may be more circumspect than we might otherwise prepare for a non-governmental client to avoid the disclosure of confidential communications or advice in a billing entry. Further, we suggest Client separate our privileged communications to Client from records that are otherwise made available for public inspection. If Client receives a FOIA request to view our communications with Client, we would be happy to consult with Client about the propriety of any disclosures of our communications, but depending upon the circumstances of our retention, the municipal attorney and/or the municipal chief executive officer may have to be consulted as well.

Records Retention. Unless we have otherwise agreed with Client in writing, we reserve the right to determine what a "reasonable time" will be, to retain Client's records after the conclusion of our representation. We do not concede that our firm's records could be deemed "public records" under FOIA. If Client desires a longer retention period, then please notify us in writing.

Termination of Engagement. Either Client or the firm may terminate our representation at any time, by written notice, subject on our part to the Connecticut Rules of Professional Conduct. If Client terminates our services, then Client agrees to promptly pay all outstanding fees and expenses. Client also agrees to pay our fees until such time as any required Motion to Withdraw is granted. The firm reserves the right to terminate Client's engagement of us if Client does not honor this engagement letter, including not paying the firm's bills for the matter. If not formally terminated sooner, this representation will be considered terminated upon the conclusion of the matter for which Client has engaged us. If Client asks us to perform additional services after the termination of the engagement, the additional work will constitute a new matter. After completion of the representation, changes may occur in the applicable laws or regulations that could have an impact upon Client's future rights and liabilities. Unless the terms of this agreement expressly provide otherwise, we have no continuing obligation to advise Client with respect to any such changes that occur after the termination of the engagement.

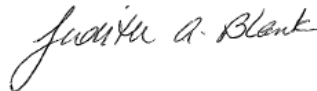
Choice of Law, Venue and Fee Dispute Resolution. The engagement of the firm for this work, or any subsequent work requested by you, and any dispute over our work, shall be governed by the procedural and substantive laws of the State of Connecticut, including application of the governing statutes of limitation, and shall be resolved exclusively in that venue. Any fee dispute of any amount shall be resolved by binding arbitration under the Fee Dispute Resolution Program of the Connecticut Bar Association (CBA), whose details may be

found at www.ctbar.org/public/resolution-of-legal-fee-disputes-program, or, should the CBA decline to accept the fee dispute, or be unable for any reason to appoint an arbitrator within three (3) months of being requested by any party, then by binding arbitration of the fee dispute pursuant to Conn. Gen. Stat. Sect. 52-407aa et seq. before a single arbitrator agreed upon by the parties, or, absent such an agreement, as appointed by a judge of a Connecticut Superior Court. Any claim by you asking for damages against the firm is not, however, eligible for arbitration. In the event you assert such a claim it must be resolved by a Connecticut court. If this is a commercial matter, you and any guarantor acknowledge the firm shall be entitled to recover its reasonable attorneys' fees and expenses to collect the sums due to the firm.

Municipal Funds. If, for any reason, we come into possession of municipal funds that we hold for the Client's benefit, the Client agrees in accordance with C.G.S. 7-402(b) that we may designate a bank in which the firm maintains its Trustee Accounts (currently Bank of America, which may be subject to change) as the temporary deposit location for the public funds. The Client further agrees that if the funds are to be held by the firm for less than ninety (90) days, they may be placed in an IOLTA Account, where any interest that accrues does so for the benefit of the indigent.

This letter agreement contains the entire agreement between the Town of Simsbury and Pullman & Comley, LLC regarding the requested representation and the fees, charges and expenses to be paid. If Client agrees with the terms of this letter, then please return a signed copy of this letter by mail, or by e-mail with a PDF attachment to my attention at jblank@pullcom.com. Please do not hesitate to call me should there be any questions or comments concerning the matters set forth in this letter. On behalf of Pullman & Comley, LLC, I look forward to assisting you.

Best regards,



Judith A. Blank

CONSENT TO REPRESENTATION ON STATED TERMS

The undersigned hereby approve and consent to each of the terms and conditions stated above.

TOWN OF SIMSBURY

By: _____
Name: _____
Title: _____
Date: _____

ATTACHMENT A

SCOPE OF BOND COUNSEL SERVICES

We have been engaged to advise the Municipality as Bond Counsel in connection with the issuance of the Municipality's general obligation bonds and notes (collectively, the "Bonds"). We are not undertaking to represent the Municipality or its interests in any other matter at this time. In the future we may agree to undertake additional matters for the Municipality as confirmed by us in a writing that specifies the scope of such new matter, which confirmation may be by e-mail. For purposes of this engagement, the Firm will be representing only the Municipality, and not any other persons, including persons affiliated with the Municipality.

Generally, Bond Counsel's advice in connection with the issuance of municipal debt falls into three categories: state and local law compliance, federal and state tax law compliance, and securities law compliance. Set out below is the typical role of Bond Counsel in each of these categories in connection with a "plain vanilla" general obligation bond issue, which services we would expect to perform as part of this engagement.

State and Local Law Compliance

Bond Counsel's opinion on an issue of municipal bonds, notes or other obligations ("bonds") typically addresses the following state and local law subjects: (1) the due and legal organization of the issuer; (2) the authority of the issuer to issue the bonds; (3) the validity of the proceedings for the issuance and delivery of the bonds; (4) compliance with any debt limitation law; (5) the validity of the bonds themselves; and (6) the source of payment or security for the bonds (e.g., that the bonds will be general obligations and that the issuer has the power to levy property taxes to pay the bonds).

In conjunction with preparing and rendering its opinion, Bond Counsel is typically involved in:

- reviewing the provisions of local charters and ordinances and state statutes applicable to the procedure for authorizing, selling and delivering the bond issue, advising as to applicable limitations on various types of financings, and, if necessary, drafting enabling legislation
- assisting in determining the appropriate amount of the borrowing authorization and the bond issue to include necessary issuance costs and capitalized interest
- preparing notices, resolutions, meeting minutes, certificates and other legal documents to be included in the bond transcript
- advising as to compliance with the Freedom of Information Act
- advising as to compliance with the election laws applicable to referenda, absentee ballots, and the preparation and distribution of explanatory materials

- advising as to the structuring of the issue, including maturity limits, paydown requirements and principal structuring limitations
- preparing notices of sale and bid proposal forms distributed to potential bidders; and advising as to compliance with bidding requirements
- addressing legal issues raised by the rating agencies
- coordinating with the issuer's financial advisor, certifying bank, registrar and paying agent
- preparing bond certificates and other closing documents, including any bond insurance and book-entry depository documentation

Federal and State Tax Law Compliance

Bond Counsel's opinion generally addresses the tax status of the municipal bonds for both state and federal income tax law purposes. If the municipal bond pays tax-exempt interest, investors will be willing to purchase the bond at a lower interest rate than they would a bond generating taxable interest income. This results in debt service cost savings for the issuer. Certain tax-exempt municipal bonds (so-called "bank-qualified" bonds), if held by a bank or other depository financial institution, receive additional preferential federal income tax treatment, thus making the bonds attractive at lower interest rates to these investors. Also, certain tax-exempt bonds do not generate interest income subject to state or federal alternative minimum tax. Bond Counsel aids a municipal issuer in this respect by:

- analyzing whether any "private activity" use and payments with respect to the financed project would preclude tax-exempt financing or require compliance with additional federal tax law requirements (including subjecting interest income to the federal alternative minimum tax)
- analyzing project cashflow needs and sizing the issue such that the Municipality may invest the proceeds without restricting the investment yield to the reoffering yield on the bonds.
- advising the issuer as to compliance with the requirement that arbitrage earnings, in the absence of an applicable exception, must be "rebated" to the Federal Treasury in order to maintain the tax exemption of the issue, including assistance in the preparation and filing of rebate returns with the IRS
- advising the Municipality as to the various exceptions to the arbitrage rebate requirement and aiding the Municipality in documenting compliance with any applicable exception
- analyzing whether the bonds can be issued as "bank-qualified" and preparing the necessary election

- ensuring that the bonds are issued in registered form, when required
- preparing a tax compliance or regulatory agreement memorializing the issuers' representations and covenants with respect to tax law compliance
- preparing and filing the applicable IRS informational return required for each tax-exempt bond issue

Securities Law Compliance

The issuance of municipal securities is subject to various federal and state securities laws. The "Official Statement" prepared for a municipal bond issue serves the dual role of being a marketing document for the issuer and a disclosure document containing material information necessary to comply with the securities laws anti-fraud provisions. Bond Counsel generally aids municipal issuers in complying with securities laws by:

- preparing the text of the portion of the Official Statement related to the opinion of Bond Counsel as to validity and federal and state tax exemption and the discussion of related federal and state income tax matters
- reviewing other portions of the Official Statement, especially those portions regarding the bond terms, the authorized purposes, the security for the bonds and bondholders' remedies, outstanding and authorized debt and debt ratios, compliance with statutory debt limits and the description of the authorization process
- preparing certifications as to the adequacy of the disclosure to be delivered by the municipal officials to the winning underwriter
- advising the issuer and its consultants with respect to compliance with statutory and regulatory provisions applicable to the sale and delivery of bonds
- preparing the Continuing Disclosure Agreement required under SEC Rule 15c2-12 documenting the issuer's undertaking to provide annual financial information and operating data and notices of material events for the term of the bonds

Our services as Bond Counsel in this engagement would not include the following matters, unless we were separately engaged to provide such assistance to the Municipality:

- preparing requests for tax rulings from the Internal Revenue Service
- preparing blue sky or investment surveys with respect to the Bonds
- drafting state constitutional or legislative amendments
- pursuing test cases or other litigation

- making an investigation or expressing any view of the creditworthiness of the Municipality or the Bonds
- representing the Municipality in Internal Revenue Service examinations or inquiries, or Securities and Exchange Commission investigations
- after the Bond closing, providing continuing advice to the Municipality or any other party concerning any actions necessary to assure that interest paid on the Bonds will continue to be excludable from gross income for federal income tax purposes (e.g., our engagement does not include rebate calculations for the Bonds)
- except as described in above, assisting in the preparation or review of an official statement or any other disclosure document with respect to the Bonds, or performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document or rendering advice that the official statement or other disclosure document does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements contained therein, in light of the circumstances under which they were made, not misleading
- any other matter not specifically set forth above that is not required to render our opinion, as described above, with respect to the Bonds

If we are asked to provide services that would not be included within the services provided pursuant to the fee schedule attached to this letter, we would consult with the Municipality regarding the basis on which such services will be billed.

ATTACHEMENT B

FIXED FEE SCHEDULE

Bond Counsel fees are based on the amount of bonds or notes authorized or issued, and are divided into three components:

1. Bond Authorization
2. Note Issues
3. Bond Issues

The percentage component of the fee calculation decreases as the size of the authorization and financing increases.

Bond Counsel costs can be included in project costs and financed by bonding, just like other project costs, to avoid charges against the annual budget.

Bond Authorizations: Fees pertaining to authorizations are calculated on a per project basis:

<u>Amount of Authorization</u>	<u>Fee</u>
\$2,500,000 or less	\$2,500
Over \$2,500,000 but not more than \$10,000,000	.001 of authorization amount (\$1,000 per \$1,000,000)
Over \$10,000,000	\$10,000 <u>plus</u> .0005 of amount over \$10,000,000 (\$500 per \$1,000,000)

We normally postpone billing for authorization services until the first bond or note issue, so that funds are available to make payment. If a financing authorization is not approved or a financing is not consummated, we will expect to be compensated at our normal hourly rates for time actually spent on the Municipality's behalf, plus client charges, but not in excess of the fee schedule amounts. When we bill, we provide a brief description of the services provided, the amount of the fee and the amount of each type of disbursement. If more detail is needed, it can be provided.

Note Issues: Fees pertaining to note issues vary based on the size of the issue, as follows:

<u>Amount of Notes</u>	<u>Fee</u>
\$2,500,000 or less	\$5,000
Over \$2,500,000 but not more than \$7,500,000	\$7,000
Over \$7,500,000	\$10,000 <u>plus</u> .0005 of amount over \$10,000,000 (\$500 per \$1,000,000)

Bond Issues: Fees pertaining to bond issues vary based on the size of the issue, as follows:

<u>Amount of Bonds</u>	<u>Fee</u>
\$2,500,000 or less	\$10,000
Over \$2,500,000 but not more than \$7,500,000	\$15,000
Over \$7,500,000	\$20,000 <u>plus</u> .001 of amount over \$10,000,000 (\$1,000 per \$1,000,000)

We normally bill for bond or note issuance services at or near the delivery date. If an issue does not go forward, we will expect to be compensated at our normal hourly rates for time actually spent on the Municipality's behalf, plus client charges, but not in excess of the fee schedule amounts. When we bill, we provide a brief description of the services provided, the amount of the fee and the amount of each type of disbursement. If more detail is needed, it can be provided.

Refunding Bonds: There is a minimum of \$20,000 per issue for refunding bonds. There is an additional \$5,000 fee if the refunding escrow includes securities other than U.S. Treasury SLGs.

Negotiated Issues: The fee is based on the par amount of the bond or note plus any original issue premium to the extent not applied to Underwriter's discount.

Disbursements: Pullman & Comley, LLC's charges for disbursements and other expenses incurred on a client's behalf are based on the accompanying "Schedule of Selected Client Recoverable Disbursements". This schedule is subject to periodic adjustment.

Please Note: This fee estimate is provided as a guide to estimate our current fees as Bond Counsel. The schedule is based on our experience in terms of average time, complexity and responsibility for recent bond or note issues. Our fees may vary if unusual or unforeseen circumstances arise which require a significant increase in our time or responsibility. If at any time we believe that circumstances may require an adjustment of our fees, we will consult with the Municipality.

SCHEDULE OF SELECTED CLIENT RECOVERABLE DISBURSEMENTS

Charges for disbursements and other expenses incurred on a client's behalf are based on the following schedule. Charges apply to all offices. This schedule is subject to periodic adjustment.

Audio Visual Services	At Firm cost
Automated Document Preparation/Word Processing	\$46.00 per hour
Automobile Travel	At IRS standard business mileage reimbursement rate
Courier and Overnight Delivery Services	Actual invoice cost
Electronic Document processing and Hosting	Actual invoice cost
Filing, Recording, Valuation, Registration Fees	Actual invoice cost
Food Service	Actual invoice cost
 <u>Reprographics</u>	
Impressions B/W (copy/print/scan)	\$.15 per copy
Impressions Color (copy/print/scan)	\$.60 per copy
Digital Media	\$5.00 per item
Reprographic Supplies	At Firm cost
 <u>Postage</u>	
	Actual cost when postage is \$1.00 or more. No charge when postage is less than \$1.00
 <u>Presentation Tools</u>	
Oversized Color Prints	\$20.00 per sq. ft.
Oversized Black & White Prints	\$1.25 per sq. ft.
Desktop Publishing	\$35.15 per hour
Exhibit Preparation	\$2.75 per sq. ft. per exhibit (including materials)
Projector Equipment	\$150.00 per day for use of equipment
Secretarial and other Support Staff Overtime	No charge except in extraordinary situations
Specialized Software Fees for Tax Preparation	\$48.00 per return
Videoconferencing Equipment	\$125.00 per hour per site



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Public Gathering Permit –
Simsbury Culture, Parks and Recreation –
Farmington River Fourth of July Canoe, Kayak, and
SUP Race
2. **Date of Board Meeting:** May 10, 2021
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Mike Glidden, Director of Planning and Community
Development; Tom Hazel, Assistant Town Planner
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports approving the public gathering permit application as
presented, the following motion is in order:

*Move, effective May 10, 2021, to approve the public gathering application on behalf of
Simsbury Culture, Parks and Recreation and to authorize the issuance of the public
gathering permit for the Farmington River Fourth of July Canoe, Kayak and SUP Race.*

If the Board of Selectmen wishes to add a river height requirement to the approved
permit, the following additional motion is in order:

*Further move that should the Farmington River height exceed 7 feet on the day of the
event, the event will be cancelled.*

5. **Summary of Submission:**
The Public Gathering Committee has approved the application for Simsbury Culture,
Parks and Recreation and the New England Canoe and Kayak Racing Association. The
event will be held on July 4, 2021 at Curtiss Park. The event is scheduled to start at
9:00 AM on July 4, 2021 and end at 2:00 PM on July 4, 2021.

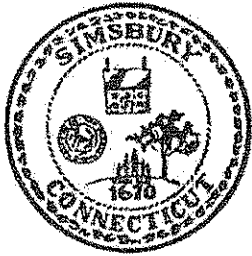
On February 25, 2019, the Board of Selectmen required another river event to be
cancelled if the Farmington River height exceeded 7 feet on the day of the event. Staff
verified the river height on the day of the event through the NOAA website. If the Board
of Selectmen wants to make a similar requirement part of this permit, the motion above
should note this.

A COVID plan has been submitted and reviewed by the Farmington Valley Health
District in accordance with state sector rules as of today's date.

6. **Financial Impact:**
None

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

- a) Application, Map and Summary of Event
- b) Memo re: Try Simsbury Approval Conditions, dated February 14, 2019



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

PUBLIC GATHERING PERMIT APPLICATION

A Public Gathering Permit (PGP) is required when a proposal is made for a gathering of a number of people on Town property which may cause questions or raise concerns regarding traffic circulation and access issues involving local or state roadways, public safety, or issues regarding a required Special Exception permit from the Zoning Commission.

Application should be completed in full, including original signatures, before submitting to the Zoning Enforcement Officer at the Simsbury Town Offices, Planning & Zoning Department, 933 Hopmeadow Street, Simsbury, Connecticut 06070. Please include 6 copies of your completed application IN ADDITION TO the original when you submit it. Applications must be received in office at least 6 WEEKS prior to the date of the proposed event. The Board of Selectmen has the final authority to approve or deny public gathering permit applications. The Town reserves the right to cancel an event that does not obtain complete approval, as specified herein.

Organization's Name: TED KENYON; NEW ENGLAND CANOE & KAYAK RACING ASSOC.

Applicant's Name: TED KENYON

Mailing Address: P.O. BOX 141, MONTVILLE, CT 06353

Phone: 860-874-8302 Email: theodorekenyon@gmail.com

Event Location: CURTISS PARK - RIVER ACCESS

Exact Date(s) of proposed Public Gathering: (MUST include all required "set up" and "tear down" time, as well as the actual dates of the Public Gathering.)

Exact Time(s)/Date Begin: 9 A.M. 7-4-21 End: 2 P.M. 7-4-21

Number of people expected to be present for the event (incl. staff, volunteers, attendees): 50

- The Town of Simsbury reserves the right to limit the number of attendees. The maximum number of permitted attendees will be determined after consultation with the Town of Simsbury.

A Certificate of Insurance made out to the Applicant AND Town of Simsbury, evidencing coverage of \$1,000,000 in force for the duration of the event, must be submitted with this application. This Certificate of Insurance must include a hold harmless agreement for the Town.

TOWN OF SIMSBURY USE ONLY:			
Fee Received:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Insurance Received:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Request Approved:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	MORE INFO: _____
Signature: _____		Date: _____	

EVENT INFO

Description of Event: SEE ATTACHED DESCRIPTION

Please indicate whether you will be bringing:

Additional trash and recycling receptacles: YES NO NUMBER: 2
• You are responsible for proper collection and removal of all waste generated by your event.

Portable toilets: YES NO NUMBER: _____
• If yes, please show locations on attached site plan.

Tent: YES NO SIZE: _____
OPEN SIDES ENCLOSED
• Tents must be in compliance with State of Connecticut tent regulations. The Town of Simsbury's Building Official or Fire Marshal can advise on tent requirements.

Lighting and/or sound equipment: YES NO
• If yes, please attach a list of the equipment you plan to use along with a stage plot with locations for the equipment.
• Lighting must meet the requirements of the Town of Simsbury Fire Marshal.

Does your event require electrical access? YES NO
• If so, a plan for electrical access will need to be reviewed with the Town of Simsbury Building Official or Fire Marshal.

Will food be sold or given away at your event? YES NO
• If food is to be served, whether prepared on- or off-site, you must obtain a Temporary Food Permit from the Farmington Valley Health District (www.fvhd.org).

Will alcohol be served at your event? YES NO
• If alcohol is to be served, you must obtain all pertinent State permits and abide by all Town and State laws and regulations. An additional list of policies applies if alcohol is to be served.

Will road closure(s) be necessary? YES NO
• Details of proposed traffic circulation and closings must be presented to the Chief of Police prior to his signing of the PGP application. If State roads are proposed for closing, a permit from the CT DOT may be necessary.

PLANNING & ZONING DEPARTMENT
933 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-3245

Alcohol

- Does your event require a Special Exception? YES NO
- Has the Zoning Commission approved a S.E.? YES NO
- Have you obtained a State of CT liquor license? YES NO

Signage

- Will your event require temporary signs? YES NO
 - No signage may be erected without written permission granted from the Zoning Enforcement Officer
- Has your organization secured permits for such? YES NO

Attachments:

Site Map

- The site plan/map of the proposed Public Gathering should be to-scale and show exactly:
 - Layout of the Event (tents, booths/vendors, rides, aisles, etc.)
 - Location of Lighting
 - Parking Layout

FARMINGTON VALLEY HEALTH DISTRICT
95 RIVER ROAD, CANTON, CT 06019

www.fvhd.org
860-352-2333

If food will be prepared or dispensed at your event, you must obtain a Temporary Food Permit from Farmington Valley Health District.

Has a Temporary Food Permit been secured? YES NO

<http://www.fvhd.org/food-protection1.html>

BUILDING DEPARTMENT
933 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-3234

Tent:

YES NO CAPACITY: _____
OPEN SIDES ENCLOSED
SQUARE FOOTAGE: _____

- Tents may require a Building Permit, depending on square footage, capacity, enclosure (or not), and if there will be heat and/or electrical. You should contact the Building Official to determine if a permit will be necessary.

Does your event require electrical access? YES NO

- Will you be utilizing portable generators? YES NO

FIRE MARSHAL
871 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-1973

DEPARTMENT OF PUBLIC WORKS (DPW)
66 TOWN FOREST ROAD, SIMSBURY, CT 06070

860-658-3222

Will barricades/signage be required:

- For the day of the event?
- In advance?

YES NO
DATES: _____

Are DPW trucks required for use as barricades?

YES NO

QUANTITY: _____

- The fee schedule below is for one (1) Truck and one (1) staff member.
- All fees will begin when Public Works Trucks leave the DPW Campus.
- Each Truck will be filled with sand and operated by a single staff member.
- The number and positioning of the Trucks shall be determined by the Simsbury Police Department.
- The fees for using DPW trucks as barricades are as follows:
 - \$250 for first four (4) hours
 - \$50/hour for each additional hour during regular hours
 - \$75/hour for each additional hour on Federal holidays and Sundays

TOTAL FEE DUE: \$250 + (_____ hours x \$50/\$75) = \$ _____
Fee is payable by check, made out to the Town of Simsbury

Please note:

- No markings on the roadways or custom signage is allowed.
- Traffic cones shall not be provided by DPW.

POLICE DEPARTMENT
933 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-3100

Is this event a concert and/or festival?

YES NO

If yes, please list recent prior venues that have hosted this concert/festival:

Will on-site private security be provided?

YES NO

NUMBER: _____

Will on-site emergency medical services be provided?

YES NO

NUMBER: _____

- Where will they be located? _____

SIMSBURY VOLUNTEER AMBULANCE ASSOCIATION
64 WEST STREET, SIMSBURY, CT 06070

860-658-7213

Will there be any athletic competitions or other activity/activities that could increase the likelihood of injury or illness? YES NO

Will the attendance be equal to or greater than 5000? YES NO NUMBER: _____

Attendance will be:

STAGGERED OVER COURSE OF EVENT

AT A SPECIFIC TIME TIME: 9AM-2PM

CULTURE, PARKS & RECREATION
100 OLD FARMS ROAD, SIMSBURY, CT 06070

860-658-3836

Are you serving food? YES NO

• If so, trash recycling barrels are required at Permittee's expense

Will you require any special field lining or set up? YES NO

Do you intend to use "staked" tents on athletic fields? YES NO

Will athletic field lighting be necessary? YES NO

Have you provided a parking plan on your site map? YES NO

Portable toilets must be provided at the rate of 1 toilet per 50 patrons, at the Permittee's expense.

• ATTENDANCE: _____ / 50 = _____ PORTABLE TOILETS REQUIRED

**Public Gathering Permit
Required Declaration**


I declare that the information provided on this application is true and correct to the best of my knowledge and belief. I understand that if the information I have provided is a misrepresentation of the actual event, or that the actual event digresses in a manner from the approved permit, that the permit will be revoked.

Applicant's Name (Printed): TED KENYON

Applicant's Signature: [Signature]

Date Signed: 4-29-21

REQUIRED SIGN OFFS (in order required)

	Received Date:	Received By:	Approved By:	Action Date:
Culture Parks And Rec. Director	4/30/21	T. Tyburski	T. Tyburski email	4/30/21
Zoning Commission (As may be required by ZEO)				
Building Official				
Police Chief	4/30/21	G. Samseleski	G. Samseleski email	5/3/21
Dir of Public Works	4/30/21	T. Roy	T. Roy email	4/30/21
Dir of Health FVHD	4/30/21	J. Brown	J. Brown email	4/30/21
Fire Marshal	4/30/21	P. Bourville	P. Bourville email	4/30/21
Zoning Enforcement Officer	4/30/21	T. Hazel		5/3/21
Board of Selectmen				

Hazel Thomas

From: Samselski, Gregory <GSamselski@pd.simsbury-ct.gov>
Sent: Monday, May 3, 2021 2:48 PM
To: Hazel Thomas
Subject: RE: Canoe and Kayak race PGP

The PD approves.

*Lt. Gregory Samselski #103
Simsbury Police Department
933 Hopmeadow Street
Simsbury, CT 06070
Main: (860) 658-3100
Office: (860) 658-3106
Fax: (860) 658-3103
Email: gsamselski@pd.simsbury-CT.gov*

From: Hazel Thomas [<mailto:thazel@simsbury-ct.gov>]
Sent: Friday, April 30, 2021 8:17 AM
To: Samselski, Gregory; 'Jason Brown'; Tyburski Tom; Roy, Thomas; 'Patrick T. Tourville, CFI I'
Subject: Canoe and Kayak race PGP

Please see the attached for committee approval.
Thank you.

Thomas Hazel
Assistant Town Planner
Town of Simsbury
(860) 658-3240
thazel@simsbury-ct.gov

Hazel Thomas

From: Patrick T. Tourville, CFI I <PTourville@simsburyfd.org>
Sent: Friday, April 30, 2021 9:39 AM
To: Hazel Thomas
Subject: RE: Canoe and Kayak race PGP
Attachments: Safety Plan - Farmington River Canoe and Kayak Race.pdf

I like the quick turn around with this one. Approved by Fire Marshal's Office with added Safety Plan attached.

Patrick Tourville, CFI-I
Fire Marshal
Simsbury Fire District
871 Hopmeadow Street
Simsbury, CT 06070
(P) 860-658-1973
(C) 860-818-0479

From: Hazel Thomas <thazel@simsbury-ct.gov>
Sent: Friday, April 30, 2021 9:06 AM
To: Patrick T. Tourville, CFI I <PTourville@simsburyfd.org>
Subject: RE: Canoe and Kayak race PGP

I will await your approval after you get those details. Thanks for the update.

From: Patrick T. Tourville, CFI I [<mailto:PTourville@simsburyfd.org>]
Sent: Friday, April 30, 2021 8:52 AM
To: Hazel Thomas; Samselski Gregory; 'Jason Brown'; Tyburski Tom; Tom Roy
Subject: RE: Canoe and Kayak race PGP

Before our approval I will be reaching out the permit applicant to see what provisions have been made for on water safety plans involving emergencies that may arise during the event and if needed the response of emergency services.

Patrick Tourville, CFI-I
Fire Marshal
Simsbury Fire District
871 Hopmeadow Street
Simsbury, CT 06070
(P) 860-658-1973
(C) 860-818-0479

From: Hazel Thomas <thazel@simsbury-ct.gov>
Sent: Friday, April 30, 2021 8:17 AM
To: [gsamselski <gsamselski@pd.simsbury-ct.gov>](mailto:gsamselski@pd.simsbury-ct.gov); 'Jason Brown' <jbrown@fvhd.org>; Tyburski Tom <tyburski@simsbury-ct.gov>; troy@simsbury-ct.gov; Patrick T. Tourville, CFI I <PTourville@simsburyfd.org>
Subject: Canoe and Kayak race PGP

Please see the attached for committee approval.
Thank you.

Hazel Thomas

From: Tom Roy
Sent: Friday, April 30, 2021 8:33 AM
To: Hazel Thomas; Samselski Gregory; 'Jason Brown'; Tyburski Tom; 'Patrick T. Tourville, CFI I'
Subject: RE: Canoe and Kayak race PGP

Approved Public Works

Thomas J. Roy, P.E.
Director of Public Works
Town of Simsbury
66 Town Forest Road
West Simsbury, CT 06092
(o) 860.658.3222
(f) 860.408.5416

From: Hazel Thomas
Sent: Friday, April 30, 2021 8:17 AM
To: Samselski Gregory; 'Jason Brown'; Tyburski Tom; Tom Roy; 'Patrick T. Tourville, CFI I'
Subject: Canoe and Kayak race PGP

Please see the attached for committee approval.
Thank you.

Thomas Hazel
Assistant Town Planner
Town of Simsbury
(860) 658-3240
thazel@simsbury-ct.gov

Hazel Thomas

From: Jason Brown <jbrown@fvhd.org>
Sent: Friday, April 30, 2021 8:19 AM
To: Hazel Thomas; Samselski Gregory; Tyburski Tom; Tom Roy; 'Patrick T. Tourville, CFI I'
Subject: RE: Canoe and Kayak race PGP

No concerns

From: Hazel Thomas <thazel@simsbury-ct.gov>
Sent: Friday, April 30, 2021 8:17 AM
To: Samselski Gregory <gsamselski@pd.simsbury-ct.gov>; Jason Brown <jbrown@fvhd.org>; Tyburski Tom <ttyburski@simsbury-ct.gov>; Tom Roy <troy@simsbury-ct.gov>; 'Patrick T. Tourville, CFI I' <PTourville@simsburyfd.org>
Subject: Canoe and Kayak race PGP

Please see the attached for committee approval.
Thank you.

Thomas Hazel
Assistant Town Planner
Town of Simsbury
(860) 658-3240
thazel@simsbury-ct.gov

Hazel Thomas

From: Tyburski Tom
Sent: Friday, April 30, 2021 8:22 AM
To: Hazel Thomas; Samselski Gregory; 'Jason Brown'; Tom Roy; 'Patrick T. Tourville, CFI I'
Subject: RE: Canoe and Kayak race PGP

Approved Parks and Rec.

Have a nice weekend,
Tom
Tom Tyburski
Director, Culture, Parks and Recreation Department
Town of Simsbury, CT
860-408-4682
www.SimsburyRec.com

Please consider the environment before printing a copy of this email.

"This communication, along with any documents, files, or attachments, is intended only for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of any information contained in or attached to this communications is strictly prohibited. If you have received this message in error, please notify the sender immediately and destroy the original communication and its attachments without reading, printing, or saving in any manner."

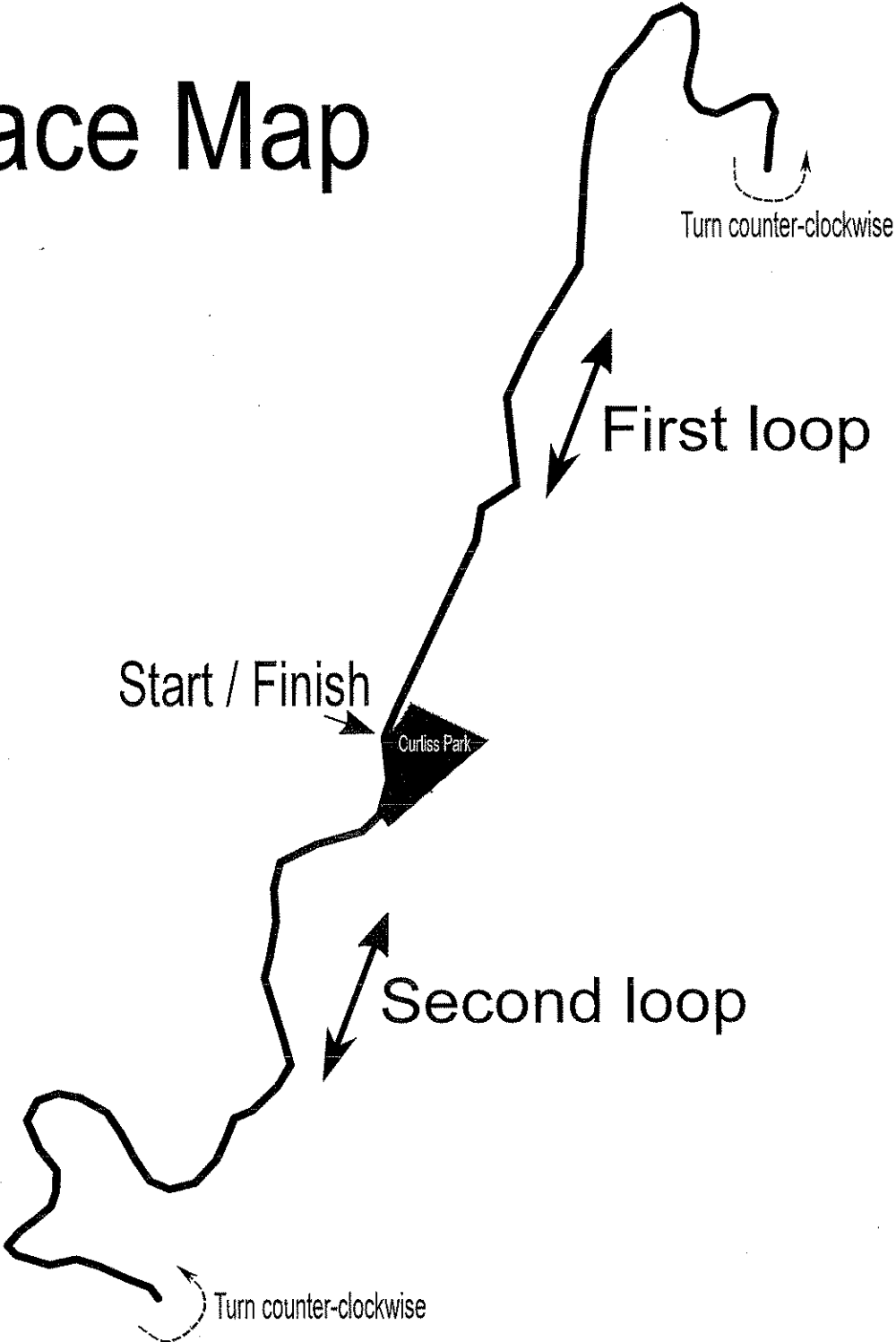
From: Hazel Thomas
Sent: Friday, April 30, 2021 8:17 AM
To: Samselski Gregory; 'Jason Brown'; Tyburski Tom; Tom Roy; 'Patrick T. Tourville, CFI I'
Subject: Canoe and Kayak race PGP

Please see the attached for committee approval.
Thank you.

Thomas Hazel
Assistant Town Planner
Town of Simsbury
(860) 658-3240
thazel@simsbury-ct.gov

Farmington River Fourth of July Canoe, Kayak, and SUP Race

Race Map





FARMINGTON RIVER JULY 4TH CANOE AND KAYAK RACE
July 4th, 2021

AMATEUR ATHLETIC RELEASE OF LIABILITY WAIVER

In consideration of being allowed to participate in any way in this sports activity, related events and activities, the undersigned acknowledges, appreciates, and agrees that: The risk of injury or illness from participating in the activities involved in this sport is significant, including the potential for permanent paralysis and death; and while particular rules, equipment, and personal discipline may reduce this risk, the risk of serious injury or illness does exist; and, I KNOWINGLY AND FREELY ASSUME ALL SUCH RISKS, both known and unknown, EVEN IF ARISING FROM THE NEGLIGENCE OF THE RELEASEES or others and assume full responsibility for my participation; and, I willingly agree to comply with the stated and customary terms and conditions for participation.

If I observe any unusual or significant hazard during my presence or participation, I will remove myself from participation and bring such hazard to the attention of the nearest official immediately; and, I, for myself and on behalf of my heirs, assigns, personal representatives and next of kin, HEREBY RELEASE AND HOLD HARMLESS PADDLESPORT RISK MANAGEMENT, LLC; THEODORE KENYON; TOWN OF SIMSBURY their officers & directors, officials, agents, and/or employees, other participants, sponsoring agencies, commissions, sponsors, advertisers, volunteers, coaches, steerers, and, if applicable, owners and lessors of premises used to conduct the event ("RELEASEES"), WITH RESPECT TO ANY AND ALL INJURY, DISABILITY, DEATH, or loss or damage to person or property, WHETHER ARISING FROM THE NEGLIGENCE OF THE RELEASEES OR OTHERWISE.

I also acknowledge that photographs and video may be taken of me in my participation in, and attendance at this event, and hereby freely agree to allow without restriction all uses of such photos and videos in the reporting of these activities, and/or in the promotion of this event, its location, other sporting events, sport in general, and/or related purposes.

I HAVE READ THIS RELEASE OF LIABILITY AND ASSUMPTION OF RISK AGREEMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND SIGN IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT.

PLEASE COMPLETE ALL SECTIONS

_____	Address: _____
(Participant Name: PLEASE PRINT)	_____
Email Address: _____	Emergency Contact Name: _____
Phone: _____	Phone: _____
Signature: _____	Date: _____

FOR PARTICIPANTS OF MINOR AGE (UNDER AGE 18 AT THE TIME OF REGISTRATION) This is to certify that I, as parent/legal guardian with legal responsibility for this participant, do consent and agree to his/her release as provided above, of all the Releasees, and, for myself, my heirs, assigns, and next of kin, I release and agree to indemnify and hold harmless the Releasees from any and all liabilities incidental to my minor child's involvement or participation in the programs as provided above, EVEN IF ARISING FROM THE NEGLIGENCE OF THE RELEASEES, to the fullest extent permitted by law. I further agree to the photographic and video release set forth above.

Parent/Legal Guardian Name & Address: (PLEASE PRINT) _____ Minor DOB: _____

Address: _____ Emergency Contact # _____

Signature of Parent/Legal Guardian: _____ Date: _____

Farmington River Canoe and Kayak Race
July 4, 2021
Curtiss Park
Simsbury, Conn.

Race Director:
Ted Kenyon
860-874-8302
theodorekenyon@gmail.com

EVENT DESCRIPTION:

The Farmington River Canoe and Kayak Race is an 8-mile canoe and kayak race that will take place on the Farmington River on Sunday, July 4, 2021.

Racers will likely begin to arrive at 9 a.m.

The race will start at 11 a.m.

The event should be concluded and all materials will be packed up by 2 p.m.

All racers will be required to carry a PFD in their boat. Racers 16 years old or younger will be required to wear their PFD. There will be a socially-distance safety meeting before the event for all participants. All racers are expected to help other participants if needed.

The race will begin at approximately 11 a.m. There will be staggered starts to accommodate different boat classes.

The start and finish line will be located just upstream of the access point for the Farmington River at Curtiss Park. The start and finish line will be marked with a buoy which will not impede the ability of any other boaters to use the river while the event is taking place.

Access to the river will not be limited for the public at any time.

There will not be any food or drink distributed as part of the race.

A map of the race course is attached.

All racing should be concluded by 1 p.m.

While this is the first year for the race, it is expected to attract roughly 40 to 50 racers. Participants are expected to primarily be members of the New England Canoe and Kayak Racing Association, and so will generally be experienced boaters.

ACCOMODATIONS FOR COVID:

All registration will be done online in advance of the event. As a result, there will not be any processing of paperwork or payments at the race site.

All participants will be required to wear masks in advance of the race and after the race.

Starts will be done on a staggered basis and all participants will be required to maintain a six-foot distance.

There will not be an awards ceremony or other gathering activity following the event. All results will be posted online.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – STATE OR GOVERNMENTAL
AGENCY OR SUBDIVISION OR POLITICAL
SUBDIVISION – PERMITS OR AUTHORIZATIONS**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

State Or Governmental Agency Or Subdivision Or Political Subdivision:

TOWN OF SIMSBURY THEIR RESPECTIVE ELECTED OFFICIALS, OFFICERS, DIRECTORS,
AGENTS, EMPLOYEES, VOLUNTEERS

EVENT: FARMINGTON RIVER JULY 4TH CANOE AND KAYAK RACE
LOCATION: FARMINTON RIVER, SIMSBURY, CT
DATE: JULY 4TH, 2021

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured any state or governmental agency or subdivision or political subdivision shown in the Schedule, subject to the following provisions:

- 1. This insurance applies only with respect to operations performed by you or on your behalf for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization.

However:

- a. The insurance afforded to such additional insured only applies to the extent permitted by law; and
- b. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

2. This insurance does not apply to:

- a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the federal government, state or municipality; or
- b. "Bodily injury" or "property damage" included within the "products-completed operations hazard".

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

- 1. Required by the contract or agreement; or
 - 2. Available under the applicable Limits of Insurance shown in the Declarations;
- whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/26/2021

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

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

PRODUCER K&K Insurance Group, Inc 1712 Magnavox Way Fort Wayne, IN 46804	CONTACT NAME: MARIA LIQUORI	
	PHONE (A/C, No., Ext): (631)269-9696 FAX (A/C, No.): (631)514-3178 E-MAIL ADDRESS: PADDLESPTS@JACKA-LIQUORI.COM	
INSURED Paddlesport Risk Management, LLC and member/organization named in descriptions as member of Paddlesport Risk Management RPG 121 Pulaski Road Kings Park NY 11754	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: National Casualty Ins Co. A.M Best "A+"	11991
	INSURER B: Nationwide Life Ins Co. A.M Best "A+"	66869
	INSURER C:	
	INSURER E:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR W/O/D	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	6L-KRO000008638700	01/01/2021	01/01/2022	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 LGL LIAB TO PARTICIPANTS \$ 2,000,000
A	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS SCHEDULED AUTOS NON-OWNED AUTOS <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	6L-KRO000008638700	01/01/2021	01/01/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE				EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y/N N/A				WC STATUTORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	EXCESS ACC/MED		BAX-00000315525-00	01/01/2021	01/01/2022	ACC/MED AGG 25,000 DED PER CLAIM 500 ACCIDENTAL DEAL S/L 5,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

TOWN OF SIMSBURY; THEIR DIRECTORS, OFFICERS, AGENTS, COMMISSIONERS, EMPLOYEES AND VOLUNTEERS ADDED AS ADDITIONAL INSUREDS BUT ONLY WITH RESPECTS THE NAME INSURED AND ITS MEMBER CLUB HEREIN PER BLANKET ENDORSEMENT CG 20 12. COVERAGE DOES NOT EXTEND TO THE NEGLIGENCE OF THE CERTIFICATE HOLDER.

EVENT: FARMINGTON RIVER JULY 4TH CANOE AND KAYAK RACE
EVENT LOCATION: FARMINGTON RIVER, SIMSBURY, CT
DATE: 07/04/2021

ORGANIZING MEMBER: THEODORE KENYON
COVERAGE EXTENDS TO SET AND BREAKDOWN PRIOR AND AFTER EVENT

CERTIFICATE HOLDER	CANCELLATION	AI 001006
TOWN OF SIMSBURY 933 HOPMEADOWN STREET SIMSBURY CT 06070-	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.	
	AUTHORIZED REPRESENTATIVE	



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

MEMO

TO: Maria Capriola, Town Manager
From: Robin Newton, Assistant Town Planner
Date: February 14, 2019
RE: Try Simsbury Updated Approval Conditions

Please find attached the updated Try Simsbury Event Public Gathering Approval conditions. The conditions have been revised to reflect a river height of under 7' in order for the event to proceed. Staff will check the NOAA website for river height before the event as indicated in the conditions of approval. If you or the BOS have an additional questions please let me know. Thanks

Telephone (860) 658-3245
Facsimile (860) 658-3206

An Equal Opportunity Employer
www.simsbury-ct.gov

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



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

MEMO

TO: Public Gathering/BOS- Try Simsbury
From: Robin Newton, Assistant Town Planner
Date: February 14, 2019
RE: Approval Conditions

ZONING APPROVAL CONDITIONS

1. Any vendors involved in food preparation/selling shall check with the Farmington Valley Health District as to any permit requirements. Temporary Food Vendor permits **shall** be submitted to the FVHD at least 2 weeks in advance. Failure to submit the vendor applications with a minimum two weeks for review will result in permits not being granted.
2. No roadway markings or custom signage is allowed unless authorized by the Department of Public Works.
3. If the Farmington River height is over 7', the event will need to be cancelled. River height will be checked by Staff on Saturday May 4, 2019 at the NOAA website.

Telephone (860) 658-3245
Facsimile (860) 658-3206

An Equal Opportunity Employer
www.simsbury-ct.gov

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



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Neighborhood Assistance Act Program Proposals;
Schedule Public Hearing
2. **Date of Board Meeting:** May 10, 2021

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

Maria E. Capriola

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports the proposals from the Simsbury Grange and the Simsbury Department of Community and Social Services under the Neighborhood Assistance Act, the following motion is in order:

Move, effective May 10, 2021 to set a public hearing to receive public comment on the proposals submitted by the Simsbury Grange and the Simsbury Department of Community and Social Services pursuant to the 2021 Connecticut Neighborhood Assistance Act for 6:00pm on Monday, June 14, 2021.

5. **Summary of Submission:**

In March 2021, the Town was notified by the State Department of Revenue Services (DRS) that the 2021 Neighborhood Assistance Act (NAA) application is available to tax-exempt organizations. This program provides a tax credit to businesses that make cash investments in qualifying community programs conducted by tax-exempt or municipal agencies. Examples of qualifying community programs include energy conservation projects, neighborhood assistance, job training, education, community services, and crime prevention. Programs must be approved by both the municipality in which the programs are conducted and by DRS.

Notice of this opportunity was posted to the Town website, distributed via News & Announcements and social media, and was sent directly to Town departments, the Housing Authority, and the Performing Arts Center.

The Town Manager's Office has received two NAA program proposals. The Simsbury Grange is seeking funds for an energy efficiency and conservation project, including the replacement of windows, improvement of insulation, and the installation of a heat pump with a programmable thermostat. The Grange participated in this program in 2018, 2019, and 2020; with funds received in those rounds, the Grange was able to repair a broken window and storm door, install ceiling fans, install new lighting, and install a ductless mini-split to eliminate window units.

The Simsbury Department of Community and Social Services is seeking funds for its Food Closet Program, which serves low income individuals and families. Cheese Day, the Department's largest food program, provides fresh meat, dairy, produce, non-perishable foods, household cleaning products and toiletries. Prior to COVID, this program served an average of 80 households per month. During the pandemic, average distribution rose to 140 households per month. If funding permits, the Department would like to provide a \$25 grocery store gift card to all monthly Cheese Day participants so that they may purchase what they need outside of what they receive in donated products.

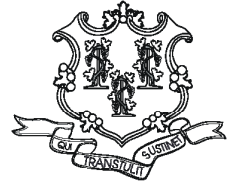
A public hearing is required prior to approval of the applications by the Board of Selectmen. The attached proposals will be re-submitted to the Board of Selectmen at that time for consideration and possible approval subsequent to the hearing. If the Board approves the applications, staff will submit it to DRS in advance of the July 1 deadline. We will receive notification in August as to whether or not the programs were approved. Businesses requesting a tax credit under the program are required to apply for participation between September 15 and October 1.

6. Financial Impact:

None

7. Description of Documents Included with Submission:

- a) 2021 Simsbury Grange NAA Program Application
- b) 2021 Simsbury Department of Community and Social Services NAA Program Application



Municipality: _____

Form NAA-01

2021 Connecticut Neighborhood Assistance Act (NAA) Program Proposal

This form **must** be completed and submitted to your municipality for approval. All items **must** be completed with as much detail as possible. If additional space is needed, attach additional sheets. Please type or print clearly. See attached instructions before completing. **Do not submit this form directly to the Department of Revenue Services.**

Part I — General Information

Name of tax exempt organization/municipal agency: _____

Address: _____

Federal Employer Identification Number: _____

Program title: _____

Name of contact person: _____

Telephone number: _____ — —

Email address: _____

Total NAA funding requested (\$250 minimum, \$150,000 maximum): \$ _____

Is your organization required to file federal Form 990 or 990EZ, Return of Organization Exempt from Income Tax?

Yes No

If **Yes**, attach a copy of the **first page** of your most recent return.

If **No**, attach a copy of your determination letter from the U.S. Treasury Department, Internal Revenue Service.

Part II — Program Information

Check the appropriate description of your program:

100% credit percentage

- Energy conservation; **or**
- Comprehensive college access loan forgiveness (see Conn. Gen. Stat. § 12-635(3)).

60% credit percentage

- Job training/education for unemployed persons aged 50 or over;
- Job training/education for persons with physical disabilities;
- Program serving low-income persons;
- Child care services;
- Establishment of a child day care facility;
- Open space acquisition fund; **or**
- Other (specify): _____

Description of program: _____

Need for program: _____

Neighborhood area to be served: _____

Plan to implement the program: _____

Timetable:

Program start date: _____

Program completion date: _____

The program completion date must not be more than two years from the program start date. A certified post-project review is due to the municipality overseeing implementation no later than three months after program completion date for all projects receiving \$25,000 or more in NAA funding.

Part III — Financial Information

Program Budget:

Complete in full. Expenditures must equal or exceed total funding.

Sources of Revenue:

NAA funds requested _____

Other funding sources - itemized sources:

a) _____

b) _____

c) _____

d) _____

Total Funding: _____

Proposed Program Expenditures:

Direct operating expenses - itemized description:

a) _____

b) _____

c) _____

d) _____

Administrative expenses - itemized description:

a) _____

b) _____

c) _____

d) _____

Total Proposed Expenditures: _____

Part IV — Municipal Information

To be completed by the municipal agency overseeing implementation of the program

Name of municipal agency overseeing implementation of the program: _____ _____
Mailing address: _____ _____
Name of municipal liaison: _____
Telephone number: _____ - _____ - _____
Fax number: _____ - _____ - _____
Email address: _____

<p style="text-align: center;">Post-Project Review</p> <p style="text-align: center;">Is a post-project review required for this proposal?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: center;">If Yes, date post-project review due:</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p>

2021 Connecticut Neighborhood Assistance Act (NAA) Program Proposal Instructions

Complete all items on **Form NAA-01**, *2021 Connecticut Neighborhood Assistance Act (NAA) Program Proposal*. Incomplete applications will **not** be accepted. For where to direct inquiries, see *Contact Information* below.

Part I – General Information

Enter the name of the tax exempt organization or municipal agency, address, Federal Employer Identification Number, and email address.

Program Title: Assign a unique program title to each program for which your organization is making an application.

Federal Form 990: Attach a copy of the first page of your organization's most recent federal Form 990 or Form 990EZ. If your organization is not required to file either Form 990 or Form 990EZ, attach a copy of the determination letter from the Internal Revenue Service.

Part II – Program Information

Description of Program: Describe the program, including information about how the program will operate, its benefit to the community, how recipients will be selected, and any measures used to determine the program's impact on the community.

Need for Program: Demonstrate a need for this program. For example, provide relevant statistics.

Neighborhood Area to Be Served: Describe the neighborhood or municipality this program will serve.

Plan to implement the program: Describe how the program will operate. Identify other persons or organizations involved in the administration of the program.

Timetable: Indicate the starting and completion dates of the program. The program completion date must not be more than two years from the program start date.

Part III – Financial Information

Each program proposal must include a program budget that includes all sources of funding and all anticipated expenditures. The information provided in the budget may be used during a post-project audit.

Sources of Revenue: The budget must include the requested NAA funding and any other anticipated revenue sources.

NAA Funding Requested: Indicate the total amount your organization is requesting for its program.

This amount may not exceed the total proposed expenditures. Please note that the minimum NAA funding is \$250, with a maximum funding of \$150,000 per organization or agency per year.

Other Funding Sources: Provide a detailed description(s) and the amount(s) of all funding sources.

Proposed Program Expenditures: The budget must include a detailed description and the amount of all direct operating and administrative expenditures. **Expenditures must equal or exceed total funding.**

Direct Operating Expenses: Expenses include materials, equipment, wages, salaries, tuition fees, sub-contracting services, and any other expenses needed to administer the program.

Part IV – Municipal Information

This part is to be completed by the municipal agency overseeing implementation of the program.

Municipal Liaison: The municipality must designate an individual to serve as a liaison with DRS for all NAA matters.

Post-Project Review: Any program receiving \$25,000 or more in NAA funding is required to provide a post-project review, prepared by a certified public accounting firm, to the municipality overseeing the program. This review must be submitted to the municipality no later than three months after the program completion date.

Contact Information

Direct inquiries to:

Department of Revenue Services (DRS)
Neighborhood Assistance Act Program
Attn: Research Unit
450 Columbus Blvd Ste 1
Hartford CT 06103-1837

or call **860-297-5687**.

TTY, TDD, and Text Telephone users only may transmit inquiries anytime by calling 860-297-4911. Taxpayers may also call 711 for relay services. A taxpayer must tell the 711 operator the number he or she wishes to call. The relay operator will dial it and then communicate using a TTY with the taxpayer.



Simsbury Grange #197
(Keep this receipt with your official records as it is your proof of filing with the IRS)

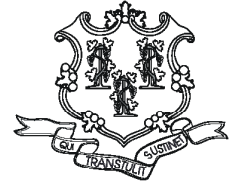
Confirmation

[Home](#) | [Security Profile](#) | [Logout](#)

Your Form 990-N(e-Postcard) has been submitted to the IRS

- **Organization Name:** CONNECTICUT STATE GRANGE PATRONS OF HUSBANDRY
- **EIN:** 060945695
- **Tax Year:** 2019
- **Tax Year Start Date:** 10-01-2019
- **Tax Year End Date:** 09-30-2020
- **Submission ID:** 10065520211204572252
- **Filing Status Date:** 04-30-2021
- **Filing Status:** Accepted

MANAGE FORM 990-N SUBMISSIONS



Municipality: _____

Form NAA-01

2021 Connecticut Neighborhood Assistance Act (NAA) Program Proposal

This form **must** be completed and submitted to your municipality for approval. All items **must** be completed with as much detail as possible. If additional space is needed, attach additional sheets. Please type or print clearly. See attached instructions before completing. **Do not submit this form directly to the Department of Revenue Services.**

Part I — General Information

Name of tax exempt organization/municipal agency: _____

Address: _____

Federal Employer Identification Number: _____

Program title: _____

Name of contact person: _____

Telephone number: _____ — —

Email address: _____

Total NAA funding requested (\$250 minimum, \$150,000 maximum): \$ _____

Is your organization required to file federal Form 990 or 990EZ, Return of Organization Exempt from Income Tax?

Yes No

If **Yes**, attach a copy of the **first page** of your most recent return.

If **No**, attach a copy of your determination letter from the U.S. Treasury Department, Internal Revenue Service.

Part II — Program Information

Check the appropriate description of your program:

100% credit percentage

- Energy conservation; **or**
- Comprehensive college access loan forgiveness (see Conn. Gen. Stat. § 12-635(3)).

60% credit percentage

- Job training/education for unemployed persons aged 50 or over;
- Job training/education for persons with physical disabilities;
- Program serving low-income persons;
- Child care services;
- Establishment of a child day care facility;
- Open space acquisition fund; **or**
- Other (specify): _____

Description of program: _____

Need for program: _____

Neighborhood area to be served: _____

Plan to implement the program: _____

Timetable:

Program start date: _____

Program completion date: _____

The program completion date must not be more than two years from the program start date. A certified post-project review is due to the municipality overseeing implementation no later than three months after program completion date for all projects receiving \$25,000 or more in NAA funding.

Part III — Financial Information

Program Budget:

Complete in full. Expenditures must equal or exceed total funding.

Sources of Revenue:

NAA funds requested _____

Other funding sources - itemized sources:

a) _____

b) _____

c) _____

d) _____

Total Funding: _____

Proposed Program Expenditures:

Direct operating expenses - itemized description:

a) _____

b) _____

c) _____

d) _____

Administrative expenses - itemized description:

a) _____

b) _____

c) _____

d) _____

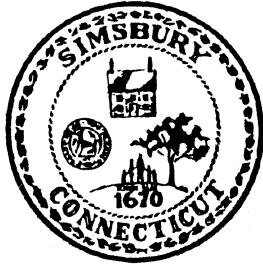
Total Proposed Expenditures: _____

Part IV — Municipal Information

To be completed by the municipal agency overseeing implementation of the program

Name of municipal agency overseeing implementation of the program: _____ _____
Mailing address: _____ _____
Name of municipal liaison: _____
Telephone number: _____ - _____ - _____
Fax number: _____ - _____ - _____
Email address: _____

<p style="text-align: center;">Post-Project Review</p> <p style="text-align: center;">Is a post-project review required for this proposal?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: center;">If Yes, date post-project review due:</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p>



Town of Simsbury

754 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Community & Social Services Department

Program description for the Town of Simsbury, Department of Community and Social Services

The Simsbury Food Closet serves low income individuals and families. Pre-COVID, the Food Closet consisted of three programs; Bread Day, Closet Day, and Cheese Day. Bread Day occurs once per week and we distribute bread and bakery items to anyone in need. Closet Day is once a month where individuals can pick from non-perishable foods in our closet. Both of those programs were suspended during COVID. Cheese Day is our largest program where monthly we provide fresh meat, dairy, produce, non-perishable foods, household cleaning products and toiletries. This program continued during COVID in a drive through fashion and later, curbside. Prior to COVID we served a monthly average of eighty households. During COVID we saw a significant increase in food insecurity, particularly in our families with children. Our average distribution rose to one-hundred and forty households.

We are proposing to be able to provide a \$25 grocery store gift card to all monthly participants. This allows them the opportunity to purchase what they need outside of what they receive in donated products.

2021 Connecticut Neighborhood Assistance Act (NAA) Program Proposal Instructions

Complete all items on **Form NAA-01**, *2021 Connecticut Neighborhood Assistance Act (NAA) Program Proposal*. Incomplete applications will **not** be accepted. For where to direct inquiries, see *Contact Information* below.

Part I – General Information

Enter the name of the tax exempt organization or municipal agency, address, Federal Employer Identification Number, and email address.

Program Title: Assign a unique program title to each program for which your organization is making an application.

Federal Form 990: Attach a copy of the first page of your organization's most recent federal Form 990 or Form 990EZ. If your organization is not required to file either Form 990 or Form 990EZ, attach a copy of the determination letter from the Internal Revenue Service.

Part II – Program Information

Description of Program: Describe the program, including information about how the program will operate, its benefit to the community, how recipients will be selected, and any measures used to determine the program's impact on the community.

Need for Program: Demonstrate a need for this program. For example, provide relevant statistics.

Neighborhood Area to Be Served: Describe the neighborhood or municipality this program will serve.

Plan to implement the program: Describe how the program will operate. Identify other persons or organizations involved in the administration of the program.

Timetable: Indicate the starting and completion dates of the program. The program completion date must not be more than two years from the program start date.

Part III – Financial Information

Each program proposal must include a program budget that includes all sources of funding and all anticipated expenditures. The information provided in the budget may be used during a post-project audit.

Sources of Revenue: The budget must include the requested NAA funding and any other anticipated revenue sources.

NAA Funding Requested: Indicate the total amount your organization is requesting for its program.

This amount may not exceed the total proposed expenditures. Please note that the minimum NAA funding is \$250, with a maximum funding of \$150,000 per organization or agency per year.

Other Funding Sources: Provide a detailed description(s) and the amount(s) of all funding sources.

Proposed Program Expenditures: The budget must include a detailed description and the amount of all direct operating and administrative expenditures. **Expenditures must equal or exceed total funding.**

Direct Operating Expenses: Expenses include materials, equipment, wages, salaries, tuition fees, sub-contracting services, and any other expenses needed to administer the program.

Part IV – Municipal Information

This part is to be completed by the municipal agency overseeing implementation of the program.

Municipal Liaison: The municipality must designate an individual to serve as a liaison with DRS for all NAA matters.

Post-Project Review: Any program receiving \$25,000 or more in NAA funding is required to provide a post-project review, prepared by a certified public accounting firm, to the municipality overseeing the program. This review must be submitted to the municipality no later than three months after the program completion date.

Contact Information

Direct inquiries to:

Department of Revenue Services (DRS)
Neighborhood Assistance Act Program
Attn: Research Unit
450 Columbus Blvd Ste 1
Hartford CT 06103-1837

or call **860-297-5687**.

TTY, TDD, and Text Telephone users only may transmit inquiries anytime by calling 860-297-4911. Taxpayers may also call 711 for relay services. A taxpayer must tell the 711 operator the number he or she wishes to call. The relay operator will dial it and then communicate using a TTY with the taxpayer.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Rescheduling the Public Hearing Regarding Proposed Revisions to the Historic District Commission Ordinance (Chapter 25 of Town Code)
2. **Date of Board Meeting:** May 10, 2021

3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Melissa Appleby, Deputy Town Manager; Michael Glidden CFM CZEO, Director of Planning *Maria E. Capriola*

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports rescheduling a public hearing for proposed updates to Chapter 25 of the Town Code concerning the Historic District Commission, the following motions are in order:

Move, effective May 10, 2021, to cancel the public hearing scheduled for May 24, 2021 at 6:00pm to receive public comment concerning proposed revisions to Chapter 25 of the Town Code concerning the Historic District Commission.

Move, effective May 10, 2021 to set a public hearing to receive public comment concerning proposed revisions to Chapter 25 of the Town Code concerning the Historic District Commission for 6:05pm on Monday, June 14, 2021.

5. **Summary of Submission:**
At the April 26, 2021 Board of Selectmen meeting the Board set a public hearing date of May 24, 2021 for the proposed revisions to the HDC Ordinance. Currently the Executive Order issued by Governor Lamont that allows for virtual meetings is scheduled to expire on May 20th. While the state Legislature is considering legislation to permanently create virtual and hybrid meeting options in the post-COVID era, no new or amended statutes have been adopted to-date. There also has not been any official guidance from the state as of yet for post-May 20th; in absence of new adopted legislation, an executive order, or other temporary measure, we would revert to pre-COVID FOIA requirements for meetings (and hearings) of our public agencies after May 20th.

Because we are uncertain of what may happen to the meeting format after May 20th, we do not have clarity on how to properly notice the public hearing (in-person, remote, hybrid) to meet state regulatory or other requirements. To adhere to our Charter requirements staff needs to send the legal notice to the Hartford Courant no later than Wednesday, May 12th. Staff is recommending moving the public hearing date back to June 14th to allow time for more information to come from the state on how meetings

can be held after May 20th. This is not an urgent matter, but rather a housekeeping project.

6. Financial Impact:

None

7. Description of Documents Included with Submission:

None



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Revisions to Simsbury SPIRIT Council Rules and Procedures
2. **Date of Board Meeting:** May 10, 2021
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Kristen Formanek, Director of Community and Social Services *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports the proposed revisions to the Simsbury SPIRIT Council Rules and Procedures, the following motion is in order:

Move, effective May 10, 2021, to adopt the proposed revisions to the Simsbury SPIRIT Council Rules and Procedures as presented.

5. **Summary of Submission:**
The procedures for the Simsbury SPIRIT Council outlines the purpose of the committee, membership requirements and goals of the group. The purpose of the SPIRIT Council is to help Simsbury become more inclusive, fostering awareness, action, and a community where all voices are welcomed and each and every individual can live, work, learn and play in a safe environment with meaningful and healthy relationships.

The Rules and Procedures were adopted by the Board of Selectmen at your October 14, 2020 meeting. The Rules and Procedure included three standing Sub-Committees of the Council: Events, Outreach, and Data/Audit. At your last meeting the Board approved creating a Housing work group of the SPIRIT Council, with the purpose of the group being to create a proposal on the purpose and goals of a Housing Sub-Committee for the SPIRIT Council.

As a result, staff has created draft language for Section 6 of the SPIRIT Rules and Procedures that the Board of Selectmen may, from time-to-time, create ad hoc work groups of the SPIRIT Council to review a specific task, issue, or other matter such as the Housing work group.

Similar to SPIRIT's sub-committees, Social Services will provide support to the work group such as assisting with posting minutes, agendas, and meeting logistics support. Other than Fair Housing, Social Services staff does not have expertise in this area of work.

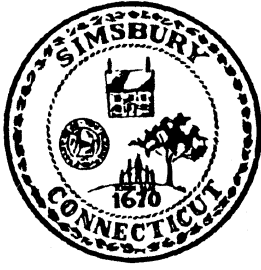
At this time, the Planning Department is not fully staffed and does not have capacity to support the work group. If an Affordable Housing Task Force is developed at a later point in time, I would assign Planning as the lead department to provide staff support. We anticipate Planning being fully staffed and trained by the fall or early winter of 2021.

6. Financial Impact:

None

7. Description of Documents Included with Submission:

a) Draft Revisions to Simsbury SPIRIT Council Rules and Procedures



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

SIMSBURY SPIRIT COUNCIL
STATEMENT OF PURPOSE AND PROCEDURE
Approved by Board of Selectmen on October 14, 2020
Revised May 10, 2021

1. **Purpose**

- A. The Simsbury SPIRIT Council is a special committee tasked with welcoming, celebrating, and taking actions to support diversity and inclusion among current and future community members.
- B. The purpose of the Simsbury SPIRIT Council shall be to represent the Simsbury community at large and serves as diversity champions to help Simsbury become more inclusive, fostering awareness, action, and a community where all voices are welcomed and each and every individual can live, work, learn and play in a safe environment with meaningful and healthy relationships. The Council is comprised of representatives from the community at-large, town departments, and the Simsbury Public Schools.

2. **Effective Date**

This policy shall remain in effect until revised or rescinded. The Town reserves the right to amend this policy as necessary.

3. **Goals**

- A. The goals of the SPIRIT Council are:
 - 1) To identify and resolve diversity and inclusion issues in our community.
 - 2) To foster a welcoming atmosphere for all in Simsbury

4. **Composition/Voting/Meetings**

- A. The size of the Council shall consist of eighteen (18) members. Membership on the Council shall be comprised of representatives from the community at-large. Staff liaisons are ex-officio members with full participation rights, but are non-voting members and do not count towards the appointed composition of Council.
- B. The Director of Community Social Services, or other staff member as assigned by the Director, will be a standing staff liaison. The Town will aspire to have a staff liaison

from each of the following departments as assigned by the department head: Simsbury Police Department and Simsbury Public Library.

- C. The Simsbury Board of Education has created an Equity Council to act in a similar capacity as SPIRIT Council. SPIRIT Council will have a consistent educational liaison as a part of their membership. The liaison will share the ongoing work of the Simsbury Public Schools' Equity Council as well as update the Board of Education with pertinent information relative to the SPIRIT Council.
- D. The initial term for members will expire December 5, 2021. Thereafter, members shall have two (2) year terms coterminous with the Board of Selectmen.
- E. For the initial appointment recommendations, the Council will submit recommendations to the Board of Selectmen. For subsequent terms, beginning December 6, 2021, the Board of Selectmen and its Personnel Sub-Committee will use its usual process and procedure for identifying and appointing candidates. The Board of Selectmen may alternatively choose to seek recommendations from the Council.
- F. One of the 18 membership slots on the Council will be designated for a parent or guardian of child or children participating in the Open Choice program in the Simsbury Public Schools.
- G. One of the 18 membership slots on the Council will be designated for a youth representative who attends the Simsbury Public Schools.
- H. A single Chair and Vice Chair, or Two Co-Chairs and a Vice Chair, (to be determined by the Council) shall be elected by the Council on their first meeting following a new term. Chair/Co-Chair and Vice Chair appointments can be considered as frequently as annually, but not fewer than once every two years coinciding with the beginning of a new term.
- I. Any member of the SPIRIT Council may be removed by the Board of Selectmen, upon the recommendation of the Town Manager, for cause. Such member will be afforded an opportunity for a public meeting with the Board of Selectmen prior to a final decision being made regarding their status for removal. The purpose of the public meeting is to give the member an opportunity to be heard in person before the Board of Selectmen prior to a final decision being made.
- J. Any member who is absent from more than fifty (50) percent of SPIRIT Council meetings during any twelve (12) month period may be removed, and the vacancy shall be filled as outlined in Section 4B. An exception may be granted by and at the discretion of the Town Manager due to a member's illness or other exigent circumstances.
- K. Each of the 18 appointed representatives shall have one vote. As ex-officio members, staff liaisons do not have voting rights.
- L. Meetings shall be held as often as necessary to carry out the purpose and meet established goals, but generally monthly. Attendance shall be recorded in the minutes of the meeting. A quorum shall be determined by the number of appointed members,

with a quorum being one more than half the number of members. A quorum is not needed to run a meeting if no action is being taken. A quorum must be present for formal action to be taken.

- M. Regular meeting schedules shall be established annually and filed in accordance with Connecticut General Statutes, currently no later than January 31st annually.
- N. SPIRIT Council meetings are open to the public, and guests may make comments during the portion of the meeting agenda that permits public audience.
- O. A member of the Council will act as secretary and record all minutes and actions.
- P. The Community and Social Services Department shall be responsible for scheduling and cancelling meetings, distributing minutes and the filing of said minutes, as well as other duties that may be necessary.
- Q. The Council shall follow Roberts Rules of Order and may establish additional rules and/or procedures to govern the conduct of meetings, and review those rules and procedures on an annual basis. All FOIA rules and regulations will be adhered to.
- R. The SPIRIT Council shall provide an update to the Board of Selectmen at least once per year. The update may be oral or written.

5. Expenses

- A. **No Compensation, Reimbursement of Expenses.** Members of the Council shall receive no compensation for their services. However, members shall be reimbursed for necessary expenses incurred in the performance of their official duties, when such funds are available in the Town's approved budget and authorized in advance by the Director of Community and Social Services.
- B. **Commitment of Town Funds.** In the performance of its duties, the Council shall not incur any expense, or obligate the Town to pay any expense, unless funds have been appropriated by the Town specifically for the use of the Council and authorized in advance by the Director of Community and Social Services.

6. Subcommittees and Ad Hoc Work Groups

- A. **Subcommittees.** The SPIRIT Council shall be permitted to have Subcommittees comprised of members of the Council. Subcommittee meetings shall be open to the public similar to meetings of the full Council and shall be formed to help the Council fulfill its goals listed in Section 3.A. All sub-committees will report back to the full Council at its monthly meeting. Sub-Committees shall also file an annual calendar as outlined in Section 4.J. Sub-Committees shall also prepare minutes as outlined in section 4.O. Sub-committees shall also follow Robert's Rules of Order and FOIA rules as outlined in Section 4.Q.

- 1) **Events Subcommittee:** To create opportunities that promote diversity and inclusion allowing for personal growth through exposure to a variety of ideas, experiences and cultures that make meaningful contributions to our community.
 - 2) **Outreach Subcommittee:** Promote awareness of SPIRIT committee and partner with other organizations locally and regionally to drive progress in diversity, equity and inclusion efforts.
 - 3) **Data/Audit Subcommittee:** To gather data and to assess progress towards DEI goals developed by the Simsbury SPIRIT Council.
- B. **Ad Hoc Work Groups.** The Board of Selectmen may, from time-to-time, create ad hoc work groups of the SPIRIT Council to review a specific task, issue, or other matter. Once the assigned work has been completed, the ad hoc work group will be dissolved.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Appointments to Various Boards and Commissions

2. **Date of Board Meeting:** May 10, 2021

3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Ericka L. Butler, Town Clerk
Maria E. Capriola

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports the recommendations from the Democratic Town Committee for the following appointments, the following motions are in order:

Move, effective May 10, 2021, to appoint Scott A. Wilson (D) as a regular member of the Historic District Commission, with a term expiring January 1, 2024.

Move, effective May 10, 2021, to appoint Ram Kaza (D) as a regular member of the Zoning Board of Appeals, with a term expiring December 6, 2021.

Move, effective May 10, 2021, to appoint Amy McLean Salls (D) as a regular member of the Clean Energy Task Force, with a term expiring December 6, 2021.

5. **Summary of Submission:**
The Democratic Town Committee has sent the following proposed appointments to various boards and commissions.

Mr. Wilson's appointment to the Historic District Commission is to fill the vacancy left by the resignation of Ms. Julie Carmelich whose term was set to expire on January 1, 2024. Mr. Wilson resides in the District.

Mr. Kaza's appointment to the Zoning Board of Appeals is to fill the vacancy left by the resignation of Ms. Katie Martin whose term was set to expire on December 6, 2021.

Ms. McLean Salls's appointment to the Clean Energy Task Force is to fill a vacancy left by the resignation of Ms. Cheri Calnan whose term was set to expire on December 6, 2021.

6. **Financial Impact:**
None

7. **Description of Documents Included with Submission:**
None

CALL TO ORDER

The Special Meeting of the Board of Selectmen was called to order at 11:48a.m. Present were: First Selectman Eric Wellman; Deputy First Selectman Sean Askham; board members Jackie Battos, Mike Paine, Wendy Mackstutis and Chris Peterson. Others in attendance included Town Manager Maria E. Capriola, Deputy Town Manager Melissa Appleby, Town Attorney Bob Decrescenzo, and Management Specialist Thomas Fitzgerald.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

SELECTMEN ACTION

a) Set Automatic Referendum Date for Meadowood and Approve Referendum Question for Meadowood

Mr. Wellman read the resolution as follows: Shall the Town of Simsbury appropriate \$2,515,860 for the purchase and improvement of Meadowood (approximately 288 acres of undeveloped land located off Hoskins Road, County Road and Firetown Road); and authorize bonds and notes in the same amount to finance said appropriation?

[Full text of the resolution as read at the April 24, 2021 Special Town Meeting is included on the following pages]

Mr. Askham made a motion to set the date of Tuesday, May 4, 2021 for automatic referendum for Meadowood, pursuant to Section 406 of the Town Charter, from 6:00 a.m. to 8:00 p.m. at the Simsbury Public Library, 725 Hopmeadow Street. Ms. Mackstutis seconded the motion. Mr. Wellman, Mr. Askham, Ms. Mackstutis, Mr. Peterson and Mr. Paine were in favor, Ms. Battos opposed. The motion passed 5 to 1.

b) Proposed Meadowood Explanatory Text

Mr. Wellman gave an overview of the explanatory text and what it is intended for. Attorney DeCrescenzo informed the Board of Selectmen the text was sent to the SEEC and their proposed revisions were included in the text.

Mr. Askham made a motion to approve and authorize issuance of the explanatory text as presented. Staff is authorized to make changes as recommended by the Town Attorney, Bond Counsel and SEEC. Ms. Mackstutis seconded the motion. Mr. Wellman, Mr. Askham, Ms. Mackstutis, Mr. Peterson and Mr. Paine were in favor, Ms. Battos opposed. The motion passed 5 to 1.

ADJOURN

Mr. Askham made a motion to adjourn at 11:52p.m. Mr. Peterson seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Thomas Fitzgerald
Management Specialist

RESOLUTION APPROPRIATING \$2,515,860 FOR the purchase and improvement of Meadowood (approximately 288 acres of undeveloped land located off Hoskins Road, County Road and Firetown Road); AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION
RESOLVED,

(a) That the Town of Simsbury appropriate TWO MILLION FIVE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED SIXTY DOLLARS (\$2,515,860) for the purchase and improvement of Meadowood (approximately 288 acres of undeveloped land located off Hoskins Road, County Road and Firetown Road). The appropriation may be spent for planning and engineering and other consultants’ fees, equipment costs, land acquisition, design and construction costs, site improvements, including, but not limited to, signage, parking improvements and improvements to the barns, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed TWO MILLION FIVE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED SIXTY DOLLARS (\$2,515,860) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed TWO MILLION FIVE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED SIXTY DOLLARS (\$2,515,860). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the Town Manager and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Pullman & Comley, LLC is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to

maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the Town Manager and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(g) That the Board of Selectmen, the Town Manager, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

(h) That, pursuant to Section 809 of the Town Charter, this Resolution be presented to a referendum vote under the following caption:

Shall the Town of Simsbury appropriate \$2,515,860 for the purchase and improvement of Meadowood (approximately 288 acres of undeveloped land located off Hoskins Road, County Road and Firetown Road); and authorize bonds and notes in the same amount to finance said appropriation?

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m. on ZOOM due to COVID-19. Present were: First Selectman Eric Wellman; Deputy First Selectman Sean Askham; Board members Jackie Battos, Wendy Mackstutis, Chris Peterson, and Michael Paine. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Town Engineer Jeff Shea; Director of Culture, Parks and Recreation Tom Tyburski; Finance Director/Treasurer Amy Meriwether; Code Compliance Officer Tom Hazel; Director of Community and Social Services Kristen Formanek and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

- email written comments to ebutler@simsbury-ct.gov by 12:00 P.M. Monday, April 26, 2021, to be read into the records; or
- email ffitzgerald@simsbury-ct.gov by 12:00 P.M. Monday April 26, 2021, to register to address the Board of Selectmen through ZOOM

Mr. Wellman read an email from Shannon Knall to the Zoning and Planning Commission and Board of Selectmen. She is advocating for a revision on zoning regulations to allow 1000 sq. ft. ADU's without the approval of the Zoning Commission and an Equity and Housing Task Force to examine current housing practices and creation of a plan for equitable housing.

Ms. Mackstutis read an email from Joan Coe, who spoke about comments from the meeting on April 7, 2021, pictures not being shown at the meeting, Grange comments, the Meadowood acquisition, public audience at the Police Commission meetings, and other issues.

Robert Pomeroy, Chairman of the Board of Finance, spoke to the Board about the Meadowood acquisition issues between the Board of Finance and Board of Selectmen. He spoke about the three Boards having many challenges during the budget process. He spoke about creating work groups for 2022/2023 capital projects this summer. He feels all the Boards need to work together to make the budget process work.

Kevin Kurian who spoke about affordable housing in Simsbury. He spoke about regulations to allow 1000 sq. ft. ADU's. He would like to see a task force created to come up with a policy on this issue and wants a letter sent to the Zoning Commission.

PRESENTATIONS

a) Aquarion Stratton Brook Facility Upgrade Presentation

Michael Hiltz from Aquarion and Alan Wells from Tighe and Bond spoke about the Aquarion Stratton Brook Project. This project will improve water quality and reliability in Simsbury. There are two projects going on right now. They spoke about the existing and proposed access drive, which would be a big improvement. They are hoping to have the projects completed by August of 2021.

b) SPIRIT Council Presentation

Presenters were Cheryl Cook, Nicole Kodak and Tenesha Grant.

Ms. Kodak update the Board on their events and monthly conversations. She also spoke about housing and COVID-19 issues.

Ms. Cook noted that the Council always outreaches to different groups for activities and events that could be added. She also spoke about ADU issues and the creation of a task force.

Ms. Grant spoke about criminal justice and educating the equity council, food insecurities, the health point crisis, etc.

Discussion ensued regarding a potential task force dedicated to affordable housing. Ms. Capriola said it would be more productive if a proposal was made to the Board with the Council’s specific ideas on what issues the task force would discuss and how it would be handled.

After discussion about creating a task force, Mr. Askham made a motion, effective April 26, 2021, to add a sub-committee to the SPIRIT Council to focus on housing which would be tasked with identifying scope and focusing on housing issues in the community. Mr. Paine seconded the motion. Mr. Wellman, Mr. Peterson, Ms. Battos, Mr. Askham and Mr. Paine voted to approve the motion with Ms. Mackstutis opposing. Therefore, the motion passed.

FIRST SELECTMAN’S REPORT

Mr. Wellman, First Selectman, reviewed his First Selectman’s Report.

TOWN MANAGER’S REPORT

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

SELECTMEN ACTION

a) Donation from St. Matthew Lutheran Church

Ms. Battos made a motion, effective April 26, 2021, to accept a donation from St. Matthew Lutheran Church, in the amount of \$2,000, for the purpose of supporting Simsbury’s Community and Social Services Department and Food Programs with our thanks. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

b) Proposed Revisions to the Juvenile Review Board Procedures

Ms. Capriola said there was a parental notification issue, that was recognized by the Town Attorney, about notifications to a parent or legal guardian. The revision was to add custodial parent to these procedures.

Mr. Paine made a motion, effective April 26, 2021, to approve the proposed changes to the Juvenile Review Board Procedures (Policy). Mr. Askham seconded the motion. All were in favor and the motion passed.

c) FY 2022 Historic Documents Preservation Grant Program

Mr. Wellman said this grant would support digitizing older Town land records. This would require an additional financial distribution from the Town. Ms. Capriola said the balance would come from the Clerk’s special revenue fund.

Ms. Battos made a motion, effective April 26, 2021, to submit the FY 2022 Historic Documents Preservation Grant Program application and to authorize Maria E. Capriola, Town Manager, to designate Ericka L. Butler, Town Clerk, as the agent for making the above application. If the Grant is awarded, to accept the FY 2022 Historic Documents Preservation Grant and to authorize Maria E. Capriola, Town Manager, to execute related documents to the grant award. Mr. Paine seconded the motion. All were in favor and the motion passed.

d) Tax Refund Requests

Mr. Askham made a motion, effective April 26, 2021, to approve the presented tax refunds, in the amount of \$2,379.91, and to authorize Town Manager, Maria E. Capriola to execute the tax refunds. Mr. Paine seconded the motion. All were in favor and the motion passed.

e) Rescission of Temporary Prohibitions of the Acceptance of Cash Payments

Mr. Wellman said it has been about one year since the Town has not been accepting cash due to COVID-19. We know a lot more now about how the virus spreads and the staff is now requesting accepting cash payments again.

Mr. Askham made a motion, effective, May 3, 2021, to rescind the temporary prohibitions of accepting cash payments. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

f) Board of Selectmen Position on Revised Bill 1105: An Act Eliminating the Proposed Tax on Certain Motor Vehicles and Adjusting the Uniform Policy Assessment Rate

Mr. Wellman said revised Bill 1105 would result in approximately an \$8,000,000 hole in Simsbury’s budget due to revenue loss.

After some discussion, Mr. Askham made a motion, effective April 26, 2021, to send the attached letter to the Joint Committee on Finance, Revenue and Bonding Representative John Hampton and Senator Kevin Witkos outlining Simsbury’s opposition to Revised Bill Number 1105; An Act Eliminating the Property Tax on Certain Motor Vehicles and Adjusting the Uniform Policy Assessment Rate. Ms. Battos seconded the motion. All were in favor and the motion passed.

g) License Agreement for Storage Shed Installation at Simsbury Farms by the Simsbury Youth Hockey Association

Mr. Tyburski said this shed would be in an out of the way location near the other sheds and would be paid by the Youth Hockey Association.

Ms. Mackstutis made a motion, effective April 26, 2021, to authorize Town Manager, Maria E. Capriola to execute the proposed license agreement with the Simsbury Youth Hockey Association. Mr. Askham seconded the motion. All were in favor and the motion passed.

h) Golf Cart Lease Agreement

Mr. Tyburski said this agreement is the same as the previous agreement. It is for 5 years and there haven't been any complaints about this golf pro.

Mr. Paine made a motion, effective April 26, 2021, to authorize Town Manager, Maria E. Capriola, to execute the proposed golf cart lease agreement between the Town of Simsbury and John Verrengia. Mr. Askham seconded the motion. All were in favor and the motion passed.

i) Proposed Public Gathering Permit – Simsbury Performing Arts Center – Conard High School Concert

Mr. Askham made a motion, effective April 26, 2021, to approve the Public Gathering Permit application on behalf of the Simsbury Performing Arts Center and to authorize the issuance of the public gathering permit for the Conard High School Concert. Mr. Paine seconded the motion. All were in favor and the motion passed.

j) Proposed Public Gathering Permit – Simsbury Performing Arts Center – Simsbury High School Concert

Mr. Paine made a motion, effective April 26, 2021, to approve the Public Gathering Permit application on behalf of the Simsbury Performing Arts Center and to authorize the issuance of the public gathering permit for the Simsbury High School Concert. Mr. Askham seconded the motion. All were in favor and the motion passed.

k) Proposed Public Gathering Permit – Simsbury Performing Arts Center – Riley's Dance Recital

Mr. Askham made a motion, effective April 26, 2021, to approve the Public Gathering Permit application on behalf of the Simsbury Performing Arts Center and to authorize the issuance of the public gathering permit for Riley's Dance Recital. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

l) Proposed Public Gathering Permit – Roux Cajun Eatery Concert

Mr. Paine made a motion, effective April 26, 2021, to approve the Public Gathering Permit application on behalf of the Simsbury Performing Arts Center and to authorize the issuance of the public gathering permit for the Roux Cajun Eatery Concert. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

m) Proposed Public Gathering Permit – Farmington Valley Dance and Music Recital

Ms. Battos made a motion, effective April 26, 2021, to approve the Public Gathering Permit application on behalf of the Simsbury Performing Arts Center and to authorize the issuance of the public gathering permit for the Farmington Valley Dance and Music Recital. Mr. Paine seconded the motion. All were in favor and the motion passed.

n) Memorial Day Ceremony and Celebration

Mr. Askham made a motion, effective April 26, 2021, to approve the Public Gathering Permit application on behalf of the Simsbury Performing Arts Center and to authorize the issuance of the public gathering permit for the Memorial Day Ceremony and Celebration. Mr. Paine seconded the motion. All were in favor and the motion passed.

o) Proposed Public Gathering Permit – Old Drake Hill Flower Bridge – Simsbury 350th Park Dedication

Mr. Paine made a motion, effective April 26, 2021, to approve the Public Gathering Permit application on behalf of Simsbury Parks and Recreation and to authorize the issuance of the public gathering permit for the Simsbury 350th Hopbrook Landing Park Dedication. Ms. Battos seconded the motion. All were in favor and the motion passed.

p) Proposed Public Gathering Permit – Old Drake Hill Flower Bridge – Shapiro Wedding

Ms. Mackstutis made a motion, effective April 26, 2021, to approve the Public Gathering Permit application on behalf of Simsbury Parks and Recreation and to authorize the public gathering permit for the Shapiro Wedding. Mr. Paine seconded the motion. All were in favor and the motion passed.

q) Proposed Public Gathering Permit – Old Drake Hill Flower Bridge – LoPresti Wedding

Mr. Askham made a motion, effective April 26, 2021, to approve the Public Gathering Permit application on behalf of Simsbury Parks and Recreation and to authorize the issuance of the public gathering permit for the LoPresti Wedding. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

r) Proposed Revisions to Chapter 25 of the Town Code Concerning the Historic District Commission; Schedule Public Hearing

Mr. Paine said there has been a challenge to find people to serve on the Historic District Commission and to get a quorum for meetings.

Ms. Mackstutis made a motion, effective April 26, 2021, to set a Public Hearing to receive public comment concerning proposed revisions to Chapter 25 of the Town Code concerning the Historic District Commission for 6:00 p.m. on Monday, May 24, 2021. Mr. Paine seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of April 7, 2021

There were no changes to the Regular Meeting Minutes of April 7, 2021, and, therefore, the minutes were adopted.

b) Special Meeting of April 14, 2021

There were no changes to the Regular Meeting Minutes of April 21, 2021, and, therefore, the minutes were adopted.

SELECTMEN LIASION AND SUB-COMMITTEE REPORTS

- a) **Personnel** – no report at this time.
- b) **Finance** – no report at this time.
- c) **Welfare** – no report at this time.
- d) **Public Safety** – no report at this time.
- e) **Board of Education** – Ms. Mackstutis said there will be a Board of Education meeting tomorrow night at Tootin’ Hills.

COMMUNICATIONS

- a) **Memo from T. Roy, RE: Paving work 2021, dated April 6, 2021**
- b) **Memo from M. Capriola, RE: Administrative Approvals for Public Gathering Permits, dated April 21, 2021**

ADJOURN

Mr. Askham made a motion to adjourn at 8:02 p.m. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk

Lower Farmington and Salmon Brook Wild and Scenic Committee Update For the Wild and Scenic Partner Towns

Who Are We? Just a Reminder!

The Lower Farmington River and Salmon Brook Wild and Scenic Committee (LFSWS) is the advisory river management committee that resulted from the waterways' federal designation as Partnership Wild and Scenic Rivers. LFSWS is made up of a town-appointed representative and alternate from each partner town (Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartland, Simsbury and Windsor), representatives from the Farmington River Watershed Association, the Pequabuck River Watershed Association and the Salmon Brook Watershed Association, Stanley Black and Decker, the Connecticut Department of Energy and Environmental Protection and the National Park Service.

Before We Received Federal Funding (September, 2019 – September, 2020)

Once the waterways were designated in March, 2019, we needed to build the committee. The towns helped by appointing their representatives and alternates. By September, 2019 we were ready to start meeting.

- We developed our bylaws and elected officers.
- We established two subcommittees, the Resource Protection Subcommittee and the Education and Outreach Subcommittee.
- We developed a workplan and a budget for carrying out conservation and education and outreach initiatives.
- We enjoyed some river-related education programs on Zoom, about the CT DEEP's fisheries program, Connecticut's turtles and the problems of invasive plants and the benefits of the native ones.

And Then We Were Funded (October, 2020 – present)

Receiving our first funding was exciting, and we were ready to put it to work. Some of what we spent needed to be used for internal purposes, such as funding a person to provide professional support for our work. Most of it will benefit the waterways more directly. How have we used it so far?

- We contracted with the Farmington River Watershed Association for water quality monitoring work.
- We contracted for a survey of our fresh water mussels. (The Farmington River is the only river that has all twelve southern New England mussel species, or did in the past. Our hope is that we will find that it still does. See the related article in the Partnership Wild and Scenic Rivers (PWSR) News from the National Park Service. There is a link in bold, below.
- We contracted for a survey of amphibians and reptiles in our area. See the related article in the Partnership Wild and Scenic Rivers PWSR News from the National Park Service.

- We engaged a graphic designer to create a logo for the waterways.
- We are using a website designer to update our website and to link it to our Facebook page.
- Our small grants program is up and running. So far we have awarded three small grants: to the Town of Avon for clearing overgrowth from a trail at Fisher Farm along the Farmington River; to the Town of Bloomfield for hiring a geosystems firm to create maps for the Farmington River Parks; and to East Granby Land Trust for a summer camp program at Granbrook Park, where kids will learn about the stream and the life it supports.
- We wanted to share our efforts with you. Our grant funding is small this year, but we are happily anticipating an increase in FY22 funding, which will be available to us at the start of October, 2021. We hope to have a chance to work with you, and we hope you will take the time to look at the Partnership Wild and Scenic Rivers News, March, 2021, which features the Lower Farmington River and Salmon Brook. Here is the link:
<https://www.nps.gov/articles/000/partnership-wild-and-scenic-rivers-news-march-2021.htm>

With my best wishes, and in appreciation for your support,

Sally Rieger

Chairman
Lower Farmington River and Salmon Brook
Wild and Scenic Committee