

# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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## **SIMSBURY BOARD OF SELECTMEN Regular Meeting – May 9, 2022 – 6:00 p.m.**

### **PLEDGE OF ALLEGIANCE**

### **PUBLIC HEARING**

- a) Proposed Amendments to the Solid Waste Ordinance (Chapter 133)

### **PUBLIC AUDIENCE**

- Participants can address the Board of Selectmen in person at the meeting-
- Email [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov) by noon on Monday, May 9, 2022 to register to address the Board of Selectmen live through Zoom
- Written comments can be emailed to [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov). Written comments will not be read into the record, but forwarded to all Selectmen via email

### **PRESENTATIONS**

- a) Proclamation for Bike Awareness Month
- b) Cell Phone Project Update

### **FIRST SELECTMAN'S REPORT**

### **TOWN MANAGER'S REPORT**

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

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

### **SELECTMEN ACTION**

- a) Ensign Bickford Aerospace and Defense (EBAD) Business Development Assistance Application (Permitting Fee Waiver Request)
- b) Proposed Amendments to the Solid Waste Ordinance (Chapter 133)
- c) Tax Refund Requests
- d) Latimer Lane Project Update
- e) Neighborhood Assistance Act Program Proposals; Schedule Public Hearing

### **APPOINTMENTS AND RESIGNATIONS**

- a) Proposed Appointments to Various Commissions
- b) Resignation of Khamla Vorasane from Design Review Board
- c) Resignation of Nkosi Lee from the Simsbury Diversity, Equity and Inclusion Council

**REVIEW OF MINUTES**

a) April 25, 2022 Regular Meeting

**ADJOURN**



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Public Hearing – Proposed Amendments to the Solid Waste Ordinance (Chapter 133)
2. **Date of Board Meeting:** May 9, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Thomas Roy, Director of Public Works/Town Engineer *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
No action is needed during the public hearing. Consideration of the proposed amendments is on the agenda under Selectmen action.
5. **Summary of Submission:**  
At your April 25, 2022 meeting, the Board of Selectmen scheduled a public hearing to receive public comment on Proposed Amendments to the Solid Waste Ordinance (Chapter 133) at 6:00pm on Monday, May 9, 2022. This ordinance needs to be amended due to the Board of Selectmen authorizing the Town Manager to exercise the Town's opt-out provision of our agreement with MIRA. The proposed changes to Chapter 133 would remove any mention of the MIRA facility or having to dispose Simsbury waste specifically at the MIRA facility.  
  
The public hearing notice is attached.
6. **Financial Impact:**  
Simsbury, as a subscription trash service community, has a level of protection from the impact of the future increase in tip fees, when compared with other communities. By moving away from MIRA, the belief is that our haulers can negotiate better terms than the \$116/ton currently being offered by MIRA.  
  
Other increases in trash collection fees are still probable this year due to increases in fuel costs and inflation.
7. **Description of Documents Included with Submission:**
  - a) Public Hearing Notice
  - b) Proposed Revisions to Chapter 133 of the Town Code

**TOWN OF SIMSBURY  
PUBLIC HEARING NOTICE**

**Public Hearing Date: Monday, May 9, 2022 at 6:00 p.m.  
Amendments to the Solid Waste Ordinance (Simsbury Code of Ordinances, Chapter 133)**

Notice is hereby given pursuant to Section 404 of the Charter of the Town of Simsbury that the Board of Selectmen will hold a public hearing on Monday, May 9, 2022 at 6:00 p.m. in the Main Meeting Room of Town Hall, 933 Hopmeadow Street, Simsbury, CT 06070 to receive public comment concerning proposed amendments to the Solid Waste Ordinance (Simsbury Code of Ordinances, Chapter 133). Copies of the proposed ordinance can be found on the Town of Simsbury's website, [www.simsbury-ct.gov](http://www.simsbury-ct.gov) on the Board of Selectmen's page. Hard copies are available at the Town Clerk's Office, 933 Hopmeadow Street, Simsbury, CT. Members of the public may address the Board of Selectmen live in-person, or they may email [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov) by 12:00pm on May 9, 2022 to register to address the Board of Selectmen live through Zoom. Alternatively, members of the public may email statements to [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov) by 12:00 p.m. on May 9, 2022 to have their comments read into the record at the hearing.

ARTICLE I  
Storage, Collection and Disposal of Solid Waste

**§ 133-1. Declaration of policy. [Amended 9-11-2017]**

The accumulation, collection, removal and disposal of refuse shall be controlled by this municipality for the protection of the public health, safety and welfare. It is consequently found and declared that:

- A. This municipality is authorized by law to regulate the disposition of refuse generated within its boundaries and to collect a charge therefor and to license refuse collectors.
- B. This municipality is also authorized by Connecticut General Statutes Section 22a-220a to designate the area where refuse generated within its boundaries shall be disposed of.
- ~~C. This municipality has executed the municipal service agreement requiring it to cause all acceptable solid waste generated within its boundaries to be delivered to the Materials Innovation and Recycling Authority (MIRA).~~
- ~~D. The public health, safety and welfare of this municipality will be best served by requiring the delivery of acceptable solid waste to MIRA for processing into products which have an economic value.~~
- E. The enactment of this article is in furtherance of this municipality's approved regional Solid Waste Management Plan.

**§ 133-2. Definitions. [Amended 9-11-2017]**

The following terms shall have the following meanings:

**ACCEPTABLE SOLID WASTE** — Unwanted or discarded materials of the kind normally collected or disposed of, or caused to be collected or disposed of, by or on behalf of a municipality through private or municipal collection, and commercial, governmental and light industrial waste of which a municipality is required by state law to make provision for the safe and sanitary disposal, but not including in any case items designated for recycling, special handling waste or oversized bulky waste.

**COLLECTOR** — Any person who holds himself out for hire to collect refuse from residential, business, commercial or other establishments.

**DIRECTOR** — The Director of Public Works of the Town of Simsbury.

**DISPOSAL CHARGE** — That amount of money to be charged for solid waste or refuse disposal in accordance with this article.

**HAZARDOUS WASTE** — Pathological, biological, cesspool or other human wastes, human and animal remains, radioactive, toxic and other hazardous wastes which, according to federal, state or local rules or regulations from time to time in effect, require special handling in their collection, treatment or disposal, including those regulated under 42 U.S.C. §§ 6921 through 6925 and regulations thereunder adopted by the

United States Environmental Protection Agency pursuant to the Resource Conservation and Recovery Act of 1976, 90 Stat. 2806, 42 U.S.C. § 6901, such as cleaning fluids, crankcase oils, cutting oils, paints, acids, caustics, poisons, drugs, fine powdery earth used to filter cleaning fluid and refuse of similar nature.

~~MATERIALS INNOVATION AND RECYCLING AUTHORITY (MIRA) — A body politic and corporation constituting a public instrumentality and political subdivision of the State of Connecticut established under the Connecticut Solid Waste Management Services Act, Chapter 466e of the Connecticut General Statutes.~~

~~MID-CONNECTICUT PROJECT — The solid waste disposal and energy recovery and steam and electric facility ("facility"), available to this municipality pursuant to a municipal solid waste management services contract with MIRA, located at 300 Maxim Road, Hartford, Connecticut; the transfer stations approved for transfer of solid waste to the Mid-Connecticut Project; and the MIRA landfills provided for or designated by MIRA.~~

~~MUNICIPAL SERVICE AGREEMENT — The municipal solid waste management services agreement between MIRA and this municipality dated as of June 12, 2017.~~

OVERSIZED BULKY WASTE or OBW — White goods (major household appliances) and other unwanted or discarded materials which:

- A. Are the kinds not normally collected or disposed of, or caused to be collected or disposed of, by or on behalf of a municipality through private or municipal collection;
- B. ~~In the judgment of MIRA, reasonably exercised, cannot be processed in the facility because of size or noncombustibility;~~
- C. Would not constitute special handling waste under these definitions;
- D. May be disposed of in a bulky waste landfill holding a permit issued by the Connecticut Department of Environmental Protection under Section 19-524-8 of its regulations or any successor provision; and
- E. Are not too large to be deposited and stored at the Simsbury Bulky Waste and Recycling Center or transported to a landfill.

SOLID WASTE ORDINANCE — This Solid Waste Ordinance, as it may be amended from time to time, which consists of Chapter 133 of the Code, entitled "Solid Waste."

SPECIAL HANDLING WASTE —

- A. Hazardous waste.
- B. Dirt, concrete and other nonburnable construction material and demolition debris.
- C. Large items of machinery and equipment, such as motor vehicles and major components thereof (e.g., transmission, rear ends, springs, fenders), agricultural equipment, trailers and marine vessels and other items of waste exceeding six feet in any one of its dimensions or being in whole or part of a solid mass, the solid mass portion of which has dimensions such that a sphere with a diameter of eight

inches could be contained within such solid mass portion, including, in the context of deliveries to the facility, OBW.

- D. Explosives, ordinance materials, oil, sludges, flammable substances, hazardous chemicals, tires and other materials the acceptance of which, ~~in the judgment of the MIRA, reasonably exercised~~, is likely to cause damage to or adversely affect the operation of ~~the a~~ facility or, in the judgment of the Director of Public Works of this municipality, reasonably exercised, is likely to cause damage to or adversely affect the operation of ~~the a~~ facility, constitute a threat to health or safety or violate or cause the violation of any applicable federal, state or local law, regulation or judicial or administrative decision or order.

~~§ 133-3. Designation of disposal area. [Amended 9-11-2017]~~

~~Pursuant to Connecticut General Statutes Section 22a-220a, the Board of Selectmen hereby designates the MIRA as the area where acceptable solid waste generated within the boundaries of Simsbury by residential, business, commercial or other establishments shall ultimately be disposed of. On and after the effective date of this chapter, each collector collecting any acceptable solid waste generated within the boundaries of this municipality shall deliver all such waste to the Mid-Connecticut Project located at 300 Maxim Road, Hartford, Connecticut.~~

**§ 133-4. Disposal charges.**

Any person delivering solid waste or refuse shall pay any disposal charge called for by this chapter ~~or by the municipal service agreement~~.

**§ 133-5. Containers.**

The owner of each premises in this municipality where acceptable solid waste or any other refuse is created or generated shall provide, at a suitable place upon such premises, sufficient containers for receiving and holding such acceptable solid waste during the intervals between collections. Such containers shall be maintained in good condition free of holes and fissures and shall be equipped with covers.

**§ 133-6. Licensing and registration requirements. [Amended 9-11-2017]**

No person other than those licensed by this municipality to perform such work and in accordance with the provisions of these regulations shall operate as a collector within this municipality. No refuse generated or collected from outside this municipality shall be disposed of under a license or registration issued pursuant to this article.

- A. Licensing and registration authority designated. The Director shall be the licensing and registration authority for collectors and vehicles and the containers used by them. The Director shall grant a license within a reasonable time following the filing of a proper application and payment of the prescribed unless he finds one or more of the following conditions to prevail:

- (1) The applicant has been irresponsible in the conduct of refuse collection and

hauling operations as evidenced by previous suspensions and/or revocations of licenses issued by this municipality or any other licensing authority in the State of Connecticut within three years prior to the application.

- (2) The applicant is in default in its obligations as a collector or has otherwise violated the provisions of this article.
  - (3) The applicant lacks suitable equipment available for registration hereunder with which to collect and transport acceptable solid waste in a safe and nuisance-free manner and in compliance with this article.
- B. License required. Each collector shall annually on or before July 1 apply for a license from the Director on such form as the Director shall prescribe to engage in the business of collection and transportation of acceptable solid waste and recyclables in this municipality.
  - C. Registration term, fee and renewal. All registrations shall be issued for a term not to exceed one year and shall be renewable on or before the first day of July of each year.
  - D. Each licensed collector who offers a solid waste collection service to residential properties within the Town of Simsbury must also offer an acceptable concurrent curbside recycling service to all residential customers.

#### **§ 133-7. Revocation or suspension of license or registration.**

- A. A license to engage in the business of a collector in this municipality ~~and to use the facility provided by this municipality in connection therewith~~ is a privilege, not a right. Failure to comply with the provisions of this chapter shall be grounds for revocation or suspension of any license or registration issued under the provisions of this chapter in addition to any other penalty imposable by law.
- B. Notice required. A revocation or suspension shall become effective five calendar days after issuance of a written notice by the Director.
- C. Request for review; filing; effect of failure to file. If a collector objects to the Director's action described in Subsection B above to revoke or suspend such collector's license or registration, he may, within the five calendar days of issuance of said notice, file a written request for review with the Town Manager at which review the collector may present evidence to attempt to demonstrate that he has not violated this article or that the penalty for the violation should be mitigated for good cause. Failure to file such timely request for review shall make the Director's action final and binding upon such collector. **[Amended 7-12-2021]**
- ~~D. Refusal of permission to use the facility. Notwithstanding anything to the contrary herein, the Director shall have the emergency power to refuse permission to a collector to use the facility when, in the Director's reasonable opinion, such collector has violated this chapter or any other applicable rule or regulation in such a manner as to cause an unreasonable risk to the health, safety and welfare of the citizens of this municipality and/or those personnel working at the facility, which~~



~~decision shall be reviewable in the manner described in Subsection C hereof, provided that the collector will be given the opportunity for review by the First Selectman within two business days of the Director's action upon a written request for such review by the collector.~~

**§ 133-8. Administration; insurance requirements. [Amended 9-11-2017]**

- A. The Director shall administer the licensing of any collector engaged in the collecting and transporting of refuse and recyclables in this municipality.

**§ 133-9. Refuse collector's responsibilities and obligations. [Amended 9-11-2017]**

- A. Place of delivery. Each collector shall deliver all acceptable solid waste collected within the territorial limits of this municipality to ~~the MIRA facility~~ **an appropriate licensed facility** and pay the disposal charge to the facility. In no case shall a collector deliver any hazardous waste, oversized bulky waste or special handling waste to the facility.
- B. Failure to pay. A failure to pay charges of the ~~MIRA~~ **appropriate licensed facility** shall be grounds for revocation or suspension of a license and registration.
- C. Prohibition on delivery. No licensee shall deliver any acceptable solid waste generated within this municipality to any place other than ~~the~~ **an appropriate licensed facility**, unless the facility is incapable of accepting acceptable solid waste at the time of delivery, in which event such acceptable solid waste shall be delivered to the place designated by ~~MIRA~~ **or** the Director. No collector may, under the license issued hereunder, deliver to the facility any refuse, including, without limitation, acceptable solid waste generated and/or collected outside the territorial limits of this municipality.
- D. Construction and maintenance of vehicles and containers. All vehicles used to collect and transport refuse shall be of a construction which will prevent liquid leaking out of the unit and shall be maintained free of obnoxious odors and accumulated refuse. All vehicles or container systems shall be equipped to meet ~~MIRA~~ requirements.
- E. Time of operation. Collectors may deposit acceptable solid waste at the facility only at times and on days as designated in ~~MIRA's~~ regulations.
- F. Spilled refuse. Collectors shall clean up immediately any refuse that may have been spilled when carrying or transferring refuse or when disposing of such refuse at the facility.

**§ 133-10. Only acceptable solid waste to be delivered to facility.**

No person shall deliver any refuse other than acceptable solid waste to ~~the~~ **an appropriate licensed facility**.

**§ 133-11. Penalties for offenses.**

- A. Pursuant to Connecticut General Statutes Section 22a-220a(f), any collector who dumps more than one cubic foot in volume of refuse at one time in an area not designated for such disposal by this article shall, for a first violation, be liable for a civil penalty of \$1,000 for each violation and \$5,000 for a subsequent violation.
- B. Any collector who otherwise violates this article, and any other person or entity who violates this article, shall be liable for a civil penalty of \$100 for each violation.
- C. The imposition of the monetary penalties set forth herein shall not preclude the Town from seeking any other remedy, including but not limited to money damages and injunctive relief, as may be allowed by law.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proclamation for Bike Awareness Month
2. **Date of Board Meeting:** May 9, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
Should the Board support the proposed proclamation, the following motion is in order:  
  
*Move, effective May 9, 2022, to adopt the proclamation for Bike Awareness Month as presented.*
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.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**
  - a) Bike Month in Simsbury Proclamation
  - b) Bike Month Activities

**PROCLAMATION**

**May 2022 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; and,

**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

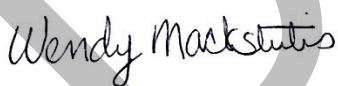
**WHEREAS**, the League of American Bicyclists and Connecticut cyclists view cycling as safety policy and Bike Month promotes public awareness of bicycle operation to improve reduce crashes, injuries and fatalities; and

**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 2022 as **BIKE MONTH** in beautiful and Silver Level Bicycle Friendly Simsbury, Connecticut

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

Dated the 9<sup>th</sup> day of May 2022.



Wendy Mackstutis  
First Selectman



Amber Abbuhl  
Deputy First Selectman



Heather Goetz  
Selectman



Chris Peterson  
Selectman



Eric Wellman  
Selectman



Sean Askham  
Selectman

May 2022

Simsbury, CT

# Bike Month



National Bike Month celebrates all the reasons people ride — for fun, fitness, transportation, & health. It's a great time to Bike-To-It!



Make the **Bike-To-It!** Bike Month Pledge May 1 – June 4

[www.Simsbury.Bike](http://www.Simsbury.Bike)

Pledge to ride your bike for transportation. Log a ride to the store, work, library, etc. for a chance to win prizes. It's simple and fun. Join us!




## Calendar

### Rides

5/19 Selectmen Community Ride, Town Hall, 5pm

### Simsbury Public Library

5/12 Fix-A-Flat Workshop, 6:30 pm

5/21 Pedaling Books and Bikes, 9:30-noon

Bike-themed materials all month.

### Simsbury Culture, Parks and Rec.

5/19 Mountain Biking Fundamentals for Kids, 5 pm at Town Forest Park (June & July sessions, too!)

5/21 Mtn Biking Fundamentals Adults/Teens, 3 pm

### Bike/Walk to School Days

5/8 Tootin' 5/20 Latimer 6/3 Squadron

5/19 Squadron Line Bike Club

### National Events

5/1 National Bike A Bike Day

5/4 National Bike & Roll to School

5/18 National Ride of Silence

5/20 National Bike to Work Day

### Farmington Valley Youth Cycling

5/7 CCAP Breakaway Benefit Cycling Fest.

## LOCAL CLUBS

Casual Bikers Meetup

Eastern Bloc

Farmington Bike Up

Farm. Valley Youth Cycling

Simsbury.Bike Strava Club

Valley Cycling

## LOCAL CHALLENGES



BIKE CHALLENGE

May—September

## LEARN MORE



[www.Simsbury.Bike](http://www.Simsbury.Bike)



Simsbury.Bike Bike & walk advocacy

Bicycle Pedestrian Advisory Committee



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Cell Phone Project Update
2. **Date of Board Meeting:** May 9, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Sarah Nielsen, Executive Director, Simsbury Main Street Partnership *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
This presentation is informational. No action required.
5. **Summary of Submission:**  
Ms. Nielsen is presenting an update on the cell phone infrastructure improvement project initiated last year with members of the Public Safety Subcommittee. The project included a report on present conditions and a survey of residents. It also includes working with cell phone companies to identify and repair outdated or improperly working equipment and identifying other issues that impede coverage. This issue is critical to the interest of public safety, economic development and convenience to Simsbury residents.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**
  - a) PowerPoint Slides



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Ensign Bickford Aerospace and Defense (EBAD)  
Business Development Assistance Application  
(Permitting Fee Waiver Request)

2. **Date of Board Meeting:** May 9, 2022

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

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports the recommendation of the Business Development Incentive Committee for the Ensign Bickford Aerospace and Defense (EBAD) Business Development Assistance Application (permitting fee waiver request), the following motion is in order:

*Move effective, May 9, 2022 to approve a 50% fee waiver request on local permit fees for Ensign Bickford Aerospace and Defense as presented in an amount of \$7,924.*

5. **Summary of Submission:**  
We are in receipt of the attached permitting fee waiver request from EBAD. They are seeking a 50% fee waiver (valued at \$7,924) for permits issued in November and December of 2020 associated with Phase II work. In 2019 EBAD was approved for a 50% permitting fee waiver but that was for their Phase I expansion work and did not extend to Phase II. The Phase I 50% fee waiver was for an amount of \$15,036.

The Business Development Incentive Committee met on April 25<sup>th</sup> to discuss EBAD's request for a permitting fee waiver for Phase II work. At that meeting the Business Development Incentive Committee voted unanimously to endorse the 50% fee waiver request. The Town is only able to waive local fees upon approval by the Board of Selectmen.

6. **Financial Impact:**  
The total permitting fees, inclusive of state fees was \$16,142.32, with local fees coming to \$15,848. The value of a 50% fee waiver on local permits is \$7,924.

7. **Description of Documents Included with Submission:**  
a) April 25, 2022 Memo from M. Capriola re: Permitting Fee Waiver Request - EBAD  
b) EBAD Business Development Assistance Application  
c) Listing of Applicable Permits, November and December 2020  
d) Fee Waiver and Tax Abatement Program Guidelines, adopted February 8, 2021



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

## MEMORANDUM

**To:** Business Development Incentive Committee  
**From:** Maria Capriola, Town Manager  
**Cc:** George McGregor, Planning and Community Development Director; Amy Meriwether, Finance Director; Francine Beland, Assessor; Henry Miga, Building Official  
**Date:** April 25, 2022  
**Subject:** Permitting Fee Waiver Request - EBAD

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We are in receipt of the attached permitting fee waiver request from EBAD. They are seeking a 50% fee waiver for permits issued in November and December of 2020 associated with Phase II work. The total permitting fees, inclusive of state fees was \$16,142.32, with local fees coming to \$15,848. The value of a 50% fee waiver on local permits is \$7,924. We are only permitted to waive local fees, upon approval by the Board of Selectmen.

Attached please find the application and supporting documentation. Staff in the Town Manager's Office, Finance Office, and Planning Department have completed their review of the application. The Assessor's Office is finalizing their review and commentary.

In 2019, EBAD was approved for a 50% permitting fee waiver, but it was only for Phase I expansion work and did not extend to Phase II work. The value of the Phase I local permit fee waiver was \$15,036 for local permitting fees due to the town of \$30,071.78. At that time, it was noted that requests related to Phase II work would require a separate application.

The role of the Business Development Incentive Committee is to review the request, and make recommendation(s) to the Board of Selectmen. Attached for your reference is the relevant policy.





# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

## Appendix A:

### Town of Simsbury Business Development Assistance Application

Application should be completed in full, including original signatures, before submitting to the Planning & Community Development at the Simsbury Town Offices, Planning Department, 933 Hopmeadow Street, Simsbury, Connecticut 06070.

Applicant Name: ENSIGN-BICKFORD AEROSPACE & DEFENSE INC.

Name of Authorized Agent:  
CHAD THOMPSON

Business's Officers: \_\_\_\_\_  
\_\_\_\_\_

Name of Business: ENSIGN-BICKFORD AEROSPACE & DEFENSE INC

Property Address: 640 HOPMEADOW ST

Property is located within Simsbury Center Zone:  Yes  No

Assistance Requested:

Tax Abatement  Reduction of Fees  
\$ \_\_\_\_\_ \$ \$7,924

Number of years: 2

Other Requested Public Incentives (state, federal, other NONE  
municipal): \_\_\_\_\_

Description of Business, Including Products & Services: AEROSPACE PRODUCTS AND MILITARY  
DEFENSE PRODUCTS INCLUDING ELECTRONICS COMPONENTS

Signature of Applicant: Chad J. Thompson Date: 4/7/2022

Signature of Agent: \_\_\_\_\_ Date: \_\_\_\_\_

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

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

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

Project Details:

Acquisition	\$ _____	_____ acres	10,900	sq ft existing buildings
New Construction	\$ _____	_____	_____	sq ft of proposed building
Rehabilitation	\$ 1,130,955	_____	_____	sq ft of existing building
Equipment	\$ _____			
Personal Property	\$ 1,100,000			
Total Value	\$ 2,233,955			

Estimate of Duration of Construction Activities: 24 MONTHS

Has the project received approval from the Zoning Commission:  Yes  No

If applicable, date of approval:           /          /          

Employment Details:	Present #	Future #	Temp. Construction Jobs #
Full Time Employees	<u>58</u>	<u>0</u>	<u>46</u>
Part Time Employees	<u>          </u>	<u>          </u>	<u>          </u>

Proposed Project Type (Select all that apply):

- |   |   |
|---|---|
| <input type="checkbox"/> Corporate Headquarters and Satellite Offices       | <input checked="" type="checkbox"/> Existing Simsbury Business Expansion  |
| <input checked="" type="checkbox"/> Research and High Technology Facilities | <input type="checkbox"/> Wholesale/Warehouse  |
| <input type="checkbox"/> Manufacturing Facilities                           | <input type="checkbox"/> Affordable Housing Unit  |
| <input type="checkbox"/> Historical Preservation                            | <input type="checkbox"/> New or Existing Recreational Business  |
| <input type="checkbox"/> Appropriate Entrepreneurial Business               | <input type="checkbox"/> Green/Sustainable Improvements   |
| <input type="checkbox"/> Mixed Used Business                                | <input type="checkbox"/> Re-Development of Properties in Certain Neighborhoods (Tariffville, Downtown, North Village) |

Statement of Benefits to Town: INCREASE IN PROPERTY TAXES, INCREASE IN PERSONAL PROPERTY TAXES & ADDITIONAL EMPLOYMENT IN THE DOWNTOWN AREA

Estimate of local taxes to be paid per year for as long as the requested incentive lasts:

*Internal Use Only*

<input type="checkbox"/> Planning Director	<u>Georgek Melhagoz</u>	Date: <u>4/20/22</u>
<input checked="" type="checkbox"/> Finance Director	<u>Amy Merrill</u>	Date: <u>4/11/22</u>
<input checked="" type="checkbox"/> Town Manager	<u>Maria Capriola</u>	Date: <u>4/8/22</u>
<input type="checkbox"/> Town Assessor	<u>Jessie Beland</u>	Date: <u>4/22/22</u>

### Application Checklist

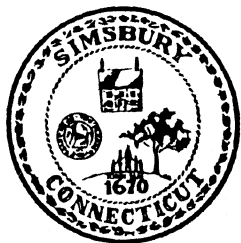
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- Business Plan
- Appraisal
- Construction Plan
- Other

*Please Note: The Town Manager, Business Development Committee and Board of Selectmen reserve the right to request supplemental documentation which supports the request. It is recommended that documents, such as business plan, appraisals, construction proposals, etc., are included with the application in order for the request to be fully reviewed.*

Provided by Building **MEC**

Ensign Bickford Aerospace & Defense							Economic Incentive
Build-Out - Building #41-#43 - PHASE II							50% Of Permit Fees
							\$7.00 per Thousand
							Value of 50%
	Permit #	Date Paid	Cost Basis	Permit Fee	State Tax	Fee Paid	Fee Waiver Request
Building	B-20-961	11/20/2020	513,535.00	7,196.00	133.64	7,329.64	3,598.00
Electric	E-20-561	12/29/2020	271,000.00	3,794.00	70.46	3,864.46	1,897.00
HVAC	M-20-553	12/29/2020	256,000.00	3,584.00	66.56	3,650.56	1,792.00
Plumbing	P-20-258	12/7/2020	73,000.00	1,022.00	18.98	1,040.98	511.00
Sprinkler	P-20-264	12/27/2020	17,420.00	252.00	4.68	256.68	126.00
			<b>\$ 1,130,955.00</b>	<b>\$ 15,848.00</b>	<b>\$ 294.32</b>	<b>\$ 16,142.32</b>	<b>\$ 7,924.00</b>
						<b>Paid in Full</b>	



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## TOWN OF SIMSBURY

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

#### **1. Purpose**

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

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

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

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

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

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

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

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

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

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

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

## 5. Application Requirements and Procedures

- **Step 1**

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

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

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

- **Step 2**

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

- **Step 3**

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

- **Step 4**

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

- **Step 5**

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

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

## **6. Transparency**

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

## **7. Accountability**

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

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

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

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





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Amendments to the Solid Waste Ordinance (Chapter 133)
2. **Date of Board Meeting:** May 9, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Thomas Roy, Director of Public Works/Town Engineer *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
The Board of Selectmen has two options for action regarding the proposed amendments to the Solid Waste Ordinance depending on whether or not the Board needs additional time to consider public comment received at the public hearing:
  - A. *Option A:* Further consider public comment received at the public hearing and table taking action on the ordinance until a future date.
  - B. *Option B:* Take action on the proposed revisions to the ordinance at this evening's meeting.

If the Board supports Option A, the following motion is in order:

*Move, effective May 9, 2022, to table the proposed Amendments to the Solid Waste Ordinance (Chapter 133) to the next regularly scheduled Board of Selectmen meeting on May 23, 2022.*

If the Board supports Option B, and is in support of the revisions to the ordinance as presented, the following motion is in order:

*Move, effective May 9, 2022, to adopt the proposed revisions to the Solid Waste Ordinance (Chapter 133) as presented, which shall be effective 21 days after publication in a newspaper having circulation within the Town of Simsbury. Further move to authorize a summary of the adopted ordinance be published.*

5. **Summary of Submission:**  
At your April 25, 2022 meeting, the Board of Selectmen scheduled a public hearing to receive public comment on Proposed Amendments to the Solid Waste Ordinance (Chapter 133) at 6:00pm on Monday, May 9, 2022. This ordinance needs to be amended due to the Board of Selectmen authorizing the Town Manager to exercise the Town's opt-out provision in our agreement with MIRA. The proposed changes to Chapter 133 would remove any mention of the MIRA facility or having to dispose Simsbury waste specifically at the MIRA facility.

The Town Attorney has reviewed the draft ordinance amendments as presented. Section 404 of the Town Charter sets forth the requirements for a public hearing on and publication of an ordinance. The Board of Selectmen is required to have at least one public hearing on a new or amended ordinance, which was held earlier this evening. We are required to give at least 7 days' notice in a newspaper having general circulation in the town. The Town Clerk also posts the notice in a public place, and copies of the ordinance must be available at the Town Clerk's Office. We also post the ordinance on the Town's webpage. A second hearing must be held if substantive changes are made to the ordinance (as determined by Town Counsel).

Once the amendments to the ordinance are passed, it must be filed with the Town Clerk and posted in its entirety or in summary form within 10 days after final passage. The Board of Selectmen needs to approve use of a summary. The ordinance would become effective on the twenty-first day after final publication.

**6. Financial Impact:**

Simsbury, as a subscription trash service community, has a level of protection from the impact of the future increase in tip fees, when compared with other communities. By moving away from MIRA, the belief is that our haulers can negotiate better terms than the \$116/ton currently being offered by MIRA.

Other increases in trash collection fees are still probable this year due to increases in fuel costs and inflation

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

a) Proposed Revisions to Chapter 133 of the Town Code

ARTICLE I  
Storage, Collection and Disposal of Solid Waste

**§ 133-1. Declaration of policy. [Amended 9-11-2017]**

The accumulation, collection, removal and disposal of refuse shall be controlled by this municipality for the protection of the public health, safety and welfare. It is consequently found and declared that:

- A. This municipality is authorized by law to regulate the disposition of refuse generated within its boundaries and to collect a charge therefor and to license refuse collectors.
- B. This municipality is also authorized by Connecticut General Statutes Section 22a-220a to designate the area where refuse generated within its boundaries shall be disposed of.
- ~~C. This municipality has executed the municipal service agreement requiring it to cause all acceptable solid waste generated within its boundaries to be delivered to the Materials Innovation and Recycling Authority (MIRA).~~
- ~~D. The public health, safety and welfare of this municipality will be best served by requiring the delivery of acceptable solid waste to MIRA for processing into products which have an economic value.~~
- E. The enactment of this article is in furtherance of this municipality's approved regional Solid Waste Management Plan.

**§ 133-2. Definitions. [Amended 9-11-2017]**

The following terms shall have the following meanings:

**ACCEPTABLE SOLID WASTE** — Unwanted or discarded materials of the kind normally collected or disposed of, or caused to be collected or disposed of, by or on behalf of a municipality through private or municipal collection, and commercial, governmental and light industrial waste of which a municipality is required by state law to make provision for the safe and sanitary disposal, but not including in any case items designated for recycling, special handling waste or oversized bulky waste.

**COLLECTOR** — Any person who holds himself out for hire to collect refuse from residential, business, commercial or other establishments.

**DIRECTOR** — The Director of Public Works of the Town of Simsbury.

**DISPOSAL CHARGE** — That amount of money to be charged for solid waste or refuse disposal in accordance with this article.

**HAZARDOUS WASTE** — Pathological, biological, cesspool or other human wastes, human and animal remains, radioactive, toxic and other hazardous wastes which, according to federal, state or local rules or regulations from time to time in effect, require special handling in their collection, treatment or disposal, including those regulated under 42 U.S.C. §§ 6921 through 6925 and regulations thereunder adopted by the

United States Environmental Protection Agency pursuant to the Resource Conservation and Recovery Act of 1976, 90 Stat. 2806, 42 U.S.C. § 6901, such as cleaning fluids, crankcase oils, cutting oils, paints, acids, caustics, poisons, drugs, fine powdery earth used to filter cleaning fluid and refuse of similar nature.

~~MATERIALS INNOVATION AND RECYCLING AUTHORITY (MIRA) — A body politic and corporation constituting a public instrumentality and political subdivision of the State of Connecticut established under the Connecticut Solid Waste Management Services Act, Chapter 466e of the Connecticut General Statutes.~~

~~MID-CONNECTICUT PROJECT — The solid waste disposal and energy recovery and steam and electric facility ("facility"), available to this municipality pursuant to a municipal solid waste management services contract with MIRA, located at 300 Maxim Road, Hartford, Connecticut; the transfer stations approved for transfer of solid waste to the Mid-Connecticut Project; and the MIRA landfills provided for or designated by MIRA.~~

~~MUNICIPAL SERVICE AGREEMENT — The municipal solid waste management services agreement between MIRA and this municipality dated as of June 12, 2017.~~

OVERSIZED BULKY WASTE or OBW — White goods (major household appliances) and other unwanted or discarded materials which:

- A. Are the kinds not normally collected or disposed of, or caused to be collected or disposed of, by or on behalf of a municipality through private or municipal collection;
- B. ~~In the judgment of MIRA, reasonably exercised, cannot be processed in the facility because of size or noncombustibility;~~
- C. Would not constitute special handling waste under these definitions;
- D. May be disposed of in a bulky waste landfill holding a permit issued by the Connecticut Department of Environmental Protection under Section 19-524-8 of its regulations or any successor provision; and
- E. Are not too large to be deposited and stored at the Simsbury Bulky Waste and Recycling Center or transported to a landfill.

SOLID WASTE ORDINANCE — This Solid Waste Ordinance, as it may be amended from time to time, which consists of Chapter 133 of the Code, entitled "Solid Waste."

SPECIAL HANDLING WASTE —

- A. Hazardous waste.
- B. Dirt, concrete and other nonburnable construction material and demolition debris.
- C. Large items of machinery and equipment, such as motor vehicles and major components thereof (e.g., transmission, rear ends, springs, fenders), agricultural equipment, trailers and marine vessels and other items of waste exceeding six feet in any one of its dimensions or being in whole or part of a solid mass, the solid mass portion of which has dimensions such that a sphere with a diameter of eight

inches could be contained within such solid mass portion, including, in the context of deliveries to the facility, OBW.

- D. Explosives, ordinance materials, oil, sludges, flammable substances, hazardous chemicals, tires and other materials the acceptance of which, ~~in the judgment of the MIRA, reasonably exercised~~, is likely to cause damage to or adversely affect the operation of ~~the a~~ facility or, in the judgment of the Director of Public Works of this municipality, reasonably exercised, is likely to cause damage to or adversely affect the operation of ~~the a~~ facility, constitute a threat to health or safety or violate or cause the violation of any applicable federal, state or local law, regulation or judicial or administrative decision or order.

~~§ 133-3. Designation of disposal area. [Amended 9-11-2017]~~

~~Pursuant to Connecticut General Statutes Section 22a-220a, the Board of Selectmen hereby designates the MIRA as the area where acceptable solid waste generated within the boundaries of Simsbury by residential, business, commercial or other establishments shall ultimately be disposed of. On and after the effective date of this chapter, each collector collecting any acceptable solid waste generated within the boundaries of this municipality shall deliver all such waste to the Mid-Connecticut Project located at 300 Maxim Road, Hartford, Connecticut.~~

**§ 133-4. Disposal charges.**

Any person delivering solid waste or refuse shall pay any disposal charge called for by this chapter ~~or by the municipal service agreement~~.

**§ 133-5. Containers.**

The owner of each premises in this municipality where acceptable solid waste or any other refuse is created or generated shall provide, at a suitable place upon such premises, sufficient containers for receiving and holding such acceptable solid waste during the intervals between collections. Such containers shall be maintained in good condition free of holes and fissures and shall be equipped with covers.

**§ 133-6. Licensing and registration requirements. [Amended 9-11-2017]**

No person other than those licensed by this municipality to perform such work and in accordance with the provisions of these regulations shall operate as a collector within this municipality. No refuse generated or collected from outside this municipality shall be disposed of under a license or registration issued pursuant to this article.

- A. Licensing and registration authority designated. The Director shall be the licensing and registration authority for collectors and vehicles and the containers used by them. The Director shall grant a license within a reasonable time following the filing of a proper application and payment of the prescribed unless he finds one or more of the following conditions to prevail:

- (1) The applicant has been irresponsible in the conduct of refuse collection and

hauling operations as evidenced by previous suspensions and/or revocations of licenses issued by this municipality or any other licensing authority in the State of Connecticut within three years prior to the application.

- (2) The applicant is in default in its obligations as a collector or has otherwise violated the provisions of this article.
  - (3) The applicant lacks suitable equipment available for registration hereunder with which to collect and transport acceptable solid waste in a safe and nuisance-free manner and in compliance with this article.
- B. License required. Each collector shall annually on or before July 1 apply for a license from the Director on such form as the Director shall prescribe to engage in the business of collection and transportation of acceptable solid waste and recyclables in this municipality.
- C. Registration term, fee and renewal. All registrations shall be issued for a term not to exceed one year and shall be renewable on or before the first day of July of each year.
- D. Each licensed collector who offers a solid waste collection service to residential properties within the Town of Simsbury must also offer an acceptable concurrent curbside recycling service to all residential customers.

#### **§ 133-7. Revocation or suspension of license or registration.**

- A. A license to engage in the business of a collector in this municipality ~~and to use the facility provided by this municipality in connection therewith~~ is a privilege, not a right. Failure to comply with the provisions of this chapter shall be grounds for revocation or suspension of any license or registration issued under the provisions of this chapter in addition to any other penalty imposable by law.
- B. Notice required. A revocation or suspension shall become effective five calendar days after issuance of a written notice by the Director.
- C. Request for review; filing; effect of failure to file. If a collector objects to the Director's action described in Subsection B above to revoke or suspend such collector's license or registration, he may, within the five calendar days of issuance of said notice, file a written request for review with the Town Manager at which review the collector may present evidence to attempt to demonstrate that he has not violated this article or that the penalty for the violation should be mitigated for good cause. Failure to file such timely request for review shall make the Director's action final and binding upon such collector. **[Amended 7-12-2021]**
- ~~D. Refusal of permission to use the facility. Notwithstanding anything to the contrary herein, the Director shall have the emergency power to refuse permission to a collector to use the facility when, in the Director's reasonable opinion, such collector has violated this chapter or any other applicable rule or regulation in such a manner as to cause an unreasonable risk to the health, safety and welfare of the citizens of this municipality and/or those personnel working at the facility, which~~

~~decision shall be reviewable in the manner described in Subsection C hereof, provided that the collector will be given the opportunity for review by the First Selectman within two business days of the Director's action upon a written request for such review by the collector.~~

**§ 133-8. Administration; insurance requirements. [Amended 9-11-2017]**

- A. The Director shall administer the licensing of any collector engaged in the collecting and transporting of refuse and recyclables in this municipality.

**§ 133-9. Refuse collector's responsibilities and obligations. [Amended 9-11-2017]**

- A. Place of delivery. Each collector shall deliver all acceptable solid waste collected within the territorial limits of this municipality to ~~the MIRA facility~~ **an appropriate licensed facility** and pay the disposal charge to the facility. In no case shall a collector deliver any hazardous waste, oversized bulky waste or special handling waste to the facility.
- B. Failure to pay. A failure to pay charges of the ~~MIRA~~ **appropriate licensed facility** shall be grounds for revocation or suspension of a license and registration.
- C. Prohibition on delivery. No licensee shall deliver any acceptable solid waste generated within this municipality to any place other than ~~the~~ **an appropriate licensed facility**, unless the facility is incapable of accepting acceptable solid waste at the time of delivery, in which event such acceptable solid waste shall be delivered to the place designated by ~~MIRA~~ **or** the Director. No collector may, under the license issued hereunder, deliver to the facility any refuse, including, without limitation, acceptable solid waste generated and/or collected outside the territorial limits of this municipality.
- D. Construction and maintenance of vehicles and containers. All vehicles used to collect and transport refuse shall be of a construction which will prevent liquid leaking out of the unit and shall be maintained free of obnoxious odors and accumulated refuse. All vehicles or container systems shall be equipped to meet ~~MIRA~~ requirements.
- E. Time of operation. Collectors may deposit acceptable solid waste at the facility only at times and on days as designated in ~~MIRA's~~ regulations.
- F. Spilled refuse. Collectors shall clean up immediately any refuse that may have been spilled when carrying or transferring refuse or when disposing of such refuse at the facility.

**§ 133-10. Only acceptable solid waste to be delivered to facility.**

No person shall deliver any refuse other than acceptable solid waste to ~~the~~ **an appropriate licensed facility**.

**§ 133-11. Penalties for offenses.**

- A. Pursuant to Connecticut General Statutes Section 22a-220a(f), any collector who dumps more than one cubic foot in volume of refuse at one time in an area not designated for such disposal by this article shall, for a first violation, be liable for a civil penalty of \$1,000 for each violation and \$5,000 for a subsequent violation.
- B. Any collector who otherwise violates this article, and any other person or entity who violates this article, shall be liable for a civil penalty of \$100 for each violation.
- C. The imposition of the monetary penalties set forth herein shall not preclude the Town from seeking any other remedy, including but not limited to money damages and injunctive relief, as may be allowed by law.





# 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 9, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Colleen O'Connor, Tax Collector  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports approving the tax refunds as presented, the following motion is in order:

*Move, effective May 9, 2022 to approve the presented tax refunds in the amount of \$6,672.86, 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 \$6,672.86. The attachment dated May 9, 2022 has a detailed listing of all requested tax refunds.
7. **Description of Documents Included with Submission:**
  - a) Requested Tax Refunds, dated May 9, 2022

REQUESTED TAX REFUNDS  
MAY 9, 2022

	<b>BILL NUMBER</b>	<b>TAX</b>	<b>INTEREST</b>	<b>TOTAL</b>
<b>List 2020</b>				
Berkshire Hills Bancorp	20-02-40111	\$6,135.54		\$6,135.54
Hopmeadow Dental LLC	20-02-40439	\$131.98		\$131.98
Collins Elizabeth D	20-03-53465	\$112.16		\$112.16
Kimball Paul H	20-03-59689	\$73.17		\$73.17
Kolb Patricia J	20-03-59833	\$178.18		\$178.18
Savino Joseph M	20-03-66204	\$36.29		\$36.29
Sperandio Mark E	20-03-67401	\$5.54		\$5.54
<b>Total 2020</b>		<b>\$6,672.86</b>	<b>\$0.00</b>	<b>\$6,672.86</b>
<b>TOTAL 2020</b>		<b>\$6,672.86</b>	<b>\$0.00</b>	<b>\$6,672.86</b>
<b>TOTAL ALL YEARS</b>		<b>\$6,672.86</b>	<b>\$0.00</b>	<b>\$6,672.86</b>



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Latimer Lane Project Update
2. **Date of Board Meeting:** May 9, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Matt Curtis, Superintendent; Jason Casey, Director of Infrastructure & Technology *Maria E. Capriola*

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports moving forward with the Latimer Lane Project bid process as presented, the following motion is in order:

*Move, effective May 9, 2022, to commit \$1,364,624 of the Capital Reserve Fund to meet the State of CT's ability to pay requirement and move forward with the Latimer Lane Project bid process.*

5. **Summary of Submission:**  
As previously reported in an email forwarded to the Board of Selectmen on April 4, 2022, there is an anticipated budget overage associated with the Latimer Lane Renovate as New Project estimated to be \$1,364,624.

Previously, the State had proposed either waiving the ability to pay requirement so the project can go out to bid or providing increased grant funding to cover the overage. Unfortunately, the State had decided not to provide additional grant funding and will not be waiving their ability to pay requirement. Below are two options to move the project forward:

1. Further reduce the budget to meet the bid threshold; however, further cuts to the project beyond the current recommendations will have a direct impact on the proposed educational program.
2. In a letter to the State, the Town can commit existing funds to *potentially* cover the \$1.3M shortfall in the event that no additional referendum passes to cover the difference. This would NOT be a request for funding, rather simply a letter to the State showing the Town has the ability to pay, which would allow the bid process to move forward.

After much discussion, Board of Education staff would like to move forward with option two. Going out to bid would allow staff to evaluate the true project overage, if any. Overage estimates have been determined by O&G Building Group but any real overage will only be able to be determined from actual contractor bids.

If the Board of Selectmen is supportive of moving forward with the bid process for the Latimer Lane Project, \$1,364,624 can be assigned from the Capital Reserve Fund. This would leave the Capital Reserve Fund with a remaining balance of \$1,358,509. But as stated above, this is not a formal request for funding at this time and there is no obligation on the Town's part to have to move forward with the project as originally outlined if the bids do not come in as anticipated.

But as stated above, this is not a formal request for funding at this time and there is no obligation on the Town's part to have to move forward with the project as originally outlined if the bids do not come in as anticipated. The Board of Finance will review this at their May 17<sup>th</sup> meeting, as their Board would need to assign the funding.

**6. Financial Impact:**

If the Board of Selectmen is supportive of moving forward with the bid process for the Latimer Lane Project, \$1,364,624 can be assigned from the Capital Reserve Fund. This would leave the Capital Reserve Fund with a remaining balance of \$1,441,008 in FY 22/23. This estimated balance includes the \$747,074 set aside during the budget process for future debt service or capital needs, as well as budgeted FY 22/23 capital projects that have the reserve as a revenue source. This estimate does not include any additional funds that may be transferred at FY 21/22 year-end should sufficient General Fund savings or excess revenues exist.

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

- a) Latimer Lane Project Email to Board of Selectmen, dated April 4, 2022

## Meriwether Amy

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**From:** Capriola Maria E.  
**Sent:** Monday, April 4, 2022 8:39 PM  
**To:** Board of Selectmen  
**Cc:** Appleby Melissa; Tom Roy; Meriwether Amy; Shea Jeff  
**Subject:** Latimer Lane Project

FYI – update provided below.

**From:** Matt Curtis <[mcurtis@simsburyschools.net](mailto:mcurtis@simsburyschools.net)>  
**Sent:** Monday, April 4, 2022 11:37 AM  
**To:** Meriwether Amy <[ameriwether@simsbury-ct.gov](mailto:ameriwether@simsbury-ct.gov)>  
**Subject:** Fwd: Latimer Lane Project

----- Forwarded message -----

**From:** Matt Curtis <[mcurtis@simsburyschools.net](mailto:mcurtis@simsburyschools.net)>  
**Date:** Mon, Apr 4, 2022 at 11:30 AM  
**Subject:** Latimer Lane Project

**To:** Brian Watson [REDACTED], Tara Donohue Willerup [REDACTED] Sharon Thomas  
[REDACTED], Jennifer Batchelar [REDACTED], Lydia Tedone  
[REDACTED], Todd Burrick [REDACTED] Susan Salina [REDACTED], Jeff Tindall  
[REDACTED]

Hello ~ this update is also being sent to the BOS and BOF. It will be presented to the PBC this evening. Call me if you have any questions.

At the Public Building Committee meeting on March 7, Jack Butkus of Arcadis, the Latimer Lane Project Program Manager, notified the PBC along with Town/Board staff that the Latimer Lane Renovate as New project was anticipated to be over budget by \$5M- \$7M. The reason provided for the estimated overage was cost inflation for labor and materials along with some scope creep. This statement about the overage was premature as estimates had not yet been fully reconciled. Board staff subsequently setup several meetings with Arcadis and O & G, as well as Tecton Architects, to review a breakdown of the anticipated cost increase. After scope changes were removed from the project cost, the budget overage was reduced to an estimated \$3,243,376, and that amount was communicated to the PBC on March 21<sup>st</sup>. To further reduce this deficit, a variety of items originally included in the base bid were removed and added as alternatives to bid documents. In particular, the largest driver, the geothermal system was removed and added as an alternative item for separate bidding. The remaining system could be upgradeable to geothermal in the future if the system was not put in place during the initial project construction. Lastly, several items are being proposed for value management. This overage has now been reduced again to an estimated \$1,364,624.

In order to move forward with the bid process, the State requires that the Town demonstrate an ability to pay for the project prior to bidding it. Board staff has reached out to the State and they are looking into the possibility of providing some degree of assistance, given the unprecedented financial situation many districts are facing due to staff and

material shortages leading to increased inflation. The State has proposed either waiving the ability to pay requirement so the project can go out to bid or providing increased grant funding to cover the overage. An answer was anticipated to be received the week of March 28<sup>th</sup>; however, the person in charge of making this decision was on vacation, returning on April 6<sup>th</sup>. BOE staff is currently awaiting a decision after April 6<sup>th</sup> from the State prior to moving forward.

If the State does not provide any assistance in this matter, the Town will have two options to proceed with the project:

1. Further reduce the budget to meet the bid threshold; however, further cuts to the project beyond the current recommendations will have a direct impact on the proposed educational program.
2. In a letter to the State, the Town can commit existing funds to *potentially* cover the \$1.3M shortfall in the event that no additional referendum passes to cover the difference. This would NOT be a request for funding, rather simply a letter to the State showing the Town has the ability to pay, which would allow the bid process to move forward.

These options will be provided to the Public Building Commission at their next meeting on April 4, 2022.

After the Town/Board staff hear back from the State on a final decision as to whether the bid process can move forward without any further action, a formal update on the project and proposed course of action will be provided to the Board of Education, Board of Selectmen, and the Board of Finance for review and discussion.

Neil Sullivan

Assistant Superintendent for Administration

Simsbury Board of Education

933 Hopmeadow Street

Simsbury, CT 06070

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Matthew T. Curtis

Superintendent of Schools  
Simsbury Public Schools  
933 Hopmeadow Street  
Simsbury, CT 06070  
(860)651-3362

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Matthew T. Curtis

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(860)651-3362



# 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 9, 2022

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, the Simsbury Department of Community and Social Services, and the Simsbury Town Manager's Office under the Neighborhood Assistance Act, the following motion is in order:

*Move, effective May 9, 2022, to set a public hearing to receive public comment on the proposals submitted by the Simsbury Grange, the Simsbury Department of Community and Social Services, and the Simsbury Town Manager's Office pursuant to the 2022 Connecticut Neighborhood Assistance Act for 6:00pm on Monday, May 23, 2022.*

5. **Summary of Submission:**

In March 2022, the Town was notified by the State Department of Revenue Services (DRS) that the 2022 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, the Performing Arts Center, and the Simsbury Grange.

The Town Manager's Office has received three NAA program proposals. The Simsbury Grange is seeking funds to continue its energy efficiency and improvement projects. The Grange has participated in this program since 2018, with funds received in all four rounds. This year the Grange is hoping to finalize its heating and cooling project, including the addition of insulation, insulated exterior doors, fans, and a heat pump.



The Simsbury Department of Community and Social Services is seeking funds for its Food Pantry Program, which provides non-perishable food items to residents experiencing food insecurity. Cheese Day, the Department's largest food program, provides a monthly distribution where recipients can shop the pantry. Prior to the pandemic, this program served an average of 80 households per month. At the height of the pandemic, average distribution rose to 140 households. The program is now averaging 100 households per month. This program is dependent solely upon donations. The Department would like to provide gift cards to all monthly Cheese Day participants so that they may purchase what they need outside of what they receive in donated products. In addition, the Department would like to keep gift cards on hand to provide assistance in emergency situations.

The Simsbury Town Manager's Office is seeking funds for an open space acquisition fund. Should we receive donations for this program, we would be able to establish a dedicated open space acquisition fund which would better position the Town to be able to take advantage of future open space acquisition opportunities.

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) 2022 Simsbury Grange NAA Program Application
- b) 2022 Simsbury Department of Community and Social Services NAA Program Application
- c) 2022 Simsbury Town Manager's Office NAA Program Application



**Municipality:** Town of Simsbury

## Form NAA-01

### 2022 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: \_\_\_\_\_  
Simsbury Grange / filed as part of Connecticut State Grange Patrons of Husbandry

Address: 236 Farms Village Rd., West Simsbury, CT 06092 (mail to P.O. Box 364, West Simsbury, CT 06092) -

Federal Employer Identification Number: 06-0945695

Program title: Energy Efficiency and Conservation at the Grange

Name of contact person: Susan Masino

Telephone number: [REDACTED]

Email address: [REDACTED]

**Total NAA funding requested** (\$250 minimum, \$150,000 maximum): \$ 24000

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: \_\_\_\_\_

The Grange is non-partisan and non-denominational and our building is a community center open to anyone. We are continuing to improve our energy efficiency as a role model for the community. We need to add insulation, insulated exterior doors, simple solutions like fans. We require a heat pump to make the building as efficient and also comfortable for everyone. We have quotes or estimates for all of these projects and are grateful for this grant program. We have been here and serving the community since 1931. We are all volunteers, and all ages and walks for life.

Need for program: \_\_\_\_\_

Our building is well-built but needs upgrades. We are committed to the sustainability and longevity of our Grange. We keep all Grange events and our rental fees affordable or donation-based. We serve people of all ages. During the pandemic we offered the building as a large space where musicians could practice, and our property was used for a children's theater group, dance classes and socially-distanced outdoor concerts. Martin Luther King Jr. used to attend dances at our Grange Hall in the 1940s.

Neighborhood area to be served: \_\_\_\_\_

We serve primarily the Farmington Valley but we are partnered with a community garden in Hartford and our events serve a broader region, esp. music and our biannual electronic recycling. Local vendors at our annual fair or our seed swap come from a wide area - for example community gardeners and students from Hartford, and small businesses from farther afield in Connecticut. We host donation-based regional concerts with international musicians. We are also partnering with other Granges in CT.

Plan to implement the program: \_\_\_\_\_

We have clear needs and specific estimates for improvements that we have been unable to implement (noted above). We always use local businesses, and have gotten estimates for the work proposed here. This year we hope to finalize our heating and cooling project. Grange members have agreed to spearhead specific aspects of this program. This is all "shovel ready" and we will easily be able to initiate and supervise completion of the work well within the 2 year timeline even if we face unexpected delays. Any amount is greatly appreciated.

**Timetable:**

Program start date: January 1, 2023

Program completion date: Dec 31, 2025

**The program completion date must not be more than two years from the program start date. A certified post-project audit 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	<u>24000</u>
Other funding sources - itemized sources:	
a) <u>Grange contribution (rental income, donations)</u>	<u>1000</u>
b) _____	_____
c) _____	_____
d) _____	_____

**Total Funding:** 25000

**Proposed Program Expenditures:**

Direct operating expenses - itemized description:	
a) <u>heat pump with programmable thermostat</u>	<u>10600</u>
b) <u>insulation throughout</u>	<u>5500</u>
c) <u>window repair and replacement - final phase</u>	<u>3000</u>
d) <u>insulated and sealed, multiple exterior doors</u>	<u>3000</u>
Administrative expenses - itemized description:	
a) <u>~10% administrative, accounting, project management</u>	<u>2410.00</u>
b) _____	_____
c) _____	_____
d) _____	_____

**Total Proposed Expenditures:** 26510

**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: _____ Town of Simsbury
Mailing address: _____ 933 Hopmeadow Street, Simsbury, CT 06070
Name of municipal liaison: <u>Melissa Appleby, Deputy Town Manager</u>
Telephone number: 860-658-3274
Fax number: 860-658-9467
Email address: <u>mappleby@simsbury-ct.gov</u>

<p style="text-align: center;"><b>Post-Project Audit</b></p> <p style="text-align: center;">Is a post-project audit required for this proposal?</p> <p style="text-align: center;"><input type="checkbox"/> Yes                      <input checked="" type="checkbox"/> No</p> <p style="text-align: center;">If <b>Yes</b>, date post-project audit due:</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p>
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# 2022 Connecticut Neighborhood Assistance Act (NAA) Program Proposal Instructions

Complete all items on **Form NAA-01**, *2022 Connecticut Neighborhood Assistance Act (NAA) Program Proposal*. Incomplete applications will **not** be accepted. For where to direct inquiries, see *For Further Information* below.

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

## For Further Information

Email inquiries to:

- **NAAProgram@ct.gov**

or call DRS Monday through Friday, 8:30 a.m. to 4:30 p.m. at:

- **860-297-5687**
- **860-297-4911** (TTY, TDD, and Text Telephone users **only**, let the 711 relay operator know the number you wish to call and the relay operator will dial it and then communicate using a TTY.)



**Municipality:** Town of Simsbury

## Form NAA-01

### 2022 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: \_\_\_\_\_  
Town of Simsbury, Department of Community and Social Services

Address: 754 Hopmeadow St. Simsbury, CT 06070

Federal Employer Identification Number: 06-6002085

Program title: Simsbury Food Pantry

Name of contact person: Kristen Formanek

Telephone number: (860) 658-3283

Email address: kformanek@simsbury-ct.gov

**Total NAA funding requested** (\$250 minimum, \$150,000 maximum): \$ 30,000.00

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: \_\_\_\_\_

The Simsbury Food Pantry provides non-perishable food items to residents experiencing food insecurity. Toiletries, household cleaning items, and paper products are also made available. Once a month we have a distribution where recipients can shop the pantry. All items are donated. We do purchase a fresh fruit and vegetable item each month as well. Prior to the pandemic, we averaged 80 households per month. At the height of the pandemic, we were serving 140 households. Now we are averaging 100 households. We also provide delivery to homebound individuals, utilizing volunteers.

Need for program: \_\_\_\_\_

This program is dependent solely upon donations, both in tangible goods and monetary. During COVID we began providing gift cards to our recipients to further help them be able to meet their food needs. We are not offering gift cards now due to not receiving enough in donations. We would like to be able to offer gift cards more often, especially to our larger families. We also keep gift cards on hand in case anyone is experiencing an emergency.

Neighborhood area to be served: \_\_\_\_\_

All eligible residents in all of Simsbury neighborhoods are allowed to participate. Simsbury is comprised of Simsbury proper, West Simsbury, Weatogue, and Tariffville.

Plan to implement the program: \_\_\_\_\_

We will solicit businesses in town for donations. This will be done using a variety of methods; email blasts, mailings, social media, and in person visits when able.



**Timetable:**

Program start date: Fall 2022

Program completion date: Fall 2023

**The program completion date must not be more than two years from the program start date. A certified post-project audit 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	<u>\$30,000.00</u>
Other funding sources - itemized sources:	
a) _____	_____
b) _____	_____
c) _____	_____
d) _____	_____

**Total Funding:** \_\_\_\_\_

**Proposed Program Expenditures:**

Direct operating expenses - itemized description:	
a) <u>\$25 gift cards for 100 households for 12 months</u>	<u>\$30,000.00</u>
b) _____	_____
c) _____	_____
d) _____	_____

Administrative expenses - itemized description:	
a) _____	_____
b) _____	_____
c) _____	_____
d) _____	_____

**Total Proposed Expenditures:** \$30,000.00

**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: _____ Town of Simsbury _____
Mailing address: _____ 933 Hopmeadow Street, Simsbury, CT 06070 _____
Name of municipal liaison: <u>Melissa Appleby, Deputy Town Manager</u> _____
Telephone number: 860-658-3274 _____
Fax number: 860-658-9467 _____
Email address: <u>mappleby@simsbury-ct.gov</u> _____

<p style="text-align: center;"><b>Post-Project Audit</b></p> <p style="text-align: center;">Is a post-project audit required for this proposal?</p> <p style="text-align: center;"><input checked="" type="checkbox"/> Yes                      <input type="checkbox"/> No</p> <p style="text-align: center;">If <b>Yes</b>, date post-project audit due:</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p>
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# 2022 Connecticut Neighborhood Assistance Act (NAA) Program Proposal Instructions

Complete all items on **Form NAA-01**, *2022 Connecticut Neighborhood Assistance Act (NAA) Program Proposal*. Incomplete applications will **not** be accepted. For where to direct inquiries, see *For Further Information* below.

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

## For Further Information

Email inquiries to:

- **NAAProgram@ct.gov**

or call DRS Monday through Friday, 8:30 a.m. to 4:30 p.m. at:

- **860-297-5687**
- **860-297-4911** (TTY, TDD, and Text Telephone users **only**, let the 711 relay operator know the number you wish to call and the relay operator will dial it and then communicate using a TTY.)



**Municipality:** Town of Simsbury

## Form NAA-01

### 2022 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: \_\_\_\_\_  
Town of Simsbury

Address: 933 Hopmeadow Street, Simsbury, CT 06070

Federal Employer Identification Number: 06-6002085

Program title: Open Space Acquisition Fund

Name of contact person: Melissa Appleby

Telephone number: (860) 658-3274

Email address: mappleby@simsbury-ct.gov

**Total NAA funding requested** (\$250 minimum, \$150,000 maximum): \$ 150,000.00

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: \_\_\_\_\_

The Town of Simsbury is seeking to establish an open space acquisition fund to support the preservation of land as protected open space. When opportunities have presented themselves, the Town has strategically acquired open space parcels in order to capitalize on the environmental and recreational benefits that preservation provides for. A dedicated open space acquisition fund would better position the Town to be able to take advantage of future opportunities.

Need for program: \_\_\_\_\_

The Town of Simsbury cannot establish an open space acquisition fund until we obtain funds to deposit into it. Once we establish a fund, we will endeavor to continue funding it for any future open space acquisition opportunities.

Neighborhood area to be served: \_\_\_\_\_

This program has the potential to serve any neighborhood in Town.

Plan to implement the program: \_\_\_\_\_

If this program application is approved, we will solicit donations from eligible businesses. Following the deadline of October 1 for the business applications, we will wait for final approval for those businesses to participate, and we will deposit any donated funds into an open space acquisition fund.

**Timetable:**

Program start date: August 2022

Program completion date: June 2023

**The program completion date must not be more than two years from the program start date. A certified post-project audit 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	<u>\$150,000.00</u>
Other funding sources - itemized sources:	
a) _____	_____
b) _____	_____
c) _____	_____
d) _____	_____

**Total Funding:** \_\_\_\_\_

**Proposed Program Expenditures:**

Direct operating expenses - itemized description:	
a) <u>Deposit into open space acquisition fund</u>	<u>\$150,000.00</u>
b) _____	_____
c) _____	_____
d) _____	_____
Administrative expenses - itemized description:	
a) _____	_____
b) _____	_____
c) _____	_____
d) _____	_____

**Total Proposed Expenditures:** \$150,000.00

**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: _____ Town of Simsbury
Mailing address: _____ 933 Hopmeadow Street, Simsbury, CT 06070
Name of municipal liaison: <u>Melissa Appleby, Deputy Town Manager</u>
Telephone number: 860-658-3274
Fax number: 860-658-9467
Email address: <u>mappleby@simsbury-ct.gov</u>

<p style="text-align: center;"><b>Post-Project Audit</b></p> <p style="text-align: center;">Is a post-project audit required for this proposal?</p> <p style="text-align: center;"><input checked="" type="checkbox"/> Yes                      <input type="checkbox"/> No</p> <p style="text-align: center;">If <b>Yes</b>, date post-project audit due:</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">9/30/2023</p> <p style="text-align: center;">Date</p>
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# 2022 Connecticut Neighborhood Assistance Act (NAA) Program Proposal Instructions

Complete all items on **Form NAA-01**, *2022 Connecticut Neighborhood Assistance Act (NAA) Program Proposal*. Incomplete applications will **not** be accepted. For where to direct inquiries, see *For Further Information* below.

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

## For Further Information

Email inquiries to:

- **NAAProgram@ct.gov**

or call DRS Monday through Friday, 8:30 a.m. to 4:30 p.m. at:

- **860-297-5687**
- **860-297-4911** (TTY, TDD, and Text Telephone users **only**, let the 711 relay operator know the number you wish to call and the relay operator will dial it and then communicate using a TTY.)





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Appointments to Various Commissions
2. **Date of Board Meeting:** May 9, 2022

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

*Maria E. Capriola*

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

If the Board of Selectmen accepts the recommended appointments, the following motions are in order:

*Move, effective May 9, 2022, to appoint Diane Prusank Duran as an Alternate Member of the Planning Commission with a term ending December 4, 2023.*

*Move, effective May 9, 2022, to appoint Ieke Scully as an Alternate Member of the Historic District Commission with a term ending January 1, 2026.*

5. **Summary of Submission:**

The Town Clerk has received from the Democratic Town Committee the recommendation to appoint Diane Prusank Duran (D) as an Alternate Member of the Planning Commission. The appointee would be filling the vacancy created by Mr. Cortes' resignation from this position effective February 28, 2022. Pursuant to our Charter, since the vacancy occurred mid-term, it must be filled by the same political party, which in this case is the Democratic party. The appointee will serve until the term ends on December 4, 2023.

The Town Clerk has received from the Republican Town Committee the recommendation to appoint Ieke Scully (U) as an Alternate Member of the Historic District Commission. This vacancy was initially created by the resignation of Peter Adamowicz (U) on December 4, 2020 and was not filled before the term expired on January 1, 2021. The appointee will serve until the term ends on January 1, 2026.

6. **Financial Impact:**

None

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

a) Bio of Diane Prusank Duran

Diane Prusank (Duran) has worked as an academician and administrator in public and private institutions of higher education for over 30 years. She is full professor of communication at Westfield State University where she has served as a dean, chief of staff to the president and provost (chief academic officer). Previously she served as program director, dean and assistant provost at the University of Hartford. In her administrative roles, she has managed a budget of over 35 million dollars, had oversight of a division with over 300 employees, secured funds for capital projects including a 20-million-dollar grant (co-PI) from the state of MA for a major building renovation as well as interfaced with local and state level agencies and private industry to forge critical partnerships.

Prusank (Duran) is an active teacher-scholar in her areas of expertise which include communication theory and research methods as well as media portrayal of personal relationships. Her research has been published in outlets including *The Journal of Social and Personal Relationships*, *The Howard Journal of Communication*, and *Communication Review*. Her most recent scholarship focusing on journalist Dorothy Barclay, was presented to the *Gender and Media Matters* conference at Sapienza, University of Rome (October, 2022) and to the history division at the annual meeting of the *Association of Educators of Journalism and Mass Communication* (August, 2022).



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignation of Khamla Vorasane from Design Review Board
2. **Date of Board Meeting:** May 9, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Trish Munroe, Town Clerk  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
The following motion is in order:  
  
*Move, retroactive to April 20, 2022, to accept the resignation of Khamla Vorasane as a Regular Member of the Design Review Board.*
5. **Summary of Submission:**  
The Town Clerk has received the resignation of Khamla Vorasane (D) as a Regular Member of the Design Review Board. Ms. Vorasane's term was to expire December 6, 2025.  
  
Pursuant to our Charter, since Ms. Vorasane is a Democrat, her replacement must be from the same political party.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**
  - a) Khamla Vorasane's Resignation Letter, dated April 20, 2022

Dear DTC,

My sincerest apologies, After  
careful consideration, I will not  
be able to serve on the DeJin  
Community Effective 4.20.2022

Sincerely,

Keith Unsworth



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignation of Nkosi Lee from the Simsbury Diversity, Equity and Inclusion Council
  
2. **Date of Board Meeting:** May 9, 2022
  
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Trish Munroe, Town Clerk  
*Maria E. Capriola*
  
4. **Action Requested of the Board of Selectmen:**  
The following motion is in order:  
  
*Move, retroactive to May 2, 2022, to accept the resignation of Nkosi Lee as a CREC Parent Representative Member of the Simsbury Diversity, Equity and Inclusion Council.*
  
5. **Summary of Submission:**  
The Town Clerk has received the resignation of Nkosi Lee (D), a CREC Parent Representative Member of the Simsbury Diversity, Equity and Inclusion Council. Mr. Lee's term was to expire December 4, 2023.  
  
Pursuant to our Charter, since Mr. Lee is a Democrat, his replacement must be from the same political party.
  
6. **Financial Impact:**  
None
  
7. **Description of Documents Included with Submission:**
  - a) Nkosi Lee's Resignation Letter, dated May 2, 2022

## Munroe Trish

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**From:** Simsbury CT via Simsbury CT <cmsmailer@civicplus.com>  
**Sent:** Monday, May 2, 2022 4:33 PM  
**To:** Butler Ericka  
**Subject:** Form submission from: Resignation Submission Form

Submitted on Monday, May 2, 2022 - 4:33pm  
Submitted by anonymous user: 2601:185:302:5c70::5d5c  
Submitted values are:

Member's Name: Nkosi Lee  
Address:   
Phone #:   
Email:   
Type of Member: Regular  
Name of Board/Commission: Diversity Equity Inclusion Council  
Effective Date of Resignation: 05/02/2022  
Reason for Resignation: Not enough time  
Any Additional Comments:

The results of this submission may be viewed at:  
<https://www.simsbury-ct.gov/node/98363/submission/26106>

## **CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 6:00p.m. in the Main Meeting Room of Town Hall. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members: Eric Wellman, Sean Askham, Heather Goetz and Chris Peterson (via Zoom). Others in attendance included Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Chairman of the Library Board of Trustees Kathleen Miller; Town Engineer/Public Works Director Tom Roy; Library Director Lisa Karim; and other interested parties.

## **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

## **PUBLIC AUDIENCE**

- **Participants can address the Board of Selectmen in person at the meeting**
- **Email [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov) by noon Monday April 25, 2022 to register to address the Board of Selectmen live through Zoom**
- **Written comments can be emailed to [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov). Written comments will not be read into the record, but will be forwarded to all Selectmen via email**

Joan Coe, 26 Whitcomb Drive, spoke about a point of order at the last Board meeting, the Town Manager, town employee issues, filling open positions in a timely manner, employee performances, FOI requests, alcohol at PAC events, police radio system issues, etc.

Mary Glassman thanked the Board for their consideration of the supplemental appropriation request from Simsbury Community Media for capital improvements. She thanked all the volunteers, donors and Town for their funding. She said their vision covers more programming including sports and meetings. These improvements will help the studio and will help their mission become realized.

## **PRESENTATION**

### **a) Simsbury Public Library Strategic Plan**

Kathleen Miller, Chairman of the Library Board of Trustees, said they update their strategic plan every 5 years. She said the process is challenging, but they have a great committee to work with. The Library is committed to all ages and groups. She went through the Library’s vision and mission and reviewed the four goals that emerged from the plan. She said she is extremely proud of the Library.

## **FIRST SELECTMAN’S REPORT**

The First Selectman, Wendy Mackstutis, reviewed her First Selectman’s report.

## **TOWN MANAGER’S REPORT**

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

**SELECTMEN LIAISON AND SUB-COMMITTEE REPORT**

- a) **Personnel** – Ms. Mackstutis said they had a meeting last week and they will be updating the employee handbook.
- b) **Finance** – there was no report at this time.
- c) **Public Safety** – there was no report at this time.
- d) **Board of Education** – there was no report at this time.

Ms. Abbuhl spoke about a Senior Center newsletter. If people would like more information they can contact the Senior Center.

Mr. Peterson said the Clean-up last Saturday was a great success. Next year more information needs to get out about this event so more people can help out.

**SELECTMEN ACTION**

**a) Draft Correspondence Regarding S. B. 131, Contract Terms for the Pricing of and Access to EBooks for Libraries**

Ms. Capriola said that S.B.131 is a proposed bill in the State legislature this session that would set equitable contract terms for access and pricing of Ebooks for Libraries. Ms. Karim also provided background information on this topic.

Mr. Wellman made a motion, effective April 25, 2022, to approve the presented correspondence supporting S. B. 131 and to authorize Town Manager, Maria E. Capriola, to send the letter on behalf of the Board of Selectmen. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**b) Draft Correspondence from Board of Selectmen regarding Outdoor Dining**

Ms. Capriola said the Board of Selectmen already extended the fee waiver for outdoor dining for businesses. They received comments on what did and didn't work. The Board wants to send correspondence to the Zoning Commission indicating their support of this extension and any future efforts made to support the businesses with outdoor dining.

Mr. Askham made a motion, effective April 25, 2022, to approve the presented memo regarding outdoor dining regulations and processes to the Zoning Commission and to authorize Town Manager, Maria E. Capriola, to send the memo on behalf of the Board of Selectmen. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**c) Tax Refund Requests**

Mr. Askham made a motion, effective April 25, 2022, to approve the requested tax refunds in the amount of \$370.41 and to authorize Town Manager, Maria E. Capriola to execute the tax refunds. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**d) Grant application to The Hartford Foundation for Public Giving to Support the Food Program**

Ms. Capriola said this grant now requires an application to receive the grant for our food programs.



Ms. Abbuhl made a motion, effective April 25, 2022, to submit a grant application to The Hartford Foundation’s Basic Human Needs Program and to authorize Town Manager, Maria E. Capriola, to execute the grant appeal.

In the even the grant is awarded, the following motion is in order:

Move to accept the grant and authorize Town Manager, Maria E. Capriola, to execute all documents related to the grant award. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**e) FY 2023 Historic Document Preservation Grant Program**

Ms. Capriola said this is an annual program provided by the State, in the amount of \$7500. The Town Clerk prepared a grant application that would put birth records into archival binders to preserve them.

Mr. Wellman made a motion, effective April 25, 2022, to submit the FY 2023 Historic Documents Preservation Grant Application and to authorize Town Manager, Maria E. Capriola to designate Trish Munroe, Town Clerk, as the agent for making the above application.

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

Move to accept the FY 2023 Historic Documents Preservations Program Grant and to authorize the Town Manager, Maria E. Capriola to execute all documents related to the grant application. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**f) Schedule Public Hearing for Proposed Amendments to the Solid Waste Ordinance (Chapter 133)**

Mr. Roy said the Town opted out of the Simsbury agreement with MIRA for solid waste disposal. The proposed changes to Chapter 133 would remove any mention of the MIRA facility or having to dispose Simsbury’s waste specifically at the MIRA facility.

Mr. Askham made a motion, effective April 25, 2022, to set a Public Hearing to receive public comments concerning proposed revisions to Chapter 133 of the Town Code concerning Storage, Collections and Disposal of Solid Waste for 6:00 p.m. on Monday, May 9, 2022. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**g) Supplemental Appropriation Request- Simsbury Community Media Studio Capital Improvements**

Mr. Roy said ESPN donated their studio to the Town for Simsbury Community Media, however, updates are needed such as paint and some architectural changes to make the space work better. There was some discussion about other money possibly being available at the end of the year, but upgrades need to be done now.

Mr. Wellman made a motion, effective April 25, 2022, to approve a supplemental appropriation for Simsbury Community Media Studio Capital Improvements in the amount of \$45,000 as presented. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**h) Supplemental Appropriation Request – Farmington Valley Health District**

Ms. Capriola said this is request is similar to the second round of Federal stimulus dollars available in 2020. The Farmington Valley Health District is making a request to its member Towns for funding through ARPA. She feels the amount is fair and reasonable and she supports this request.

Mr. Askham made a motion, effective April 25, 2022, to approve a supplemental appropriation for funding the Farmington Valley Health District in the amount of \$100,056. Mr. Wellman seconded the motion. All were in favor and the motion passed.

### **APPOINTMENTS AND RESIGNATIONS**

#### **a) Proposed Reappointment of Richard Derr to the Public Building Committee**

Mr. Askham made a motion, effective April 25, 2022, to reappoint Richard A. Derr as a regular member of the Public Building Committee with a term ending January 1, 2026. Ms. Goetz seconded the motion. All were in favor and the motion passed.

### **REVIEW OF MINUTES**

#### **a) Regular meeting of April 6, 2022**

There were no changes to the Regular Meeting minutes of April 6, 2022, and, therefore, the minutes were adopted.

### **EXECUTIVE SESSION**

#### **a) Executive Session per General Statutes section 1-200(6)(B), strategy and**

Mr. Askham made a motion to adjourn to executive session per General Statutes section 1-200(6)(B), Strategy and negotiations of a pending claim and/or litigation: Cavanaugh Claims under the Workmen’s Compensation Act, and to include Town Manager Maria E. Capriola and Deputy Town Manager Melissa Appleby at 7:00 p.m. Mr. Wellman seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to adjourn from executive session at 7:08pm. Mr. Wellman seconded the motion. All were in favor and the motion passed.

### **ADJOURN**

Mr. Askham made a motion to adjourn the meeting at 7:08pm. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk