



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Thomas F. Cooke - Director of Administrative Services

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Approval of Fees in Connection with Foreclosure of 23 Mountain Road
2. **Date of submission:** July 2, 2013
3. **Date of Board Meeting:** July 8, 2013
4. **Individual or Entity making the submission:**

Thomas F. Cooke – Director of Administrative Services
Robert M. DeCrescenzo, Esq. – Town Counsel
5. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**
The Individual or Entity making the submission requests that the Board of Selectmen:

Approve payment of an administrative fee not to exceed \$4,000 out of the legal services account in connection with tax foreclosure of 23 Mountain Road. The fee will be recoverable as an expense of the tax foreclosure.
6. **Individual(s) responsible for submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting.):**

Robert M. DeCrescenzo, Esq. – Town Counsel – (860) 548-2600

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

Town Counsel is pursuing a foreclosure of tax liens on 23 Mountain Road, Simsbury, which is owned by the Estate of Geraldine Martin. Because Mrs. Martin's estate has never been probated, no administrator has been appointed to direct the disposition of her real property at 23 Mountain Road.

In order to proceed with the tax foreclosure, Town Counsel has petitioned the Probate Court to open the estate and appoint an administrator. The Probate Court has asked Simsbury to pay the administrative fee, which ultimately will be recoverable as an expense of the tax foreclosure.

Town Counsel has asked that the expense of up to \$4,000 be paid out of the legal services account to cover the fees incurred by the Administrator of the Estate of Geraldine Martin.

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

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

Letter from Town Counsel dated July 2, 2013