

**TOWN OF BOLTON
BOARD OF SELECTMEN
REGULAR MEETING
TUESDAY, AUGUST 3, 2021, 7:00 P.M. VIRTUAL
MINUTES**

		Present	Absent
First Selectman	Sandra Pierog	X	
Deputy First Selectman	Kim Miller	X	
Selectman	Robert DePietro	X	
Selectman	Mike Eremita	X	
Selectman	Robert Morra	X	
Interim Administrative Officer	Jim Rupert	X	
Members of the Public			

Also present: Kim Welch, Milton Hathaway

1. Call to Order:

By: Sandra Pierog

Time: 7:01 p.m.

Place: Virtual

2. Public Comment:

Milton Hathaway – Spoke of two items. He was invited to the public forum in Glastonbury for a discussion on the car thefts. There were over 200 people present. The public had two minutes each to speak and the meeting went on for three hours. The laws about minors in crimes need to be changed at the legislature. This is a call to our representative. Pierog asked Hathaway to send his three page document about the forum to J. Rupert to be shared with the BOS. The State Trooper dropped by Town Hall to welcome the BOS back although Pierog was the only person present. The Trooper said he is familiar with some of the incidents mentioned and also of one where shots were fired at a homeowner in Oxford. Vehicles are being stolen on a nightly basis. Kids are being caught numerous times each week. We need to sit and talk to people on a one-to-one basis on why we practice the policies regarding minors.

Hathaway's second item is in regards to the Charter Commission's report for the Economic Development Commission. Hathaway is the only person left on the EDC even though there are three people expressing interest of being on the EDC. Hathaway pays dues and attends the Tolland County Chamber of Commerce. There is a lot going on with a long and significant agenda. Coventry, Mansfield, and Tolland have very active economic development committees. It is clear that Bolton needs an EDC. Pierog said the BOS has accepted the Charter Commission's report and has begun forming the questions to be brought to the voters. You may vote as you please and encourage others to vote your view as long as Town resources are not used. Hathaway said he did not care for the make-up of the Charter Commission as it did not need to have two attorneys on the board.

Kim Welch, Lake Commissioner, 51 Vernon Road – Was present to inform about the lake conditions and concerns of residents about the blue-green algae bloom as the days progress. Hilary will be out on August 4, 2021 for the next set of testing. The conditions are worsening. There is concern the lake is closed this early in the season. Welch's email is full asking about the plans for the lake – treatment or no treatment. We need to be thinking along those lines as a town. She does appreciate the response last week for having the public health department out there. Pierog said her in-box is also full. We are early in the process of continuing to monitor and will take appropriate action. The visit on Thursday will provide information if the bloom is worsening or only slightly worsening. Wind, water, and rain can cause changes that adjust the counts of the algae. Welch said there is no question that it is worsening; visibly it is not nice looking. The response should be mindful and informative for the residents to be put into plan mode instead for panic mode.

3. Approval of Minutes:

A. June 1, 2021 - Regular Meeting

Motion: I move the Bolton Board of Selectmen accept the minutes of the June 1, 2021, Regular Meeting as presented.

By: Morra

Seconded: Miller

Voting:

For: Morra, Eremita, Pierog, Miller, DePietro

Against: None

Abstain: None

B. June 21, 2021 - Special Meeting

Motion: I move the Bolton Board of Selectmen accept the minutes of the June 21, 2021, Special Meeting as presented.

By: Eremita

Seconded: Morra

Voting:

For: Morra, Eremita, Pierog, Miller, DePietro

Against: None

Abstain: None

C. July 6, 2021 – Regular Meeting

Motion: I move the Bolton Board of Selectmen accept the minutes of the July 6, 2021, Regular Meeting as presented.

By: Morra

Seconded: Miller

Voting:

For: Morra, Eremita, Pierog, DePietro

Against: None

Abstain: Miller

D. July 12, 2021 – Special Meeting

Pierog said this was a special meeting for the vote on the Charter revisions. We accepted the Commission's report on this date.

Motion: I move the Bolton Board of Selectmen accept the minutes of the July 12, 2021, Special Meeting as presented.

By: Morra

Seconded: Miller

Voting:

For: Morra, Pierog, DePietro, Miller

Against: None

Abstain: Eremita

E. July 20, 2021 – Special Meeting

Pierog said this was the meeting that a transcript was submitted rather than minutes. This was a meeting of less than one hour and the transcript is 16 pages long. If we continue with transcripts of these meetings the Town Clerk's record space will soon be outgrown. Pierog said we will reconsider the use of transcripts instead of detailed minutes later in the meeting.

Motion: I move the Bolton Board of Selectmen accept the transcript of the July 20, 2021, Special Meeting.

By: Morra

Seconded: Miller

Discussion: DePietro does not remember voting in favor of having transcripts made. Morra said the reason for that may be that DePietro joined the July 6, 2021 meeting a bit later.

Voting:

For: Morra, Eremita, Pierog, Miller, DePietro.

Against: None

Abstain: None

4. Correspondence

A. Resignation Letter from K. Mike

Pierog said we have received a resignation letter from Recreation Director, Kyleen Mike. She has made the decision based on her family life.

Rupert said the young lady working as an assistant for the Recreation Department and the Senior Center is being recommended for the position of Interim Recreation Director. Stephanie deserves the opportunity to serve as Interim at least through January. She is untested about going through the budgeting process; she will need our help but she is up to the task.

DePietro asked if the BOS has any role in hiring people? Rupert said if a Selectman with an appropriate background for the open position they may be asked to sit on a hiring panel. Morra said historically where there are employees in a position to move up the Town has always looked at those first.

Motion: I move the Bolton Board of Selectmen accept the resignation of Kyleen Mike with regret and recommends we send her a letter of appreciation for her service.

By: Morra

Seconded: Pierog

Voting:

For: Morra, Eremita, Pierog, Miller, DePietro.

Against: None

Abstain: None

5. Reports & Updates:

A. Subcommittee Report

Pierog said Rupert will be reaching out to the Subcommittees for items that require recommendations.

Rupert said we are trying to wrap up the Branding Subcommittee.

B. Properties and Facilities Report

None

C. Open Space Management & Acquisition

None

D. FY 21 Budget Report

Rupert said the report as of July 31, 2021 was sent out today as a supplemental item to the packet. Nothing was red flagged. Pierog said the BOS may be returning to the BOF more than the \$330k we committed to or we won't have any issues reaching that amount at least.

7. Ongoing Business:

A. Report on Budget Transfers

The budget transfers were shown that were approved by Pierog and Rupert. Rupert anticipates a couple of more small ones coming in.

B. Other

None

C. Consider and Possible Action on Regulation on Possession and/or Use of Cannabis on Town Property

Rupert said this is a stab at a policy for marijuana use. The fine looks like a 1987 vintage. Pierog said she likes the items in green. She would like to list Heritage Farm and any Town buildings also.

Miller asked about those that hold medical marijuana cards – if it is used as medicine versus recreational are we prohibiting that also? Rupert said his understanding is if someone holds a medical marijuana card they can transport the product but it is only allowed to be used in the confines of their home. There is no reason to be in possession of it on town property. Morra said law enforcement has not worked out how to determine inebriation in traffic stops. Morra and DePietro agree with the suggested fine of \$100.

Morra doubts that amount would put someone at a felony level of crime. The fine can be modified. We can adopt this policy in conjunction with the alcohol policy.

Pierog asked Rupert to add the additional items to locations in town, run it by the Town Attorney with the fine of \$100, and bring it back to the BOS for the August meeting after getting the opinion from the Town Attorney.

Eremita asked if the Town Attorney should be asked his opinion in separating this from the alcohol policy. In that manner we can change one policy rather than both. Pierog said this is an interesting question; it might make sense to have two policies. There is an exemption for the Heritage Farm for alcohol.

D. Consider and Possible Action on Charter Revision Questions for November Ballot

Pierog went over the questions that have been created for Charter Revisions. These questions need to be reviewed by the Town Attorney and given to the Town Clerk by the end of the month.

Discussion included:

- Question 2 was changed from 'reduced' to 'revised'. The language was clarified so that it could be an increase or a decrease in the budget. DePietro would like to see some explanatory text.
- Question 4 – Morra has a problem with how this is written; he feels it is misleading as to what is written in the Charter. Critical information is missing from the question. Pierog said 3 – 4 people felt there were conflicts and the others did not. Pierog is open to suggestions as to language without making this a five sentence question. Morra said the list of four positions is where the conflict may be. Pierog said she will try to craft some new language.
- Question 5 – Eremita said it might be helpful to say that the 'annual budget' is being referred to by the 2%.
- Question 9 will be a list of bullets. This will be a yes or no vote to all on the list.

Miller asked how the previous Charter Revision attempt went? She wonders if I am supposed to say yes or no to these questions? How can one understand what the question is trying to revise? Pierog said most people are not going to know. For the 1988 proposed charter change people stood on the side of the road with signs saying to vote yes or no on question so-and-so. Miller said this is a lot of information and not enough information. Morra said it is important to send out an explanatory document. In the past, one or two items have been the ones people have rallied around. Miller asked if there would be other information on the ballot, such as vote yes to accept or vote no to not accept? Pierog does not know if we can do that; she will ask the Town Clerk. CVC has agreed to host two or three shows on what the questions are once the attorney approves the questions. Perhaps this could be a call-in show. Pierog said a call in live Facebook session may be held.

Pierog will recirculate the revisions by the end of the week to the Members. BOS may need to hold a special meeting after that.

8. New Business:

A. Consider and Possibly Act on Budget Cuts

Pierog said the BOF cut the Town side of the budget by \$237k. She and Rupert had a discussion about where this could come from. The biggest number is from Personnel Benefits which includes health, dental, and life insurances, pensions, and social security. Jill believes based on the supervisors settling on a 2.25% increase there will be a .5% affect on these categories for supervisors. There are savings from other items that we were able to purchase this year. The police budget is a reduction of \$10k keeping a 10% cushion for overtime and a potential change in the trooper.

Rupert said the proposed reduction in the library budget is the big one and would affect benefits. If the part-time position is made full-time Rupert understands that person would participate in health insurance. Adding health insurance with full family coverage is \$28k and increase in wages of \$13,791. Rupert recommends not changing that position from part-time to 37.5 hours.

Eremita asked if the rest of the savings are attributed to savings or cuts? Pierog said from savings with the exception of the police. Eremita said the list is appropriate and this is not nearly as painful a discussion as anticipated.

Miller asked if we can go in hot with the library budget and monitor the expenses throughout the year? Eremita said we would have to make the cuts somewhere else. Pierog said we could, in January, look if we have some savings or it looks like we will have some savings to take the library numbers for the half year which would be ~\$35k to make the change happen. Eremita said that would mean we are buying into next year's budget before we start. It is difficult to get rid of people.

DePietro said this is not a blank canvas; can we look at the quality that she provides to the library? Eremita said this is not just about the \$13k in wages as this comes along with \$28k in fringe benefits. Pierog said she could have Jill look to see if there is another place to find \$45k. Eremita said it took the budget four votes to pass; he does not think increases in personnel and programs are appropriate. Pierog said she tends to agree with that.

Motion: I move the Bolton Board of Selectmen accept the cuts as discussed.

By: Eremita

Seconded: Morra

Discussion: Morra said this is a difficult position to be in. The library has presented a good argument to expanding and it has to absorb some cuts. But it took four cuts to pass the budget which tells us people want to be as frugal as possible. Miller accepts the need for the cuts and feels what Members have said it right. It just hurts her heart. DePietro said a taxpayer told him today how much she appreciates the library. Morra said this does not reduce anything. Eremita said this is cutting a new increase; it is not taking money away from or damaging programs. We cannot afford new staff. This is doing away with an increase as it is not the time for one.

Voting:

For: Morra, Eremita, Pierog, Miller

Against: DePietro

Abstain: None

B. Consider and Possibly Act on Increasing the Special Events Permit Fee

Pierog said Rupert put together a recommendation for the base fee to increase from \$50 to \$150 for all applicants. Any needed inspections or Town employee/police involvement would be at an additional fee to the applicant.

Rupert said he was asked to look at the special permits fee and differentiate between for profit and not for profit events. He looked at the history of some events and the staffing time it takes for each. The fees should allow us to not incur high costs. Tremendous time is required for some events from Town staff and volunteers. There have been some events with a fairly significant financial burden to the town. This recommendation allows us to be responsible and mitigate the cost to the taxpayers.

Eremita said at a bare minimum the goal is to recoup Town costs. He asked if the special events permit fee recommendation is as a base fee for every event. Rupert said yes as the current \$50 cost does not even cover the time for taking in the application. And that amount also currently goes for such tasks as inspecting tents or electrical installations. Eremita said the recommendation makes sense for the few for profit events and those that are not based in our community.

Pierog asked if we want to consider a provision that the BOS can waive certain fees? Morra said that was going to be his recommendation. Eremita said such a provision would make sense.

Pierog said no action is needed on this tonight. Farm Day will likely be the last event before the next meeting. Rupert will adjust the recommendation based on these comments and bring it back to the next meeting.

C. Discussion List of uses for Everbridge Notifications

Pierog said the list of suggested notifications was provided by Rupert. She said police incidents or suggesting lock downs also came to mind. Rupert said some language can be added to the last bullet item about those. Eremita said a caveat should be added for when a major incident occurs someone has the right to hit the button. Not all uses can be thought of. Rupert said we have used Everbridge for all of the events listed. We only got push back on the reminder to vote. Pierog said there were ~25 comments on that use; these were from what can be thought of as a 'frequent complainers list'.

Rupert will bring back an amended list based on comments tonight for the September meeting.

8. First Selectman's Report:

A. COVID-19

Pierog said Bolton is at 308 cases which is up from July 29 when we had 297. The CDC has designated Tolland County where it is recommended to wear masks in public places. Masks are required in all Town properties.

B. Other

The Farmer's Market will not be held this year at Heritage Farm. It is not worth the time and effort to set up for the financial gain. This is on hold for at least a year. Morra said it is because of the combination of COVID and general conditions. It is a loss for what the Heritage Farms gets from the market. COVID is the nail in the coffin. Crop-wise it is a

bad year. Pierog said she heard on a California radio station that crops of tomato, lemon, lettuce, spinach, and kale are down at least 40% this year.

Rupert said the fire department boat has gone out to bid three times being posted for two weeks each time. Two people expressed interest on the last bid. The two people were contacted. The bid received is from a relative of Rupert's, therefore, he and Pierog were not comfortable in making a decision about the bid. The bid was for \$300 that is coming before the BOS for decision. Space is at a premium at the fire station. The current marketplace value for the Zodiac is \$1,200. The boat leaks but the motor is in very good condition because it has low hours on it. The motor is what is of value. Pierog said if the boat sits for a while work on it may be needed. Eremita said we should take what we can get for it.

Motion: I move the Bolton Board of Selectmen accept the bid of \$300 for the Fire Department's Zodiac boat.

Discussion: Eremita said this is the wrong time to be selling a boat and this is not the type of boat most people are looking for. It is a project. There is value in the motor and trailer.

By: Eremita

Seconded: Morra

Voting:

For: Pierog, Morra, Eremita, DePietro, Miller

Against: None

Abstain: None

Pierog said the one-ton flatbed received a successful bid of \$10k.

9. Re-Opening:

A. Other

Rupert said the re-opening has gone quite well. A report was included in the agenda packet. Rupert visited the Senior Center and the library to see the space usage within the buildings. The Town Hall re-opening has had a few individuals not happy with the mask requirements. It is rare that people are waiting outside to get in. The posted signs have turned out to be very helpful. The public appreciates being able to come back in although people are not coming in droves.

Pierog said to address the mask wearing – we have been clairvoyant given the current atmosphere. Pierog said there has been some social media traffic of Town Clerk's \$5.00 notary fee. Everyone is charging the same amount. Manchester and Coventry do not allow you entry. Hebron remains by appointment only.

11. Administrative Officer's Report:

A. Update on Fire Truck Repairs

Rupert spoke with Chief Dixon this afternoon. They have put the repaired truck through its paces and the department is happy with the work done on it. The vendor has yet to provide an invoice for the repair. They have been reminded this is part of the fiscal year close out reports so the reports are being held up.

Rupert said the rescue truck that was repurposed was noticed to be losing antifreeze so it was towed to the repair shop in Middletown. The shop found three leaks with hoses and ancillary items. Those were corrected and the truck refilled with antifreeze. It is now back in service and the fire department is monitoring it. That bill for the current fiscal year is pending receipt.

B. Other

Rupert reported:

- Indian Notch Park was reopened based on the report from Kim Welch. The algae bloom is being monitored; she has been great at coordinating efforts for this matter.
- During the rain events a couple of sump pumps failed in Town buildings. Those pumps have been replaced.
- The new Town website is in beta testing and should be live in a couple of weeks.
- Hartford Health Care vaccinated 13 people at a pop-up clinic at the library. One is planned for the concert on the green.
- The Farm Day event has space for 6k – 10k participants based on EHHD criteria.
- A building permit was issued for a Dollar General on Boston Turnpike.
- A connectivity grant will be used for the easement for the church next door.
- The FEMA paperwork was completed and submitted for Isaias with a total of \$115k in expenditures. Reimbursement is 75% for the expenses that are accepted by FEMA.
- Bolton has been invited by Charles Merrick, Dean of Engineering at UConn, to participate in the student's capstone program. Some projects for consideration that might be most important to the BOS are –
 - Work on the engineering to bring the Vibrant Community Study to a planning stage.
 - A potential problem with the dam failing at Bolton Lake and who we would evacuate.
 - Working out the technical difficulties of bringing water lines in from Manchester.

Rupert said these are not licensed engineers. The information provided could be used for planning purposes only.

Pierog and Morra like the idea of the water extension. The second choice for Pierog would be the Vibrant Community Study. Morra said having a fresh set of eyes look at getting water up the hill and around the corner for the water project would be enticing. Let's be innovating. Eremita agreed. It would be an enticing project for one of our few commercial areas be able to have more commercial development.

Rupert said he will suggest the students work on providing a plan to bring water from Manchester to the commercial district on Route 44.

12. Adjournment:

Motion: I move the Bolton Board of Selectmen adjourn at 9:11 p.m.

By: Eremita

Seconded: Morra

Voting:

For: Pierog, Morra, Eremita, DePietro, Miller

Against: None
Abstain: None

Respectfully Submitted,

Yvonne B. Filip

Yvonne B. Filip, Board of Selectmen Recording Secretary

Please see minutes of subsequent meetings for corrections to these minutes and any corrections hereto.



3B

Town of Bolton

222 BOLTON CENTER ROAD • BOLTON, CT 06043

**BOARD OF SELECTMEN
SPECIAL MEETING
WEDNESDAY, AUGUST 25, 2021 – 7:00 P.M.
MINUTES**

The Board of Selectmen held a Special Meeting on Wednesday, August 25, 2021 with First Selectman Sandra Pierog presiding. Also in attendance were Selectmen Kim Miller, Robert Morra, Mike Eremita, Robert DePietro, Interim Administrative Officer James Rupert and Fire Chief Bruce Dixon.

Members of the Public: Kim Saimonds – PNC Bank,

1. Call to Order.

Sandra Pierog called the meeting to order at

2. Consider and Act On Charter Revision Questions For Ballot.

Sandra Pierog started with the Charter Revision questions were sent off to Halloran & Sage a law firm in Hartford that are reviewing the entire Charter. The attorney did a lot of cleanup of the language. He suggested that we separate the change in title of the Finance Director to a separate question and added a comment at the end that says:

- Make such other grammatical, stylistic and technical changes as are recommended in the final report of the Charter Revision Commission or are otherwise required to reflect those amendments to the charter that are approved by the electors.

Robert Morra agreed this was a good statement to have at the end.

Motion: I move to take the clear draft as presented and institute a separate question for the change of title of Finance Director as suggested by the attorney and renumber all remaining questions.

By: Sandra Pierog

Seconded: Robert Morra

Robert Morra commented that after reading the changes the attorney made he thinks things are easier to read and more understandable. He did a good job.

Discussion: None

Voting:

For: Morra, Eremita, Miller and Pierog

Against: None.

3. Review and Approval of FEMA Acceptance for Assistance of the Fire Fighter's Grant for the Purchase of the Brush Truck.

Sandra Pierog stated that next up was the acceptance of the Fire Department Grant for \$120,000 that includes the Town match.

Motion: I move we accept the grant with the following internal conditions: that the finance department be charged with record keeping for the grant and that the selectmen's office and the finance department be copied on all correspondence regarding the grant and that all invoices, contracts, etc. be sent to the finance department in a timely manner.

By: Sandra Pierog

Seconded: Robert Morra

Discussion: Fire Chief Bruce Dixon agreed with the conditions and stated that nothing has changed here from what we've done in the past. Every bit of communication for this grant has been through the finance department, there's no private emails on the side.

Sandra replied that it does add the selectmen's office to the list of people just in case somewhere along the line there's a drop of the ball.

No other discussion.

Voting:

For: Morra, Miller, DePietro and Pierog

Against: None

Abstain: Eremita

Sandra Pierog then replied she would have Lisa Gonsor accept the grant as soon as possible. She then asked Michael Eremita about the conversation he had earlier in the day where he had questions about the grant; and had he gotten answers for those questions yet?

Michael Eremita replied that had not gotten to sit with David Parr to go over the specifics yet but the answers he did get Jill Collins must have heard as she was on the call as well. In the U.S. there were 2,500 to 3,000 applications for the fire truck grant. Only 100 were approved; six in the New England region and we were one of them. So, what he asked was: Since most of the fire trucks are a one-time payment at the completion of the vehicle when it's delivered to the department; we're probably going to be a little bit different because we're going to build this piece-meal, probably not go out to a single source vendor and I wanted to make sure we weren't going to have any problems because we're doing it this way. Dave Parr told Michael there would be no problems with that; but he wants to do a little advising on how to structure our requests so that it can all be purchased. If we don't spend the entire \$120,000 then the money left can be used for equipment for that vehicle. You can't substitute any other vehicle. Michael also requested a copy of his power point so he could go over all the specifics. Michael guesses there will probably be two dozen vendors involved in making this truck. We have enough time to build this thing. It's going to be some time for us to get a cab and chassis but that's the first stop. At the same time we'll look for a skid unit. We've got some work to do but he did a lot of research prior to applying for the grant.

Sandra replied as a matter of information for the rest of the selectmen in the federal grant language there is something called period of performance for which you have to be completed by and that is August 20, 2023.

Sandra also asked that Michael clarify with his contact that all contracts have to have a time of delivery with a penalty for failure to meet that?

Michael said he doesn't believe that's for the individual vendors that we'll be using. That's set up when you do a single source like buying an engine and the government gives a single vendor a significant amount of money only to have them go out of business before the truck is completed and now the government is out the money. Most of the things we'll be paying for are pay on delivery as opposed to paying upfront. He doesn't foresee anything more than maybe a \$100 deposit for the cab and chassis that we will have to pay upfront on. Maybe a couple small vendors we will pay cash to. So this delivery bond is not really going to apply to us unless we go to a single source that will build us an entire truck for \$120,000. He will confirm with Dave Parr that we don't have to comply with that stipulation.

Sandra asked that when he and Dave Parr agree on anything that's a deviation from the published contract that he ask for Dave to confirm by email and Michael agreed.

Michael stated the FD will keep a 3 ring binder with all the paperwork and correspondence for record keeping. There will be periodic progress reports and 6 month expense reports required and we will be audited.

Michael does not anticipate there being a storage issue while the pieces are being assembled. Any money left over can be used for any equipment that would go on the truck and if there is money left over at the end, of the remaining funds 5% would go back to the town and 95% would go back to the government.

Once the truck is completed it will be housed in the fire house, although it will be a tight fit. They will move the old forestry truck out and find a buyer for it. They will not keep the old truck and it CAN NOT be sold to another FD in the U.S to be used as an active fire vehicle. It can go to a farmer, construction company or collector. It is not considered a safe vehicle for the road.

5. Update and Discussion on Mark Anthony Lane.

Sandra reported last week that the town engineer went out and looked at the culvert on Mark Anthony Lane. It had been brought to our attention that the road there was deteriorating. The engineer upon visual inspection said this was in imminent danger of failure. We were awaiting a memo from the engineer about what we should do when Tropical Storm Henri hit us. On Saturday morning Chip White and James Rupert went out to the four houses on the now stranded part of the road and delivered a letter stating their culvert was in imminent danger and it was recommended they evacuate. None of the families evacuated but they did move their cars to a safe place. The Town State Trooper, Fire Department, Highway and Parks Department kept checking the road. Mid-afternoon Sunday we got a report that the culvert had washed away.

Sandra and James were on an EOC call later Sunday afternoon and they asked what could they do to help these families that were now stranded with no way out? Brenda Bergeron our DEHMS Coordinator and Jeff Morrisette head of the State Fire Emergency Department called in the Urban Search and Rescue Team to come out and assess the situation. Along with James Rupert and Chief Dixon they were all able to come up with a way to be able to develop a plan if there was an emergency we could at least get help in and out. No vehicles could get in there.

Sandra reported a new footbridge was constructed as of today 8/25. There are no side rails on it and it looks to be 6 feet above water. Not sure if emergency responders can get a stretcher across it.

On Monday morning Sandra provided one of the residents access to the Town Engineer who was able to help them identify a bridge contractor. The residents of Mark Anthony Lane chose a bridge contractor on their own. During the IWC meeting last night, Sandra asked the IWC to facilitate the permit process for a temporary bridge. It was agreed that it would be assigned to the IWC agent.

James Rupert spoke with Tim from Hemlock Construction today. According to him the residents' of Mark Anthony Lane have verbally agreed to a contract with his company for a temporary baker bridge that was developed by the military. He has one in stock and they have agreed to a price tag of around \$70,000. The term limit of the use of the bridge is indefinite according to Tim. Loading of the bridge is in excess of 20 HT (80,000 lbs.) which is a fairly robust bridge. Once Tim receives a signed contract he can have the bridge installed within a few days. Jim also spoke about how the Town has exhausted its resources on this project. We have looked to the National Guard, CT DOT, and Engineers from Jacobsen and Associates. We have also been in touch with some of our local politicians including Pam Sawyer and Steve Cassanno. Our goal has been to facilitate a solution and unfortunately, we've exhausted all of our resources at this point trying to help these families. Our goal is public safety for these families.

IWC is calling this an emergency and they are issuing orders for all seven residence's to correct the issue with the watershed which has been created by this bridge failure. This will allow us to put these temporary measures in place pretty quickly. James also pointed out the problem is this is a private road, with private residents with no taxing district. This group of individuals according to the covenants on their deeds was supposed maintain a corporation and corporate officers to handle these kinds of things; but they stopped doing that 20 years ago. There's no state or federal funding to help with these kinds of problems. Unless the Town decides their going to take the bridge over and take the road over these residents' are stuck with this financial burden and until they get a solution on their street every house is virtually worthless. We have also looked to FEMA to see if they homeowner's can get some type of assistance and we have been told probably not. The only thing we can think to do is add them to our hazardous mitigation plan because it cuts off four families in the event of a future failure and its possible somewhere down the road they may provide some funding. This bridge failed in July and they put it back together so they didn't have to worry about permitting processes and governmental red tape and didn't notify the town then. Unfortunately, it was really compromised after the last time so it didn't take much to fail this time. It's possible down the road we may see some help from adding them to our hazard mitigation plan but highly unlikely.

According to Hemlock Construction this afternoon they have verbally agreed to a temporary fix at this point.

Sandra then pointed out as a point of reference the Town Engineer has said that a permanent replacement to current specifications has told us were looking at \$550,000 to \$700,050. So, if we get to that point the residents are still going to need help from someplace. She has spoken to the Governor's office, Asst. Governor's office, Joe Courtney's office, the head of DEMHS, Robin Green and they all have gotten the same answer we have gotten; it's private property sorry can't help you. There is a small business disaster assistance loan but each property owner would have to sign on to that loan. It is not a forgivable loan and it would need to be repaid.

Sandra then answered Robert DePietro in that they'd probably very happily sign the road over to the town and we could take over the road but she's not sure she wants to obligate the town to fix the bridge and other issues that exist along that road. The road is far from the standards we hold our developers too today and would probably take several millions to bring it up to that standard.

Robert Morra then replied if we did it for them then we'd have to do it for all of the private roads here.

Sandra then stated we have serious issues on the Rosedale area private roads and Lakeside Circle and Lakeside Lane which are private roads. None of them complies with our minimum standards on any roadway.

Next steps are to work with Hemlock Construction to help facilitate the establishment of the temporary bridge, look for financing for these people and scheduling a zoom meeting next week with the residents of Mark Anthony Lane so we can see what their plans are, concerns are and timing for events are.

4. Consider and Possibly Approve Additional Ballot Question on the Purchase of the Fire Truck for the November Election

Bruce Dixon reported this has been a long process that two years ago (46 meetings) to replace the 28 year old ET334. We have viewed/inspected different equipment and five different manufacturers. We saved \$40,000 on the last truck we purchased but in the end the whole truck had to be rebuilt because it failed. So, we are very cautious about pricing and getting the right piece of equipment that's going to last for the community. Working over the last few years to price out a new truck he came up with a ballpark price of around \$810,000 for this new piece of equipment. We've have checked with a number of manufacturers but there is one we are leaning towards.

HGAC is a government procurement service out of Texas. Mike stated that earlier today on the call for the FEMA Fire Fighter's Grant this company HGAC was mentioned to us to look at for the procurement of the Brush truck.

Bruce Dixon reported the Town of Bolton BOE has used HGAC before along with many other towns in the state. My understanding is there are no fees to register with this company or act with them and they can possibly save us money on our bid. With financing options along with price increases including steel pricing increases and engine changes we could save money with the HGAC service and the bonding service that Kim Saimonds could help with. This could be substantial.

Kim Saimonds with PNC Bank reported that Pierce is coming up on a material surcharge and a price increase in January. The process we go through enables you to purchase a truck now with a large discount now as long as you fund the truck upfront. You're saving today what you could be paying in increases in the spring for. We offer 2-15 year financing, a non- appropriation clause which allows you to have the title to the truck but we hold a lien against it. The non- appropriation clause gives you the ability to give the truck back, you make the final payment and there is no right of referendum required. We also don't pay income tax on the interest earned which allows us to give you a lower rate. You could save about 24,000 if you were to purchase this truck this year before the price increase. If you went out to the 15 years the interest rate would be higher and there would be a prepayment penalty fee. First two years is no call and every year after is 3% on the outstanding balance.

Per Sandra our charter does not allow us to finance or make a debt arrangement for more than \$250,000 without a referendum. So, this no right of referendum would not work for us. This expense is in our Capital Plan but not fully funded. We still need to go to referendum to authorize the spending of \$630,000. The decision to do this at referendum or town meeting would be discussed by BOS after Kim Saimonds presentation. The thought was if we go directly to referendum it would be on the November 2nd ballot; whereas if we went to Town meeting it could be forced to referendum and we would not have enough time to get the question on the November ballot that way.

Bruce Dixon then stated for clarification that if this went to referendum and made the November 2nd ballot and was approved; once certified by the ROV we could lock in pricing with HGAC should they choose and this truck could be ordered in December before the price increase.

Sandra agreed this would be worth looking into and something they would further discuss at the next BOS meeting.

Regarding the question on the ballot – we can ask the Town Clerk to list the fire truck question first.
Should we just list should “we approve the charter revision questions” Yes or No?
Or we can list out all the questions and then ask if they want to approve them? Yes or No.
Michael Eremita thinks it’s a lot to read and destined to fail.
Robert Morra thinks people have the right to read what they will be voting on.

Motion: To accept the resolution as proposed subject to changes and revisions from the attorney.

By: R. Morra

Seconded: K. Miller

For: R. Morra, K. Miller, M. Eremita, R. DePietro, S. Pierog

Against: None

Abstain: None

Discussion: None

6. Adjournment.

The meeting was adjourned at 8:43 p.m.

Respectfully Submitted,

Kathy McCavanagh

Please see minutes of subsequent meetings for corrections to these minutes and any corrections hereto.



Town of Bolton

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TELEPHONE (860) 649-8066 FAX (860) 643-0021

BOARD OF SELECTMEN WEDNESDAY, SEPTEMBER 1, 2021 1:00 P.M. – VIRTUAL SPECIAL MEETING MINUTES

The Board of Selectmen held a Special Meeting on Wednesday, September 1st with First Selectman Sandra Pierog presiding. Also in attendance were Selectmen: Robert Morra, Michael Eremita, Robert DePietro, Kim Miller, Interim Administrative Officer James Rupert, Fire Chief Bruce Dixon and Kathy McCavanagh.

1. Call to Order.

S. Pierog called the meeting to order at 1:03 p.m.

2. Approval of revised resolution and ballot question regarding Fire Truck.

Pierog stated this was a Special Meeting of the Board of Selectmen to approve the attorney's changes on the fire truck and to approve the ballot question for the referendum.

B. Morra's motion the other night said we accepted whatever changes the attorney had to our original motion. The attorney would like us to vote in this motion today instead.

The question for the ballot is:

Shall the Town of Bolton appropriate \$810,000 for the acquisition of an engine tanker fire truck for the Bolton Volunteer Fire Department and authorize the issue of \$630,000 bonds and notes to finance in part the appropriation?

Motion to accept the question.

By: B. Morra Second: M. Eremita

Discussion:

M. Eremita would like to put in something that reference the replacement of the vehicle that is 29 years old?

S. Pierog responded not it this piece but when we get to the next piece we'll be able to do this. The attorney wants this to be succinct and just talk about the purchase.

Vote for: R. Morra, M. Eremita, K. Miller, S. Pierog.

Against: None

Abstain: None

Passed Unanimously.

Per S. Pierog the attorney has changed the resolution. It takes the resolution we had the other night and added some federal tax regulations, general statute regulations and the last paragraph says

For the resolve that in their discretion the Town Clerk is authorized to prepare concise explanatory text regarding said resolution and the Board of Selectmen is authorized to prepare additional explanatory materials regarding such resolution such texts and explanatory material to be subject to the approval of the Town attorney and to be prepared and distributed in accordance with section 9-369B of the Connecticut General Statute.

This gives the BOS and the Town Clerk and the BOS can authorize the Fire Department to prepare something as well.

Attorney also said according to her interpretation of the Charter we need to take this proposal to the Board of Finance for approval and then to a Town meeting for approval. All the BOF will do is allow us to take it to the town meeting. The

Town Meeting will then authorize it to take it to referendum where the taxpayers/voters will make the final decision.

M. Eremita thinks that's a long way around when we could have just gone to Town Meeting to begin with and why don't we just go to Town Meeting and be done with it?

S. Pierog agrees; but if we just take it to Town Meeting without going to the BOF then we have to bond it and we'll be back at square one and we can't just go the BOF before we go to Town Meeting because we're borrowing and it has to go to referendum. It has to follow these steps:

1. BOS
2. BOF
3. Town Meeting
4. Referendum

Motion: To authorize the resolution appropriating \$810,000 for the acquisition of an engine tanker fire truck for the Bolton Volunteer Fire Department and authorizing the issue of \$630,000 bonds and notes to finance in part the appropriation.

By: B. Morra Seconded: K. Miller

Discussion: None.

Vote for: R. DePietro, B. Morra, M. Eremita, K. Miller, S. Pierog.

Against: None

Abstain: None

Passed Unanimously.

3. Adjournment.

S. Pierog adjourned the meeting at 1:23 p.m.

Respectfully submitted,

Kathy McCavanagh

See minutes of subsequent meetings for approval of these minutes and any corrections hereto.



Town of Bolton

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222 BOLTON CENTER ROAD • BOLTON, CT 06043
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**BOARD OF SELECTMEN
THURSDAY, SEPTEMBER 2, 2021
7:00 P.M. – VIRTUAL
SPECIAL MEETING MINUTES
RE: MARK ANTHONY LANE**

The Board of Selectmen held a Special Meeting on Thursday, September 2, 2021 with First Selectman Sandra Pierog presiding. Also in attendance were Selectmen: Robert Morra, Michael Eremita, Kim Miller, Interim Administrative Officer James Rupert, Inland Wetlands Agent Barbara Kelly and Town Civil Engineer Howard Pfrommer.

Members of the public included following Hop River Road Residents:

Michelle Trudeau – 624 Hop River Road
Pat Cinea – 630 Hop River Road
Tom & Jayme Mosier – 634 Hop River Road
Dave & Kristen Cook – 636 Hop River Road
Richard & Evelyn O'Connor – 638 Hop River Road

1. Call to Order.

First Selectman Sandra Pierog called the meeting to order at 7:05 p.m.

2. Status Update from Residents.

H. Pfrommer, Town Engineer, sitting in for J. Dillon who is out on vacation. Was asked by the Town to try to help the residents help facilitate some options. Heard from a company, Contech out of Massachusetts, who said they were in the process of making large diameter pipe that day (6' rise by 8.5' span). Said if we called back within 2.5 hours they would call the plant and ask them to make some additional pipe. Price given was \$12,000 for 1-30 ft. length of corrugated pipe arch or \$24,000 for two. That's material price only. The next day Contech contacted Howard saying there was some type of financing issue. He explained to Contech he was working for the Town and only asked to help facilitate the process.

H. Pfrommer was then contacted by Hemlock Construction who had some premade materials from a job with the DOT and had drawn up a pre-stressed adjacent box beam superstructure with abutments and rip rap banks. H. Pfrommer reviewed the plans and put down his thoughts for Hemlock to then review and address. He then heard from Hemlock that this was supposed to be a permanent structure not temporary.

Hemlock thanked Pfrommer for the comments and said it was exactly what they were looking for. H. Pfrommer stated he had no preconceived desire or want here; it was just his thoughts and he was just trying to give feedback and facts from the standpoint of the bridge hydraulic permitting world to people he believes are trying to wrestle with what to do and trying to understand how to get it done.

B. Morra asked if they had provided a weight load capacity for this structure.

H. Pfrommer replied that the super structure would carry HS 20 live load. Basically, the bridge would be capable of carrying all state legal loads which includes: fire trucks, garbage trucks, oil trucks, cement trucks and anything that is not a permitted vehicle.

Per K. Cook Hemlock reached back out to the residents with updates that go along with H. Pfrommer's recommendations for the bridge along with costs for these updates. All information was emailed out to the residents last night and yes, the bridge is meant to be a permanent structure that these residents will all own.

S. Pierog stated that we are trying to do what we can to help you. We arranged for Unified Search and Rescue to come out on Sunday evening and assess the situation and provide some guidance on a way to respond if there was a health emergency on the street. We have also reached out to the National Guard whom declined the mission because they are not allowed to work on private property. The Governor's office was asked to intervene with the National Guard but we were again we were told no due to it being private property.

We have also spent time researching loan and grant options. We were hopeful about the USDA Emergency Waterway Funds Grant; but that grant is prohibited for use with anything to do with transportation. There is a FEMA grant as well; but only if more than 100 addresses in Tolland County have incurred more than \$1,000 each in uninsured damages from storm Henri. FEMA is currently 3 storms behind in getting information and reporting so we may not know for another 1-3 months if this is an actual option. This looks like this might be our only hope at this point.

Rep. Robin Green and Steve Cassano have also reached out to the Governor to please consider the CARES ACT for this. There has been no answer yet and there are very few funds left at this time.

J. Rupert then asked H. Pfrommer if once this bridge goes in will there be any type of recertification's that have to take place at some interval to make sure this bridge will continue to be able to support things like fire trucks, oil trucks and heavy equipment that might have to go down there from time to time.

H. Pfrommer answered: bridges with a span of 20ft or greater are inspected on a bi-annual basis. Bridges on state roads are inspected every two years and we would highly recommend that the homeowner's do something like that even though it's a private bridge. A load rating is done. That's an engineered computer simulation to determine what the capacity of that bridge is so that in the future as it's inspected and deterioration is found somebody can go back into that computation and decrease the section and decide if the bridge is still plenty strong. At the very least the bridge should be looked at by an engineer every couple of years. In regards to precast concrete, he said that's the only thing his firm will recommend to their municipal clients. It's rare for us to do a steel bridge. Precast concrete will last for a long time.

3. Questions from Residents.

P. Cinea asked why did a rush of water enter downstream.

B. Kelly answered that she understood it was strictly the localized amount of rainfall coming into the watershed. B. Morra agreed with that and added on top of that in the past we have not had the saturations in the ground like we have now. Whatever came down was not absorbed in the soil, it all just ran off of any surface. It was the perfect storm with a surge that the vegetation and soil would normally absorb and this didn't happen this time.

S. Pierog reported on a comment in the chat box. The dam in the Upper Bolton Lake has failed and DEEP has contracted to have repairs done this October. Pierog responded she wouldn't call this a dam failure. They do repairs up in Vernon to a culvert that goes under the road; and that is to let more water through not less.

Another comment: why wasn't the dam opened days before a heavy rainstorm? Pierog responded, that's a DEEP issue and she doesn't believe any of us realized we were going to get as much water as we did. Had the dam been opened it probably still would have flowed through as that water had to go somewhere. Normally, when we request a dam drawdown it takes over a month, this doesn't just happen overnight once it's been approved.

M. Eremita asked, do we know when was the first information that this culvert/bridge was showing serious signs of deterioration? This couldn't have been the thing that happened all of a sudden because of the storm this year could it?

D. Cook explained the bottom of the pipe was starting to rot probably a year or two ago but then we had all this rain and it got so high it couldn't take that water. A lot of water came down.

P. Pfrommer said typically the corrugated pipes rot at the bottom. When they do rot, a pipe has a soil interaction structure so it relies on the backfill around it for its strength. A picture that he saw of the culvert a week before the storm he said

was pretty representative of what happens. What eventually happens is you lose sediment and back fill materials as large flows go through it. It tends to draw the backfill loss of section and creates sink holes and pot holes in the road. It's sort of a classic failure for that type of structure. It's a slow thing, it gives you signs, it not catastrophic. Unfortunately, in this case it was so far gone that it did what it did. With regards to the slug of water, it's about a 5 square mile watershed, according to the DOT drainage manual the bridge should be designed for a 100 year storm with about a foot of freeboard. After doing some quick computations it looks like to accommodate a 100 year storm around 1100 CFS that would probably take about a 30 foot span (a rectangular waterway). Your waterway on the Hemlock drawings is a trapezoid not a rectangle. So, it's not as efficient as the water rises. It's close to 40 feet at the top but at the bottom it's close to the same span the arch pipe was. P. Frommer just wanted to explain that the existing bow could not accommodate a 100 year storm. Now the storm you had was probably well in excess of that. A typical 100 year storm is around 7 to 8 inches in a 24 hour period.

D. Cook then asked H. Pfrommer: on the pipe that was put in there 38 years ago how would you compare that to the structure Hemlock is proposing to do?

H. Pfrommer replied in general precast concrete is a great way to go. I don't think there would be anything more durable. My concerns are that the footings are a little bit high, so you want to make sure the embankments are well protected with rip rap. You have a situation where the water is running along the street and then is forced to turn sharply through the barrel. Not only is that particularly inefficient, but it really worries him for the potential for scour and if you have a bridge with footings that are a little higher than the stream bottom that's something to pay attention to. He said he thought Hemlock was going to revise the design to drop the footing a bit which is good; but somebody should take a close look at the rip rap and make sure it's the right size, make sure its towed in properly at the bottom so that there is little scour at the bottom. More of the rip rap will fall so as to selfheal it. These are his main concerns about the design which he emailed to the resident's earlier.

R. O'Connor stated Hemlock had sent a proposal with three new recommendations from the original proposal based on the conversation/recommendations from H. Pfrommer.

The recommendations included:

1. Lowering the footings down to obtain a 4 ft. depth from every angle— H. Pfrommer new about this recommendation.
2. Add filter fabric below rip rap behind the abutments — Per H. Pfrommer — this is a really good idea — it helps to prevent sediment from getting in between the blocks and creating pot holes behind the abutment
3. Add rip rap toe section under the bridge area
4. Add an additional row of block to the abutment

H. Pfrommer agreed this was all good. The one thing they should check is how big is that riprap. You would probably want what DOT calls intermediate riprap. Someone should take a look at that and make sure that the velocities are such that they won't wash the riprap away in the next big storm.

T. Mosier stated that the proposal says the riprap would be size intermediate (12-18 inches). Grout could be added later if required, and limits of riprap beyond structure could be extended after final design and performed during an allowable period.

H. Pfrommer asked, the drawing they gave you; is that really a concept are they actually going to get someone to design it and analyze it? Is that clear to you guys because it's not clear to me? If it's sort of a concept and they're expecting an engineer to be retained to do what we engineers do; or are they proposing something they're looking to move forward with, with you guys?

D. Cook asked Howard if that's something you should talk to Hemlock about I think, wouldn't you?

H. Pfrommer replied only if the Town asks me to. I work for them.

D. Cook stated he thought it was something they were all concerned about so he thought that would be something he would understand better.

H. Pfrommer replied he would be happy to do it but S. Pierog asked H. Pfrommer before you do it, D. Cook I think that's a question the folks who are paying Hemlock need to ask them.

D. Cook replied yes I can but I just wanted to make sure that H. Pfrommer was on board with what they were doing to make sure everything was right.

H. Pfrommer then replied he's on board to the extent that it's a concept. From an engineering perspective there's a lot that goes in behind a drawing like that, (i.e. Hydraulic modeling, looking at the riprap size, making sure the waterway is adequate, obviously the structure and making sure that's strong). In concept I'm certainly okay with it. I think my concerns are in the email and I hope you guys would follow up on that. If were asked to follow up on that we can. Again, I'd hate to see something go in and we have these big storms that seem to be coming more frequently. If the riprap should wash away, the abutments are 4 ft. from everything like they say but there not 4 ft. below the bottom of the channel, nobody's done a scour analysis. The water is approaching that at a very sharp angle. I know all too well, I've had my own projects with problems like this. I've seen other projects with it and I think you guys have your upstream embankment rip rap from what I understand because it's occurred. It's happened to you guys. I think just looking at some mapping I'll bet you that stream was rerouted to put the road in years and years ago. I imagine Mother Nature had it going sort of back and way through. It's being forced to go through this waterway opening. I hate to see something be installed that you know could be better if an engineer sized the riprap properly and somebody looked at the scour and made sure that you weren't going to have a problem with exposed footings. Be tough to get back in there put riprap in underneath a bridge like that.

D. Cook then asked how could somebody (how would DEEP get away with turning that river) reroute a river.

H. Pfrommer replied, I have no idea. Who knows when it was done? I have clients now even sometimes that say permits be damned. We've all experienced that. Most clients do things right. You find people all over that do different kinds of things. Maybe the DEEP didn't even know about it.

E. O'Connor then asked to speak. I want to be careful what I say but I'm so upset about this. I gotta say and I just want this to be on the record, what D. Cook just asked, it was a big boys club and it's really sad that the Town is not going to try to help us pay for this in some way, because I was naïve. We were the first house built on this road that was actually a Larry Fiano house. The others were all subcontracted and we just said we'll just take care of the road. We did forever. Nobody in 38 years saw this kind of water. I would just like to say for the record; I think as a Town, we have never been rebated in any way for taxes or anything. We live on suicide six. We take care of the road. It's such a tragedy that everybody just says you take care of it it's yours. How did this ever happen; that nobody knew he put this culvert in that was not going to last more than 25 years. Which I'm hearing from people, they've heard. I never heard it. I'm going to leave it at that but I am just devastated. None of you were here. We built this house in 1983. In all fairness none of you on the Town were here. Nobody knows anything but I'm just saying; shame on all of us for not helping people like us. I'm sorry, I think the Town should try to do something and we really need your help. Thank you.

S. Pierog thanked Evelyn for her comments and stated she thinks we have tried to do our best to help.

E. O'Connor replied to S. Pierog and thanked her and thank you to everybody because you really have. I mean there was some nasty letters that were sent but I understand now why it had to happen and that's okay. I just want to say thank you and I'm sorry but when you're down like a dead dog you don't need to be kicked. Thank you.

B. Morra then stated, I think one of the things the Town can do and has done through the Building Department, is try to assist in evaluating this situation and even having our engineer look it over and come up with suggestions. Obviously, if the bridge proposal moves forward, it's going to require a review on the Town's side and inspections and so on. I think in a situation like this, perhaps the Town can be of assistance because we normally charge for stuff like that.

M. Trudeau replied, let's just reference back to Evelyn's conversation. You guys have done nothing to help us and you're just spewing some type of rhetoric that sounds wonderful. Some specious argument that really doesn't make any sense and you're still not helping us. You've done nothing! This is wonderful were having this meeting. I very much do appreciate it But you're really not doing anything to help us.

E. O'Connor then joined in saying our houses are worthless now and if I have a fire tonight my house will burn to the ground.

S. Pierog replied she understood that frustration. You know Mark Anthony is not the only private non-public road in the Town of Bolton. We actually have about 10 and 15 miles of private roads.

E. O'Connor exclaimed, it never should have happened!

S. Pierog replied, unfortunately, they did happen and it started in the early 50's and continued probably up until shortly after your road was put in and when they put a requirement in that it could only be 3 houses. One of our Selectman, Kim Miller lives on one of those three house.

M. Trudeau then spoke saying so, the Town should take over our road now. Its three houses. What does this have to do with our particular situation? I don't care about houses in 19 whatever and 3 homes. Were now talking seven houses, 4 of which are unobtainable to be able to get to; and all I hear is a lot of rhetoric and not a lot of answers to our situation. D. Cook has proposed the most reasonable situation and been our champion of being able to get this done and all I see is the Town throwing up a road block every single time something comes up.

S. Pierog replied, first of all, I don't believe were putting up road blocks. We're trying to work with you to get the best solution possible in the quickest manner. Our Inland Wetlands Commission took some steps last week to allow you to proceed without what would be the normal permit process which would have put you into November to get anything done.

M. Trudeau retorted, oh my gosh, that's a great joy! They did us a great favor for this? They don't understand that four houses are unobtainable to get fire or rescue. They did us a favor? Is that what you're trying to tell me right now? That the Lajoie's, Evelyn, the Cook's, the Mosier's, they have to get down on their knees and say thank you because you proceeded in such a timely manner. Are you kidding me?

B. Kelly then asked to speak on behalf of the commission. The Inland Wetlands Commission is not looking for things. The Inland Wetland Commission has a responsibility and the oversight of the whole permitting process of the work that would be done to replace or repair that bridge.

M. Trudeau replied, I understand that. So, you're doing us a favor?

B. Kelly stated, it's not doing a favor; but they certainly went out of their way to find a way to address this situation.

M. Trudeau responded, a bridge washed out. You have 4 people, 4 homes, two of which have children, and they proceeded in such a timely manner.

B. Kelly responded that they did respond in a timely manner. Nobody is asking for anyone to be grateful. They are addressing the situation at hand. They recognized how crucial it was. They looked through the regulations and the regulations are lengthy. They are 50 pages long; and they found a way to cover what needed to be done. They did that because S. Pierog brought it to the attention of the commission and they acted. They found a way to address it. In advance, they took the steps, they went out on a limb in some instances.

M. Trudeau exclaimed out on a limb!?

K. Miller then spoke up saying, I 100% understand how frustrating this is for you. I think it's a whole other issue...

M. Trudeau again exclaimed out on a limb!? We've got four people stranded and a house with children. You don't go out on a limb to me again!

K. Miller replied, I understand there's a whole conversation around should the Town own it and it's a road blah, blah. At this exact moment in time...

M. Trudeau replied don't say blah, blah to me again.

K. Miller then I apologized. I get it. But I think every single person on this call, everyone, really wants to try to figure out how we can help get this resolved. So, can I just make a suggestion that we focus on what are our solutions, options and next steps. I know that the Town's been trying really hard to figure out what they can do. I get his whole situation sucks! I myself live on a very long shared driveway and we have a whole thing right now because it needs some repairs. So, I do get it. I'm not saying we shouldn't revisit it at some point, the roads that are named roads but are private; but right now for this moment it is private property and I think we should focus on getting the solution. Like, how can we get this fixed? Then if we revisit it at some future time the Town ownership and we can have a debate about that. I just don't want to spend a lot of time back and forth when I really know everyone wants to get it resolved.

B. Kelly then explained, what I'm trying to speak to, we've talked a bit about there's the technical and construction aspects of getting the bridge in. The reality of the situation is that there's a bureaucratic process. There's permitting required through Town Inland Wetlands which is delegated through the state and through other regulations that were referred to in Mr. Pfrommer's letter. All the Inland Wetland Commission and Bolton can do is try to make that piece of it go as smoothly as possible. To that end, the mechanism was issuing an order to correct because that was not subject to any of this time line delays that are built into the statutes. It was a way to avoid that and they did that. The letter went out. There's the hearing on Tuesday, where people can answer and say what they think about it. That is a way to address it. At the time that order was written no one from the street had become involved to look for that kind of permitting and there was no idea of what the solution was going to be. Now that there is; the work can be covered through a modification to that order. So, on Tuesday, if the group knows what the solution is going to be or they know they're working with Hemlock; if a representative wants to contact Inland Wetlands, attend the zoom meeting, they can request that either that order be revoked, that it be extended or modified to accommodate things. This was a way to allow work to be done to stop the damage that's going on from continuing rain fall. Those are the two immediate things. You don't want the situation to get worse and you want a temporary or permanent solution. Something has to be done as soon as possible. So, the one small piece of correcting it, is permitting through the Inland Wetland Commission. This taken care of with that mechanism if people follow through with that from the Town's standpoint. That's the only controllable part the commission had and how they addressed it and as of Tuesday night that piece can be done.

R. O'Connor then asked, based on everything we talked about tonight, if we and H. Pfrommer and Hemlock all agree can we just go forward with it? Is there some other permission we need from someone? Can we move ahead? Hemlock is ready to go as soon as we say go. What's the delay?

B. Kelly replied, in terms of local Inland Wetlands the order would let them start stabilization work in the channel and move towards installing the temporary piece. Prior to the bridge, that order would have allowed somebody to go in and pull the old culvert out so that it wasn't blocking.

R. O'Connor then stated they are going to do that all at the same time.

B. Kelly replied, okay. I'm just saying that order from the local perspective let you get started. There are other considerations that are the technical and other construction considerations. J. Rupert and H. Pfrommer can address that piece; but permitting wise you've got the order. You can start. There is other permitting at other levels that Hemlock could be taking care of for you.

H. Pfrommer then stated, I would look to Hemlock to take care of the Army Core and DEEP permits. There's a simple 2-page Army Core permit and once you put in the mail you have the permit. As far as DEEP, you copy that application to DEEP and you'll have your permit. There are certain requirements in that permit you have to meet. So Hemlock could handle that form for you. The Army Core does allow situations for emergencies and to me this is clearly an emergency.

E. O'Connor exclaimed, you think?!

H. Pfrommer responded, please let's follow what Kim said. It was two weeks ago today we got a price for the two pipes. I would have thought somebody would have thrown those in there, back fill them and get to your homes and ask questions later. But I understand, it's a money thing too; and you don't want to spend a good chunk of money now not knowing what you're going to have to do later. I keep coming back to put the two pipes in now get yourself across and you get yourself a little extra capacity.

K. Cook replied, Hemlock is ready to go. There's no reason to spend the extra money and that would be a temporary solution when we have a more permanent solution ready to go.

D. Cook then stated, you being an Engineer H. Pfrommer, you would think you know what Hemlock is proposing.

H. Pfrommer responded, me being an engineer I have a bunch of things I'm trying not to say to upset people here. I don't want to be the one you think is trying to stall the project. That's why I'm saying, go to Hemlock and ask them for the Army Core permit. Let them file a permit right, wrong or indifferent that says whatever it says, right, wrong or indifferent, and try and get your permit. I know what it should say. To get the simple permit your bridge has to be designed for a 100 year storm. That's the fact and I wouldn't put my name on it if it's not designed like that. Hemlock might or Hemlock might find an engineer that would. That's an avenue you should honestly look too; because I think the Town is going to require whatever permits are necessary. You could also go the emergency route. You call the Army Core of Engineers,

and good luck with that as we have towns with 4 or 5 emergencies right now and we cannot get ahold of these people. You call them, convince them it's an emergency over the phone, they agree with you. They say go ahead and do your work and file your permits later. I see you're frustrated because whatever you do is going to become permanent and are you really going to go back afterwards and get the permits or change the bridge design? Why spend extra money. Put something in there now. Again, I say go back to Hemlock and ask them to get you the required permits or maybe they have to get an engineer that can do it for you. Ask them to get you the simple self-verification permit. Once you put that in the mail you got it. What I'm not telling you is that there are certain requirements to the self-verification permit application that I do not believe this bridge meets. However, you might find an engineer that disagrees.

D. Cook then asked H. Pfrommer, you didn't want to talk to Hemlock about certain things you thought the bridge needed why weren't you guys discussing that?

H. Pfrommer replied, I told you I talked to Hemlock about that and they said they understood and they said my email is what they wanted to see. I did not tell them they should get someone to file the core permit and I didn't tell them they should hire an engineer to do that. That was beyond our discussion at that point. I was asked to facilitate. Two Monday's ago we made a bunch of calls and got a solution I thought was good. But I get it. I get where you're coming from with not wanting to spend some money now and a bunch later. I would look to Hemlock to ask them about the Army Core thing. You're their client. You're hiring them to do something for you. So ask them to get the permits you need.

D. Cook then responded, years ago you guys dropped a pipe in here and now we're looking for something so much more advanced. How come it was allowed to drop that pipe in here?

H. Pfrommer replied, once again, same thing with re-routing of the stream; I have no idea. I can't speak to that. I have no knowledge of that whatsoever.

D. Cook stated, you do have an opinion and you should know that the bridge that Hemlock is trying to propose is way more advance than the pipe drop.

H. Pfrommer responded, no question about it and much larger hydraulic capacity.

D. Cook then stated, what I'm saying is we feel as neighbors you guys are trying to get us to build this 100 year bridge and spend all this money on our own; when you guys just dropped a pipe and backfilled it with gravel and no rip at all. I helped fix that bridge I know how it was put together. It's all gravel. It's not even done right.

H. Pfrommer responded, again, I'm sorry I have no knowledge of it. The other question I have was what gauge was the steel? Was that pipe salvaged from another job? You said it lasted 38 years. That's pretty good but we've seen some of those reach a service life of 50 to 60 years and others less than yours depending on the soil or water makeup. I don't know how to answer your question. I don't know. Hemlock's bridge, certainly the waterway is superior; but I don't want you to end up in this same spot. You build a bridge, we have another one of these huge events and something happens to the riprap and exposes the footing because Hemlock's is a superior design better than the pipes, because nobody wanted to go the extra mile and have somebody look at that. I don't want to see you in the same situation as right now.

D. Cook responded he understand that. That's why we're looking for someone like yourself and the Town can steer us the right way and make sure this is done right.

H. Pfrommer stated, I'm trying to do that but I'm trying to be ginger about it because I don't want some of you to think I'm trying to stall this thing. Certainly not, because I thought that pipe on the Monday morning was the way to go and I made sure to get that information to you 15 minutes after I got it. But that apparently wasn't something you wanted.

D. Cook responded I'm just afraid of pipes after what we've seen. Especially if you tried to do two. The debris that comes down that river when that volume comes; and that's what happened this time. That pipe filled to the top, swirled like a whirlpool, all the logs and branches and choked up that pipe.

H. Pfrommer replied that's an excellent point. A clear span hands down is better than two pipes. I was just thinking of your need to get to your homes.

D. Cook stated, us living this and going through it there's no way you can know exactly until you do it. We'd rather spend the money, get that bridge done and done right and we'll sacrifice the walking back and forth. We're more worried about

if someone has to get in here. We don't want to go through this twice. We think \$70,000 to get the bridge is enough money to spend. When a pipe was thrown in years ago. We feel like we're building a bridge for the town. I'm 61 years old, I won't be here forever. You guys will be collecting the taxes all down here after we put this nice bridge in and its way better than what you guys did.

S. Pierog responded, it wasn't the Town who did that. It was your developer.

D. Cook replied he understand that but somebody okay' d that. There's no way you would allow that pipe to be put in without being inspected and approved.

E. O'Connor then asked to speak again. I have to say I love Larry Fiano but I've got to say it was the big old boys club and none of you were here then; but I think the Town owes us because they never ever should have allowed that to happen. I was naïve, we built in 1983. I was like 20 something years old. It breaks my heart that I thought I would ever get screwed over like this. It is so wrong. That was not an acceptable culvert. There's no map. There's no record of it and I think the Town owes us something; especially since we've maintained this road for all these years. Thank you.

J. Mosier then asked, just to clarify, if we go through with this Hemlock bridge which is what we're leaning towards. If we go to this meeting on Tuesday night, present to them what our plan is and we get the waiver for the wetlands to sort of start our process. Is that correct?

B. Kelly responded, certainly yes. They could start their site preparation. Now I think indirectly I heard the one comment that no one wants the bridge to be done twice and another that expressed the dissatisfaction that it wasn't a good job done years ago. I think what I'm hearing from H. Pfrommer is one of the things that the Army Core permit requires is a hydraulic analysis. I'm not sure how much work that is or what it takes; but there's a real strong suggestion that the second they file that two pager with the Army Core that will ensure that the right kind of check is done by an engineer. Now I know Hemlock has and Engineer a P.E. on staff who can stamp things and I know they've talked about doing that analysis after and going back in and fixing things

J. Mosier replied, okay, so we talk to Hemlock, square away the Army Core permit assuming they sign off on that, we get that self-verification permit. We cut trees and marked things for Hemlock. We're ready to go. Hemlock said they could do this in two or three days for us. But our thoughts are, we know we are hitting this September 30th mark where it would be labeled as temporary for now and then it would be after July we could possibly label it as permanent through the Town. Is that how that works?

B. Kelly replied she was not sure how that works. But you could present your plan at Tuesday's meeting and you could potential wrap up with Inland Wetlands at that point.

J. Mosier then asked what do we face with the Town after that?

J. Rupert the discussed, from the Town's perspective what we intend to do is engage Nathan L. Jacobsen and Associates, either H. Pfrommer, J. Dillon or a combination of both to look at this bridge as its going in so that we can help you ensure that it is being built according to the plan. We want you to be sure you're getting what you're paying for and that is one of the pieces the Town can do to help you ensure that that does happen. We can't go backwards. We know there was issues with what was done, when it was done, but we can try to help you avoid those pitfalls now and for the future.

D. Cook expressed, that's exactly what we need. Thank you. We need someone to oversee it. Just like when you go into a building and inspect what those builders are doing.

J. Rupert then responded, we've got an excellent group of people in Nathan L. Jacobsen and Associates. Sandy and I have talked and that's an expense that the Town is going to incur and we're not intending to bill anybody for that. That's just part of the service we are able to provide to you. Anything else we can do were going to try to do that to help facilitate. One of the questions that was asked was can we help with Eversource getting the power shut off when that happens? I will make the introductions personally with the engineer and we can plan that ahead of time. We can make sure the power is shut off so that it's safe to get in there with the equipment. Sandy and I are committed to continuing to try to find ways, as is the rest of the Board of Selectmen, to find ways we can help with funding down the road. We're intending to look at this and add it to our Hazard Mitigation Plan and continue to look for FEMA funds. Any funding source we can possibly leverage were going to try. We've tried a lot so far but unfortunately have struck out. That's how we see ourselves here as facilitators using the services we have available to us. We are going to lean heavily on H. Pfrommer and J. Dillon to look

at this project as it goes in.

D. Cook replied Thank you! That's exactly what we need. We need someone that knows what's going on. That way the work will be overseen. I think Hemlock's proposal is an excellent proposal. The bridge is solid, H. Pfrommer said so himself. If you guys do a little wrapping up on details that you want them to do. Tim is an excellent guy, he'll work with you and everything will be done that you need to get done. He's told me he's worked with one of the engineer's and he knows him. I know one of your engineers know of him and he does good work.

J. Rupert explained that H. Pfrommer has worked with Hemlock before. He has a pretty good opinion of them. I've talked with a gentleman named Jeff Scala who is the V.P. of CT Techtonic Engineers and also a town resident. We spoke today about the plan and Hemlock, and he also has a high opinion. I also received a call from the gentleman who is the chief bridge engineer for CT DOT. He was following up on a request that we had put in to them to borrow a bridge section and he has also worked with Hemlock and has a very good opinion of them. I think you've found a contractor that comes pretty well recommended from a number of sources. That has given me a much better feeling because I had no knowledge of Hemlock myself. I think it was good to get these other references from other individuals.

D. Cook supplied that Hemlock has been in business for like 60 years. They've been around for a long time and they're friends of ours. They are not even charging us for the bridge. They are charging us to move it and put it in place. We're in good hands. All we need is a little guidance from your engineers. These guys have been around the block and I trust them.

J. Rupert replied, I think H. Pfrommer's given Hemlock the roadmap to success. I think if they follow it and do what he said it will be good.

M. Eremita then asked, Is Hemlock going to be your general contractor?

D. Cook responded, yes.

M. Eremita stated, as a general contractor they should have all the information at their disposal to facilitate all of this. They must have made all these permits in the past. If there as good as we hear, they should be able to help and get all the permits from the Town and represent you at meetings. That's part of the job. They should be your representative. They should know about the Army Core permits and know how to do all this. You're paying them and they should be handling all of this for you and walking you through this whole process.

B. Kelly responded, she has also spoken to Hemlock letting them know how we were handling the local permitting piece. The one thing the Inland Wetlands Commission would ask to address is the erosion sediment control and how they would handle water diversions during construction and they indicated they had that all drawn up and will send it over; but I have not seen it yet. I think they may need to hear from the resident's that you want them to provide us all that final information.

D. Cook responded, I will talk to Tim and have him get all the information over to you.

E. O'Connor asked, what's happening with FEMA?

S. Pierog answered, FEMA is still a couple storms behind and will get the paperwork us and we will proceed from there.

4. Updates from Board of Selectmen.

5. Adjournment.

S. Pierog adjourned that meeting at 8:29 p.m.

Respectfully submitted,

Kathy McCavanagh

See minutes of subsequent meetings for approval of these minutes and any corrections hereto.

**BOARD OF SELECTMEN
TUESDAY, SEPTEMBER 7, 2021
7:00 P.M. – VIRTUAL
REGULAR MEETING**

The Board of Selectmen held a Regular Meeting on Tuesday, September 7, 2021 with First Selectman Sandra Pierog presiding. Also in attendance were Selectmen: Robert Morra, Michael Eremita, Kim Miller, Robert DePietro and Interim Administrative Officer James Rupert.

Also Present: Pam Sawyer, Milton Hathaway and Skyler Frazier.

1. Call to Order.

First Selectman Sandra Pierog called the meeting to order at 7:03 P.M.

2. Public Comment.

Milton Hathaway was provided the opportunity to speak but declined at this time. Pam Sawyer of 95 South Road Bolton CT requested that the Town provide her a list of any fall activities they were aware of so they could be part of the 300 +1 celebration. She additionally informed the Selectman that she was hoping for a group to participate in the Bolton Congregational Church Christmas tree event by getting a group together to put a 300th themed tree. Sandra Pierog asked that she share the information with Kathy McCavanagh for inclusion into the next Bolton Bulletin.

3. Approval of Minutes.

After a review of the Board of Selectman minutes from the Regular Meeting held August 3, 2021 Robert Morra motioned their approval. The motion was seconded by Robert DePietro and passed 5-0-0.

4. Correspondence.

The Board of Selectmen received a letter of resignation from Pamela Parsons and discussed the current status of coverage for that office. The Town received a letter of thanks from Matt Anderson regarding the RIMACONN Relay which First Selectman Pierog shared with the Board. She also shared a recent communication from CT Greenbank regarding the letter of intent for the solar carport project at the High School. Discussion then moved to a written request from William Anderson and Mike Bugnacki who requested an extension of a reduction in a new home building permit fee for 217 Hebron Road which expired July 19, 2021. After some discussion Robert DePietro moved to grant a one year extension from June 19, 2021 of the \$1240.00 credit for a permit to construct a new home at 217 Hebron Road. The motion was seconded by Robert Morra and passed 5-0-0.

5. Appointments: Public Building Commission.

A brief discussion took place about the Public Building Commission but no action was taken since no applications have yet come in. The Board decided it would review at the next meeting.

6. Reports and Updates.

- A.** The Personnel Subcommittee recently met and reviewed a good portion of the Employee Handbook. They will meet again in the future to continue progress.
- B.** Properties and Facilities report was that most repairs from the recent storms had been completed and no additional damage occurred with the most recent storm.
- C.** Open Space Management and Acquisition had nothing to report
- D.** FY 21 Budget Report was presented by James Rupert. He indicated there were no red flags and that the Finance Department had been encumbering accounts to reflect planned spending. He also shared that the invoice for the repairs to the fire truck had been received and totaled \$39,999.99.

7. Ongoing Business.

- A.** Budget Transfers. One request for transfer was received from the Fire Commission for \$800.00 to move funds from the repairs and maintenance category to a new line for them for transportation costs. Those costs would be related to moving the service truck to Virginia and back for the installation of cabinets. After a brief discussion Robert Morra made a motion to approve the request. The motion was seconded by Kim Miller and passed 4-0-0. Robert DePietro had left the meeting. A transfer report was provided for the previous year that consisted of one transfer of \$205.00 for MidNeroc tipping fees from an old bill.
- B.** Policy concerning possession of cannabis on Town Property. The policy was reviewed and discussed. The Board expressed that it felt their previous comments and concerns had been address in the latest version. After the discussion Robert Morra moved to approve the policy as written pending any changes by the Town Attorney. The motion was seconded by Mike Eremita and passed 4-0-0.
- C.** The signs proposed by the Friends of Bolton Lake was discussed along with the locations. Some concern was expressed by Mike Eremita over locking ourselves into less robust forms of snow and ice management such as reduced salt areas. After some discussion the Board concluded that the signs were just informational and should not have a negative impact on those things. A motion was made to approve the signs and locations as proposed by Robert Morra. The motion was seconded by Mike Eremita and passed 4-0-0.
- D.** Discuss the Town of Andover response to the Bolton BOS request to place a stop ahead sign on East Street to warn of a stop sign at the Webster Lane and Hebron Road intersection. James Rupert explained that he had received a communication regarding the request from Eric Anderson in Andover. Eric's communication was that the request was approved by the Andover Board of Selectmen. There was further discussion regarding the type of stop signs, LED VS regular and after a discussion of the price and features the Bolton Board of Selectmen chose to use convention DOT signage.
- E.** Everbridge Notification list. The list was discussed and Kim Miller made a motion to accept the list. The motion was seconded by Mike Eremita and passed 4-0-0.
- F.** Increase fees for special events permits. Sandra Pierog reviewed the proposed fees with the changes as requested at the previous meeting allowing the Board to waive fees. Mike

Eremita moved to approve the fee schedule and the motion was seconded by Robert Morra, The motion passed 4-0-0.

8. New Business.

A. The contract with US Cemetery Services was discussed along with the ongoing issues and complaints that were received. It was decided to have staff prepare a bid for cemetery services and lawn care separately. The Board will review the RFP's at the next meeting and will review bids at the November meeting.

9. First Selectman's Report.

A. First Selectman Pierog shared the total case count for COVID in Bolton to date was 321. She also shared that there had been four cases on the Thursday report and an increase of nine total cases over the last two weeks. Bolton remains a yellow town.

B. Some discussion took place regarding the grant for the forestry truck and if the contract would be single source or multiple source vending. Mike Eremita shared that they were still researching the option but that if it could fall within the cost allotment they will likely consider a single source and if otherwise would get approval ahead of time.

10. Administrative Officers Report.

A. Interim Administrative Officer, James Rupert shared the August Highlights as outlined in the supplemental Board Package.

B. Affordable housing was discussed and was suggested that we let the professional staff work on the draft of the plan on behalf of the Board of Selectmen with input both from the BOS and Planning and Zoning Commission. The Board asks that the staff to come to the October meeting and talk about what is required for the plan and mapping of how we will get there using staff and the grant.

C. Other Items discussed included Mike Eremita looking for direction on how to get an RFP together and out to bid for a fire house addition study. First Selectman Pierog stated that it was a Public Building Commission matter and they should be the ones doing it with assistance from the staff. Mike asked if the BOS could put out the RFP and after some discussion all agreed to see if we could appoint a Public Building Commission in October to move things forward. It was further suggested that if we were unable to do so the Board could appoint themselves as a temporary Public Building Commission.

Sandra Pierog brought up that the Charter revision questions were completed and had been reviewed by an attorney. After making the recommended changes by the attorney the questions have been sent to the Town Clerk and to the Secretary of State thus meeting the required deadlines.

11. Adjournment.

Robert Morra moved to adjourn the meeting which was seconded by Mike Eremita. The motion passed 4-0-0. The meeting adjourned at 8:21 P.M.

Any corrections to the minutes will be reflected in the next regular meeting minutes.

Respectfully submitted: James Rupert

5A

9/13/21

RECEIVED

SEP 20 2021

Board of Selectmen
Office of the State Police
Town of Bolton
222 Bolton Center Road
Bolton, CT 06043

TOWN OF BOLTON
SELECTMEN'S OFFICE

Dear Selectmen and State Police:

I have been meaning to write a letter to the Town for quite some time regarding the traffic situation on South Road which is becoming what I consider dangerous as well as a nuisance. There are two main things that concern me.

Number one is speeding vehicles. The speed limit on the road is set at 25mph. There are very few people who adhere to that limit, including myself at times, but cars and trucks routinely travel well over 40mph with many exceeding that speed by many miles per hour. The stretch of South Road that we live on is a hill, and it is hard to believe that some of those vehicles going down are able to navigate the turn below our house. Similarly, because of the pitch of the road at that turn, unaware speeding drivers coming up the hill have run off the pavement into my neighbor's yard. At the upper end of the hill, near the South Road Apartments, the road has a tight 'S' turn where it is hard to see oncoming traffic as well as anyone who might be walking or playing in the road as some young neighbor children sometimes do while riding their bikes.

Number two is truck traffic. At either end of South Road at Route 44 and Route 6 is a sign that says something like "Trucks are requested not to use this road". It is obvious that this absolutely does not deter through trucks. In other communities, I have seen signs with a red circle with a line through it stating No Thru Trucks. Whether this would have any greater impact is hard to say but it might help. The problem is, of course, that for vehicles travelling west on Rt44 that want to go south on Rt6, and vice versa, instead of going through Bolton Notch and having to make a U-turn, South Road is the perfect shortcut. And people who want to take that shortcut are usually in a hurry. Residents of South Road should not have to put up with large thru delivery trucks, semi tractor trailers and logging trucks that have no business on a rural, narrow road.

As a point of information related to through trucks taking a shortcut, the year before last it had become a habit for the Town of Vernon trash pickup trucks and the Willimantic Waste Paper trucks to come down the road fairly regularly, headed for Willimantic. I contacted both the Town of Vernon administrator and the Waste Paper offices about my concerns. Vernon was very understanding and cooperative and their trucks have, as far as I know, stopped coming down the road. Waste Paper trucks continue to come down the road on occasion according to a neighbor.

A good example of the dangers of truck traffic on this road is what happened to one of my neighbors up the street last Wednesday. They live between Stony Road and Rt44, a long straight stretch where speeding vehicles are also common. Their trash barrels were out at the end of the driveway for pickup when a large tree trimming company truck came by, too fast of course, and knocked both barrels into the street, spreading the contents all over the road and yard. The truck didn't stop. That just as easily might have been a dog walker, a biker or someone pushing a baby carriage.

What is the answer? I don't know, although I do know that something should be done. In addition to changing the signs at the ends of the road, possibly an electronic speed detector warning sign might do some good. I think it might also help if police could station a radar unit on this road from time to time. I'm sure they would be kept very busy.

I look forward to your responses.

Very truly yours,

A handwritten signature in cursive script that reads "Alan Wiedie".

Alan Wiedie
90 South Road

and our yard. They never stopped. This easily could have been a child, adult or dog. We have many dog walkers on South Rd, myself being one of them and a child who rides his scooter on side of road.

You suggested having our Trooper Brian Contente doing a yard visit on occasion and I am fine with it being my yard. And an electric speed indicator would perhaps slow them down. Would you please address this at the next Board of Selectman's meeting?

September 24th

Mr. Ruppert -

First of all, I thank you for getting back to me regarding my concern for traffic on South Rd. We are on the flat and straight area and many speed for too fast, taking advantage of just that. Trucks are "requested" not to use this cut through from Rt 44 to Rt 6 but this will never change. Two weeks ago such a truck hit my 2 trash barrels resulting in trash and recyclables over the road

I would so appreciate
you addressing this
issue.

Most sincerely,
Carol K Zapadka
40 South Rd
Backstrom



National Opioids Settlements
P.O. Box 43196
Providence, RI 02940-3196

NPD

130



122810002270

Postal Service: Please do not mark barcode

NPD AA-473-917

Hon. Sandra Pierog First Selectman

222 Bolton Center Road

Bolton, CT 06043

RECEIVED

SEP 24 2021

**TOWN OF BOLTON
SELECTMEN'S OFFICE**



TO LOCAL POLITICAL SUBDIVISIONS:

IMPORTANT INFORMATION ABOUT THE NATIONAL OPIOID SETTLEMENT.

SUBDIVISIONS MUST SUBMIT SIGNED DOCUMENTATION TO PARTICIPATE.

THE DEADLINE FOR PARTICIPATION TO MAXIMIZE SETTLEMENT BENEFITS IS JANUARY 2, 2022.

If your subdivision is represented by an attorney with respect to opioid claims, please immediately contact them.

SETTLEMENT OVERVIEW

After years of negotiations, two proposed nationwide settlement agreements ("Settlements") have been reached that would resolve all opioid litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen ("Distributors"), and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson (collectively, "Janssen").

The proposed Settlements require the Distributors and Janssen to pay billions of dollars to abate the opioid epidemic. Specifically, the Settlements require the Distributors to pay up to \$21 billion over 18 years and Janssen to pay up to \$5 billion over no more than 9 years, for a total of \$26 billion (the "Settlement Amount"). Of the Settlement Amount, approximately \$22.7 billion is earmarked for use by participating states and subdivisions to remediate and abate the impacts of the opioid crisis.

The Settlements also contain injunctive relief provisions governing the opioid marketing, sale and distribution practices at the heart of the states' and subdivisions' lawsuits and further require the Distributors to implement additional safeguards to prevent diversion of prescription opioids.

Each of the proposed Settlements has two key participation steps. First, each state decides whether to participate in the Settlements. Connecticut has joined both Settlements. Second, the subdivisions within each participating state must then decide whether to participate in the Settlements. Generally, the more subdivisions that participate, the greater the amount of funds that flow to that state and its participating subdivisions. Any subdivision that does not participate cannot directly share in any of the settlement funds, even if the subdivision's state is settling and other participating subdivisions are sharing in settlement funds.

This letter is part of the formal notice required by the Settlements.

WHY IS YOUR SUBDIVISION RECEIVING THIS NOTICE?

You are receiving this letter because Connecticut has elected to participate in both of the two national Settlements against (1) the Distributors, and (2) Janssen, and your subdivision may participate in the Settlements. This notice is being sent directly to subdivisions and also to attorneys for subdivisions that we understand are litigating against these companies. If you are represented by an attorney with respect to opioid claims, please immediately contact them. Please note that there is no need for subdivisions to be represented by an attorney or to have filed a lawsuit to participate in the Settlements.

WHERE CAN YOU FIND MORE INFORMATION?

This letter is intended to provide a brief overview of the Settlements. Detailed information about the Settlements may be found at: <https://nationalopioidsettlement.com/>. This national settlement website also includes links to information about how the Settlements are being implemented in your state and how settlement funds will be allocated within your state. This website will be supplemented as additional documents are created. The Connecticut Attorney General's office has also set up a state-specific website, which may be found at: <https://portal.ct.gov/AG/General/opioidsettlement>.

HOW DO YOU PARTICIPATE IN THE SETTLEMENTS?

You must go to the national settlement website to register to receive in the coming weeks and months the documentation your subdivision will need to participate in the Settlements (if your subdivision is eligible). All required documentation must be executed and submitted electronically through the website and must be executed using the "DocuSign" service. As part of the registration process, your subdivision will need to identify, and provide the email address for, the individual who will be authorized to sign formal and binding documents on behalf of your subdivision.

Your unique Subdivision Registration Code to use to register is: 6EJAD5

HOW WILL SETTLEMENT FUNDS BE ALLOCATED IN EACH STATE?

The settlement funds are first divided among the participating states according to a formula developed by the Attorneys General that considers population and the severity of harm caused by the opioid epidemic in each participating state. Each state's share of the abatement funds is then further allocated within each state according to agreement between the state and its subdivisions, applicable state allocation legislation, or, in the absence of these, the default provisions in the agreements.

Many states have or are in the process of reaching an agreement on how to allocate abatement funds within the states. Allocation agreements/legislation and other information about Connecticut's allocation agreement or legislation can be found on the national settlement website. The allocation section of the website will be supplemented as more intra-state allocation arrangements are finalized. Connecticut's state-specific website will be updated as well.

In reviewing allocation information, please note that while all subdivisions may participate in the Settlements, not all subdivisions are eligible to receive direct payments. To promote efficiency in the use of abatement funds and avoid administratively burdensome disbursements that would be too small to add a meaningful abatement response, certain smaller subdivisions do not automatically receive a direct allocation. However, participation by such subdivisions will help maximize the amount of abatement funds being paid in the Settlements, including those going to counties, cities, parishes, and other larger subdivisions in their communities.

To determine your eligibility to receive, directly or indirectly, any of the funds allocated to your state should you elect to participate in the settlements in which your state participates, you should first visit <https://nationalopioidsettlement.com/> to determine if your state has entered into a state-subdivision agreement or has an allocation statute and/or a statutory trust. If so, then the terms of the state-subdivision agreement, allocation statute, and/or statutory trust (as applicable) will govern your eligibility to receive funds directly or indirectly from the share that is allocated to your state under the national settlement agreements. In some states there will be a proposed state-subdivision agreement that is in the process of being adopted by subdivisions. Any questions concerning the status or terms of the state-subdivision agreement, allocation statute, and/or statutory trust in your state, if applicable, can be directed to the Attorney General's Office.

You may be contacted by the Attorney General's Office with additional information regarding the allocation of settlement funds in Connecticut. Subdivisions with representation can expect information from their attorneys as well. We encourage you to review all materials and to follow up with any questions. The terms of these Settlements are complex and we want to be sure you have all the information you need to make your participation decision.

WHY YOU SHOULD PARTICIPATE

A vast majority of states have joined the Settlements and attorneys for many subdivisions have already announced support for them. For example, the Plaintiffs' Executive Committee, charged with leading the litigation on behalf of more than 3,000 cities, counties and others against the opioid industry, and consolidated in the national multi-district litigation ("MDL") pending before Judge Dan Aaron Polster in the Northern District of Ohio, recommends participation in these Settlements.

Subdivision participation is strongly encouraged, for the following reasons:

First, the amounts to be paid under the Settlements, while insufficient to abate the epidemic fully, will allow state and local governments to commence with meaningful change designed to curb opioid addiction, overdose and death;

Second, time is of the essence. The opioid epidemic continues to devastate communities around the country and it is critical that the funds begin to flow to allow governments to address the epidemic in their communities *as soon as possible*;

Third, if there is not sufficient subdivision participation in these proposed Settlements, the Settlements will not be finalized, the important business practice changes will not be implemented, the billions of dollars in abatement funds will not flow to communities, and more than 3,000 cases may be sent back to their home courts for trial, which will take many years;

Fourth, the extent of participation also will determine how much money each state and its local subdivisions will receive because approximately half of the abatement funds are in the form of "incentive payments," *i.e.*, the higher the participation of subdivisions in a state, the greater the amount of settlement funds that flow into that state;

Fifth, you know first-hand the effects of the opioid epidemic on your community. Funds from these Settlements will be used to commence abatement of the crisis and provide relief to your citizens while litigation and settlement discussions proceed against numerous other defendants in the opioid industry; and

Sixth, because pills do not respect boundaries, the opioid epidemic is a national crisis that needs a national solution.

NEXT STEPS

These Settlements require that you take affirmative steps to "opt in" to the Settlements. If you do not act, you will not receive any settlement funds and you will not contribute to reaching the participation thresholds that will deliver the maximum amount of abatement funds to your state.

First, register your subdivision on the national settlement website so that information and documents required to participate can be sent to you. You will need the email address of the person who will be authorized to sign on behalf of your subdivision. This is the only action item needed at this time.

Second, have your authorizing person(s) or body begin to review the materials on the websites concerning the settlement agreement terms, allocation and other matters. Develop a list of questions for your counsel or the Attorney General's Office. In the very near future, your subdivision will need to begin the process of deciding whether to participate in the proposed Settlements and subdivisions are encouraged to work through this process well before the January 2, 2022 deadline to be an initial participating subdivision. Again, the Attorney General's Office, your counsel, and other contacts within the state are available to discuss the specifics of the Settlements within your state and we encourage you to discuss the terms and benefits of the Settlements with them.

Third, monitor your email for further communications, which will include a Participation Agreement, Release, (where applicable) a model Resolution, and instructions on executing and submitting electronically using DocuSign.

We urge you to view the national settlement website and Connecticut's state-specific website at your earliest convenience. Information and documents regarding the national Settlements and your state allocation can be found on the settlement website at <https://nationalopioidsettlement.com>.

For further information, please contact Matthew Fitzsimmons, Special Counsel for Opioids, at Matthew.Fitzsimmons@ct.gov.

6

Town of Bolton Board/Commission Interest Form

Thank you for your interest in serving on a board or commission in our community. Volunteers play a major role in our Town government. The Board of Selectmen or subcommittee will review the information provided and may ask to meet with you to consider appointment.

Name *

Kevin Glenn

Address *

46 Country Club Road

Telephone Number *

Alternate/Cell Number

Email Address *

Political Affiliation *

Other/Rather Not Say ▼

I am interested in serving on the (name of board/commission) *

Buildings

I am interested in serving as a(n) *

☒ Full Member

☐ Alternate

☐ Both

Please provide a brief statement as to why you are interested in serving on this board/commission. *

I would like the Town of Bolton to extend it's reputation as a high quality place to live and work. That goal requires sensible investments in infrastructure. I believe I can help evaluate the options.

Please share any pertinent information on your background, education and experience as it relates to the board/commission position. *

Background: Worked at Pratt & Whitney for over four decades in various capacities including: Engineering, Project Management, Marketing, Strategic Planning and Communications.

FY2022 September 30, 2021	Adopted Budget	Revised Budget	Expense YTD	Balance	Encumbrance	Unexpended	% Expended	FY21	FY20	FY19
Administration	\$ 721,079.00	\$ 721,079.00	\$ 91,114.29	\$ 629,964.71	\$ -	\$ 629,964.71	12.64%	11.98%	24.42%	17.01%
Board of Finance	\$ 2,200.00	\$ 2,200.00	\$ 67.00	\$ 2,133.00	\$ -	\$ 2,133.00	3.05%	0.00%	0.00%	0.00%
Financial Administration	\$ 236,040.00	\$ 236,040.00	\$ 30,827.56	\$ 205,212.44	\$ -	\$ 205,212.44	13.06%	13.37%	13.08%	13.65%
Auditing	\$ 26,500.00	\$ 26,500.00	\$ -	\$ 26,500.00	\$ -	\$ 26,500.00	0.00%	0.00%	0.00%	0.00%
Assessor	\$ 83,246.00	\$ 83,246.00	\$ 11,446.47	\$ 71,799.53	\$ -	\$ 71,799.53	13.75%	13.85%	13.80%	13.78%
Tax Collector	\$ 87,680.00	\$ 87,680.00	\$ 15,031.68	\$ 72,648.32	\$ -	\$ 72,648.32	17.14%	14.64%	16.10%	15.03%
Fringe Benefits	\$ 895,821.00	\$ 895,821.00	\$ 110,344.07	\$ 785,476.93	\$ -	\$ 785,476.93	12.32%	14.25%	15.73%	16.47%
Town Clerk	\$ 136,058.00	\$ 136,058.00	\$ 18,614.59	\$ 117,443.41	\$ 7,125.00	\$ 110,318.41	18.92%	18.97%	19.81%	19.48%
Land Use	\$ 309,845.00	\$ 309,845.00	\$ 31,392.90	\$ 278,452.10	\$ 23,200.00	\$ 255,252.10	17.62%	20.83%	17.72%	18.10%
Planning & Zoning	\$ 4,940.00	\$ 4,940.00	\$ 163.75	\$ 4,776.25	\$ -	\$ 4,776.25	3.31%	2.25%	1.14%	4.67%
Zoning Board of Appeals	\$ 1,640.00	\$ 1,640.00	\$ 34.44	\$ 1,605.56	\$ -	\$ 1,605.56	2.10%	0.00%	0.00%	27.42%
Property Insurance	\$ 143,900.00	\$ 143,900.00	\$ 40,071.85	\$ 103,828.15	\$ -	\$ 103,828.15	27.85%	31.05%	26.26%	22.67%
Probate	\$ 5,960.00	\$ 5,960.00	\$ -	\$ 5,960.00	\$ -	\$ 5,960.00	0.00%	0.00%	100.00%	0.00%
Inlands/Wetlands	\$ 2,235.00	\$ 2,235.00	\$ 67.00	\$ 2,168.00	\$ -	\$ 2,168.00	3.00%	3.36%	10.44%	7.31%
Economic Development	\$ 2,000.00	\$ 2,000.00	\$ -	\$ 2,000.00	\$ -	\$ 2,000.00	0.00%	0.00%	4.25%	0.00%
Elections	\$ 44,383.00	\$ 44,383.00	\$ 6,041.30	\$ 38,341.70	\$ 1,000.00	\$ 37,341.70	15.86%	19.90%	4.82%	8.23%
Parks/Town Building Ops	\$ 813,493.00	\$ 813,493.00	\$ 83,526.36	\$ 729,966.64	\$ 8,765.26	\$ 721,201.38	11.35%	13.08%	13.69%	13.21%
Police	\$ 391,050.00	\$ 391,050.00	\$ -	\$ 391,050.00	\$ -	\$ 391,050.00	0.00%	0.01%	0.00%	0.00%
Fire Commission	\$ 223,538.00	\$ 223,538.00	\$ 4,726.62	\$ 218,811.38	\$ 43,911.40	\$ 174,899.98	21.76%	19.96%	54.68%	44.36%
Animal Control	\$ 3,000.00	\$ 3,000.00	\$ -	\$ 3,000.00	\$ -	\$ 3,000.00	0.00%	100.00%	85.71%	85.71%
Fire Marshal	\$ 33,000.00	\$ 33,000.00	\$ 709.29	\$ 32,290.71	\$ -	\$ 32,290.71	2.15%	5.05%	0.00%	13.65%
Emergency Management	\$ 19,693.00	\$ 19,693.00	\$ 2,369.24	\$ 17,323.76	\$ -	\$ 17,323.76	12.03%	11.68%	0.00%	0.00%
Highways and Streets	\$ 1,039,838.00	\$ 1,039,838.00	\$ 52,237.75	\$ 987,600.25	\$ 138,162.48	\$ 849,437.77	18.31%	27.94%	32.40%	28.50%
Public Building Commission	\$ 1,100.00	\$ 1,100.00	\$ -	\$ 1,100.00	\$ -	\$ 1,100.00	0.00%	0.00%	0.00%	0.00%
Public Health Admin	\$ 30,900.00	\$ 30,900.00	\$ 7,191.69	\$ 23,708.31	\$ -	\$ 23,708.31	23.27%	22.97%	20.43%	20.90%
Seniors / Social Services	\$ 180,421.00	\$ 180,421.00	\$ 18,317.64	\$ 162,103.36	\$ -	\$ 162,103.36	10.15%	10.53%	18.47%	16.42%
Library	\$ 292,454.00	\$ 292,454.00	\$ 56,015.84	\$ 236,438.16	\$ 16,149.00	\$ 220,289.16	24.68%	20.57%	26.65%	31.57%
Conservation	\$ 1,805.00	\$ 1,805.00	\$ 87.00	\$ 1,718.00	\$ -	\$ 1,718.00	4.82%	10.46%	15.08%	15.24%
Waste Collection	\$ 522,604.00	\$ 522,604.00	\$ 45,580.46	\$ 477,023.54	\$ -	\$ 477,023.54	8.72%	14.32%	13.08%	13.52%
Totals	\$ 6,256,423.00	\$ 6,256,423.00	\$ 625,978.79	\$ 5,630,444.21	\$ 238,313.14	\$ 5,392,131.07	13.81%	11.49%	23.95%	16.53%

Town of Bolton - FY2021 Revenue Statement - June 30, 2021

UNAUDITED	Adopted Budget	Revised Forecast	Actual to Date	Balance Due To Adopted Budget	Balance Due To Revised Forecast	% COLLECTION TO REVISED FORECAST
General Fund Revenue						
Property Taxes						
Current Property Tax	\$15,388,282.00	\$15,506,611.00	\$15,558,556.00	\$170,274.00	\$51,945.00	100.33%
Motor Vehicle Tax	\$1,595,871.00	\$1,565,460.00	\$1,567,024.94	(\$28,846.06)	\$1,564.94	100.10%
Supplemental MV Levy	\$175,000.00	\$175,000.00	\$176,491.17	\$1,491.17	\$1,491.17	100.85%
Prior Year's Taxes	\$75,000.00	\$97,000.00	\$107,165.97	\$32,165.97	\$10,165.97	110.48%
Interest & Fees	\$50,000.00	\$58,000.00	\$70,817.60	\$20,817.60	\$12,817.60	122.10%
Total Taxes	\$17,284,153.00	\$17,402,071.00	\$17,480,055.68	\$195,902.68	\$77,984.68	100.45%
State of Connecticut						
Education Grants						
ECS	\$2,683,216.00	\$2,683,216.00	\$2,683,208.00	(\$8.00)	(\$8.00)	100.00%
Adult Education	\$4,062.00	\$4,447.00	\$4,683.00	\$621.00	\$236.00	105.31%
Total State of CT Ed	\$2,687,278.00	\$2,687,663.00	\$2,687,891.00	\$613.00	\$228.00	100.01%
Other Grants						
Pilot: State Property	\$24,288.00	\$24,288.00	\$24,288.00	\$0.00	\$0.00	100.00%
Disabled	\$697.00	\$706.00	\$706.43	\$9.43	\$0.43	100.06%
Veterans Grant	\$3,276.00	\$3,031.00	\$3,031.08	(\$244.92)	\$0.08	100.00%
Pequot	\$3,244.00	\$3,244.00	\$3,244.00	\$0.00	\$0.00	100.00%
Misc. State Grants	\$5,000.00	\$24,000.00	\$1,403.21	(\$3,596.79)	(\$22,596.79)	5.85%
DOT Transportation Grant	\$11,494.00	\$11,494.00	\$0.00	(\$11,494.00)	(\$11,494.00)	0.00%
Municipal Projects	\$24,859.00	\$24,859.00	\$24,859.00	\$0.00	\$0.00	100.00%
Municipal Stabilization	\$11,053.00	\$11,053.00	\$11,053.00	\$0.00	\$0.00	100.00%
Law Enforcement	\$2,000.00	\$100.00	\$500.00	(\$1,500.00)	\$400.00	500.00%
Total Other Grants	\$85,911.00	\$102,775.00	\$69,084.72	(\$16,826.28)	(\$33,690.28)	67.22%
Other Town Revenue						
Tuition	\$216,848.00	\$171,883.00	\$170,548.71	(\$46,299.29)	(\$1,334.29)	99.22%
Town Clerk	\$80,000.00	\$125,000.00	\$132,519.90	\$52,519.90	\$7,519.90	106.02%
Selectmen Fees	\$12,745.00	\$12,745.00	\$18,597.00	\$5,852.00	\$5,852.00	145.92%
Building Official Fees	\$60,000.00	\$91,000.00	\$100,147.34	\$40,147.34	\$9,147.34	110.05%
Library	\$2,000.00	\$150.00	\$212.25	(\$1,787.75)	\$62.25	141.50%
NCAAA	\$5,000.00	\$105.00	\$105.00	(\$4,895.00)	\$0.00	100.00%
Building Official Service	\$60,000.00	\$74,922.00	\$72,539.29	\$12,539.29	(\$2,382.71)	96.82%
Misc. Revenue	\$20,000.00	\$6,000.00	\$8,044.86	(\$11,955.14)	\$2,044.86	134.08%
Telephone	\$5,500.00	\$6,409.00	\$6,409.21	\$909.21	\$0.21	100.00%
Interest	\$75,000.00	\$24,500.00	\$25,462.61	(\$49,537.39)	\$962.61	103.93%
Rental	\$24,377.00	\$30,746.00	\$33,689.04	\$9,312.04	\$2,943.04	109.57%
Senior Donations	\$2,000.00	\$0.00	\$0.00	(\$2,000.00)	\$0.00	
Total Other Town	\$563,470.00	\$543,460.00	\$568,275.21	\$4,805.21	\$24,815.21	104.57%
TOTAL GENERAL FUND	\$20,620,812.00	\$20,735,969.00	\$20,805,306.61	\$184,494.61	\$69,337.61	100.33%
TOTAL GENERAL FUND REVENUE	\$20,620,812.00	\$20,735,969.00	\$20,805,306.61	\$184,494.61	\$69,337.61	100.33%

UNAUDITED	Adopted Budget	Revised Forecast	Actual to Date	Balance Due To Adopted Budget	Balance Due To Revised Forecast	% COLLECTION TO REVISED FORECAST
Excess Cost Grant	\$35,100.00	\$35,100.00	\$22,564.00	(\$12,536.00)	(\$12,536.00)	64.28%
Federal Grants	\$191,844.00	\$191,844.00	\$171,286.01	(\$20,557.99)	(\$20,557.99)	89.28%
SHEFF	\$66,375.00	\$66,375.00	\$61,400.00	(\$4,975.00)	(\$4,975.00)	92.50%
Medicaid	\$20,000.00	\$20,000.00	\$1,780.75	(\$18,219.25)	(\$18,219.25)	8.90%
CHOICE Grant	\$400,000.00	\$400,000.00	\$399,581.00	(\$419.00)	(\$419.00)	99.90%
ERASE	\$1,900.00	\$1,900.00	\$0.00	(\$1,900.00)	(\$1,900.00)	0.00%
TEAM	\$2,275.00	\$2,275.00	\$1,506.00	(\$769.00)	(\$769.00)	66.20%
ESSER II	\$0.00	\$0.00	\$21,000.00	\$21,000.00	\$21,000.00	N/A
Coronavirus	\$0.00	\$0.00	\$184,408.00	\$184,408.00	\$184,408.00	N/A
Perkins	\$0.00	\$0.00	\$4,411.43	\$4,411.43	\$4,411.43	N/A
Donations	\$0.00	\$0.00	\$25,998.00	\$25,998.00	\$25,998.00	N/A
Total Board of Education Grants	\$717,494.00	\$717,494.00	\$893,935.19	\$176,441.19	\$176,441.19	124.59%
ADDITIONAL TOWN GRANTS						
Town Aid Roads	\$ 200,010.00	\$ 200,010.00	\$199,974.60	(\$35.40)	(\$35.40)	99.98%
Total Additional Town Grants	\$200,010.00	\$200,010.00	\$199,974.60	(\$35.40)	(\$35.40)	99.98%
TOTAL BOARD OF EDUCATION AND OTHER TOWN GRANTS	\$917,504.00	\$917,504.00	\$1,093,909.79	\$176,405.79	\$176,405.79	119.23%

TAX COLLECTOR 6.30.21									
UNAUDITED									
	ADOPTED	REVISED	COLLECTIONS YTD	REFUNDS	RETURNED ON-LINE PYMT	RETURNED CHECKS	Transfers	NET COLLECTION 6.30.21	PERCENTAGE COLLECTED FY 21 BUDGET
CURRENT YR.LEVY	\$ 15,388,282.00	\$ 15,506,611.00	\$ 15,612,221.32	\$ (28,724.37)	\$ (9,763.58)	\$ (16,088.04)	\$ 910.67	\$ 15,558,556.00	100.33%
MOTOR VEHICLE	\$ 1,595,871.00	\$ 1,565,460.00	\$ 1,579,914.29	\$ (11,276.06)	\$ (1,203.88)	\$ (298.83)	\$ (110.58)	\$ 1,567,024.94	100.10%
SUPP.MV LEVY	\$ 175,000.00	\$ 175,000.00	180,335.85	\$ (3,554.36)	\$ -	\$ (613.99)	\$ 323.67	\$ 176,491.17	100.85%
SUB TOTAL	\$ 17,159,153.00	\$ 17,247,071.00	\$ 17,372,471.46	\$ (43,554.79)	\$ (10,967.46)	\$ (17,000.86)	\$ 1,123.76	\$ 17,302,072.11	100.32%
PRIOR YEARS	\$ 75,000.00	\$ 97,000.00	\$ 109,615.31	\$ (1,273.39)			\$ (1,175.95)	\$ 107,165.97	110.48%
INTEREST & FEES	\$ 50,000.00	\$ 58,000.00	\$ 70,765.41	\$ -			\$ 52.19	\$ 70,817.60	122.10%
TOTAL	\$ 17,284,153.00	\$ 17,402,071.00	\$ 17,552,852.18	\$ (44,828.18)	\$ (10,967.46)	\$ (17,000.86)	\$ (0.00)	\$ 17,480,055.68	100.45%

PREVIOUS YEAR CURRENT YR LEVY COLLECTED

7.31.2020	8.31.2020	9.30.2020	10.31.2020	11.30.2020	12.31.2020
74.79%	82.27%	97.69%	100.02%	100.17%	100.32%
1.31.2021	2.28.2021	3.30.2021	4.30.2021	5.31.2021	6.30.2021
100.37%	100.43%	100.49%	100.67%	100.03%	100.33%
7.31.2019	8.31.2019	9.30.2019	10.31.2019	11.30.2019	12.31.2019
92.22%	99.97%	100.53%	100.68%	100.83%	101.31%
1.31.2020	2.29.2020	3.30.2020	4.30.2020	5.31.2020	6.30.2020
101.42%	101.65%	101.85%	100.03%	100.13%	100.18%

TAX COLLECTOR							
0 8.30.21							
	ADOPTED	COLLECTIONS YTD	REFUNDS	RETURNED	Transfers	NET COLLECTION 8.30.21	PERCENTAGE COLLECTED FY 22 BUDGET
CURRENT YR.LEVY	\$ 15,678,283.00	\$ 14,267,464.23		\$ (12,476.39)	\$ 2,265.73	\$ 14,257,253.57	90.94%
MOTOR VEHICLE	\$ 1,694,841.00	\$ 1,204,698.14		\$ (1,039.51)	\$ 577.61	\$ 1,204,236.24	71.05%
SUPP.MV LEVY	\$ 175,000.00	-	\$ -	\$ -	\$ -	\$ -	0.00%
SUB TOTAL	\$ 17,548,124.00	\$ 15,472,162.37	\$ -	\$ (13,515.90)	\$ 2,843.34	\$ 15,461,489.81	88.11%
PRIOR YEARS	\$ 75,000.00	\$ 17,884.73			\$ (2,843.34)	\$ 15,041.39	20.06%
INTEREST & FEES	\$ 50,000.00	\$ 4,155.13	\$ -			\$ 4,155.13	8.31%
TOTAL	\$ 17,673,124.00	\$ 15,494,202.23	\$ -	\$ (13,515.90)	\$ -	\$ 15,480,686.33	87.59%

PREVIOUS YEAR CURRENT YR LEVY COLLECTED

7.31.2021	8.31.2021	9.30.2021	10.31.2021	11.30.2021	12.31.2021
19.07%	90.94%				
1.31.2022	2.28.2022	3.30.2022	4.30.2022	5.31.2022	6.30.2022
7.31.2020	8.31.2020	9.30.2020	10.31.2020	11.30.2020	12.31.2020
74.79%	82.27%	97.69%	100.02%	100.17%	100.32%
1.31.2021	2.28.2021	3.31.2021	4.30.2021	5.31.2021	6.30.2021
100.37%	100.43%	100.49%	100.67%	100.03%	100.33%

TAX COLLECTOR 7.31.21								
	ADOPTED	COLLECTIONS YTD	REFUNDS	RETURNED ON-LINE PYMT	RETURNED CHECKS	Transfers	NET COLLECTION 7.31.21	PERCENTAGE COLLECTED FY 22 BUDGET
CURRENT YR.LEVY	\$ 15,678,283.00	\$ 2,986,947.79				\$ 2,265.73	\$ 2,989,213.52	19.07%
MOTOR VEHICLE	\$ 1,694,841.00	\$ 399,584.62			\$ (661.79)	\$ 577.61	\$ 399,500.44	23.57%
SUPP.MV LEVY	\$ 175,000.00	-	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
SUB TOTAL	\$ 17,548,124.00	\$ 3,386,532.41	\$ -	\$ -	\$ (661.79)	\$ 2,843.34	\$ 3,388,713.96	19.31%
PRIOR YEARS	\$ 75,000.00	\$ 10,931.89				\$ (2,843.34)	\$ 8,088.55	10.78%
INTEREST & FEES	\$ 50,000.00	\$ 3,463.16	\$ -				\$ 3,463.16	6.93%
TOTAL	\$ 17,673,124.00	\$ 3,400,927.46	\$ -	\$ -	\$ (661.79)	\$ -	\$ 3,400,265.67	19.24%

PREVIOUS YEAR CURRENT YR LEVY COLLECTED

7.31.2021	8.31.2021	9.30.2021	10.31.2021	11.30.2021	12.31.2021
19.07%					
1.31.2022	2.28.2022	3.30.2022	4.30.2022	5.31.2022	6.30.2022
7.31.2020	8.31.2020	9.30.2020	10.31.2020	11.30.2020	12.31.2020
74.79%	82.27%	97.69%	100.02%	100.17%	100.32%
1.31.2021	2.28.2021	3.30.2021	4.30.2021	5.31.2021	6.30.2021
100.37%	100.43%	100.49%	100.67%	100.03%	100.33%

FINAL FY2021 UNAUDITED	Adopted Budget	Revised Budget	Expense YTD	Balance	Encumbrance	Unexpended	% Expended
Administration	\$ 729,120.00	\$ 669,066.75	\$ 580,277.23	\$ 88,789.52	\$ -	\$ 88,789.52	86.73%
Board of Finance	\$ 2,200.00	\$ 2,200.00	\$ 2,064.59	\$ 135.41	\$ -	\$ 135.41	93.85%
Financial Administration	\$ 231,238.00	\$ 231,238.00	\$ 223,219.50	\$ 8,018.50	\$ -	\$ 8,018.50	96.53%
Auditing	\$ 26,500.00	\$ 26,500.00	\$ 26,000.00	\$ 500.00	\$ -	\$ 500.00	98.11%
Assessor	\$ 81,034.00	\$ 81,034.00	\$ 78,490.58	\$ 2,543.42	\$ -	\$ 2,543.42	96.86%
Tax Collector	\$ 84,394.00	\$ 84,394.00	\$ 80,941.75	\$ 3,452.25	\$ -	\$ 3,452.25	95.91%
Fringe Benefits	\$ 974,958.00	\$ 974,958.00	\$ 824,239.86	\$ 150,718.14	\$ -	\$ 150,718.14	84.54%
Town Clerk	\$ 137,079.00	\$ 137,079.00	\$ 133,692.73	\$ 3,386.27	\$ -	\$ 3,386.27	97.53%
Land Use	\$ 303,709.00	\$ 303,709.00	\$ 287,199.43	\$ 16,509.57	\$ -	\$ 16,509.57	94.56%
Planning & Zoning	\$ 7,120.00	\$ 7,120.00	\$ 2,154.40	\$ 4,965.60	\$ -	\$ 4,965.60	30.26%
Zoning Board of Appeals	\$ 1,640.00	\$ 1,640.00	\$ 257.00	\$ 1,383.00	\$ -	\$ 1,383.00	15.67%
Property Insurance	\$ 140,000.00	\$ 140,000.00	\$ 109,818.26	\$ 30,181.74	\$ -	\$ 30,181.74	78.44%
Probate	\$ 5,786.00	\$ 5,786.00	\$ 5,786.00	\$ -	\$ -	\$ -	100.00%
Inlands/Wetlands	\$ 2,235.00	\$ 2,235.00	\$ 610.00	\$ 1,625.00	\$ -	\$ 1,625.00	27.29%
Economic Development	\$ 2,000.00	\$ 2,000.00	\$ 590.00	\$ 1,410.00	\$ -	\$ 1,410.00	29.50%
Elections	\$ 44,931.00	\$ 44,931.00	\$ 38,477.47	\$ 6,453.53	\$ -	\$ 6,453.53	85.64%
Parks/Town Building Ops	\$ 798,907.00	\$ 794,907.00	\$ 686,089.00	\$ 108,818.00	\$ -	\$ 108,818.00	86.31%
Police	\$ 404,927.00	\$ 404,927.00	\$ 329,532.31	\$ 75,394.69	\$ -	\$ 75,394.69	81.38%
Fire Commission	\$ 210,797.00	\$ 250,797.00	\$ 244,155.98	\$ 6,641.02		\$ 6,641.02	97.35%
Animal Control	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ -	\$ -	\$ -	100.00%
Fire Marshal	\$ 29,500.00	\$ 29,500.00	\$ 11,694.14	\$ 17,805.86	\$ -	\$ 17,805.86	39.64%
Emergency Management	\$ 19,293.00	\$ 19,293.00	\$ 15,992.39	\$ 3,300.61	\$ -	\$ 3,300.61	82.89%
Highways and Streets	\$ 1,028,960.00	\$ 1,028,960.00	\$ 896,518.84	\$ 132,441.16	\$ -	\$ 132,441.16	87.13%
Public Building Commission	\$ 540.00	\$ 540.00	\$ -	\$ 540.00	\$ -	\$ 540.00	0.00%
Public Health Admin	\$ 30,250.00	\$ 30,250.00	\$ 28,295.64	\$ 1,954.36	\$ -	\$ 1,954.36	93.54%
Seniors / Social Services	\$ 180,563.00	\$ 180,563.00	\$ 146,406.96	\$ 34,156.04	\$ -	\$ 34,156.04	81.08%
Library	\$ 292,286.00	\$ 292,286.00	\$ 280,868.82	\$ 11,417.18	\$ -	\$ 11,417.18	96.09%
Conservation	\$ 1,625.00	\$ 1,625.00	\$ 1,366.71	\$ 258.29	\$ -	\$ 258.29	84.11%
Waste Collection	\$ 510,982.00	\$ 517,035.25	\$ 515,773.08	\$ 1,262.17	\$ -	\$ 1,262.17	99.76%
Totals	\$ 6,285,574.00	\$ 6,267,574.00	\$ 5,553,512.67	\$ 714,061.33	\$ -	\$ 714,061.33	88.64%

BUDGET TRANSFER REQUEST
TO
BOARD OF SELECTMEN

BUDGET: Assessor

Transfer \$ 5000 from category Reg. Payroll to category Other Payroll

(within budget) from # 1005-041-4131-000000-51610-00000

to # 1005-041-4131-000000-51620-00000

Transfer \$ _____ from Budget _____ to Budget _____

from category _____ to category _____

from # _____ - _____ - _____ - 000000 - _____ - 000000

to # _____ - _____ - _____ - 000000 - _____ - 000000

Other \$ _____

Explanation:

Signature

Title

Date

Board of Selectmen

Approved

Comments:

Yes No

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Date _____

**BUDGET TRANSFER REQUEST
TO
BOARD OF SELECTMEN**

BUDGET: Building + Land Use

Transfer \$ 25000 from category Reg. Payroll to category Other

(within budget) from # 1005-041-4151-000000-51610-000000

to # 1005-041-4151-000000-53300-000000

Transfer \$ _____ from Budget _____ to Budget _____

from category _____ to category _____

from # _____ - _____ - _____ - 000000 - _____ - 000000

to # _____ - _____ - _____ - 000000 - _____ - 000000

Other \$ _____

Explanation:

Signature

Title

Date

Board of Selectmen

Approved

Comments:

Yes No

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Date _____

**BUDGET TRANSFER REQUEST
TO
BOARD OF SELECTMEN**

BUDGET: Admin.

Transfer \$ 1600. from category Prof./Tech Services to category Dues + Fees

(within budget) from # 1005-041-4107-000000-53300 00000

to # 1005-041-4107-000000-58100 -00000

Transfer \$ _____ from Budget _____ to Budget _____

from category _____ to category _____

from # _____ -000000- _____ -00000

to # _____ -000000- _____ -00000

Other \$ _____

Explanation: underfunded.

Signature

Title

Date

Board of Selectmen

Approved

Comments:

Yes No

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Date _____

FY2022 Transfers for October 2021

\$	5,000.00	To	Other Payroll-Assessor	From	Regular Payroll-Assessor
<i>Rationale:</i>					
\$	25,000.00	To	Regular Payroll-Building & Land Use	From	Prof./Tech. Services-Building & Land Use
<i>Rationale:</i>					
\$	1,600.00	To	Prof./Tech. Services-Administrative	From	Dues & Fees-Administrative
<i>Rationale: Underfunded</i>					

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FY 2021 Transfers made after 9/2/21

\$	34.00	From	Prof. Ed. Training-Tax Collector	To	Office Oper. Supplies-Tax Collector
<i>Rationale: To cover cost of office chairs because previous money moved for this was used to reimburse resident for t stop payment charges because town employee lost resident's check.</i>					

\$	76.13	From	Office Operating Supplies-Fire Comm.	To	Other Supplies-Fire Comm.
<i>Rationale: funds necessary to cover 2 Village Springs water invoices</i>					

8B

MICHELSON, KANE, ROYSTER & BARGER, P.C.

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ALSO ADMITTED IN
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September 20, 2021

OPINION LETTER NO. 225

Via Email and Via U.S.P.S: jrupert@boltonct.org

James Rupert, Acting Administrative Officer

Town of Bolton

222 Bolton Center Road

Bolton, CT 06043

Re: Proposed Marijuana Ordinance

Dear Jim:

Under date of September 9, 2021, Kathleen McCavanagh sent me a "Marijuana Policy" and indicated that the Selectmen had passed the language. I asked whether it was going to be an ordinance and she affirmed that it was planned to be an ordinance. I assume that you and the Selectmen are knowledgeable about the requirements for the passage of ordinances including hearings and notices, etc. In connection with my review of this issue, I have researched Connecticut General Statutes, Bolton Town Ordinances, and reviewed other municipal ordinances.

My comments regarding proposed ordinance including the following:

1. Bolton has the absolute authority to adopt an ordinance prohibiting the use of cannabis or marijuana product on town property pursuant to section 7-148(c)(7)(H) of the Connecticut General Statutes. This statute allows municipalities to regulate activities deemed harmful to public health, including smoking on municipal-owned or controlled property.
2. An issue is presented as to whether the ordinance should address "marijuana" or "cannabis" activity. The statutes use the term cannabis, but my understanding is that cannabis is a term which includes hemp products which products include CBD oil, etc. but which do not include the THC component that marijuana does. I presume that the Selectman are not opposed to hemp products being used on public property but are opposed to cannabis products which contain THC hence making the use of the term "marijuana" appropriate.

3. There are a number of products which contain THC besides cigarettes, i.e., gummy bears, cookies, etc. Hence, the Selectmen are wise to not limit the proposed violation to just smoking but have used the words “possession”, and “consumption” as prohibited.

4. I have looked at other town’s ordinances that prohibit “cannabis” product use on town owned or controlled property. They don’t limit it to marijuana but use terms like:

This prohibition includes but is not limited to: the lighting or carrying of a lighted cannabis or marijuana cigarette or cigar or pipe, use of a vaping device producing vapor of any cannabis product or carrying or ingestion of a cannabis edible substance.

You can see that this town went beyond the THC limited marijuana products.

5. I have also seen an ordinance which makes the gifting or transfer of cannabis products on town property prohibited:

It shall be unlawful for any person, organization, entity, or any other party to sell, give, trade, or in any other way, transfer cannabis products of any sort to another person, organization, entity, or other party on property owned or controlled by the town of Bethlehem. Such products include but are not limited to: cannabis or marijuana cigarettes or cigars or pipes, vaping devices and vaping substances and edible substances.

6. I might suggest that at the beginning of the proposed ordinance language it be stated that “It shall be unlawful to bring, etc...”. As to the fine portion of the ordinance I would perhaps recommend simplifying this sentence to read as follows:

Violation of this section shall be punishable by a fine of up to one hundred dollars (\$100.00) per offense.

As I have written in the past, if the town seeks to impose fines in connection with the violation of any of its ordinances (to date it has not done so to my knowledge) it needs to establish certain hearing procedures pursuant to section 7-152c. of the Connecticut General Statutes. Up to this point in time Bolton has determined that getting into the fining and hearing procedure business for citations has not been deemed necessary and perhaps, worth the effort involved. A summary of these procedures that would be required include the following:

- a. The adoption of an ordinance providing for a citation and hearing procedure in accordance with the requirements of section 7-148(c)(10)(A) in section 7-152c. of the Connecticut General Statutes.

b. The Chief Executive Officer shall appoint one or more citation hearing officers other than police officers or employees or persons who issue citations to conduct the hearings authorized by section 7-152c.

c. Rather enumerating all the requirements of section 7-152c. I have attached hereto is a copy of the Town of Woodbridge's Ordinance governing the enforcement of fines and the citation hearing procedures required by section 7-15c. As you see, once a municipality seeks to implement fines in connection with violations of its ordinances, it must adhere to minimum due process requirements including, proper notice and service of same, the opportunity for hearings to dispute such fines, etc.

The statutes do require a fair amount of bureaucracy to be created and certain minimal "due process" steps with regard to assessing fines against its citizens. (A copy of Section 7-152c is enclosed for your ease of reference).

If you require anything further in connection with this matter please so advise.

Best regards.

Sincerely,

A handwritten signature in dark ink, appearing to be "R. Barger", with a long horizontal flourish extending to the right.

Richard L. Barger

RLB/ecs

Cc: Kathleen McCavanagh

§ 7-152c. Hearing procedure for citations.

Connecticut Statutes

Title 7. MUNICIPALITIES

Chapter 98. MUNICIPAL POWERS

Current with legislation from 2021 effective as of July 7, 2021.

§ 7-152c. Hearing procedure for citations

- (a) Any municipality as defined in subsection (a) of section 7-148 may establish by ordinance a citation hearing procedure in accordance with this section. The Superior Court shall be authorized to enforce the assessments and judgments provided for under this section.
- (b) The chief executive officer of any such municipality shall appoint one or more citation hearing officers, other than police officers or employees or persons who issue citations, to conduct the hearings authorized by this section.
- (c) Any such municipality, at any time within twelve months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited. Such notice shall inform the person cited:
 - (1) Of the allegations against him and the amount of the fines, penalties, costs or fees due;
 - (2) that he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten days of the date thereof;
 - (3) that if he does not demand such a hearing, an assessment and judgment shall be entered against him; and
 - (4) that such judgment may issue without further notice. For purposes of this section, notice shall be presumed to have been properly sent if such notice was mailed to such person's last-known address on file with the tax collector. If the person to whom such notice is issued is a registrant, the municipality may deliver such notice in accordance with section 7-148ii, provided nothing in this section shall preclude a municipality from providing notice in another manner permitted by applicable law.
- (d) If the person who is sent notice pursuant to subsection (c) of this section wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to an official

designated by such municipality. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice provided for in subsection (c) of this section shall be deemed to have admitted liability, and the designated municipal official shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection (f) of this section.

- (e) Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing official or policeman shall be filed and retained by the municipality, and shall be deemed to be a business record within the scope of section 52-180 and evidence of the facts contained therein. The presence of the issuing official or policeman shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the municipality. If such person fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the municipality.
- (f) If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty days or more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of a superior court facility designated by the Chief Court Administrator together with an entry fee of eight dollars. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of eight dollars, against such person in favor of the municipality.

Notwithstanding any provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

- (g) A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to section 52-259, at a superior court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

Cite as (Casemaker) Conn. Gen. Stat. § 7-152c

Source:

(P.A. 88-221, S. 2; P.A. 94-200, S. 2; P.A. 00-191, S. 4, 16; P.A. 02-132, S. 63; P.A. 03-278, S. 13; P.A. 09-144, S. 4; P.A. 13-132, S. 2.)

Case Notes:

Defendant's attempt to collaterally challenge an assessment by means of a motion to open failed to strictly comply with right established by Subsec. (g) to appeal from the assessment, thus the trial court lacked subject matter jurisdiction to grant such motion to open and reduce the amount of the assessment. 150 CA 736.

[HISTORY: Adopted by the Board of Selectmen of the Town of Woodbridge 2-19-1992, effective 7-1-1992 (Ch. 2, Art. IV, of the 1983 Code); amended 9-22-1992, effective 10-22-1992; 6-9-1993, effective 7-10-1993; 6-11-2003, effective 7-11-2003. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Officers and employees — See Ch. 86.

§ 15-1 Applicability.

Whenever any provision of the Code of the Town of Woodbridge provides for enforcement of its provisions by imposition of fines, this citation hearing procedure may apply.

§ 15-2 Establishment of procedure.

The Town of Woodbridge hereby establishes a citation hearing procedure in accordance with §§ 7-148(c)(10)(A) and 7-152c of the Connecticut General Statutes, as amended. Records of the proceedings and appointments under this chapter shall be kept in the office of the Town Clerk.

§ 15-3 Qualifications, appointment and removal of Hearing Officer.

- A. The Woodbridge First Selectman shall appoint one or more persons to be Citation Hearing Officers, other than police officers or Town employees, to conduct hearings authorized by this chapter. The term of said Citation Hearing Officer shall be two years. Notice of such designation shall be filed with the Woodbridge Town Clerk within two business days of the date of appointment by the First Selectman. The names and addresses of the Hearing Officers shall also be sent to the Commissioner of Motor Vehicles.
- B. No person shall be appointed to the position of Hearing Officer unless such person is:
 - (1) At least 18 years of age;
 - (2) Capable of fairly administering the applicable provisions of the ordinances based on such person's background and experience, including but not limited to education, special skills and training.
- C. Any Hearing Officer whose personal interests do or may reasonably give the appearance of conflict with the official's responsibilities herein enumerated shall remove him or herself from presiding over any such hearing, and in such case the First Selectman shall appoint a substitute Hearing Officer for that hearing.
- D. Any Hearing Officer may be removed at any time by the First Selectman for whatever reason is deemed sufficient, following reasonable inquiry into the facts and circumstances justifying removal, by the Board of Selectmen.
- E. A Citation Hearing Officer shall receive compensation as set by the Board of Selectmen for hearings conducted pursuant to this chapter.^[1]

[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

§ 15-4 Citation hearing procedure.

- A. Warning notice of violation. Prior to utilizing the remedies set forth in this chapter, the Town of Woodbridge shall send to the alleged violator a written "warning notice of violation" which shall provide notice of the specific violation(s) at issue. Such warning notice shall be hand delivered or delivered in a manner consistent with the ordinance allegedly violated or sent to the alleged violator by registered or certified mail, return receipt requested.
- B. Notice of violation. At any time within 12 months from the expiration of the final period for the uncontested payment of

finest, penalties, costs or fees for any citation issued under any ordinance herein for an alleged violation thereof, notice shall be hand delivered or delivered in a manner consistent with the ordinance allegedly violated or sent to the person(s) cited by the Town Clerk, by registered or certified mail, return receipt requested. Such notice shall inform the person(s) cited:

- (1) Of the allegations against the person(s) and the amount of fines, penalties, costs or fees due;
- (2) That the person(s) cited may contest liability before a Citation Hearing Officer by delivering in person, or by mail, written notice and request for a hearing within 10 calendar days of the date of notice specified in this Subsection B;
- (3) That if the person(s) cited does not demand such a hearing, an assessment and decision shall be entered against the such person(s); and
- (4) That such decision may issue without further notice.

- C. Admission of liability. If the person who receives notice pursuant to Subsection B wishes to admit liability for any alleged violation, that person may (without requesting a hearing) pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to an official designated by the Town in said notice of violation. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of that person or other person making the payment.
- D. Failure to respond to notice of violation. Any person who does not pay the assessed fines, penalties, costs, or fees or does not deliver or mail written request for a hearing within 10 calendar days of the date of receipt of the notice provided for in Subsection B shall be deemed to have admitted liability; and the designated municipal officer shall certify that person's failure to respond to the Hearing Officer. The Hearing Officer shall thereupon record with the Town Clerk and assess the fines, penalties, costs, or fees provided for by the applicable ordinances and shall follow the procedures set forth in Subsection G of this section.
- E. Zoning violations. Violations of Sections 3 through 7 of the Woodbridge Zoning Regulations, including amendments, concerning primary uses and buildings and structures which pose an immediate and substantial threat to public safety, shall be subject to a fine of \$150 for a single citation.^[1]

[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

F. Hearings.

- (1) Any person who, upon receipt of notice of violation, requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than 15 calendar days nor more than 30 calendar days from the date of the mailing of notice provided for in Subsection B. The Hearing Officer shall grant, upon good cause show, a reasonable request for postponement or continuance.
- (2) A person who has requested a hearing to contest liability shall appear at the hearing and may present evidence. Prior to the hearing, the Hearing Officer may accept from that person copies of police reports, investigatory and citation reports, and other official documents, by mail, and may determine thereby and give written notice that appearance at the scheduled hearing is unnecessary. If the person's appearance is not exempted in writing and that person fails to appear, the Hearing Officer may enter an assessment by default against that person upon a finding of proper notice and liability under the applicable statutes or ordinances.
- (3) A designated Town official, other than the Hearing Officer, may present evidence on behalf of the Town. An original or certified copy of the notice of violation issued by the issuing official or police officer shall be filed and retained at the Town Clerk's office. It shall be deemed to be a business record within the scope of § 52-180 of the

Connecticut General Statutes and constitute evidence of the facts stated therein. The presence of the issuing official or police officer shall be required at the hearing if the person charged so requests.

- (4) The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as he deems reasonable, fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation.
- (5) The Hearing Officer shall announce the decision at the end of the hearing. If it is determined that the person charged is not liable, the matter shall be dismissed and such determination entered in writing on the record in the Town Clerk's office accordingly. If it is determined that the person charged is liable for the violation, the determination shall be entered in writing on the record accordingly and shall state the fines, penalties, costs or fees assessed against that person as provided by the applicable ordinances of the Town of Woodbridge.

G. Assessment of liability.

- (1) If such assessment is not paid on the date of its entry, the Hearing Officer shall send by first-class mail a notice of the assessment to the person found liable.
- (2) The Hearing Officer shall also file, not less than 30 calendar days nor more than 12 months after such mailing, a certified copy of the notice of assessment with the Clerk of the Superior Court for the geographical area of New Haven, together with the appropriate entry fee. The certified copy of the notice of assessment shall constitute a record of assessment.
- (3) Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment.
- (4) The Clerk of the Superior Court shall enter judgment, in the amount of such record of assessment and appropriate court costs, against such person in favor of the Town.
- (5) Notwithstanding any other provision of the Connecticut General Statutes, the Hearing Officer's assessment, when so entered as a decision, shall have the effect of a civil money judgment. A levy of execution on such judgment may be issued without further notice to such person or a lien may be placed on the property of the person found liable.

- H. Judicial review.** A person against whom an assessment has been entered pursuant to this chapter is entitled to judicial review by way of appeal. An appeal shall be instituted within 30 calendar days of the mailing of notice of such assessment by filing a petition to reopen the assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to § 52-259 of the Connecticut General Statutes, in the Superior Court for the geographical area of New Haven. Said person shall then be entitled to a hearing in accordance with the rules of the Judges of the Superior Court.

§ 15-5 Municipal officer or employee to issue citations.

Upon receipt of a complaint from a responsible officer of the Town, the Town Clerk shall issue citations with which this chapter is concerned.

The Town of Bolton hereby solicits bids for the use of **land for farming** at 266 Bolton Center Road, known as the "Bolton Heritage Farm". For the period from January 1, 2022 through December 31, 2022.

DESCRIPTION OF PREMISES:

Within the 100 acres of the land formerly known as the "Rose Farm" 266 Bolton Center Road, are fields totaling 27 acres which the OWNER has let and rented unto the TENANT. In addition in the 2012 growing season, 6 1/3 acres behind the Town Hall were added to the agreement. Acreage is shown in parcels #1 and 2 on attached map.

Sealed bids will be accepted until Friday, October 15, 2021 at 10:00 a.m.
Bid information can be obtained online at town.boltonct.org/bids.

Instead of **"land for farming"** should this say land for the planting of crops?
So, we don't have people trying to put animals out on Heritage Farm?

← Back

Print

266 Bolton Center Rd

Bolton | CT 06043-7650



Directions



Town of Bolton
REQUEST FOR BIDS
Cemetery Grounds Maintenance

The Town of Bolton is seeking bids for a three year contract for maintenance in two town cemeteries. Contractors will need to provide their own equipment and supplies.

- 2 cemetery locations (approx. 12 acres total):
 - Bolton Center Cemetery (34 Hebron Road)
 - Quarryville Cemetery (995 Boston Turnpike)

Term: The term of the contract for sexton services shall be for three years.

Scope of Services: The Town of Bolton is seeking to contract with an individual or firm to perform cemetery maintenance at the two town cemeteries. The following is a list of the minimum services to be provided:

- A. Mowing, edging and weed whacking of all green space and around headstones and markers as needed to maintain grass height not to exceed three (3) inches, typical growing season shall be defined as April 1st through November 30th.
- B. Trimming around all grave stones and markers within the cemetery so that vegetation around such obstacles does not exceed a height of three (3) inches. This includes removal of any grass clippings from grave stones and markers.
- C. Trimming of bushes and brush vegetation around the perimeter monthly to allow clear access to all grave sites and roadways, and to prevent the spread of brush and trees within mowed areas of the cemetery.
- D. Removing of any tree or brush growth around grave markers or headstones.
- E. Removal of dead flowers from new graves, removing of dead arrangements and grave blankets and other grave decorations in spring and fall.
- F. First clean up and mow must be done before Memorial Day
- G. Mowing must be done within one week prior to July 4th and Labor day
- H. Spring and fall clean-ups include branches, twigs and leaf removal or clearing.

- I. Monuments, stones, flowers, shrubs and flags will be treated with respect and not damaged during maintenance and clean ups.

Qualifications:

Bidders must include a list of current clients, and a minimum of three references. The bidder must also identify the number of employees that they have available to provide the required services, particularly where the bidder provides services to multiple cemeteries along with a list of equipment that will be used. The Town will consider the bidder that, in its sole judgement demonstrates the skills and abilities to develop effective working relationships with the staff, officials, and public.

Contractor Liability and Insurance: The Town Assumes No Liability for Damages: The Contractor shall assume full liability for damage to grave monuments and other property and injury to pedestrians and motorists that are created by the Contractor's lawn and grounds maintenance operation and save harmless the Town of Bolton in all respects. The successful bidder shall carry during the entire Term of the contract for this Work and any renewal, commercial general liability in the minimum amount of \$1,000,000 in the aggregate and name the Town of Bolton as an Additional Insured. The Town assumes no liability for damages or injuries caused by Contractor's equipment or personnel, including but not limited to passing vehicular or pedestrian traffic struck by objects displaced by Contractor's equipment or operations. Contractors shall also provide a copy of their Workers Compensation Insurance Policy covering any employees of the Contractor.

Submittal Instructions: To be considered, proposals must be submitted in a sealed envelope, clearly marked: **BID – CEMETERY MAINTENANCE** and received by **10:00 a.m.** on **Thursday, October 28, 2021** by mail or hand delivery to:

Kathy McCavanagh, Town of Bolton, 222 Bolton Center Road, Bolton, CT 06043.

All sealed bids should include the following:

- a current list of clients,
- at least 3 references,
- proof of liability and worker's compensation insurance,
- equipment list and
- phone number and email address for future communications.

Reservations: The Town of Bolton reserves the right to accept any bid, to reject any or all bids, to waive defects in bids submitted in response to this request, to negotiate with bidders, and to select the proposal deemed to be in the best interests of the Town.

Issuance of this proposal does not obligate the Town to award a contract. The Town accepts no responsibility for reimbursing consultants for expenses incurred in responding to this Request for Bids.

- Questions prior to bid submission should be directed to: Kathy McCavanagh, hr@boltonct.org
- Prior experience in municipal cemetery maintenance is preferred but not required.

Town of Bolton

REQUEST FOR BIDS

Sexton Services

The Town of Bolton is seeking bids from qualified contractors and individuals to provide sexton services on a contractual basis. The sexton will be an Independent Contractor, not an employee of the Town of Bolton.

2 Cemetery Locations:

- Bolton Center Cemetery (33 Hebron Road)
- Quarryville Cemetery (South side of Rt. 44 near Bolton Lake)

Term: The term of the contract for sexton services shall be for three years.

Scope of Services: The Town of Bolton is seeking to contract with an individual or firm to perform the duties of Cemetery Sexton, as required by the laws and statutes of the State of Connecticut. The following is a list of the minimum services to be provided for interments and services:

- Confirms a burial permit has been obtained from the public health officer as required by law.
- Digging, Opening and closing of all graves.
- Coordinating with funeral homes the scheduling of burials. Directs the proper marking out of grave sites.
- Assures the integrity of existing grave sites.
- Issues permits to set grave markers.
- Foundation placement.
- Leveling and seeding all new graves.
- Leveling and seeding old graves that have settled.
- Showing available grave sites to families.
- Assist in locating sites at the Cemetery.
- Maintains up-to-date records of all cemetery lots and their status.
- Provides consolation and consultation services to the families of the bereaved; provides aids and coordination to Funeral Directors in scheduling burials, opening and closing plots.
- Meeting with Bolton Residents for the purchase of a plot. A deed will be issued and recorded at Bolton Town Hall. Payments by residents will be sent

to Bolton Town Hall with a copy of the deed. A copy of the deed and map section will be sent to the family purchasing the grave.

- Will maintain and provide up to date maps to Bolton Town Hall of each cemetery on a yearly basis.

Qualifications: Bidders must include a list of current clients, and a minimum of three references. The bidder must also identify the number of employees that they have available to provide the required services, particularly where the bidder provides services to multiple cemeteries. The Town will consider the bidder that, in its sole judgement demonstrates the skills and abilities to develop effective working relationships with the staff, officials, and public.

Contractor Liability and Insurance: The successful bidder shall carry during the entire term of the contract for this work and any renewal, Commercial General Liability Insurance in the minimum amount of \$1,000,000 in the aggregate and name the Town of Bolton as an Additional Insured. The Town assumes no liability for damages or injuries caused (both physical or emotional) due to the Contractor's services provided, including but not limited to equipment or personnel, to passing vehicular or pedestrian traffic struck by objects displaced by Contractor's equipment or operations. Contractor shall also provide a copy of their Workers Compensation Insurance Policy covering any employees of the Contractor.

Project Cost and Contract: The fee for services must be described in the proposal. Please specify whether fees are billed at an hourly rate, by each service, or flat charge. Billing procedures and payment terms should also be included. Please provide pricing for a 3 year term. The Town expects to execute a contract for services for a 3 year term with the successful bidder. Standard contract terms are expected, including the requirement that the successful bidder carry appropriate liability insurance.

Proposal Evaluation: Proposals will be evaluated on a qualifications basis. Factors to be considered include the qualifications and experience of the bidder, compatibility of the firm/individual to work with Town staff and officials, familiarity with and understanding of the Town of Bolton, and proposed fees. The Town may choose to interview one or more candidates prior to recommending a final selection to the Board of Selectmen.

Submittal Instructions: To be considered, proposals must be submitted in a sealed envelope, clearly marked: **BID – CEMETERY SEXTON** and received by **10:00 a.m.** on **Friday, October 29, 2021** by mail or hand delivery to:

Kathy McCavanagh, Town of Bolton, 222 Bolton Center Road, Bolton, CT 06043.

All sealed bids should include the following:

- a current list of clients,
- at least 3 references,
- number of employees available to provide the required services,
- proof of liability and worker's compensation insurance,
- phone number and email address for future communications.

Reservations: The Town of Bolton reserves the right to accept any bid, to reject any or all bids, to waive defects in bids submitted in response to this request, to negotiate with bidders, and to select the proposal deemed to be in the best interests of the Town. Issuance of this proposal does not obligate the Town to award a contract. The Town accepts no responsibility for reimbursing consultants for expenses incurred in responding to this Request for Bids.

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Stephen T. Hopkins, CPA, PC

Auditing, Accounting, and Consulting Services

214 Holmes Road / Scarborough, Maine 04074 / Phone: (207) 885 - 5038 / Fax: (207) 470 - 5050

June 30, 2021

Mr. Jim Rupert
Interim Town Administrator
Board of Selectmen
Board of Finance
Bolton Town Hall
222 Bolton Center Road
Bolton, Connecticut 06043

We are pleased to confirm our understanding of the services we are to provide the Town of Bolton, Connecticut for the fiscal year ended June 30, 2021. We will audit the financial statements of the governmental activities, any business-type activities, the aggregate of any discretely presented component units, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the Town of Bolton, Connecticut as of and for the fiscal year ended June 30, 2021. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the Town of Bolton, Connecticut's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Government Accounting Standards Board (GASB) who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the Town of Bolton, Connecticut's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited.

1. Management's discussion and analysis.
2. GASB required supplementary pension information (if necessary).
3. GASB required supplementary OPEB information (if necessary).

We have also been engaged to report on supplementary information other than RSI that accompanies the Town of Bolton, Connecticut's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditor's report on the financial statements.

1. Budgetary comparison schedules as may be required.
2. Combining schedules - Non-major governmental and other funds.
3. Schedule of debt limitation.
4. Schedule of property taxes levied, collections and outstanding balances.
5. Schedule of expenditures of federal awards (if necessary).
6. Schedule of expenditures of state financial assistance (if necessary).

Our responsibility for other information which may be included in documents containing the Town of Bolton, Connecticut's audited financial statements, as described in the first paragraph, and auditor's report does not extend beyond the financial information identified in the report. We have no responsibility for determining whether such other information contained in any such documents is properly stated.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes, as applicable, reporting on:

1. Internal control over financial reporting and compliance with provisions of laws, regulations, contracts and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
2. Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal and state statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State of Connecticut State Single Audit Act (C.G.S. Sections 4-230 to 236).

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance and the State Single Audit Act reports on internal control over compliance will each include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance and the State Single Audit Act. These reports will each state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; and as applicable, the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; the provisions of the Uniform Guidance; and the State Single Audit Act, and will include tests of accounting records, a determination of major program (s) in accordance with the Uniform Guidance and the State Single Audit Act, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon the completion of our Single Audits. Our reports will be addressed to the Board of Selectmen and the Board of Finance of the Town of Bolton, Connecticut as may be applicable. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements, the Single Audit compliance opinions or the State Single Audit compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming opinions on the financial statements, we retain the right to take any course of action permitted by professional standards, including declining to express an opinion (s) or issue reports, or withdrawing from the engagement.

Audit Procedures – General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste and abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, an unavoidable risk exists that some material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories (if applicable), and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, financial institutions or other designated representatives. You may be billed by these entities for preparing and responding to these confirmations. In addition, any amounts billed directly to us by these entities for preparing and responding to these confirmations will be billed to you separately from any other established fees relating to this engagement. We may request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements, and as applicable, the schedule of expenditures of federal awards; the schedule of expenditures of state financial assistance; federal and state award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures – Internal Controls

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance and the State Single Audit Act, as applicable, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal and state award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our reports on internal control issued pursuant to the Uniform Guidance and the State Single Audit Act. An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinions. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, the Uniform Guidance, and the State Single Audit Act.

Audit Procedures – Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town of Bolton, Connecticut's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance and State Single Audit Act, as applicable, require that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal and state statutes, regulations and the terms and conditions of federal and state awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* and *State Single Audit Act Compliance Supplement* and any related addendums for the types of compliance requirements that could have a direct and material effect on each of the Town of Bolton, Connecticut's major programs. For federal programs that are included in the 2021 Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the 2021 Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on the Town of Bolton, Connecticut's compliance with requirements applicable to each of its major programs in our reports on compliance issued pursuant to the Uniform Guidance and State Single Audit Act, as applicable.

Other Services

As part of the engagement, we will prepare a set of proposed audit adjustments if necessary, proposed general fund account grouping schedules if necessary, and we will also assist in preparing a draft of the financial statements including, as applicable, the schedule of expenditures of federal awards, schedule of expenditures of state financial assistance, and related notes of the Town of Bolton, Connecticut in conformity with U.S. generally accepted accounting principles, the Uniform Guidance, and the State Single Audit Act based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the proposed audit adjustments, proposed general fund account grouping schedules, and assisting in preparing a draft of the financial statements including, as applicable, the schedule of expenditures of federal awards, schedule of expenditures of state financial assistance, and related notes services previously described. We, in our sole professional judgement, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You will be required to review and approve in writing any proposed audit adjustments through the use of an audit adjustments acceptance letter and to understand the nature and impact of the adjustments on the draft of the financial statements. You will be required to review and approve in writing any proposed general fund account grouping schedules that may be used to assist in preparing the draft of the financial statements including, as applicable, the

schedule of expenditures of federal awards, schedule of expenditures of state financial assistance, and related notes through the use of an account grouping schedules acceptance letter. You will also be required to review and approve in writing the presented draft of the financial statements including, as applicable, the schedule of expenditures of federal awards, schedule of expenditures of state financial assistance, and related notes through the use of a draft financial statements acceptance letter prior to their issuance and have a responsibility to be in a position in fact and appearance to make an informed judgment on the financial statements.

Management Responsibilities

Management is responsible for (1) designing, implementing, and maintaining effective internal controls, relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal and state awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements including, as applicable, the schedule of expenditures of federal awards, the schedule of expenditures of state financial assistance, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal and state statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, including identification of all related parties and all related-party relationships and transactions, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance and the State Single Audit Act, as applicable, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the written management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. As required by the Uniform Guidance and the State Single Audit Act, as applicable, it is management's responsibility to evaluate and monitor noncompliance with federal and state statutes, regulations, and the terms and conditions of federal and state awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review on the first day of fieldwork. 75

You are responsible for identifying all federal and state awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance which may be received) in conformity with the Uniform Guidance and the schedule of expenditures of state financial assistance in accordance with the State Single Audit Act, as applicable. You agree to include our reports on the schedule of expenditures of federal awards and the schedule of expenditures of state financial assistance (these schedules), as applicable, in any document that contains and indicates that we have reported on these schedules. You also agree to include the audited financial statements with any presentation of these schedules that includes our reports thereon or make the audited financial statements readily available to intended users of these schedules no later than the date these schedules are issued with our reports thereon. Your responsibilities include acknowledging to us in the written management representation letter that (1) you are responsible for the presentation of these schedules in accordance with the Uniform Guidance and the State Single Audit Act, as applicable; (2) you believe these schedules, including their form and content, are stated fairly in accordance with the Uniform Guidance and the State Single Audit Act, as applicable; (3) the methods of measurement or presentation for these schedules have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of these schedules.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written management representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other engagements or studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other engagements or studies. You are also responsible for providing management's views on our current findings (if present), conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information. With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

You agree to assume all management responsibilities relating to the financial statements including, as applicable, the schedule of expenditures of federal awards, schedule of expenditures of state financial assistance, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the written management representation letter our assistance in the preparation of the financial statements including, as applicable, the schedule of expenditures of federal awards, schedule of expenditures of state financial assistance, and related notes and that you have reviewed and approved these items through the use of the aforementioned acceptance letters prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

In connection with this engagement, we may communicate with you or others via email transmission. As emails can be intercepted and read, disclosed, or otherwise used or communicated by an unintended third party, or may not be delivered to each of the parties to whom they are directed and only to such parties, we cannot guarantee or warrant that emails from us will be properly delivered and read only by the addressee. Therefore, we specifically disclaim and waive any liability or responsibility whatsoever for interception or unintentional disclosure of emails transmitted by us in connection with the performance of this engagement. In that regard, you agree that we shall have no liability for any loss or damage to any person or entity resulting from the use of email transmissions, including any consequential, incidental, direct, indirect, or special damages, such as loss of revenues or anticipated profits, or disclosure or communication of confidential or proprietary information.

The final and complete set of the audited financial statements (or as they may be titled the Federal or State compliance audit) is the property of the Town of Bolton, Connecticut. These audited financial statements may be reproduced and disseminated and otherwise used by the Town in any activity conducted by the Town where the presentation of the audited financial statements is required. This includes bond offerings, clearing house reporting, and the presentation in the Town's annual report or dissemination to the residents of the Town of Bolton, Connecticut. Any partial reproduction or dissemination of these audited financial statements must reference the fact that the partial reproduction or dissemination is not a complete representation of the audited financial statements of the Town of Bolton, Connecticut and that a complete set of these audited financial statements can be obtained from the management of the Town of Bolton, Connecticut.

Audit Administration, Fees, and Other

The audit documentation for this engagement is the property of Stephen T. Hopkins, CPA, PC and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the Town's cognizant, grantor, or other oversight agencies or its designees, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Stephen T. Hopkins, CPA, PC personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies. The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the Town's cognizant, grantor, or other oversight agencies, or pass-through entities. Any such request must be made in writing via certified return receipt mailing before the five year period is met. Additionally, if we have been made aware in writing via certified return receipt mailing before the five year period is met that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding (s), we will contact the party (ies) contesting the audit finding (s) for guidance prior to destroying the audit documentation.

The audit documentation for this engagement may also be made available for review in relation to the peer review program as required by the AICPA and in accordance with the *Standards for Performing and Reporting on Peer Reviews*, issued by the AICPA Peer Review Board. These standards require among other things, that the review be conducted in compliance with the confidentiality requirements as set forth in the AICPA Code of Professional Conduct. Upon request, we may provide copies of selected audit documentation to the reviewing firm as may be required by these standards in relation to this review.

We understand that your employees will prepare all cash, accounts receivable, other confirmations and mailing address labels that we may request and will locate any invoices or other information selected by us for testing. Original invoices and other requested audit documentation may be returned to our offices for review due to the lengthy nature of said review and the current pandemic. We will make every effort to complete the review of these items and return them in a timely manner. We understand that any requested audit documentation from other related locations will be forwarded to the town offices for review with the exception of student files and other related items.

We expect to begin our first week of audit fieldwork on or about October 18, 2021 and to issue our report (s) dated on or about November 26, 2021. Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses will not exceed \$21,000. Our invoices for these fees will be rendered as work progresses no more frequently than on a biweekly basis and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. The firm will not be held liable for any deadlines which are not met due to nonpayment by the Town. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report (s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. This fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

A draft copy of the audited financial statements will be delivered to the Town no later than Friday December 10, 2021 with the final copies being delivered to the Town no later than Friday December 24, 2021 upon receipt of the signed draft financial statements acceptance letter, audit adjustments acceptance letter, account groupings acceptance letter as previously mentioned in this letter, in addition to the signed management representation letter, and any material outstanding asset, liability or other audit confirmations and legal letters or other requested information. The aforementioned due dates are contingent on the fact that the Town's books will be in order and that the internal accounts will be complete and in balance at the beginning of fieldwork. Any delay in receiving accurate data from the Town once it has been requested or incomplete information which is made available at the beginning of fieldwork may affect and modify the aforementioned due dates and a new set of due dates will need to be agreed upon. The firm will not be held liable for any delay caused by the Town.

At the conclusion of the engagement, as applicable, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be electronically submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide the agreed upon number of copies of the audited financial statements to the Town of Bolton, Connecticut at the conclusion of this engagement. The required number of copies is outlined in the engagement proposal as submitted and dated September 14, 2017. We will submit one copy of the audited financial statements to the Office of Policy and Management as the cognizant agency of the Town. We will also electronically submit a copy of the audited financial statements to the Office of Policy and Management Electronic Audit Reporting System which is used by other State agencies and departments to access the financial statements of the Town. Though we will be submitting copies of the audited financial statements as described above on behalf of the Town, the responsibility for any such required submissions will still rest with the management of the Town of Bolton, Connecticut. We will submit one additional copy of the audited financial statements along with the certificate of delivery to the Town clerk of the Town of Bolton, Connecticut in accordance with Section 7-393 of the Municipal Auditing Act.

The engagement described and outlined within this letter will end upon the delivery of the audited financial statements as described above. You may request that we perform additional or follow-up services not addressed by this engagement letter. If this occurs, we will communicate with you regarding the scope of the additional services and the estimated fees. We may also issue a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting such additional services, our services will continue to be governed by the terms of this engagement letter. Our standard hourly fee for additional or follow-up services will be \$95 per hour plus lodging costs if necessary. Travel time will be billed at one half of the standard hourly rate.

Mr. Jim Rupert, Interim Town Administrator
June 30, 2021
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Any other terms and conditions not specifically outlined in this engagement letter but addressed in our engagement proposal as dated September 14, 2017 will be considered a part of this engagement letter. In addition, the references made in this engagement letter to the Single Audit Act Amendments of 1996, the Uniform Guidance and all other Federal Single Audit related items are being made to avoid the need for completing a new engagement letter should a Federal Single Audit in accordance with these standards become required. Based on the information contained within the prior fiscal year audited financial statements in addition to discussions with management, a Federal Single Audit will not be required for the fiscal year ended June 30, 2021. Therefore the auditing fees contained in this letter do not include an amount attributable to a Federal Single Audit. Should a Federal Single Audit become required, a new fee estimate for these additional services will be necessary, however, the services would be governed by this engagement letter. *Government Auditing Standards* require that we provide you with a copy of our most recent external peer review report and any subsequent peer review reports received during the contract period, if requested.

We appreciate the opportunity to be of service to the Town of Bolton, Connecticut and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copies and return one copy to us.

Very truly yours,



Stephen T. Hopkins, CPA
President

This letter correctly sets forth the understanding of the Town of Bolton, Connecticut.

By: _____

Title: _____

Date: _____