

TOWN COUNCIL AGENDA

Monday, September 19, 2022

7:00 PM

TOWN COUNCIL CHAMBERS
Town Hall – 505 Silas Deane Highway

Pledge of Allegiance

Recording of Attendance by Town Clerk

Promotional Ceremony for New Officers

Presentation: Police Department Monthly Activity Report

A. PUBLIC COMMENT

1. Hearings:

- a. Smoke Free Town Facilities Ordinance
- b. Installation of a Sport Complex

2. General Comments:

- a. Public
- b. Council Reports (reports on Boards and Commissions)
- c. Council Comments (comments on any topic)
- d. Town Manager's Report
- e. Town Clerk Communications

B. COUNCIL ACTION

The Chairperson may indicate those matters of unfinished business to be considered

1. Resignations and Appointments from Boards and Commissions:

- a. Acceptance of Resignations
- b. Appointments to Boards and Commissions

2. Approval of Ordinances and Resolutions:

- a. Smoke Free Town Facilities Ordinance
- b. Installation of a Sport Complex

3. Unfinished Business:

- a. Discussion of Explanatory Text for Bond Referendum

4. Bids: None

5. Other Business:

- a. Ordinances and Resolutions for Introduction
 - 1. Meadows Access Ordinance

6. New Business:

- a. Economic Development Strategic Initiatives
- b. Reformat of Town Council Agenda Process

7. Minutes:

a. September 6, 2022 Regular Meeting

8. **Public Comment**

9. **Executive Session**

10. **Adjourn**

Meeting viewing options

COX channel 16 or Frontier channel 6101

Town of Wethersfield's Facebook page

Youtube® Channel, "Wethersfield Government Access TV" shortly before the meeting begins at

<https://www.youtube.com/c/WethersfieldGovernmentAccessTV>

Written comments will be accepted at councilcomments@wethersfieldct.gov.

Submission deadline is 3:00 pm on meeting day.

Citizens are able to review minutes for Town Boards and Commissions at: <http://wethersfieldct.gov> – Agenda/Minutes tab

TOWN COUNCIL AGENDA ITEM

Public Hearing For Advisory Parks and Recreation Board to Designate Town Parks and Recreation Areas Tobacco and Cannabis-Free and Smoke-Free

DATE: 09-19-22

DEPARTMENT: Parks and Recreation

REQUESTED BY: Kathleen A. Bagley, Director

ITEM: Public Hearing for Advisory Parks and Recreation Board to designate Town Parks and Recreation Areas Tobacco and Cannabis-Free and Smoke-Free.

TOWN BID/RFP #: N/A

STATE CONTRACT #: N/A

BID/RFP DATE: N/A

TERM: N/A

RENEWALS: N/A

TERMS OF RENEWAL: N/A

COST: N/A

BUDGET SOURCE/AMOUNT: N/A

JUSTIFICATION: Originally proposed by Town Councilor Ken Lesser, this recommendation is being made from the Advisory Parks and Recreation Board to protect the health, safety and welfare of children and the community using town owned or town operated parks and recreation areas.

IMPACT IF NOT APPROVED: Town parks and recreation areas will continue to allow smoking, tobacco and cannabis use.

DEPARTMENT HEAD COMMENTS: Staff have been working with members of the Advisory Parks and Recreation Board to present this recommendation to the Town Council. Please review attached memo regarding this recommendation. Other area towns have these policies in place and the Park Board members recommend that these policies be implemented for Wethersfield parks and recreation areas. Creating no smoking and tobacco and cannabis-free policies in outdoor spaces promotes healthy communities by protecting citizens from the harmful exposure and sets a good example for youth in the community.

TOWN MANAGER COMMENTS: This ordinance would protect children and other users of our parks and facilities from the adverse health effects of secondary smoke and vapors. I would recommend moving this item forward to hearing.

ATTACHMENTS:

1. Memo from Kathleen Bagley, Parks and Recreation Director to Frederick J. Presley, Town Manager, dated August 26, 2022.
2. Proposed Ordinance for Tobacco and Cannabis-Free and Smoke-Free Parks and Recreation Areas

ACTION REQUIRED: None

MEMO

TOWN OF WETHERSFIELD

PARKS AND RECREATION DEPARTMENT

TO: Frederick J. Presley, Town Manager
FROM: Kathleen Bagley, Director Parks & Recreation
RE: Recommendation from the Advisory Parks and Recreation Board to designate Town Parks and Recreation Areas Tobacco and Cannabis-Free and Smoke-Free.
DATE: August 26, 2022

The Advisory Parks and Recreation Board voted unanimously to recommend that the Town Council designate town parks and recreation areas as no smoking, tobacco and cannabis-free. The Parks and Recreation Board members have been researching and discussing this proposal for several months. They are looking to prohibit smoking and the use of tobacco and cannabis products in our town parks and recreation areas to protect the health, safety and welfare of the community, especially our youth. Our new town prevention coalition, W.e.H.o.p.e. (Wethersfield Helping Others through Prevention and Education), also supports this recommendation. This diverse coalition is funded through a federal grant and is focused on prevention and health for the youth in our community. Their mission is to engage and mobilize youth, parents and community partners to reduce youth use and create a safe and healthy community. Our Central CT. Health District is also a strong supporter of this recommendation.

Information from the Connecticut Department of Public Health shows that tobacco use is the single most avoidable cause of death in our society. Smoking kills more people than alcohol, AIDS, car crashes, illegal drugs, murders and suicides combined. Thousands more die from other tobacco-related causes such as exposure to secondhand smoke, smokeless tobacco use and fires caused by smoking. Exposure to secondhand smoke is the third leading cause of preventable death, killing 400 nonsmokers every year in Connecticut. No amount of exposure to secondhand smoke is safe. Secondhand smoke harms everyone and is harmful in outdoor settings. Tobacco free policies in outdoor settings are part of a national trend that has been taking place for several years. Cigarette butts are the most frequently littered item. They do not bio-degrade and are costly for municipalities and property owners to clean-up. Marijuana creates harmful secondhand smoke that contains higher levels of toxic compounds than tobacco smoke, including ammonia and hydrogen cyanide. Non-smokers who breathe secondhand smoke are exposed to many of the same toxins and carcinogens as smokers.

Creating no smoking and tobacco and cannabis-free policies in outdoor spaces promotes healthy communities by protecting citizens from the harmful exposure. It helps to establish community norms that smoking, tobacco and cannabis use are not an acceptable behavior for youths or adults. 81% of Connecticut adult residents do not smoke. I will attend the Town Council meeting to promote this request. Thank you for your attention to this matter.

TOBACCO AND CANNABIS-FREE AND SMOKE-FREE RECREATION AREAS

Purpose; legislative authority.

The purpose of this article is to promote the health, safety, and welfare of all persons using town-owned or town-operated recreation areas by prohibiting smoking and the use of any tobacco or cannabis products at all town-owned and town-operated recreation areas.

This article is adopted in accordance with the provisions of G.S. § 7-148(c)(7)(H)(xvi), as amended.

Definitions.

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

Cannabis products or marijuana shall mean all parts of any plant, or species of the genus cannabis or any infra specific taxon thereof, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin. Marijuana does not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture or preparation of such mature stalks, except the resin extracted therefrom, fiber, oil, or cake, the sterilized seed of such plant which is incapable of germination, or hemp, as defined in 7 USC 1639o, as amended from time to time. Included are cannabimon, cannabimol or cannabidiol and chemical compounds which are similar to cannabimon, cannabimol or cannabidiol in chemical structure or which are similar thereto in physiological effect, and which show a like potential for abuse, which are controlled substances under this chapter unless derived from hemp, as defined in section G.S. § 22-61l.

Recreation areas shall mean any outdoor area owned and operated by the town and open to the general public and where the public generally assembles for recreational purposes, including, but not limited to, beaches, pools, picnic areas, playgrounds, gardens, athletic fields, athletic facilities, bleachers, dog parks, skate parks, fairgrounds, tennis courts, basketball courts, concession areas, pavilions, parking areas, greens, Heritage Way bike trail, and other such recreation areas and support facilities and structures. "Recreation areas" shall not include open space properties and natural areas owned and operated by the town where the public generally does not assemble for recreation activities.

Smoking shall mean the acts of inhaling or burning any lighted or heated cigar, cigarette, pipe or similar device, or any other lighted or heated tobacco or cannabis product intended for inhalation, whether natural or synthetic, in any manner or in any form. For the purposes of this subsection, "smoking" shall also include the use of an electronic nicotine delivery system or electronic cannabis delivery system which shall include an electronic device used in the delivery of nicotine, cannabis or other substances to a person inhaling from the device, and includes, but is not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device, including, but not limited to, electronic cigarette liquid. For the purposes of this subsection, "smoking" shall also include vapor products which means any product that employs a heating element, power source, electronic circuit or other electronic, chemical or mechanical means,

regardless of shape or size, to produce a vapor that may include nicotine or cannabis and is inhaled by the user of such product.

Tobacco products shall mean any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, dissolved, inhaled, snorted, sniffed, or ingested by other means, including, but not limited to, cigarettes, cigars, piped tobacco, chewing tobacco, and snuff. "Tobacco products" also includes any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar or pipe.

Prohibition against using tobacco products or cannabis products or smoking in recreation areas.

No person shall engage in the act of smoking or use any tobacco or cannabis products in any town-owned or town-operated recreation area.

Penalties for offenses.

Any person who violates any provision of this article shall be subject to a fine of fifty dollars (\$50.00) for each separate offense or violation.

Posting of signs.

Every recreation area shall have at least one (1) conspicuously displayed sign which indicates that smoking and the use of any tobacco or cannabis products are prohibited and that any person who violates the town's prohibition on smoking or using any tobacco or cannabis products in a recreation area may be fined.

Designation of smoking and tobacco use areas for certain events.

Upon the approval of the town manager or town manager's designee, certain spaces within recreation areas may be designated as temporary or permanent smoking and tobacco products use areas. This section shall also apply to recreation areas reserved for exclusive use or leased by the town.

The use of cannabis products is prohibited at all town-owned and town-operated recreation areas.

**TOWN COUNCIL AGENDA ITEM
Public Hearing for Installation of a Sports Complex**

DATE: September 19, 2022

DEPARTMENT: Town Council

REQUESTED BY: Councilor O'Connor, Councilor Hill, Councilor Pentalow

ITEM: Public Hearing for Installation of a Sports Complex

TOWN BID/RFP #: N/A

STATE CONTRACT #: N/A

BID/RFP DATE: N/A

TERM: N/A

RENEWALS: N/A

TERMS OF RENEWAL: N/A

COST: N/A

BUDGET SOURCE/AMOUNT: 00

JUSTIFICATION: Creating a Multipurpose Sports & Recreational Complex would allow youth sports programs to operate year-round and expand extra-curricular programming within the Town. The development of this type of Complex could create the ability for the Town to generate revenue that could be utilized to pay the debt service for Kycia Farms and other projects

IMPACT IF NOT APPROVED: There is a significant shortage of fields capable of supporting existing youth and high school programs. The impending School Renovation referendum may impact and eliminate the ability to utilize up to three (3) existing fields. If not approved, this lack of facilities will continue to be a problem.

DEPARTMENT HEAD COMMENTS: N/A

TOWN MANAGER COMMENTS: I believe that the need for additional sports facilities has been well documented. I would propose an amended resolution that would accomplish the intent of the original resolution while not limiting the opportunity to a single property. This resolution has the Council Directing my office to examine the opportunities town-wide and return with a recommendation.

ATTACHMENT: Resolution Concerning the Installation of a Sports Complex
Town Manager's Amended Resolution, Red-Lined Copy
Town Manager's Amended Resolution, Clean Copy

ACTION REQUIRED: None

RESOLUTION CONCERNING KYCIA FARMS
for
THE INSTALLATION OF A SPORTS COMPLEX

WHEREAS, the Town of Wethersfield voted to purchase Kycia Farm in 2018; and

WHEREAS, the Kycia Farm Committee completed a survey from residents in Town; and

WHEREAS, the results of this survey concluded that the Town is overwhelmingly in favor of utilizing Kycia Farm for Sports fields and other activities; and

WHEREAS, the COVID-19 Pandemic has greatly had an impact on our town's youth and directly impacted youth sports and activities; and

WHEREAS, there is a significant shortage of fields capable of supporting existing youth and high school programs

WHEREAS, the impending School Renovation referendum may impact and eliminate the ability to utilize up to three (3) existing fields

WHEREAS, the Town has received approximately \$7 million in ARPA funds from the Federal government to be utilized towards programs and other areas affected by the COVID-19 Pandemic; and

WHEREAS, creating a Multipurpose Sports & Recreational Complex would allow youth sports programs to operate year-round and expand extra-curricular programming within the Town; and

WHEREAS, the ability for the Town to generate revenue on the debt service to Kycia Farms will now be present; and

WHEREAS, surrounding communities, including inter-divisional competition, have undertaken similar successful projects; and

WHEREAS; this property cannot legally be sold or subdivided for private development purposes per bond counsel; and

WHEREAS, there is bi-partisan support with the creation of a Multipurpose Sports & Recreational Complex;

BE IT RESOLVED, the Town Council hereby directs the Town Manager, to utilize ARPA funds for the development of a Sports Complex on Kycia Farms, to include an indoor and outdoor complex with Artificial Turf as well as natural fields capable of supporting football, soccer, field hockey, baseball, softball, lacrosse and track and other extracurricular programs.

PURPOSE: To direct the Town Manager, to utilize ARPA funds for the development of a year-round Sports Complex on Kycia Farms capable of supporting activities such as football, soccer, field hockey, baseball, softball, lacrosse, track and field, and other extracurricular programs.

PREPARED BY: Patrick Pentalow, Dan O'Connor & Kevin Hill

INTRODUCED BY: Patrick Pentalow, Dan O'Connor & Kevin Hill

DATE: July 13, 2022

RESOLUTION CONCERNING KYCIA FARMS
for
THE INSTALLATION OF A SPORTS COMPLEX

WHEREAS, the Town of Wethersfield voted to purchase Kycia Farm in 2018; and

WHEREAS, the Kycia Farm Committee completed a survey from residents in Town; and

WHEREAS, the results of this survey concluded that the Town is overwhelmingly in favor of utilizing Kycia Farm for Sports fields and other activities; and

WHEREAS, the COVID-19 Pandemic has greatly had an impact on our town's youth and directly impacted youth sports and activities; and

WHEREAS, there is a significant shortage of fields capable of supporting existing youth and high school programs; and

WHEREAS, the impending School Renovation referendum may impact and eliminate the ability to utilize up to three (3) existing fields; and

WHEREAS, the Town has received approximately \$7 million in ARPA funds from the Federal government to be utilized towards programs and other areas affected by the COVID-19 Pandemic; and

WHEREAS, creating a Multipurpose Sports & Recreational Complex would allow youth sports programs to operate year-round and expand extra-curricular programming within the Town; and

WHEREAS, the development of this type of Complex could create the ability for the Town to generate revenue on that could be utilized to pay the debt service ~~to~~ for Kycia Farms and other projects; will now be present; and

WHEREAS, surrounding communities, including inter-divisional competition, have undertaken similar successful projects; and

~~**WHEREAS**; this property cannot legally be sold or subdivided for private development purposes per bond counsel; and~~

WHEREAS, there may be opportunities to develop a Multipurpose Sports & Recreational Complex on Town-owned and privately-owned properties; and

WHEREAS, there is bi-partisan support with the creation of a Multipurpose Sports & Recreational Complex; and

BE IT RESOLVED, the Town Council hereby ~~directs the Town Manager, reserves to utilize~~ ARPA funds for the development of a Multipurpose Sports & Recreation Complex, sports fields and/or associated facilities on Kycia Farms, to include but not limited to an indoor and outdoor complex with Artificial Turf as well as natural fields capable of supporting football, soccer, field hockey, baseball, softball, lacrosse and track and other extracurricular programs; and

BE IT FURTHER RESOLVED, the Town Council hereby directs the Town Manager to research the possible opportunities for development of a Multipurpose Sports & Recreation Complex and additional sports field in Town and provide a report with recommendations by, no later than, February 15th, 2023;

~~**PURPOSE:** To direct the Town Manager, to utilize ARPA funds for the development of a year-round Sports Complex on Kycia Farms capable of supporting activities such as football, soccer, field hockey, baseball, softball, lacrosse, track and field, and other extracurricular programs.~~

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PREPARED BY: _____ Patrick Pentalow, Dan O'Connor & Kevin Hill

INTRODUCED BY: _____ Patrick Pentalow, Dan O'Connor & Kevin Hill

AMENDED BY: Town Manager, Frederick Presley

DATE: _____ ~~July 13, 2022~~ September 15, 2022 (Amended)

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RESOLUTION CONCERNING

THE INSTALLATION OF A SPORTS COMPLEX

WHEREAS, the Town of Wethersfield voted to purchase Kycia Farm in 2018; and

WHEREAS, the Kycia Farm Committee completed a survey from residents in Town; and

WHEREAS, the results of this survey concluded that the Town is overwhelmingly in favor of utilizing Kycia Farm for Sports fields and other activities; and

WHEREAS, the COVID-19 Pandemic has greatly had an impact on our town's youth and directly impacted youth sports and activities; and

WHEREAS, there is a significant shortage of fields capable of supporting existing youth and high school programs; and

WHEREAS, the impending School Renovation referendum may impact and eliminate the ability to utilize up to three (3) existing fields; and

WHEREAS, the Town has received approximately \$7 million in ARPA funds from the Federal government to be utilized towards programs and other areas affected by the COVID-19 Pandemic; and

WHEREAS, creating a Multipurpose Sports & Recreational Complex would allow youth sports programs to operate year-round and expand extra-curricular programming within the Town; and

WHEREAS, the development of this type of Complex could create the ability for the Town to generate revenue that could be utilized to pay the debt service for Kycia Farms and other projects; and

WHEREAS, surrounding communities, including inter-divisional competition, have undertaken similar successful projects; and

WHEREAS, there may be opportunities to develop a Multipurpose Sports & Recreational Complex on Town-owned and privately-owned properties; and

WHEREAS, there is bi-partisan support with the creation of a Multipurpose Sports & Recreational Complex; and

BE IT RESOLVED, the Town Council hereby, reserves ARPA funds for the development of a Multipurpose Sports & Recreation Complex, sports fields and/or associated facilities, to include but not limited to an indoor and outdoor complex with Artificial Turf as well as natural fields capable of supporting football, soccer, field hockey, baseball, softball, lacrosse and track and other extracurricular programs; and

BE IT FURTHER RESOLVED, the Town Council hereby directs the Town Manager to research the possible opportunities for development of a Multipurpose Sports & Recreation Complex and additional sports field in Town and provide a report with recommendations by, no later than, February 15th, 2023

PREPARED BY: Patrick Pentalow, Dan O'Connor & Kevin Hill

INTRODUCED BY: Patrick Pentalow, Dan O'Connor & Kevin Hill

AMENDED BY: Town Manager, Frederick Presley

DATE: September 15, 2022 (Amended)

TOWN COUNCIL AGENDA ITEM – RECOMMENDATION FROM ADVISORY PARKS AND RECREATION BOARD TO DESIGNATE TOWN PARKS AND RECREATION AREAS TOBACCO AND CANNABIS FREE AND SMOKE-FREE

DATE: 09-19-22

DEPARTMENT: Parks and Recreation

REQUESTED BY: Kathleen A. Bagley, Director

ITEM: Recommendation from Advisory Parks and Recreation Board to designate Town Parks and Recreation Areas Tobacco and Cannabis-Free and Smoke-Free.

TOWN BID/RFP #: N/A

STATE CONTRACT #: N/A

BID/RFP DATE: N/A

TERM: N/A

RENEWALS: N/A

TERMS OF RENEWAL: N/A

COST: N/A

BUDGET SOURCE/AMOUNT: N/A

JUSTIFICATION: Originally proposed by Town Councilor Ken Lesser, this recommendation is being made from the Advisory Parks and Recreation Board to protect the health, safety and welfare of children and the community using town owned or town operated parks and recreation areas.

IMPACT IF NOT APPROVED: Town parks and recreation areas will continue to allow smoking, tobacco and cannabis use.

DEPARTMENT HEAD COMMENTS: Staff have been working with members of the Advisory Parks and Recreation Board to present this recommendation to the Town Council. Please review attached memo regarding this recommendation. Other area towns have these policies in place and the Park Board members recommend that these policies be implemented for Wethersfield parks and recreation areas. Creating no smoking and tobacco and cannabis-free policies in outdoor spaces promotes healthy communities by protecting citizens from the harmful exposure and sets a good example for youth in the community.

TOWN MANAGER COMMENTS: This ordinance would protect children and other users of our parks and facilities from the adverse health effects of secondary smoke and vapors. I would recommend moving this item forward to hearing.

ATTACHMENTS: None

ACTION REQUIRED: Motion to Approve the Ordinance Designating Town Parks and Recreation Areas Tobacco and Cannabis-Free and Smoke-Free.

**TOWN COUNCIL AGENDA ITEM
Resolution for Installation of a Sports Complex**

DATE: September 19, 2022

DEPARTMENT: Town Council

REQUESTED BY: Councilor O'Connor, Councilor Hill, Councilor Pentalow

ITEM: Resolution for Installation of a Sports Complex

TOWN BID/RFP #: N/A

STATE CONTRACT #: N/A

BID/RFP DATE: N/A

TERM: N/A

RENEWALS: N/A

TERMS OF RENEWAL: N/A

COST: N/A

BUDGET SOURCE/AMOUNT: 00

JUSTIFICATION: Creating a Multipurpose Sports & Recreational Complex would allow youth sports programs to operate year-round and expand extra-curricular programming within the Town. The development of this type of Complex could create the ability for the Town to generate revenue that could be utilized to pay the debt service for Kycia Farms and other projects

IMPACT IF NOT APPROVED: There is a significant shortage of fields capable of supporting existing youth and high school programs. The impending School Renovation referendum may impact and eliminate the ability to utilize up to three (3) existing fields. If not approved, this lack of facilities will continue to be a problem.

DEPARTMENT HEAD COMMENTS: N/A

TOWN MANAGER COMMENTS: I believe that the need for additional sports facilities has been well documented. I would propose an amended resolution that would accomplish the intent of the original resolution while not limiting the opportunity to a single property. This resolution has the Council Directing my office to examine the opportunities town-wide and return with a recommendation.

ATTACHMENT: Resolution Concerning the Installation of a Sports Complex
Town Manager's Amended Resolution, Red-Lined Copy
Town Manager's Amended Resolution, Clean Copy

TOWN COUNCIL AGENDA ITEM
Resolution for Installation of a Sports Complex

ACTION REQUIRED: Motion to approve the Resolution to reserve ARPA funds for the development of a Multipurpose Sports & Recreation Complex, sports fields and/or associated facilities, to include but not limited to an indoor and outdoor complex with Artificial Turf as well as natural fields capable of supporting football, soccer, field hockey, baseball, softball, lacrosse and track and other extracurricular programs; and to direct the Town Manager to research the possible opportunities for development of a Multipurpose Sports & Recreation Complex and additional sports field in Town and provide a report with recommendations by, no later than, February 15th, 2023.

**TOWN COUNCIL AGENDA ITEM
Meadows Access Ordinance**

DATE: 09-19-22

DEPARTMENT: Town Manager

REQUESTED BY: Town Manager

ITEM: Recommendation to update the Meadows Access Ordinance

TOWN BID/RFP #: N/A

STATE CONTRACT #: N/A

BID/RFP DATE: N/A

TERM: N/A

RENEWALS: N/A

TERMS OF RENEWAL: N/A

COST: N/A

BUDGET SOURCE/AMOUNT: 00

JUSTIFICATION: The Meadows area is an asset to be enjoyed by the residents of Wethersfield. The current ordinance (§157-2) states that the Meadows roads are not to be accessed from dusk to dawn by motorized vehicles. There are gates present at Great Meadows Road and Elm Street to restrict that access. There have been numerous occurrences of vandalism of private properties and dumping when those gates are left open. Many of the private property owners in the meadows have expressed concern over this issue. As several of the owners operate active farms with heavy farming machinery, safety is also of concern. The Town of Rocky Hill also has roads that enter this area from the south. To address the vandalism and dumping concerns, they passed an ordinance restricting unauthorized motorized vehicle access. To be consistent, we have modeled a draft ordinance after the Rocky Hill ordinance for Council consideration.

IMPACT IF NOT APPROVED:

DEPARTMENT HEAD COMMENTS: N/A

TOWN MANAGER COMMENTS: The proposed ordinance provides continued public access by bike and on foot for passive recreation by residents while protecting the private properties with the Meadows from continued vandalism and dumping activities.

ATTACHMENT: Proposed Meadows Access Ordinance

ACTION REQUIRED: For Introduction

§157-2 Conveyances Restricted on Certain Streets.

A. No motorized vehicle, as defined in Section [14-1](#) of the General Statutes, shall be operated on the following public streets in the Town of Wethersfield:

1. Great Meadow Road east and south of the center line of the Putnam Memorial Bridge.
2. First Lane.
3. Second Lane.
4. Elm Street east of the west right-of-way line of Connecticut Interstate Route 91.
5. Elm Street extension.

B.

Notwithstanding the foregoing, this prohibition shall not apply to Meadows property owners or their invitees.

§ 157-2.1 Exception for agricultural or business purposes or other good cause.

Persons having good cause to operate motorized vehicles on the roads referred to in § [157-2](#) may apply for a special permit from the Town Manager.

§ 157-2.2 Enforcement.

A.

The Town Manager shall enforce § [157-2](#) by permanently locking the gates at the following three entrances into the Wethersfield Meadows:

(1)

The entrance at Great Meadow Road east and south of the center line of the Putnam Memorial Bridge

(2)

The entrance at Elm Street west of Connecticut Interstate Route 91.

B.

The Town Manager shall be the keeper of keys to the gates (the "keys"), and shall control and document the distribution of keys. No person except the Town Manager or his designee is permitted to make copies of the keys.

C.

The Town Manager shall provide keys to all Meadows property owners. Each Meadows property owner may keep and use the key on an ongoing basis, and shall have the responsibility to safeguard the key, ensure that the key is not copied, and ensure that the gates are closed and locked except as needed for the passage of a permitted motorized vehicle. For good cause, including but not limited to violation of any provision in this section, the Town Manager may impose reasonable restrictions on a Meadows property owner's right to keep and use a key. Any such action by the Town Manager shall be taken after reasonable notice and a hearing, and shall be subject to a right of appeal by the Meadows property owner.

D.

The Town Manager may provide a key to any person whom a Meadows property owner (a "sponsoring owner") identifies to the Town Manager, in writing, as an invitee who requires ongoing access to the Wethersfield Meadows by motorized vehicle (an "ongoing invitee"). An ongoing invitee may keep and use the key on an ongoing basis. The sponsoring owner and ongoing invitee shall share the responsibility to safeguard the key, ensure that the key is not copied, and ensure that the gates are closed and locked except as needed for the passage of a permitted motorized vehicle. For good cause, including but not limited to violation of any provision in this section, the Town Manager may revoke an ongoing invitee's right to keep and use a key. Any such action by the Town Manager shall be taken after reasonable notice and a hearing, and shall be subject to a right of appeal by the Meadows property owner.

E.

For persons who establish good cause to operate a motorized vehicle on the roads in the Wethersfield Meadows pursuant to § **157-2.1**, the Town Manager shall make reasonable arrangements to accommodate such person's access.

§ 157-2.3 Penalties for offenses.

A.

In addition to all other remedies available to the Town by law a violation of § **157-2** shall be punishable by citation issued by The Town Manager, or a designee, in the amount of \$250 per occurrence.

B.

The provisions of C.G.S. § 7-152c, Subsections **(b)** through (g), inclusive, are hereby adopted by reference as if fully set forth herein.

**TOWN COUNCIL AGENDA ITEM
Economic Development Strategic Initiatives**

DATE: 09-14-22

DEPARTMENT: Economic Development

REQUESTED BY: Gioia Zack, Economic Development Director

ITEM: Economic Development Strategic Initiatives

TOWN BID/RFP #: N/A

STATE CONTRACT #: N/A

BID/RFP DATE: N/A

TERM: N/A

RENEWALS: N/A

TERMS OF RENEWAL: N/A

COST: \$1,140,000

BUDGET SOURCE/AMOUNT: ARPA Funds

JUSTIFICATION:

In response to the Town Manager's request at the July Town Council Meeting, the Council set-aside up to \$1,140,000 from the ARPA Funds. The attached programs are part of the overall plan for the town to strengthen economic development and redevelopment initiatives. The ultimate goal is to offer a more broad, complementary package of incentives to keep the town competitive so businesses and developers will choose Wethersfield for new and expansion projects.

IMPACT IF NOT APPROVED:

Potential lack of, or slower growth of the town's commercial property grand list.

DEPARTMENT HEAD COMMENTS:

Competitiveness for attracting and/or retaining businesses and development projects is very important to growing the town's commercial property grand list and ultimately reducing the tax burden which is disproportionately reliant on residential property taxes. These new programs provide an opportunity for public/private partnerships where the town works together with businesses/developers to achieve the goals for a strong, vibrant community for businesses and residents alike.

TOWN MANAGER COMMENTS: EDIC and RDA have done an excellent job creating the two proposed programs to incentivize new and expanded business development in Town. The plan for the use of the funding set aside will result in an increased grand list and less reliance on residential taxes. I recommend approval.

**TOWN COUNCIL AGENDA ITEM
Economic Development Strategic Initiatives**

ATTACHMENT:

- 1) Draft Proposal for Business Development & Expansion Program
- 2) Draft Proposal for Small Business Investment Loan Program

ACTION REQUIRED:

Motion to budget and appropriate \$1,140,000 to the Economic Development Department budget to implement the Economic Development Strategic Initiatives Program in the following amounts:

- \$900,000 to fund the new Business Development & Expansion Program and the Small Business Loan Program
- \$200,000 to fund the existing Façade Program and Tax Incentive Program
- \$40,000 to fund enhanced marketing efforts

And to recommend that 35% of all new tax revenue generated by these programs be budgeted to the Economic Development Department, in future budgets for program continuation.

Wethersfield Business Development & Expansion Program



**Town of Wethersfield, Connecticut
Department of Planning and Economic Development
505 Silas Deane Highway
Wethersfield, Connecticut 06109
Phone: (860) 721-2838
Fax: (860) 721-2843**

Business Development & Expansion Program

Program Summary

Established as a joint effort by the Wethersfield Economic Development and Improvement Commission (EDIC) and Redevelopment Agency (RDA) in 2022 to provide an incentive to facilitate the development and expansion of businesses. Goal is to stimulate the local economy through job creation and/or retention, increasing tradeable sectors of the economy and/or supplying goods or services that meet a specific community need.

The Town of Wethersfield is supportive of establishing a fund for construction of necessary public infrastructure improvements as well as some of the pre-development costs associate with business development and expansion. This one-time financial assistance reimbursement will provide financial support for public infrastructure improvements, innovation, and qualified pre-development related costs.

Applicants have the opportunity to submit a funding request to the Economic Development and Improvement Commission (EDIC) and the Redevelopment Agency (RDA) and may receive up to \$200,000 in grant funding to be matched by an equivalent amount of private investment. The program is designed to reimburse property owners or tenants for eligible costs. Funding is available to owners not delinquent on real or personal property taxes who are in good standing in the Wethersfield community.

Wethersfield Business Development & Expansion Program

Section 1. Procedural Requirements

1. The Program is managed and administered by Staff from the Town's Planning and Economic Development Department.
2. Funding requests are subject to the approval and discretion of the Economic Development and Improvement Commission (EDIC) and the Redevelopment Agency (RDA).
3. Applications will be referred to the appropriate Committees and Commissions for comment and approval. (P&Z, Historic District, etc.)
4. Properties located in the Old Wethersfield Historic District will require approval of a Certificate of Appropriateness by the Historic District Commission.
5. The Economic Development and Improvement Commission's Finance Subcommittee will oversee this program and will review each application to assure that the work proposed will accomplish the goals set by the Commissions. All grants will require majority approval by the EDIC and RDA.

Section 2. Program Guidelines

1. Applicant must be the beneficiary of the proposed infrastructure improvement and is responsible for installation or implementation.
2. The Town of Wethersfield reserves the right to reject all applications and/or request additional documentation from the applicant.
3. Submission of completed application is no guarantee of award. All awards are subject to availability of funds.
4. The total award may not exceed \$200,000 and not more than 50% of the overall project costs will be awarded.
5. Generally, projects having the greatest impact will be given funding priority. Funding will be awarded based upon a scoring system and criteria as determined at the discretion of the EDIC and RDA.

Section 3. Eligibility

1. All Wethersfield commercial property owners or tenants are eligible to apply for the program.
2. If applicant is an existing business operation, the business must be legally licensed and registered with no local, state or Federal tax bulls outstanding.
3. If a tenant applies to the program written permission from the property owner must be submitted.
4. If the applicant is not the owner of the building they must possess a fully executed lease with a minimum of five (5) years remaining in the term from the submittal date of the application.
5. Individuals, partnerships, corporations, nonprofit corporations and other legal entities may apply for assistance. Property owner(s) shall be construed to be any person(s) or legal entity that holds title to the subject property. In the case of multiple owners, the signature of each titleholder is required on all appropriate documents. The Town will verify property ownership and require all persons

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currently on title to give written consent to all work proposed to be performed on the property prior to initiating such work.

6. Applicants must be in good standing with Wethersfield Tax Collector. Any business, individual, partnership, corporation, property owner, lessor or lessee who will directly benefit from participation in this program, whether or not they are the applicant, must be current and up to date on all taxes with the Town of Wethersfield.
7. Grant funds are available only for structures located in commercial zones and containing compliant commercial uses.

Section 4. Eligible Improvements

1. Pre-Development: Related to preliminary planning/engineering, environmental assessment, environmental clean-up/remediation, and/or market data research and analysis prior to deciding to locate and/or expand to Wethersfield. A maximum of \$5,000 will be awarded per project, with reimbursement subject to the obtaining of a Certificate of Occupancy within one (1) year of application.
2. Innovation: Defined as costs related to Research & Development (R&D) or other pursuit or advancement of innovative practices or technologies.
3. Public Infrastructure: Defined as components of physical facilities which are a component of a shared system that provides a public service, the examples of allowable public infrastructure improvements include, but are not limited to:
 - a. Water and sewer line extensions including upgrades to the property or building exterior
 - b. Gas, electric, and communication line extensions including upgrades to the property or building
 - c. Public sidewalks and walkways
 - d. Road improvements including driveway connections to adjacent parcels
 - e. Installation of traffic control devices including curb cuts
 - f. Street lighting and other streetscape improvements
 - g. Storm water system improvements
 - h. Utility upgrades including underground installation
 - i. Demolition and associated cleanup
 - j. Historic restoration
 - k. Permanent landscaping elements (*define*)
 - l. Parking lot improvements are eligible for funding under this program only in select cases that result in a safer and more aesthetically pleasing environment, and are part of a larger project that includes improvements to a building façade and subject to the discretion of the Commission,
 - m. Other permanent improvements as determined at the discretion of the Commission necessary for the project.

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Section 5. Ineligible Improvements

1. The following types of improvements are not eligible for reimbursement through this program:
 - a. Ordinary maintenance or repair that does not involve a significant change of existing design, use or value of building
 - b. Interior Improvements (*define- i.e. not equipment*)
 - c. Signage
 - d. Window replacement
 - e. Permit Fees
 - f. Temporary, portable or non-permanent improvements
 - g. Improvements that have been completed or in progress prior to grant approval
2. Properties that are not current with property taxes are not eligible for the Program.
3. Property that has received Business Development & Expansion funds within the past five (5) years (unless change of use is significant enough to warrant change)
4. Properties used exclusively for residential use.

Section 6. Mixed Use Buildings

1. Mixed use buildings are eligible for funding under this program but are subject to a different reimbursement schedule when compared to buildings that are entirely (100%) occupied by commercial uses.

Section 7. Local Contractors

1. Whenever possible, applicants are strongly encouraged to use local contractors to complete all tasks associated with façade improvement projects. This will not only help garner local support to continue this program, but more importantly will help boost the local economy.

Section 8. Program Benefits

1. This program provides participants the opportunity to receive a reimbursement in the form of a grant upon the acceptable completion of the project.
2. Grant recipients are required to provide a documented and paid invoices of eligible project construction costs.
3. The minimum grant that is eligible for this program is \$20,000.
4. The maximum grant available to any one specific project shall not exceed \$200,000.
5. No grant repayment is required if all terms of the grant are successfully fulfilled.

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Section 9. Reimbursement Terms and Conditions

1. Any reimbursement made by the Town under this program shall not be made until all of the work as approved has been completed, all of the improvements have been inspected and approved by the Planning and Economic Development Department, and other Town code officials and all payments for said work have been made to all contractors, material suppliers and vendors. Upon receipt of all required payment documentation The Town will reimburse the applicant the funds the project is eligible for.
2. The applicant is responsible for payment of all contractors. The Town will not pay the contractors directly.
3. The grant is assigned under the terms that the property owner continues to own the renovated property for a period of 5 years from the date of the receipt of the reimbursement.
4. These grants do not have to be repaid to the Town provided that the property owner continues to own the property for five (5) years and all other conditions of the grant have been satisfied. The grant will be prorated and forgiven in equal percentage increments on a monthly basis such that at the end of five years there will be a zero balance and the grant is forgiven.
5. If an owner sells the property within the first two (2) years after the grant has closed, the entire grant amount is due immediately upon closing.
6. If the owner sells the property after two (2) years and before the end of the fifth (5) year after the grant closing, the remaining prorated share of the grant is due and payable upon the sale of the property.
7. The grant may not be assigned unless the assignment is made to a business that had occupied the building at the time the grant was closed and the EDIC and RDA approve of the assignment.
8. The project will be secured by a mortgage on the real estate.
9. Additionally, the grant recipient agrees to maintain the property in good condition and not to remove or significantly alter the improvements funded through the program unless otherwise approved by the Planning and Economic Development Department for a period of five (5) years.

Section 10. Construction Schedule

1. All work for which applicant requests reimbursement must be started within six (6) months of grant commitment and completed within one (1) year of grant commitment, except that the EDIC in its discretion may extend such timeframes for good cause. When it can be demonstrated that circumstances clearly beyond the applicant's control prohibit completion in one (1) year, the EDIC may grant a one-time six (6) month extension upon a written request of an applicant.
2. Failure to complete the project in compliance with the timeframes noted above may result in the cancellation of the funding commitment by the EDIC and RDA.

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Section 11. Application Requirements

1. The application shall be filed with the Planning and Economic Development Department. Application may be filed electronically. In addition, one (1) original signed copy shall be postmarked or delivered to Town of Wethersfield Planning and Economic Development Department.
2. All applications shall be accompanied by at least two (2), originally signed, letters of reference (names, addresses and telephone numbers included) who have personal and business relationships with the applicant (at minimum one letter from a personal reference and one from a business reference).
3. The applicant may be required to provide all of the following information (depending upon the type of improvements proposed):
 - a. Completed and signed application form.
 - b. Copy of executed lease if applicant is not the owner.
 - c. Letter of consent from property owner if applicant is not owner.
 - d. Building construction and/or site plans detailing proposed improvements, (include written description of improvements).
 - e. Architectural drawings or renderings of the proposed improvements by certified architect.
 - f. Design Review Advisory Committee or Historic District Commission approval, as required.
 - g. List of all improvements that are proposed.
 - h. An itemized estimate of project costs.
 - i. Estimated development/construction schedule.
 - j. Copy of deed to property.
 - k. Copy of mortgage on property.
 - l. Completed tax affidavit.
 - m. Proof of insurance.
4. There is a \$500 application fee which is due and payable upon application to the program. The funds will be deposited in an escrow account until the application is reviewed. Upon approval of the grant the \$500 will be credited to the owner at time of closing. If the applicant does not elect to proceed, any project costs (i.e. staff or legal costs) will be deducted from the application fee and any balance returned to the applicant.
5. Applications that are not complete or in compliance with all steps listed above, may be considered non-responsive.
6. Applicants must complete the Certification and Affirmation included in the application.
7. Applicant must obtain a tax clearance certificate (valid for 90 days) from the Wethersfield Tax Collector for each property.

Section 12. Application Procedures

1. PRE-APPLICATION STAFF REVIEW – Applicant consults with Town Staff to discuss eligibility for Business Development & Expansion Program.
 - a. Staff will explain the program and discuss the basic terms program: (Preferably on-site of the project)
 - b. Review the client's plans, improvements and discuss eligibility.

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- c. Discuss the client's funding sources for the match not covered by this program
 - d. Applicant will be introduced to their Project Advocate Liaison(s) for the project and program.
2. FINALIZE PLANS/PRELIMINARY COST ESTIMATE
 - a. Applicant provides plans and specifications for property improvements including a preliminary budget estimate for project.
3. DESIGN REVIEW/HDC APPROVAL
 - a. Obtains appropriate permits for project which may require (PZC, Inland Wetlands, Historic District Commission).
4. APPLICATION SUBMISSION
 - a. The applicant prepares and submits all of the necessary information to Town staff.
 - b. Inform the committee that the package is ready for review. Within three weeks of all required information being received, the EDIC Finance Subcommittee will meet and a decision will be rendered.
5. APPLICATION REVIEW
 - a. The EDIC Finance Subcommittee meets to review the application and forward recommendation to the full EDIC.
 - b. A third party review of audited financials will occur.
 - c. The applicant may be required to attend the EDIC Finance Subcommittee meeting to present plans.
 - d. If additional information is needed, application may be tabled by the EDIC Finance Subcommittee at its discretion pending further review.
 - e. If EDIC Finance Subcommittee recommends approval, staff prepares a recommendation letter informing the EDIC and RDA of the recommendation.
 - f. EDIC and RDA meet to review and vote on application.
 - g. If not approved, a letter explaining the decision including guidance for re-applying for funds.
6. FUNDING COMMITMENT
 - a. If approved, Town prepares and sends out commitment letter to the client. Commitment letter includes basic terms and payment amounts and amortization details.
 - b. Client signs commitment letter and returns it to the grant administrator.
 - c. Client agrees to the promotion of the project before the project commences.
7. CLOSING
 - a. Requests closing date to be scheduled.
 - b. Provides documents required for closing.
 - c. Amortization schedule to be provided as well as potential payment instructions to the client.
 - d. Schedules closing with Attorney.

Wethersfield Small Business Investment Loan Program



**Town of Wethersfield, Connecticut
Department of Planning and Economic Development
505 Silas Deane Highway
Wethersfield, Connecticut 06109
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Small Business Investment Loan Program

Program Summary

Established as a joint effort by the Wethersfield Economic Development and Improvement Commission (EDIC) and Redevelopment Agency (RDA) in 2022 to provide an incentive to facilitate the partnership with owners to financially assist transformative projects that will add job, value, economic vitality and taxable asset appreciation.

Applicants have the opportunity to submit a funding request to the EDIC & RDA and may receive a loan of up to \$300,000 with a term of up to ten (10) years. At mid-point of term, up to 50% of the remaining loan balance may be converted to an awarded grant (capped at \$75,000) if specific conditions are met.

The program is designed to create a partnership between town and private owners in the development and investment in the community and as a way to provide for immediate, short-term needs to initiate project implementation where other traditional financing options may not meet these needs in a timely manner. Small business investment loans are available to property and business owners not delinquent on real or personal property taxes, who are in good standing in the Wethersfield community.

Section 1. Procedural Requirements

1. The Program is managed and administered by Staff from the Town's Planning and Economic Development Department.

Wethersfield Small Business Investment Loan Program

2. Funding requests are subject to the approval and discretion of the Economic Development and Improvement Commission (EDIC).
3. Applications will be referred to the appropriate Committees and Commissions for comment and approval. (P&Z, Historic District, etc.)
4. Properties located in the Old Wethersfield Historic District will require approval of a Certificate of Appropriateness by the Historic District Commission.
5. *The Economic Development and Improvement Commission oversees this program and the Commission's Finance Committee ("Committee") will review each application to assure that the work proposed will accomplish the goals set by the Commission. All loans will require majority approval by the Commission in order to obtain assistance.*

Section 2. Program Guidelines

1. Applicant must be the beneficiary of the proposed infrastructure improvement and is responsible for installation or implementation. Funds are not to be used to support speculative ventures.
2. The Town of Wethersfield reserves the right to reject all applications and/or request additional documentation from the applicant.
3. Submission of completed application is no guarantee of award. All awards are subject to availability of funds.
4. Business must be legally licensed and registered with no local, state or federal tax bills outstanding.
5. Investment will result in a desirable use or uses such as destination, anchor or niche retail; eating establishments or food stores; entertainment, arts, makerspaces, professional offices, market-rate housing.
6. Improvements will result in a new commercial occupancy, retention of commercial businesses
7. Compatibility with the Silas Deane Highway or Old Wethersfield Master Plans.
8. Applicants must receive tax clearance from the Wethersfield Tax Collector.
9. Loan proceeds must be used for real property improvements that will result in compliance with existing building, zoning, fire or health codes.

Section 3. Eligibility

1. All Wethersfield commercial property owners or tenants are eligible to apply for the program.
2. If a tenant applies to the program written permission from the property owner must be submitted.
3. If the applicant is not the owner of the building they must possess a fully executed lease with a minimum of five (5) years remaining in the term from the submittal date of the application.
4. Individuals, partnerships, corporations, nonprofit corporations and other legal entities may apply for assistance. Property owner(s) shall be construed to be any person(s) or legal entity that holds title to the subject property. In the case of multiple owners, the signature of each titleholder is required on

Wethersfield Small Business Investment Loan Program

all appropriate documents. The Town will verify property ownership and require all persons currently on title to give written consent to all work proposed to be performed on the property prior to initiating such work.

5. Applicants must be in good standing with Wethersfield Tax Collector. Any business, individual, partnership, corporation, property owner, lessor or lessee who will directly benefit from participation in this program, whether or not they are the applicant, must be current and up to date on all taxes with the Town of Wethersfield.
6. Loan funds are available only for structures located in commercial zones and containing compliant commercial uses.
7. The number of loans per property or business may be limited to one (1).

Section 4. Eligible Improvements

1. Examples of eligible expenses include, but are not limited to (materials, equipment and labor):
 - a. Significantly improve the long-term viability of the property.
 - b. Improvements are necessary to accommodate the proposed use(s).
 - c. Improvements must respect any historically significant aspects of building and comply with Historic District Commission requirements, where applicable.
 - d. Enhance the overall environment, safety and economic viability of the commercial district.
 - e. Other permanent improvements as determined at the discretion of the Commission necessary for the project.
 - f. Acceptable code compliance expenses including building code compliance; ADA accessibility improvements; elevators and lifts; other egress requirements; health code compliance; hazardous material removal; fire code compliance including fire suppression systems and fire separation requirements. Code compliance expenses incurred within three (3) months prior to approval of the application qualify with acceptable documentation evidencing incurrence or payment of these expenses.

Section 5. Ineligible Improvements

1. The following types of improvements are not eligible for reimbursement:
 - a. Properties used entirely for residential purposes,
 - b. Fencing,
 - c. General maintenance and repairs to parking lots,
 - d. Permit Fees,
 - e. Temporary, portable or non-permanent improvements,
 - f. Costs associated with drawings, design, legal fees, closing costs, cost estimates and project management,
 - g. Improvements that have been completed or in progress prior to grant approval.
2. Properties that are not current with property taxes are not eligible for the Program.
3. Properties used exclusively for residential use.

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Section 6. Local Contractors

1. Whenever possible, applicants are strongly encouraged to use local contractors to complete all tasks associated with façade improvement projects. This will not only help garner local support to continue this program, but more importantly will help boost the local economy.

Section 7. Program Benefits and Guidelines

1. This program provides participants the opportunity to receive a loan to initiate a project for terms up to ten (10) years but may be adjusted for adequate debt coverage.
2. At mid-point of term, up to 50% of the loan may be forgiven and converted to an awarded grant (capped at \$75,000) if specific conditions are met.
3. Payments may be auto-debited from a checking or savings account.
4. The minimum loan amount is \$20,000 and maximum loan amount is \$300,000. Loan may not exceed 50% of total cost of the project.
5. The loan is offered at an interest rate of 3%.
6. Loan proceeds must begin to be drawn within 60 days of the loan closing date, and all loan proceeds drawn within one (1) year of the closing date unless additional time authorized by the Town. Failure to draw funds within this timeline may result in requiring the resubmission of an amended application and an additional credit review.
7. This is a loan, not a line of credit.
8. Loan origination and loan servicing may be provided by an entity contracted by the Town.
9. Fees incurred by applicant (attorney, accountant, etc.) are not eligible to be included in loan amount.
10. Applicant must provide a certificate of insurance naming the Town of Wethersfield as an additional insured each time a policy is renewed.
11. Loan application fee is credited toward loan amount.
12. Determination of loan delinquency and default if made by the Town of Wethersfield. Late payment fees may be assessed. Loan collections will be referred to the Town of Wethersfield Town Attorney's Office.

Section 8. Loan Forgiveness Terms and Conditions

1. Any loan forgiveness made by the Town under this program shall not be made until the mid-point of the term as long as all of the work as approved has been completed, all of the improvements have been inspected and approved by the Planning and Economic Development Department, and other Town code officials and all payments for said work have been made to all contractors, material suppliers and vendors. Upon receipt of all required payment documentation the Town will forgive up to 50% of remaining balance of loan.

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2. The applicant is responsible for payment of all contractors. The Town will not pay the contractors directly.
3. The loan is assigned under the terms that the property owner continues to own the renovated property for a period of 5 years from the date of the receipt of the reimbursement.
4. These grants do not have to be repaid to the Town provided that the property owner continues to own the property for five (5) years and all other conditions of the grant have been satisfied. The grant will be prorated and forgiven in equal percentage increments on a monthly basis such that at the end of five years there will be a zero balance and the grant is forgiven.
5. If an owner sells the property within the first two (2) years after the grant has closed, the entire grant amount is due immediately upon closing.
6. If the owner sells the property after two (2) years and before the end of the fifth (5) year after the grant closing, the remaining prorated share of the grant is due and payable upon the sale of the property.
7. The loan may not be assigned unless the assignment is made to a business that had occupied the building at the time the loan was closed and the Commission approves of the assignment.
8. The loan will be secured by a mortgage on the real estate.
9. Additionally, the loan recipient agrees to maintain the property in good condition and not to remove or significantly alter the improvements funded through the program unless otherwise approved by the Planning and Economic Development Department for a period of five (5) years.

Section 9. Construction Schedule

1. All work for which applicant requests reimbursement must be started within two (2) months of loan commitment and completed within one (1) year of loan commitment, except that the EDIC in its discretion may extend such timeframes for good cause. When it can be demonstrated that circumstances clearly beyond the applicant's control prohibit completion in one (1) year, the EDIC may grant a one-time six (6) month extension upon a written request of an applicant.
2. Failure to complete the project in compliance with the timeframes noted above will result in the loan default mandatory repayment.

Section 10. Application Requirements

1. The application shall be filed with the Planning and Economic Development Department. Application may be filed electronically. In addition, one (1) original signed copy shall be postmarked or delivered to Town of Wethersfield Planning and Economic Development Department.
2. All loan applications shall be accompanied by at least two (2), originally signed, letters of reference (names, addresses and telephone numbers included) who have personal and business relationships with the applicant (at minimum one letter from a personal reference and one from a business reference).

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3. The applicant may be required to provide all of the following information (depending upon the type of improvements proposed):
 - a. Completed and signed application form.
 - b. Copy of executed lease if applicant is not the owner.
 - c. Letter of consent from property owner if applicant is not owner.
 - d. Building construction and/or site plans detailing proposed improvements, (include written description of improvements).
 - e. Architectural drawings or renderings of the proposed improvements by certified architect.
 - f. Design Review Advisory Committee or Historic District Commission approval, as required.
 - g. List of all improvements that are proposed.
 - h. An itemized estimate of project costs.
 - i. Estimated development/construction schedule.
 - j. Copy of deed to property.
 - k. Copy of mortgage on property.
 - l. Completed tax affidavit.
 - m. Proof of insurance.
4. There is a \$500 application fee which is due and payable upon application to the program. The funds will be deposited in an escrow account until the application is reviewed. Upon approval of the loan, the \$500 will be credited to the owner at time of loan closing. If the applicant does not elect to proceed after approval fee is not refundable.
5. Loan applications that are not complete or in compliance with all steps listed above, may be considered non-responsive.
6. Applicants must complete the Certification and Affirmation included in the application.
7. Applicant must obtain a tax clearance certificate (valid for 90 days) from the Wethersfield Tax Collector for each property.

Section 11. Application Procedures

1. PRE-APPLICATION STAFF REVIEW – Applicant consults with Town Staff to discuss eligibility for the Small Business Investment Loan Program.
 - a. Staff will explain the program and discuss the basic terms of the loan program: (Preferably on-site of the project)
 - b. Review the client's plans, improvements and discuss eligibility.
 - c. Discuss the client's funding sources for the match of the improvements not covered by this program.
 - d. Applicant will be introduced to their Project Advocate Liaisons as their main points of contact.
2. FINALIZE PLANS/PRELIMINARY COST ESTIMATE
 - a. Applicant provides plans and specifications for property improvements including a preliminary budget estimate for project.
3. DESIGN REVIEW/HDC APPROVAL
 - a. Obtains appropriate permits for project which may require (PZC, Inland Wetlands, Historic District Commission).

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4. APPLICATION SUBMISSION

- a. The applicant prepares and submits all of the necessary information to Town staff.
- b. Inform the committee that the package is ready for review. (Within two weeks of all required information being received, the loan committee will meet and a decision will be rendered).

5. APPLICATION REVIEW

- a. The EDIC Finance Subcommittee meets to review the application and forward recommendation to the full EDIC.
- b. The applicant may be required to attend Committee meeting to present plans.
- c. If additional information is needed, application may be tabled by the Committee at its discretion pending further review.
- d. If committee recommends approval, staff prepares a recommendation letter informing the EDIC of the recommendation.
- e. EDIC meets to review and vote on application.
- f. If not approved, a letter explaining the decision including guidance for re-applying for funds.

6. FUNDING COMMITMENT

- a. If approved, Town prepares and sends out commitment letter to the client. Commitment letter includes basic terms and payment amounts and amortization details.
- b. Client signs commitment letter and returns it to the loan administrator.
- c. Client agrees to the promotion of the project before the project commences.

7. LOAN CLOSING

- a. Requests closing date to be scheduled.
- b. Provides documents required for closing (See checklist/agenda)
- c. Amortization schedule to be provided as well as potential payment instructions to the client.
- d. Schedules closing with Attorney.

**TOWN COUNCIL AGENDA ITEM
Reformat of Town Council Agenda Process**

DATE: 09-19-22

DEPARTMENT: Town Manager

REQUESTED BY: Town Manager

ITEM: Reformat of Town Council Agenda Process

TOWN BID/RFP #: N/A

STATE CONTRACT #: N/A

BID/RFP DATE: N/A

TERM: N/A

RENEWALS: N/A

TERMS OF RENEWAL: N/A

COST: N/A

BUDGET SOURCE/AMOUNT: 00

JUSTIFICATION: The current order of agenda items does not allow for the efficient processing of standard approvals of simple bids and other Council actions. These are normally handled as part of a Consent Agenda within a meeting. Adding a Consent Agenda early in the agenda will also allow for staff needed for these items to have their items taken up earlier in the evening.

IMPACT IF NOT APPROVED: Meetings will be longer and staff will be required to be present for later hours.

DEPARTMENT HEAD COMMENTS: N/A

TOWN MANAGER COMMENTS: A Consent Agenda, as part of the regular agenda, will allow the Council to move quickly through simple, non-controversial items on the agenda, which will in turn reduce the time that staff must remain for the meetings. Any item listed on consent may be pulled from consent by any Council Members during their comments. Those items will be discussed after the remainder of the Consent Agenda is voted on.

ATTACHMENT: Proposed Amended § A180-11 Order of business

ACTION REQUIRED: For Introduction

§ A180-11 **Order of business.**

[Amended 7-16-2018; 3-7-2022]

A.

Regular Meetings.

(1)

Pledge of Allegiance.

(2)

Recording of attendance by the Town Clerk.

(3)

Presentations.

(4)

Public hearings on ordinances and resolutions.

(5)

Public comments.

(a)

Public.

(b)

Council reports (report on Boards and Commissions).

(c)

Council comments (comments on any topic).

(d)

Town Manager's report.

(e)

Town Clerk communications.

(6)

Council action.

(a)

Acceptance of resignations from boards and commissions.

(b)

Appointments to boards and commissions.

(c)

Consent Agenda

(d)

Approval of ordinances and resolutions.

(7)

Unfinished business.

(8)

New business

(a)

Ordinances and resolutions for introduction.

(9)

Other business.

(10)

Minutes.

(11)

Public comments.

(12)

Executive Session (if required). (Provide reason and attendees)

(13)

Adjourn.