

**RESOLUTION**

**SIMSBURY FIRE DISTRICT**

**Executive Committee**

**RESOLUTION PERTAINING TO A MODIFIED CALENDAR FOR THE FY  
2020-2021 ANNUAL BUDGET AUTHORIZED BY EXECUTIVE ORDERS 2020-  
7B, 7C AND 7I**

**WHEREAS**, on March 10, 2020, the Governor of the State of Connecticut (“Governor”) declared a public health emergency and civil preparedness emergency for the State of Connecticut, pursuant to Connecticut General Statutes Sections 19a-131 and 28-9, in response to the global pandemic of COVID-19 disease associated with a novel coronavirus that is currently affecting multiple countries and states; and

**WHEREAS**, on March 13, 2020, the President of the United States (“President”) declared a national emergency to combat the coronavirus that is currently infecting the population of the United States; and

**WHEREAS**, on March 20, 2020, the Town Manager of the Town of Simsbury (“Town Manager”) and the President of the Simsbury Fire District declared a local state of emergency to ensure that local officials , Town Manger, Emergency Management Director and Fire Chief have all the authorities necessary to limit the spread of COVID-19 disease and to protect the public safety of the Town of Simsbury; and

**WHEREAS**, the effects the transmission of COVID-19 has resulted in the spread of infections in the Town of Simsbury, in Connecticut and throughout the country, as well as resulting in shortages of personal protective equipment and other supplies that could jeopardize public safety and civil preparedness; and

**WHEREAS**, in response to the issuance of declarations of a public health emergency and civil preparedness emergency by the Governor, he has issued a series of Executive Orders setting forth the law governing the conduct of the business of state and municipal government during the period of the emergency; and

**WHEREAS**, on March 14, 2020, the Governor issued Executive Order No. 7B (“EO 7B”), paragraph 1 of which suspends all statutes, By-Laws provisions, ordinances and regulations mandating open meetings in order “...to permit any public agency to meet and take such actions authorized by the law without permitting or requiring in-person, public access to such meetings, and to hold such meetings or proceedings remotely by conference call, videoconference or other technology” (“Electronic Meetings”); and

**WHEREAS**, on March 15, 2020 the Governor issued Executive Order No. 7C (“EO 7C”), paragraph 5 of which extended “all budget deadlines for the preparation of the municipal budget” for the FY 2020-2021 “that falls on any date prior to and including May 15, 2020 are extended by thirty (30) days”; and

**WHEREAS**, the Fire District By-Laws confers the legislative power of the Simsbury Fire District in the Executive Committee, for all matters except those powers specifically reserved for the Annual Budget Meeting; and

**WHEREAS**, EO 7C permits the legislative body to “alter or modify the schedules and deadlines pertaining to the preparation and submission of a proposed budget and the deliberation or actions on said budget” including any required public hearing(s), publication, referendum or final budget adoption: and,

**WHEREAS**, EO 7C postpones all submission dates as set forth in the Fire District By-Laws until such time as the legislative body approves said modified scheduled and deadline consistent with the thirty (30) day extension; and,

**WHEREAS**, on March 21, 2020, the Governor issued Executive Order No. 7I (“EO 7I”), paragraph 13 of which dispenses with any in-person voting requirements, including referenda and town meetings requiring in-person votes, for purposes of adopting 2020-2021 fiscal year municipal budgets and setting the mill rate, including Fire Districts; in effect conferring final responsibility Executive Committee to designate the itself as the Fire District’s “budget-making authority” under the By-Laws to adopt a budget and set a tax rate, which roles are otherwise allocated by the By-Laws to the Annual Budget Referendum; and,

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of Fire Commissioners pursuant to paragraph 5 of Executive Order 7C, hereby sets forth the following modified schedule, process, and deadlines for the submission, deliberation and final action on the Fire District Annual Budget for FY 2020-2021, which meetings shall be conducted in accordance with the requirements noticed in accordance with EO 7B ¶1.

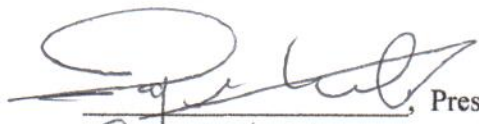
1. The Fire Chief and Fire Commissioners have forwarded a proposed FY 2021 Simsbury Fire District Budget consistent with the Fire District By-Laws (By-Laws) to the Executive Committee and has made said proposed Annual Budget available for public inspection on the Fire District's website.
2. In accordance with its normal procedure, the Executive Committee shall review and consider the proposed Annual Budget at one or more public workshops and budget hearings and conduct any deliberations, by means of an Electronic Meetings, which workshops, hearings and deliberation meetings shall be scheduled as desired by the Executive Committee and conducted in accordance with the public meeting requirements outlined above.
3. The Fire Commissioners, Fire Chief and the Executive Committee shall submit the proposed Annual Budget to the District Clerk not later than April 14, 2020 and shall cause said proposed Annual Budget to be available for public inspection on the Fire District's website not later than April 16, 2020.
4. The Fire Commissioners, Fire Chief and Executive Committee shall consider and approve a resolution for the Fire District Annual Budget and set the tax rate, not later than May 11, 2020 or at other such special meeting(s) as called by the Executive Committee in accordance with its bylaws and policies and conducted in accordance with the public meeting requirements outlined above. The adoption of said resolution and setting of the tax rate shall be deemed final approval of the Annual Fire District Budget and tax rate.
5. If at the scheduled date of the Annual meeting the restriction of public attendance to such meeting is still in effect the Executive Committee will have the emergency powers to defer the date of annual election to the earliest date possible that will allow a public meeting at which time an appropriate vote by the electors of the Town of Simsbury can be held for election of officers of the Simsbury Fire District. In the event a delay of public meeting is called for and such date is beyond July 1, 2020 the present officers will continue to serve in their capacity until which time such public meeting and vote is held.

BE IT FURTHER RESOLVED, all public hearings and meetings shall adhere to rules and protocols set for Electronic Meetings, including the use of online or telephonic conferencing and that no in-person meetings shall be held in consideration of this process.

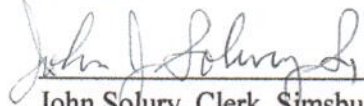
BE IT FURTHER RESOLVED, in the event the previously declared emergency is resolved or declarations prohibiting assembly of groups of persons are lifted on or prior to May 11, 2020, the Executive Committee shall act to reinstate the usual process of a District Annual Meeting and referendum regarding the proposed FY 2021 budget.

Approved this 13th day of April, 2020.

Executive Committee

  
\_\_\_\_\_, President  
Gary N. Wilcox

ATTEST

  
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John Solury, Clerk, Simsbury Fire District