



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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## SIMSBURY BOARD OF SELECTMEN

Regular Meeting – March 11, 2024 – 6:00 P.M.

Main Meeting Room, Simsbury Town Hall

**\*Meeting May Be Held in a Virtual Only Format if Inclement Weather is Expected on Day of Meeting\***

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### PUBLIC AUDIENCE

- Participants can address the Board of Selectmen in person at the meeting
- Email [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov) by noon on Monday, March 11, 2024 to register to address the Board of Selectmen live through Zoom
- Written comments can be emailed to [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov). Written comments will not be read into the record, but forwarded to all Selectmen via email

### FIRST SELECTMAN'S REPORT

### TOWN MANAGER'S REPORT

### SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

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

### CONSENT AGENDA

### SELECTMEN ACTION

- a) Tax Refund Requests
- b) Proposed Amendments to Town Code Chapter 141 Article V: Tax Abatement for Volunteer Firefighters and Ambulance Personnel
- c) Pine Hill Sanitary Sewer Easements
- d) FY 24/25 Budget Discussion and Adoption
- e) Board of Selectmen Rules of Procedure Discussion

**APPOINTMENTS AND RESIGNATIONS**

- a) Resignation of Amy McLean Salls from the Sustainability Committee
- b) Resignation from and Appointment to the Hometown Hero Selection Committee
- c) Appointments to Various Boards and Commissions

**REVIEW OF MINUTES**

- a) February 26, 2024 Regular Meeting

**COMMUNICATIONS**

- a) Memorandum from G. McGregor re: Municipal Land Use Commissioner Training Report, dated February 26, 2024

**EXECUTIVE SESSION**

- a) Pursuant to General Statutes Section 1-200(6)(E): Discussion of Attorney Client Memo

**ADJOURN**



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Tax Refund Requests
2. **Date of Board Meeting:** March 11, 2024
3. **Individual or Entity Making the Submission:**  
Marc Nelson, Town Manager; Colleen O'Connor, Tax Collector

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports approving the tax refunds as presented, the following motion is in order:

*Move, effective March 11, 2024, to approve the presented tax refunds in the amount of \$627.46 and authorize Town Manager, Marc Nelson, to execute the tax refunds.*

5. **Summary of Submission:**  
Tax refunds need to be issued from time to time for motor vehicles, real property, and personal property. Some of the most common reasons tax refunds need to be issued for motor vehicles include: sale of the vehicle; the vehicle is destroyed; the vehicle is donated; the owner has moved out of state; or, the owner has successfully appealed the taxes. Real estate refunds are typically due to the fact that during the sale or refinancing of a property, both a bank and an attorney's office have paid taxes owed, resulting in an overpayment to the Town. Overpayments of personal property taxes are rare; often overpayments of personal property are due to a person or entity forgetting that they paid in full in July, then also sending the January installment.

In a legal opinion from the Town Attorney dated May 22, 2001, he stated that CGS §12-129 "requires that all applications for tax refunds be referred to the Board (of Selectmen) for their consideration and action." Once approved by the Board of Selectmen, the Town Manager will sign off on tax refund applications. As a reminder, the Tax Collector's Office is responsible for collecting revenue for the Fire District pursuant to Special Act #264 of the Legislature in 1945. However, tax refunds for the Fire District are not under the jurisdiction of nor approved by the Board of Selectmen and are therefore not included in the requested tax refunds presented.

6. **Financial Impact:**  
The aggregate amount of all tax refunds as presented is \$627.46. The attachment dated March 11, 2024 has a detailed listing of all requested tax refunds.
7. **Description of Documents Included with Submission:**
  - a) Requested Tax Refunds, dated March 11, 2024

REQUESTED TAX REFUNDS  
MARCH 11, 2024

	<b>BILL NUMBER</b>	<b>TAX</b>	<b>FIRE</b>	<b>INTEREST</b>	<b>TOTAL</b>
<b>List 2022</b>					
Baker Raymond & Gail	22-03-50903	\$89.99	\$2.92		\$92.91
Grossberg Adam J	22-03-57520	\$194.16	\$6.30		\$200.46
JP Morgan Chase Bank NA	22-03-59490	\$287.25	\$9.32		\$296.57
Miller Brenda	22-03-62982	\$56.06	\$1.82		\$57.88
<b>Total 2022</b>		<b>\$627.46</b>	<b>\$20.36</b>		<b>\$647.82</b>
<b>TOTAL 2022</b>		<b>\$627.46</b>	<b>\$20.36</b>		<b>\$647.82</b>
<b>TOTAL ALL YEARS</b>		<b>\$627.46</b>	<b>\$20.36</b>	<b>\$0.00</b>	<b>\$647.82</b>



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

- 1. Title of Submission:** Proposed Amendments to Town Code Chapter 141 Article V: Tax Abatement for Volunteer Firefighters and Ambulance Personnel
- 2. Date of Board Meeting:** March 11, 2024
- 3. Individual or Entity Making the Submission:**  
Marc Nelson, Town Manager

- 4. Action Requested of the Board of Selectmen:**  
If the Board of Selectmen is in support of the proposed amendments as presented, the following motion is in order:

*Move, effective March 11, 2024, to adopt the proposed amendments to Town Code Chapter 141 Article V: Tax Abatement for Volunteer Firefighters and Ambulance Personnel as presented, which shall be effective 21 days after publication in a newspaper having circulation within the Town of Simsbury.*

*Further move, to authorize a summary of the revised ordinance be published.*

- 5. Summary of Submission:**  
The Fire District approached the First Selectman and the Town Manager to request changes to the ordinance to allow for the elimination of the tiers which would allow more junior members to receive the higher abatement level. A Public Hearing was held on February 26, 2024.

Following your February 26<sup>th</sup> meeting, the proposed amendments were revised to set a uniform standard for the dollar amount of taxes abated for volunteers that complete one (1) year of eligible service to the Simsbury Volunteer Fire Company and/or Simsbury Volunteer Ambulance Association. The Town's attorney has reviewed the updated language and confirmed that the changes are not significant enough to require a new public hearing. He has also confirmed that the abatement benefits only apply to real estate and motor vehicle taxes and that business personal property does not qualify under the terms of the ordinance.

Section 404 of the Town Charter sets forth the requirements for a public hearing on and publication of an ordinance. The Board of Selectmen is required to have at least one public hearing on a new or amended ordinance. We are required to give at least seven (7) days' notice in a newspaper having general circulation in the Town. The Town Clerk also posts the notice in a public place, and copies of the ordinance must be available at the Town Clerk's Office. We also post the ordinance on the Town's webpage.

Once the amendment to the ordinance is passed, it must be filed with the Town Clerk and posted in its entirety or in summary form within ten (10) days after final passage. The Board of Selectmen would have to approve use of a summary. The ordinance would become effective on the twenty-first (21) day after final publication.

**6. Financial Impact:**

The proposed amendments reflect an estimated \$13,000 increase in taxes abated.

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

- a) Draft Amendments to Town Code Chapter 141 Article V: Tax Abatement for Volunteer Firefighters and Ambulance Personnel

# CHAPTER 141, ARTICLE V

## Tax Abatement for Volunteer Firefighters and Ambulance Personnel

### Chapter 141. Taxation

#### Article V. Tax Abatement for Volunteer Firefighters and Ambulance Personnel

[Adopted 4-23-2001]

##### § 141-16. Purpose.

The Town of Simsbury is desirous of showing its appreciation for the faithful and courageous performance of the duties performed by the Simsbury Volunteer Fire Company and the Simsbury Volunteer Ambulance Association personnel in the Town of Simsbury and to encourage others to become firefighters and ambulance personnel. These reasons have provided for the Town to establish a tax abatement program pursuant to Section 12-81w of the Connecticut General Statutes as amended by Public Act No. 99-272, Section 6, for volunteer fire and ambulance personnel on the conditions set forth in this section and §§ 141-17 through 141-22.

##### § 141-17. Abatement schedule.

[Amended ~~10-14-2020~~ 3-11-24]

Each volunteer firefighter of the Simsbury Volunteer Fire Company and each volunteer of the Simsbury Volunteer Ambulance Association (collectively "volunteer") who is eligible pursuant to § 141-18 to receive a tax abatement shall have his or her real estate and/or motor vehicle property taxes owed to the Town of Simsbury for the current fiscal year abated in an amount equal to the lesser of the total amount of his or her real estate and/or motor vehicle property taxes owed to the Town of Simsbury for such fiscal year or an amount as calculated in the following schedule:

<del>Years of Eligible Volunteer Service to Simsbury Volunteer Fire Company and/or Simsbury Volunteer Ambulance Association</del>	<del>Dollar Amount of Taxes Abated for Fiscal Year</del>
<del>2 up to 5 years of eligible service</del>	<del>\$500</del>
<del>5 years of eligible service or more</del>	<del>\$1,000</del>
<del>Years of Eligible Volunteer Service to Simsbury Volunteer Fire Company and/or Simsbury Volunteer Ambulance Association</del>	<del>Dollar Amount of Taxes Abated for Fiscal Years</del>
<del>2 up to 5 years of eligible service</del>	<del>\$750</del>
<del>5 years of eligible service or more</del>	<del>\$1,500</del>

<del>Years of Eligible Volunteer Service to Simsbury Volunteer Fire Company and/or Simsbury Volunteer Ambulance Association</del>	<del>Dollar Amount of Taxes Abated for Fiscal Year 19/20</del>
<del>Years of Eligible Volunteer Service to Simsbury Volunteer Fire Company and/or Simsbury Volunteer Ambulance Association</del>	<del>Dollar Amount of Taxes Abated for Fiscal Year 22/23</del>
<del>2 up to 5 years of eligible service</del>	<del>\$1,000</del>
<del>5 years of eligible service or more</del>	<del>\$2,000</del>
Years of Eligible Volunteer Service to Simsbury Volunteer Fire Company and/or Simsbury Volunteer Ambulance Association	Dollar Amount of Taxes Abated
1 year of eligible service or more	\$2,000

**§ 141-18. Eligibility.**

[Amended 6-25-2007; 4-25-2016]

**A.**

To be eligible for the tax abatement pursuant to § 141-17 for any fiscal year, an eligible volunteer shall, on or before April 30 prior to such fiscal year, present to the Tax Collector a written statement certified by the Chief of the Simsbury Volunteer Fire Company or the President of the Simsbury Volunteer Ambulance Association, which statement shall include the name and address of said volunteer, that said volunteer has served as an active volunteer in good standing for the Simsbury Volunteer Fire Company and/or the Simsbury Volunteer Ambulance Association for not less than the two immediate preceding calendar years, and the total number of years of service of said volunteer. "Volunteer in good standing" for members of the Simsbury Volunteer Fire Company shall be defined as set forth in the bylaws of the Simsbury Volunteer Fire Company. "Volunteer in good standing" for members of the Simsbury Volunteer Ambulance Association shall be defined as a regular ambulance volunteer who has done 288 qualifying hours in the year preceding October 1. "Years of service" shall not be deemed to have been interrupted by medical leave authorized by the Simsbury Volunteer Fire Company and/or the Simsbury Volunteer Ambulance Association, leave for military service for the United States of America, or leave covered under the Connecticut Workers' Compensation Act.

**B.**

A person who terminates his or her volunteer service to the Simsbury Volunteer Fire Company and/or the Simsbury Volunteer Ambulance Association shall, upon his or her return to volunteer service to the Simsbury Volunteer Fire Company and/or the Simsbury Volunteer Ambulance Association, be eligible for the tax abatement provided under Section § 141-17 only after he or she completes one full calendar year of volunteer service. Such volunteer's total years of service shall then include any previous years of volunteer service to the Simsbury Volunteer Fire Company and/or the Simsbury Volunteer Ambulance Association.

C.

Any volunteer who a) has served for a minimum of 25 years of service as an active volunteer in good standing as defined in § 141-18 of this Article V; and b) terminates his or her volunteer service; and c) is otherwise eligible for the tax abatement program defined in this Article V, shall continue to receive a tax abatement in the amount designated for members with 5 1 years of eligible service or more as set forth in § 141-17 of this Article V per annum as long as they continue to (1) reside in Simsbury or (2) own a motor vehicle registered to a Simsbury address or (3) own taxable property in the Town of Simsbury.

**§ 141-19. Application.**

The tax abatement provided under this article shall be applied first against any real property taxes owing to the Town of Simsbury and then against any motor vehicle taxes owing to the Town of Simsbury. In the event that the tax to which the abatement is applied is paid in installments, then the abatement shall be applied 50% to each installment. The tax abatement provided under this article shall be applicable for any real property or motor vehicle owned by a volunteer and eligible for such abatement regardless of whether such property is owned individually, jointly or as tenant in common with one or more other persons, provided that said ownership interest is recorded in the name of the volunteer on the Simsbury Grand List. For property acquired by the volunteer during the Grand List Year, the abatement shall be prorated in the same manner and to the same degree as the underlying tax liability. The tax abatement provided under this article only applies to taxes owed to the Town of Simsbury by volunteers in good standing who continue to (1) reside in Simsbury or (2) own a motor vehicle registered to a Simsbury address or (3) own taxable property in the Town of Simsbury.

**§ 141-20. Records.**

The Tax Collector of the Town of Simsbury shall maintain a record of all taxes abated in accordance with this article.

**§ 141-22. Effective date.**

Revisions to this article shall take effect and shall be applicable to taxes owing beginning with taxes on the Grand List of October 1, ~~2019~~ 2023, for tax payments due July 1, 2024~~0~~ – June 30, 2025~~1~~.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Pine Hill Sanitary Sewer Easements
2. **Date of Board Meeting:** March 11, 2024
3. **Individual or Entity Making the Submission:**  
Marc Nelson, Town Manager; Tom Roy, Public Works Director / Town Engineer;  
Anthony Piazza, Water Pollution Control Superintendent
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports the acceptance of the sanitary sewer easements as presented, the following motion is in order:  
  
*Move, effective March 11, 2024, to accept the sanitary sewer easements for the Pine Hill Homeowners Association and 553 Hopmeadow Street and to authorize Town Manager, Marc Nelson, to execute all documents related to the easements.*
5. **Summary of Submission:**  
The sanitary sewers that serve the Pine Hill Homeowners Association (HOA) and 553 Hopmeadow Street are currently owned and maintained by the HOA and do not meet the current Town standards.  
  
At the March 9, 2023 Water Pollution Control Authority meeting, the Authority voted to upgrade the sanitary sewers for the Pine Hill HOA and 553 Hopmeadow Street. When the project is complete, the WPCA will own and maintain the sanitary sewers and these easements will allow any necessary maintenance to be completed on the private property.
6. **Financial Impact:**  
All costs for the project will be accounted for and assessed to the benefitted property owners. Each easement will be transferred to the Town for \$1.00.
7. **Description of Documents Included with Submission:**
  - a) Pine Hill HOA Easement
  - b) 553 Hopmeadow Street Easement

**TOWN OF SIMSBURY**  
**SANITARY SEWER EASEMENT**

Know Ye, that ***PINE HILL HOME OWNERS' ASSOCIATION, INC.*** (collectively, the "Owner"), for the consideration of One Dollars (\$1.00) received to its full satisfaction of The Town of Simsbury, a Connecticut municipal corporation having its territorial limits within the County of Hartford and State of Connecticut (the "Town") does hereby grant, sell, and convey to the Town, its successors and assigns, an easement and a right-of-way for the purposes of laying, constructing, operating, inspecting, maintaining, repairing, and replacing sewer lines for the conveyance of waste water, hereinafter more particularly designated and described on, in, and over lands owned by the Owner (hereinafter, the "premises") situate in Simsbury, Connecticut, known and designated as "***PINE HILL SANITARY SEWER REPLACEMENT, EXHIBIT A – EASEMENT MAP PREPARED BY TOWN OF SIMSBURY ENGINEERING DEPARTMENT, DATED FEBRUARY 1, 2024***", said map filed or to be filed in the Simsbury Land Records, (the "Map"). The easement described herein on set forth on said map shall hereinafter before referred to as "sewer line easement".

**Ingress, Egress, and Maintenance.** The Town, its employees, contractors, or representatives shall have the permanent right of ingress and egress to and from the sewer line easement for the purpose of laying, constructing, operating, inspecting, maintaining, repairing, and replacing sewer lines and manholes, if any are located therein. Such ingress and egress shall be limited to such easement and to existing public roads, if any, on or adjacent to the premises. All activities of the Town on the premises shall be limited to the sewer line easement.

**Fences.** Owner reserves the right to fence the whole or any part of the boundaries of the sewer line easement and the right to build fences crossing such easement provided that the Owner shall install gates not less than 12 feet in width wherever said fences shall cross the sewer easement. The Town will have the right to retain a key to any locks on such fences for its own use. The Town shall have the right to open said gates on the premises whenever a crossing shall be necessary in the construction, maintenance, or operation of its sewer lines on the premises.

**Improvements by Owner.** Subject to the prior written consent of the Town which shall not be unreasonably withheld, the Owner shall have the right to place along, across, and over the sewer line easement as many roads, streets, sidewalks, passageways, electric light and power lines, water lines, sewer lines, gas lines, telephone poles and telephone lines, and other utilities as Owner may desire, provided that said installations shall not interfere with the Town's sewer lines or its appurtenances. If any utility line is placed parallel to such sewer line easement, such line shall not be placed directly over any sewer line.

**Rights and Restrictions of Owner.** Owner shall have the right to full use and enjoyment of the premises except for such use as may unreasonably interfere with the exercise by the Town of the rights granted herein. Owner shall not construct or permit to be constructed any house, structure, or obstruction on or over or interfering with the construction, maintenance, or other operation of any sewer line improvement or appurtenance constructed to this instrument.

Restoration of Premises. After the installation of any sewer lines or any subsequent maintenance thereof, the Town, its employees, representatives, or contractors shall remove all equipment and other property placed on the premises by or for the Town, fill and level all ditches, ruts, and depressions caused by construction or removal operations, and remove all debris resulting there from. The Town will generally restore the surface of the premises as near to its original condition as may be possible with the exception of any obstructions to the use of the sewer line easement, all within a reasonable time after the installation of such sewer line improvements or the abandonment or expiration of this easement. After the completion of the initial construction, at the option of the Owner, the Town will, at its own cost and expense, replace with sod or, at the Town's option, reseed, all established lawn areas damaged as a result of the construction.

Effect Upon Subsequent Parties. This Easement Agreement shall be binding upon the heirs, legal representatives, successors, and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto caused their names to be set

this \_\_\_ day of \_\_\_\_\_, 2024.

*[signature pages follow hereafter]*

Witnessed by:

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
*Name of Authorized Official*

STATE OF CONNECTICUT       :  
  : ss. Simsbury  
COUNTY OF HARTFORD       :

On this the \_\_\_\_ day of \_\_\_\_\_, 2024 before me, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same as his/her free act and deed for the purposes therein contained.

In witness whereof, I hereunto set my hand.

\_\_\_\_\_  
Commissioner of the Superior Court

Witnessed by:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Name of Authorized Official*

STATE OF CONNECTICUT :  
: ss. Simsbury  
COUNTY OF HARTFORD :

On this the \_\_\_\_ day of \_\_\_\_\_, 2024 before me, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same as his/her free act and deed for the purposes therein contained.

In witness whereof, I hereunto set my hand.

\_\_\_\_\_  
Commissioner of the Superior Court

Accepted by the Town of Simsbury by action of the Board of Selectmen dated January \_\_\_\_, 2024.

\_\_\_\_\_  
Wendy Mackstutis  
First Selectman

**SCHEDULE A**

**&**

**SCHEDULE B**

*INSERT PROPERTY DESCRIPTION*

## SCHEDULE A

A CERTAIN PIECE OR PARCEL OF LAND NOW OR FORMERLY KNOWN AS PINE HILL DRIVE, SEBBINS BROOK LANE, MIDDLE LANE, WOODS LANE, AND SOUTH ROAD IN THE TOWN OF SIMSBURY, COUNTY OF HARTFORD AND STATE OF CONNECTICUT AND SHOWN AS "PINE HILL HOME OWNERS' ASSOCIATION, INC. DEFINED EASEMENT NO. 1 FOR UTILITY PURPOSES AREA = 40,343 +/- SF" ON A MAP OR PLAN TITLED "PINE HILL SANITARY SEWER REPLACEMENT, EXHIBIT A - EASEMENT MAP PREPARED BY TOWN OF SIMSBURY ENGINEERING DEPARTMENT, DATED FEBRUARY 1, 2024". SAID PARCEL IS MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERN HIGHWAY LINE OF HOPMEADOW STREET - CONN. ROUTE 10/202 MARKING THE NORTHEASTERLY CORNER OF LAND OF THE GRANTOR, THE NORTHEASTERLY CORNER OF LAND NOW OR FORMERLY OF THOMAS A & LAURA NIGRO 553 HOPMEADOW STREET AND THE NORTHEASTERLY CORNER AS LABELED "POINT OF BEGINNING" OF THE PARCEL HEREIN DESCRIBED; THENCE RUNNING ALONG A CURVE WITH A RADIUS OF 21.730 FEET A DISTANCE OF 32.316 FEET; THENCE N 75°-44'-48.48" W ALONG SAID EASEMENT A DISTANCE OF 17.591 FEET; THENCE N33°-16'-43.49"W ALONG SAID EASEMENT A DISTANCE OF 17.861 FEET; THENCE N74°-45'-10.73"W ALONG SAID EASEMENT A DISTANCE OF 50.853 FEET; THENCE S22°-51'-20.94"W ALONG SAID EASEMENT A DISTANCE OF 40.412 FEET; THENCE S14°-03'-47.52"W ALONG SAID EASEMENT A DISTANCE OF 430.466 FEET; THENCE S64°-06'-21.67"W ALONG SAID EASEMENT A DISTANCE OF 36.559 FEET; THENCE N72°-56'-55.48"W ALONG SAID EASEMENT A DISTANCE OF 125.232 FEET; THENCE N17°-03'-04.52"E ALONG SAID EASEMENT A DISTANCE OF 20.000 FEET; THENCE S72°-56'-55.48"E ALONG SAID EASEMENT A DISTANCE OF 117.364 FEET; THENCE N64°-06'-21.67"E ALONG SAID EASEMENT A DISTANCE OF 19.356 FEET; THENCE N14°-03'-47.52"E ALONG SAID EASEMENT A DISTANCE OF 422.669 FEET; THENCE N22°-51'-20.94"E ALONG SAID EASEMENT A DISTANCE OF 39.889 FEET; THENCE N71°-41'-08.30"W ALONG SAID EASEMENT A DISTANCE OF 171.377 FEET; THENCE S15°-08'-52.20"W ALONG SAID EASEMENT A DISTANCE OF 449.431 FEET; THENCE N74°-51'-07.80"W ALONG SAID EASEMENT A DISTANCE OF 20.000 FEET; THENCE N15°-08'-52.20"E ALONG SAID EASEMENT A DISTANCE OF 449.274 FEET; THENCE N78°-51'-53.47"W ALONG SAID EASEMENT A DISTANCE OF 200.303 FEET; THENCE S15°-27'-13.95"W ALONG SAID EASEMENT A DISTANCE OF 430.727 FEET; THENCE N74°-32'-46.05"W ALONG SAID EASEMENT A DISTANCE OF 20.000 FEET; THENCE N15°-27'-13.95"E ALONG SAID EASEMENT A DISTANCE OF 449.273 FEET; THENCE S78°-51'-53.47"E ALONG SAID EASEMENT A DISTANCE OF 230.203 FEET; THENCE S71°-41'-08.30"E ALONG SAID EASEMENT A DISTANCE OF 193.344 FEET; THENCE S74°-45'-10.73"E ALONG SAID EASEMENT A DISTANCE OF 66.695 FEET; THENCE S33°-16'-43.49"E ALONG SAID EASEMENT A DISTANCE OF 58.973; THENCE S09°-29'-33.52"W ALONG SAID EASEMENT A DISTANCE OF 12.064 TO THE PLACE AND POINT OF BEGINNING.

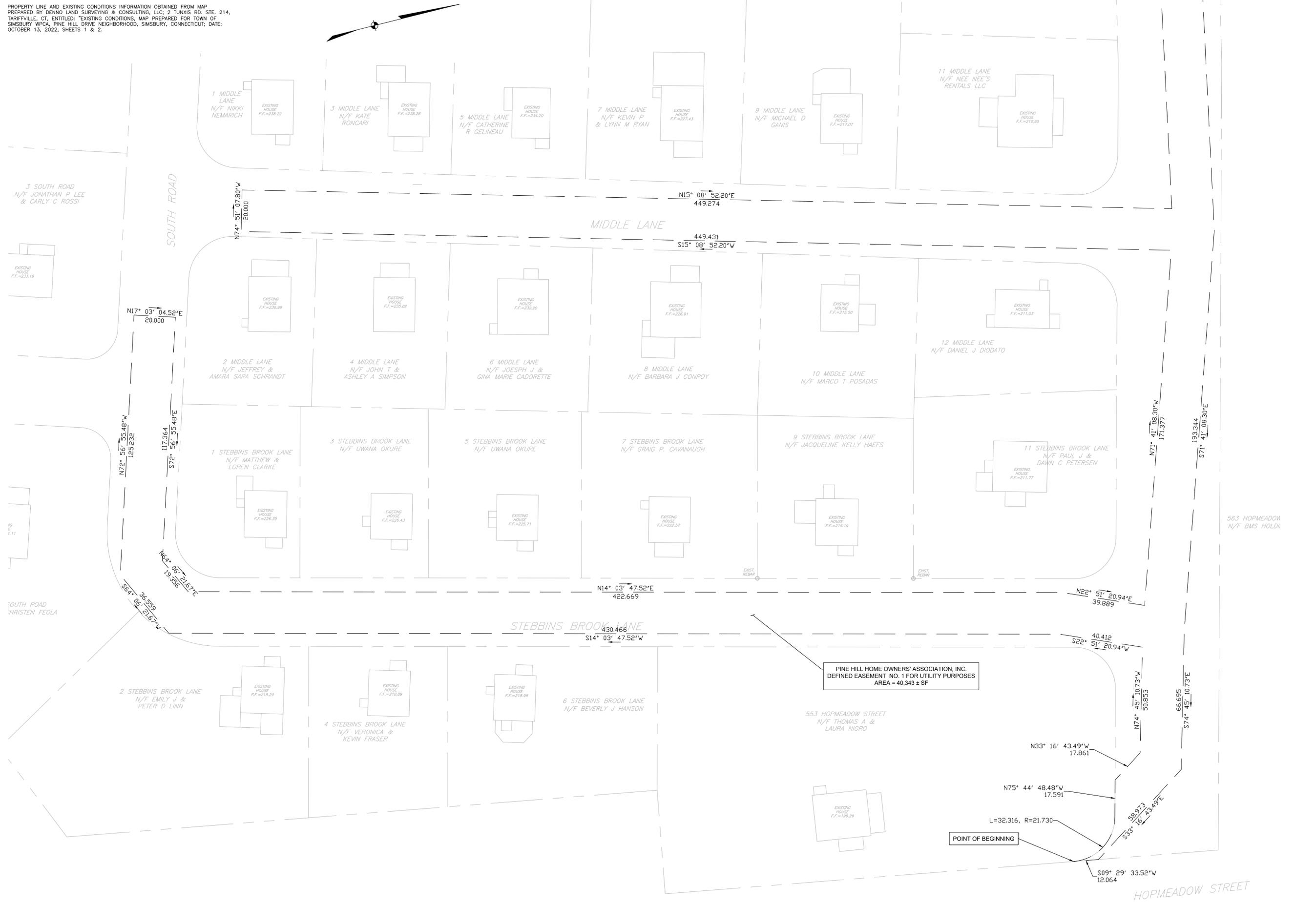
## SCHEDULE B

A CERTAIN PIECE OR PARCEL OF LAND NOW OR FORMERLY KNOWN AS PINE HILL DRIVE, SEBBINS BROOK LANE, MIDDLE LANE, WOODS LANE, AND SOUTH ROAD IN THE TOWN OF SIMSBURY, COUNTY OF HARTFORD AND STATE OF CONNECTICUT AND SHOWN AS "PINE HILL HOME OWNERS' ASSOCIATION, INC. DEFINED EASEMENT NO. 2 FOR UTILITY PURPOSES AREA = 6,454 SF +/-" ON A MAP OR PLAN TITLED "PINE HILL SANITARY SEWER REPLACEMENT, EXHIBIT A - EASEMENT MAP PREPARED BY TOWN OF SIMSBURY ENGINEERING DEPARTMENT, DATED FEBRUARY 1, 2024". SAID PARCEL IS MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERN LINE OF PINE HILL DRIVE AND THE SOUTHEASTERLY CORNER AS LABELED "POINT OF BEGINNING" OF THE PARCEL HEREIN DESCRIBED; THENCE N 11°-57'-53.48" W ALONG SAID EASEMENT A DISTANCE OF 169.505 FEET; THENCE N11°-15'-13.61"E ALONG SAID EASEMENT A DISTANCE OF 144.079 FEET; THENCE N78°-44'-46.39"W ALONG SAID EASEMENT A DISTANCE OF 20.000 FEET; THENCE S11°-15'-13.61"W ALONG SAID EASEMENT A DISTANCE OF 148.188 FEET; THENCE S11°-57'-53.48"E ALONG SAID EASEMENT A DISTANCE OF 181.908 FEET; THENCE RUNNING ALONG A CURVE WITH A RADIUS OF 50.000 FEET A DISTANCE OF 21.825 FEET ALONG SAID EASEMENT TO THE PLACE AND POINT OF BEGINNING.

**MAP REFERENCE:**

PROPERTY LINE AND EXISTING CONDITIONS INFORMATION OBTAINED FROM MAP PREPARED BY DENNO LAND SURVEYING & CONSULTING, LLC, 2 TUNKIS RD., STE. 214, TARIFFVILLE, CT, ENTITLED: "EXISTING CONDITIONS, MAP PREPARED FOR TOWN OF SIMSBURY WPCA, PINE HILL DRIVE NEIGHBORHOOD, SIMSBURY, CONNECTICUT, DATE: OCTOBER 13, 2022, SHEETS 1 & 2.



NO.	REVISION	DATE	BY



TOWN OF SIMSBURY  
 ENGINEERING DEPARTMENT  
 933 HOPMEADOW STREET  
 SIMSBURY CONNECTICUT

**PINE HILL  
 SANITARY SEWER REPLACEMENT  
 EXHIBIT A - EASEMENT MAP**

DRAWN BY: DFG	CHECKED BY: ADK
DATE: FEB. 1, 2024	SCALE: 1" = 20'

SHEET  
**A-1**

**MAP REFERENCE:**

PROPERTY LINE AND EXISTING CONDITIONS INFORMATION OBTAINED FROM MAP PREPARED BY DENNO LAND SURVEYING & CONSULTING, LLC, 2 TUNXIS RD., STE. 214, TARIFFVILLE, CT, ENTITLED: "EXISTING CONDITIONS, MAP PREPARED FOR TOWN OF SIMSBURY WPCA, PINE HILL DRIVE NEIGHBORHOOD, SIMSBURY, CONNECTICUT, DATE: OCTOBER 13, 2022, SHEETS 1 & 2.



NO.	REVISION	DATE	BY



TOWN OF SIMSBURY  
 ENGINEERING DEPARTMENT  
 933 HOPMEADOW STREET  
 SIMSBURY CONNECTICUT

**PINE HILL  
 SANITARY SEWER REPLACEMENT  
 EXHIBIT A - EASEMENT MAP**

DRAWN BY: DFG	CHECKED BY: ADK
DATE: FEB. 1, 2024	SCALE: 1" = 20'

**SHEET  
 A-2**

**TOWN OF SIMSBURY**  
**SANITARY SEWER EASEMENT**

Know Ye, that **553 HOPMEADOW STREET N/F THOMAS A & LAURA NIGRO** (collectively, the “Owner”), for the consideration of One Dollars (\$1.00) received to its full satisfaction of The Town of Simsbury, a Connecticut municipal corporation having its territorial limits within the County of Hartford and State of Connecticut (the “Town”) does hereby grant, sell, and convey to the Town, its successors and assigns, an easement and a right-of-way for the purposes of laying, constructing, operating, inspecting, maintaining, repairing, and replacing sewer lines for the conveyance of waste water, hereinafter more particularly designated and described on, in, and over lands owned by the Owner (hereinafter, the “premises”) situate in Simsbury, Connecticut, known and designated as **“PINE HILL SANITARY SEWER REPLACEMENT, EXHIBIT A – EASEMENT MAP PREPARED BY TOWN OF SIMSBURY ENGINEERING DEPARTMENT, DATED FEBRUARY 1, 2024”**, said map filed or to be filed in the Simsbury Land Records, (the “Map”). The easement described herein on set forth on said map shall hereinafter before referred to as “sewer line easement”.

**Ingress, Egress, and Maintenance.** The Town, its employees, contractors, or representatives shall have the permanent right of ingress and egress to and from the sewer line easement for the purpose of laying, constructing, operating, inspecting, maintaining, repairing, and replacing sewer lines and manholes, if any are located therein. Such ingress and egress shall be limited to such easement and to existing public roads, if any, on or adjacent to the premises. All activities of the Town on the premises shall be limited to the sewer line easement.

**Fences.** Owner reserves the right to fence the whole or any part of the boundaries of the sewer line easement and the right to build fences crossing such easement provided that the Owner shall install gates not less than 12 feet in width wherever said fences shall cross the sewer easement. The Town will have the right to retain a key to any locks on such fences for its own use. The Town shall have the right to open said gates on the premises whenever a crossing shall be necessary in the construction, maintenance, or operation of its sewer lines on the premises.

**Improvements by Owner.** Subject to the prior written consent of the Town which shall not be unreasonably withheld, the Owner shall have the right to place along, across, and over the sewer line easement as many roads, streets, sidewalks, passageways, electric light and power lines, water lines, sewer lines, gas lines, telephone poles and telephone lines, and other utilities as Owner may desire, provided that said installations shall not interfere with the Town’s sewer lines or its appurtenances. If any utility line is placed parallel to such sewer line easement, such line shall not be placed directly over any sewer line.

**Rights and Restrictions of Owner.** Owner shall have the right to full use and enjoyment of the premises except for such use as may unreasonably interfere with the exercise by the Town of the rights granted herein. Owner shall not construct or permit to be constructed any house, structure, or obstruction on or over or interfering with the construction, maintenance, or other operation of any sewer line improvement or appurtenance constructed to this instrument.

Restoration of Premises. After the installation of any sewer lines or any subsequent maintenance thereof, the Town, its employees, representatives, or contractors shall remove all equipment and other property placed on the premises by or for the Town, fill and level all ditches, ruts, and depressions caused by construction or removal operations, and remove all debris resulting there from. The Town will generally restore the surface of the premises as near to its original condition as may be possible with the exception of any obstructions to the use of the sewer line easement, all within a reasonable time after the installation of such sewer line improvements or the abandonment or expiration of this easement. After the completion of the initial construction, at the option of the Owner, the Town will, at its own cost and expense, replace with sod or, at the Town's option, reseed, all established lawn areas damaged as a result of the construction.

Effect Upon Subsequent Parties. This Easement Agreement shall be binding upon the heirs, legal representatives, successors, and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto caused their names to be set

this \_\_\_ day of \_\_\_\_\_, 2024.

*[signature pages follow hereafter]*

Witnessed by:

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
*Name of Authorized Official*

STATE OF CONNECTICUT :  
: ss. Simsbury  
COUNTY OF HARTFORD :

On this the \_\_\_\_ day of \_\_\_\_\_, 2024 before me, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same as his/her free act and deed for the purposes therein contained.

In witness whereof, I hereunto set my hand.

\_\_\_\_\_  
Commissioner of the Superior Court

Witnessed by:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Name of Authorized Official*

STATE OF CONNECTICUT :  
: ss. Simsbury  
COUNTY OF HARTFORD :

On this the \_\_\_\_ day of \_\_\_\_\_, 2024 before me, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same as his/her free act and deed for the purposes therein contained.

In witness whereof, I hereunto set my hand.

\_\_\_\_\_  
Commissioner of the Superior Court

Accepted by the Town of Simsbury by action of the Board of Selectmen dated January \_\_\_\_, 2024.

\_\_\_\_\_  
Wendy Mackstutis  
First Selectman

**SCHEDULE A**

*INSERT PROPERTY DESCRIPTION*

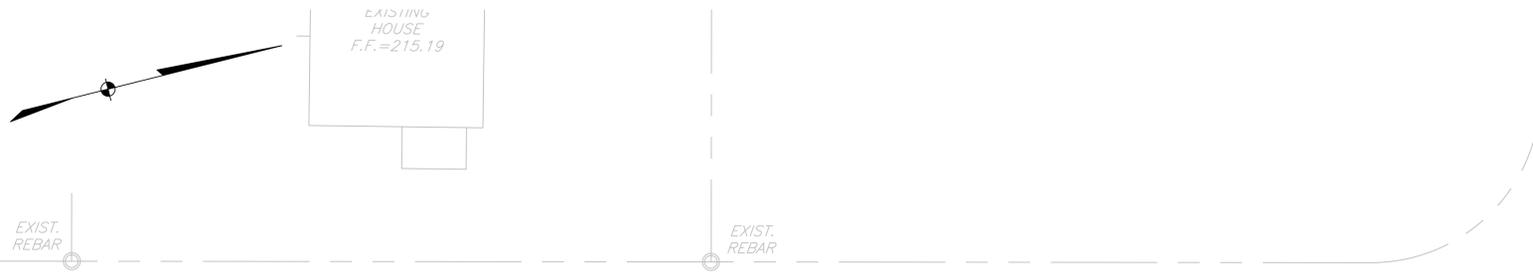
## SCHEDULE A

A CERTAIN PIECE OR PARCEL OF LAND NOW OR FORMERLY KNOWN AS PINE HILL DRIVE, SEBBINS BROOK LANE, MIDDLE LANE, WOODS LANE, AND SOUTH ROAD IN THE TOWN OF SIMSBURY, COUNTY OF HARTFORD AND STATE OF CONNECTICUT AND SHOWN AS "553 HOPMEADOW STREET DEFINED EASEMENT FOR UTILITY PURPOSES AREA = 617 +/- SF" ON A MAP OR PLAN TITLED "PINE HILL SANITARY SEWER REPLACEMENT, EXHIBIT A - EASEMENT MAP PREPARED BY TOWN OF SIMSBURY ENGINEERING DEPARTMENT, DATED FEBRUARY 1, 2024". SAID PARCEL IS MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERN HIGHWAY LINE OF HOPMEADOW STREET - CONN. ROUTE 10/202 MARKING THE NORTHEASTERLY CORNER OF LAND OF THE GRANTOR, THE EASTERLY CORNER OF PINE HILL HOME OWNERS' ASSOCIATION, INC., AND AS LABELED "POINT OF BEGINNING" OF THE PARCEL HEREIN DESCRIBED; THENCE RUNNING ALONG A CURVE WITH A RADIUS OF 21.730 FEET A DISTANCE OF 32.316 FEET; THENCE N75°-44'-48.48" W ALONG SAID EASEMENT A DISTANCE OF 17.591 FEET, THENCE S33°-16'-43.49"E ALONG SAID EASEMENT A DISTANCE OF 55.159 FEET; THENCE N09°-29'-33.52"E ALONG SAID EASEMENT A DISTANCE OF 17.388 FEET TO THE PLACE AND POINT OF BEGINNING.

**MAP REFERENCE:**

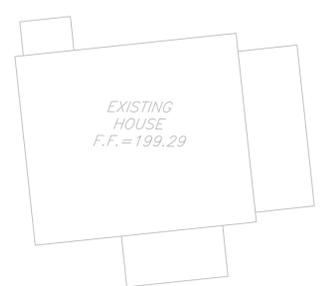
PROPERTY LINE AND EXISTING CONDITIONS INFORMATION OBTAINED FROM MAP PREPARED BY DENNO LAND SURVEYING & CONSULTING, LLC; 2 TUNXIS RD., STE. 214, TARIFFVILLE, CT, ENTITLED: "EXISTING CONDITIONS, MAP PREPARED FOR TOWN OF SIMSBURY WPCA, PINE HILL DRIVE NEIGHBORHOOD, SIMSBURY, CONNECTICUT; DATE: OCTOBER 13, 2022, SHEETS 1 & 2.



*POOK LANE*

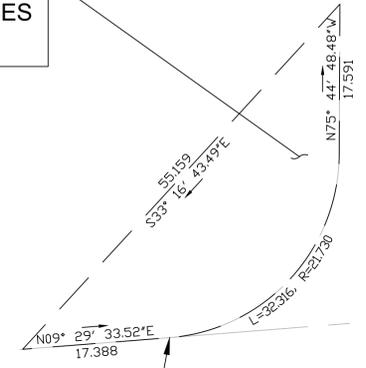
*33BINS BROOK LANE  
BEVERLY J HANSON*

*553 HOPMEADOW STREET  
N/F THOMAS A &  
LAURA NIGRO*



**553 HOPMEADOW STREET  
DEFINED EASEMENT FOR UTILITY PURPOSES  
AREA = 617 ± SF**

**POINT OF BEGINNING**



*HOPMEADOW ST*

NO.	REVISION	DATE	BY



TOWN OF SIMSBURY  
ENGINEERING DEPARTMENT  
933 HOPMEADOW STREET  
SIMSBURY CONNECTICUT

**PINE HILL  
SANITARY SEWER REPLACEMENT  
EXHIBIT A - EASEMENT MAP**

DRAWN BY: DFG  
CHECKED BY: ADK  
DATE: FEB. 1, 2024  
SCALE: 1" = 10'

SHEET  
A-1



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** FY 24/25 Budget Discussion and Adoption
2. **Date of Board Meeting:** March 11, 2024
3. **Individual or Entity Making the Submission:**  
Marc Nelson, Town Manager; Tom Fitzgerald, Deputy Town Manager; Melissa Appleby, Budget Director; Amy Meriwether, Finance Director / Treasurer
4. **Action Requested of the Board of Selectmen:**  
If the Board is prepared to take action on the FY 24/25 budget this evening, you may do so. Budget motions will be provided at the Monday meeting following the Saturday Budget Workshop. If the Board needs additional time to discuss the budget, a special meeting should be scheduled.
5. **Summary of Submission:**  
The Board is scheduled to continue its discussion on the FY 24/25 budget from their March 9<sup>th</sup> Budget Workshop. If needed, the Board can carry the discussion forward to a special meeting later this week. The Board of Selectmen approved budget will be presented to the Board of Finance on March 19<sup>th</sup>. The Public Hearing on the budget is scheduled for April 3<sup>rd</sup> in the Tariffville Room at the Simsbury Public Library.
6. **Financial Impact:**  
The Town Manager's proposed budget was released on February 26<sup>th</sup>.  
  
Budget items are routinely added to the Town Website at: <https://www.simsbury-ct.gov/finance/pages/2024-2025-budget-information>.
7. **Description of Documents Included with Submission:**
  - a) FY 2024/2025 Sample Budget Motions (forthcoming Monday evening)
  - b) Budget Workshop Flagged Items (forthcoming Monday evening)



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Board of Selectmen Rules of Procedure Discussion
2. **Date of Board Meeting:** March 11, 2024
3. **Individual or Entity Making the Submission:**  
Marc Nelson, Town Manager; Kevin Beal, Selectman
4. **Action Requested of the Board of Selectmen:**  
This item is meant to be a discussion on the Board of Selectmen Rules of Procedure. Should the Board wish to take action on an item that may come up in discussion, a motion will need to be made.
5. **Summary of Submission:**  
Selectman Beal reached out to the First Selectman and the Town Manager's Office to request a discussion on the Board of Selectmen Rules of Procedure be added to the agenda. Mr. Beal's request at this time is not for a specific amendment to the rules but would like the Board to discuss the current rules as a whole and if they are working and meet the needs of the Board.  
  
Mr. Beal has asked if the group could focus on the following areas for the discussion:
  1. Are the Rules of Procedure serving the needs of the Board and the public, especially with regard to the section on Decorum & Standards of Conduct?
  2. Are the Rules of Procedure consistent with Town Charter, Roberts Rules of Order, and the U.S. Constitution's First Amendment protections on free speech, especially with regard to the section on Decorum & Standards of Conduct for members of the public during public comment?
  3. Do the Rules of Procedure, especially with regard to the section on Decorum & Standards of Conduct, specify clear expectations with regard to Board members?
  4. Are any modifications or changes to the Rules of Procedure necessary and, if so, should recommendations be referred to the Personnel Subcommittee or, if necessary, another venue?
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**
  - a) Board of Selectmen Rules of Procedure



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN RULES OF PROCEDURE – ADOPTED DECEMBER 4, 2023

**BE IT RESOLVED**, that the Board of Selectmen adopts the following rules of procedure: These Rules of Procedure establish the rules and procedures for Simsbury Board of Selectmen (“Board”) meetings. The provisions of the Simsbury Charter (“Charter”), the Simsbury Code or any ordinance adopted by the Board shall govern and apply in the event there is any conflict with these Rules.

**§A162-1.1. General rules.** All official meetings of the Board shall be open to the public and the media with the exception of executive sessions. Use of cellular telephones is prohibited in the meeting. It is the Board’s objective to complete meetings by 10:30 PM if possible. The Board will conduct its business in accordance with all other applicable rules and regulations including Connecticut General Statutes and the Charter.

**§A162-1.2. Rules of Procedure.** The Board adopts Robert’s Rules of Order as a general guide for the conduct of all regular and special meetings.

**§A162-2. Meeting Types.** There are two (2) types of Board meetings:

For regular Board meetings; the Board shall meet according to their regular meeting schedule. When a Board meeting falls on an observed holiday, the Board may determine an alternate day for the meeting or cancel the meeting.

For special meetings; a special meeting may be called by the First Selectperson or any four (4) Board members. Special meetings may be called in less than 24 hours, and without notice, for special topics, and to deal with emergencies involving injury or damage to persons or property or the likelihood of such injury or damage if the notice requirements would be impractical.

**§A162-3. First Selectperson & Chair.** The First Selectperson (“Selectman”, “Selectwoman”), shall be a voting member and, if present, shall preside as Chair at all meetings of the Board. In the event of absence or conflict of interest of the First Selectperson, the Deputy First Selectperson shall preside. In the event of absence or conflict of interest of both, First Selectperson and Deputy First Selectperson, the Board shall elect a Chair and the Town Manager shall call to order the meeting for the election of a temporary Chair.

The First Selectperson shall chair the Board's Personnel Sub-Committee. The First Selectperson may present a “State of the Town Message” at the beginning of one regular meeting per month.

## **Board of Selectmen**

### **Rules of Procedure – December 4, 2023**

The Chair shall call to order Board meetings. The Chair shall be responsible for maintaining and preserving order throughout the meeting and enforcing the rules of decorum. The Chair shall state all questions submitted for a vote and announce the result. The First Selectperson, as Chair, may participate in debate and shall refrain from making a motion or seconding a motion until it is apparent that no other Board member will do so. The Chair shall determine all motions and points of order, subject to the right of any Board members to appeal, by motion, to the Board. If the motion is seconded and passes by a majority vote, then the ruling of the Chair shall be overruled.

**§A162-4. Decorum & Standards of Conduct.** The Board supports the right of a resident to criticize their local government. The Board strongly urges that all comments addressed to the Board be made appropriately and responsibly, with civility and discretion. This section is not intended to deprive any person their right to freedom of expression or speech, but only to maintain, a safe, productive and harassment-free workplace and environment for Town staff and visitors. All meeting participants should address the Board, maintain a civil tone and should not impugn the motive, character or integrity of any individual. The Board reserves the right to curtail any speaker addressing the Board in a manner that is not consistent with this Section.

The following standards of conduct are considered the minimum requirements for elected and appointed officials, as well as, public audience and visitors.

- I. Elected and appointed officials shall conduct themselves in a mature, appropriate and professional manner, shall respect one another, and shall respect members of the public, and expect the same in return.
- II. Board members shall not communicate between or amongst themselves by any form of electronic communication during a Board meeting.
- III. Members of the public will refrain from behavior that disrupts, or threatens to disrupt, government operations.
- IV. No person attending a public meeting shall engage in disorderly conduct that disrupts, or threatens to disrupt, the orderly conduct of the meeting.
- V. In the event that any member(s) of the public breach these standards of conduct, the Chair shall order them to cease the offending conduct.
- VI. If any member(s) of the public continue to breach these standards of conduct following an order from the Chair to cease the offending conduct, the Chair, may order them to leave the public meeting.
- VII. If any member(s) of the public refuse to leave the public meeting following an order from the Chair, then the Chair, may direct any law enforcement officer on duty to remove them from the public meeting.

**§A162-5. Board Agenda.** A notice, in the form of an agenda, of a Board meeting will be posted publicly by the Town Clerk. When possible, the agenda for a regular meeting, along with relevant resource material, will be distributed to the Board members four (4) days prior to the meeting. Agendas for special meetings shall be posted in the correct timeframe as outlined in State Statute. The First Selectperson shall determine the agenda in consultation with the Town Manager.

## **Board of Selectmen**

### **Rules of Procedure – December 4, 2023**

When a board, commission, organizations, or individual is invited to a Board meeting to discuss a particular agenda item, in the interest of their time, that item shall be placed on the agenda at the time requested, if possible.

A Board member may place a legislative item on the agenda by contacting the First Selectperson at least seven (7) days prior to the meeting. The First Selectperson shall consult with the Town Manager and exercise discretion to determine if the matter should be included on the agenda.

Items not specifically included on the agenda may be included, and items included on the agenda may be deleted, by a two-thirds (2/3) vote of those present and voting.

Under no circumstances will any item be added to the agenda later than two (2) hours after the beginning of the meeting. In accordance with Connecticut General Statutes, no items will be added to a special meeting agenda.

**§A162-6. Public Audience.** Recognition of a speaker by the Chair is a prerequisite and necessary for an orderly meeting. No comments shall be made from any other location other than those approved by the Board before the meeting. Any person may address the Board by written communication in regard to any matter concerning Board business for the meeting. The written communication may be submitted by direct mail, email or by addressing the communication to the Town Manager who will distribute copies to the Board. Written comments will be sent to all Board of Selectmen members but not read aloud at meetings or entered into the record.

One period of not less than twenty (20) minutes may be set aside at the beginning of each regular meeting of the Board of Selectmen to allow members of the public present to address the Board. Each speaker will be limited to five (5) minutes and will be asked to sign in ahead of speaking.

Prior to the start of public audience, the Chair may create a speaking list and require that all persons wishing to be heard, “sign in” by giving their name, their address, indicate if they are speaking on behalf of a group or organization. Any person who does not sign in may not be permitted to speak until all those who have signed in have given their testimony. The Chair may change the order of the speaker list and allow additional speaking time. When the Chair identifies a number of speakers who wish to speak in public audience, which would exhaust the reasonable length of time allowed, the Chair may set a shorter period for each speaker.

**§A162-7. Public Hearing & Comment.** The Chair, or Town staff, will introduce the agenda item, describe the matter under consideration, provide any presentation by the Town, the applicant shall have the opportunity to present information or respond to the Town’s presentation, the Board shall have the opportunity to ask questions of Town staff and the applicant, the Chair will open the public hearing for public comment, and speakers must “sign in” because an official transcript of the public hearing is being made. After proponents, opponents and all other individuals who wish to speak regarding the matter under consideration have spoken, and after all questions have been addressed, the Chair closes the public comment component.

If the volume of public comments requires a continuation, if additional information is required or if the Board determines that additional time is warranted to consider the matter of the public

## **Board of Selectmen**

### **Rules of Procedure – December 4, 2023**

hearing, the Board may continue the public hearing to a later date and may re-open the public comment portion of the public hearing at any continued public hearing.

**§A162-8. Presentations.** Before presentations begin, the Chair, subject to the concurrence of a majority of the Board, may establish time limits and otherwise control presentations by placing parameters and boundaries on them. There will be no demonstrations during or after the conclusion of any presentation.

**§A162-9. Consent Agenda.** Any item of a routine nature, such as ratification of bid awards, grant applications, donations, public gathering permits, tax refunds, committee and board resignations and appointments, approval of minutes etc., may be placed in a consent agenda portion of that meeting's agenda.

All actions in the consent agenda may be accepted and approved through a unanimous vote by the Board. If there is no unanimous vote to approve the consent agenda, any item on the consent agenda may be removed and considered separately as an agenda item at the request of any Board member.

**§A162-10. Votes & Minutes of Board of Selectmen.** The minutes from each Board meeting shall be open to public inspection and kept by the Town Clerk. In accordance with Chapter 14, Section 1-225 of the Connecticut General Statutes entitled *Freedom of Information Act*, the votes of each Board member upon any issue before the Board of Selectmen shall be reduced to writing and made available to the public within forty-eight (48) hours. These votes shall also be recorded in the minutes of the Board meeting. Further, a draft of the minutes of the Board meeting shall be available for public inspection within seven (7) days of the session to which they refer. The Town Manager, in cooperation with the Town Clerk, will post the actions taken by the Board of Selectmen and both the draft and final version of the meeting minutes on the Town's website when available.

**§A162-11. Expiration.** These Rules of Procedure will be in effect until the end of the Board's term on December 1, 2025.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignation of Amy McLean Salls from the Sustainability Subcommittee
2. **Date of Board Meeting:** March 11, 2024
3. **Individual or Entity Making the Submission:**  
Marc Nelson, Town Manager; Trish Munroe, Town Clerk

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

The following motion is in order:

*Move, retroactive to February 26, 2024, to acknowledge the receipt of the resignation of Amy McLean Salls as a Regular Member of the Simsbury Sustainability Subcommittee.*

5. **Summary of Submission:**

The Town Clerk has received the resignation of Amy McLean Salls (D) as a Regular Member of the Simsbury Sustainability Committee.

Ms. Salls' term was to expire December 1, 2025.

Pursuant to our Charter, since Ms. Salls is a Democrat, her replacement must be from the same political party, which in this case, is the Democratic Party.

6. **Financial Impact:**

None

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

- a) Amy McLean Salls' Resignation Letter, dated February 26, 2024

**Munroe Trish**

---

**From:** Amy McLean Salls [REDACTED]  
**Sent:** Monday, February 26, 2024 3:28 PM  
**To:** Munroe Trish  
**Cc:** Mark Scully  
**Subject:** Simsbury Sustainability Committee Resignation-

Good Afternoon Ms Munroe,

Please accept my resignation from the Simsbury Sustainability Committee. It is at this juncture I cannot serve due to competing responsibilities in my daily life. I have enjoyed this opportunity and will miss being a part of this important work in Simsbury.

Sincerely,

Amy McLean Salls

RECEIVED  
TOWN OF SIMSBURY, CT  
2024 FEB 26 P 4:38  
TOWN CLERK'S OFFICE



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignation from and Appointment to the Hometown Hero Selection Committee
2. **Date of Board Meeting:** March 11, 2024
3. **Individual or Entity Making the Submission:**  
Marc Nelson, Town Manager; Trish Munroe, Town Clerk
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports the recommended appointment, the following motions are in order:  
  
*Move, retroactive to February 5, 2024, to accept the resignation of Len Lanza as a member of the Hometown Hero Selection Committee.*  
  
*Move, effective March 11, 2024, to appoint Sabrina Teixeira as a member of the Hometown Hero Selection Committee.*
5. **Summary of Submission:**  
The Town Clerk has received the resignation of Len Lanza (U) as a veteran's organization member of the Hometown Hero Selection Committee.  
  
First Selectman Wendy Mackstutis has recommended Sabrina Teixeira (U) to fill the vacancy created by Mr. Lanza's resignation.  
  
The appointee will serve until the term ends on December 1, 2025.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**  
a) Len Lanza's Resignation Letter, dated February 5, 2024





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Appointments to Various Boards and Commissions

2. **Date of Board Meeting:** March 11, 2024

3. **Individual or Entity Making the Submission:**  
Marc Nelson, Town Manager; Trish Munroe, Town Clerk

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports the recommended appointments, the following motions are in order:

*Move, effective March 11, 2024, to appoint Alison Wilcox as an Alternate Member of the Conservation Commission/Inland Wetlands & Watercourses Agency and Libby Easton-May as a Regular Member of the Aging & Disability Commission.*

*Move, effective April 1, 2024, to appoint Amber Abbuhl as a Regular Member of the Simsbury Housing Authority.*

5. **Summary of Submission:**  
The Town Clerk has received the following recommended appointments from the Democratic Town Committee:

1. Alison Wilcox (D) as an Alternate Member of the Conservation Commission/Inland Wetlands & Watercourses Agency. The appointee will fill the vacancy created by the resignation of Cailyn Welsh (D) on January 31, 2024 and will serve until the term ends on January 1, 2026.
2. Libby Easton-May (D) as a Regular Member of the Aging & Disability Commission. The appointee will fill the vacancy created by the resignation of Shannon Leary (D) on January 25, 2024 and will serve until the term ends on January 1, 2027.
3. Amber Abbuhl (D) as a Regular Member of the Simsbury Housing Authority. The appointee will serve a 5-year term beginning April 1, 2024 and ending April 1, 2029.

6. **Financial Impact:**  
None

7. **Description of Documents Included with Submission:**  
None

## **CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Steven Antonio; Board members Curtis Looney, Heather Goetz, Diana Yeisley, and Kevin Beal. Others in attendance included: Town Manager Marc Nelson; Deputy Town Manager Tom Fitzgerald; Finance Director/Treasurer Amy Meriwether; Budget Director Melissa Appleby; Deputy Town Engineer Adam Kessler; Director of Infrastructure & Technology Jason Casey and other interested parties.

## **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

## **PUBLIC HEARING**

### **a) Proposed Amendment to Town Code Chapter 141 Article V: Tax Abatement for Volunteer Firefighters and Ambulance Personnel**

- **Participants can address the Board of Selectmen in person at the meeting**
- **Email [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov) by Monday, February 26, 2024, to register to address the Board of Selectmen live through Zoom**
- **Written comments can be emailed to [townmager@simsbury-ct.gov](mailto:townmager@simsbury-ct.gov) . Written comments will not be read into the record, but forwarded to all Selectmen via email**

Ms. Yeisley made a motion to open the Public Hearing on the Proposed Amendments to Town Code Chapter 141 Article V: Tax Abatement for Volunteer Firefighters and Ambulance Personnel at 6:01 p.m. Ms. Goetz seconded the motion. All were in favor and the motion passed.

Captain Jim Baldis, 16 Deepwood Road, Chief of the Simsbury Volunteer Fire Department said he supports the proposed changes to eliminate the tiered application of the tax abatement program. This abatement program started over 20 years ago to recognize the value of the volunteers of first responders who put their lives on the line to help protect people and property.

He said when this started it was done in two stages to help with incentives for the volunteers to stay at least five years of longer. Now, they have recognized the qualifications they must meet to qualify for the abatement no longer supports this retention concept but can contribute to the questioning of personal value of one person to another for their length of service. Qualifications for service are the same for everyone and this change will help to stabilize the application process now.

Jeffrey Giddings, Chairman of the Board of Fire Commissioners read a letter from Gary Wilcox, President of the Simsbury Fire District. He said the district funds the Fire Department, trucks, equipment, etc. to protect the residents of Simsbury. They have 90 active members and have good Town and resident support. They are asking for an annual increase of \$13,000 and for the Town to continue to support them with continued success.

Joan Coe, 26 Whitcomb Drive, spoke about the Town Ordinance criteria on the abatement. The Board of Finance asked to have research done on the tax abatements. The research concluded that this tool was not effective and reduces taxpayers adding a burden to taxpayers. She said other Towns are self-funded. She said before the Town votes on this they should review whether this would accomplish the intent.

With no further discussion, Ms. Yeisley made a motion to close the Public Hearing on the Proposed Amendment to the Town Code Chapter 141 Article V: Tax Abatement for Volunteer Firefighters and Ambulance Personnel at 6:09 p.m. Ms. Goetz seconded the motion. All were in favor and the motion passed.

### **PUBLIC AUDIENCE**

- **Participants can address the Board of Selectmen in person at the meeting**
- **Email [townmanager@simsburyct.gov](mailto:townmanager@simsburyct.gov) by Monday, February 26, 2024 to register to address the Board of Selectmen live through Zoom**
- **Written comments can be emailed to [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov). Written comments will not be read into the record, but will be forwarded to all Selectmen via email**

Mike Long, 50 Sarah Lane, said he was here to defend himself from the last meeting in public audience. He said his photo was displayed and it was said that his candidate for the new Police Chief was Nick Boulter. This is not true; there was an entire hiring process done by the Town Manager's office and a selection committee. Also, at that meeting there was a recommendation from the Chief to take advantage of State funding for traffic enforcement in high-risk areas. He said there are no enforcement tactics going on here. This funding helps us as we have no budget to do all of this ourselves and there have been complaints about speeding.

Sharon Byron, 17 Crestview Road in Tariffville, a member of the Simsbury Bike Safety Committee, spoke about how she uses her bike. She spoke about the East Coast Greenway and supports the Tariffville extension. She supports applying for grants. She wants climate and environmental considerations to be taken and asked if she would then be safe crossing Rte. 315. She is also in support of the tax abatements.

Dave Richman, 52 Wood Duck in Tariffville, spoke about safety on the Rte. 189S. He feels something bad is going to happen there as it is too narrow and should be just a one-way out. Traffic patterns need to be changed. He said speed bumps need to be placed near Tariffville School and Cracker Barrel before something bad happens. Also, traffic patterns need to be changed – the lights in Town need to be changed so there is not so much traffic in a line.

Deb Thibodeau, 5 Woodcliff Drive, is requesting support for the DEEP trails grant for the East Coast Greenway project. She gave some background on the project. This project will provide healthy, active and safe accessibility form of transportation for the community and provide vital non-motorized connection from Tariffville to Simsbury center. It will help close the gap for the East Coast Greenway. This grant is an opportunity to seek funding to advance recreation from the Simsbury Recreation report and other studies. Now is the time to seek funding for this project.

Mark Scully, 29 Notch Road, Chairman of the Sustainability Committee, said they are in support the hiring a sustainability coordinator. This request was also made last year. He went through some of the history about hiring this person and asked that the Board consider funding this position.

Joan Coe, 26 Whitcomb Drive, spoke about the 2/14 meeting, the Police dog and what he does and costs, Police Chief staff reports and task force. She also spoke about two Selectmen going to a rally at the Library. She also spoke about the upcoming budgets and the Board of Education budgets.

Susan Van Kleef, 6 Mallard Circle, spoke about the grant application for the bike trail. She feels this should be accepted so we can move forward to do a study for the appropriate pathway. She said right now the path goes

over their property and requested that the entire Board walk with her to the property so they can understand where the trail actually is proposed.

### **FIRST SELECTMAN’S REPORT**

Ms. Mackstutis, First Selectman, reviewed her First Selectman’s report.

### **TOWN MANAGER’S REPORT**

Mr. Nelson, Town Manager, reviewed his Town Manager’s report.

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

- a) **Personnel** – Ms. Mackstutis said there was a special meeting to update the classification study. The RFP’s for the labor attorney have been received. Ms. Goetz said the Fair Housing Commission received applications and the Town Manager will be in touch with those applicants.
- b) **Finance** – no report at this time.
- c) **Public Safety** – Ms. Mackstutis said the Committee received the classifications and compensation study and all questions have gone out to staff.
- d) **Board of Education** – no report at this time.

Mr. Beal congratulated Susan Ray for retiring from the Library after 34 yrs. He thanked her for her service. He said the Board of Assessment Appeals has upcoming meetings next month.

Ms. Yeisley said there will be a Flashlight Egg Hunt on March 28 from 6:30 – 8:30 p.m. It is a great event.

Ms. Yeisley said there will be a sensory friendly movie “Luca” at the Library on March 24<sup>th</sup>.

Ms. Mackstutis said the RFP’s for a labor attorney have been received.

Mr. Looney said Planning withdrew the food trucks – they need to re-submit; they rejected Talcott South; and the accepted the negotiated settlement.

### **CONSENT AGENDA (41:10)**

Mr. Beal made a motion to add Reappointment of Board of Assessment Appeals member to the agenda. Ms. Yeisley seconded the motion.

Mr. Beal made a motion to move item b – tax refunds; item c – Proposed Revisions to the Assistant Assessor Job Description; item a – Reappointments to the Technology Task Force; and Reappointment of Board of Assessment to the consent agenda. Ms. Yeisley seconded the motion. All were in favor and the motion passed.

### **SELECTMEN ACTION**

- a) **Proposed Amendment to Town Code Chapter 141 Article V: Tax Abatement for Volunteer Firefighters and Ambulance Personnel (42:59)**

There was some discussion on changing two-year to one-year abatement and some language on personal/residential property changes. Also, the Deputy Town Manager said they are still awaiting the response from the Town Attorney.

Ms. Goetz made a motion, effective February 26, 2024, to table the proposed amendments to the Town Code Chapter 141 Section V: Tax Abatement for the Volunteer Firefighters and Ambulance Personnel to the March 11, 2024 Board of Selectmen meeting. Mr. Antonio seconded the motion. All were in favor and the motion passed.

**b) Tax Refund Requests**

This was moved to the Consent agenda.

**c) Proposed Revisions to the Assistant Assessor Job Description**

This was moved to the Consent agenda.

**d) Supplemental Appropriation – Tariffville Modulars (47:40)**

Mr. Casey said the modulars project is complete to rough grade finish. We need to do landscaping, grass and sidewalks. There were some drainage issues that need to be addressed and which will cost \$18,000.

Ms. Yeisley made a motion, effective February 26, 2024, to approve the supplemental appropriation for the Tariffville Modular classrooms project in the amount of \$18,000 and transfer said funds from the CNR fund to the Capital Project Fund to cover the cost of the overage. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**e) Supplemental Appropriation – Dial-A-Ride Bus (50:00)**

Mr. Fitzgerald said the cost of the bus is paid through a grant and the cost has gone up since it was ordered. This grant will offset the additional funds, there is no cost to the Town.

After discussion, Ms. Yeisley made a motion, effective February 26, 2024, to approve the supplemental appropriation in the amount of \$53,171 for the purpose of purchase of a second bus for the Simsbury Dial-A-Ride Program. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**f) FY 23/24 Emergency Management Performance Grant (EMPG) Application (55:30)**

Mr. Fitzgerald said this comes from the Emergency Management Director and is done annually. This offsets some of the Emergency Management Director's salary.

Ms. Goetz made a motion, effective February 26, 2024, to apply for the 2023/2024 Emergency Management Performance Grant as presented. In the event that the grant is awarded, the following motion is in order: Further move to accept the 2023/2024 Energy Management Performance Grant and to authorize Town Manager, Marc Nelson, to execute all documents related to the grant award. Mr. Looney seconded the motion. All were in favor and the motion passed.

**g) CT DEEP 2024 Recreational Trails Grant Application (57:48)**

Mr. Kessler said this grant has been applied for in the past. He said this is a \$10,000,000 program and the application is due on March 11, 2024. This is for the Tariffville Greenway. This grant is for \$360,000 and the Town would match \$90,000 from FY 2023 CIP. This would cover about 60% of the design and then other grants would be applied for the rest of the project.

After discussion, Ms. Yeisley made a motion, effective February 26, 2024, to submit a grant application to the Department of Energy and Environmental Protection and to authorize Town Manager, Marc Nelson, to execute the grant application. In the event that the grant is awarded, the following additional motions are in order: Move to accept the grant and to authorize Town Manager, Marc Nelson, to execute all documents related to the grant award. Further move, to appropriate the grant's funds and record said appropriation to the Board of Finance. Mr. Looney seconded the motion. All were in favor and the motion passed.

**APPOINTMENTS AND RESIGNATIONS**

**a) Reappointments to the Technology Task Force**

This item was moved to the consent agenda.

**b) Resignation of Lawrence Boardman from the Zoning Board of Appeals (1:09:45)**

Ms. Mackstutis noted that, with sympathy, Mr. Boardman had passed away on Friday. She read his resignation letter of February 18, 2024. Ms. Yeisley made a motion, effective retroactive to February 18, 2024, to acknowledge the receipt of the resignation of Lawrence Boardman as a Regular Member of the Zoning Board of Appeals with sadness.

**REVIEW OF MINUTES**

**a) February 14, 2024, Regular Meeting (1:12:20)**

Mr. Beal made a motion to approve the minutes of February 14, 2024, as presented. Ms. Yeisley seconded the motion.

Ms. Mackstutis made a motion to amend the minutes with a correction on page 3, the PEGPETIA Grant Application: Ms. Mackstutis also voted to approve the 1<sup>st</sup> motion. Ms. Mackstutis made a motion to approve the amended minutes of February 26, 2024. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**COMMUNICATIONS**

There was no discussion at this time.

**PRESENTATION**

**a) Town Manager’s proposed FY 24/25 Budget (1:14:33)**

Mr. Nelson went through his Town Manager’s proposed FY 24/25 Budget. He spoke of the challenges Simsbury faces in 24/25. He went through goals and objectives. He went through decreases in revenues and increases in expenses. He said the taxpayers impact is 7.88% with a median value for homeowners of \$665 and mil rate of 33.25.

Mr. Nelson went through the Grand List, Main Street Partnership, SVAA, Personnel Management, etc. He said if the Board had any questions to please give them in advance of the Budget Meeting on March 9<sup>th</sup> so they can have the answers ready. There was no motion at this time.

**EXECUTIVE SESSION (2:03:25)**

**a) Pursuant to General Statutes Section 1-200 (6)(B): Discussion of Pending Litigation**

**b) Pursuant to General Statutes Section 1-200 (6)(E): Discussion of Attorney Client Memo**

Mr. Beal made a motion to move to Executive Session a) Pursuant to General Statutes Section 1-200 (6)(B): Discussion of Pending Litigation at 8:04 p.m. and to include the Board, Town Manager Marc Nelson, Deputy Town Manager Tom Fitzgerald, and Attorney Bob DeCrescenzo.

Also, to include Attorney Harrington for item b)- pursuant to General Statutes Section 1-200 (6) (E): Discussion of Attorney Client Memo at 8:38 p.m. Ms. Yeisley seconded the motion. All were in favor and the motion passed.

After discussion, Ms. Yeisley made a motion, effective February 26, 2024, to adjourn Executive Session at 9:30 p.m. Mr. Beal seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

**To:** Board of Selectmen

**From:** Joseph Hollis, AZT, Code Compliance Officer *JH*  
George K. McGregor, AICP, Planning Director *GKM*

**Through:** Marc Nelson, Town Manager *MN*

**Date:** February 26, 2024

**RE:** Municipal Land Use Commissioner Training Report

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Pursuant Public Act 21-29 and State Statute §8-4c, each member of a municipal Planning Commission, Zoning commission, and Zoning board of appeals must complete at least four hours of training that covers a variety of land use topics. This must be accomplished within one year of election and/or appointment.

The statute also requires a report to the local elected authority on the status of such training no later than March 1 of 2024 and annually thereafter. No action by the Board of Selectmen in necessary.

The four training hours are to be comprised of at least one hour strictly focused on affordable housing with the other three covering general planning topics such as process and procedural matters, the Freedom of Information Act, or site plan review basics. The State Office of Policy and Management has established guidelines for the trainings; however, as there is no State certification, municipalities are responsible for ensuring compliance of its commissioners. The statute requires Commissioners seated after January 1, 2023 to complete the training within a year of their appointment and are expected to complete the training every four years. These new commissioners have been included in the reports below along with the deadline for their training requirements.

The following tables indicate the training status of the members of the Zoning Commission, Planning Commission, and the Zoning Board of Appeals:

Telephone (860) 658-3245  
Facsimile (860) 658-3206

An Equal Opportunity Employer  
[www.simsbury-ct.gov](http://www.simsbury-ct.gov)

8:30 - 7:00 Monday  
8:30 - 4:30 Tuesday through Thursday  
8:30 - 1:00 Friday

### **Planning Commission**

Erin Leavitt-Smith	100% Completed
William Rice	100% Completed
Julie Eaton	100% Completed
Donald Colantonio	100% Completed
Marcus Furze	100% Completed
Joseph Campolieta	88% Completed (needs .5 hours Housing)
Holly Beum	88% Completed (needs .5 hours Housing)
Nicholas Criscitelli	New Commissioner (Report Out 2025)
Angel Goldman	New Commissioner (Report Out 2025)

### **Zoning Board of Appeals**

Joann Hogan	100% Completed
Lawrence Boardman	100% Completed
Ali Rice	100% Completed
Ram Kaza	100% Completed
Mark Freeman	88% Completed (Needs .5 hours Housing)
Stacey Walczak	Incomplete at this time
Sheree Landerman	New Commissioner (Report Out 2025)
Jonathan Yiesley	New Commissioner (Report Out 2025)
Doug McKown	New Commissioner (Report Out 2025)

### **Zoning Commission**

Bruce Elliott	100% Completed
Diane Madigan	100% Completed
Jackie Battos	80% Completed (Needs 1-hour Housing)
Tucker Salls	Incomplete at this time
Tony Braz	New Commissioner (Report Out 2025)
Joshua Michelson	New Commissioner (Report Out 2025)
Kate Beal	New Commissioner (Report Out 2025)
Shannon Leary	New Commissioner (Report Out 2025)
David Moore	New Commissioner (Report Out 2025)

Planning Staff will continue to work with all of the Commissions on the Statewide training requirements.

If you have any questions please Contact George McGregor, Planning Director.