

## **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**
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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