

# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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## **SIMSBURY BOARD OF SELECTMEN**

**Main Meeting Room – Simsbury Town Hall – 933 Hopmeadow Street, Simsbury**

**Regular Meeting – October 24, 2022 – 6:00 p.m.**

### **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, October 24, 2022 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

### **SELECTMEN ACTION**

- a) Tax Refund Requests
- b) Proposed Revisions to Personnel Policies
- c) Proposed Bargaining Unit Change for Certain Supervisory Positions
- d) COVID-19 Relief 501(C)(3) Non-Profit Grant Program

### **APPOINTMENTS AND RESIGNATIONS**

- a) Proposed Appointments to Conservation Commission/Inland Wetlands & Watercourses Agency

### **REVIEW OF MINUTES**

- a) Regular Meeting of October 12, 2022

### **COMMUNICATION**

- a) Town and Board of Education Savings Initiatives

### **EXECUTIVE SESSION**

- a) Pursuant to CGS §1-200(6)(A), Town Manager's Annual Performance Review

### **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:** October 24, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Colleen O'Connor, Tax Collector  
*Maria E. Capriola*
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 October 24, 2022 to approve the presented tax refunds in the amount of \$2,894.02, and to authorize Town Manager, Maria E. Capriola, 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 \$2,894.02. The attachment dated October 24, 2022 has a detailed listing of all requested tax refunds.
7. **Description of Documents Included with Submission:**
  - a) Requested Tax Refunds, dated October 24, 2022

REQUESTED TAX REFUNDS  
OCTOBER 24, 2022

	BILL NUMBER	TAX	INTEREST	TOTAL
<b>List 2020</b>				
Specialty Saw Inc	20-03-67391	\$156.08		\$156.08
<b>Total 2020</b>		<b>\$156.08</b>	<b>\$0.00</b>	<b>\$156.08</b>
<b>List 2021</b>				
Daimler Trust	21-03-54169	\$123.54		\$123.54
Daimler Trust	21-03-54180	\$1,098.18		\$1,098.18
Financial Ser Veh Trust	21-03-55926	\$217.19		\$217.19
Mortimer, Kevin M	21-03-63021	\$63.35		\$63.35
Mortimer, Kevin M	21-03-63022	\$253.65		\$253.65
Specialty Saw Inc	21-03-67714	\$175.71		\$175.71
Toyota Lease Trust	21-03-68754	\$72.80		\$72.80
Toyota Lease Trust	21-03-68792	\$511.46		\$511.46
Toyota Lease Trust	21-03-68800	\$147.97		\$147.97
Toyota Lease Trust	21-03-68801	\$74.09		\$74.09
<b>Total 2021</b>		<b>\$2,737.94</b>	<b>\$0.00</b>	<b>\$2,737.94</b>
<b>TOTAL 2020</b>		<b>\$156.08</b>	<b>\$0.00</b>	<b>\$156.08</b>
<b>TOTAL 2021</b>		<b>\$2,737.94</b>	<b>\$0.00</b>	<b>\$2,737.94</b>
<b>TOTAL ALL YEARS</b>		<b>\$2,894.02</b>	<b>\$0.00</b>	<b>\$2,894.02</b>



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Revisions to Personnel Policies
2. **Date of Board Meeting:** October 24, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports the proposed revisions to the personnel policies as presented, the following motion is in order:  
  
*Move, effective October 24, 2022, to approve the proposed revisions to the FMLA Policy, Anti-Violence Policy, Anti-Harassment Policy and Drug and Alcohol-Free Workplace Policy as presented.*
5. **Summary of Submission:**  
Staff and the Personnel Sub-Committee have expressed a desire to update the Personnel Rules and Regulations and other personnel policies, particularly those that are quite dated. The Town Manager's Office alongside Labor Attorney Michael Harrington worked on reviewing and updating the presented policies. At their October 13, 2022 meeting the Personnel Sub-Committee reviewed the attached policies and supported the recommended changes. The reviewed policies were the FMLA Policy, Anti-Violence Policy, Anti-Harassment Policy and the Drug and Alcohol-Free Workplace Policy. Revisions to the ADA Policy and Personnel Rules and Regulations are still underway.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**
  - a) Proposed Revisions to FMLA Policy
  - b) Proposed Revisions to Anti-Violence Policy
  - c) Proposed Revisions to Anti-Harassment Policy
  - d) Proposed Revisions to Drug and Alcohol-Free Workplace Policy



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## **TOWN OF SIMSBURY FAMILY AND MEDICAL LEAVE**

*Adopted by the Board of Selectmen on **October XX, 2022***

### **I. Purpose**

The purpose of this policy concerns qualifying unpaid leaves of absences under the federal Family Leave Act.

### **II. Effective Date**

This policy shall be effective immediately and shall remain in effect until revised or rescinded.

### **III. Eligible Employees & Reasons for Leave**

Employees who have worked for the Town for at least 12 months and who have worked at least 1250 hours in the 12-month period preceding the leave are eligible to take up to 12 weeks of unpaid leave in any 12-month period for the following reasons:

- A. Birth, adoption or foster placement of a child;
- B. To care for a child, spouse, or parent who has a serious health condition;
- C. Serious health condition of the employee that makes the employee unable to perform the functions of his or her position.
- D. To care for a covered service member with a serious injury or illness, when the employee is the spouse, child, parent, or next of kin of the service member.
- E. Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty.

Leave for the birth, adoption or fostering of a child must be used within the 12-month period following the birth or placement and must be taken concurrently, that is, not intermittently or on a reduced leave schedule, unless the Town agrees to such in writing.

Spouses employed by the Town may be limited to a total of 12 work weeks of leave in any 12-month period if the leave is taken for the birth, foster care placement or adoption of a child or for the serious health condition of a parent. The 12-week limit for both spouses does not apply in the case of leave for other reasons. In those cases, each employee is entitled to 12 weeks of leave.

Please note, 26 weeks of unpaid leave is available to care for a covered service member with a serious health condition. Eligible spouses who work for the same employer are also limited to a

combined total of 26 workweeks of leave in a single 12-month period to care for a covered service member with a serious injury or illness (commonly referred to as “military caregiver leave”) if each spouse is a parent, spouse, son or daughter, or next of kin of the service member.

If it appears that the employee qualifies for family or medical leave, the Town may unilateral designated the leave as such.

#### **IV. Rolling 12-Month Period**

The Town utilizes a rolling 12-month period for calculating leave.

#### **V. Types of Leave and Conditions**

A. **Continuous Leave** may be taken for any of the reasons permitted by the FMLA, and excuses employee from work for a continuous period of time.

B. **Intermittent leave** means leave taken in separate periods of time rather than for one continuous period of time. Examples of intermittent leave include: leave taken one day per week over a period of a few months; or leave taken on an occasional/as-needed basis for medical appointments.

C. **Reduced schedule leave** is leave that reduces the employee's usual number of work hours per day for some period of time. For example, an employee may request half-time work for a number of weeks so the employee can assist in the care of a seriously ill parent.

If intermittent or reduced schedule leave is medically required, the Town may, in its sole discretion, temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates the type of leave requested.

#### **VI. Use of Accrued Paid Leave**

An eligible employee shall utilize all applicable accrued paid leave for any part of a family or medical leave. Accrued paid personal leave, compensatory leave, and vacation leave will be substituted for any unpaid portions of family or medical leave taken for any reason. However, where the leave is for the employee's own serious health condition, accrued paid sick leave shall be substituted first for unpaid portions of family or medical leave prior to the substitution of paid accrued personal, compensatory, and vacation leave. The amount of unpaid family or medical leave entitlement is reduced by the amount of paid leave that is substituted; in other words, paid and unpaid FMLA leave run concurrently.

Any hours of leave taken intermittently are deducted on an hour-by-hour basis from the aggregate 12-week entitlement.

#### **VII. Notice**

Where leave is foreseeable, the employee must provide 30 days' notice of his or her intent to take leave. Where this is not possible, the employee must provide as much notice as practicable.

If the leave is taken for foreseeable medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to disrupt the operations of the Town.

## **VIII. Certification**

The request of an employee for the family or medical leave must be supported by a certification issued by a health care provider that states: (1) the date on which the serious health condition commenced, (2) the probable duration of the condition, (3) the appropriate medical facts regarding the condition, and (4) whether the employee's serious health condition makes the employee unable to perform his/her functions.

For a leave to care for a family member, the employer may require certification as to (1) the need of the employee to care for the family member and (2) an estimate of the amount of time needed.

For intermittent leave, Town may require certification as to (1) the dates of expected leave and (2) anticipated duration. Such certification must be provided with 15 calendar days, where practicable.

The Town may require, at its own expense, that the employee obtain a second opinion by a health care provider designated or approved by the Town concerning any information in the original certification. If the second medical opinion differs from the initial opinion, a third medical opinion, at the Town's expense and direction, may be required. This third medical opinion is final and binding on the Town and the employee. The Town may also require employees to periodically report during their leave on their medical status and intention to return to work.

## **IX. Health Insurance**

During any period that an eligible employee takes such leave, the Town will maintain coverage under any group health plan for the duration of the leave at the level and under the conditions coverage would have been provided if the employee had continued in active employment.

The employee will be expected to reimburse the Town for any premiums that the Town paid for maintaining coverage under the group health plan during any period of family and medical leave if the employee fails to return from the leave after it has expired, except if the employee fails to return because of a serious health condition or circumstances beyond the employee's control.

## **X. Continuation of Benefits**

Health benefits and long term disability insurance will be continued for the duration of any employee's leave under the same circumstances as if the employee were not on leave. Basic and additional life insurance will be continued during family medical leave, subject to receipt of employee contributions for additional life insurance. Pension will be continued for vesting purposes only; periods of unpaid leave will not be included for purposes of determining the amount of retirement income.

## **XI. Collection of Employee Contributions for Benefits**

Employee contributions for medical insurance, and life insurance will be due on the first day of each month during which an employee is absent on family medical leave, unless the employee is absent for a partial month, in which case contributions are payable unless payroll deductions are made.

## **XII. Return to Work**

An employee returning to work following such leave is entitled to return to the position he or she held prior to the leave or to an equivalent position with equivalent benefits.

However, reinstatement may be denied for key salaried employees who are among the highest paid 10% of the workforce and whose leave of absence would cause substantial and grievous economic injury to the Town. In such cases, the Town must notify the employee of its intent to deny reinstatement as soon as practicable after receipt of a request for leave (or the commencement of leave, if earlier).

**XIII. Accrual of Benefits**

Employees do not accrue seniority or other benefits during the period of unpaid leave unless such accrual is offered to the employees on other temporary leave of absence.

Questions regarding family or medical leave may be directed to the Town Manager's Office.





# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## **TOWN OF SIMSBURY ANTI-VIOLENCE POLICY**

*Adopted by the Board of Selectmen on April 14, 1997, Revised on October XX, 2022*

### **I. Purpose**

Employees are entitled to work in a safe work environment. The Town of Simsbury prohibits all forms of aggression, including physical and/or verbal threats, bullying, assaults, or other forms of intimidation, by employees, elected officials, volunteers, visitors or anyone else on the Town's premises or at Town functions.

### **II. Effective Date**

This policy shall be effective immediately and shall remain in effect until revised or rescinded.

### **III. Policy**

Town premises are a gun-free and weapon-free zone. Except for sworn officers, no one is permitted to possess weapons of any sort (e.g. guns, knives (except for small pocket knives), metal knuckles, etc. on Town premises. This policy does not prohibit individuals from carrying legal, non-lethal defense spray, such as Mace.

Violent or threatening actions, statements, or gestures, any as well as acts of vandalism, should be immediately reported by employees to their supervisor and/or Human Resources. Such reports will be promptly investigated.

Violations of this policy may result in criminal prosecution, being banned from Town property, and/or employee discipline up to and including dismissal.



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## TOWN OF SIMSBURY ANTI-HARASSMENT POLICY

*Adopted by the Board of Selectmen on February 24, 2020*

*Revised by the Board of Selectmen on **October XX, 2022***

### 1. Purpose

The Town of Simsbury is committed to providing and maintaining a work environment that is free from unlawful harassment and in which individuals are treated with respect and dignity. The Town strictly prohibits all forms of unlawful harassment. This includes, but is not limited to, harassment based on a person's race, religion, age, sex, marital status, sexual orientation, gender identity or expression, genetic information, national origin, ancestry, military service, veteran status, disability and any other legally protected characteristic. All staff are responsible for ensuring that the workplace is free of unlawful harassment.

All Town officials, employees, and volunteers are expected to comply with this policy. Anyone who engages in such conduct will be subject to discipline up to and including immediate discharge.

### 2. Prohibited Conduct

The Town of Simsbury will not tolerate harassment as defined in this policy by anyone, including any employee, volunteer, vendor, citizen or resident, whether in the workplace, at assignments outside the workplace, or at Town-sponsored functions, including social functions.

### 3. Effective Date

This policy shall be effective immediately and shall remain in effect until revised or rescinded.

### 4. Definitions

- A. "Harassment"** is unwarranted and unwanted verbal or nonverbal conduct that threatens, intimidates, or unduly aggravates or insults another person based upon a protected classification, where such conduct has the purpose or effect of creating an offensive, intimidating, degrading or hostile environment, or interferes with or adversely affects a person's work performance.

Harassment does not, however, include the conduct or actions of supervisors intended to provide employee discipline, performance feedback/evaluations, instruction or other supervisory actions intended to promote positive performance and/or discourage negative behavior or performance.

- B. "Sexual harassment"** is a form of sex discrimination, and is prohibited by law. "Sexual harassment" is defined as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the person; or
3. Such conduct interferes with a person's work performance or creates an intimidating, hostile or offensive working environment.

Please note, harassment can involve people of the same or the opposite gender.

## **5. Examples of Harassment**

While it is not possible to list all circumstances that may constitute harassment, the following are some examples of conduct which, if unwelcome, may constitute harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

### **A. Examples of Unlawful Harassment**

- Jokes/mockery about ethnicity, religious beliefs or practices, accents, disability, age other legally protected traits;
- Referring to others by a nickname that references some protected characteristic of the person;
- Unwanted questions or comments pertaining to any aspect of an employee's person or personal life with regard to some protected characteristic.

### **B. Examples of Sexual Harassment**

- Sexual advances and explicit sexual proposals;
- Demands for sexual favors in exchange for favorable treatment or continued employment;
- Suggestive comments, sexually oriented teasing or practical jokes;
- Obscene body language or gestures;
- Display of printed or visual material that is sexual in nature;
- Sending or viewing jokes, pictures or other information by e-mail or the internet where the information is sexually-explicit, or where it ridicules a person's gender, sexual-orientation, or gender identification/expression;
- Physical contact, such as touching, patting, pinching or brushing against another's body;
- Discussion of or inquires about a person's sexual activities.

## **6. Reporting Harassment**

**A. Victims of Harassment.** If you believe that you are being harassed, you should clearly and promptly tell the offender that you want them to stop the behavior. If for any reason you do not wish to address the offender directly or if you are not successful in ending the harassment, you should immediately report the harassment to any one of the following individuals:

- Your Supervisor, Manager, or Department Head; or
- The Human Resources Coordinator; or
- The Deputy Town Manager; or
- The Town Manager.

If an employee believes they are being harassed by any person identified in the reporting above structure, they should report the alleged behavior to another person in the reporting structure.

Reports of alleged harassment against the Town Manager should be directed to Human Resources or Deputy Town Manager; Human Resources or Deputy Town Manager will then notify the Personnel Sub-Committee promptly.

Any employee who believes that he or she has been harassed in the workplace in violation of this policy may also file a complaint with the Connecticut Commission on Human Rights and Opportunities, (CHRO) Capitol Region Office, 450 Columbus Boulevard, Hartford, CT 06031. (TELEPHONE NUMBER 860-566-7710; TDD NUMBER 860-566-7710) and/or the Equal Employment Opportunity Commission, (EEOC) Boston Area Office, 15 Sudbury Street, Room 475, Boston, MA 02208 (TELEPHONE NUMBER 617-865-3676; TDD NUMBER 617-565-3196).

State and federal law requires that a formal written complaint be filed with the CHRO or EEOC within 300 days of the date when the alleged harassment occurred. Remedies for sexual harassment include cease and desist orders, back pay, compensatory damages, hiring, promotion or reinstatement.

- B. Employees Who Witness Harassment.** Any employee who witnesses harassment or becomes aware that another employee has been subjected to prohibited harassment is urged to immediately report the conduct to one of the individuals listed above.

If the employee has reason to believe that by any person identified in the reporting above structure may be engaging in unlawful harassment, they should report the alleged behavior to another person in the reporting structure.

- C. Supervisors and Managers.** Any supervisor or manager who receives a complaint about harassment, retaliation or who believes that someone is engaging in conduct that may be prohibited **must immediately report it to the Human Resources Coordinator, Town Manager or Deputy Town Manager.** Ignoring such conduct is not acceptable and may subject the supervisor or manager to disciplinary action and legal liability.

## **7. Report Disrespectful, Inappropriate Conduct**

Employees are entitled to respect and to work in a safe environment. Even though conduct may not constitute unlawful conduct, it may be inappropriate for the workplace and unacceptable. Employees should report such conduct utilizing the reporting procedure outlined above.

## **8. No Retaliation**

The Town strictly forbids retaliation against employees who report harassment in good faith or who participate in internal or external investigations of harassment. The Town will not engage in any such retaliation nor will it permit employees to do so. The Town will not tolerate retaliatory citizen behavior/actions towards employees whom have reported harassment or participated in a harassment investigation. All employees shall report all instances of retaliation to one of the individuals listed in Section 6.A above.

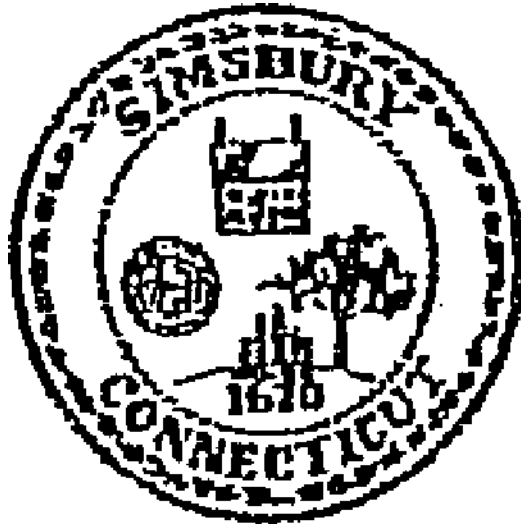
## **9. Investigating Complaints**

The Town takes all complaints and reports of harassment seriously. All complaints and reports will be investigated promptly, impartially and discreetly. Once a complaint is received, an investigation will be undertaken promptly and all necessary steps taken to resolve the problem. Employees have a duty and are obligated to participate in investigations when requested. Where investigation confirms that harassment has occurred, the Town will take corrective action as appropriate. Discipline up to and including discharge from Town service, banning from Town facilities or property, or legal action may be implemented by the Town. In all cases, including those in which a harassment complaint is made against someone who is not a town official or employee, every effort will be made to ensure that the harassment is eliminated.

## **10. False Reports**

If the Town determines that a false complaint was made under this policy, disciplinary action may be imposed.

# **TOWN OF SIMSBURY**



## **DRUG AND ALCOHOL-FREE WORKPLACE POLICY**

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## **I. PURPOSE**

In accordance with the Drug-Free Workplace Act of 1988, which may be amended from time to time, the Town of Simsbury prohibits the use, possession, sale, trade, manufacturing, and/or offer for sale of alcohol, illegal drugs or intoxicants, or misuse of controlled substances as defined in C.G.S. § 21a-240 while conducting business for the Town and/or conducting business on the Town's property. Any person who engages in such conduct will be subject to discipline up to and including immediate termination.

## **II. EFFECTIVE DATE**

This policy shall be effective immediately and shall remain in effect until revised or rescinded.

## **III. APPLICABILITY**

This Policy covers all persons who conduct business for the Town and/or conduct business on the Town's property, and applies at all times when individuals are engaged in activities or functions for and/or on behalf of the Town.

## **IV. POLICY**

Employees and volunteers are prohibited from using, selling, manufacturing, receiving, distributing, dispensing or possessing any illegal drug.

No person may be under the influence of drugs or alcohol while on duty. "On duty" includes all working hours, as well as meal periods, break periods and on-call hours, regardless of whether the person is on town-premises, and all hours when the person represents the Town of Simsbury in any capacity.

The abuse of prescription or over-the-counter (OTC) drugs is also prohibited.

Possessing any illegal drug or drug paraphernalia in a locker, desk, automobile or other repository on Town premises is prohibited.

## **V. RESPONSIBILITIES OF EMPLOYEES, SUPERVISORS, AND MANAGERS**

**A. Fitness for Duty.** Employees/volunteers are not to report to work or be subject to duty while their ability to perform job duties is impaired due to use of alcohol or other drugs and controlled substances. If a person reports to duty and there is a reasonable suspicion that they are impaired, the person will be removed from duty and/or subject to a drug and/or alcohol test as appropriate.

**B. Notification of Criminal Drug Violation in the Workplace.** Any employee/volunteer who is convicted of a criminal drug violation or who submits a plea of guilty or plea of "nolo contendere" for a violation occurring on the Town's premises or in any location where the employee/volunteer is performing work or engaged in activities for the Town must notify the



Town Manager's Office in writing within five calendar days of the conviction or guilty plea. The Town will take appropriate action within 30 days of notification; such action may include serious disciplinary action including suspension or termination of employment since violations of this policy constitute grave misconduct.

**C. Persons Who Witness Prohibited Conduct in the Workplace.** Any person who witnesses prohibited conduct as defined in this policy or becomes aware of such activity shall immediately report the conduct to their immediate supervisor, department head, or the Town Manager.

The Town strictly forbids retaliation against anyone who reports prohibited conduct or who participate in internal or external investigations of prohibited activity. The Town will not engage in any such retaliation nor will it permit anyone to do so. All employees/volunteers shall report instances of retaliation to their immediate supervisor, department head, or the Town Manager.

Disciplinary action may be imposed if the Town determines that a knowingly false statement of prohibited conduct was made under this policy.

**D. Supervisors and Managers.** Any supervisor or manager who receives information that someone may be engaging in prohibited conduct as defined in this policy or who believes that someone is engaging in said prohibited activity shall immediately report it to the Town Manager. Ignoring such conduct and/or failure to report such conduct in accordance with the requirements of this policy is not acceptable and may subject the supervisor or manager to disciplinary action.

**E. Seeking Help.** To support employees whom believe they have a problem with alcohol, controlled substances, or illegal drugs, the Town:

- Encourages employees to seek help if they are concerned that they or their family member(s) may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Offers all employees and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP). When contacting the EAP, employees should identify themselves as a Town employee or family member domiciled in the household of the employee. The EAP provides eligible persons with assessments, short-term problem resolution and referrals at no cost to the employee. Please note, the ultimate financial responsibility for recommended treatment is the responsibility of the employee.

## **VI. INVESTIGATING REPORTS OF PROHIBITED CONDUCT**

The Town takes all reports of prohibited conducted under this policy seriously. All reports will be investigated promptly, impartially and discreetly. Employees have a duty and are obligated to participate in investigations when asked.

Where investigation confirms that prohibited activity has occurred, the Town will take appropriate corrective action. Discipline up to and including discharge from Town service, banning from Town facilities or property, or legal action may be implemented by the Town.

## **VII. CONSEQUENCES OF ENGAGING IN PROHIBITED CONDUCT**

One of the goals of this policy is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences may be serious. Please note, nothing in this policy prohibits the employee from being disciplined or discharged for job performance problems.

**Return-to-Work Agreements.** Following a violation of the drug-free workplace policy, an employee may, in the sole discretion of the Town Manager or his or her designee, be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment.

All information received by the Town through the rehabilitation program will be considered confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

## **VIII. FEDERAL AND STATE REGULATIONS**

This policy was developed and will be implemented in accordance with pertinent federal and state statutes and regulations including:

- **Title 49 of the Department of Transportation, Federal Highway Administration, and the regulations thereto provide for Controlled Substance Testing:** This statute and these regulations provide for testing of all applicants and employees who have the potential to operate commercial motor vehicles with a gross vehicle weight rating (GVWR) over 26,000 pounds, transport 16 or more passengers (including the driver) or transport placarded hazardous materials as deemed by the Town of Simsbury.
- **State of Connecticut General Statute §14-261b:** Allows testing of employees who drive vehicles with a GVWR of 10,001 pounds or more but not more than 26,000 pounds, mechanics who repair or service such vehicles or a commercial motor vehicle, as defined in Conn. Gen. Stat. §14- 1, or a forklift operator, driver or mechanic to submit to testing as provided by Federal Law. "Driver" means an employee driver or a

contract driver under contract for ninety days or more in a period of three-hundred sixty-five days.

## **IX. DEFINITIONS**

**Legal Drug** - Prescribed drugs and over-the-counter drugs that have been legally obtained and are being used solely for the purpose for which they were prescribed or manufactured.

**Illegal Drugs** - Any drug that: (a) is not legally obtainable; (b) may be legally obtainable, but has not been legally obtained; or (c) is being used in a manner or for a purpose other than as prescribed. The term "illegal drugs" also refers to mind-altering and/or addictive substances that are not sold as drugs or medicines but are used for mind or behavior altering effect.

**Employees** - All workers at the Town of Simsbury, including full and part-time employees, temporary employees, and contractors.

**Safety Sensitive Position** - Any position that requires the performance of physical or supervisory tasks directly affecting operations which, if performed improperly, could result in injury or death to employees or others or could result in significant property damage. A position may also be classified as sensitive if it involves responsibilities requiring a high degree of trust and confidence.

**On Duty** - All working hours, as well as meal periods and break periods, regardless of whether on premises, and all hours when the employee represents the Town in any capacity.

**Town Property** - Work sites, parking lots, vehicles, or offices owned, rented, utilized, or serviced by the Town; or employee-owned or employee-rented vehicles on the property of the Town, and locations where the employee represents the Town in any capacity.

**Under the Influence** - Behaviors of an employee while at work that are inhibited or affected by use of drugs or alcohol.

**Fit for Duty** - Arriving at work able to perform job duties not under the influence of any substances.

**Medical Review Officer (MRO)** - A licensed physician with MRO certification who provides consultation and guidance with regard to drug testing and who is responsible for reviewing laboratory results generated by testing agent.

**Substance Abuse Professional (SAP)** - A licensed physician, a licensed or certified psychologist, a licensed or certified social worker, a licensed or certified employee assistance professional, or alcohol and drug abuse counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission, but not state certified drug and alcohol counselors, who provides a comprehensive assessment and clinical evaluation to

determine if an employee requires assistance to resolve drug and/or alcohol misuse problems. When an SAP determines that an employee does require assistance in this regard, the SAP must recommend a course of treatment that the employee must successfully complete before being allowed to return to work.

**Designated Employer Representative (DER)** - The Town of Simsbury employee assigned the task of maintaining confidential employee files/information on issues of substance abuse in the workplace.

**Refused Drug Test** - Refusing to consent to drug testing, switching or adulterating a specimen, or failure to complete or sign any drug test related form.

**Split Sample Testing** - The urine specimen is collected in a sterile, single-use, sealed container that is divided so that the second or "split specimen" will be tested for the presence of drugs if the test on the first specimen is positive.

**Verified Positive Test Result** - A drug test that was conducted using reliable methodology and produced 2 positive results.

**Employee Assistance Program (EAP)** - A program that provides professional, confidential, counseling service for employees.

## **X. PRESCRIBED/OVER-THE-COUNTER MEDICATIONS**

Employees/volunteers are allowed to have prescribed and over-the-counter medication and/or the use of medication on Town premises so long as they are specifically prescribed for the person by his/her physician (i.e., clearly labeled with the employee's name; the name of the medication and the physician's Federal Drug Enforcement Administration license number) provided the substance is used at the dosage prescribed or authorized and it does not impair the person's ability to perform his or her job or endanger their safety or the safety of others. It is the responsibility of the employee/volunteer to notify their immediate supervisor that they are using a prescription drug that would impact their ability to perform their job duties and to produce documentation of this drug prior to commencing work.

Any prescribed medication brought on Town property must be carried in its original container.

## **XI. INSPECTIONS/SEARCHES**

When the Town of Simsbury has any reason to believe that an individual is violating this policy, that individual can be asked to submit immediately to a search or inspection at any time while on Town property. This may include a search of an individual's person and/or the requirement that the individual make their locker, personal belongings, work station, or vehicles available for inspection. Refusal to consent to a search or inspection when requested by the Town will be regarded as a violation of this policy and is grounds for disciplinary action.

## **XII. TESTING**

Detection will be accomplished through the following categories of drug and alcohol testing as permitted by law:

1. Pre-employment
2. Random Testing
3. Reasonable Suspicion
4. Post-Accident
5. Return-To-Duty
6. Unannounced Follow Up Testing

The Town may test for the following drugs:

- Marijuana
- Cocaine
- Phencyclidine (PCP)
- Opiates
- Amphetamines

Alcohol - Blood Alcohol Concentration (B.A.C.) levels of .02 or greater will preclude an individual from performing a safety-sensitive function as defined by the Federal Motor Carrier Safety Regulations for a period of 24 hours. Levels  $\geq$  .02 are considered positive.

**Employees with B.A.C. levels  $>$  .02 will be provided transportation to their residences by the Town.**

All appropriate supervisory personnel shall be trained to recognize the signs and symptoms of substance abuse.

If the Town has a reasonable suspicion that the employee is under the influence of drugs or alcohol, the Town may request that the employee consent to a test for those substances. Any employee who tests positive as indicated by the test and confirmed by the Medical Review Officer will be subject to disciplinary action up to and including termination. In addition, any employee who refuses such a request shall be subject to disciplinary action up to and including termination.

In the event an Employee tests positive for drugs, the Employee has the right to have the "split" specimen analyzed at a different S.A.M.H.S.A. certified laboratory. If requested, this test will be performed at the Employee's expense. In the event an Employee cannot "void" (shy bladder) after consuming 40 fluid ounces over a 3-hour period, the Employee will be evaluated by a medical doctor to determine if this is a physical problem. If not, the test will be classified as a "refusal" i.e. dealt with as a positive.

Any employee who tests positive for alcohol, B.A.C. of .02 or higher, will be subject to disciplinary action up to and including termination.

At a minimum, no employee shall perform safety-sensitive functions within four (4) hours after consuming alcohol. The Town of Simsbury shall not permit an employee to perform or to continue to perform safety-sensitive functions, while having actual knowledge that a driver has used alcohol within four (4) hours of performing their safety-sensitive function. In the event that an employee cannot perform the breath test, he/she will be evaluated by medical doctor to determine if there is a medical condition that prohibits the employee from performing the breath test. If the doctor determines that there is not an existing medical condition, the test will be classified as a "refusal" i.e. dealt with as a positive.

Any expenses associated with S.A.P. evaluation and/or rehabilitation services resulting from a positive drug or alcohol test will not be paid for by the Town, except as provided for under the group health insurance benefits provided by the Town.

Each employee required to be tested pursuant to this policy must cooperate with the collection procedures. If a person refused to cooperate with the collection process, the collection site person shall inform the designated employer representative and shall document the non-cooperation on the Urine Custody and Control form.

Any person who refuses to cooperate in providing a sample or is found to have, in any way, tampered with or substituted a sample may be terminated.

### **XIII. TESTING METHODOLOGY & RECORD KEEPING**

Drug testing conducted pursuant to this policy will generally be performed via urinalysis. Alcohol tests may be conducted by the use of an initial screen (non-evidentiary test) and if the presence of alcohol is detected, the confirmation test will be conducted on an Evidentiary Breath Testing unit (E.B.T.). In the absence of a non-evidentiary test the screening test will be conducted on an E. B. T. The E. B. T. will be operated by a Breath Alcohol Technician (B.A.T.). All of the above procedures will be consistent with any legal requirements.

1. **Pre-Employment** All final applicants for employment as employees may be required to submit to a drug test and are required to sign a form (see attached) consenting to the drug test and authorizing the release of any drug and/or alcohol test results to the Town of Simsbury.

Any applicant who decides not to consent to testing may withdraw his/her application. No record will be maintained of the declination. Final applicants who test positive for drugs will be rejected for employment. The Town of Simsbury will follow the DOT guidelines as far as how alcohol tests should be administered as well as the confidentiality and integrity of the results and record keeping.

2. **Random Testing For Safety-Sensitive Employees**

#### **A. Safety Sensitive Employees**

All employees as defined in the federally mandated program and Conn. Gen. Stat. §14-261b, will be subject to random drug and alcohol testing. Selection of employees to be tested will

be administered by a third-party company utilizing a validated computerized random selection program. This program ensures that every covered employee has an equal opportunity of being selected at any given time. The annual testing rate for drugs shall be 50% of the total covered employees and 25% for alcohol.

Notification of an employee's selection will not be provided until the employee's tour of duty in which the drug and alcohol test is to be conducted. Immediately upon notification of being randomly selected the employee is to proceed to the collection facility.

There will be two (2) separate pools one of which will be for the federally mandated employees and the other pool will be for the Connecticut General Statutes § 14-261b covered employees.

### **B. Safety-Sensitive Seasonal Employees**

New and returning safety-sensitive seasonal employees may be subject to random testing for illegal drugs. Safety-sensitive seasonal employees shall be required to sign a Letter of Understanding (see Attachment A) indicating their compliance with this policy. Those employees under the age of 18 will be required to have a parent or guardian co-sign the Letter of Understanding.

### **3. Reasonable Suspicion Testing**

Under this type of testing, the employee will be removed from service without pay pending the outcome of the test(s). The employee will be returned to service with back pay if the outcome of the test(s) is negative.

In all cases where an employee is subject to reasonable suspicion testing, an evidentiary report of reasonable suspicion must be promptly completed and signed by a supervisor before the test results are released or within 24 hours of the observed behavior, whichever is earlier.

**Reasonable Suspicion Alcohol** An employee may be required to submit to an alcohol test when the employer has reasonable suspicion to believe that the employee has violated the prohibitions of this policy and the FHWA guidelines subpart "B" concerning alcohol. The employer's determination that reasonable suspicion exists to require the employee to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee.

**Reasonable Suspicion Controlled Substances** An employee may be required to submit to a controlled substance test when the employer has reasonable suspicion to believe that the employee has violated the prohibitions of this policy and the FHWA guidelines subpart "B" concerning controlled substances. The employer's determination that reasonable suspicion exists to require the employee to undergo a controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee. The observations may include indications of chronic and withdrawal effects of controlled substances.

Reasonable suspicion does not require certainty. Rather, a conclusion is to be based upon objective facts and observations indicative of use of drugs and or alcohol.

The employee will be removed from service without pay for 24 hours if the confirmation alcohol test result is .02 to .039 B.A.C. (an alcohol confirmation test result of .02 or greater is considered a positive by the Town of Simsbury).

If the confirmation alcohol test result is .04 or greater, the employee is deemed to be positive for alcohol and must be removed from their safety sensitive function immediately. The employee is no longer qualified to perform his/her safety sensitive function until evaluated by a SAP who determines that the employee has properly followed any rehabilitation program recommended and takes a Return-To-Duty test a negative result (the cost of the SAP evaluation, rehabilitation services and Return-To-Duty drug test will be paid for by the employee). The employee will be subject to unannounced follow up testing with a minimum of six (6) tests in the first 12 months, which paid for by the Employee.

#### **4. Post-Accident Testing**

Under this type of testing, employees may be removed from service without pay pending the outcome of the test(s). The test(s) must take place within 32 hours of an accident as defined below: The alcohol test should be conducted within 2 hours, but no later than 8 hours after the accident. If the test is not conducted within these parameters, the reason must be documented. The employee will be returned to service with back pay if the outcome of the test(s) is negative. Post-accident drug testing is required of any employee involved in an accident as defined below:

“Accident” means an occurrence associated with the operation of a commercial vehicle, if:

- There is a fatality (Test is mandatory);
- A vehicle is towed from the scene (if the accident and a citation (includes a written warning) is issued to the employee, and
- Medical treatment is administered away from the scene of the accident and a citation (includes a written warning) is issued to the employee.

Except in cases involving fatalities, a test is not required if a citation (includes a written warning) is not issued to the employee.

If an alcohol test required under this section is not administered within two hours following the accident, the employer shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If the alcohol test is not administered within eight hours following the accident, the employer shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test. Records of tests that could not be completed within eight hours shall be submitted to the FI-IWA in Washington, DC., upon request of the Associate Administrator. If a controlled substances test is required under this section and is not administered within 32 hours following the accident, the employer shall cease attempts to administer a controlled substances test and shall prepare and maintain on file a record stating the reasons the test was not promptly



administered. Upon request of the Associate Administer, records shall be submitted to the FI-IWA in Washington, D.C.

If the employee has not received a citation (includes a written warning) immediately, the Town of Simsbury representative should follow up with the local law enforcement agency within the first eight hours of the accident via telephone and fax communication to inquire if the Town's driver will be issued a citation (includes a written warning) and document such communications and maintain on file. If the Town representative does not receive a conclusive report from such law enforcement agency, the Town representative should continue the communication follow up until either a final conclusion is determined or 32 hours has elapsed from the time it was determined that the accident could possibly meet the definition of an accident as stated in this section.

#### **5. Return-To-Duty Testing**

After being evaluated by a S.A.P. to determine that the employee has properly followed any rehabilitation treatment/assistance program, any employee who tested positive must have a negative Return-To-Duty drug and/or alcohol test result before returning to work. Employees shall be responsible for the cost of the testing.

#### **6. Unannounced Follow Up Testing**

Upon returning to work (after a negative Return-To-Duty test) the MRO or SAP will schedule unannounced Follow Up tests for up to 60 months. For alcohol at least 6 tests must be conducted in the first 12 months upon reporting to work. Employees shall be responsible for the cost of the testing.

### **XIV. ADMITTING TO SUBSTANCE ABUSE PRIOR TO TESTING**

Subject to any applicable policies and procedures, an employee who admits to Controlled Substance Abuse and/or Alcohol Abuse prior to notification that a drug and or alcohol test is required, may avoid termination on the basis of Drug Abuse or Alcohol Misuse and be allowed the opportunity to reform. Any employee who seeks assistance as stated above must be evaluated by a Substance Abuse Professional (SAP) to determine if assistance is needed. If assistance is needed, the employee shall submit to rehabilitation treatment/assistance as a condition for continued employment with the Town of Simsbury, and the employee further agrees that any such continued employment with the Town is contingent upon successful completion of any rehabilitation treatment/assistance as well as take a return to duty drug or alcohol test and be subjected to unannounced follow up testing, as required by the Employee Assistance Program (EAP). The Town of Simsbury must receive in writing a signed original letter by the SAP of their evaluation and the Town reserves the right to speak with the SAP with regards to their evaluation. Any rehabilitation costs will be paid for by the employee.

### **XV. AMENDMENTS TO POLICY**

The Town of Simsbury reserves the right to amend this policy at any time, at its discretion or in accordance with any applicable law.

**EMPLOYEE ACKNOWLEDGEMENT**

I acknowledge that I have received a copy of Simsbury's Drug and Alcohol Free Workplace policy, that I have read the Policy, and that I understand the Policy.

Name: (please print): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Attachment A



933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

# *Town of Simsbury*

## **SAFETY-SENSITIVE SEASONAL EMPLOYEES**

### **RANDOM DRUG SCREENING**

### **LETTER OF UNDERSTANDING**

In accordance with the Town of Simsbury Drug and Alcohol-Free Workplace Policy, I voluntarily agree to submit to random drug screenings as part of my employment with the Town of Simsbury. I understand that either refusal to submit to the screening, or failure to pass the test, will result in immediate disciplinary action up to and including termination.

I have also received, read and agreed to comply with the Town of Simsbury Drug and Alcohol-Free Workplace Policy.

Name: (please print): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

For applicants under the legal age of eighteen (18), written parental or legal guardian permission is required. Please sign below if you agree to give your permission to have your under-age child submit to random drug screenings as a condition of their employment.

Name of Parent or Legal Guardian (please print): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Bargaining Unit Change for Certain Supervisory Positions

2. **Date of Board Meeting:** October 24, 2022

3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager *Maria E. Capriola*

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports approving the change in bargaining unit for six supervisory positions, the following motions are in order:

*Move, effective November 1, 2022, to approve the proposed change in bargaining unit for the Assessor, Building Official, Facilities Supervisor, Golf Course Superintendent, Highway Superintendent, and Town Clerk positions to the Supervisory Union. Further move to approve the proposed pay grades and work schedules for these positions as presented. Further move to approve housekeeping edits to the job descriptions for these positions to reflect the approved changes.*

*Further move to authorize Town Manager, Maria E. Capriola, to execute the attached memorandum of agreement.*

5. **Summary of Submission:**  
The Town has reached an agreement with the CSEA union to transfer 6 supervisory positions from the CSEA Administrative & Professional bargaining group to the CSEA Supervisors union. This change will ensure that supervisors are not in the same bargaining unit as their subordinates. The affected positions include five division heads and one department head: Assessor, Building Official, Facilities Supervisor, Golf Course Superintendent, Highway Superintendent, and Town Clerk.

Given this change, these positions will now participate in annual merit-based performance reviews, consistent with other supervisory positions. As part of this change the 3 positions that currently work 35-hour work weeks will be changed to 40-hour work weeks. Market analysis was also conducted to ensure that the pay ranges for the positions are competitive and fair. The proposed rates of pay in the attached memorandum of agreement reflect the Supervisors employees pay plan, the bargaining group these positions will be transferred to.

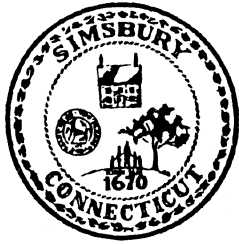
If approved, the Town Manager will execute the attached memorandum of agreement, which has been reviewed by Labor Counsel. We will also update the job descriptions to reflect the housekeeping edits (bargaining unit, pay grade, work schedule).

**6. Financial Impact:**

The total impact for these positions to switch is \$26,912.50 factoring in payroll taxes. Since this topic was related to our recently concluded negotiations, the cost associated with settling this topic was included in our year-end salary calculations. Future financial impacts will be calculated in the department budgets prepared during budget preparation each winter.

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

- a) Memorandum of Agreement to Change the Bargaining Unit for Certain Supervisory Positions



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

## MEMORANDUM OF AGREEMENT BETWEEN THE TOWN OF SIMSBURY AND CSEA, SUPERVISORS EMPLOYEES LOCAL 2001 - **DRAFT**

This Agreement is made by and among (1) CSEA, Supervisors Employees Local 2001 (hereinafter, "the Union"), (2) the Town of Simsbury (hereinafter, "the Town"), and (3) the affected Employees.

**WHEREAS**, there are six department head or division head level positions currently in the Administrative and Professional Employees Bargaining Unit;

**WHEREAS**, the Town believes that those employees would be more appropriately placed in the Supervisors Bargaining Unit;

**WHEREAS**, the Union agrees to this transfer to the Supervisors Bargaining Unit; and

**WHEREAS**, The Town and Union agree that the Town Clerk, Building Official and Assessor will transition from a 35-hour work week to a 40-hour work week; and

**THEREFORE NOW**, the parties agree as follows:

1. Effective November 1, 2022, the following six positions will be transferred from the Administrative and Professional Bargaining Unit to the Supervisors Bargaining Unit: (1) Assessor; (2) Building Official; (3) Facilities Supervisor; (4) Golf Course Superintendent; (5) Highway Superintendent; and (6) Town Clerk. All positions will remain exempt (salaried).
  - a. The Assessor's work week will be forty (40) hours per week and the Assessor will be placed on Grade 8 of the Supervisors Employee Pay Plan. The incumbent in the position will be placed at Step 21 of Grade 8.
  - b. The Building Official's work week will be forty (40) hours per week and the Building Official will be placed on Grade 8 of the Supervisors Employee Pay Plan. The incumbent in the position will be placed at Step 21 of Grade 8.
  - c. The Facilities Supervisor's work week will be forty (40) hours per week and the Facilities Supervisor will be placed on Grade 6 of the Supervisors Employee Pay Plan. The incumbent in the position will be placed at Step 4 of Grade 6.
  - d. The Golf Course Superintendent's work week will be forty (40) hours per week and the Golf Course Superintendent will be placed on Grade 7 of the Supervisors

Employee Pay Plan. The incumbent in the position will be placed at Step 6 of Grade 7.

- e. The Highway Superintendent's work week will be forty (40) hours per week and the Highway Superintendent will be placed on Grade 9 of the Supervisors Employee Pay Plan. The incumbent in the position will be placed at Step 19 of Grade 9.
- f. The Town Clerk's work week will be forty (40) hours per week and the Town Clerk will be placed on Grade 7 of the Supervisors Employee Pay Plan. The incumbent in the position will be placed at Step 10 of Grade 7.
- The identified six positions, and the incumbents therein, will participate in a merit-based performance review process for the rating period of FY 22/23. Should the incumbent(s) receive a satisfactory review, they will be eligible for a merit-based bonus payment on June 30, 2023 consistent with the terms of the collective bargaining agreement.
- Effective the date of implementation of this Agreement, all six incumbents will be credited with sick leave accruals equivalent to 130 work days or 1040 hours. Thereafter, sick leave accruals will be maintained in a manner consistent with the collective bargaining agreement.
- Housekeeping updates will be made to the job descriptions for the identified six positions including pay grades and bargaining unit representation.
- The recognition article and related Appendix in the collective bargaining agreement will be updated accordingly during the next successor collective bargaining agreement.
- The employees affirmatively state that they have read and have a full understanding of the contents of this Agreement, and that they execute this Agreement voluntarily.

## THE TOWN

## THE UNION

Maria E. Capriola	Date
Town of Simsbury	

Frank Pizarro  
CSEA Business Representative

## THE EMPLOYEES

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Francine Beland Assessor	Date
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Henry Miga Building Official	Date
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Matt Hopkins Facilities Supervisor	Date
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Brian Johnson Golf Course Superintendent	Date
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Kevin Clemens Highway Superintendent	Date
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Trish Munroe Town Clerk	Date
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# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** COVID-19 Relief 501(C)(3) Non-Profit Grant Program
2. **Date of Board Meeting:** October 24, 2022
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Melissa A.J. Appleby, Deputy Town Manager; Amy Meriwether, Finance Director *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen accepts the recommendation from the Finance Sub-Committee, the following motion is in order:

*Move, effective October 12, 2022, to approve funding five applications received through the 501(c)(3) Non-Profit Grant Program as presented.*

5. **Summary of Submission:**

The former ARPA Work Group and current Finance Sub-Committee have identified a non-profit grant program as a priority project for COVID relief funding. The COVID-19 Relief 501(C)(3) Non-Profit Program, which was officially approved at the August 8, 2022 Board of Selectmen meeting, provides funding to non-profit organizations to address a need or negative impact of the COVID-19 public health emergency. A total of \$150,000 has been allocated by the Board of Selectmen and Board of Finance for this program, with funding requests to be capped at \$10,000 per organization.

The application materials were released on August 9, with a deadline of September 16. Fourteen applications were received. Eight of the applications were approved at your October 12 meeting.

The Finance Sub-Committee met on October 20 to discuss the remaining six applications, following a request for additional information on those applications. The Sub-Committee is recommending approval of five applications: A Promise to Jordan; The Village for Families & Children; Main Street Partnership; Simsbury Meadows Performing Arts Center; and Simsbury High School Student Parent Teacher Council. If approved, staff will issue award letters to the agencies.

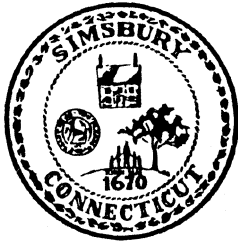
The sixth remaining application is Simsbury Youth Football & Cheer. The Finance Sub-Committee requested additional financial information from this organization and would like to discuss with the full Board of Selectmen prior to making a decision regarding approval.

**6. Financial Impact:**

The approved funding for this program is \$150,000, with individual funding requests capped at \$10,000. The total funding requested through all fourteen applications is \$139,158. Eight grant awards totaling \$79,158 were awarded at your October 12, meeting. The aggregate amount for the six remaining grant awards is \$60,000. If the five recommended grant awards are approved this evening, the aggregate amount awarded for this grant program will be \$129,158. If the sixth remaining application is approved, the aggregate amount for the program will be \$139,158.

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

- a) Applications for Five (5) Agencies Recommended for Funding Under the COVID-19 Relief 501(C)(3) Non-Profit Grant Program
- b) Application for Simsbury Youth Football & Cheer



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## COVID-19 RELIEF PROGRAM 501(c)(3) NON-PROFIT AGENCY APPLICATION

The Town of Simsbury is accepting applications from non-profit organizations for COVID-19 relief funding, made possible by the American Rescue Plan Act (ARPA). To be eligible, organizations must have a 501(c)(3) tax status and serve Simsbury residents. **The deadline to apply is Friday, September 16, 2022 at 1:00pm.** The funds provided by the Town must be expended within one year of receipt.

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Agency: \_\_\_\_\_

Address: \_\_\_\_\_

EIN #: \_\_\_\_\_

Prepared by: \_\_\_\_\_ Title: \_\_\_\_\_

E-mail: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Provide a brief description of your agency, the services it provides, and the characteristics of the recipients of your program(s).

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Funds Requested: \$\_\_\_\_\_ (may not exceed \$10,000)

Specify how the monies requested will be expended, and how this will address a need or negative impact of the COVID-19 public health emergency (may include eligible expenses dating back to March 2020):

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**Target Population** (please check categories):

\_\_\_\_\_ Children (0-12)                      \_\_\_\_\_ Single Adult (18 – 60)  
\_\_\_\_\_ Youth (12-18)                      \_\_\_\_\_ Seniors (60+)  
\_\_\_\_\_ Families (2+ per household)      \_\_\_\_\_ Disabled (any age)

**Please complete the following table for each service or program that will be provided using ARPA funds:**

***\* Your program must benefit Simsbury residents in order to be eligible for funding***

<b>SERVICE/PROGRAM</b>	<b>Total # of Clients Served</b>	<b># of Simsbury Clients Served</b>	<b>Average Time spent per Client</b>	<b>Cost per Client/ Unit of Service</b>

**List all state or federal COVID-related assistance received over the last two years:**

<b>Income Source</b>	<b>Amount</b>

**Other documentation that must be attached:**

1. List of Board of Directors
2. Most recent annual report
3. Most recent financial audit and 990
4. Current organizational Budget Summary identifying revenues.
5. Copy of the IRS 501(c)(3) determination letter

***\*Additional information may be required upon request of the Town***

**Signatures:**

Board Chair: \_\_\_\_\_ Date: \_\_\_\_\_

Executive Director: \_\_\_\_\_ Date: \_\_\_\_\_

Submit to: Amy Meriwether  
Director of Finance/Treasurer  
933 Hopmeadow Street  
Simsbury, CT 06070  
**OR** [ameriwether@simsbury-ct.gov](mailto:ameriwether@simsbury-ct.gov)



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## COVID-19 RELIEF PROGRAM 501(c)(3) NON-PROFIT AGENCY APPLICATION

The Town of Simsbury is accepting applications from non-profit organizations for COVID-19 relief funding, made possible by the American Rescue Plan Act (ARPA). To be eligible, organizations must have a 501(c)(3) tax status and serve Simsbury residents. **The deadline to apply is Friday, September 16, 2022 at 1:00pm.** The funds provided by the Town must be expended within one year of receipt.

Agency: SIMSBURY MAIN STREET PARTNERSHIP, INC

Address: 933 HOPMEADOW ST, PO BOX 3, SIMSBURY, CT 06070

EIN #: 06-1447125

Prepared by: MELISSA BRETT Title: TREASURER

E-mail: SIMMAINST@SBCGLOBAL.NET Telephone #: 860-651-8577

**Provide a brief description of your agency, the services it provides, and the characteristics of the recipients of your program(s).**

WE ARE AN AWARD WINNING, NATIONALLY ACCREDITED 501(c)3 NON-PROFIT THAT FOCUSES ON FORWARD THINKING ECONOMIC DEVELOPMENT, SIMSBURY BUSINESS ADVOCACY, GRANT WRITING, SPECIAL EVENTS AND DESIGN ISSUES THAT IMPACT BOTH SIMSBURY RESIDENTS, BUSINESSES, PROPERTY OWNERS AND VISITORS.

Funds Requested: \$ 10,000 (may not exceed \$10,000)

**Specify how the monies requested will be expended, and how this will address a need or negative impact of the COVID-19 public health emergency (may include eligible expenses dating back to March 2020):**

\$8000 WILL GO DIRECTLY TO THE OPERATIONAL EXPENSES OF OUR ORGANIZATION. \$2000 WILL GO TOWARDS SIMSBURY CELEBRATES. BOTH SMSP AND SIMSBURY CELEBRATES WERE NEGATIVELY AFFECTED DUE TO COVID. SMSP COULD NOT HOLD OUR MAJOR FUNDRAISER FOR 2 YEARS AND SIMSBURY CELEBRATES HAD LOWER SPONSORSHIP DONATIONS DUE TO LOCAL BUSINESSES HAVING TO CLOSE OR MODIFY HOURS AND INCREASED OPERATIONAL EXPENSES.



**Target Population** (please check categories):

☒ Children (0-12)                      ☒ Single Adult (18 – 60)  
☒ Youth (12-18)                      ☒ Seniors (60+)  
☒ Families (2+ per household)   ☒ Disabled (any age)

Please complete the following table for each service or program that will be provided using ARPA funds:

***\*Your program must benefit Simsbury residents in order to be eligible for funding***

SERVICE/PROGRAM	Total # of Clients Served	# of Simsbury Clients Served	Average Time spent per Client	Cost per Client/ Unit of Service
SMSP BUSINESS ASSISTANCE	ALL BRICK & MORTAR SIMSBURY BUSIN	N/A	N/A	N/A
SMSP DESIGN WORK	ALL SIMSBURY RESIDENTS & BUSINESS	N/A	N/A	N/A
SMSP SPECIAL EVENTS	ALL SIMSBURY RESIDENTS & BUSINESS	N/A	N/A	N/A
SIMSBURY CELEBRATES	OVER 8000	N/A	N/A	N/A

List all state or federal COVID-related assistance received over the last two years:

Income Source	Amount
TWO (2) FEDERAL PPP (PAYCHECK PROTECTION PROGRAMS) GRANTS	\$24,800
1 received in 2020, 1 received in 2021	

**Other documentation that must be attached:**

1. List of Board of Directors
2. Most recent annual report
3. Most recent financial audit and 990
4. Current organizational Budget Summary identifying revenues.
5. Copy of the IRS 501(c)(3) determination letter

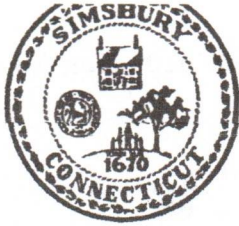
***\*Additional information may be required upon request of the Town***

**Signatures:**

Board Chair:  Date: 9/14/2022

Executive Director:  Date: 9/14/2022

Submit to: Amy Meriwether  
 Director of Finance/Treasurer  
 933 Hopmeadow Street  
 Simsbury, CT 06070  
**OR** [ameriwether@simsbury-ct.gov](mailto:ameriwether@simsbury-ct.gov)



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## COVID-19 RELIEF PROGRAM 501(c)(3) NON-PROFIT AGENCY APPLICATION

The Town of Simsbury is accepting applications from non-profit organizations for COVID-19 relief funding, made possible by the American Rescue Plan Act (ARPA). To be eligible, organizations must have a 501(c)(3) tax status and serve Simsbury residents. **The deadline to apply is Friday, September 16, 2022 at 1:00pm.** The funds provided by the Town must be expended within one year of receipt.

**Agency:** The Simsbury Second Chance Shop Auxiliary of The Village for Families & Children

**Address:** 12 Station Street, Simsbury, CT 06070

**EIN #:** 06-0668594

**Prepared by:** Sarah Adanti **Title:** Senior Director of Development

**E-mail:** sadanti@thevillage.org **Telephone #:** 860-989-7534

**Provide a brief description of your agency, the services it provides, and the characteristics of the recipients of your program(s).**

The Village for Families & Children has been serving children and families for over 200 years. We are one of the largest providers of mental health services in the state of Connecticut. We provide over 40 different programs and services to help men, women, children and families on a path to become resilient and successful. Programs and services include foster care, reunification, child welfare, outpatient services, adult services, substance abuse services, financial literacy and more. The Second Chance Shop has been in existence for over 60 years serving the Simsbury area. The Auxiliary which runs the shop is operated solely by volunteers and relies on donations that transition to sales.

**Funds Requested:** \$10,000 (may not exceed \$10,000)

**Specify how the monies requested will be expended, and how this will address a need or negative impact of the COVID-19 public health emergency (may include eligible expenses dating back to March 2020):**

The pandemic closed the shop for 4 months. Sales were lost. Many volunteers that operate the shop did not return when it reopened. Thus, the shop had to reduce the days and hours it was open. The shop supported The Village with \$100,000 of proceeds annually; however, in 2020, it generated only \$50,000 due to the closings, etc. Monies requested will close the gap in the shop's support of The Village's delivery of mental health and well-being to children.



**Target Population** (please check categories):

☒ Children (0-12) ☒ Single Adult (18 – 60)  
☒ Youth (12-18) ☒ Seniors (60+)  
☒ Families (2+ per household) ☒ Disabled (any age)

Please complete the following table for each service or program that will be provided using ARPA funds:

***\*Your program must benefit Simsbury residents in order to be eligible for funding***

SERVICE/PROGRAM	Total # of Clients Served	# of Simsbury Clients Served	Average Time spent per Client	Cost per Client/ Unit of Service
The Simsbury Second Chance Shop	7000	5250	20	15

List all state or federal COVID-related assistance received over the last two years:

Income Source	Amount
At the onset of the pandemic The Village for Families & Children made a commitment to clients and staff to not lay off or furlough any employees and keep the organization at full strength. It was clear that the provision of behavior health services would be critical. In recognition of this effort, The Village applied for and was awarded approximately \$5.6 million in payroll protection (PPP) and other federal covid related assistance.	
The Simsbury Auxiliary Second Chance Shop of The Village received no direct Covid related assistance.	

***Other documentation that must be attached:***

1. List of Board of Directors
2. Most recent annual report
3. Most recent financial audit and 990
4. Current organizational Budget Summary identifying revenues.
5. Copy of the IRS 501(c)(3) determination letter

***\*Additional information may be required upon request of the Town***

**Signatures:**

Board Chair: \_\_\_\_\_

Date: August 29, 2022

Executive Director: \_\_\_\_\_

Date: Aug 31, 2022

Submit to: Amy Meriwether  
Director of Finance/Treasurer  
933 Hopmeadow Street  
Simsbury, CT 06070  
**OR** [ameriwether@simsbury-ct.gov](mailto:ameriwether@simsbury-ct.gov)





# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## COVID-19 RELIEF PROGRAM 501(c)(3) NON-PROFIT AGENCY APPLICATION

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**Agency:** Simsbury Meadows Performing Arts Center

**Address:** 22 Iron Horse Blvd., Simsbury, CT 06070 (mailing: PO Box 245, Simsbury, CT 06070)

**EIN #:** 27-4640969

**Prepared by:** Dana Barcellos-Allen **Title:** Development Manager

**E-mail:** dana@simsburymeadowsmusic.com **Telephone #:** 860.515.6165

**Provide a brief description of your agency, the services it provides, and the characteristics of the recipients of your program(s).**

See attached

**Funds Requested:** \$10,000 (may not exceed \$10,000)

**Specify how the monies requested will be expended, and how this will address a need or negative impact of the COVID-19 public health emergency (may include eligible expenses dating back to March 2020):**

See attached

**Target Population** (please check categories):

☒ Children (0-12)                      ☒ Single Adult (18 – 60)  
☒ Youth (12-18)                      ☒ Seniors (60+)  
☒ Families (2+ per household)   ☒ Disabled (any age)

**Please complete the following table for each service or program that will be provided using ARPA funds:**

*\*Your program must benefit Simsbury residents in order to be eligible for funding*

SERVICE/PROGRAM	Total # of Clients Served	# of Simsbury Clients Served	Average Time spent per Client	Cost per Client/ Unit of Service
Arts, Entertainment, Culture	30,000	15,000	11,648 hrs annual	\$18.96

**List all state or federal COVID-related assistance received over the last two years:**

Income Source	Amount
Paycheck Protection Program - Small Business Administration 3.2021	27,567.50
FY21 COVID Relief Arts Grant - Dept. of Economic & Community Development	19,000
Shuttered Venue Operations Grant - US Small Business Association	171,569.87

**Other documentation that must be attached:**

1. List of Board of Directors
2. Most recent annual report
3. Most recent financial audit and 990
4. Current organizational Budget Summary identifying revenues.
5. Copy of the IRS 501(c)(3) determination letter

*\*Additional information may be required upon request of the Town*

**Signatures:**

Board Chair: \_\_\_\_\_

Date: 9.15.22

Executive Director: \_\_\_\_\_

Date: 9.15.22

Submit to: Amy Meriwether  
 Director of Finance/Treasurer  
 933 Hopmeadow Street  
 Simsbury, CT 06070  
**OR** [ameriwether@simsbury-ct.gov](mailto:ameriwether@simsbury-ct.gov)

## **Simsbury Meadows Performing Arts Center**

### **COVID Relief Grant Application Answers**

**Provide a brief description of your agency, the services it provides, and the characteristics of the recipients of your program(s).**

The Simsbury Meadows Performing Arts Center, a 501c-3 non-profit organization, is a state-of-the-art venue located in the heart of downtown Simsbury. With a capacity of 10,000, Simsbury Meadows is the state's second-largest outdoor venue, featuring musical performances, comedy, family programming, festivals, athletic events, races, and markets, as well as serving as summer home to the Hartford Symphony Orchestra. SMPAC enriches community spirit and economic development, bringing people together and building bridges between diverse communities by offering memorable experiences in an accessible venue.

SMPAC provides entertainment, culture, and community to people from all backgrounds. Families with young children and seniors partake in our varied programming that includes musical performances, awards shows and galas, children's events, sporting events like marathons, walks, and competitions, graduation ceremonies, recitals, and patriotic events. We offer substance free seating zones and recovery-friendly events. Our fields are utilized by school sports teams for practices. Our ticket data suggests that our audience draw reaches far beyond local, extending across the Farmington Valley, further into the state of Connecticut, and Western Massachusetts.

**Specify how the monies requested will be expended, and how this will address a need or negative impact of the COVID-19 public health emergency (may include eligible expenses dating back to March 2020):**

Like many performing arts organizations, SMPAC was optimistic about the 2022 season after COVID shutdowns; we expected pent-up demand and, with vaccine availability and decreasing infection rates, attendees to return closer to pre-COVID levels. Anticipating the public's return, we added additional events, increasing our SMPAC-produced events from 2 in 2021 to 9 in 2022. Unfortunately, far fewer people are showing up - not just at SMPAC, but at performing arts centers across the country. An article in the New York Times on August 21, 2022 addresses the drop in ticket sales for 2022: "A recent study of 143 performing arts organizations in North America by TRG Arts, an analytics firm, found that the number of tickets sold was down by 40 percent in the 2021-22 season, compared with before the pandemic, and ticket revenues were down by 31 percent. The firm attributed the decline to a variety of factors, including ongoing unease about the coronavirus and changing habits around attending live performances. Another factor noted by the TRG Arts study: aging audiences for classical music." Here at SMPAC, attendance for our popular and long-running Hartford Symphony Orchestra's Talcott Mountain Music Festival was 37 percent lower in 2022 than in pre-COVID years.

The funds from this grant will help us to recompense for this unexpected loss of revenue from ticket sales, including paying costs for performers, sound and lighting, staff salaries and other expenses from events that aren't breaking even.



# Town of Simsbury

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**Agency:** Simsbury High School Student Parent Teacher Council

**Address:** 34 Farms Village Rd, Simsbury, CT 06070

**EIN #:** 27-3945423

**Prepared by:** Elizabeth Peterson

**Title:** Vice President

**E-mail:** TheLizPeterson@gmail.com

**Telephone #:** 323-691-1000

### Provide a brief description of your agency, the services it provides, and the characteristics of the recipients of your program(s).

The purpose of The Simsbury High School Student Parent Teacher Council (SPTC) is to promote and support, the Simsbury High School community through the efforts and cooperation of students, parents, faculty administrators. We rely heavily on memberships, donations and volunteers to sustain the work we do to support the school community. Our programs support Simsbury HS students in grades 9-12, with a student population of approximately 1,300. We provide funding to student clubs, activities, events, equipment and sports. We also provide hospitality events to our staff such as Teacher Appreciation Week. 100% of our funds come from parent donations.

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**Funds Requested:** \$ 10,000 (may not exceed \$10,000)

### Specify how the monies requested will be expended, and how this will address a need or negative impact of the COVID-19 public health emergency (may include eligible expenses dating back to March 2020):

The monies requested will be expended to meet the budgeted items which include funding for student arts, music & performing arts, clubs, sports, beautification, hospitality, field trips, student center (new this year), Senior Celebrations and school spirit. Since covid, our parent donations (our only source of money) are down. Last school year 21-22, our donations did not cover our budget and although we made cuts, we still had to use our emergency reserve. This year, unfortunately, donations are looking to be even lower with a bigger shortfall. The yearbook club has 3 cameras that are 10 yrs old. The pictures are blurry. The students suffered so many losses in so many ways during Covid and we would very much like to provide full funding across our student areas.

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Telephone (860) 658-3230  
Facsimile (860) 658-9467

[ewellman@simsbury-ct.gov](mailto:ewellman@simsbury-ct.gov)  
[www.simsbury-ct.gov](http://www.simsbury-ct.gov)

*An Equal Opportunity Employer*  
8:30 - 7:00 Monday  
8:30 - 4:30 Tuesday through Thursday  
8:30 - 1:00 Friday



**Target Population** (please check categories):

☐ Children (0-12) ☐ Single Adult (18 – 60)  
☒ Youth (12-18) ☐ Seniors (60+)  
☐ Families (2+ per household) ☐ Disabled (any age)

**Please complete the following table for each service or program that will be provided using ARPA funds:**

***\* Your program must benefit Simsbury residents in order to be eligible for funding***

<b>SERVICE/PROGRAM</b>	<b>Total # of Clients Served</b>	<b># of Simsbury Clients Served</b>	<b>Average Time spent per Client</b>	<b>Cost per Client/ Unit of Service</b>
Simsbury SHS SPTC	approx 1300 students	approx 1250	N/A	N/A
		Some students from Hartford		

**List all state or federal COVID-related assistance received over the last two years:**

<b>Income Source</b>	<b>Amount</b>
None	0

***Other documentation that must be attached:***

1. List of Board of Directors
2. Most recent annual report
3. Most recent financial audit and 990
4. Current organizational Budget Summary identifying revenues.
5. Copy of the IRS 501(c)(3) determination letter

***\*Additional information may be required upon request of the Town***

**Signatures:**

Board Chair: \_\_\_\_\_

Date: \_\_\_\_\_

Executive Director: \_\_\_\_\_

Date: \_\_\_\_\_

Submit to: Amy Meriwether  
Director of Finance/Treasurer  
933 Hopmeadow Street  
Simsbury, CT 06070  
**OR** [ameriwether@simsbury-ct.gov](mailto:ameriwether@simsbury-ct.gov)

Target Population (please check categories):

☐ Children (0-12)      ☐ Single Adult (18 - 60)  
☒ Youth (12-18)      ☐ Seniors (60+)  
☐ Families (2+ per household)      ☐ Disabled (any age)

Please complete the following table for each service or program that will be provided using ARPA funds:

*\*Your program must benefit Simsbury residents in order to be eligible for funding*

SERVICE/PROGRAM	Total # of Clients Served	# of Simsbury Clients Served	Average Time spent per Client	Cost per Client/ Unit of Service
Simsbury SHS SPTC	approx 1300 students	approx 1250	N/A	N/A
		Some students from Hartford		

List all state or federal COVID-related assistance received over the last two years:

Amount Source	Amount
None	0

Other documentation that must be attached:

1. List of Board of Directors
2. Most recent annual report
3. Most recent financial audit and 990
4. Current organizational Budget Summary identifying revenues.
5. Copy of the IRS 501(c)(3) determination letter

*\*Additional information may be required upon request of the Town*

Signatures:  
 President: Chudine Tricant  
 Board Chair:  
 Vice President: Elyse Peterson  
 Executive Director:

Date: 9/15/2022

Date: 9/15/22

Submit to: Amy Meriwether  
 Director of Finance/Treasurer  
 933 Hopmeadow Street  
 Simsbury, CT 06070  
 OR [ameriwether@simsbury-ct.gov](mailto:ameriwether@simsbury-ct.gov)



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

## COVID-19 RELIEF PROGRAM 501(c)(3) NON-PROFIT AGENCY APPLICATION

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**Agency:** Simsbury Youth Football & Cheer Inc.

**Address:** c/o Gavin Wentworth 20 Winterset Lane Simsbury CT 06070

**EIN #:** 881565789

**Prepared by:** Gavin Wentworth **Title:** President

**E-mail:** Gavin@wdkinsurance.com **Telephone #:** 8607090504

### Provide a brief description of your agency, the services it provides, and the characteristics of the recipients of your program(s).

We are the youth football and cheerleading program in the town of Simsbury, we rely solely on donations and participants to fund our organization  
We have 90 football players from 2nd grade to 8th grade, and 50 Cheerleaders from K-8th grade, after Covid struck  
our organization spent \$20,000, every penny we had to buy 93 new helmets, 93 new shoulder pads and 50  
new cheerleading uniforms. A league that just a year ago which was on the verge of collapse has been revitalized with new  
families and leadership, a new board with members and meeting minutes, everything is running incredibly, we have robust participation and  
engaged families but like any non profit we could use help financially, for recouping equipment costs and the plethora of associated  
monetary deficiencies.

**Funds Requested:** \$10,000 (may not exceed \$10,000)

### Specify how the monies requested will be expended, and how this will address a need or negative impact of the COVID-19 public health emergency (may include eligible expenses dating back to March 2020):

after Covid all of our equipment had to be replaced as it was outdated, we had seen a massive decline in participation after the 2020 Season  
was cancelled. We are finally getting back to years where numbers were good participation wise, but Monetarily we are still  
fighting to recover.

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**Target Population** (please check categories):

90 \_\_\_\_\_ Children (0-12) \_\_\_\_\_ Single Adult (18 – 60)  
40 \_\_\_\_\_ Youth (12-18) \_\_\_\_\_ Seniors (60+)  
\_\_\_\_\_ Families (2+ per household) \_\_\_\_\_ Disabled (any age)

**Please complete the following table for each service or program that will be provided using ARPA funds:**

***\* Your program must benefit Simsbury residents in order to be eligible for funding***

SERVICE/PROGRAM	Total # of Clients Served	# of Simsbury Clients Served	Average Time spent per Client	Cost per Client/ Unit of Service
SimsburyYouthFootball	90	90	12hrs per week	\$300
			August- Nov	
Simsbury Cheerleading	50	50	6 Hours per week	\$275
			Sept-Nov	

**List all state or federal COVID-related assistance received over the last two years:**

Income Source	Amount
None	

**Other documentation that must be attached:**

1. List of Board of Directors
2. Most recent annual report
3. Most recent financial audit and 990
4. Current organizational Budget Summary identifying revenues.
5. Copy of the IRS 501(c)(3) determination letter

***\*Additional information may be required upon request of the Town***

**Signatures:**

Board Chair: \_\_\_\_\_ Date: \_\_\_\_\_

Executive Director: \_\_\_\_\_ Date: \_\_\_\_\_

Submit to: Amy Meriwether  
Director of Finance/Treasurer  
933 Hopmeadow Street  
Simsbury, CT 06070  
**OR** [ameriwether@simsbury-ct.gov](mailto:ameriwether@simsbury-ct.gov)



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Appointments to Conservation Commission/Inland Wetlands & Watercourses Agency

2. **Date of Board Meeting:** October 24, 2022

3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Trish Munroe, Town Clerk

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

*Move, effective October 24, 2022, to appoint Kyle Testerman as an Alternate Member of the Conservation Commission/Inland Wetlands & Watercourses Agency to fill a vacancy until January 1, 2023.*

*Move, effective October 24, 2022, to appoint Cailyn Welsh as an Alternate Member of the Conservation Commission/Inland Wetlands & Watercourses Agency to fill a vacancy until January 1, 2026.*

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

1. Kyle Testerman (D) as an Alternate Member of the Conservation Commission/Inland Wetlands & Watercourses Agency. The appointee would be filling the vacancy created by the resignation of Grant Gritzmacher (D) from this position effective June 9, 2022. Pursuant to our Charter, since the vacancy occurred mid-term, it must be filled by the same political party, which in this case is the Democratic party. The appointee will serve until the term ends on January 1, 2023
2. Cailyn Welsh (D) as an Alternate Member of the Conservation Commission/Inland Wetlands & Watercourses Agency. The appointee would be filling the vacancy created by the appointment of Charles Haldeman to Regular Member from Alternate Member effective August 8, 2022. Pursuant to our Charter, since the vacancy occurred mid-term, it must be filled by the same political party, which in this case is the Democratic party. The appointee will serve until the term ends on January 1, 2026.

**6. Financial Impact:**

None

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

- a) Bio of Kyle Testerman
- b) Bio of Cailyn Welsh

# Kyle Testerman



## EDUCATION

B.S., Exercise Science, University of Connecticut, Storrs, CT, 2010

M.S., Biology, Central Connecticut State University, New Britain, CT, 2016

## EMPLOYMENT HISTORY

*Contract Wildlife Biologist* 2019-Present

Contracted by the Wildlife Management Institute and  
Connecticut Department of Energy and Environmental Protection  
Sessions Woods Wildlife Management Area, Burlington, CT

*Seasonal Resource Assistant (Three separate seasons)* 2015-2017, 2019

Connecticut Department of Energy and Environmental Protection  
Sessions Woods Wildlife Management Area, Burlington, CT

*Senior Wildlife Technician/Wildlife Technician (Two seasons)* 2017-2018

Center for Environmental Management of Military Land and  
Colorado State University  
Fort Wainwright, AK

*Graduate Assistant* 2013-2015

Department of Biology  
Central Connecticut State University, New Britain, CT

## VOLUNTEER HISTORY

*Board Member* 2021-Present

Simsbury Pollinator Pathway, Simsbury, CT

*Bird Banding Volunteer* 2012-2016

Connecticut Audubon Coastal Center, Milford, CT  
Bent of the River Audubon Center, Southbury, CT

*Raptor Rehabilitation Volunteer* 2014

Roaring Brook Nature Center, Canton, CT

*Volunteer Firefighter* 2005-2012

Simsbury Volunteer Fire Company, Simsbury, CT

*Conservation Volunteer* 2011

NGO Seed Madagascar, Fort Dauphin, Madagascar

## EXPERIENCE & QUALIFICATIONS

### *Research and Data Collection*

- Conducted research using various techniques, including radio telemetry, live trapping of carnivores, acoustic monitoring for bats, avian nest searching and monitoring, point counts, camera traps, mist-netting for birds and bats, tissue collection, performing necropsies, bat call analysis, macroinvertebrate sampling, water quality tests, PCR and gel electrophoresis.

- Performed vegetation and wildlife surveys in remote, backcountry locations.
- Performed quantitative analysis on diverse data sets, collaborating with other scientists as needed.
- Co-authored technical reports and prepared manuscripts for peer-review journal submission.
- Possess detailed knowledge of North American flora and fauna.

#### ***Data Management and Geographic Information Science***

- Created online fillable forms using Survey123, MS Word.
- Created, managed, and troubleshoot MS Access and ArcGIS databases.
- Interpreted aerial imagery.
- Conducted geoprocessing tasks and map creation.
- Performed spatial analysis using ArcGIS tools.

#### ***Environmental Outreach and Education***

- Contributed original writing and photography to state agency's monthly newsletters, website, social media pages, and in-print publications.
- Delivered presentations to the public on various wildlife topics.
- Provided technical assistance to the public regarding human-wildlife conflicts.
- Created ArcGIS StoryMaps, incorporating original online maps, media, and text.
- Instructed undergraduate biology lab sections
- Assisted in teaching hunter education courses.
- Given media interviews as a subject matter expert.

#### ***Project Management, Supervisory, and Leadership Experience***

- Organized university's Biology Graduate Student Society, served as President.
- Trained new seasonal hires, developed safety plans, and resolved conflicts between staff.
- Conducted project planning, oversight, and QA/QC, ensured work stayed on track and met deadlines. Submitted permit and purchase requests. Assisted with budget planning.
- Coordinated project work with external stakeholders, including military, state government, academic, and private entities.

#### **PROFESSIONAL DEVELOPMENT, TRAINING, CERTIFICATIONS & PROFICIENCIES**

- Certified First Aid, CPR, AED, Wilderness First Aid training.
- Certified Fire Fighter 1 and Hazardous Materials Awareness.
- Certified NRA Range Safety Officer, Hunter Education Instructor, CT Boating License.
- Completed NRA First Steps Shotgun course, ATV Safe Rider course.
- Proficient with Microsoft Office suite.
- Proficient with Adobe Acrobat, InDesign, Lightroom, and Photoshop.
- Skilled with equipment including 4x4 vehicles, ATVs, trailers, boats, hand tools and power tools.
- Successful working independently and as a team member, meeting deadlines.
- Proven analytical, oral, and written communication skills.

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## Cailyn L. Welsh, PA-C

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### EDUCATION

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*Bachelor of Science*, Major: Biochemistry- Magna Cum Laude, **St. Lawrence University**, Canton, NY. Minor: Mathematics; Cumulative GPA: 3.7 May 2014

*Honors*: Pi Mu Epsilon-National Math Honor Society, Beta Beta Beta-National Biology Honor Society, Omicron Delta Kappa- National Leadership Honor Society, Chi Alpha Sigma-National Athlete Honor Society, Chymist Society- Chemistry Honor Society

*Master of Science*; Physician Assistant Studies- **Boston University**, Boston, Massachusetts. September 2021  
House of Delegates Representative, Professional Membership- AAPA

### CLINICAL CLERKSHIP

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*BU PA Student, PA-S2*, Various hospitals, Boston, Providence Area April 2020-August 2021

- Virtual Public Health Elective- Boston University
- Internal Medicine 1 - MetroWest Medical Center
- Internal Medicine 2 - Fatima Hospital
- Emergency Medicine - Boston Veteran Affairs hospital
- General Surgery- Roger Williams' Hospital
- Obstetrics/Gynecology - St. Elizabeth's Medical Center
- Family Medicine - Cambridge Health Alliance
- Pediatrics- St. Elizabeth's Medical Center
- Neurology- St. Elizabeth's Medical Center
- Psychiatry - Arbour Hospital
- Renal Transplant Surgery - Boston Medical Center
- Gastroenterology- Boston Medical Center

### CLINICAL WORK EXPERIENCE

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*Physician Assistant, ICU, Hartford Hospital*, Hartford, CT December 2021-current

- Confers with attending physicians, nurses, respiratory therapists and specialists to provide optimum care for critically ill patients with various medical diagnoses in a 16 bed ICU
- Writes orders for medications, laboratory work, and diagnostic tests and interprets test results
- Performs invasive procedures including central line and arterial line placement

*Clinical Research Coordinator*, **University of CO Cancer Center**, Aurora, CO January 2017 -March2019

- Coordinated over 15 clinical trials involving stage IV gastrointestinal cancers while working closely with study investigators, pharmaceutical sponsors, and patients
- Reviewed over 25 job applications, interviewed applicants, and contributed to hiring decision
- Served as primary coordinator for more than 6 clinical trials and developed protocol-specific source documents
- Reported unanticipated problems to the IRB and helped complete yearly continuing reviews for the IRB
- Maintained detailed documentation of training and delegation of authority log for primary studies

### RESEARCH EXPERIENCE

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*Independent Senior Research, St. Lawrence*, Canton, NY Sep 2013-May 2014

- Continued research done from original collaborative effort in small Research Methods class
- Mutated glucose-galactose binding DNA using DNA mutagenesis of E.coli bacteria cells
- Utilized methods including PCR, bacterial cultures, DNA isolation, agarose gels, protein expression, dialysis and chromatography to express protein of mutated DNA

*Master's Thesis, Boston University*, Boston, MA August 2020-May 2021

- Completed systematic review of literature to develop a research proposal investigating the relationship between physical activity and risk of dementia using activity trackers and coaching intervention

### ACTIVITIES

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Biking, running, skiing, hiking, camping, tennis, ice hockey, reading, gardening

## **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 and via Zoom. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members: Heather Goetz, Eric Wellman (via Zoom), Chris Peterson and Sean Askham (via Zoom). Others in attendance included: Deputy Town Manager Melissa Appleby; Public Works Director/Town Engineer Tom Roy; Library Director Lisa Karim; Finance Director Amy Meriwether, and Town Attorney Robert DeCrescenzo.

## **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

## **PUBLIC AUDIENCE**

- Participants can address the Board of Selectmen in person at the meeting
- 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.

Joan Coe, 26 Whitcomb Drive, spoke about the 6/20/22 Zoning Commission discussion regarding “Referral from Planning Director – Request to Amend Condition #13 of ZC #17-10 200 Hopmeadow Street” as well as the lease with Gifts of Love.

Mark Orenstein, 82 Old Meadow Plain Road, spoke on behalf of the Simsbury Community Media Board regarding legislative act SB 278 regarding a community media study.

Patrick Fallon, the station manager of Simsbury Community Media, spoke about Special Act 22-23 which aims to consolidate Community Access stations in the state and the desire for Simsbury Community Media to remain an independent community access station.

## **PRESENTATIONS**

### **a) Proclamation for National Friends of Libraries Week**

Ms. Karim shared that the Friends of the Simsbury Public Library is a separate 501(c)(3) corporation that raises funds to support the library. They support the library annually with a library support budget which supports materials, programming, the summer reading program, innovators workshop. They also support special projects like the Story Walk. Their biggest fundraiser of the year, the annual book sale, was just held as well. The Board read the following proclamation:

### **PROCLAMATION NATIONAL FRIENDS OF LIBRARIES WEEK OCTOBER 16 - 22, 2022**

Whereas, Friends of the Simsbury Public Library raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children’s summer reading, and special events throughout the year;

Whereas, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

Whereas, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers’ advisory, and children’s services;

Whereas, the Friends’ gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

Now, therefore, be it resolved that the Board of Selectmen of the Town of Simsbury proclaim October 16 - 22, 2022 as Friends of Libraries week in Simsbury and urges everyone to join the Friends of the Simsbury Public Library and thank them for all they do to make our library and community so much better.

Dated the 12<sup>th</sup> day of October 2022.

Mr. Askham made a motion, effective October 12, 2022, to endorse a Proclamation for National Friends of Libraries Week. Ms. Goetz seconded the motion. All were in favor and the motion passed.

#### **b) Capital Region Council of Governments (CRCOG) Overview**

Mr. Hart, Executive Director of CRCOG, shared that there are one of nine councils of governments in the State and they are the largest one serving 38 municipalities. They have roughly 30 employees and a budget of a little over eight million. He shared on a couple current initiatives they have underway. He stated that that are very focused on the bipartisan infrastructure law. The State is receiving approximately six billion dollars under that Federal program, it’s going to be a five year program. They are going to see funding opportunities for a variety of infrastructure, i.e. roads, highways, bridges, broadband, electric vehicle deployment. They have added some additional staff to assist their member towns with applying for grants under that program.

The five-year membership benefits were discussed. The FY2021-2022 highlights were also discussed including saving members time and money (purchasing coalition saved members \$1.92 million), supporting public safety, homeland security and public health (brought in \$1.2 million in grant funds by managing 14 local public health departments/district subcontracts), leveraging state and federal funding and conducting planning studies.

#### **FIRST SELECTMAN’S REPORT**

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

#### **TOWN MANAGER’S REPORT**

Ms. Appleby, Deputy Town Manager, reviewed the Town Manager’s Report.

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

- a) **Personnel** – no report at this time.
- b) **Finance** – no report at this time.
- c) **Public Safety** – no report at this time.



d) **Board of Education** –no report at this time.

Ms. Abbuhl shared that at the Zoning Commission meeting last Monday there was a public hearing held regarding parking regulations related to accessory dwelling units where the Zoning Commission had opted out of State regulations related to parking. She also shared that Monday at the Simsbury Public library is going to be the public hearing on zoning regulations related to the retail cannabis shop potentially in Simsbury. The Aging and Disability Commission is holding a sensory friendly trick or treating on October 24<sup>th</sup>. Also, on October 20<sup>th</sup> is the fashion show at the Senior Center.

Ms. Mackstutis shared there are some 501(c)(3) applications in the agenda tonight and next week the finance subcommittee is meeting to revisit the business program that was previously discussed with Main Street Partnership

**SELECTMEN ACTION**

a) **Tax Refund Requests**

Mr. Wellman made a motion effective October 12, 2022 to approve the presented tax refunds in the amount of \$7,347.93, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

b) **Donation from St. Matthew Lutheran Church in Avon**

Ms. Appleby shared that this \$2,000 donation would be used to assist residents with their heating and electric bills.

Mr. Wellman made a motion effective October 12, 2022, to accept a donation from St. Matthew Lutheran Church in the amount of \$2,000 for the purpose of supporting Simsbury Community and Social Services Department’s Keep Simsbury Warm program. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

c) **Greater Hartford Transit District Dial-A-Ride Operating Assistance Grant Agreement**

Mr. Wellman made a motion effective October 12, 2022, to accept the FY 22/23 grant funds from the Greater Hartford Transit District to support our Dial-A-Ride program and to authorize Town Manager, Maria E. Capriola to execute all documents related to the grant award. Mr. Peterson seconded the motion. All were in favor and the motion passed.

d) **Street Excavation Fee Schedule**

Mr. Kessler shared that they are looking to adopt a fee schedule for street excavation permits and licenses. The purpose of the Town’s right-of-way and excavation program is to ensure that work performed is properly reviewed, permitted and constructed to Town standards and regulations. Permits are submitted to the Engineering Department for review and approval. No fees are currently assessed to offset staff time for permit review and inspection of work. If the Board is in support of the new fee structure, staff will provide communication with all permits issued from this point to the end of December that the new fee schedule will begin on January 1, 2023.

Mr. Askham stated that he feels that it’s an additional cost that the business is going to pass on to the residents for something they think their tax dollars already paid for.

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Mr. Peterson made a motion, effective October 12, 2022 to adopt the proposed street excavation fee schedule as presented. Ms. Abbuhl seconded the motion. The motion passed with Mr. Askham and Ms. Goetz opposed.

Mr. Peterson asked on behalf of a resident, at Simsmore Square, are the tree stumps going to be removed with the final landscaping after the sidewalk is put in. Mr. Roy said yes. On behalf of the biking community, he asked for an overview of the bridge going in over by Ensign Bickford and what will be the ultimate redirection. Mr. Roy shared that the bridge going in by the Department of Transportation he believes is going to keep the existing trail width

**e) FY 21/22 Year-End Financial Results**

Ms. Meriwether shared that the final budget was 106, 075 and they came in at about 108 million, they are just shy two million dollars in surplus on the revenue side. On the Finance Department side, they had some additional revenue from their investment income. On the Town Clerk side, they had excess revenues due to the increased housing market. In the Town Manager’s Office, the increase in revenue was due to additional pilot payment from the state as well as additional grant funding of about 25k. Police revenues exceeded budgetary estimates due to increased pistol permits and an unanticipated grant. Highway revenues exceeded budgetary estimates due to an unbudgeted FEMA grant. The Board of Education had some additional funding due to an increase in the ECS funding provided by the State as well as repayment of a loan from the Food Services fund.

On the expenditures side, the budget was about 106 million and they came in under budget at about 105 million. Items of note include, staff savings (\$883,229) and legal services exceeded estimates (\$78,440) due to increased labor relation issues resulting from labor negotiations and arbitration.

The Simsbury Farms Fund ended with a surplus of about \$432k mainly related to returning to pre-pandemic activity. Ms. Mackstutis questioned if the surplus money can be flagged and looked at during the budget cycle and skip a potential funding this year since the fund balance is in such a good position. Mr. Peterson stated that at the last C.P.R. meeting Mr. Tyburski went into more detail regarding the surpluses that occurred and one of things they will be tracking moving forward is increase of labor costs and minimum wage continues to increase. Mr. Askham stated that there are a couple hundred thousand dollars of expenditures in the revenue fund and there’s a discussion about whether they should be or not so it’s not just a transfer to supplement the fund it is to offset some of the expenditures.

Ms. Meriwether shared that the health insurance fund saw a deficit of about \$546k at the end of FY22. On the premium side, in addition to the staff turnover, there were a number of individuals that left the family plan so they saw less premiums coming into the fund. They saw claims consistent with what was budgeted. Total reserves in the health insurance fund are at about 4.8 million or 33% of expected claims, the target is 20-25 of expected claims.

**f) Proposed Year-End General Fund and Capital Transfers**

Ms. Meriwether stated they started the year with a fund balance of about 17 million three hundred thousand. On the revenue side, it came in at a little over two million. On the expenditure side, it came in under budget about a little over a million so this is a net surplus to the Town of about 2.9 million. She stated that the Board of Education expenditures are included within the General Fund. The Board of Education incurred a year end loss of about \$454,000 loss this year so the actual Town surplus is \$3,395,663. The Board of Education non-lapsing fund can cover the Board of Education loss when the budget was done last year it was anticipated that their non-lapsing fund would feather in the cost of their social workers, their new special education director, etc. so that money was essentially already spent in future years. If the money is taken from the non-lapsing fund then we have to start all over again during the budget for those out years. Another reason for the loss is because of the special education

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costs due to Covid. During the budget process in 2024, we are going to have to reevaluate where we are with our special education costs and we're looking at possibly being in a similar position for fiscal year 23 but they are still getting more data on that. Ms. Meriwether stated that this year she is requesting that the additional revenues and the Board of Education side get applied to all this deficit and the general fund basically eat the Board of Education deficit so that they can work through the special education issues

Ms. Abbuhl asked if there was any likelihood of getting any more ECS funding or funding from the State. Ms. Meriwether stated that they haven't heard anything from the State and special education funding has been a topic of discussion for many years. She stated that the State has the excess cost grant so they are supposed to take the cost of our student times 4 ½ and anything above that the state is supposed to reimburse us 100%, however they have not been able to reimburse us 100% in years so we eat anything over 80%. The State has a new formula coming out that they voted on where it tries to bring more equity to the ECS formula, however, it will be the lower income communities that get the 100%.

Ms. Meriwether stated that the approved budget is what was approved at referendum and the final budget includes any appropriations that have been during the year. She discussed the General Fund Close-Out Transfer Requests including 60k for the ice rink chiller, 125k for Eno chiller, 15K for IT equipment (switches), 40k to demolish 56 Wolcott Road, 20k for Town Farm facility clean-up, 40k Meadowood barn demolition, 45k Simsbury Community Media Studio Improvements, transfer to Capital Reserve Fund 680k with total transfers from the General Fund totaling 920k. The proposed transfers to the General Fund Assigned Fund Balance are 10k for Parks and Recreation temp staffing, 12.5k Finance temp staffing, 8k Social Services temp staffing, retroactive wage increases \$798,665, year-end encumbrances \$280,096, energy/utility costs 100k, FVHD \$100,056, anticipated tax appeals 30k, Diversity Equity & Inclusion Council Data Project 22k, total transfers to assigned fund balance \$1,361,317. The year-end budget transfers-budgetary basis was discussed, final budget vs. adjusted budget. Capital transfers were discussed for all the projects that have been closed out during the year. Ms. Meriwether stated that any capital projects with surpluses are being returned to their original funding source. The Capital Reserve Breakdown was discussed with 2.1 million being unassigned (during the fiscal year 23 budget process some of the capital reserves were utilized) and the total being \$5,517,763. Ms. Meriwether discussed the FY23 Capital Reserve Breakdown with ultimately 2.2 million being unassigned which does not include the 3.7 million of ARPA funding.

Mr. Wellman made a motion, effective October 12, 2022, to approve the FY22 year end General Fund and capital transfers request as presented and approve FY23 supplemental appropriations for the following items: Parks & Recreation Temp Staffing for \$10,000, Finance Temp Staffing for \$12,500, Social Services Temp Staffing for \$8,000, retroactive wage increases for \$798,655 and the Farmington Valley Health District for \$100,056. Mr. Askham seconded the motion. All were in favor and the motion passed.

**g) COVID-19 Relief 501(C)(3) Non-Profit Grant Program**

Ms. Mackstutis shared that the Finance Subcommittee met last week and went through all the grant applications, there were 14 applications and to date they have approved eight of those applications: Farmington Valley Jewish Congregation; Gifts of Love; McLean; Simsbury Historical Society; Simsbury-Granby Rotary; Farmington Valley VNA; For All Ages; and Simsbury Community Media.

Ms. Goetz made a motion, effective October 12, 2022, to approve funding eight applications received through the 501 (c)(3) Non-Profit Grant Program as presented. Ms. Abbuhl seconded the motion. All were in favor.

**h) Cannabis Sales in Simsbury**

Attorney DeCrescenzo was present to discuss the Board of Selectmen’s role regarding cannabis sale in Simsbury.

Ms. Goetz shared that there is a Zoning Commission meeting on October 17<sup>th</sup> related to the cannabis moratorium and zoning regulations. She questioned if there was a time frame after the hearing where a decision had to be made regarding the moratorium. Attorney DeCrescenzo stated that from a Zoning Commission perspective any action they would take regarding cannabis would be in the form of the amendment to the regulation which requires a public hearing. If they don’t do any amendment then cannabis sales would be considered in the same category as any retail sale, if they create a separate category then they can require a special exception permit and they can define the areas where it would be allowed. Under Public Act 21-1, the Board of Selectmen can pass an ordinance prohibiting an establishment of cannabis (the Board can trump any action by the Zoning Commission).

Ms. Mackstutis stated that from the information the Town Manager provided it seems like most Towns are leaving it to the Zoning Commission and many Towns are still in moratorium mode and trying to figure out what to do. Mr. Peterson suggested that if the moratorium is put in place then that does allow them to establish a few more organized touch points with community members to get feedback.

**REVIEW OF MINUTES**

**a) Regular Meeting of September 28, 2022**

No changes were made to the September 28, 2022, Regular Meeting Minutes. Ms. Mackstutis declared the minutes approved and requested that they be put on record.

**COMMUNICATIONS**

**a) Memo from M. Capriola re: Public Gathering Permits, dated September 29, 2022**

**EXECUTIVE SESSION**

Ms. Abbuhl made a motion to adjourn to Executive Session at 7:59 p.m. and to include Deputy Town Manager Melissa Appleby, Town Attorney Bob DeCrescenzo and all Board members. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**a) Pursuant to CGS §1-200(6)(B), pending claims and litigation, DESRI TVS Real Estate Holdings, LLC. v. Simsbury, HHB-CV-20-6060337-S**

**b) Pursuant to CGS §1-200(6)(A), Town Manager’s Annual Performance Review**

**ADJOURN FROM EXECUTIVE SESSION**

Ms. Abbuhl made a motion to adjourn Executive Session at 8:40 p.m. Mr. Wellman seconded the motion. All were in favor and the motion passed.

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**ADJOURN**

Mr. Askham made a motion to adjourn at 8:40 p.m. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Respectfully submitted,  
Heather Taylor  
Clerk

**Town of Simsbury and Board of Education Savings Initiative:**

Department	Initiative Description	Estimated Project or Annual Savings	Annual or Project Savings	Efficiencies and Additional Relevant Information	Implementation Year
Library	CT Library Consortium Membership	60,429	Annual Savings	Savings on collection materials and databases through negotiated consortial discounts. The annual membership cost is \$890.	10+ Years
Library	Use of volunteers to support staff work	46,722	Annual Savings	Volunteers work on average approximately 130 hours/month (1,560 hours/year)	9+ years
DPW	The DPW undertook to purchase all the town's streetlights. The town was then able to replace the fixtures with more efficient lights.	115,000	Annual Savings	High efficiency LED light fixtures are cheaper and use less energy. The Town can also respond to and repair the streetlights more cheaply and more quickly than Eversource. Estimated savings to date totals about \$460,000	2017
DPW/Parks	Solar Arrays were installed at the DPW facilities and the Simsbury Farms Complex.	34,000	Annual Savings	Save on electric costs, and use energy from a clean and renewable source. Estimated saving to date totals about \$62,000	2018
DPW	Grant from DOT for Flashing Beacon at 5 intersection in town, allowing for safer bicycle and pedestrian traffic	170,000	Project Savings	Funds provided from DOT instead of by town	2020
DPW	Grant from CRCOG for traffic calming	20,000	Project Savings	Funds provided from CRCOG instead of by town	2020
DPW/Parks/Library	Lighting Upgrades at Simsbury Farms, Library, and Town Hall with more energy efficient light fixtures and more modern lighting controls	43,000	Project Savings	High efficiency LED light fixtures are cheaper and use less energy. Payments will be funded with on-bill financing. Once capital investment is paid off, Town will see full savings. ROI range from 2.6 to 5.8 years	2020
DPW	Pre-purchase of contracts for liquid fuel for FY21/22	114,190	Annual Savings	Allow Town to lock in lower rate for the year that aren't susceptible to market fluctuations during the year	2022
DPW	LOT/CIP Sidewalk Grant, to add more connectivity to the sidewalk network along Hopmeadow street	809,600	Project Savings	Funds provided from CT LOT/CIP program instead of by town	2021
DPW	HHW collaboration with other towns instead of through the MDC, which is cheaper and allows for renegotiations with vendor frequently	10,000	Annual Savings	Collectively negotiate new contract with vendor for better rates than MDC	2013
DPW	Sharing of regional equipment	121,500	Project Savings	Prevents the Town from renting or purchasing specialty equipment (Tool Cat, Boom Lift, Asphalt Hot Box, Roadside Mower, Paving Box)	2013
DPW	Combining Uniform Contracts Highway/WPCA	2,080	Annual Savings	Used US Communities Cooperative Purchasing to secure best pricing	2021
Social Services	Utilization of over 100 volunteers	100,000	Annual Savings	Volunteers have worked approximately 3,880 hours	3+ Years
Social Services	Operating Assistance Grant from GHTD to support Dial-A-Ride	6,670	Annual Savings	Covers portion of the Dial-A-Ride program cost. Grant funds utilized as opposed to Town funds.	5+ Years
Social Services	CT DOT State Matching Grant for Elderly and Disabled Demand Responsive Transportation	34,050	Annual Savings	Provides additional "enhanced" transportation outside of traditional Dial-A-Ride. Grant funds utilized as opposed to Town funds	5+ Years

**Town of Simsbury and Board of Education Savings Initiative:**

Department	Initiative Description	Estimated Project or Annual Savings	Annual or Project Savings	Efficiencies and Additional Relevant Information	Implementation Year
Social Services	Financial Support from the Darling Trust to offset cost of support to the Farmington Valley VNA	7,000	Annual Savings	Provides \$7,000 of the \$40,000 in public agency support. Trust funds utilized as opposed to Town funds.	5+ Years
Social Services	Financial Support from the Darling Trust to offset cost of support to Meals-On-Wheels	7,000	Annual Savings	Provides support to the Meal-on Wheels Program. Grant funds utilized as opposed to Town funds. Grant funds utilized as opposed to Town funds.	5+ Years
Social Services	State of CT, DCF, Grant in support of the Youth Service Bureau	31,920	Annual Savings	Supports programs and services for our youth and their families. Grant funds utilized as opposed to Town funds.	5+ Years
Social Services	State of CT DOT Grant for 80% of the cost of a new bus for Dial-A-Ride	65,920	Project Savings	Provides 80% of the purchase price of a new vehicle for Dial-A-Ride	2022
Social Services	Rotary Grant to purchase kid friendly food for the pantry	4,781	Program Savings	Supports the purchase of kid friendly foods for distribtuion in the food pantry	2022
Social Services	Financial Support form the Darling Trust for costs associated with renting space to house the food pantry	3,600	Annual Savings	Supports the housing of the food pantry in a local Faith Based Organization	2022
Social Services	Financial Support of the Wednesday Lunch Program from the Darling Trust	9,360	Annual Savings	Pays for the annual salary of the kitchen staff and a small meal subsidy for the cost of the lunch	2022
Social Services	CT Healthy Living Initiative Grant	2,880	Program Savings	Grant to offer a new program and instructor training, Tai Ji Quan: Moving for Better Balance® program	2022
Police	BPVG - Balistic Vest Purchases	7,110	Project Savings	Required for new officers/replace every 5 years. 50% reimbursement trough federal grant	2021
Police	Site security upgrades (e.g. cameras) In-dash camera connectivity upgrades	70,000	Project Savings	Congressional Funding TEP Grant to increase various technology needs to include site security and dash camera systems.	2022
Police	Connectivity (local,state and federal databases)	4,000	Project Savings	Change in management of mobile data terminal connectivity to local, state and federal databases.	2022
Police	Reimbursement for Body Cameras	40,000	Project Savings	50% reimbursement compared to 30%. Mandated purchase by July 2022	2020
Police	Public Safety Radio System Replacement	1,000,000	Project Savings	Redundancy and use of current infrastructures by partnering with the Fire Department	2020
Police	Oxygen Supply Management	2,325	Annual Savings	Purchased own bottles. 5 year aggregate savings totals an estimated \$9,479	2019
Police	Active Threat Equipment	6,000	Annual Savings	Utilized Justice Assistance Grant. Grant funds utilized as opposed to Town funds.	2019
Police	BPVG - Balistic Vest Purchases	5,124	Annual Savings	Required for new officers/replace every 5 years. 50% reimbursement trough federal grant	2018-2021
Police	AED Replacement	1,000	Project Savings	Wal*Mart Foundation Grant. Grant funds utilized as opposed to Town funds.	2018
Police	Hosting Training Courses	10,500	Annual Savings	Hosting training classes = free attendance	2016-2021

**Town of Simsbury and Board of Education Savings Initiative:**

Department	Initiative Description	Estimated Project or Annual Savings	Annual or Project Savings	Efficiencies and Additional Relevant Information	Implementation Year
Police	Federal Ballistic Vest Grant	8,000	Annual Savings	Federal funding for a portion of our ballistic vests. Savings to continue as long as funding is in place - each year's funding varies on federal award	2015
Parks & Rec	Switch to Natural Gas heating at Simsbury Farms	6,000	Annual Savings	Lower heating costs at Clubhouse, Main Building. Apple Barn	2019
Parks & Rec	Conversion to LED lighting at SF Tennis Courts	1,000	N/A	Lower electric cost to use lights on Tennis Courts	2021
Parks & Rec	Conversion to LED lighting at Paddle Tennis Courts	2,000	N/A	Lower electric cost to use lights on Paddle Tennis Courts	2021
Parks & Rec	Replace Rink Control Panel	TBD - In Progress	N/A	Increased efficiency of rink mechanical system	2021
Parks & Rec	Replace Rink Condensor Unit	3,000	N/A	Increased efficiency of Rink mechanical unit	2021
IT	Support & Maintenance	5,181	Annual Savings	Network Storage Maintenance	2021
Assessor	Business Personal Property Audits	55,500	Annual Savings	Implemented a Business Personal Property Program with an estimated return on investment of 4 to 1. Due to COVID pandemic, the FY19-20 audits were not completed as budgeted and our final ROI was to 4.75 to 1	2020
Assessor	Business Personal Property Online Filing	5,000	Annual Savings	The implementation of online filing of business personal property continues to improve the processing of paper filing. We currently invite 1/3 of our businesses to file online and estimate that 50% will be online filers within two years. This helps expedite the manual processing of paper filers.	2019
Assessor	Interface with Building Permit System	20,000	Annual Savings	The Assessor is working towards the implementation of an interface with the building departments permitting system. The outcome will be time saved in data entry that can be used towards other time sensitive tasks and a better reporting status of outstanding permits not assessed.	2021
Finance	Purchasing Cards	1,500	Annual Savings	Rebates are received from utilizing the cards, reduces the amount of checks cut and creates efficiencies in the Accounts Payable Process. Will be adding the BOE to this program and promoting use of the cards to increase rebate value.	2019



**Town of Simsbury and Board of Education Savings Initiative:**

Department	Initiative Description	Estimated Project or Annual Savings	Annual or Project Savings	Efficiencies and Additional Relevant Information	Implementation Year
Finance	Paperless Payroll Deposit Advices	Est \$2,000 savings on paper and envelope purchases and created department efficiencies not having to utilize staff time to prepare and distribute the paper statements	Annual Savings	All direct deposit "paychecks" would be printed weekly for each payroll. Finance switched over to an employee portion where all direct deposit "paychecks" are electronic.	2022
Finance/Town Manager/BOE	RFQ for Benefits Consultant	40,000	Project Savings	New Consultant was able to identify CT Prime was billing based on inaccurate head counts resulting in a refund to the Town. CT Prime sent the Town a bill for \$32K. Once Lockton researched, we received a refund of over \$8K.	2019
Finance/BOE	New Acctig System Shared Database with BOE	200,000	Project Savings	Currently on two databases. If we had not combined the cost of the new system would have been much higher.	2020
Town Manager	Police Pension Plan Restructuring	> \$1M	Project Savings	Identified savings is over a 15 year period	2020
Town Manager/BOE	RFQ for Pension Plan Recordkeeping Services	-	N/A	There is no financial impact to the Town, however, there would be estimated savings of \$112/year to employees invested in the defined contribution plan and estimated savings of \$547/year to employees invested in the deferred compensation pension plans.	2020
Town Manager	Implemented Flexible Spending Accounts	Est \$5,000/year depending on participation	Annual Savings	Saves on Employer Paid Payroll Taxes	2019

**Town of Simsbury and Board of Education Savings Initiative:**

Department	Initiative Description	Estimated Project or Annual Savings	Annual or Project Savings	Efficiencies and Additional Relevant Information	Implementation Year
Police/IT/Engineering/Parks/DPW	Shared Services with the Board of Education	Variable	Annual Savings	<ul style="list-style-type: none"> <li>• Police Officers – Two officers serve as School Resource Officers; the BOE funds 50% of the salaries and benefits for those two positions</li> <li>• IT – The IT Manager and IT Analyst provide service to the Board of Education central offices; the BOE funds 50% of the salaries and benefits for those two positions</li> <li>• Engineering – The department provides services to the Board of Education; the BOE supports the salary for one of the Engineering positions in the amount of \$20,000</li> <li>• Field Maintenance – The Culture, Parks, and Recreation department provides field maintenance services for the schools; the BOE funds 100% of the salaries and benefits for two parks maintainers</li> <li>• DPW Maintenance Facility – The facilities maintenance staff for the Town and BOE share space at 66 Town Forest Road</li> </ul>	
BOE	Finance Director Shared Services	175,000	Annual Savings	Efficiencies will be created as the departments merge	2021
BOE	Central Office Restructure	150,000	Annual Savings	Reduced an Administrative position upon the retirement of Erin Murray	2022
BOE	Farmington Valley Transitional Academy at Uhart (cooperative program with Farmington Public Schools)	203,918	Annual Savings	Per student cost would be twice as high if students were sent out of district. Estimated aggregates savings over the course of the program is over \$2M	2010
BOE	Shared Director of Nursing with Farmington Public	36,804	Annual Savings	Reduced related staff costs between 10% - 30%	2018
BOE	Shared Speech/Hearing Services with Farmington Public	6,977	Annual Savings	Reduced related staff costs between 5% - 10%	2018
BOE	Occasional cooperative shared student transportation	8,000	Annual Savings		Varies
BOE	Reallocated school support staff to teacher functions during COVID instead of hiring the additional teachers needed to support distance learning	1,000,000	Project Savings	The Board of Education was in need of 21 new teachers when the school year began to support distance learning. Administration decided to re-allocate resources for 16 of these positions as opposed to hiring staff.	2021
BOE	Hire quality personnel at a lower rates than outgoing personnel	43,573	Annual Savings		2021
BOE	Replacement of SHS HVAC rooftop units	63,704	Annual Savings	Rooftop HVAC units that were beyond their 10 year lifespan were replaced with higher efficiency units. Total project savings is estimated to be over \$650,000	2021
BOE	Replacement of SHS, SQL, & TH Light fixtures	50,000	Annual Savings	Flourescent lighting has been replaced with energy efficient LED lighting at 3 schools. Total project savigs is estimated to be about \$250,000	2021

**Town of Simsbury and Board of Education Savings Initiative:**

Department	Initiative Description	Estimated Project or Annual Savings	Annual or Project Savings	Efficiencies and Additional Relevant Information	Implementation Year
BOE	SHS Rooftop Solar Panels	25,000	Annual Savings	A rooftop solar panel array will be built and managed by a 3rd party at no up-front cost to the town. This company will then sell SHS the energy it produces at a lower rate than traditional utilities. Total project savings is estimated to be about \$500,000	2022
BOE	Consolidated Network Printing	30,000	Annual Savings	The schools will be removing 80% - 90% of their classroom printers, many of which are inkjets. In there place, will be strategically located shared laser printers and copiers that can release print jobs by swiping their key fob.	2022