



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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SIMSBURY BOARD OF SELECTMEN
Regular Meeting – February 27, 2023 – 6:00 p.m.
Main Meeting Room, Simsbury Town Hall

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

- a) Proposed Ordinance to Temporarily Prohibit the Retail Sale of Cannabis in Simsbury
- Participants can address the Board of Selectmen in person at the meeting
 - Email townmanager@simsbury-ct.gov by noon on Monday, February 27, 2023 to register to address the Board of Selectmen live through Zoom
 - Written comments can be emailed to townmanager@simsbury-ct.gov. Written comments will not be read into the record, but forwarded to all Selectmen via email

PUBLIC AUDIENCE

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

- a) Town Manager's Proposed FY 23/24 Budget

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) Donation from Keith and Carol McLean-Shinaman
c) Proposed Revisions to Personnel Rules and Regulations

APPOINTMENTS AND RESIGNATIONS

- a) Resignation from the Greater Hartford Transit District's Board of Directors
- b) Appointments to Various Boards and Commissions
- c) Proposed Appointments to the Community for Care Committee

REVIEW OF MINUTES

- a) February 15, 2023 Special Meeting

COMMUNICATION

- a) Letter for Connecticut Humanities Council Grant for Simsbury Meadows Facility Expansion, dated February 23, 2023

EXECUTIVE SESSION

- a) General Statutes section 1-200(6)(B), discussion of pending litigation: DWW Solar II v. Simsbury (tax appeal).

ADJOURN



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Public Hearing – Proposed Ordinance to Temporarily Prohibit the Retail Sale of Cannabis in Simsbury
2. **Date of Board Meeting:** February 27, 2023
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**
No action is needed during the public hearing other than to close the hearing.
5. **Summary of Submission:**
At your February 15, 2023 meeting, the Board of Selectmen scheduled a public hearing to receive public comment on the Proposed Ordinance to Temporarily Prohibit the Retail Sale of Cannabis in Simsbury for 6:00pm on Monday, February 27, 2023.

The public hearing notice and a copy of the draft ordinance is attached.
6. **Financial Impact:**
At this time, it is difficult to project what revenues the Town would receive from sales taxes derived from retail cannabis sales in Simsbury. State statute¹ provides for the acceptable uses of that revenue as follows:
(5) The tax collected pursuant to this section shall be used by such municipality to (A) make improvements to the streetscapes and other neighborhood developments in and around each community in which a cannabis retailer, hybrid retailer or micro-cultivator is located, (B) fund education programs or youth employment and training programs in such municipality, (C) fund services for individuals released from the custody of the Commissioner of Correction, probation or parole and residing in such municipality, (D) fund mental health or addiction services, (E) fund youth service bureaus established pursuant to section 10-19m of the general statutes and to municipal juvenile review boards, or (F) fund efforts to promote civic engagement in communities in such municipality.

Should there be a temporary prohibition on the retail sale of cannabis the Town would not receive revenues from sales taxes on cannabis.
7. **Description of Documents Included with Submission:**
 - a) Public Hearing Notice
 - b) Proposed Ordinance to Temporarily Prohibit the Retail Sale of Cannabis in Simsbury

**TOWN OF SIMSBURY
PUBLIC HEARING NOTICE**

**Proposed Ordinance Prohibiting Cannabis Retail Establishments
Public Hearing Date: Monday, February 27, 2023 at 6:00 p.m.**

Notice is hereby given pursuant to Section 404 of the Charter of the Town of Simsbury that the Board of Selectmen will hold a public hearing on Monday, February 27, 2023 at 6:00 p.m. in the Main Meeting Room at the Simsbury Town Hall, 933 Hopmeadow Street, Simsbury, CT 06070 to receive public comment concerning a proposed ordinance, An Ordinance Prohibiting Cannabis Retail Establishments, which would temporarily prohibit the retail sale of cannabis for 18 months following adoption unless extended by the Board of Selectmen. Copies of the proposed ordinance can be found on the Town of Simsbury's website, www.simsbury-ct.gov on the Board of Selectmen's page. Hard copies are available at the Town Clerk's Office, 933 Hopmeadow Street, Simsbury, CT. Members of the public may address the Board of Selectmen live in-person, or they may email townmanager@simsbury-ct.gov by 12:00pm on February 27, 2023 to register to address the Board of Selectmen live through Zoom.

TOWN OF SIMSBURY
AN ORDINANCE PROHIBITING
CANNABIS RETAIL ESTABLISHMENTS - DRAFT

1. Authority

This ordinance is adopted pursuant to general Statutes Section 7-148(c)(7)(A)(ii), 7-148(c)(7)(H), and 7-148 (c)(10)(A), as amended by Public Act 21-1, Section 148 (June 2021 special Session), which allows municipalities to regulate activities deemed harmful to public health. Said law permits municipalities to prohibit cannabis establishments within their jurisdictions by identifying such uses as a “Prohibited Use” in their respective local zoning regulations or land use ordinances. Section 148(b) of such law provides, in relevant part: “[a]ny municipality may, by amendment to such municipality’s zoning regulations or by local ordinance, prohibit the establishment of a cannabis establishment.

2. Definitions

The following definitions shall apply to this Article:

Authorized Enforcement Agency. Any employees or designees of the town as designated by the Town Manager to enforce this ordinance.

Cannabis Establishment: A producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer (i.e., licensed to sell both recreational cannabis and medical marijuana) of products containing cannabis; or a manufacturer, packager, delivery service, or transporter of products containing cannabis, including cannabis-infused food and beverage products.

Cannabis Producer: An individual or business that possesses a state or municipal license to grow, harvest, dry, trim, cure and package cannabis.

Cannabis Micro-Cultivator: An individual or business that produces cannabis flowers in a limited-sized grow space.

Cannabis Food and Beverage Manufacturer: An individual or business that produces cannabis infused foods and beverages.

Cannabis Product Manufacturer: An individual or business that participates in any aspect of the cannabis extraction and infusion processes, including processing, preparing, holding, storing, packaging, or labeling of cannabis products. Cannabis manufacturing also includes any processing, preparing, holding, or soring of components and ingredients.

Cannabis Product Packager: An individual or business that focuses on assisting the proper and accurate packaging of cannabis products into pre-weighted containers and pre-rolled joints.

Cannabis Dispensary Facility: Regulated locations in which a person can purchase cannabis and cannabis related items for medical or recreational use.

Cannabis Retailer: An individual or business that sells, supplies, or offers recreational cannabis products for sale directly to consumers.

Cannabis Hybrid Retailer: An individual or business that sells, supplies, or offers cannabis recreational and medical products for sale directly to consumers.

Cannabis Delivery Service or Transporter: Any number of companies or individuals that are involved in the distribution of cannabis by way of delivery. This could be either mail-order delivery, or hand delivery.

3. Cannabis-Related Land Use Prohibition: Retail Sales

A. It shall be unlawful for any building, structure, or land anywhere within the Town of Simsbury to be used as a cannabis retailer or cannabis hybrid retailer. Violation of this section shall be punishable by a fine of \$250.00 per offense. Each day in operation or each sale, whichever is greater, shall constitute a separate offense.

B. The prohibition and fine in Section A shall not apply to any fully lawful cultivation, processing, manufacturing, or sale of hemp and hemp products by an individual or entity, including as applicable, licensure and authorization to engage in such activity by the Connecticut Department of Agriculture or the Connecticut Department of Consumer Protection. Such cultivation, processing, or manufacturing must comply with state law. Failure to comply with any state law regulating the cultivation, processing, and manufacturing of hemp or hemp products shall void the application of this exception to such person or entity in violation.

4. Violations and Penalties

Whenever the authorized enforcement agency determines that a person has violated this ordinance, the authorized enforcement agency is authorized to issue a fine to the violator in the amount of two hundred and fifty dollars (\$250.00) for each offense. Any violation continued more than one (1) day shall constitute a separate offense for each day such violation continues.

After two or more violations of this ordinance have been cited to any person, the town may initiate a civil action in Superior Court for injunctive relief to prohibit and prevent such violation or violations and the court may proceed in the action in a summary matter.

5. Appeals

Any person receiving a fine may appeal the determination of the authorized enforcement agency. The notice of appeal must be received in writing and filed with the Town Clerk's Office within ten (10) business days from receipt of the notice of the fine. The appeal shall be deemed received by the Town on the first business day following the day it is filed with and received by the Town Clerk's Office. Hearing on the appeal before the Hearing Officer shall take place

within thirty (30) business days from the date of receipt of the notice of appeal. The decision of the Hearing Officer may be appealed to Superior Court.

5. Severability

Should any provision of this Article be declared invalid for any reason, such declaration shall not affect the validity of other provisions of this Chapter as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and that the remainder shall be valid.

6. Sunset Provision

This ordinance shall expire eighteen (18) months from its adoption, unless extended by action of the Board of Selectmen.

7. Notice of Adoption

Pursuant to Section 148 of Public Act 21-1 (June 2021 Special Session), the Town Manager shall report the land use changes made by this Ordinance, in writing to the Secretary of the Office of Policy and Management and to the Connecticut Department of Consumer Protection not later than fourteen (14) days after the adoption of this Ordinance.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Town Manager's Fiscal Year 2023/2024 Proposed Budget
2. **Date of Board Meeting:** February 27, 2023
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Melissa Appleby, Deputy Town Manager; Amy Meriwether, Finance Director *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**
This item is informational; no action is needed at this meeting.
5. **Summary of Submission:**
A presentation will be given at the February 27, 2023 meeting regarding the Town Manager's FY 23/24 proposed operating and capital budgets.

Budget workshops have been scheduled for Thursday, March 9th and Saturday, March 11th. By Charter the Board of Selectmen must forward a recommended budget to the Board of Finance no later than March 31st. The Board of Selectmen is scheduled to take up the matter of budget adoption on March 13th. If an additional meeting is needed for budget consideration, a regular meeting is scheduled for March 15th. The Board of Selectmen is scheduled to present its adopted budget to the Board of Finance on March 21st.

Hard copies of the budget book will be provided to Board of Selectmen and Board of Finance members. The budget book will be made available online at: [2023 - 2024 Budget Information | Simsbury CT \(simsbury-ct.gov\)](https://www.simsbury-ct.gov/budget). Throughout the FY 23/24 budget process, documentation will be updated and made available to the public at that website location.

I would like to thank and commend Amy Meriwether, Melissa Appleby, and the leadership team for their dedicated and hard work in assisting with budget development.

6. **Financial Impact:**
Details of the financial impact of the Town Manager's FY 23/24 proposed operating and capital budgets will be covered during the presentation and provided in the Citizen's Budget Guide.
7. **Description of Documents Included with Submission:**
 - a) Budget Presentation Slides



Town of Simsbury

FY 2023/2024 MANAGER'S PROPOSED BUDGET

FEBRUARY 27, 2023

Budget Objectives

1. Maintain current services and programs
2. Advance Board of Selectmen initiatives and priorities for the following areas:
 - Financial Management and Capital Planning
 - Health, Safety and Well-Being of our Community
 - Economic Development
 - Engaged, High Quality Workforce
3. Maintain and invest in existing assets and infrastructure
 - Utilize cash for ongoing and routine capital needs

Budget Objectives

4. Strengthen our long-term financial stability
 - Maintain or increase Fund Balance
 - Maintain our Health Insurance Fund reserve at or above twelve weeks of expected claims
 - Estimated at 21% at fiscal year-end 23/24
 - Maintain commitment to funding OPEB and pension liabilities

5. Review operating and capital needs that would be good candidates for use of ARPA dollars, keeping in spirit with the intended uses for pandemic recovery and BOS Policy

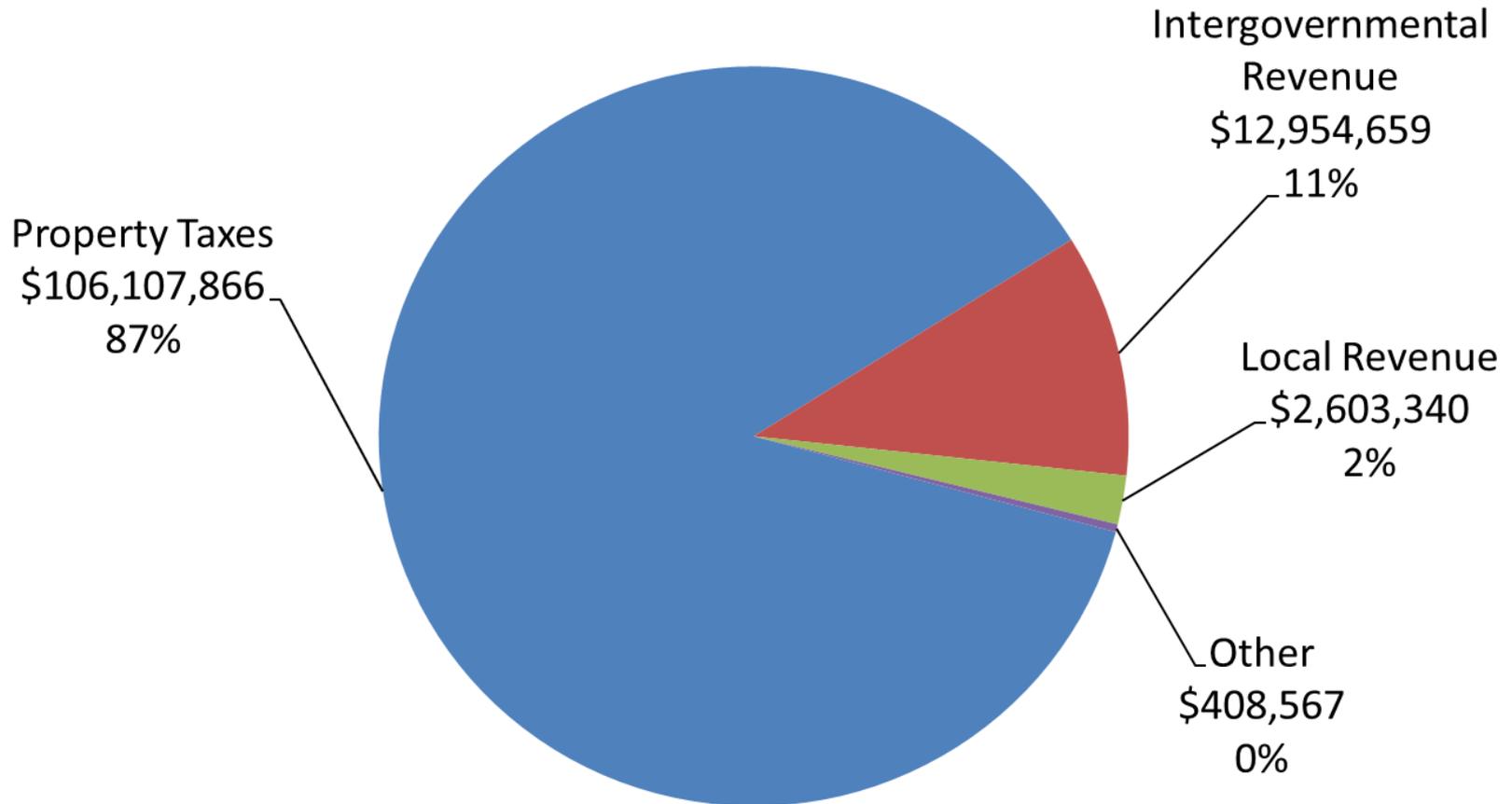
FY 23/24 Budget Overview – General Fund

<i>Town</i>	<i>\$27,197,456</i>
<i>BOE</i>	<i>\$81,780,980</i>
<i>Non-Public Schools</i>	<i>\$605,699</i>
<i>Debt Service</i>	<i>\$8,377,216</i>
<i>Capital and CNR Contribution</i>	<i>\$416,250</i>
<i>Inter-Fund Transfers & Contingency</i>	<i>\$3,696,831</i>
General Fund	\$122,074,432

FY 23/24 Budget Overview – Other Funds

Residential Rental Property Fund	\$47,122
Capital Fund (<i>Town and BOE</i>)	\$11,112,840
Capital & Nonrecurring Fund (<i>Town</i>)	\$2,803,681
Parks & Recreation Special Revenue Fund	\$2,880,577
Water Pollution Control	\$5,771,930
Health Insurance Fund	\$18,918,284

FY 23/24 General Fund Revenues: \$122,074,432



FY 23/24 Revenue Outlook – Grand List

- Grand List increased by 26.85% or \$719,464,885, generating approximately \$22.3M in new revenue
 - Real estate increased by 31.56% or \$710,124,540
 - Impact of revaluation, includes market adjustments
 - Revaluation required by law once every five years
 - Motor vehicle increased by 4.07% or \$11,136,360
 - Personal property decreased by -1.15% or -\$1,796,015

FY 23/24 Revenue Outlook – Grand List

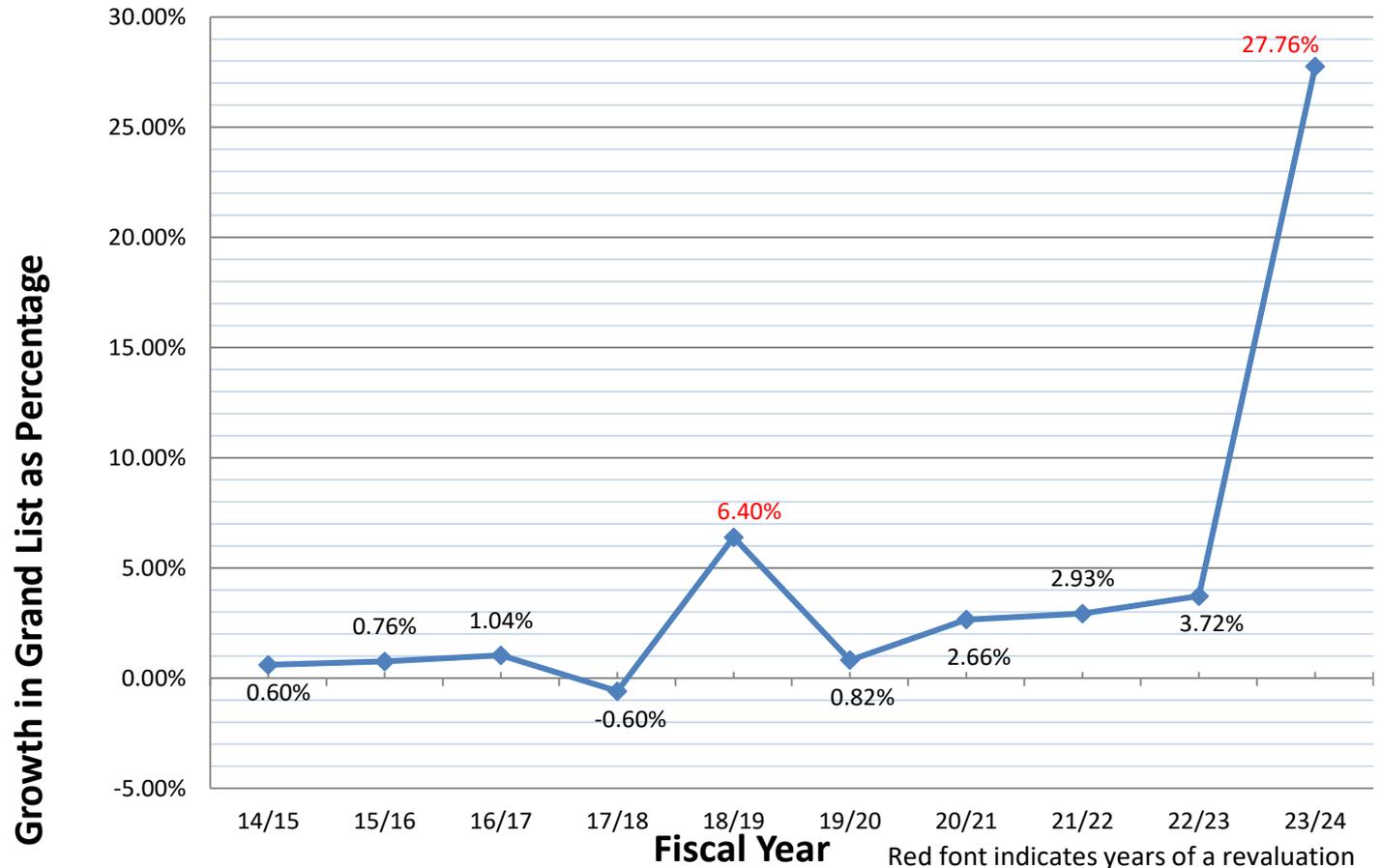
- Without revaluation, Grand List increased by 2.34% or \$62,662,769, generating approximately \$2.3M in new revenue
 - Real estate increased by 2.25% or \$50,614,093
- These numbers are preliminary and based on the most recent information available
 - Grand List to be finalized 2/28/23
 - Subject to change based upon the outcome of assessment appeals

FY 23/24 Revenue Outlook – Grand List

Percentage of Grand List Growth Since FY 2014/2015

10 Year Growth
w/o Reval:
Average: 1.49%
Median: 0.93%

10 Year Growth
with Reval:
Average: 4.61%
Median: 1.85%



Red font indicates years of a revaluation

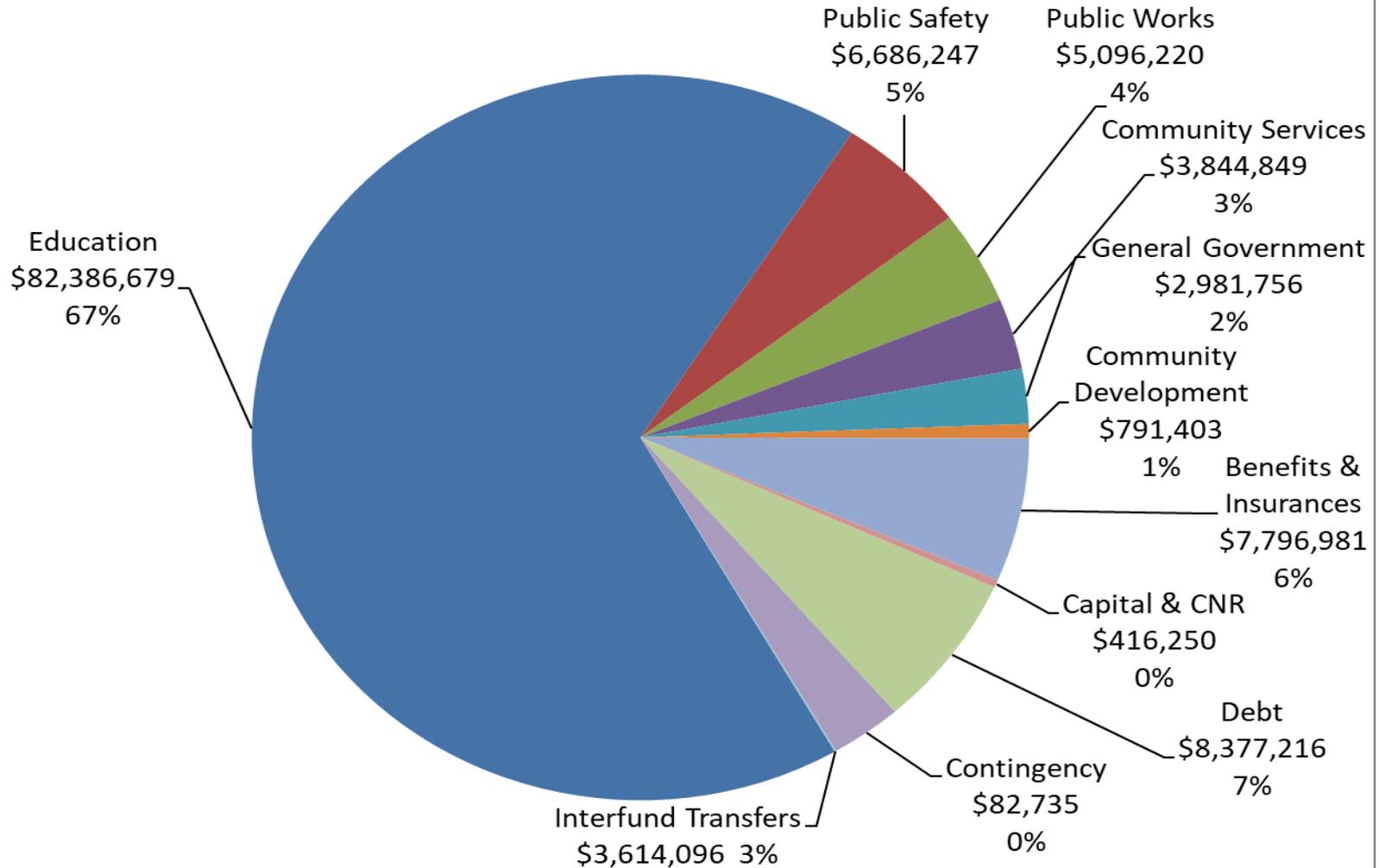
FY 23/24 Revenue Outlook

- Uses a tax collection rate of 98.5%
- 1 mill is approximately \$3M in revenue
- Town Clerk's Offices revenues have decreased slightly due to fewer homeowners refinancing mortgages due to interest rate increases
 - Conveyance Tax decreases by -\$150,000
 - Land Recording Fees decreases by -\$80,000
- Receipt of second (and final) round of ARPA funding, \$3,757,833

FY 23/24 Revenue Outlook

- Utilized Governor's proposed budget for state revenues
 - Most state revenues remain flat
 - ECS revenue increases by \$222,479, from \$7,000,416 (FY 22/23 Actual) to \$7,222,895 (FY23/24)
 - Motor vehicle tax reimbursement increases by \$373,907, from \$1,180,975 (FY 22/23 Actual) to \$1,554,882 (FY23/24)
 - Motor vehicle mill rate budgeted as the same mill rate as real estate and personal property

FY 23/24 General Fund Expenditures: \$122,074,432



FY 23/24 General Fund Expenditures

	FY 22/23	FY 23/24	\$ Increase/ Decrease	% Increase/ Decrease
Town	\$25,743,871	\$27,197,456	\$1,453,584	5.65%
BOE	\$76,479,437	\$81,780,980	\$5,301,543	6.93%
Non-Public Schools	\$551,383	\$605,699	\$54,316	9.85%
Debt Service	\$6,371,525	\$8,377,216	\$2,005,691	3.15%
Capital & CNR	\$2,024,825	\$416,250	\$(1,608,575)	(79.44)%
Transfers & Contingency	\$3,790,231	\$3,696,831	\$(93,400)	(2.46)%
Total	\$114,961,272	\$122,074,432	\$7,113,160	6.19%

FY 23/24 Expenditure Trends

- \$3,409,708 in ARPA funds appropriated as an operating transfer
- Debt Service - \$2,005,691 increase
- Salaries
 - Anticipated general wage and step increases -\$358,403
 - Budgeted in contingency and salary line items
- Minimum wage
 - Statutory increase results in a total increase of approximately \$32,904 across all departments
- Pension/OPEB - \$33,818 increase
 - Interest rate assumption remains unchanged at 6.5%
 - Town general government and BOE OPEB plans fully funded

FY 23/24 Expenditure Trends

- Market increases and inflation
 - Utilities - \$113,819 increase
 - Fuel (gas & diesel) - \$69,278 increase
 - Natural Gas, Propane, Heating Oil - \$19,894 increase
 - Electricity - \$12,242 increase
 - Water - \$12,405 increase
 - Fleet vehicles - \$67,962 increase
 - Building, cleaning, agriculture & parts supplies - \$38,612 increase
 - Capital project cost increases for labor and materials
 - Delays in receiving vehicles, equipment, and supplies
- \$25,000 contingency for early voting

FY 23/24 Service Improvements

- Prioritized service improvement requests for consideration
 - Deputy Building Official (additional days) - \$20,488
 - Teen Reference Materials - \$4,500
 - Library Book Bike (ARPA) - \$4,642
 - Mechanic Truck Driver (shared with BOE) - \$69,933
 - Recreation Program Coordinator (increase hours) – *no general fund impact*
 - Parks Maintainer- \$99,569
 - Simsbury Celebrates - \$3,300
 - DEI Council Juneteenth Event - \$2,000
- Inclusion of all noted service restorations and improvements would have an estimated tax impact of \$16/year on the median valued home and affect the mill rate by 0.06 mills

BOS Approved Uses of ARPA Funding

- Public health recovery
- Business recovery
- Non-profit recovery
- Student educational recovery and literacy efforts
- Mental health and well-being recovery
- Diversity, equity, and inclusion initiatives
- Capital projects that support air-quality and HVAC systems in town-owned facilities
- Capital projects and purchases that support town-owned outdoor infrastructure such as parks, playgrounds, trails, open spaces, and other outdoor amenities
- Other categories or items as may be determined by the Board at a later date

Town Manager Recommended Uses of Remaining ARPA Funding - \$3,757,833

Project Name/Description	Cost
Eno Memorial Hall HVAC	\$1,200,000
Library Book Vending Machine Equipment for Tariffville	\$75,400
House Rest Pond Bridge and Dam	\$505,500
Lake Basile Dam	\$130,000
Latimer Lane Outdoor Learning Spaces	\$345,800
Town Tourism Map	\$58,250
Library Literacy Summer Program (3 Years - Aggregate Cost Reflected)	\$12,905
Housing Authority Capital Request #2	\$100,000
TBD Business Programs	\$525,000
Fire District Generators	\$123,125
SVAA Radio System Loan Forgiveness	\$70,805
Health Insurance Reserve (if needed)	\$611,048
TOTAL	\$3,757,833

Capital/CNR
Operating
Outside Agencies
Reserves

Board of Selectmen Initiatives

- Financial Management and Capital Planning
 - Shared services with Board of Education
 - Continued implementation of financial management services
 - Proposed service improvement for shared fleet management services
 - Various capital and CNR projects
 - Financial fraud risk assessment, \$50,000 budgeted in CNR
 - Facilities Master Plan (i.e. elevators, Eno building infrastructure)
 - Parks and Open Space Master Plan (i.e. playgrounds, athletic field irrigation)
 - Expansion of trail network
 - Electric charging station grant, \$112,200 budgeted in CNR

Board of Selectmen Initiatives

- Health, Safety and Well-Being of our Community
 - Various capital and CNR projects
 - Police Department needs (i.e. vehicles, body cameras)
 - Cross walk safety improvements, \$46,680 budgeted in CNR
 - Metacom Drive safety improvements, \$46,000 budgeted in CNR
 - Station Street 2-way reconfiguration, \$200,000 budgeted in CNR

Board of Selectmen Initiatives

- Economic Development
 - Main Street Partnership
 - \$50,000, budgeted in existing economic development budget
 - Simsbury Chamber of Commerce
 - \$825, membership dues budgeted in Board of Selectmen budget
 - \$7,500, budgeted in Board of Selectmen budget
 - Business and Career Center (BCC)
 - \$72,767, Librarian budgeted in Library budget
 - Economic Development Commission
 - \$650, budgeted in boards & commissions budget

Board of Selectmen Initiatives

- Economic Development
 - Tourism Map Project (four year project)
 - \$58,250 (aggregate cost of all years), budgeted in CNR
 - Tariffville Area Plan (three year project)
 - \$50,000 budgeted in 23/24 CNR
 - \$50,000 budgeted in 24/25 CNR, \$50,000 budgeted in 25/26 CNR

Board of Selectmen Initiatives

- Engaged, High Quality Workforce
 - Continuing education for maintenance of certifications
 - Professional development and annual leadership retreat
 - Funds for larger group work and individual training
 - Tuition reimbursement
 - Executive coaching
 - Employee engagement survey, \$20,000 budgeted in CNR

Capital & Debt Service Budget Principles

- Utilize available cash for smaller value and routine capital needs that should not be bonded for
 - Creates less expense to the Town in the long run
 - Frees up debt service capacity in out years
 - Smooths impact of future debt service increases
- Continue to build our capital reserve with funds from capital project close-outs and year-end savings when available
 - Emergencies
 - Capital projects otherwise funded by bonding or due to lack of cash
 - Offsets to debt service
 - Unanticipated cost increases
 - Unanticipated grant opportunities that require local match
- Continue to quantify our baseline capital and CNR needs

FY 23/24 Capital Budget Revenues: \$11,112,840¹

Bonds	\$5,591,400	50.3%
Sewer Use Fund	\$2,325,000	20.9%
Federal or State Grants	\$1,196,000	10.8%
General Fund Operating Transfers	\$446,000	4.0%
ARPA	\$389,440	3.5%
Parks and Recreation Fund	\$300,000	2.7%
Project Savings	\$250,000	2.3%
Town Aid Road (TAR)	\$243,500	2.2%
LOCIP	\$156,500	1.4%
Donations	\$85,000	0.8%
Misc. Revenues (lease payments, trade-in)	\$72,150	0.6%
Capital Reserve	\$57,500	0.5%
¹ Includes education projects	TOTAL	\$11,112,840
		100%

FY 23/24 Capital Budget Expenditures: \$11,112,840¹

Public Works	\$7,737,840	69.6%
Sewer (WPCA)	\$2,325,000	20.9%
Education	\$750,000	6.8%
Culture, Parks and Recreation	\$300,000	2.7%
TOTAL	\$11,112,840¹	100%

¹Includes education projects

Capital Fund Projects (Town)

- Parks and Recreation
 - Golf course irrigation system - \$300,000
 - Previously approved capital project underway
 - Additional contribution due to inflation impact
 - Contribution funded with parks and recreation fund reserves generated by Golf Course revenue

Capital Fund Projects (Town)

- Public Works
 - Pavement of roads - \$1,700,000
 - Multi-use trail connections (Rt. 10 to Curtiss Park) - \$873,000
 - Sidewalk reconstruction - \$223,400
 - Bridge improvements (Firetown Rd and Barndoor Hills) - \$402,500
 - Bridge improvements (Climax Rd Bridge over Nod Brook) - \$372,000
 - Replace elevators - \$877,500
 - Eno building infrastructure (design) - \$389,440
 - Old Drake Hill Rd/Flower Bridge repairs - \$1,989,000
 - Meadowood barn restoration - \$650,000
 - Truck replacement and plow - \$261,000

Capital Fund Projects (Town)

- Sewer (WPCA)
 - Sewer replacement - \$1,075,000
 - Primary clarifier - \$1,000,000
 - Grit system upgrade - \$250,000

FY 23/24 CNR Fund Budget Revenues: \$2,803,681¹

Capital Reserve Fund	\$541,120	19.3%
General Fund - Traditional Payback	\$416,250	14.9%
Town Aid Road	\$367,000	13.1%
General Fund – Operating Transfer	\$275,715	9.8%
Federal or State Grants	\$249,760	8.9%
Sewer Use Fund	\$225,000	8.0%
Capital Reserve Fund – Private Duty	\$215,827	7.7%
Parks and Recreation Fund	\$154,000	5.5%
ARPA	\$133,650	4.8%
Golf Equipment Fund	\$105,000	3.7%
Belden Trust	\$40,000	1.4%
Gellert Estate Fund	\$40,000	1.4%
Project Savings	\$24,000	0.9%
Donation	\$16,359	0.6%
¹ Does not include education projects	TOTAL	\$2,803,681
		100%

CNR Fund Revenues

- Includes operating budget transfers (General Fund cash)
 - \$235,715 from Police budget for cruisers/vehicles
 - \$25,000 from Public Works budget for materials recycling
 - \$10,000 from Emergency Management budget for radio system repairs
 - \$5,000 from Public Works budget for Community Farm repairs
- Utilizes \$416,250 five-year payback method (General Fund cash)

CNR Fund Revenues

- Includes \$541,120 from the Capital Reserve Fund
 - Utilization of these funds would leave an estimated \$1,487,197 in the Capital Reserve for future capital needs
- Includes \$215,827 from the Capital Reserve/Private Duty Fund
 - Utilization of these funds would leave an estimated \$290,459 in the Capital Reserve/Private Duty Fund for future capital needs
- Includes \$154,000 from the Parks and Recreation Reserve
 - Utilization of these funds would leave an estimated \$485,417 in the Parks and Recreation Fund for future revenue shortfalls, capital needs, and emergencies

Note: Estimates are FY 23/24 year end

FY 23/24 CNR Fund Budget Expenditures: \$2,803,681¹

Public Works	\$1,066,380	38.0%
Culture, Parks and Recreation	\$520,359	18.6%
General Government	\$458,200	16.3%
Police	\$451,542	16.1%
Sewer (WPCA)	\$225,000	8.0%
Library	\$82,200	2.9%
TOTAL	\$2,803,681¹	100%

¹Does not include education projects

CNR Fund Projects (Town)

- Public Works - \$1,066,380
 - Station Street Reconfiguration- \$200,000
 - Multi-Use Chip Truck - \$200,000
 - Iron Horse Landscaping - \$150,000
 - Electric Vehicle Charging Stations - \$112,200
 - **Tractor Replacement (Facilities) - \$58,500**
 - Drainage - \$50,000
 - Cross Walk Safety Improvements - \$46,680
 - Metacom Drive Safety Improvements - \$46,000
 - GPS & Dash Cameras - \$45,000
 - Pick-up Truck (Highway) - \$45,000
 - **North End Sidewalk (Town contribution) - \$38,000**
 - Fixed Vehicle Lift - \$27,000
 - Material Recycling - \$25,000
 - **Personnel Lift - \$18,000**
 - Community Farm Maintenance/Repairs - \$5,000

Note: Blue font for CNR projects reflect payback method of funding

CNR Fund Projects (Town)

- Culture, Parks & Recreation - \$520,359
 - Irrigation Replacement (Little League Fields) - \$100,000
 - Simsbury Farms Pools Sundeck Replacement - \$60,000
 - Playscapes/Playground Refurbishments - \$35,000
 - Parks/Golf Maintenance Garage Security Gate - \$19,000
 - Pollinator Pathway Initiative (donation) - \$16,359
 - Park Entrance Signs Replacement - \$16,000
 - Ice Rink Rubber Matting Replacement - \$15,000
 - Cart Path Paving - \$114,000
 - Golf Course Mower Replacement - \$80,000
 - Cart Path Prep - \$20,000
 - Rebuild Tee #13 - \$20,000
 - Fairway Mower Cutting Reels - \$15,000
 - Greens Mower Reels - \$10,000

CNR Fund Projects (Town)

- General Government - \$458,200
 - Revaluation - \$68,600
 - Town Tourism Map - \$58,250
 - Tariffville Area Plan - \$50,000
 - Financial Fraud Risk Assessment - \$50,000
 - Charter Revision - \$45,000
 - Network Switches - \$42,000
 - Eno Hall Craft Room Renovation - \$40,000
 - Network Storage and Virtual Environment - \$35,000
 - Computer Replacements (staff) - \$30,240
 - Employee Satisfaction Survey - \$20,000
 - Radio System Maintenance/Repairs- \$10,000
 - Security Camera Infrastructure and Equipment - \$9,110

CNR Fund Projects (Town)

- Police - \$451,542
 - 3 replacement patrol cruisers - \$185,000
 - 2 administrative vehicles - \$101,430
 - Training Room Technology Replacement - \$10,000
 - Body worn cameras and car cameras - \$54,512
 - Taser Replacements - \$45,600
 - Launchers - \$30,000
 - Scheduling Software - \$18,000
 - Soft Body Armor/Vest Replacement - \$7,000
- Library - \$82,200
 - Library Material Vending - \$75,400
 - Computer replacements (public terminals) - \$6,800

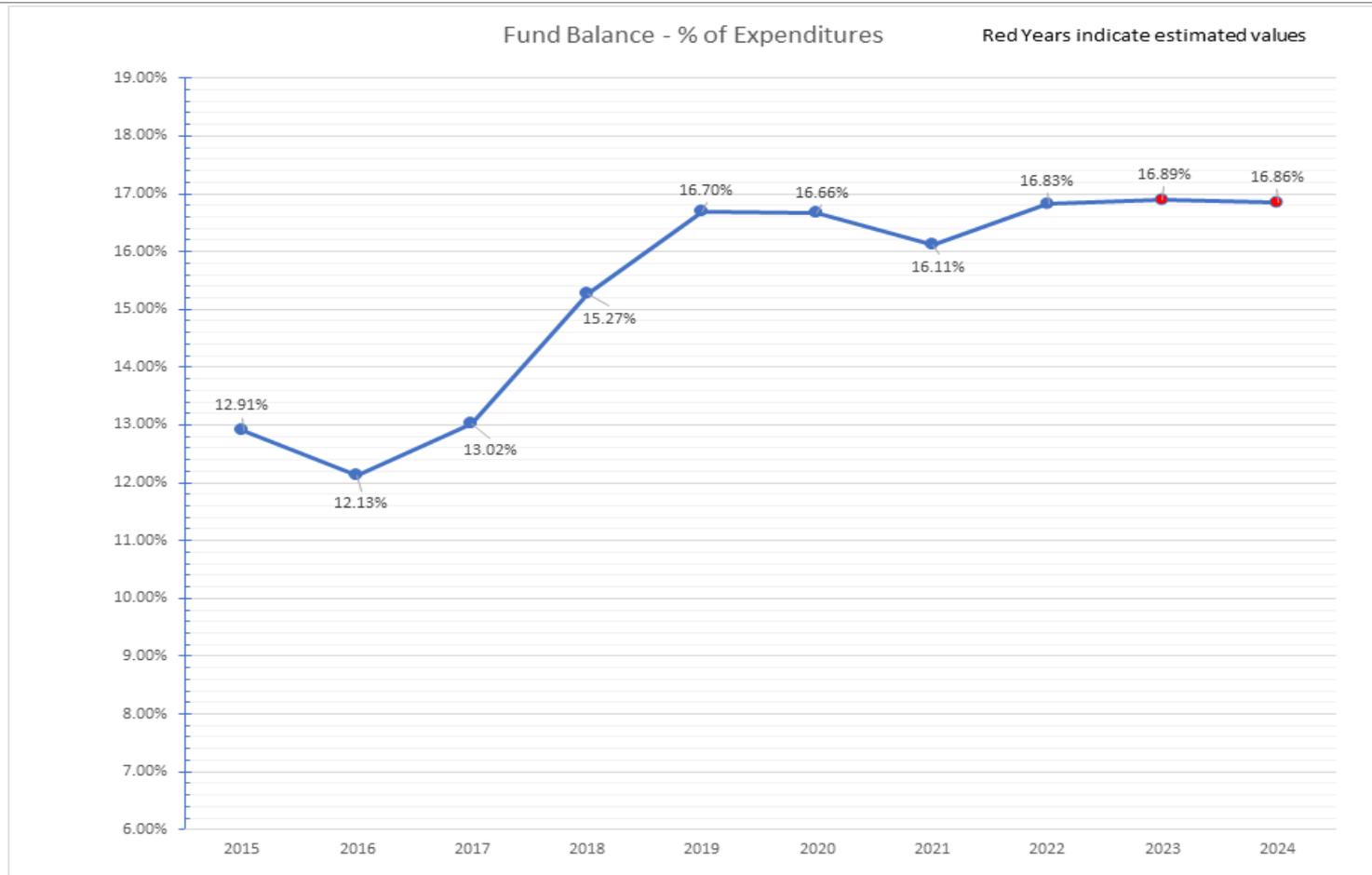
CNR Fund Projects (Town)

- Sewer - \$225,000
 - Vehicle (Truck Body) Replacement - \$15,000
 - Sewer Lining - \$100,000
 - HVAC controls replacement - \$50,000
 - Polymer Pumps - \$60,000

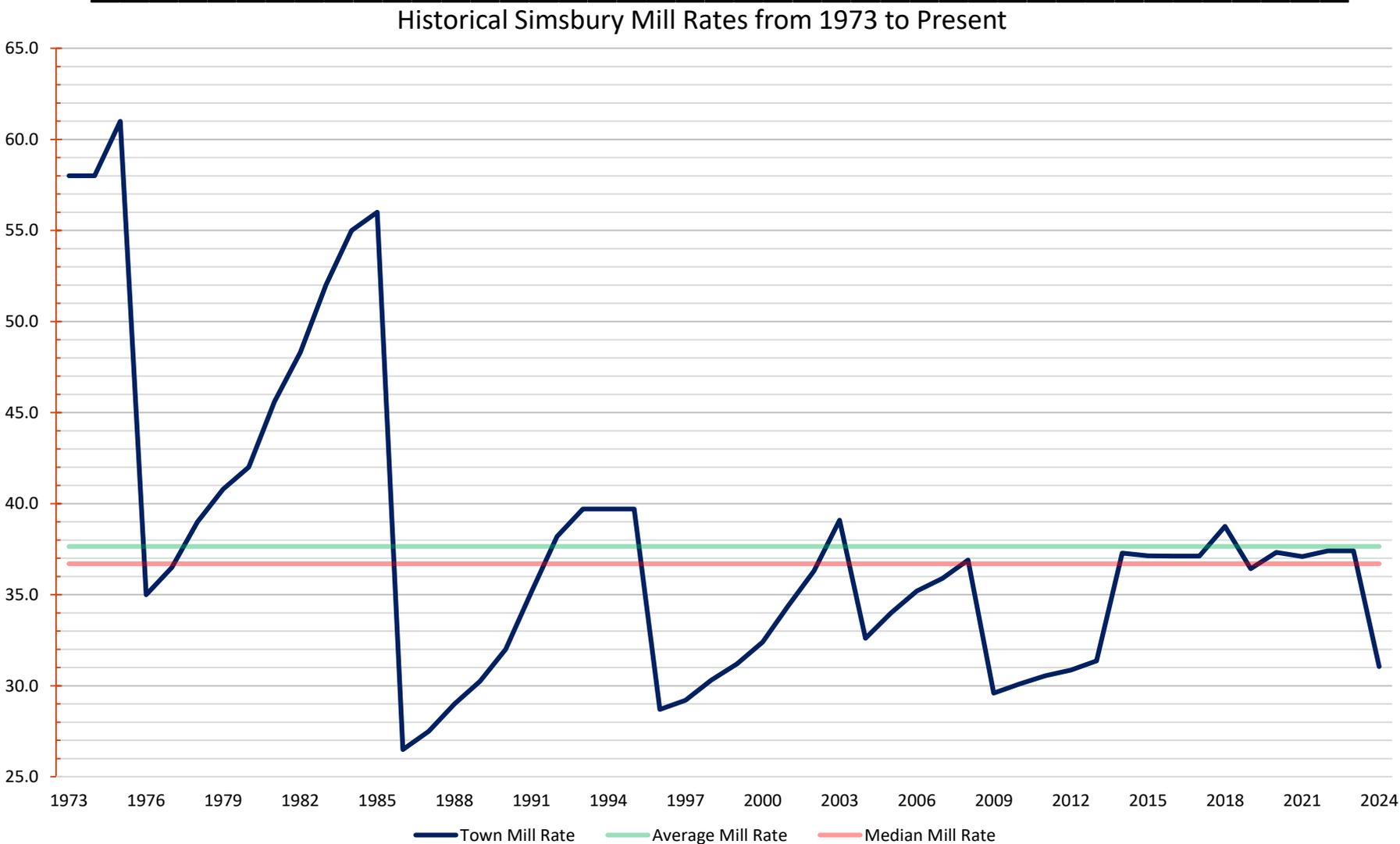
Fund Balance

- Projected Fund Balance contribution of \$966,897
 - Difference between budgeted tax collection rate of 98.5% and anticipated tax collection rate of 99.5%
- Projected Fund Balance
 - 22/23 year-end projected to be 16.89%
 - 23/24 year-end projected to be 16.86%
- Bond rating agencies are recommending Fund Balance be 15-17% of General Fund expenditures
- General Fund reserve should not be used for routine operating expenses or mill rate relief

Fund Balance - % of Expenditures



Historical Simsbury Mill Rates from 1973 to Present



Impact on Taxpayer

Sample Tax Impact

On a Median Valued Single Family Home

Based on Manager's proposed budget mill rate decreases from 37.41* mills to 31.05 mills

Current Valuation	\$391,500 ¹
Proposed Taxes (31.05 mills)	\$ 8,509
Current Taxes (37.41 mills)	<u>\$ 9,165</u>
Decrease	(\$656.00)
Percentage Change	- 17.00%

**mills does not include Fire District*

¹Median single family home price, 100% of assessed value is \$391,500. \$274,050 reflects 70% of assessed value.

Impact of Revaluation

Home Value Range from '21 G.L (% of median - \$274,050)	Count	Median Value Change on '22 G.L
\$164,000 or Less (< 60%)	132	33%
\$164,000 - \$219,000 (60%-80%)	923	30.5%
\$219,000 - \$246,000 (80%-90%)	687	30.8%
\$246,000 - \$302,000 (90%-110%)	1,614	27.4%
\$302,000 - \$329,000 (110%-120%)	889	27.3%
\$329,000 - \$384,000 (120%-140%)	1,219	27%
\$384,000 - \$444,000 (140%-162%)	552	26%
\$444,000 - \$745,000 (162%-272%)	848	28.7%
\$745,000 or More (> 272%)	106	40%

Where do the Tax Dollars Go?

Education	\$82,386,679	67.49%
Benefits & Insurances	\$7,796,981	6.39%
Debt Service	\$8,377,216	6.86%
Public Safety	\$6,686,247	5.48%
Public Works	\$5,096,220	4.23%
Community Services	\$3,844,849	3.15%
Interfund Transfers	\$3,614,096	2.96%
General Government	\$2,981,756	2.44%
Community Development	\$791,403	0.65%
Capital and CNR	\$416,250	0.34%
Contingency	\$82,735	0.07%
TOTAL	\$122,074,432	100%

Budget Summary

- Highlights
 - Funds current services and programs
 - Lower mill rate due to new growth and reval
 - Advances Board of Selectmen initiatives
 - Invests in existing infrastructure and assets, utilizing cash-for-capital to the extent possible
 - Maintains fund balance
 - Maintains capital reserve at healthy level
 - Recommends uses of ARPA funding in accordance with BOS Policy

Budget Summary

- Suggested policy topics for further discussion
 - Outside agency operating grant requests
 - SVAA request (NEW), \$150,000
 - Outside agency ARPA funding requests
 - \$300,000 in cash for school buses (MBOE Operating)
 - Use of cash to reduce bonding in FY 23/24, to reduce debt service impact in FY 25/26 when the second Latimer Lane renovation debt issuance takes effect
 - Service improvements

Budget Summary

- Suggested future areas of focus
 - Continue to monitor state budget/intergovernmental revenue
 - Evaluate our routine CNR needs, versus the traditional annual contribution of \$416,250
 - Gradually build up the Town's contribution to the Parks and Recreation Special Revenue Fund

Budget Workshops

- 3/9, 5:30pm–8pm; Revenues, IT, Town Clerk, Finance, Town Manager/Office/Health Insurance/LAP/WC, Planning, Social Services
- 3/11, 9am-4pm; Library, Engineering & Public Works, Parks and Recreation, Police, Capital, Service Improvements, Policy Considerations

Board members are encouraged to:

- ✓ Flag items for further discussion
- ✓ Ask questions
 - When possible, send questions to the Town Manager in advance of the workshop (helps to expedite responses)

Budget Dates

Town Manager budget presentation to Board of Selectmen	February 27, 2023
Board of Selectmen budget workshops	March 9 & 11, 2023
Board of Selectmen budget adoption	March 13 or 15, 2023
Board of Education budget presentation to Board of Finance	March 7, 2023
Board of Selectmen budget presentation to Board of Finance	March 21, 2023
Board of Finance public hearing on the budget	April 4, 2023
Board of Finance hearing continuation (if needed)	April 18, 2023
Anticipated budget referendum	May 2 or 16, 2023
<i>Dates and Times Subject to Revision</i>	



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:** February 27, 2023
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 February 27, 2023 to approve the presented tax refunds in the amount of \$2,326.42, 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 \$2,326.42. The attachment dated February 27, 2023 has a detailed listing of all requested tax refunds.
7. **Description of Documents Included with Submission:**
 - a) Requested Tax Refunds, dated February 27, 2023

REQUESTED TAX REFUNDS
FEBRUARY 27, 2023

	BILL NUMBER	TAX	INTEREST	TOTAL
List 2020				
VW Credit Leasing Ltd	20-03-69370	\$915.61		\$915.61
Total 2020		\$915.61	\$0.00	\$915.61
List 2021				
Alfeld, Chad S	21-01-00142	\$179.12		\$179.12
Yuryan, Joseph B Trustee	21-01-08832	\$471.45		\$471.45
Caselli Kevin M	21-03-52797	\$8.85		\$8.85
Delbone, Kimber N	21-03-54481	\$74.95		\$74.95
JP Morgan Chase Bank NA	21-03-59257	\$123.60		\$123.60
Sylvester Scott M	21-03-68233	\$24.28		\$24.28
VCFS Auto Leasing Co	21-03-69415	\$528.56		\$528.56
Total 2021		\$1,410.81	\$0.00	\$1,410.81
TOTAL 2020		\$915.61	\$0.00	\$915.61
TOTAL 2021		\$1,410.81	\$0.00	\$1,410.81
TOTAL ALL YEARS		\$2,326.42	\$0.00	\$2,326.42



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Donation from Keith and Carol McLean-Shinaman
2. **Date of Board Meeting:** February 27, 2023
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Kristen Formanek, Director of Community & Social Services *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports acceptance of the McLean-Shinaman donation, the following motion is in order:

Move, effective February 27, 2023, to accept a donation from Keith and Carol McLean-Shinaman in the amount of \$1,850 for the purpose of supporting Simsbury's food programs.
5. **Summary of Submission:**
Keith and Carol McLean-Shinaman of Tariffville would like to donate \$1,850 to the Community and Social Services Department's food programs.

The donation will be used to provide nutritional assistance to Simsbury residents in need; this is particularly helpful given the impact of high inflation and energy costs on local residents who are already experiencing hardship.

Chapter 100 of our Code of Ordinances, "Gift Policy," Section 100-2 "Monetary Donations" states that no donation of more than \$1,500 may be accepted without Board of Selectmen approval. If the donation is accepted I will direct staff to send a thank you letter to Keith and Carol McLean-Shinaman.
6. **Financial Impact:**
The \$1,850 donation from Keith and Carol McLean-Shinaman will be used to provide nutritional assistance to Simsbury residents in need. The funds would be deposited into a Social Services special revenue fund used for this purpose.
7. **Description of Documents Included with Submission:**
None



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Revisions to Personnel Rules and Regulations
2. **Date of Board Meeting:** February 27, 2023
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 Rules and Regulations, the following motion is in order:

Move, effective February 27, 2023, to approve the proposed revisions to the Personnel Rules and Regulations as presented.
5. **Summary of Submission:**
The Town Manager's Office has been working on a project with labor counsel to update the Personnel Rules and Regulations, which has not had a comprehensive update since 2009. The Personnel Rules and Regulations apply to our non-union staff. The rules also apply to our other employees for matters not covered by their respective collective bargaining agreements. Members of the leadership team also assisted in the review and update of the document. Revisions were presented to the Personnel Subcommittee at their January 12, 2023 meeting.

Pursuant to Section 902 of our Charter, Board of Selectmen approval is needed to officially update the Personnel Rules and Regulations:
"The Town Manager shall also cause to have prepared a set of personnel rules which shall provide, among other things, for the method of holding competitive examinations, probationary periods of employment, hours of work, vacations, sick leaves and other leaves of absence, removals and such other rules as may be necessary to provide an adequate and systematic procedure for the administration of the personnel affairs of the Town. Such rules and any amendments thereto shall become effective upon being approved by resolution of the Board of Selectmen and filed by the Town Manager with the Town Clerk."
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Proposed Revisions to Personnel Rules and Regulations

TOWN OF SIMSBURY



PERSONNEL RULES AND REGULATIONS

Adopted by the Board of Selectmen, _____, 2023

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DRAFT

Contract Disclaimer & At-Will Statement

Nothing in these Personnel Rules and Regulations is intended to grant permanent employment to anyone, either implicitly or explicitly. Similarly, nothing in these Rules and Regulations is intended to create, an express or implied contract of employment between the Town of Simsbury (hereinafter “Town” or “employer”) and any of its present or future employees. Any oral statements or representations that suggest otherwise are unauthorized and may not be relied upon by anyone. Unless a written contract, a collective bargaining agreement, or law provides otherwise, Town employees are employed on an “at-will” basis. This means that employment may be terminated at any time and for any lawful reason. Similarly, employees may leave their employment with the Town at any time and for any reason subject to the requirements for a as provided in these Rules and Regulations.

SECTION 1 GENERAL PROVISIONS

1.0 Authority to Revise

The Town reserves the right to modify, revoke, suspend, terminate or change any of these Rules and Regulations, at any time without notice.

1.1 Authorization for Rules Severability

These rules are provided for by Section 1002 of the Town of Simsbury Charter, as amended from time to time. If any section or portion of these Rules is in conflict with federal or state law or the Town Charter, such finding shall not affect the remainder of these Rules.

1.2 Administration

In accordance with SECTION 502 of the Town Charter, the Town Manager is designated the Personnel Director for the Town with the exception of Board of Education employees. The Town Manager may, delegate duties and responsibilities to a designee carrying out these Rules and Regulations. As such, the Town Manager shall be responsible for the proper administration of these Rules and Regulations.

The Board of Selectmen may from time to time establish, rescind or amend these Personnel Rules and Regulations.

1.3 Employees Subject to Collective Bargaining Agreements

For bargaining unit employees, the terms and conditions of their employment are governed by their respective collective bargaining agreement and these Rules and Regulations to the extent they are consistent with their Collective Bargaining Agreement.

1.4 Conflicts of Interest

The Town of Simsbury seeks to avoid conflicts of interest that create actual or potential job-related concerns. If there is any actual or potential conflict of interest between you and a person or an entity due to your employment with the Town, you must disclose it to your Department Head. If an actual or potential conflict of interest is determined to exist, the Town will take such steps as it deems necessary to reduce or eliminate this conflict.

Employees are obligated to disclose any financial interest, direct or indirect, in any contract, transaction or decision of any officer or agent of the Town or any board or commission to the Board of Selectmen in compliance with Section 1103 of the Charter of the Town of Simsbury and Chapter 13 of the Code of Ordinances, as amended from time to time.

Town Employees may not take any outside job if it competes or interferes in any way with the employee's position with the Town. In addition, employees may not use Town property or work time for any outside employment.

1.5 Political Activity

Employees are free to exercise their rights as citizens, to vote as they wish, and express their political opinions as permitted by state and federal law. However, no employee shall:

- a. Engage in political activity while on duty.
- b. Be required as a duty of office or condition of employment to contribute funds to or otherwise assist political or partisan purpose.
- c. Solicit or act as a custodian of funds for political or partisan purpose during work hours.
- d. Coerce or compel contributions of funds or other assistance for political or partisan purposes by any other town employee.
- e. Use any funds, supplies, materials or equipment of the Town for political or partisan purposes.
- f. Use official authority or influence to affect the results of a nomination or election for office, through public endorsement or otherwise.

SECTION 2 **STANDARDS OF CONDUCT**

2.1 Equal Employment Opportunity

It is the policy of the Town to provide equal employment opportunities to all applicants and employees regardless of race, color, religion, creed, sex, age, national origin, marital status, handicap, ancestry, sexual orientation, physical disability, mental disability or any other legally protected characteristics except in the case of a bona fide occupational quality or need, and to treat applicants and employees in a non-discriminatory fashion as required by law. This policy applies to all areas of employment, including recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation, and all other conditions and privileges of employment in accordance with applicable federal, state, and local laws.

2.2 Unlawful Harassment Is Prohibited

The Town of Simsbury strives to provide a workplace environment that is safe and free of all forms of unlawful discrimination or harassment.

“**Harassment**” is unwarranted and unwanted verbal or nonverbal conduct that threatens, intimidates, or unduly aggravates or insults another person based upon a legally 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.

“**Sexual harassment**” is a form of sex discrimination, and includes 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.

Examples of Harassment

While it is not possible to list all conduct 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 Other Forms 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 refers to 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.

Reporting Harassment

A. Victims of Harassment. If an employee is harassed, they should clearly and promptly tell the offender that they want them to stop the behavior. If the employee does not wish to address the offender directly or if they are not successful in ending the harassment, the employee should immediately report the harassment to any one of the following people:

- Employee's Supervisor, Manager, or Department Head; or
- Human Resources Coordinator; or
- Deputy Town Manager; or
- 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.

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.

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.

Report Disrespectful, Inappropriate Conduct

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

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 above.

Investigating Complaints

The Town's policy is to take 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.

False Reports

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

2.3 Standards of Conduct

The Town of Simsbury strives to create a work environment that promotes job satisfaction, civility, responsibility, integrity, and value for all employees. As such, everyone shares in the responsibility of improving the quality of the work environment.

While it is impossible to list everything that could be considered misconduct in the workplace, what is outlined here is a list of common-sense infractions that could result in discipline, up to and including immediate termination of employment. This policy is not intended to limit the Town's right to discipline or discharge employees for any reason permitted by law.

Examples of inappropriate conduct include:

- Violation of the policies and procedures set forth in these Rules & Regulations.
- Possessing, using, distributing, selling, or negotiating the sale of illegal drugs or other controlled substances.
- Being under the influence of alcohol or illegal drugs during working hours or on Town property (including in Town vehicles).
- Inaccurate reporting of the hours worked by you or any other employees.
- Intentionally providing inaccurate, incomplete, or misleading information when speaking on behalf of the Town or in the preparation of any employment-related documents including, but not limited to, job applications and personnel files.
- Taking or destroying Town property.
- Possession of potentially hazardous or dangerous property such as firearms, weapons, chemicals, etc. without prior authorization.
- Fighting with, or harassment of any fellow employee, vendor, or member of the public.
- Gossiping, spreading of misinformation, or disclosing sensitive information.
- Disclosure of confidential information.
- Refusal or failure to follow directions or to perform a requested or required job task.
- Refusal or failure to follow safety rules and procedures.
- Excessive tardiness or absences.
- Smoking in non-designated areas.
- Working unauthorized overtime.
- Inappropriate attire.
- Use of obscene or harassing language in the workplace.
- Outside employment that interferes with your ability to perform your job.
- Gambling on Town premises or during work time.
- Lending passcodes, keys, or keycards to Town property to unauthorized persons.
- Sleeping during work hours.
- Illegal activity on social media.
- Inappropriate use of Town time and property/resources.

2.4 Disability, Religious, & Pregnancy-Related Accommodation

The Town of Simsbury is committed to providing equal employment opportunities to qualified individuals with disabilities, and sincerely held religious beliefs, as well as employees who are pregnant. Consistent with this commitment, the Town will provide reasonable accommodation to otherwise qualified individuals where appropriate to enable the individual to perform the essential functions of the job, unless doing so would create an undue hardship on the business.

If an employee requires an accommodation because of a disability or their religious beliefs, or because the employee is pregnant, the employee must notify their Supervisor and provide relevant information such as:

- A description of the proposed accommodation.
- The reason you need an accommodation.
- How the accommodation will help them perform the essential functions of their job.

After receiving the request, the Town will engage in a dialogue with the employee to explore the employee's needs and explore potential reasonable accommodations that could enable the employee to perform their job. Where appropriate, additional information may be needed from the employee's medical provider to assess the request. All medical information received in connection with a request for accommodation will be treated as confidential.

Employees are encouraged to suggest specific reasonable accommodations that they believe would allow them to perform their job. However, the Town is not required to make the specific accommodation requested by an employee and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Town.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave under the Family and Medical Leave Act, and/or any other leave where permitted by law.

The Town will not tolerate any retaliation against staff for requesting an accommodation.

2.5 Workplace Threats and Violence Policy

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.

Town premises are a gun-free and weapon-free zone. Except for sworn law enforcement 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 pepper spray.

All Town personnel are responsible for notifying a supervisor or the Town Manager's office of any threats that they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, personnel should also report any behavior they have

witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a Town site, or is connected to Town employment. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior. Any supervisor who becomes aware of threatening behavior must immediately notify the Town Manager. Any employee who reports unlawful workplace threats or violence or cooperates in the investigation of a complaint will be protected from retaliatory action.

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

2.6 Accommodations for Nursing Mothers

The Town of Simsbury will provide nursing mothers reasonable unpaid break time to express milk for their infant child(ren) for up to one year following the child's birth. Employees will be provided with a private room or other location to express milk. The room will be clearly designated and either have a lock or a sign on the door to indicate when the room is in use. Expressed milk can be stored in Town refrigerators, or in a personal cooler. Expressed milk should be sufficiently marked or labeled to avoid confusion for other employees who may share the refrigerator.

The break time must, if possible, run concurrently with any break time already provided. Employees are encouraged to discuss the length and frequency of these breaks with their Supervisor.

SECTION 3 **RECORDS AND REPORTS**

3.0 Personnel Records

The Town Manager or his/her designee shall be responsible for maintaining employees' Personnel records. Employees may examine their own personnel records in accordance with the procedures established by the Town Manager or designee.

3.1 Personnel Reports

Department heads shall promptly submit data on proposed appointments, status changes, or separations pertaining to the classified service at such time, in such form, and with such supporting information as these Rules prescribe or as the Town Manager deems necessary.

SECTION 4 **RECRUITMENT**

4.1 Employment Administration

The Town Manager, with the assistance of the Department Heads, is responsible for the administration of all employment policies and procedures including, but not limited to, posting job openings, recruitment, advertising, interviewing (including oral exam panels), testing, screening, reference checking, referring qualified applicants, certifying candidates, orientation and induction, and Affirmative Action.

Nothing in this section shall diminish or alter the responsibility of the Police Commission for personnel matters within the Police Department as set forth in Section 707 of the Charter of the Town of Simsbury.

4.2 Announcements

For classified services, vacancies and promotional opportunities shall be posted on official bulletin boards or the virtual equivalent thereof, and may be posted at other relevant sites as appropriate.

Announcements shall specify the position's title, salary range, essential functions, minimum qualifications of and other information the Town Manager deems pertinent.

4.3 Veteran's Preference

All persons honorably discharged from active armed forces service, who have served in time of a war declared by the United States Congress, who take an examination for a position with the Town service, and who receive a passing grade, shall have five (5) points added to their examination grade if he/she is not eligible for disability compensation or pension from the United States through the Veterans' Administration, and shall have ten (10) points added to their examination grade if he/she is eligible for such disability compensation or pension. Names of veterans shall be placed on the list of eligible in the order of such augmented rating. Credits shall be based upon examinations with a possible rating of one hundred points. Applicable periods of war are determined in accordance with Connecticut General Statutes Sections 7-415 and 27-103.

4.4 Hiring/Promotion Selection Processes and Employment Lists

The Town Manager and/or his/her designee shall determine the qualifications and application requirements for all town positions. The Town Manager and/or his/her designee shall also determine the process that will be used to select candidates for initial hire and/or promotion. If a panel is used to evaluate candidates, the Town Manager and/or his/her designee shall determine who shall serve on the panel.

Where applicants participate in an examination or other graded/ranked evaluation, each applicant, shall be given notice of the final grade and/or ranking on the employment list, or failure to attain

a place on the list. While exceptions may be made under appropriate circumstances, corrections of test results or ratings will generally not invalidate certifications or appointments already made.

The Town Manager shall establish and maintain such lists for the various classes of positions in the competitive service as deemed necessary or desirable to meet the needs of the service. The names of eligible candidates shall be placed on promotional lists and eligible lists in the order of their grades.

Employment lists shall generally be maintained for 18 months for Police positions and for 12 months for other Town positions.

4.5 Employment of Relatives and Friends

The Town may choose not to employ friends or relatives in circumstances where an actual or potential conflict may arise that could compromise supervision, safety, confidentiality, security, and morale. It is your obligation to inform the Town of any such potential conflict so the Town can determine how best to respond to the particular situation.

SECTION 5 **APPOINTMENTS**

5.0 Appointments to the Classified Service

- A. Appointments to fill vacancies within the classified service are made in accordance with the Town Charter.
- B. New positions within the classified service shall be established in accordance with the Town Charter

5.1 Medical Examination Post-Offer, Pre-Employment Examinations

- A. A medical examination, including a drug test, showing ability to perform the essential functions of the position may be required as a condition of employment.
- B. A background check that may include motor vehicle record, credit status, criminal and financial histories, as well as verification of education and employment history and professional license is required in all cases as a condition of employment.

5.2 Introductory Period

For securing the most effective adjustment of a new employee to his/her position and for determining that an employee's work meets required standards, all appointments are for a introductory period, normally not to exceed one year. The department head may extend the introductory period with the approval of the Town Manager.

A. Evaluation of Performance

During the introductory period, the Town Manager or his/her designee shall evaluate the job performance of the employee and, where appropriate, complete a written evaluation. The extent and type of the evaluation shall be determined by the Town Manager.

B. Dismissal

During the introductory period, the Town Manager may terminate an employee. Such termination shall be based on the Town Manager's assessment of the needs of the Town and the employee's job performance.

5.3 Notification of Regular Appointment

Upon the successful completion of the introductory period, the Town Manager or his or her designee shall notify the employee in writing of regular appointment.

5.4 Emergency Appointments

For the purposes of this section, the term "Emergency" is defined as meaning an instance in which public business would be stopped or causes a serious loss or inconvenience to be brought upon the public if not addressed.

In an emergency, the Town Manager may authorize the appointment of any qualified person to a vacant position when the Town Manager believes the appointment is necessary to prevent stoppage of public business or loss or serious inconvenience to the public. Such appointment is valid for the duration of the emergency without regard to the rules affecting appointments.

SECTION 6
CLASSIFICATION

6.0 Classification Plan

The Town Manager is responsible for the preparation of a classification plan which shall become effective upon approval by resolution of the Board of Selectmen. The classification plan is a statement of the essential functions of each position in the classified service, of the minimum qualifications for appointment, and of the pay ranges for such positions. All positions in the classified services are grouped into pay grades. Written job descriptions shall be prepared for each position.

6.1 Position Classification

The classification plan as submitted by the Town Manager and approved by the Board of Selectmen reflects the Town's assessment of the essential functions of each position and the skills and experience necessary to perform the essential functions.

6.2 Reclassification

When the Town Manager determines that the duties of a position have changed materially so as to necessitate its reclassification, that position may be allocated to a more appropriate pay grade, whether newly created or currently existing, in the manner set forth above.

6.3 Classified Positions

All positions are classified regular full-time, regular part-time, part-time/seasonal and temporary, and are defined as follows:

(a) Regular Full-Time

A regular full-time employee is one employed for a minimum of 35/40 hours per week on a yearly basis and is entitled to all the employee benefits offered by the Town.

(b) Regular Part-Time

A regular part-time employee is one employed for a fixed number of hours, but less than 30/40 hours per week, on a yearly basis. Such employee may be paid on an hourly or pro-rated salaried basis, and may be eligible for some employee benefits offered by the Town.

(c) Part-Time/Seasonal

A part-time/seasonal employee is one employed in a position as needed. (Hours could vary from week to week or month to month). A seasonal employee is one employed for a period of not more than 120 calendar days in any calendar year in a position as needed.

(d) Temporary

A temporary employee is one employed in a position established for a specific period of time or for the duration of a specific project or group of assignments.

SECTION 7 **COMPENSATION**

7.0 Pay Plan

Each fiscal year, the Town Manager shall prepare and submit to the Board of Selectmen a pay plan for each grade in the classified service, showing the minimum and maximum rates of pay. In setting salary ranges, consideration may be given to the Town's financial conditions and policies, prevailing rates of pay for comparable work in the general labor market area, conditions of work, and suggestions of department heads.

7.1. Starting Salary Rates - Regular Full-Time Employees

A. Placement on Salary/Wage Schedule

The starting rate of pay offered for recruitment purposes is normally the minimum rate of the pay ranges. The Town Manager may approve initial compensation at a rate within approved pay range for the grade when the Town Manager determines that such action is appropriate.

B. Starting Rate on Return from Military Service

Any regular employee who takes leave to serve in the Armed Forces shall be reinstated in accordance with law.

7.2 Salary Rates - For Other Than Full-Time Employees

A. Regular Part-Time Employees

Such employees are paid on an hourly basis pursuant to the appropriate wage schedule.

B. Wage Schedule for Part-Time, Seasonal and Temporary Employees

Employees who work less than one-half the normal work week, or less than ten months per year, are paid the legally required state minimum wage rate. However, exceptions to this wage schedule may be based on the needs of the Town and made for employees with special skills, experience, or as the labor market requires, at the discretion of the Town Manager.

Specific wage schedules for part time, seasonal and temporary employees may be maintained and reviewed annually by Department Heads and recommended to the Town Manager.

C. Non-Exempt Employees and Compensatory Time

All non-exempt employees are paid on an hourly basis for the number of hours actually worked during the pay period, and are paid one and one-half times their regular rate of pay for any hours worked in excess of forty in a single work week. At the Town's discretion overtime may be paid in the form of compensatory time.

D. Exempt Employees

Exempt employees are paid an annual salary divided by the number of pay periods per year. Exempt employees are not paid overtime, but may have their salaries adjusted by the Town Manager if they assume additional responsibilities or may be paid a bonus if they perform duties significantly in excess of their normal duties.

7.3 Pay Adjustments

Rates of Pay shall be raised or lowered appropriately to reflect promotions or demotions respectively. A transfer to a position of the same pay range, however, will not result in a pay adjustment. The Town Manager may also adjust an employee's pay rate when the employee takes on additional responsibilities the employee performs work significantly in excess of the employee's normal work hours.

7.4 Deductions

The Town is required by law to make certain deductions from an employee's wages each pay period. These include income and unemployment taxes, Federal Insurance Contributions Act (FICA) contributions (Social Security and Medicare), and other deductions required under law or by court order for wage garnishments. The amount of an employee's tax deductions will depend on their earnings and the number of exemptions you list on your federal Form W-4 and applicable state withholding form. Employees may also authorize voluntary deductions from their paycheck, including contributions for insurance premiums, retirement plans, spending accounts, or other services. Deductions will be reflected in an employee's wage statement.

If an employee has any questions about their pay, they should speak with Human Resources.

7.5 Credit Union

Town may have a relationship with a credit union that employees may choose to join.

7.6 Direct Deposit

Employees' wages shall be paid by direct deposit into an account with an eligible full-service bank selected by the employee.

SECTION 8 **HOURS AND CONDITIONS OF EMPLOYMENT**

8.0 Attendance Policy

Employees are expected to be on the job, ready to work, when scheduled. Failing to report to work as scheduled may lead to disciplinary action, up to and including termination of employment.

All requests for time off must be approved in advance.

If an employee is going to arrive late or are not able to report to work, they must call their supervisor as soon as they know of the delay/absence, but no less than 1 hour before the start of their work-day. Calling out by passing a message through another employee is not acceptable.

8.1 Recording Time

The Town is required by law to keep accurate records of hours worked by employees. To ensure that the Town has complete and accurate time records and that employees are paid for all hours worked, employees who are required to record all working time shall use the Town's recording system.

Non-exempt employees must accurately record on a daily basis the time they begin and end their work, as well as the beginning and ending time for each meal period. The beginning and ending time of any partial day worked or a departure from work early for personal reasons should be recorded on the time record. The employee also shall enter all overtime hours worked.

All departments maintain attendance records for employees during each respective pay period and furnish reports of such attendance annually to the Town Manager.

Excessive or habitual lateness, absenteeism, or falsification of time records are considered serious infractions and will lead to discipline, up to and including dismissal.

Breaks for represented employees are set forth in the respective collective bargaining agreements. Time records for all employees shall indicate sick, personal, vacation or other paid leave time utilized.

Exempt employees may be asked to complete time sheets indicating the time the employee begins work and the time the employee discontinues work at the end of the day.

Notify the Department Head of any unrecorded or incorrectly recorded work hours or any missed meal or break periods.

Falsifying time entries is strictly prohibited. Falsifying time entries includes working "off the clock." If you falsify your own time records, or the time records of co-workers, or if you work off the clock, you will be subject to discipline up to and including termination. Immediately report to the Town Manager or Human Resources any employee, supervisor, or manager who falsifies your time entries or encourages or requires you to falsify your time entries or work off the clock.

8.2 Meal and Rest Periods

The Town strives to provide a safe and healthy work environment. Check with your Supervisor regarding procedures and schedules for meal breaks. Employees who work 7.5 hours or more in a shift, receive at least a 30-minute meal break. This break must be taken all at once. This meal break should be taken after the first 2 hours and before last 2 hours of your shift. Employees must clock out for meal breaks. All employees, regardless of whether or not they are entitled to a

meal break, may take one 5-minute personal break per shift. You are not required to clock out for this break.

Only one employee may take a break at a time. All employees must check with their Supervisor prior to taking their break.

8.3 Pay Period

The Town pays employees on a weekly basis. Pay days are currently every Friday. If a pay day falls on a holiday employees may be paid the day before.

8.4 Overtime

Overtime must be approved in advance by your Supervisor.

A. Hourly and Non-Exempt Employees

Hourly and Non-Exempt employees are compensated at overtime rates in accordance with applicable state and federal wage and hour laws. Represented employees should refer to their collective bargaining agreement for specific information regarding overtime pay or compensation. Unaffiliated hourly employees are eligible for overtime pay if they work more than 40 hours in a work week.

Unless otherwise required or exempted by law, overtime pay of one and one-half times your regular rate of pay is paid for any hours worked in excess of 40 hours in a workweek. Holidays, vacation days, and sick leave days do not count as time worked for computing overtime.

B. Exempt Employees

It is expected that exempt employees shall normally work a minimum of forty (40) hours per week and are required to work as many hours as necessary to satisfactorily perform their job duties without regard to hours per day, week or month. Since attendance at meetings of Town agencies shall be considered part of the duties of the position and not eligible for compensation, it is expected that such employees will schedule their own work in such manner as to effectively and efficiently complete assignments in a timely manner.

C. Compensatory Time

Compensatory time may be given to hourly and non-exempt employees in lieu of overtime pay with the prior written approval of the Town Manager or his/her designee. All requests for compensatory time in lieu of overtime pay must be made in writing by the employee requesting such time to the Town Manager. Employees meeting these requirements will be provided with one and one-half hours of compensatory time for every one hour worked in excess of forty hours in a single work week.

Exempt employees are required to work as many hours as necessary to satisfactorily perform their job duties and therefore are generally not entitled to compensatory time. However, in

extraordinary situations exempt employees may be granted compensatory time in the sole discretion of the Town Manager.

8.5 Outside Employment

Full-time employees are not allowed to be employed by any entity that may pose a conflict with their employment with the Town unless written approval is received from the Town Manager. The Town Manager shall determine whether the proposed outside employment will interfere with the employee's duties to the Town, and whether to grant or deny approval. Any employee who receives approval must not allow their job performance to their town position to decrease. Once granted, approval may be revoked at any time by the Town Manager.

8.6 Town Supplies and Equipment

Town employees will not use Town supplies or equipment except for authorized Town purposes. No Town supplies or equipment may be removed from Town property without authorization.

8.7 Computer Security and Copying of Software

Software programs purchased and provided by the Town are to be used only for creating, researching, and processing materials for the Town's use. By using Town hardware, software, and networking systems you assume personal responsibility for their use and agree to comply with this policy and other applicable Town's policies, as well as city, state, and federal laws and regulations.

All software acquired for or on behalf of the Town, or developed by staff or contract personnel on behalf of the Town, is and will be deemed Town property. It is the policy of the Town to respect all computer software rights and to adhere to the terms of all software licenses to which the Town is a party.

Employees may not illegally duplicate any licensed software or related documentation. Unauthorized duplication of software may subject the employee and/or the Town to both civil and criminal penalties under the United States Copyright Act.

Employees may not duplicate, copy, or give software to any outsiders including clients, contractors, customers, and others. Employees may use software on local area networks or on multiple machines only in accordance with applicable license agreements entered into by the Town.

Town computers and electronic equipment are only to be used for conducting Town business, and are not to be used for personal use. Personal use includes, but is not limited to, checking or posting to Facebook (or other social media platforms), checking or sending emails, online searches, and personal internet transactions.

8.8 Driver's License/Driving Record/Insurance

All employees who are required to operate a motor vehicle as part of their employment duties must maintain (1) a valid driver's license, (2) acceptable driving record, and (3) appropriate insurance coverage as required by law. The Town may run a motor vehicle department check to determine your driving record. It is the employee's responsibility to provide a copy of their current driver's license and insurance coverage if requested. **Any changes in the employee's driving record, including, but not limited to, driving infractions or changes to their insurance status, must be reported to the Town promptly.**

If an employee uses a motor vehicle in the course and scope of employment, they may not operate such vehicle while:

1. Under the influence of drugs, alcohol, or any other substance that might impair their judgment or ability to drive; or
2. Texting, emailing, or otherwise illegally using a cell phone.

Employees are personally responsible for any traffic/driving citations or tickets they receive for their driving. They are also personally responsible for any damage caused to their car.

8.9 Use of Town Vehicles

See Town's Vehicle Policy.

8.10 GPS Monitoring of Employer Vehicles

The Town may use GPS technology to monitor the whereabouts of our vehicles at all times.

Questions concerning vehicle monitoring should be directed to the Department Head. Questions concerning the proper use of any vehicles should be directed to your Supervisor.

Any employee who abuses the privilege of driving Town's vehicles will be subject to corrective action, up to and including termination of employment. If necessary, the Town will also advise law enforcement officials of any illegal conduct.

8.11 Off-Duty Use of Employer Property or Premises

You may not use the Town's property for personal use during working time. You are responsible for returning Town property in good condition and repairing or replacing any property damaged as the result of personal use or as the result of negligence. This includes use of copy machines, computers, electronic equipment, Town products, or office supplies for personal use without prior authorization.

Hourly employees may not access Town facilities or Town Property when the facility/property is closed to the public and the employee is not scheduled to work. Salaried employees may be allowed access to town-facilities to work when the building is closed to the public.

8.12 Personal Appearance

Your personal appearance reflects on the reputation, integrity, and public image of the Town. All Employees are required to report to work neatly groomed and dressed, and are expected to maintain personal hygiene habits that are generally accepted in the community, including clean clothing, good grooming and personal hygiene, and appropriate attire for the workplace and the work being performed. This may include wearing uniforms or protective safety clothing and equipment, depending upon the job. Jeans, dress pants, chinos, or other appropriate work pants may be acceptable so long as they are clean and have no holes, rips, or tears. Shorts or athletic/leisure attire are not acceptable. Casual sandals and flip-flops are not permitted. What is and is not deemed acceptable attire is at the sole discretion of the Town.

Fragrant products, including but not limited to perfumes, colognes, and scented body lotions or hair products, should be used in moderation out of concern for others with sensitivities or allergies.

The Town, in accordance with applicable law, will reasonably accommodate staff with disabilities or religious beliefs that make it difficult for them to comply fully with the personal appearance policy unless doing so would impose an undue hardship on the Town. Contact your Supervisor to request a reasonable accommodation. Failure to comply with the personal appearance standards may result in being sent home, off the clock, to groom or change clothes.

8.13 Personal Cell Phone/Mobile Device Use

While employees may bring personal cell phones and other mobile devices (i.e. smart phones, PDAs, tablets, laptops) into the workplace, they may not allow the use of such devices to interfere with their job duties or impact workplace safety and health.

Use of personal cell phones and mobile devices at work cannot be used if distracting, disruptive or causing a loss of productivity.

You are expected to comply with Town policies regarding the protection of confidential and proprietary information when using personal devices.

You may connect your personal device to the Town guest WiFi network. Use of the Town network should be limited to nonworking time. The Town reserves the right to restrict access to its network as it sees fit. Access to the Town's network by non-employees is strictly prohibited.

Nothing in this policy is intended to prevent employees from engaging in legally protected concerted activity.

8.14 Personal Data Changes

Employees are expected to provide the Town with their current contact information, including current mailing address and telephone number, as well as any changes to your marital or tax

withholding status. Failure to do so may result in loss of benefits or delayed receipt of W-2 and other mailings. To make changes to this information, contact your Supervisor/Administrator.

8.15 Security

All employees are responsible for helping to make the work environment a secure work environment. Upon leaving work, lock all offices, desks, lockers, and doors protecting valuable or sensitive material in your work area and report any lost or stolen keys, passes, or similar devices to your Supervisor immediately. Refrain from discussing specifics regarding Town security systems, alarms, passwords, building code, etc. with those outside of the Town or with staff who have not explicitly been cleared for such information.

Immediately advise your Supervisor of any known or potential security risks and/or suspicious conduct.

8.16 Social Media Policy

The Town recognizes that the Internet provides unique opportunities to participate in interactive discussions and share information using a wide variety of social media. However, use of social media also presents certain risks and carries with it certain responsibilities. To minimize risks to the Town, employees are expected to follow our guidelines for appropriate use of social media.

This policy applies to all employees who work for the Town.

For purposes of this policy, *social media* includes all means of communicating or posting information or content of any sort on the Internet, including to an employee's or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether associated or affiliated with the Town or not, as well as any other form of electronic communication.

Town principles, guidelines, and policies apply to online activities just as they apply to other areas of work. Ultimately, employees are solely responsible for what they communicate in social media, and may be personally responsible for any litigation that arises from their comments. Postings that include unlawful discriminatory remarks, harassment, and threats of violence or other unlawful conduct will not be tolerated and may subject an employee to disciplinary action up to and including termination.

Be Respectful

The Town cannot mandate respectful and courteous activity by employees on social media during non-working time. If you decide to use social media, please avoid posting statements, photographs, video, or audio that reasonably could be viewed as unlawful, slanderous, threatening, or that might constitute unlawful harassment. Examples of such conduct might include defamatory or slanderous posts meant to harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, age, national origin, religion, veteran status, or any other status or class protected by law or Town policy.

Maintain Accuracy and Confidentiality

When posting information:

- Maintain the confidentiality of trade secrets, intellectual property, and confidential commercially sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, trademarks, etc.) related to the Town.
- Do not create a link from your personal blog, website, or other social networking site to a Town website that identifies you as speaking on behalf of the Town.
- Never represent yourself as a spokesperson for the Town. If the Town is a subject of the content you are creating, do not represent yourself as speaking on behalf of the Town. Make it clear in your social media activity that you are speaking on your own behalf.
- Respect copyright, trademark, third-party rights, and similar laws and use such protected information in compliance with applicable legal standards.

Using Social Media at Work

Do not use social media while on your work time, unless it is work related as authorized by your manager or consistent with policies that cover equipment owned by the Town.

Media Contacts

If you are not authorized to speak on behalf of the Town, do not speak to the media on behalf of the Town. Direct all media inquiries for official Town responses to the Town Manager.

Retaliation Prohibited

Retaliation or any other negative action is prohibited against anyone who, based on a reasonable belief, reports a possible deviation from this policy or cooperates in an investigation. Those who retaliate against others for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Nothing in this policy is designed to interfere with, restrain, or prevent employees from communications regarding wages, hours, or other terms and conditions of employment, or to restrain employees in exercising any other right protected by law. All employees have the right to engage in or refrain from such activities.

8.17 Telephone Use

Town phones are principally for work-related communications. Unless there is an emergency, telephone calls are to be limited to business purposes. Limit personal use of Town telephones to brief communications during rest periods where possible. Casual conversation with friends and relatives during working hours is not permitted. Telephone use is subject to the Voicemail/Email/Internet Usage Policy.

8.18 Voicemail, Email & Internet Policy

The Town's computer and telephone system, as well as all data transmitted or received through those systems, is the exclusive property of the Town. You should not have any expectation of privacy in any communication over this system. If you are permitted to have access to the system, you will be given a voicemail, email, and/or Internet address and/or access code and will have use of the system consistent with this policy.

The Town reserves the right to monitor, intercept, and/or review all data transmitted, received, or downloaded over the system. Any individual who is given access to the system is hereby given notice that the Town will exercise this right periodically, without prior notice and without the prior consent.

The interests of the Town in monitoring and intercepting data include, but are not limited to: protection of Town trade secrets, proprietary, and similar confidential commercially-sensitive information (i.e., financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, trademarks, etc.); managing the use of the computer system; and/or assisting staff in the management of electronic data during periods of absence.

You should not interpret the use of password protection as creating a right or expectation of privacy. To protect everyone involved, no one can have a right or expectation of privacy regarding the receipt, transmission, or storage of data on the Town voicemail/email/Internet system.

Any staff who violates this policy will be subject to corrective action, up to and including termination of employment. If necessary, the Town will also advise law enforcement officials of any illegal conduct.

8.19 Electronic Monitoring

Pursuant to the requirements of Connecticut Public Act 98-142, **An Act Requiring Notice to Employees of Electronic Monitoring by Employers**, employees should recognize that their work activities and communications may be subject to electronic monitoring.

“Electronic monitoring” is defined by the Act as “the collection of information on an employer’s premises concerning employees’ activities or communications by any means other than direct observation, including the use of a computer, telephone, wire, radio, camera, electromagnetic, photo-electronic or photo-optical systems, but not including the collection of information for security purposes in common areas of the employer’s premises which are held out for use by the public, or which is prohibited under state or federal law.”

Employees may be subject to electronic monitoring or recording (including sound, voice or video devices) while in Town-facilities and other locations where the Town business is conducted, except that employees will not be subject to any such monitoring or recording in areas designed for the health or personal comfort of the employees, such as rest rooms, locker rooms or lounges.

Employees should understand that their activities involving Town computer equipment and computer and/or electronic documents, data and communications, including e-mail and internet usage, are subject to being monitored, recorded and reviewed. Employees should be aware that the fact that a document, data or communication has been “deleted” by the employee does not mean that the item cannot be monitored or retrieved and reviewed.

8.20 Workplace Privacy and Right to Inspect

Town property, including but not limited to lockers, phones, computers, tablets, desks, work place areas, vehicles, or machinery, remains under the control of the Town and is subject to inspection at any time, without notice to any staff, and without their presence.

You should have no expectation of privacy in any of these areas. The Town assumes no responsibility for the loss of, or damage to, your property maintained on Town premises including that kept in lockers and desks.

8.21 Access to Personnel and Medical Records Files

The Town maintains separate medical records files and personnel files for all staff. Files containing medical records are stored separate and apart from any business-related records in a safe, locked, inaccessible location. The medical file is the repository for sensitive and confidential information related to an individual's health, health benefits, health-related leave and/or accommodations, and benefits selections and coverage. Medical records are kept confidential in compliance with applicable laws and access is on a "need-to-know" basis only.

Supervisors and others in management may have access to your personnel file for possible employment-related decisions. If you wish to review or receive a copy of your personnel or medical records file, you must give the Town reasonable notice. Inspection must occur in the presence of a Town representative.

All requests by an outside party for information contained in your personnel file will be directed to the Town Manager's office, who is solely authorized to give out such information.

8.22 Nonsmoking Policy

The Town is concerned about the effect that smoking and secondhand smoke inhalation can have on its staff and members of the public. Smoking (including vaping) anywhere inside the building or Town vehicles is prohibited and is only permitted in designated outside areas during authorized breaks.

8.23 Drug and Alcohol Policy

See Town's Drug and Alcohol-Free Workplace Policy.

The Town considers drug and alcohol abuse a serious matter that will not be tolerated. The Town prohibits employees from using, selling, possessing an open container of, or being under the influence of illegal drugs, alcohol, or a controlled substance or prescription drug not medically authorized while at their job, on Town property, or while on work time.

Therefore, it is Town policy that:

1. Employees may not report to work under the influence of alcohol, illegal drugs, or any controlled substance or prescription drug not medically authorized.
2. Employees may not possess an open container of or use alcohol, illegal drugs, or any controlled substance or prescription drug not medically authorized while on Town property or on Town business.

Employees must also use caution when taking prescribed or over-the-counter medication, that can affect their ability to perform their job safely, or the use of prescribed or over-the-counter medication in a manner violating the recommended dosage or instructions from the doctor. Employees must have a valid prescription for any prescription medication used while working for the Town. Inform their Supervisor prior to working under the influence of a prescribed or over-the-counter medication that may affect your ability to perform your job safely. The Town may, if required and permitted by applicable law, consider the medical use of marijuana as a prescribed medication under this policy. If the Town determines that the prescribed or over-the-counter medication does not pose a safety risk, employees will be allowed to work. Failure to comply with these guidelines concerning prescription or over-the-counter medication may result in disciplinary action, up to and including termination of employment.

A violation of this policy will result in disciplinary action, up to and including termination of employment.

8.24 Business Closure and Emergencies

The Town recognizes that inclement weather and other emergencies may affect employees' ability to get to work.

When the Town has a delayed opening, early closure, or total facility closure due to inclement weather, the Town shall inform employees of such through various electronic means of communication, such as: (1) Facebook; (2) Twitter; (3) the Town website; (4) the Town's email subscription service; and (5) WFSB and NBC 30. Additionally, when a delay or closure occurs on short notice, the Town may utilize the Everbridge system to notify staff members by phone.

Notified of Closure Prior to Reporting to Work

If you are nonexempt and are notified of a closure prior to reporting to work, you will not be paid during the closure, unless otherwise required by law. If you are an exempt employee, you will be paid your normal salary for the week and are expected to work remotely if possible.

Extending Leave

When the Town’s closure ends, you are expected to report to work. Contact your Manager/Supervisor if you cannot return to work at the end of the closure.

If You Cannot Get to Work

Unique circumstances may affect your ability to come to work even when the Town is able to remain open. The Town recognizes that in a severe national or regional disaster, all methods of communication may be unavailable; however, you should continue to try and contact your Supervisor, by any method possible.

Once the inclement weather has passed or the emergency has ended, employees are expected to make all reasonable efforts to safely arrive at work at the designated time to work as scheduled. Leave yourself extra time and plan ahead. Time missed under circumstances where the Town remains open and you are unable to report to work is to be used as paid time off or is unpaid.

8.25 General Safety Policy

It is the responsibility of all staff to maintain a healthy and safe work environment. Report any safety hazards and occupational illnesses or injuries to your Supervisor as soon as reasonably. Failure to follow the Town health and safety rules may result in disciplinary action, up to and including termination of employment.

SECTION 9
EMPLOYEE BENEFITS

9.00 Eligibility

Eligibility for employee benefits shall be governed by the respective plan documents.

9.1 Vacations

A. Vacation Schedule for Full-Time Employees

Vacation earned in one fiscal year shall be used by the end of the next fiscal year. Employees shall earn paid vacation time for each completed month of service based upon the following schedule:

Total Service	Vacation Allowance
Hire Date	3 Weeks
5 Years	4 Weeks
15 Years	5 Weeks

For unaffiliated employees, “service” time includes time accumulated in the same or similar positions with other employers, when previous experience is a prerequisite for employment. The amount of such additional “service” time shall be subject to approval by the Town Manager.

B. Vacation Schedule for Regular Part-Time Employees

SERVICE as of July 1st	VACATION ENTITLEMENT BASED ON AVERAGE NUMBER OF HOURS WORKED IN A 52 WEEK PERIOD
Less than 6 full years	.83 days per month
6 full years and less than 15 full years	1.25 days per month
15+ full years	1.66 days per month

Vacation for eligible part-time employees shall be prorated based upon the number of hours worked weekly compared to the regular work week. Eligible part-time employees shall receive vacation pay based upon one fifth (1/5) of their straight time weekly pay. For example, an employee regularly scheduled to work seventeen and one-half (17½) hours per week, earns .83 of a 3½ hour day or 2.9 hours of vacation time a month.

C. Carry Over of Vacation

Eligible employees may accumulate from year to year a maximum of ten (10) earned vacation days in addition to his/her annual earned vacation leave as defined in the tables in Section 1. Any employee with a balance of vacation leave in excess of the maximum accrual amount on November 1st of each year shall forfeit said excess accrual amount. Employees seeking to make a vacation carryover request must do so in writing, have the request signed by their department head, and then forward the request to the Town Manager’s Office no later than October 15th for review and consideration. Vacation carryovers will only be granted for extenuating circumstances that prevented an employee from being able to use their leave during the past year.

Should an employee leave service for any reason, including but not limited to retirement or resignation, they will not be paid out for any balance of vacation leave in excess of their maximum accrual amount on November 1st of each year and will forfeit said excess accrual amount. Any approved excess carry forward amounts should be used no later than January 31st of the following year (3 months) or they will be forfeited.

D. Vacation Pay at Termination

For regular full-time employees, pay for accrued vacation time is provided upon separation if the employee leaves in good standing and provides the required notice. An employee is paid for vacation time earned the previous fiscal year and not used in the present fiscal year.—Accrued vacation time shall consist of no more than the total of: (a) vacation entitlement for the current fiscal year less the amount of that entitlement actually taken as vacation; (b) vacation time earned the previous year and not yet taken, plus; (c) any carry-over vacation granted under Section 9.10 (C) and not yet taken.

Except for extenuating circumstances, Department Heads/Division Heads shall provide at least 4 weeks' notice of a resignation; Supervisors shall provide at least 3 weeks' notice of a resignation; and all other employees shall provide at least 2 weeks' notice of a resignation.

E. Payment of Salary in Lieu of Vacation

Active employees may not trade in vacation day(s) for compensation.

F. Break in Service

Vacation time is determined by the length of continuous service. For purposes of computing vacation time, employees who leave the Town service for one (1) year or more, other than layoff, and are later restored are considered as new employees.

G. Advanced Vacation

No employee may take vacation time beyond the amount earned except in the most unusual of circumstances. Requests for advanced vacation must be submitted by the department head to the Town Manager, in writing, subject to approval by the Town Manager. In the case of the Town Manager, approval must be granted by the Board of Selectmen.

H. Advanced Vacation Pay

In order for employees to receive vacation pay in advance, the Personnel Action Form reporting vacations to be taken must be received in the Finance Department at least one week before the day of last payroll distribution before the start of vacation to allow for the drawing of the check.

I. Holiday Celebrated During Vacation

Observed holidays established by these Rules are not considered in the computation of vacation credit as a part of the vacation time.

J. Sickness While on Vacation

An employee who becomes ill while on vacation may not charge such illness to sick leave, unless a medical certificate confirms said illness, and the request is approved by the Town Manager. In the case of the Town Manager, approval must be granted by the Board of Selectmen.

9.2 Sick Leave

When it is necessary for an employee to take sick leave due to non-occupational illness or disability, the salary of the full-time employee may be continued for a period not to exceed six (6) months upon the approval of the Town Manager and based on the needs of the Town as determined in the sole discretion of the Town Manager. Among the factors he or she may choose to consider are the nature of the disability or illness, the service record of the employee, and the recommendation of an attending physician and/or a Town chosen physician.

A paid sick leave up to one month's pay may be granted to employees in their introductory period.

A. Notification of Illness

In order to be paid for sick leave, an employee must notify his/her department head as soon as possible, but not less than within one (1) hour of the time the employee is due to report for duty, unless otherwise specified by the department head.

B. Use of Sick Leave

Sick leave is a benefit to be used only in the following cases:

1. Personal sickness or physical incapacity for which compensation is not payable by any employer under the terms of the Workers' Compensation Act of the State of Connecticut.
2. Enforced quarantine of the employee in accordance with community health regulations.
3. The Town Manager or his/her designee may grant up to five (5) paid sick leave days to any employee who takes leave to address the illness or physical incapacity of a "family member" as defined in the Family Medical Leave Policy, Section 9.30 of these Personnel Rules and Regulations.

C. Abuse of Sick Leave

Abuse of sick leave shall result in discipline up to and including dismissal.

D. Medical Reporting Requirements

An employee must submit a doctor's certificate in excess of three (3) consecutive sick days or where the Town suspects abuse of sick leave. For absences of more than five (5) consecutive sick days, an employee must submit a doctor's certificate which includes anticipated length of employee's absence, date employee can safely return to work, and any physical limitations imposed by the illness.

E. Medical Appointments

In order to minimize disruption in the workplace, employees are asked to make medical appointments at the beginning or end of the day if possible.

9.3 Family and Medical Leave

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:

1. Birth, adoption or foster placement of a child;
2. To care for a child or parent who has a serious health condition;
3. Serious health condition of the employee that makes the employee unable to perform the functions of his or her position.
4. 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.
5. **Any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty.**

Leave for the birth, adoption or fostering of a child must be used within 12 months 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, child, 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.

Rolling 12-Month Period

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

Types of Leave and Conditions

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.

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.

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.

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.

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.

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.

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.

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.

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.

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).

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

9.4 Other Leaves of Absence

A. Occupational Injury Leave

1. Injury Leave, as distinguished from sick leave, means paid leave given to an employee because of the absence from duty caused by an accident or injury that occurred while the employee was engaged in the performance of his/her duties for the Town.
2. The Town may supplement, for a period not to exceed 6 months, the payments made under Workers' Compensation insurance so that the employee will receive his/her normal weekly pay for the period of time he/she is on injury leave. The employee must sign an agreement to reimburse the Town the amount of his/her Workers' Compensation pay if he/she wishes to be paid by the Town prior to his/her submission of the Workers' Compensation pay voucher.

B. Jury Duty

The Town will pay full-time employees regular straight time wages that the employee would have otherwise received for a standard workday for the first five (5) days of an employee's jury duty;

after that, the Town will then pay the difference between jury duty pay received from the court and the regular straight time wages the employee would have otherwise received for a standard workday or week. Compensation shall be payable only if the employee gives the Town notice from the court indicating that they served either a half or full day and the appropriate compensation.

Employees who are excused from jury duty, prior to completing a full day, are expected to return to work. Depending on the circumstances, 2nd and 3rd shift employees may or may not be required to work while on jury duty.

Time spent on Jury duty is considered as time worked in the computation of overtime.

C. Leave of Absence

The Town Manager, upon recommendation of the department head, may grant leaves of absence when necessary, with or without pay, up to a maximum of two (2) months. The Board of Selectmen may grant leaves of absence for periods longer than two months. Employees on an approved leave of absence will be responsible for the payment of any applicable health insurance premium cost sharing.

D. Bereavement Pay

Up to five (5) paid days off will be provided for death of the employee's spouse; up to three (3) paid days off will be provided for death in the employee's immediate family (parent, parent-in-law, child, sibling, grandparent or grandchild); and one (1) paid day off shall be provided for the death of the employee's niece, nephew, aunt or uncle. Nothing contained herein shall prohibit the Town Manager from granting additional unpaid bereavement leave at his/ her discretion.

E. Military Leave

The Town Manager may grant Military Leave upon request for active duty in the National Guard or Armed Forces in accordance with Section 7-461 of the General Statutes of the State of Connecticut and applicable federal law.

An employee called to Reserve Duty may request, in writing, advanced payment of his/her salary provided the employee will be required to reimburse the Town any amount earned or paid to the employee for Reserve Duty, up to but not exceeding the amount of advanced pay.

Unpaid military leave of absence will be granted to members of the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and state law. Employees must submit documentation of the need for leave to Human Resources. When returning from military leave of absence, an employee will be reinstated to their previous position or a similar position as required by law. Employees must notify Human Resources of your intent to return to employment as required by law. For more information regarding status, compensation, benefits, and reinstatement upon return from military leave, contact Human Resources.

F. Voting Leave

If your work schedule prevents you from voting on Election Day, the Town will allow you a reasonable time off to vote. The time when you can go to vote will be at the discretion of your Supervisor, consistent with applicable legal requirements.

9.5 Holidays

A. Paid Holidays - The following holidays are granted with pay:

1. New Year's Day
2. Martin Luther King, Jr. Day
3. President's Day
4. Good Friday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Veteran's Day
9. Thanksgiving Day
10. Friday following Thanksgiving Day
11. Christmas Eve Day
12. Christmas Day

One additional holiday will be observed each year. The date of these floating holidays shall be determined by the submission of requested dates by the employee and approval by the Town Manager based on the needs of the Town.

When a holiday falls on a Saturday, the preceding Friday shall be the day off, and when a holiday falls on a Sunday, the following Monday shall be the day off. Exceptions to this section are at the discretion of the Town Manager.

B. Attendance on Days Prior To and Immediately After a Holiday

Employees are not paid for holidays unless they work the last scheduled day prior to the holiday and the first scheduled day after the holiday unless such employees are on vacation, or on leave authorized by the Town Manager or department head.

C. Holiday Pay for Regular Part-Time Employees

Regular part-time employees receive holiday pay based upon one-fifth of their average week's pay for each holiday.

9.6 Personal Days

Subject to the approval of the Town Manager, employees shall be entitled to three (3) paid personal days annually which may be used for personal business that cannot be scheduled during non-work hours. Personal days may not be carried over from year to year.

9.7 Tuition Reimbursement Education Incentive

The following are conditions to reimburse employees for tuition, books, administrative fees, or other related charges:

- A. Request in writing to the department head stating the name of the course and cost.
- B. Prior approval by the department head and Town Manager.
- C. No more than two (2) courses will be reimbursed per year.
- D. Course must be work-related.
- E. Course must be successfully completed with a passing grade of “C” or higher for reimbursement.
- F. The maximum reimbursement shall be the undergraduate or graduate rate charged by the University of Connecticut.

9.8 Individualized Professional Development Plans

In conjunction with the annual Performance Review process, each employee will be encouraged to develop an Individualized Professional Development Plan. Pay increases associated with merit may be based on this annual review process.

9.9 Insurance Benefits

The Town offers various benefits to eligible employees, which may include health insurance, Vision, Flexible Spending Accounts, life insurance, and long-term disability insurance to full-time non-bargaining employees. Regular part-time employees may join the group insurance plans, except long-term disability, as provided in Section 9.74.

Insurance coverage shall be paid for on a basis as adopted by the Board of Selectmen from time to time.

9.10 Life Insurance

Life Insurance, in an amount equal to two times the employee’s annual salary, shall be provided to full-time non-bargaining employees.

9.11 Long-Term Disability

Long Term Disability coverage is provided to employees in accordance with the Plan. Employees may request a summary plan description through the Town Manager’s Office.

9.12 Regular Part-Time Employees

Regular part-time employees may be eligible to join the certain group insurance plans, A portion of the premiums for employee coverage may be paid by the Town for eligible employees. Premiums for dependents of the employees are not paid for by the Town. Dependents may be included in health insurance coverage with the employee paying all of the dependent's premium. The Board of Selectmen may change the Town's contribution share from time to time. Ongoing participation is contingent on continuing to meet the Plan's eligibility requirement and making premium contributions on a timely basis.

9.13 Continuation of Insurance

During an employee's absence under the Town's disability plan or Workers' Compensation, the Town shall continue to pay its portion of the cost of the employee's health insurance benefits. It is the employee's responsibility to continue payment for any contributory portion of benefits.

9.14 Deferred Compensation

Employees are eligible to participate in the Deferred Compensation Plan in accordance with applicable Federal and State laws and the terms of the Plan.

SECTION 10 **PERSONNEL STATUS CHANGES**

10.0 Transfer

Transfer of an employee from one position to another without change in rate of pay may be affected when:

- A. Further training and development of an employee in another position is beneficial to the future staffing potential of the Town; or
- B. The employee meets the qualification requirements.

10.1 Promotion

Insofar as practicable and consistent with the best interest of the Town, vacancies in the classified service may be filled by promotion from within the classified service. All Town employees are eligible and encouraged to apply for all vacancies in the Town Classified Service. Successful completion of certain job-related courses may be required as a condition to promotion.

10.2 Demotion

An employee may be demoted to a position of lower pay range for which he/she is qualified for reasons, including but not limited, to the following:

- (1) He or she would otherwise be laid off because his/her position is being abolished;
- (2) His or her position is reclassified to a lower grade;
- (3) Lack of work;
- (4) Lack of funds; or
- (5) Another employee has returned to such position from an authorized leave.

10.3 Separation

Separations from the classified service shall occur upon : resignation, layoff, disability, retirement, dismissal, and death.

10.4 Resignation

Except for extenuating circumstances, Department Heads/Division Heads shall provide at least 3 weeks' notice of a resignation; and all other employees shall provide at least 2 weeks' notice of a resignation. This required notice shall be considered a "working" notice period and employees will not be allowed paid time off during this period unless required by law. The Town Manager may permit a shorter period of notice because of extenuating circumstances.

If, after requesting and being granted vacation leave, a floating holiday, compensatory time, and/or earned days, an employee gives the notice described above and seeks to utilize any of the various types of leave specified above during the "working" notice period, the Town will have the right to reconsider the granting of the leave request, including the withdrawal of a previously approved leave.

10.5 Exit Interviews

Employees who are leaving the organization in good-standing are invited to provide feedback on their employment experience through an exit interview with the Town Manager, department head, or Human Resources Coordinator.

10.6 Layoff

When a position must be discontinued or abolished for reasons including, but not limited to, a change in job requirements, reorganization, lack of work, or lack of funds, the department head shall submit a report to the Town Manager together with a recommendation as to the employee to be laid off.

1. Order of Lay-off

The order of layoff shall be based on the Town's needs as determined by the Town Manager. Factors may include, but not be limited to, the employee's relative suitability, competence and performance for the jobs that remain and length of continuous service with the Town except that no regular full-time or regular part-time employee shall be separated while there is a temporary or employee in their introductory period performing duties for which the regular employee is qualified, provided the employee makes application for the position.

2. Notice of Lay-off

Employees subject to lay-off are notified in writing not less than two (2) calendar weeks prior to the effective date, absent emergency or other extenuating circumstances.

3. Re-employment List

If the employee is certified as having given satisfactory service, the name of the employee laid off is placed on a re-employment list for a period of one year. Time spent on the re-employment list does not constitute a break in continuous service, if the employee is rehired.

10.7 Disability

An employee may be separated when he or she cannot successfully perform the essential functions with or without reasonable accommodation due to disability .

10.8 Retirement

A regular full-time employee who has at least five (5) years of consecutive service may exercise the option of leaving Town service through retirement. Except for exigent circumstances, Employees shall provide the Town with at least 12 weeks of notice of their retirement so that the required documents may be processed.

10.9 Dismissal

At any time during or after the introductory period, a department head, with the approval of the Town Manager, may dismiss an employee whose performance does not meet the required standards or for disciplinary reasons.

10.10 Death

Separation is effective as of the date of death. All compensation due is paid to the estate of the employee, except for such sums as by law must be paid to the surviving spouse.

SECTION 11 **DISCIPLINARY ACTIONS**

11.0 Disciplinary Action

Disciplinary action will be determined by the circumstances. The four-step process set forth below may be utilized where appropriate, but the Town Manager need not follow this process and may skip or modify one or more of the steps depending on the circumstances. The four possible steps of discipline are as follows:

Oral Reprimand

The supervisor gives the employee a verbal warning for poor job performance or a violation of rules. The supervisor shall identify the specific problems and areas that need to be changed, and shall inform the employee of further disciplinary action in the case of continued poor performance or violation. Oral reprimands are documented by the supervisor and placed in the employee's personnel file with a copy to the employee.

Formal Reprimand

The supervisor gives the employee a formal reprimand in writing and places it in the individual's personnel file. The written reprimand shall include the date and description of the incident, reference to the personnel policy that is violated, and statement of further disciplinary action should the situation not improve, and is to be signed by the employee, with a copy given to the employee.

Suspension

The supervisor may remove the employee from his/her job and suspend him/her with or without pay with the signed approval of the department head and Town Manager for a period not to exceed thirty (30) days. A written memorandum shall outline the circumstances leading to the suspension and sets goals for improvement. It is reviewed with and signed by the employee and permanently placed in the employee's personnel file.

Dismissal or Demotion

If previous discipline has not resulted in the required improvement, or when the misconduct is serious enough to warrant this action, the employee may be dismissed or demoted by the Town Manager. The basis for dismissal or demotion is summarized in a letter of dismissal or demotion to the employee.

Prior to suspension or dismissal, a hearing shall be held before the Town Manager.

APPENDIX

- A: Acknowledgement of Receipt and Review
- B Disclosure of Outside Employment Form
- C Conflict of Interest Acknowledgement Form

DRAFT

Acknowledgment of Receipt and Review

By signing below, I acknowledge that I have received a copy of Simsbury's Personnel Rules and Regulations and that I have read them, understand them, and agree to comply with them. I understand that the Town has the discretion permitted by law to interpret, administer, change, modify, or delete the rules, regulations, procedures, and benefits contained in the Rules and Regulations at any time with or without notice. No statement or representation by a supervisor, manager, or any other employee, whether oral or written, can supplement or modify the Rules and Regulations. I also understand that any delay or failure by the Town to enforce any rule, regulation, or procedure does not constitute a waiver on behalf of the Town or effect the right of the Town to enforce such rule, regulation, or procedure in the future.

I understand that neither these Rules and Regulations nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. I further understand that, unless I have a written employment agreement or collective bargaining agreement signed by an authorized Town representative, I am employed "at-will".

If I am covered by a written employment agreement (signed by an authorized Town representative) or a collective-bargaining agreement that conflicts with the terms of this Handbook, I understand that the terms of the employment agreement or collective-bargaining agreement will control.

Nothing in these Rules and Regulations is intended to preclude or dissuade employees from engaging in legally protected activities.

These Rules and Regulations supersedes any previous ones.

If I have any questions about the content or interpretation of these Rules and Regulations, I will contact the Town Manager's Office.

Signature
Print Name

Date: _____

DISCLOSURE OF OUTSIDE EMPLOYMENT FORM

REPORT OF OUTSIDE EMPLOYMENT

Per Section 5.3/8.3 Town Personnel Rules and Regulations

DATE: _____

NAME: _____

DEPARTMENT: _____

Please complete the appropriate section below:

I do not have employment outside of my position with the Town of Simsbury.

(Signature)

I presently have additional employment outside of my position with the Town of Simsbury.

(Signature)

NATURE OF OUTSIDE EMPLOYMENT

Employer: _____

Address: _____

Phone Number: _____

Comments: _____

CONFLICT OF INTEREST ACKNOWLEDGEMENT FORM

CODE OF THE TOWN OF SIMSBURY, CONNECTICUT PART I ADMINISTRATIVE LEGISLATION / Chapter 13, ETHICS, CODE OF / Acknowledgment Form and Charter Section 1103

Thank you for your service to the Town of Simsbury. The purpose of this acknowledgement form is to confirm your understanding of the Simsbury Code of Ethics and your obligations to disclose and disqualify yourself from any conflict of interest that should arise. It also provides you the opportunity to identify possible future conflicts before they arise.

The Simsbury Charter Section 1103 and Section 13-12 of the Code of Ethics require the disclosure of any “financial interest, direct or indirect, in any contract, transaction or decision of any officer or agent of the Town or of any board or commission.”

Please list in the box labeled Areas of Exception any relationships you have, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest between the Town of Simsbury and your personal or professional interests, financial or otherwise. Reportable disclosures may include any entity or organization for which you or a family member are an employee, consultant, officer, director, or owner if that business conducts any business with or represents the interests of others before the Town of Simsbury or any of its Boards or Commissions.

If you have any questions on how to complete this form, please contact your supervisor or the Chair of the Board or Commission on which you serve.

Please Note: Disclosure of a possible Area of Exception on this form does NOT relieve you from reporting the disclosure again when it arises and disqualifying yourself from the conflict of interest situation in accordance with either section of the Charter and/or Code.

I have read Section 1003 of the Charter of the Town of Simsbury, the Code of Ethics Ordinance, and the Guidelines issued thereunder. I understand my responsibilities as a member of _____, an employee of the Town or a consultant retained by _____, and I am in compliance with the Charter and the Code of Ethics. I have indicated in the space below any areas of conflict should they arise in matters before our board, commission, agency or department, and I agree to report any future conflicts under the provisions of Section 1003 of the Charter.

Areas of Exception

CONFLICTS OF INTEREST SECTION 1003

CONFLICTS OF INTEREST. It is hereby declared to be the policy of the Town that any elected or appointed officer, any member of any board or commission or any employee of the Town who has a financial interest, direct or indirect, in any contract, transaction or decision of any officer or agent of the Town or any board or commission, shall disclose that interest to the Board of Selectmen, which shall record such disclosure upon the official record of its meetings. Such disclosure of a financial interest, direct or indirect, in any contract, transaction or decision of any officer or agent of the Town or of any board or commission shall disqualify such elected or appointed official or such member of a board of commission or such Town employee from participation in the awarding, assignment or discussion of said contract, transaction or decision. Violation by any such official, board or commission member or employee of the provisions of this section shall be grounds for his/her removal.

Signature

Date: _____

Name (Please Print)

Code of Ethic Acknowledgement Form 2019

WSACTIVELLP:13486428.1



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignation from the Greater Hartford Transit District's Board of Directors

2. **Date of Board Meeting:** February 27, 2023

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

4. **Action Requested of the Board of Selectmen:**
The following motion is in order:

Move, effective February 27, 2023, to accept the resignation of Ferg Jansen from the Greater Hartford Transit District's Board of Directors.

5. **Summary of Submission:**

Mr. Ferg Jansen has been on the Board of Directors of the Greater Hartford Transit District since March 2000. Mr. Jansen has notified the Town Manager's Office that he intends to resign from the Board of Directors after 23 years of service. Mr. Jansen's service has been a benefit to the community and I would like to commend him for his dedicated service through the years.

The Greater Hartford Transit District strives to deliver quality transit services that link people and communities in the most efficient manner possible. It consists of 16-member towns of which Simsbury is a part of. Staff is currently working to identify a successor candidate for Mr. Jansen. Mr. Jansen's term was set to expire on January 31, 2025; his replacement would then complete the remainder of this term. Per statute, regional transit district board member terms are four years and Board members must reside in the town from which they are appointed.

6. **Financial Impact:**
None

7. **Description of Documents Included with Submission:**
a) F. Jansen Resignation Letter, dated February 8, 2023

From: Simsbury CT via Simsbury CT <cmsmailer@civicplus.com>
Sent: Wednesday, February 8, 2023 1:01 PM
To: Town Clerk <townclerk@simsbury-ct.gov>
Subject: Form submission from: Resignation Submission Form

Submitted on Wednesday, February 8, 2023 - 1:01pm
Submitted by anonymous user: 2601:182:301:2f10::8b67
Submitted values are:
Member's Name: Ferguson Jansen
Address: [REDACTED]
Phone #: [REDACTED]
Email: [REDACTED]
Type of Member: Regular
Name of Board/Commission: Greater Hartford Transit District
Effective Date of Resignation: 2/27/2023
Reason for Resignation: Time for younger blood to serve
Any Additional Comments: Been great experience
The results of this submission may be viewed at:
<https://www.simsbury-ct.gov/node/98363/submission/29466>

RECEIVED
TOWN OF SIMSBURY, CT
2023 FEB - 9 A 9: 14
TOWN CLERK'S OFFICE



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Appointments to Various Boards and Commissions
2. **Date of Board Meeting:** February 27, 2023
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Trish Munroe, Town Clerk
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen accepts the recommended appointments from the Republican Town Committee, the following motions are in order:

Move, effective February 27, 2023, to appoint Colleen Yates as a Regular Member of the Library Board of Trustees with a term ending December 4, 2023.

Move, effective February 27, 2023, to appoint Mike Paine as a Regular Member of the Board of Ethics with a term ending January 1, 2027.
5. **Summary of Submission:**
The Town Clerk has received from the Republican Town Committee the following recommendations for appointments:
 1. Colleen Yates (R) as a Regular Member of the Library Board of Trustees. The appointee will fill the vacancy created by the resignation of Linda P. Johnson (R) from this position effective February 1, 2023. 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 Republican party. The appointee will serve until December 4, 2023, which is the date the newly elected Library Board of Trustees member will assume their position.
 2. Mike Paine (R) as a Regular Member of the Board of Ethics. The appointee will serve a 4-year term ending on January 1, 2027. Bob Mule had resigned from the Board of Ethics September 7, 2022. The vacancy created by Mr. Mule's resignation was not filled before the end of his term, which expired January 1, 2023. Mr. Paine is being recommended to fill the vacancy.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission**
 - a) Bio of Colleen Yates
 - b) Bio of Mike Paine

Colleen Yates

February 10,2023

When my family moved to Simsbury in November of 1977, I was in 7th grade. The attic floor “teen room” of the Simsbury Public Library was a haven where I could easily read and get lost in different worlds while I began to get used to my new world at Henry James. I would take out huge stacks of books each week, and looked forward to plowing through them before returning for a new stack.

I have lived in Simsbury ever since, and love the library. My husband and I raised our 2 children here, and they attended Simsbury Public schools. I was a volunteer in the schools, including helping in the libraries, book sales, math and art classes. Our kids received library cards before they could hold a book, and enjoyed many of the library’s children’s programs, some of which I assisted. We have also purchased and returned more volumes from the library book sale than I can count.

I have a BS and MBA in real estate finance from UCONN and currently work for Aetna/CVS Health in their Real Estate Investment department. I make commercial mortgage loans as well as invest equity in affordable housing throughout the United States.

In addition to reading and being a part of 2 different book clubs, I enjoy bike riding, hiking, fitness, cooking, museums and traveling.

I value libraries, and their purpose of allowing everyone access to learn. The Simsbury Public Library is a top-quality institution that promotes a wide variety of benefits to our community. I would be proud to assist by being a member of the board.

Michael R. Paine



Mike has lived in Town his entire life. He has worked for and run a local family owned Recycling and Rubbish Removal company for the past 50 years.

Mike has served a number of Town Committees:

Planning Commission 2009 to 2013

Board of Selectmen 2013 to 2021

Mike is involved with other community groups:

Simsbury Chamber of Commerce 1992 to 2003 currently Director Emeritus

Simsbury Community Television now Simsbury Media 1996 to 2013

Hartford Area Cable Advisory Council 2000 to 2013

McLean 2010 to Present

Mike has been involved with the National Waste and Recycling Association since 1989 on the State and National levels. He has served on the Services Board of Governor's as well as the Board of Trustees for this association.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Appointments to the Community for Care Committee
2. **Date of Board Meeting:** February 27, 2023
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 recommended Community for Care Committee appointments from the Personnel Sub-Committee, the following motion is in order:

Move, effective February 27, 2023, to appoint Kathleen Mahieu (U), Laura Doyle (R), and Noel Bodenburt (U) as members to the Community for Care Committee with terms expiring December 4, 2023.
5. **Summary of Submission:**
There are currently five openings on the Community for Care Committee. The Personnel Sub-Committee reviewed applications and interviewed potential Community for Care Committee candidates. The Personnel Sub-Committee voted to move Kathleen Mahieu, Laura Doyle, and Noel Bodenburt forward for the Board of Selectmen's consideration.

Community for Care has seven membership slots. There are currently two members appointed. If appointed, these members would bring the committee to five of the seven membership slots being filled.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Volunteer Applications for Recommended Candidates



Simsbury, CT
933 Hopmeadow Street

Phone: (860) 658-3200

Volunteer Form
Good Government Starts with You

Date Submitted: August 11, 2022

Name: Kathleen M Mahieu

Home Address:

Mailing Address:

Phone Number(s):

Email Address:

Party Affiliation: U

Current Occupation/Employer: SVP, Innovation @ Magellan Health

Narrative: I would like to volunteer for the Community for Care Committee which just announced a vacancy. Mental health and substance use disorder conditions are extremely important to me, and I have spent the majority of my life working to advance the benefit coverage and strategies deployed by employers for these conditions. I spent almost 30 years as a health care consultant designing benefit programs and developing workplace mental health strategies for large national employers. I currently work with Magellan Health, a leading behavioral health care company with a focus on improving access to and quality of behavioral health care, so I am quite familiar with the challenges individuals face in obtaining behavioral health care services. I also spent several years as a teacher in the Bridgeport Public School system and understand the challenges, constraints, and opportunities to address mental health and substance use in education. Like many people, I also have personal experience with behavioral health. Several family members suffer from mental health and substance use conditions, so I understand first-hand how these conditions impact families and loved ones.

I have been seeking a volunteer opportunity that aligns with my passions -- mental health care and education. This is a perfect fit. I believe my perspectives and experience can offer significant value to this Committee. I am currently a full-time employee but have flexibility to attend meetings during the day as needed and in the evenings/weekends.

Please let me know if you require any additional information. I would be pleased to speak further with you about my qualifications and interest.

Board(s) / Committee(s): COMMUNITY FOR CARE COMMITTEE



Simsbury, CT
933 Hopmeadow Street

Phone: (860) 658-3200

Volunteer Form

Good Government Starts with You

Date Submitted: August 12, 2022

Name: Laura A Doyle

Home Address:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Party Affiliation: R

Current Occupation/Employer: Therapist in private practice

Narrative: I live and work in Simsbury, I can be available for meetings, as I can flex my practice schedule.

I have 20+ years working as a school counselor.

I have an MSW and I am a Licensed Clinical Social Worker in CT since 1997.

Board(s) / Committee(s): ___ COMMUNITY FOR CARE COMMITTEE



Simsbury, CT
933 Hopmeadow Street

Phone: (860) 658-3200

Volunteer Form

Good Government Starts with You

Date Submitted: August 11, 2022

Name: Noel P Bodenburg

Home Address:

Mailing Address:

Party Affiliation: U

Current Occupation/Employer: Editor/Peerless Media

Narrative: I work full time, but just resigned as player agent of Simsbury Little League, so I have time to take on another position. My youngest son is neurodiverse, so I am passionate about mental health in our community.

Board(s) / Committee(s): ___ COMMUNITY FOR CARE COMMITTEE

CALL TO ORDER

The Special Meeting of the Board of Selectmen was called to order at 6:00 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members Chris Peterson, Eric Wellman, and Heather Goetz. Sean Askham was absent. Others in attendance included Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Director of Culture, Parks and Recreation Tom Tyburski, Deputy Town Engineer Adam Kessler, and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

- **Participants can address the Board of Selectmen in person at the meeting**
- **Participants can email townmanager@simsbury-ct.gov by noon on Wednesday, February 15, 2023 to register to address the Board of Selectmen live through Zoom**
- **Written comments can be emailed to townmanager@simsbury-ct.gov. Written comments will not be read into the records, but will be forwarded to all Selectmen via email**

Susan Masino, 41 Madison Lane, gave a follow up on the seed swap/seed give away/lego building event at the Grange on February 25th. There is a large bucket at the Grange is anyone has any legos to donate. She's hoping that the kids 12 x 12 lego creations can be entered at the Agricultural Fair on June 10th. She also spoke about old and old growth forests and the bill that has Belden Forest in it, which is the first forest in it. The bill will be called the Simsbury Bill. This is a place where you can find peace and serenity. Open Space will be presenting on March 27th.

Joan Coe, 26 Whitcomb Drive, spoke about the assessments going up and taxes going up for the next budget. She spoke about using the ARPA funds the Town used for many capital projects. She wants a "taxpayers group" to be formed. Ms. Coe also spoke about a FOI complaint filed last year from Culture, Parks and Recreation, Gifts of Love, Eno Farms, and a Police Officers complaint and other items.

Lori Boyko, 15 Oakhurst Road, spoke about needing better information when meetings are changed, cancelled or moved. She said the calendar isn't corrected on the website and needs to be done so people can attend meetings. She is concerned about purchasing license plate reading machines. She feels these would violate our constitutional privacy. She doesn't feel there are enough incidents in Town to warrant this.

PRESENTATION

a) Legislative Update with Council of Small Towns (COST), State Representative Melissa Osborne, and State Senator Lisa Seminara

Betsy Gara, COST, spoke about the State Budget and Municipal Aid. She said they are looking at small towns for Omnibus Municipal Grants, Town Aid Roads, etc. She said STEAP has no funding in FY24 but does have 30 million for FY 25. She said they are looking at the Local Bridge Program, Special Ed Fixes and trying to address

the Solid Waste Management issue, due to the MIRA closure. Ms. Gara said the Emergency Medical Services issues is a priority. Housing is also a big issue, especially efforts to have more affordable housing. There are also transportation concerns and other environmental bills being discussed. She also spoke about transit oriented development issues.

She said the Planning and Development Committee has a tax elimination bill proposed. The Committees deadline for raising bills was today. The Legislative Session adjourns on June 7th.

Senator Seminara said she sits on several committees like Aging and Children Committees. She said there were budget updates on guardrails. They are working on improving Nursing Homes as well. She said there is a bill HB5194 for grief counseling for children and HB5003 for educational cost sharing. Bill 5B762 is one of her priorities as is speaks about excessive cost for grants for education. She spoke about HB5001 which is about resources and support for the disabled.

State Representative Osborne spoke gave some handouts about major issues in session. She said the municipal camp bill issue is dead. She said the budget has some great proposals in it. She said she sits on three Committees and one Sub-Committee. She spoke about the Transportation Committee and Emergency Services Grant. She said bill 5003 will return money to Simsbury in 2025 instead of 2028. She spoke about the affordable housing issue and said there is a Public Hearing on February 28th.

Ms. Osborne said human services is flat-funded and she is disappointed about this. She also spoke about the cannabis issue. She spoke about the Chief and Ambulance reimbursement rates.

After some discussion, no motion was needed at this time.

FIRST SELECTMAN’S REPORT

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

TOWN MANAGER’S REPORT

Town Manager, Maria E. Capriola, reviewed her Town Manager’s report.

SELECTMEN LIAISON REPORTS

- a) **Personnel** - there was no report at this time.
- b) **Finance** – there was no report at this time.
- c) **Public Safety** – there was no report at this time.
- d) **Board of Education** – there was no report at this time.

Ms. Abbuhl said Social Services held their Cheese Day yesterday. Dieticians joined them to discuss nutrition and Clifton was even there. She said Social Services is looking for donations of coffee, tea, juice, canned chicken, pasta sauce, etc. The entire list can be seen on her facebook page.

Ms. Abbuhl said Memory Café’ was held at the Library. This is for family members who suffer memory impairments to get together. More of these will be held with details to come.

Mr. Wellman said the DEI Council held an event on living witnesses to slavery. A resident used Ancestry to trace family histories. Everyone should see this on SCTV.

Mr. Wellman also spoke about UConn class in landscape architecture and the design put together a project for Meadowood. There will be a presentation at the Library next Friday from 3:30 -5:30. This information will hopefully be used as a catalyst for when the community is engaged more fully is a conversation about Meadowood. He spoke about Pollinator pathways, They are interested in building a bird habitat in the triangle of the open space parcel off Holcomb. This will be presented to the Open Space Committee and then the Board of Selectmen. They may be able to apply for grants for this project.

SELECTMEN ACTION

a) Tax Refund Requests

Ms. Goetz made a motion, effective February 15, 2023, to approve the presented tax refunds in the amount of \$46,884.89 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) 2023 Simsbury Farms Golf Course Fee Schedule

Mr. Tyburski said the breakdown for fees is in the Board’s packet. He said he feels comfortable with the amounts and doesn’t feel they will be a burden to families. Most of the increases come from supply increases and employment fees.

After some discussion, Mr. Peterson made a motion, effective February 15, 2023, approve the 2023 fee schedule for the Simsbury Farms Golf Course as presented. Ms. Goetz seconded the motion. All were in favor and the motion passed.

c) 2023 Aquatic Facility and Day Camp Fee Schedule

Mr. Tyburski said the minimum wage increases and supplies has the biggest impact on these increases. The information is also in the Selectmen packets.

After some discussion, Mr. Wellman made a motion, effective February 15, 2023, to approve the 2023 fee schedule for Aquatics Facility and Day Camp programs as presented. Mr. Peterson seconded the motion. All were in favor and the motion passed.

d) Appropriation of Congressionally Directed Spending for Police Department IT Needs and Create CNR Project

Ms. Mackstutis said this appropriation began with Senator Blumenthal in 2022 and now we have received the money. Ms. Capriola said now that we have received the funds we need to appropriate them.

Ms. Abbuhl made a motion, effective February 15, 2023 to appropriate funds received from the Congressionally Directed Spending Request, in the amount of \$70,000 for Technology Upgrades for the Simsbury Police Department. Further more to create a CNR project for Police Department IT Needs and appropriate the funds received toward that project. Ms. Goetz seconded the motion. All were in favor and the motion passed.

e) Simsbury Public Library PEGPETIA Grant Application

Ms. Capriola said the Library applied for a grant and if awarded it would cover a sound proof unit for podcasting and webcasting.

After some discussion, Ms. Goetz made a motion, effective February 15, 2023, to apply PEGPETIA Grant in the amount of \$26,864 to purchase a smart meeting room pod, webcasting and podcasting equipment. In the event that the grant is awarded, the following motion is in order: Move to accept the PEGPETIA grant and to authorize Town Manager, Maria E. Capriola, to execute all documents related to the grant award. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

f) GRCOG LOTCIP Grant Application – Climax Road Bridge Replacement

Ms. Capriola said if CRCOG accepts this application we need to know what to do with it. Climax Road makes the most sense. We are responsible for grant costs.

Mr. Kessler said the sidewalks and trails were done before. Climax Road is a local road and we do qualify for this grant and it is a good project for right now. The design phase is funded by the Town. It will probably take two years before we get the grant.

Mr. Peterson made a motion, effective February 15, 2023, to apply for a 2023 CRCOG LOTCIP grant to fund the replacement of Climax Road Bridge over Nod Road. In the event that the grant is awarded, the following motion is in order: Move to accept the LOTCIP grant for the Climax Road Bridge replacement and authorize Town Manager, Maria E. Capriola, to execute all documents related to the grant award. Mr. Wellman seconded the motion. All were in favor and the motion passed.

g) Supplemental Appropriation Request – Emergency Repairs to DPW Garage Furnace

Ms. Capriola said there is a temporary heating source at the garage right now. Parts have been ordered but no work has been done yet. This furnace failed in January.

Ms. Goetz made a motion, effective February 15, 2023, to approve a supplemental appropriation for the Emergency Repairs to a DPW garage furnace in the amount of \$16,312.26 and to recommend to the Board of Finance use of funds from the capital reserves to fund the work. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

h) Schedule a Public Hearing for proposed Ordinance to Temporarily Prohibit the Retail Sale of Cannabis in Simsbury

Ms. Mackstutis said this public hearing was originally approved in January but it was on President’s Day. This is a new date and the meeting will be held at Town Hall.

Ms. Abbuhl made a motion to schedule a Public Hearing for 6:00 p.m. on February 27, 2023, to consider the proposed ordinance to temporarily prohibit the retail sale of cannabis in Simsbury. Ms. Goetz seconded the motion. All were in favor and the motion passed.

i) Teva, Allergan, CVS, Walgreens, Walmart National Opioid Settlement

Ms. Capriola said this will be the second settlement and she is recommending that we opt-in to this settlement.

Mr. Peterson made a motion, effective February 15, 2023, to opt-in to the Teva, Allergan, CVS, Walgreens, Walmart National Opioid Settlement and to authorize Town Manager, Maria E. Capriola or her designee to execute and submit all required documentation. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

j) Local Emergency Medical Services Plan Agreement

Ms. Capriola said this plan agreement approval is required by Statute every five years. There were some changes in the service area in Powder Forest. The committee did more specified detail on staffing also.

After some discussion, Ms. Goetz made a motion, effective February 15, 2023, to approve the Local Emergency Medical Services Plan as presented and to authorize Town Manager, Maria E. Capriola to execute the Emergency Medical Services Plan Agreement presented as Attached K to the Plan. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

APPOINTMENTS AND RESIGNATIONS

a) Proposed Appointments to Board of Assessment Appeals

Ms. Abbuhl made a motion, effective February 15, 2023, to appoint Sheree Landerman (D) and Kenneth Katz (U) as alternate members to the Board of Assessment Appeals with a term expiring on December 4, 2023. Further move to appoint Shannon Shinskie (R) as an alternate member to the Board of Assessment Appeals with a term expiring January 1, 2025. Ms. Goetz seconded the motion. All were in favor and the motion passed.

b) Resignation of Francis Kelly from the Public Building Committee

Mr. Wellman made a motion to posthumously acknowledge the resignation of Francis Kelly as a Regular Member of the Public Building Committee with our thoughts are with the Kelly family. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

c) Resignation of Rachel Wellman from Culture, Parks and Recreation Commission

Mr. Peterson made a motion, retroactive to January 23, 2023, to accept the resignation of Rachel Wellman as a Regular Member of the Culture, Parks and Recreation Commission with our thanks. Ms. Goetz seconded the motion. All were in favor and the motion passed.

d) Resignation of Linda Johnson from the Library Board of Trustees

Ms. Goetz made a motion, retroactive to February 1, 2023, to accept the resignation of Linda Johnson as a Regular Member of the Library Board of Trustees with our thanks. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) January 23, 2023 Regular Meeting Minutes

There were no changes to the Regular Meeting Minutes of January 23, 2023 and, therefore, the minutes were adopted.

EXECUTIVE SESSION

a) Executive Session pursuant to General Statutes Section 1-200(6)(E): Discussion of a matter which would result in the disclosure of public records or the information contained therein exempt from disclosure under Section (b) of the General Statutes Section 1-210

Mr. Peterson made a motion to adjourn to Executive Session, pursuant to General Statutes 1-200(6)9E): Discussion of a matter which would result in the disclosure of public records or the information contained therein exempt from disclosure under Section (b) of the General Statutes Section 1-200 (6)(E) and to include Attorney Bob DeCrescenzo and Town Manager Maria E. Capriola at 7:50 p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

ADJOURN FROM EXECUTIVE SESSION

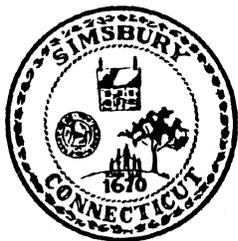
Mr. Peterson made a motion to adjourn from Executive Session at 8:09 p.m. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Peterson made a motion to adjourn at 8:09 p.m. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

February 23, 2023

Connecticut Office of the Arts
450 Columbus Boulevard, Suite 5
Hartford, CT 06103

Re: Good to Great Grant from CT Humanities

To Whom It May Concern:

The Town of Simsbury is committed to the success of the Simsbury Meadows Performing Arts Center (SMPAC). Since 2020 the Town of Simsbury has invested more than \$1,384,201¹ in maintenance and infrastructure improvements. Those investments include:

1. In 2020 the Town installed permanent fencing around the property that improved security, functionality, and aesthetics (\$67,000).
2. The band shell was stained and had exterior repair work completed in spring of 2021 (\$24,320).
3. The Town completed a study to develop a concept plan and cost estimate for parking surface options at the Meadows, along with design and permitting (\$63,850).
4. The Town completed parking, pathway, and accessibility improvements (\$828,000).
5. The Town installed new security cameras at the facility (\$21,031).
6. The Town installed lightning protection for the Band Shell in Winter-Spring 2022 (\$10,000).
7. We have an authorized capital project to repair and improve electrical infrastructure at the site (\$10,000).
8. The Town has approved funding for permanent restrooms at Simsbury Meadows (\$350,000).
9. The Town has appropriated funds for a life safety analysis for the facility (\$10,000).

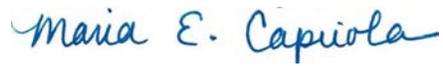
In addition to the above infrastructure investments, the Town provides the following maintenance services:

1. Parks Staff maintains the field used almost exclusively by SMPAC in a near pristine state from April to November.
2. Parks Staff hangs and takes down pole banners for SMPAC along Iron Horse Blvd annually.
3. Parks Staff annually does maintenance on SMPAC golf carts and utility vehicles at minimal cost.
4. Parks Staff still maintains the rear parking area (Lots C-D) including lining (exclusively for SMPAC use), mowing and trimming.

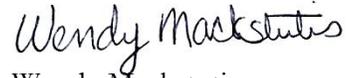
¹ Approximately \$128,000 of that total was funded by a STEAP grant.

Over the years, SMPAC has been a good steward of our town owned infrastructure. Currently, the Town is contracted with SMPAC to operate the facility for up to ten years². Given these factors the Town of Simsbury has a vested interest in the long-term success of this public-private partnership. The Town remains committed to identifying financial opportunities that strengthen our vibrant regional asset.

Regards,



Maria Capriola
Town Manager



Wendy Mackstutis
First Selectman

² Currently in year three of a five year agreement, with the option to renew for an additional five years.