



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Watch Board of Selectmen meetings **LIVE** and rebroadcast on Comcast Channels 96, 1090, Frontier Channel 6071 and **LIVE** streamed or on-demand at [www.simsburytv.org](http://www.simsburytv.org)

## **SIMSBURY BOARD OF SELECTMEN Regular Meeting – July 10, 2023 – 6:00 p.m.**

### **PLEDGE OF ALLEGIANCE**

### **PUBLIC AUDIENCE**

- Participants can address the Board of Selectmen in person at the meeting
- Email [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov) by noon on Monday, July 10, 2023 to register to address the Board of Selectmen live through Zoom
- Written comments can be emailed to [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov). Written comments will not be read into the record, but forwarded to all Selectmen via email

### **PRESENTATIONS**

- a) Plan of Conservation and Development Update
- b) Fee Schedules for Permits and Inspections for the Fire District
- c) Farmington Valley Visiting Nurses Association
- d) Proclamation for Parks and Recreation Month

### **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 Lien Sale
- b) Connecticut Department of Agriculture Farm Viability Grant
- c) Proposed 2023 Bulky Waste (Transfer Station) Fee Schedule
- d) Proposed Revisions to BOS Rules of Procedures
- e) Certification of Petition to Add Question to November Ballot

### **APPOINTMENTS AND RESIGNATIONS**

- a) Resignations from Various Boards and Commissions

## **REVIEW OF MINUTES**

- a) June 12, 2023 Regular Meeting Minutes

## **COMMUNICATIONS**

- a) Letter from Conservation Commission re: Complex Projects and Revisions to Chapter 85-6.1 of Town Code

## **EXECUTIVE SESSION**

- a) Pursuant to General Statutes section 1-200(6)(B) and (E), pending claim: 442 Hopmeadow Street
- b) Pursuant to CGS Section 1-200(6)(E): Discussion of Draft Memorandum of Understanding with Simsbury Main Street Partnership
- c) Pursuant to CGS Section 1-200(6)(E): Discussion of Draft Memorandum of Understanding with Simsbury Volunteer Ambulance Association
- d) Pursuant to General Statutes section 1-200(6)(E): Discussion of Strategy and Negotiations with Respect to Collective Bargaining for Units Represented by AFSCME and CSEA

## **ADJOURN**



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Plan of Conservation and Development Update
2. **Date of Board Meeting:** July 10, 2023
3. **Individual or Entity Making the Submission:**  
Lee C. Erdmann, Interim Town Manager; George McGregor, Director of Planning and Community Development  

4. **Action Requested of the Board of Selectmen:**  
This presentation is informational.
5. **Summary of Submission:**  
The Planning Department is working on updating the Plan of Conservation and Development (POCD) in Town. The Town's Planning Commission Chair, Erin Leavitt-Smith, and Consultant, Glenn Chalder, are here to give an update on the POCD process to the Board of Selectmen.
6. **Financial Impact:**  
None
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:** Fire District Fee Schedule for Permits and Inspections
2. **Date of Board Meeting:** July 10, 2023
3. **Individual or Entity Making the Submission:**  
Lee C. Erdmann, Interim Town Manager  

4. **Action Requested of the Board of Selectmen:**  
This presentation is informational.
5. **Summary of Submission:**  
Fire Districts are allowed to charge for inspection services that Fire Marshals conduct and the Simsbury Fire District has expressed an interest in doing this by adding this fee onto the Town's current building permit fees. Currently the Town charges \$14.26 per \$1,000 worth of estimated construction costs for a building permit.  
  
Tonight, Chief Baldis and District President Gary Wilcox will be present to discuss this item.
6. **Financial Impact:**  
The Fire District has expressed interest in reimbursing the Town for administrative costs borne by charging fees for the Fire Marshal's services. This cost is to be determined at a future time, discussions between Town staff and Fire District for this will take place to determine the best solution for parties.
7. **Description of Documents Included with Submission:**
  - a) Email from G. Wilcox, Simsbury Fire District

## Fitzgerald Tom

---

**To:** Erdmann Lee  
**Subject:** RE: Meeting

----- Forwarded message -----

From: **Gary Wilcox** <[gwilcox@simsburyfd.org](mailto:gwilcox@simsburyfd.org)>  
Date: Sun, Jul 2, 2023 at 10:02 PM  
Subject: Re: Meeting  
To: Lee Erdmann

Lee, here is an outline of our thought process and specifics .

The Fire District like all others is faced with an ongoing upward spiral of inflation from all directions which of course makes us ever aware to balance our income and needs. It is paramount for us to not lessen our ability to protect our residents and businesses. We have had many discussions on our master 20 year plans on facilities and apparatus. We have where allowable pushed out some replacement dates for apparatus replacement, some due to an aggressive maintenance program but the truth in the matter is we still will replace fire trucks and combined with recent 30-40% industry price hikes this creates an ongoing larger burden.

An analysis of our income tells us this:

We have a number of cell towers which provide outside income but clearly the bulk of income are taxpayer funds.

17% of our tax income is commercial

83% of our tax income is residential

A large responsibility of the Fire Marshal's Office (FMO) is to inspect and regulate our commercial and public buildings and the present income structure does not provide compensation for some of the time and effort the FMO is required to invest.

The State of CT about 5 years ago authorized the creation of a fee schedule for inspections required by the FMO for towns and Fire Districts.

Towns such as Pomfret, West Hartford, Darien, Warehouse Point, Bridgeport, Milford, South Windsor, Beacon Falls, Fairfield, Orange, Manchester, Lebanon, Cheshire and Litchfield have adopted such plans. This allows for a FMO to charge for plan reviews on new commercial construction as well as an individual schedule for inspections. While this produces additional revenue it does have some downfalls.

Some towns have chosen extensive menus of inspections that they now charge for. In addition to plan reviews/permit fees they have annual fees for automotive, elevator, water mains, liquor license, theatres, camps, day care, nursery schools, group homes, health care facilities, multi family homes, industrial and other required inspections.

It's is our determination based not only on our philosophical views but outside feedback that the fees to businesses for annual inspections is burdensome and unwelcomed. Present businesses pay their share of annual property taxes and given the recent revaluation Simsbury has just experienced the timing of additional fees would not be well accepted.

We do feel however that a business that is planning a new investment expects to pay for plan reviews and inspection costs in their building permit process, this is an accepted process but to date a process that the Fire District has not been involved in to defray their cost of required reviews and inspection. Therefore this proposal places fees on building projects at their inception at a time that that building has not generated any income yet but is now requiring time from multiple agencies to ensure all building and Fire codes are followed ensuring proper construction and public safety.

Our plan is to charge a building permit fee at a rate of \$5.00/\$1,000.00 in combination with the \$14.26/\$1,000.00 the building department presently charges. ( This would be 1/2 of 1%) This now is a targeted fee to help cover our cost of plan review and the inspection process. It is important to point out this is ONLY on building permits that require FMO approval / involvement so largely this is a commercial based fee. Residential building permits do not as a rule require FMO involvement. The combination of these fees would put us collectively at a rate of \$19.26/\$1,000.00. This compares with comparative towns ( Avon, West Hartford, Wethersfield, Windsor, Plainville, Rocky Hill, Cheshire, Glastonbury,

Farmington, Canton, Mansfield) which range from a low of \$12.00/\$1,000.00 to \$20.26/\$1,000.00. Being a permit based fee the annual revenue expectation would likely be low tens of thousands of dollars to perhaps into low hundreds of thousands of dollars. Quite simply, higher income years would only be in good economic climates. It is not a plan to create a burdensome annual fee ( tax) for existing businesses year after year regardless of economic conditions. While this proposal only requires Fire District authorization we are asking that the process be combined with the present building permit process to streamline this on multiple levels. Just as we have worked in concert with TOS for almost 80 years by sharing the cost to administrate annual taxes which works flawlessly, we would not think requiring a building owner to go through the permit process at town hall only to be told they now have to duplicate this process down the street would be well received. It is our intention to work together on an agreeable fee schedule to compensate for the TOS effort to administrate quite similar to our present property tax program. We are looking to move ahead as soon as possible, and are here to assist in this cooperative effort. Looking forward to your understanding and cooperation,

Gary Wilcox, President  
Simsbury Fire District

Get [Outlook for iOS](#)

---



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

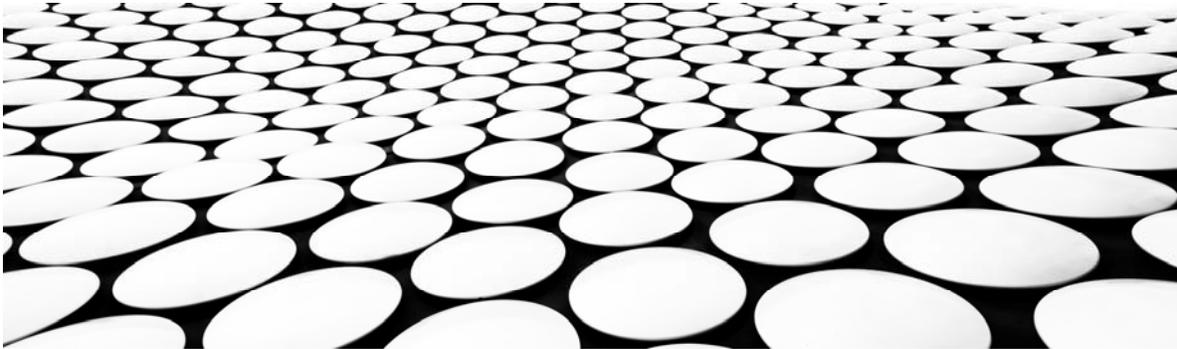
## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Farmington Valley Visiting Nurses Association
2. **Date of Board Meeting:** July 10, 2023
3. **Individual or Entity Making the Submission:**  
Lee C. Erdmann, Interim Town Manager 
4. **Action Requested of the Board of Selectmen:**  
This presentation is informational.
5. **Summary of Submission:**  
Nancy Scheetz from the Farmington Valley VNA will be presenting to the Board on their history and their Town initiatives and services offered in Simsbury.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**
  - a) Presentation Slides

---

## **FARMINGTON VALLEY VNA, INC. BOARD OF SELECTMAN PRESENTATION**

NANCY SCHEETZ, CHIEF EXECUTIVE OFFICER



---

### **VNA VALLEY CARE HISTORY**

- The Farmington Valley VNA has been serving our communities for 115 years.
- Medicare and Medicaid licensed, Regulated by the Department of Public Health
- Home Care, Hospice, Community Health and Wellness Programs, Food Bank, School Nursing
- 8 Old Mill Lane, Simsbury, and 248 Salmon Brook Road, Granby
- Non-profit, 501c3 organization
- As long as we have been here, we have partnered with the Town of Simsbury long before there was Public Health funding

---

## THE TOWN INITIATIVES AND CONNECTIONS

- Public Health Nursing: Blood pressure clinics, Blood Glucose testing, Influenza and COVID Vaccines, Educational offerings
- Selectman appointed seat on the Public Safety Committee
- Partnership currently with Steps to Safety, Social Services, EMS, Emergency Preparedness, FVHD
- Health Supervision Program
- CPR / AED Education and certification
- Fit testing Certification-Simsbury Fire Department
- Granby Simsbury Chamber of Commerce
- Housing Authority Support-Special Projectes and Grants

---

## NANCY SCHEETZ, CHIEF EXECUTIVE OFFICER

860-651-3539

860-305-5545

[nscheetz@farmingtonvalleyvna.org](mailto:nscheetz@farmingtonvalleyvna.org)



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proclamation for Parks and Recreation Month
2. **Date of Board Meeting:** July 10, 2023
3. **Individual or Entity Making the Submission:**  
Lee C. Erdmann, Interim Town Manager; Tom Tyburski, Director of Culture, Parks and Recreation

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

*Move, effective July 10, 2023, to endorse a Proclamation in honor of Parks and Recreation Month.*

5. **Summary of Submission:**  
July is Parks and Recreation month. Simsbury has many parks that are meticulously maintained by town staff and are some of the best in the state. Our Parks and Recreation staff is busy year round offering programs to our community, maintaining our pools and ice rink, managing our golf course and keeping Simsbury parks looking pristine.

The Culture, Parks and Recreation Department team is made up of experienced professionals who take a great deal of pride in providing safe and enjoyable experiences for Simsbury's residents. This group works hard every day to push forward and meet the community's needs with exceptional parks, trails and programs.

6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**
  - a) Proclamation in Honor of Parks and Recreation Month

## Designation of July as Park and Recreation Month in Simsbury

**WHEREAS** parks and recreation is an integral part of communities throughout this country, including Simsbury; and

**WHEREAS** parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

**WHEREAS** parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's; and

**WHEREAS** parks and recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

**WHEREAS** parks and recreation is a leading facilitator of exciting and engaging community and cultural events; and

**WHEREAS** park and recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and

**WHEREAS** parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

**WHEREAS** parks and recreation is fundamental to the environmental well-being of our community; and

**WHEREAS** parks and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and

**WHEREAS** our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

**WHEREAS** the U.S. House of Representatives has designated July as Parks and Recreation Month; and

**WHEREAS** Simsbury recognizes the benefits derived from parks and recreation resources.

**NOW THEREFORE, BE IT RESOLVED BY** the Simsbury Board of Selectmen that July is recognized as Park and Recreation Month in the Town of Simsbury

Wendy Mackstutis  
First Selectman

Amber Abbuhl  
Deputy First Selectman

Sean Askham  
Selectman

Chris Peterson  
Selectman

Heather Goetz  
Selectman

Eric Wellman  
Selectman



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Tax Lien Sale & Tax Foreclosures

2. **Date of Board Meeting:** July 10, 2023

3. **Individual or Entity Making the Submission:**  
Lee C. Erdmann, Interim Town Manager; Colleen O'Connor, Tax Collector

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

If the Board supports the Tax Lien Sale and Tax foreclosures as presented, the following motions are in order:

*Move, effective July 10, 2023, to approve the Town of Simsbury to conduct a Tax Lien Sale through a public bid process for the following properties:*

*Walther Andersen MA – 77 Wolcott Road  
Michael Budlong, Trustee -120,122,124,126,128,130 Tariffville Road  
Simsbury Real Estate Holdings- Parcel Nod Road, 112 & 140 Nod Road  
Ali Zahedi – Wolcott Road  
Fyler Inc – Woodchuck Hill Road  
Timothy Martin – Lark Road  
Owen Murphy- 50 Great Pond*

*Move, effective July 10, 2023 to approve tax foreclosures on the following properties*

*Sunlight Construction – Parcel Cambridge Court, 58,59,69,85,87,100,108,101  
Cambridge Court - parcel Hoskins Road, 42 Hoskins Road , 274 West Mountain Road  
Iskra Ann – 9 Mountain View Road*

5. **Summary of Submission:**

The Town Manager, Finance Director, Tax Collector, and Town Attorney have met to discuss about engaging in tax lien sales and tax foreclosures for properties seriously delinquent in their tax payments and/or sewer user fees.

6. **Financial Impact:**

There is currently \$1,009,102.95 in outstanding property tax collections for the properties that are eligible for tax lien sale, and \$ 208,381.07 in outstanding property taxes for properties eligible for tax foreclosure. The tax bills due July 1, 2023 are included in the outstanding amount of taxes owed.

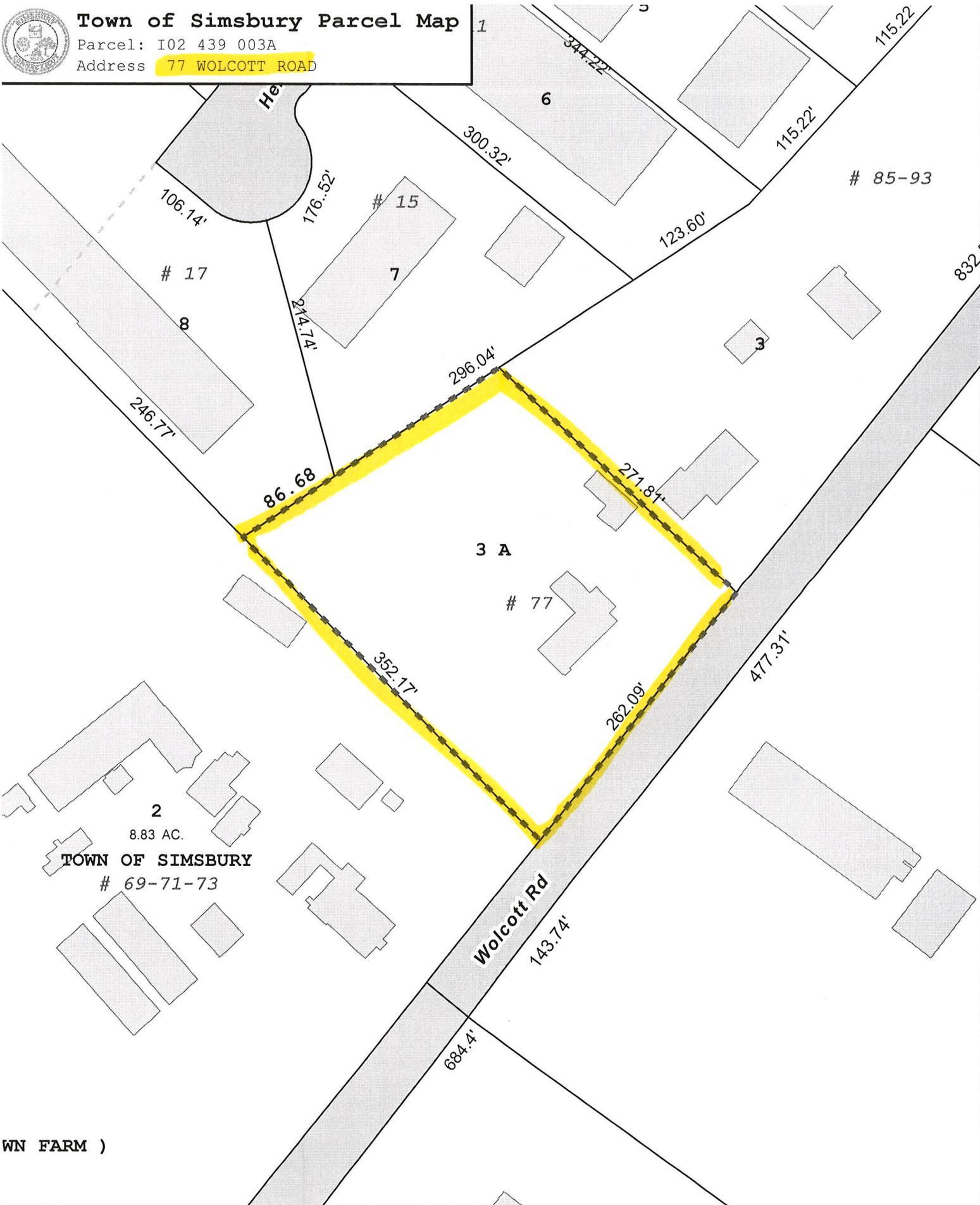
**7. Description of Documents Included with Submission:**

a) Parcel Maps



# Town of Simsbury Parcel Map

Parcel: I02 439 003A  
Address: 77 WOLCOTT ROAD



1 inch = 100 feet



Disclaimer: This map is for informational purposes only All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

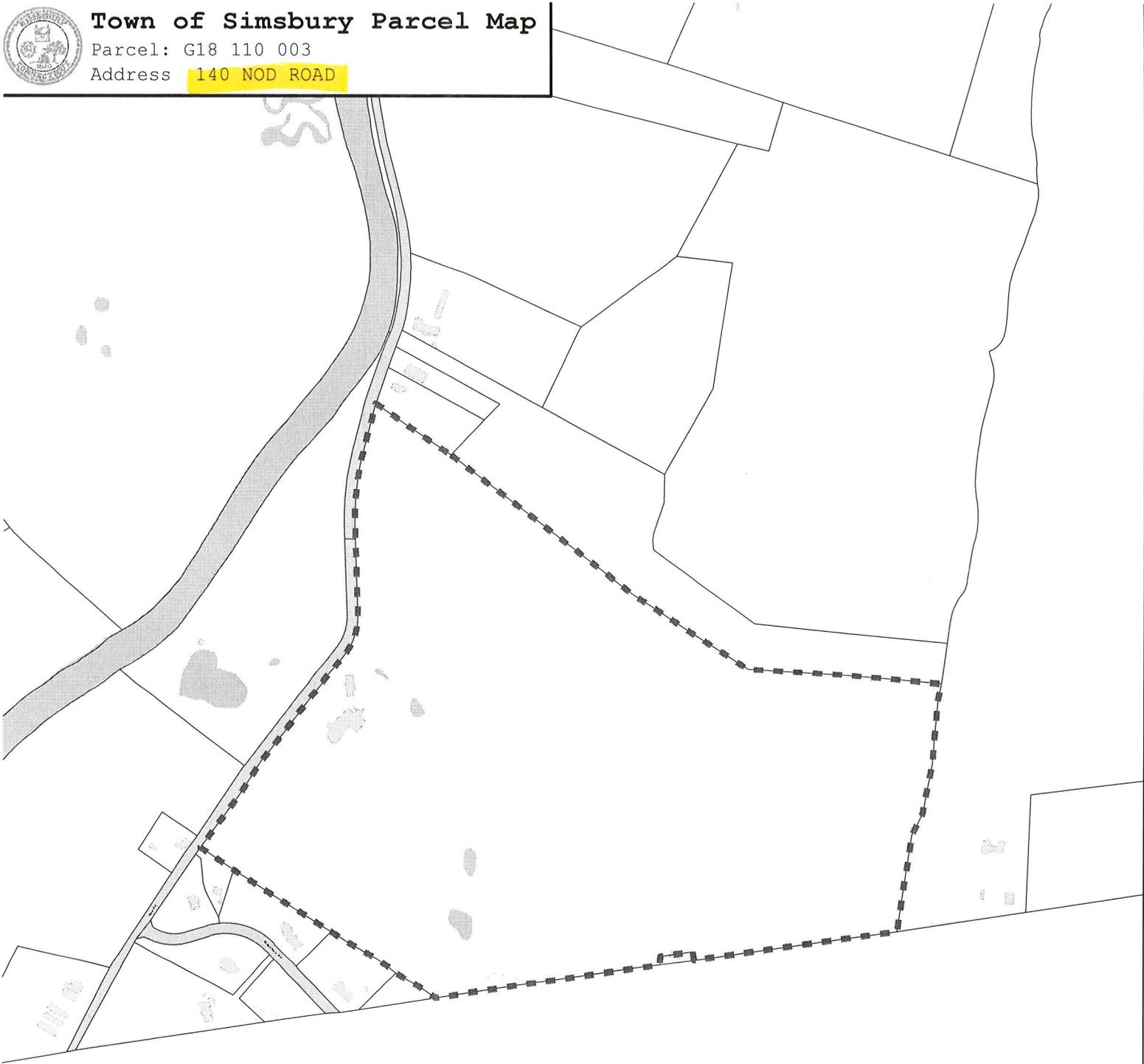
Map Produced: December 2022



# Town of Simsbury Parcel Map

Parcel: G18 110 003

Address 140 NOD ROAD



1 inch = 650 feet



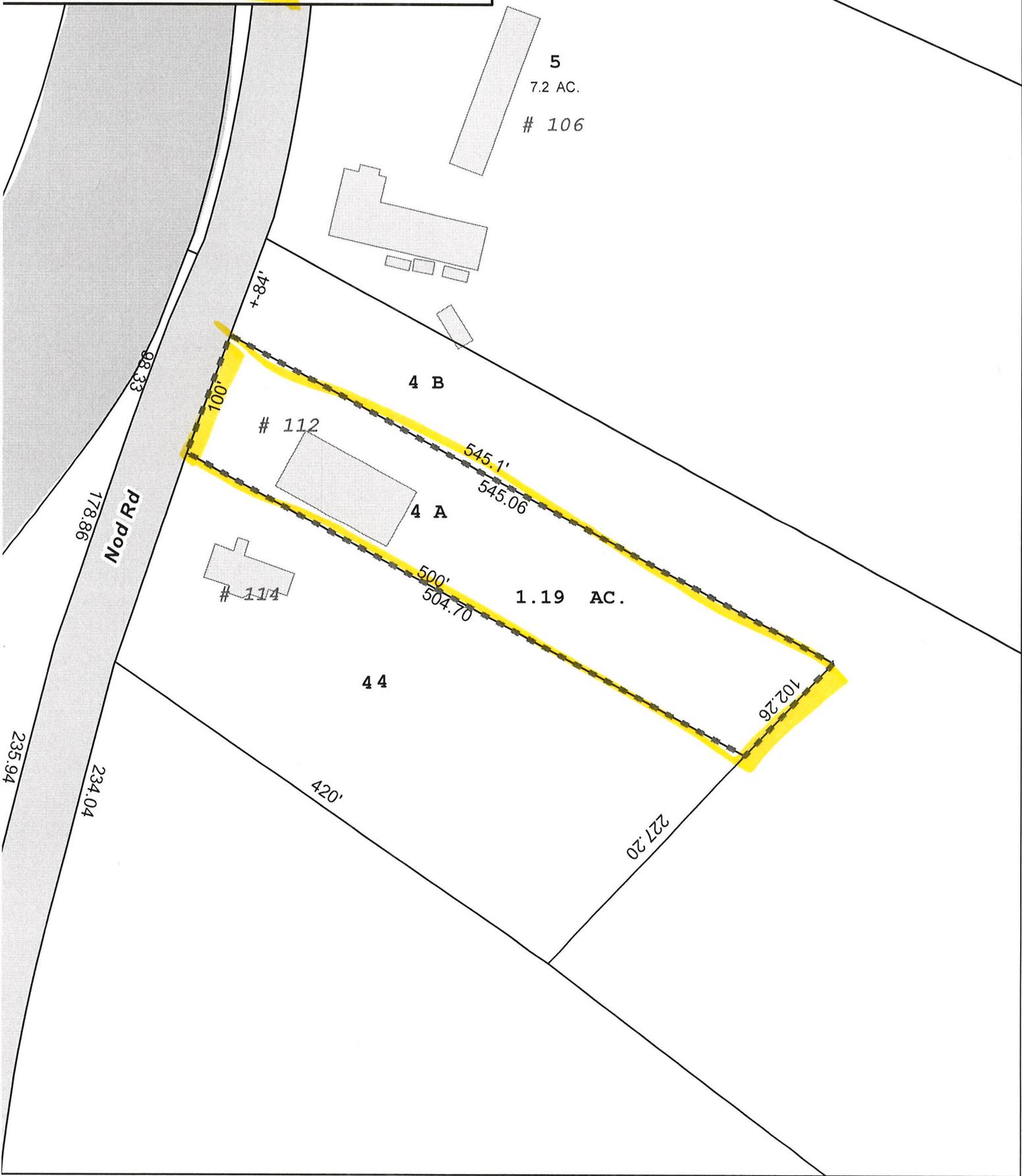
Disclaimer: This map is for informational purposes only All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

Map Produced: December 2022



# Town of Simsbury Parcel Map

Parcel: G18 110 004A  
Address: 112 NOD ROAD



1 inch = 100 feet



Disclaimer: This map is for informational purposes only All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

Map Produced: December 2022



# Town of Simsbury Parcel Map

Parcel: G18 111 003

Address: NOD ROAD



1 inch = 300 feet



Disclaimer: This map is for informational purposes only. All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

Map Produced: December 2022

# Town of Simsbury

Geographic Information System (GIS)



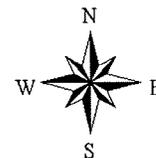
Date Printed: 5/23/2019



**MAP DISCLAIMER - NOTICE OF LIABILITY**

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 200 feet





# Town of Simsbury Parcel Map

Parcel: I04 439 008

Address: WOLCOTT ROAD



1 inch = 150 feet



Disclaimer: This map is for informational purposes only. All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

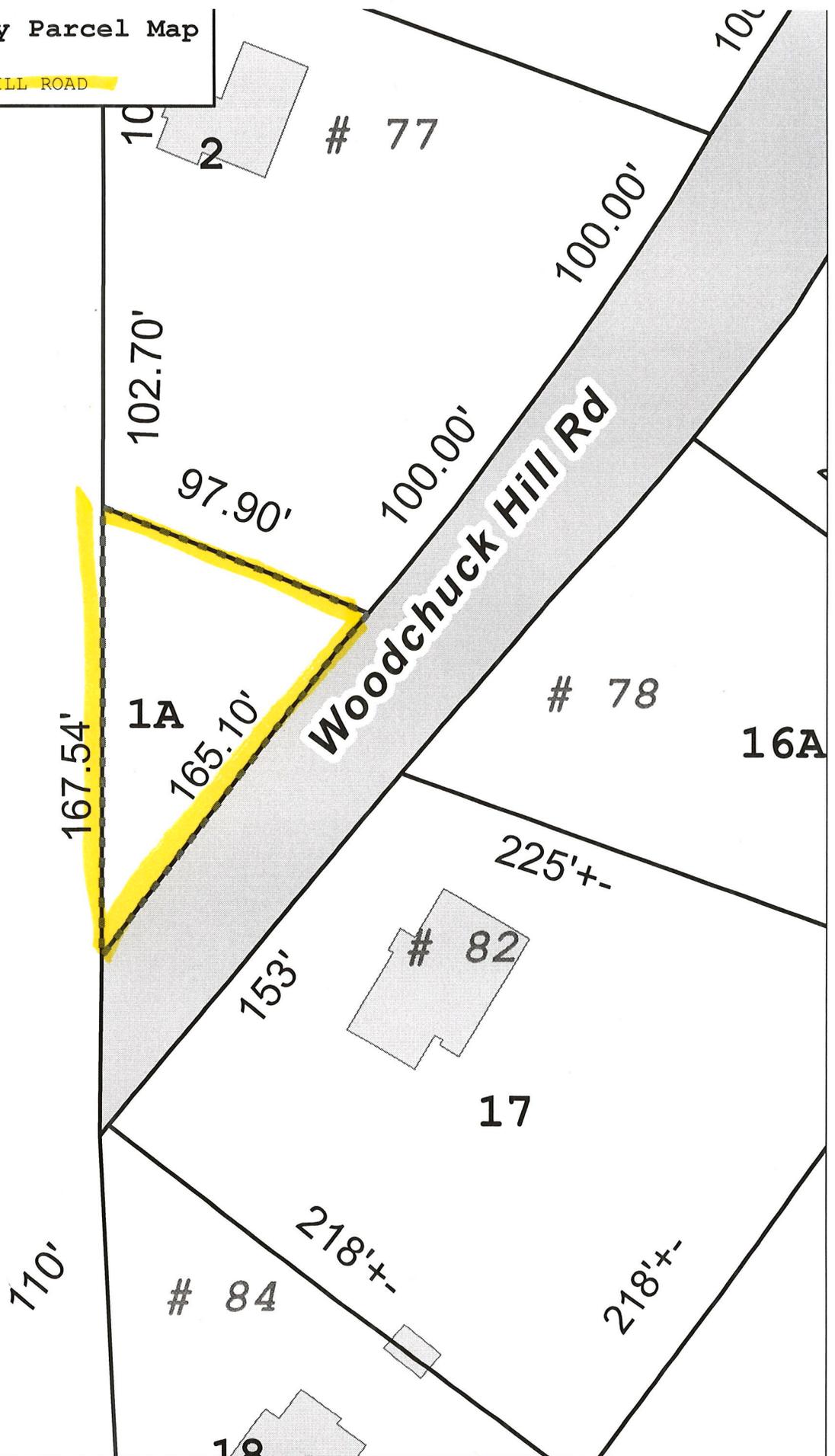
Map Produced: December 2022



# Town of Simsbury Parcel Map

Parcel: A11 420 001A

Address: WOODCHUCK HILL ROAD



1 inch = 50 feet



Disclaimer: This map is for informational purposes only All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

Map Produced: December 2022





# Town of Simsbury Parcel Map

Parcel: F08 110 010

Address: 50 GREAT POND ROAD

13.3 AC  
OPEN SPACE  
TOWN OF SIMSBURY



1 inch = 100 feet



Disclaimer: This map is for informational purposes only. All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

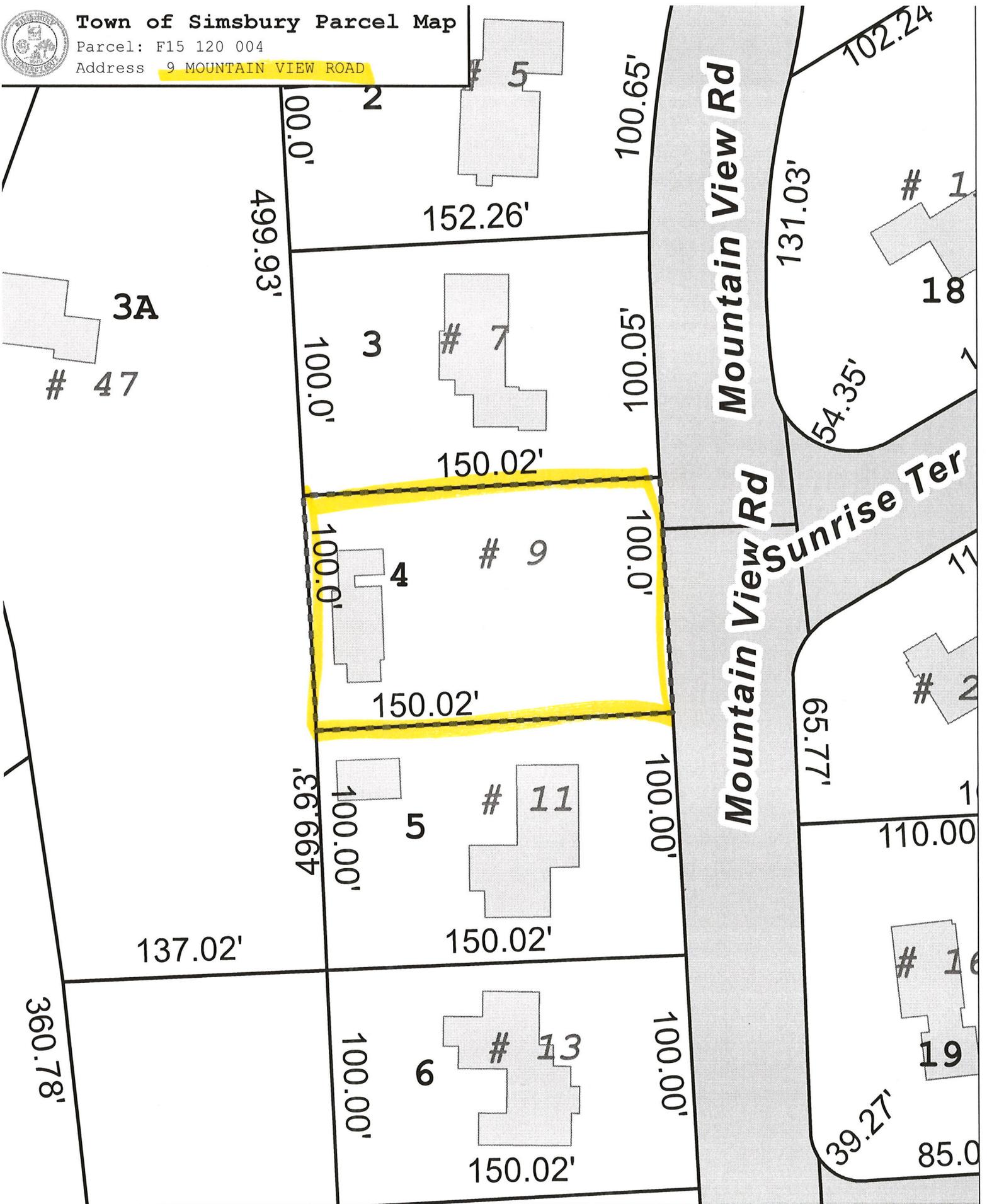
Map Produced: December 2022



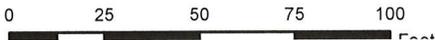
# Town of Simsbury Parcel Map

Parcel: F15 120 004

Address 9 MOUNTAIN VIEW ROAD



1 inch = 50 feet



Disclaimer: This map is for informational purposes only. All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

Map Produced: December 2022



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Connecticut Department of Agriculture Farm Viability Grant
2. **Date of Board Meeting:** July 10, 2023
3. **Individual or Entity Making the Submission:**  
Lee C. Erdmann, Interim Town Manager; Thomas Roy, Director of Public Works/Town Engineer

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

*Move, effective July 10, 2023, to authorize resubmission of the 2023 Agriculture Farm Viability Grant to fund repairs to the Town-owned Community Farm at 73 Wolcott Road with a value of \$35,500.*

5. **Summary of Submission:**

At the May 8, 2023 Board of Selectmen meeting, the Board voted to support the Town submitting for a \$30,000 Department of Agriculture, Farm Viability Grant to fund improvement to the Town Farm on Wolcott Road. The Town submitted a grant for:

1. Repair the four Hoop Houses/Greenhouses with new plastic coverings, doors, and miscellaneous repairs.
2. Miscellaneous plumbing repairs, which would include an exterior wash sink and bathroom.
3. Exterior doors and miscellaneous carpentry on the goat barn and chicken coop.
4. Replacement cooling units for cold storage.
5. Miscellaneous fencing repairs.

Upon receipt and review of the grant, representatives from the Department of Agriculture were impressed with Simsbury's grant proposal as well as our efforts to support our farmers and asked if the Town had any other projects that could fall under the grant. Working with Department of Agriculture and the needs for our farmers, we were able to increase the value of the grant by including new food grade shelving in the cold storage areas and a preliminary structural assessment for the large barn. Adding these two projects will bring the total value of the grant to \$35,500. Additionally, the Department of Agriculture has accepted our payment of utility bills and reduced rent to apply to our 40% grant match.

**6. Financial Impact:**

With the new farmers leasing the land at \$1 per year and the Town paying utility cost, the Town will be credited for the value of this arrangement toward the Town's match for this grant. If additional funding is required, the Board of Finance approved \$5,000 in our CNR budget for FY 24 for Community Farm maintenance and repairs that can be leveraged to meet a portion of the grant match.

**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 2023 Bulky Waste (Transfer Station) Fee Schedule
2. **Date of Board Meeting:** July 10, 2023
3. **Individual or Entity Making the Submission:**  
Lee C. Erdmann, Interim Town Manager; Thomas Roy, Director of Public Works/Town Engineer
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports the recommendation of Town staff for the proposed 2023 Bulky Waste (Transfer Station) Fee Schedule as presented, the following motion is in order:

*Move, effective July 10, 2023, to adopt the 2023 Bulky Waste (Transfer Station) Fee Schedule as presented.*

5. **Summary of Submission:**  
Simsbury contracts out the daily operation of our Bulky Waste (Transfer Station) Facility to Paine's Inc. The permit fee and revenue collected for the materials processed at the facility are the only payment made to Paine's for their work in running this facility.  
  
Paine's has requested, and Town staff supports, a fee increase to keep up with inflation and the increasing cost to process recyclable materials. The proposed increase will raise the permit fee from \$25.00 to \$40.00 for an annual permit and from \$10.00 to \$15.00 for a one-week permit. These fees are in line with other transfer stations in the region and represents the increasing cost of processing.  
  
Paine's is also now accepting Polystyrene/Packing Material and Concrete, Rock, Bricks and Masonry to the long list of items taken at the facility.
6. **Financial Impact:**  
There is no direct financial impact to the Town; all fees are borne by facility users and those fees support the cost to operate the facility.
7. **Description of Documents Included with Submission:**
  - a) Transfer Station Fee Schedule Showing Current vs. Proposed Fees



# Town of Simsbury

## BULKY WASTE FEE SCHEDULE

66 WOLCOTT ROAD

REVISED TOWN APPROVED FEES (7/1/2023)

**Permit Fee for 12 Months (July 1-June 30) ~~\$25.00~~ \$40.00; 2<sup>nd</sup> Car \$10.00; Permit Fee for One Week ~~\$10.00~~ \$15.00**

Permits can be purchased at the landfill during normal hours of operation. (Wednesday & Saturday from 8:00 a.m. until 3:00 p.m. – Please arrive by 2:45 p.m.) Proof of residency is required. **All permit fees offset the cost of transportation and processing of all materials (including recyclables).** If the rules for disposing waste/debris at the Simsbury Transfer Station are violated, dumping privileges may be revoked. Attendant has the right to refuse any and all items.

### Fees In Addition to Permit Fee:

### Current Proposed

Single small items up to 1/3 c.y.	\$15.00 \$7.00	\$15.00 \$7.00	Each Item Each Item Senior Citizen Only*
Large single item up to 2/3 c.y.	\$20.00	\$20.00	Each Item
Full Load –Automobile, Passenger Van, SUV	\$35.00	\$35.00	Load
Full Load – Pick-up Truck (6’), 2 Wheel Light Trailer	\$45.00	\$45.00	Load
Full Load –Pick-up Truck (8’), Tag Along Trailer	\$65.00	\$65.00	Load
Loose Brush	\$25.00	\$25.00	c.y.
Limbs, Logs - Max 6’ x 3’, Stumps (Clean) – Max diameter 3’	\$25.00	\$25.00	c.y. – No Commercial Loads
Clean Lumber	\$25.00	\$25.00	c.y. – No Commercial Loads
Shingles/Roofing Materials	\$40.00	\$40.00	c.y. – No Commercial Loads
Tires – Auto size, No Rim <del>Tires – Auto size, On Rim</del>	\$10.00 <del>\$20.00</del>	\$10.00	Each
Tires – Truck Size, No Rim <del>Tires – Truck Size, On Rim</del>	\$15.00 <del>\$25.00</del>	\$15.00	Each
Tires – Off Road, No Rim <del>Tires – Off Road, On Rim</del>	\$75.00 <del>\$85.00</del>	\$75.00	Each
<u>Tires – On Rim</u>		<u>\$10.00</u>	<u>Additional for Each Tire</u>
<u>Polystyrene/Packing Material</u>		<u>\$10.00</u>	<u>c.y.</u>
<u>Concrete, Rocks, Bricks, Masonry &amp; Asphalt Chunks</u>		<u>\$30.00</u>	<u>c.y.</u>
Appliances with Freon/CFU’s	\$25.00	\$25.00	Each
Propane Tanks – 20lbs. must be empty	\$5.00	\$5.00	Each
Propane Tanks – 30lbs. must be empty	\$10.00	\$10.00	Each
Propane Tanks – 40lbs. must be empty	\$20.00	\$20.00	Each
Scrap Metal – Single Item	\$5.00	\$5.00	Each
Scrap Metal – Pick-up Load (6’)	\$20.00	\$20.00	Load
Method of Measurement: 1 cubic yard (1 c.y.) = 3’ x 3’ x 3’ or 27 cubic feet			

**\*65 Years or Older – Documentation Required**

### No Charge for the Following Recyclable Items *Except* Permit Fee:

Newspapers	Magazines	Junk Mail
Automotive Batteries	Motor Oil	Plastics #s 1 through 7
Food/Beverage Cans	Food/Beverage Jars	**Mattresses- Crib, Full, King & Queen
Paint – water & oil based, 5 gal. container or less in original container with readable labels, no aerosol (spray) cans		**Box Springs- Crib, Full, King & Queen

**\*\* Mattress & Box Springs CANNOT be accepted at no cost if they are wet (\$30), heavily soiled (\$30), or infested with bedbugs (NOT ACCEPTED).**

### No Permit Fee & No Charge for the Following Items (Proof of residency is required)

Leaves
Grass Clippings
Electronics - televisions, monitors, computers and printers only ***

**\*\*\* Recycling of electronics NOT covered by CT State Law (such as VCRs, DVD players, keyboards, etc.) – items are accepted at no charge to consumers, but do require a permit fee.**

If you have any questions, please call Paine’s at 860-844-3000



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Revisions to Board of Selectmen Rules of Procedure
2. **Date of Board Meeting:** July 10, 2023
3. **Individual or Entity Making the Submission:**  
Lee C. Erdmann, Interim Town Manager

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports the proposed revisions to the Board of Selectmen Rules of Procedure, the following motion is in order:

*Move, effective July 10, 2023, to approve the revisions to the Board of Selectmen Rules of Procedure as presented.*

5. **Summary of Submission:**  
On June 26<sup>th</sup> a workgroup consisting of Selectman Askham and Selectman Wellman met to review the Board of Selectmen Rules of Procedure. During that meeting suggested revisions of having two public audience sections on the agenda with the first being for audience members speaking on agenda topics and then another section at the end for other topics, a sign in sheet for speakers, and a decorum section were endorsed to be forwarded to the full Board of Selectmen for review and approval.

Changes to the rules of procedure were discussed with attention to balancing the need to ensure meeting efficiency while maximizing resident feedback. Changes will be gradual to monitor implementation, in the interest of not drastically changing the rules of procedure for the upcoming board. Board logistics, a complete description of chair (First Selectman) duties, quorum and attendance requirements, are all topics that other towns have addressed in their meeting guidelines, and that the Town does not address and should consider when the Rules of Procedure are reviewed at the organizational meeting of the Board of Selectmen on December 4, 2023.

6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**
  - a) Board of Selectmen June 26, 2023 Work Group Meeting Minutes
  - b) Proposed Board of Selectmen Rules of Procedure
  - c) Draft Speaker Sign-In List



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## **Board of Selectmen Work Group Special Meeting**

Monday, June 26, 2023

Main Meeting Room, Town Hall, 933 Hopmeadow Street

### **MINUTES (DRAFT)**

Members Present: Eric Wellman, Sean Askham

Staff Present: Lee Erdmann, Trish Munroe, Franklyn Barrueco

Others Present: Wendy Mackstutis

The meeting was called to order at 5 PM.

#### **1) Discussion on Simsbury Board of Selectmen Rules of Procedure (ROP)**

The limit on the scope of changes, number, restructuring public audience, refocusing how to get on the agenda, decorum expectations, speaker sign-in, and draft revisions were discussed.

#### **2) Next Steps**

Based on the discussion, staff will prepare draft text amendments to the current ROP for consideration at the next BOS meeting scheduled for July 10, 2023.

Motion to Adjourn by Eric Wellman / Motion Seconded by Sean Askham

Vote: 2 – 0 – 0

Meeting Adjourned at 5:45 PM

Respectfully Submitted,  
Franklyn Barrueco  
Interim Management Specialist  
Town of Simsbury



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## Board of Selectmen Work Group

### ADDENDUM

The following are additional improvements for future iterations of the Simsbury Board of Selectmen's Rules of Procedure suggested by the Board of Selectmen Work Group:

- Consent Agenda
- Presentation Parameters
- Meeting Types
- General Meeting Logistics
- Board Agenda
- Order of Business
- Chair/First Selectmen Duties
- Quorum & Attendance
- Outlining Agenda/Package Prep



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN RULES OF PROCEDURE – ADOPTED DECEMBER 6, 2021 *REVISED JULY 10, 2023*

**BE IT RESOLVED**, that the Board of Selectmen adopts the following rules of procedure:

**§A162-1. Adoption of standards.** The Board of Selectmen adopts Robert’s Rules of Order as a general guide for the conduct of all regular and special meetings. The Board of Selectmen will conduct its business in accordance with all other applicable rules and regulations including state statutes and the Town Charter.

**§A162-2. Inclusion of items on agenda; distribution of agenda.** When possible, the agenda along with relevant resource material will be distributed to the Board members four (4) days prior to the meeting. Items not specifically included on the agenda may be included by a two-thirds vote of those present and voting. Except in emergency and unusual circumstances, action will not be taken on any agenda item so placed until the next meeting. Under no circumstances will any item be added to the agenda later than two hours after the beginning of the meeting. In accordance with Connecticut General Statutes, no items will be added to a special meeting agenda.

**§A162-3. Placement of items on agenda by Board member.** A member of the Board may have an item placed on the agenda by contacting the First Selectman or Town Manager at least seven days prior to the meeting.

**§A162-4. State of the Town Message.** The First Selectman may present a “State of the Town Message” at the beginning of one regular meeting per month.

**§A162-5. Public participation.** One period of not less than twenty (20) minutes may be set aside at the beginning of each regular meeting of the Board of Selectmen to allow members of the public present to address the Board: *on specific agenda item(s) for that meeting.* Each speaker will be limited to five (5) minutes: *and will be required to sign in ahead of speaking.* ~~After all those who wish to speak have done so, previous speakers may be allowed to speak again at the end of the meeting for an additional five minutes, at the pleasure of the Board.~~ When the First Selectman identifies a number of speakers who wish to speak in public audience which would exhaust the time allowed, a shorter period for each speaker shall be set. Any citizen so speaking shall identify himself/herself by name and address and if he/she is representing a group or organization, he/she may so state. ~~The First Selectman, upon approval by unanimous consent, may allow additional public participation on an agenda item under discussion. From time to time, the Board of Selectmen may schedule special meetings or regular meetings devoted to a particular topic or topics.~~

The Board may, at its discretion, allow additional time, at the conclusion of a regular meeting, for members of the public to comment on issues that are not on the meeting agenda. Each speaker will be limited to three (3) minutes for general public comments.

**§A162-5.1 Decorum.** The Board supports the right of a resident to criticize its local government, only if done appropriately and responsibly, with civility and discretion. This section is not intended to deprive any person of their right to freedom of expression or speech, but only to maintain, a safe, productive and harassment-free workplace and environment for Town staff and visitors. All meeting participants should address the Board, maintain a civil tone and should not impugn the motive, character or integrity of any individual.

**§A162-6. Time placement of agenda items.** When a board, commission, organization, or individual is invited to the meeting to discuss a particular agenda item, that item shall be placed on the agenda at the time requested, if possible.

**§A162-7. Routine agenda items.** All other items of a routine nature, such as ratification of bid awards, tax rebates, resignations and appointments, communications, committee reports, etc., shall be placed in the final portion of the agenda.

**§A162-8. Executive session.** The Board of Selectmen may enter executive session as permitted by Connecticut General Statutes.

**§A162-9. Votes and minutes of Board of Selectmen.** In accordance with Chapter 14, Section 1-225 of the Connecticut General Statutes entitled Freedom of Information Act, the votes of each member of the Board of Selectmen upon any issue before the Board of Selectmen shall be reduced to writing and made available to the public within forty-eight hours. These votes shall also be recorded in the minutes of the Board of Selectmen meeting. Further, a draft of the minutes of the Board of Selectmen meeting shall be available for public inspection within seven days of the session to which they refer. The First Selectman's Office will post the actions taken by the Board of Selectmen and both the draft and final version of the meeting minutes on the Town's web-site when available.

**§A162-10. Completion of meetings.** It is the Board of Selectmen's objective to complete meetings by 10:30 p.m. when possible.

**§A162-11. Expiration.** These Rules of Procedure will be in effect until the end of the Board's term on December 4, 2023.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## SIMSBURY BOARD OF SELECTMEN SPEAKER LIST MEETING DATE: MONTH/DAY/YEAR

Name	Address	Agenda Item	In Favor or Opposed	Representative of Group/Org
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

*The Board supports the right of a resident to criticize their local government, only if done appropriately and responsibly, with civility and discretion. This section is not intended to deprive any person their right to freedom of expression or speech, but only to maintain, a safe, productive and harassment-free workplace and environment for Town staff and visitors. All meeting participants should address the Board, maintain a civil tone and should not impugn the motive, character or integrity of any individual.*



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Certification of Petition to Add Question to November Ballot
2. **Date of Board Meeting:** July 10, 2023
4. **Individual or Entity Making the Submission:**  
Lee C. Erdmann, Interim Town Manager; Trish Munroe, Town Clerk
4. **Action Requested of the Board of Selectmen:**  
The Board of Selectmen shall move to acknowledge receipt of the petition as well as approve Town staff to publicize the Board of Selectmen warning to the electors of Simsbury that a question will be on the November ballot, the following motions are in order:  
  
*Move, effective July 10, 2023 to acknowledge receipt of a petition that met the minimum statutory requirement of not less than ten percent of qualified electors in the Town of Simsbury.*  
  
*Further move, to authorize staff to publicize the Board of Selectmen's warning to the electors of Simsbury as approved by Town Attorney.*
5. **Summary of Submission:**  
The Town Clerk's Office has received a petition that meets the statutory minimum number of signatures to add a question about the sale of recreational marijuana in the Town of Simsbury. The Board of Selectmen should acknowledge receipt of the petition and approve the warning to the electors that staff has provided. This question will be on the ballot for the November 7, 2023 election.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**
  - a) Memo from T. Munroe re: Certification of Petition signatures to add the following question to the November 7, 2023 Municipal Election Ballot: SHALL THE SALE OF RECREATIONAL MARIJUANA BE ALLOWED IN THE TOWN OF SIMSBURY?



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of the Town Clerk

TO: Wendy G. Mackstutis, First Selectman  
Amber Lane Abbuhl, Deputy First Selectman  
Sean P. Askham, Eric Wellman, Heather Goetz and Chris Peterson, Members of the Board of Selectmen

cc: Lee C. Erdmann, Interim Town Manager  
Thomas Fitzgerald, Interim Deputy Town Manager

Robert M. DeCrescenzo, Esq.  
Updike, Kelly & Spellacy, P.C.

Karen E. Cortes, Democratic Registrar of Voters  
Susan Salina, Republican Registrar of Voters

FROM: Trish Munroe, Town Clerk

DATE: June 27, 2023

Re: Certification of Petition signatures to add the following question to the November 7, 2023 Municipal Election Ballot: **SHALL THE SALE OF RECREATIONAL MARIJUANA BE ALLOWED IN THE TOWN OF SIMSBURY?**

Pursuant to CGS Sec. 21a-422g(a), a petition for the above-referenced question has been filed with the Town Clerk's office at least 60 days before the date of the November 7, 2023 election. On June 23, 2023, the number of valid signatures obtained (1,918) meets the minimum statutory requirement of not less than ten percent (10%) of qualified electors in the town (19,140).

I hereby certify that the validity of each signature was checked by the Town Clerk's office or the Registrar of Voters' office.

The Board of Selectmen shall warn the electors in town that at the election to be held on November 7, 2023, a vote shall be taken on the question of cannabis establishment license with the ballot label designation as: **SHALL THE SALE OF RECREATIONAL MARIJUANA BE ALLOWED IN THE TOWN OF SIMSBURY?**

Telephone (860) 658-3243  
Facsimile (860) 658-3206

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

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



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignations from Various Boards & Commissions
2. **Date of Board Meeting:** July 10, 2023

3. **Individual or Entity Making the Submission:**  
Lee C. Erdmann, Interim Town Manager; Trish Munroe, Town Clerk

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen accept the resignations, the following motions are in order:

*Move, retroactive to June 16, 2023, to accept the resignation of Diane T. Duran as an Alternate Member of the Planning Commission.*

*Move, retroactive to June 16, 2023, to accept the resignation of Victor Bible as a Regular Member of the Aging & Disability Commission.*

*Move, retroactive to June 22, 2023, to accept the resignation of Edward LaMontagne as an Alternate Member of the Aging & Disability Commission.*

*Move, retroactive to July 5, 2023, to accept the resignation of Linda Schofield as a Regular Member of the Board of Finance.*

5. **Summary of Submission:**  
The Town Clerk has received the following resignations:

1. Diane T. Duran (D) as an Alternate Member of the Planning Commission effective June 16, 2023. Ms. Duran's term was to expire December 4, 2023.

Section 205 of the Charter, "Vacancies: elective offices," states:

"... any vacancy, except a vacancy on the Board of Selectmen, in any elective Town office, including the Board of Education, shall be filled within forty-five (45) days of such vacancy by appointment by the Board of Selectmen, for the unexpired portion of the term or until the next regular municipal election, as defined in Section 9-1 of the General Statutes, whichever shall first occur."

Pursuant to our Charter, since Ms. Duran is a Democrat, her replacement must be from the same political party. Therefore, this vacancy must be filled no later than July 31, 2023. The appointee will serve until December 4, 2023, which is the date that the newly elected Planning Commission Alternate will begin a 4-year term.

2. Victor Bible (U) as a Regular Member of the Aging & Disability Commission effective June 16, 2023. Mr. Bible's 4-year term was to expire January 1, 2027. Since Mr. Bible is Unaffiliated, his replacement may be Unaffiliated, Democrat or Republican and maintain minority representation.
3. Edward LaMontagne (U) as an Alternate Member of the Aging & Disability Commission effective June 22, 2023. Mr. LaMontagne's 2-year term was to expire January 1, 2024. Since Mr. LaMontagne is Unaffiliated, his replacement may be Unaffiliated, Democrat or Republican and maintain minority representation.
4. Linda Schofield (D) as a Regular Member of the Board of Finance effective July 5, 2023. Ms. Schofield's term was to expire December 1, 2025.

Section 205 of the Charter, "Vacancies: elective offices," states:

"... any vacancy, except a vacancy on the Board of Selectmen, in any elective Town office, including the Board of Education, shall be filled within forty-five (45) days of such vacancy by appointment by the Board of Selectmen, for the unexpired portion of the term or until the next regular municipal election, as defined in Section 9-1 of the General Statutes, whichever shall first occur."

Pursuant to our Charter, since Ms. Schofield is a Democrat, her replacement must be from the same political party. Therefore, this vacancy must be filled no later than August 18, 2023. The appointee will serve until December 4, 2023, which is the date that the newly elected Board of Finance member will fill the two years remaining in the term until December 1, 2025.

**6. Financial Impact:**

None

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

- a) Diane T. Duran's letter resigning from the Planning Commission dated May 15, 2023
- b) Victor Bible's resignation dated June 16, 2023
- c) Edward LaMontagne's resignation dated June 22, 2023
- d) Linda Schofield's letter resigning from the Board of Finance dated July 5, 2023

May 15, 2023

Trish Munroe, Town Clerk  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070

Dear Ms. Munroe,

Due to a work relocation, I hereby resign my position as Alternate Member on the Planning Commission. Please notify the Board of Selectmen that the effective date of my resignation is June 16, 2023.

I am grateful for the opportunity to serve Simsbury.

Sincerely,



Diane T. Duran

TOWN CLERK'S OFFICE

RECEIVED  
TOWN OF SIMSBURY, CT  
2023 MAY 16 P 12:55

Trish –

Here is Vic's resignation email to me

Please let me know if you need anything else.

Thank you

Diana

Sent from Mail for Windows

**From:** Vic Bible

**Sent:** Friday, June 16, 2023 1:42 PM

**To:** Diana Yeisley

**Subject:** Re: Aging and Disability Commission mtg Tuesday 6/20/23

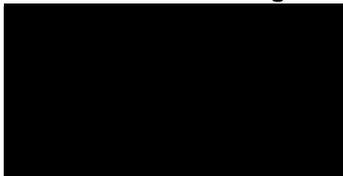
I had open heart triple bypass surgery last Wednesday. This will have me unable to attend the meeting.

I am submitting my resignation to the Aging and Disability Commission this week. It has been a pleasure working with you and the Commission for over 10 years. I have seen so much progress over the years that I am very proud to have been a Commissioner. Thank you!

TOWN CLERK'S OFFICE

RECEIVED  
TOWN OF STURBRIDGE, CT  
2023 JUN 20 12 38 51

Edward J. LaMontagne



22 June 2023

Trish Munroe  
Town Clerk  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070

Dear Ms. Munroe

This letter is to inform you of my resignation as an alternate member of the Town of Simsbury Aging and Disability Commission effective this date.

Thank you.

Sincerely,

*Edward J. LaMontagne*

Edward J. LaMontagne

TOWN CLERK'S OFFICE

RECEIVED  
TOWN OF SIMSBURY, CT  
2023 JUN 21 12:13

July 5  
~~June 20, 2023~~



Trish Munroe  
Simsbury Town Clerk  
933 Hopmeadow St  
Simsbury, CT 06070

Dear Trish,

In light of new information I got From Erin, that I must resign immediately u order for a new candidate to run for the remaining two years of my term, am re-sending this letter to proffer my resignation from the town's Board of Finance, effective July 5th. It has been an honor to serve for some ten years, but for family and personal reasons, I need to step down. I understand that you will be able to replace me with the election of a new member of the BOF in the upcoming elections.

Thank you for your assistance in sorting out the details of the process for resigning!

Sincerely,



Linda Schofield

TOWN CLERK'S OFFICE

RECEIVED  
TOWN OF SIMSBURY, CT  
2023 JUL -5 P 12: 24

## **CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m. in the Main Meeting Room of the Town of Simsbury. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members Chris Peterson, Eric Wellman, Sean Askham, and Heather Goetz. Others in attendance included: Interim Town Manager Lee C. Erdmann; Acting Deputy Town Manager Tom Fitzgerald; Finance Director Amy Meriwether; Assessor Francine Beland; Police Chief Nicholas Boulter; Town Engineer/Public Works Director Tom Roy; and other interested parties.

## **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

## **PRESENTATION**

### **a) 2022 Revaluation Presentation**

Ms. Meriwether said the revaluation is mandated by statute for every 5 years. The purpose is to equalize the tax base among all classes of taxable property and to establish fair market value for all real estate. She explained how everyone's property was valued during this revaluation. She also went through the types of appraisals and the revaluation timeline. She explained how the Board of Assessment Appeals is trained and a handbook was given to them for residential and commercial properties.

Ms. Meriwether went through Simsbury's property assessment increases and the comparison to other towns. She went through what she felt went well and what improvements could be made.

After discussion, no motion was made for this presentation.

## **PUBLIC AUDIENCE**

Joan Coe, 26 Whitcomb Drive, spoke the Town Management form of government, revaluation restrictions, employees departing their positions, lawsuits, businesses not being treated properly, the Community Forum/Gifts of Love, Eno Trust and affordable housing, the Police Department and other issues.

Ms. Abbuhl said she and the Board think highly and appreciate of the Town staff, Town planner and Police Chief. In her experience, the Town staff has been very professional, and they give their all for this community.

Sarah Nielson from Main Street Partnership spoke about commercial property and is not critical of the Director of Finance. She is interested in seeing the full numbers and data on the revaluation. She suggested that the Town reach out to property owners for their ideas and have a better connection with them.

Ms. Abbuhl made a motion to amend the agenda to add item f under Selectmen Action for an update on the hazard communication grant. Mr. Askham seconded the motion. All were in favor and the motion passed.

## **FIRST SELECTMAN'S REPORT**

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

## **TOWN MANAGER’S REPORT**

Mr. Erdmann, Interim Town Manager, reviewed his Town Manager’s report.

## **SELECTMEN LIAISON AND SUB-COMMITTEE 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. Goetz said the Friends of the Simsbury Public Library are accepting book donations on Tuesdays and Fridays from 10-12 for their annual book sale.

Ms. Goetz also said the Planning POCD draft is on the Simsbury website and there will be a meeting on June 27, 2023, from 7-9 p.m. at the Library for public comments.

Ms. Abbuhl said the Pride flag raising was held last week at Town hall and the intergenerational drag queen event was a huge success with over 100 people in attendance. She thinks Social Services would like to look at doing more intergenerational events like that.

Ms. Abbuhl said there will be a hot dog cookout and make your own tie dye pillowcase on June 22, 2023 from 11:30 – 1:30 at Eno Hall, which is free, but you need to register by June 19<sup>th</sup>.

Mr. Wellman said the DEI event this Saturday will have a couple of food trucks, but people are invited to bring their own picnics and beverages if they choose. This will be held from 12 – 4.

Mr. Peterson said the High School Principal is retiring and we wish him luck. Also, the new Principal is great.

He also gave a shout out to the U14 and U12 boys lacrosse teams, Connecticut Valley State Champions.

Mr. Peterson said that tomorrow is cheese day, and this Town continues to respond to the public needs. We still need health supplies.

## **SELECTMEN ACTION**

### **a) Tax Refund Requests**

Mr. Askham made a motion, effective June 12, 2023, to approve the presented tax refunds in the amount of \$2,499.68 and to authorize the Interim Town Manager, Lee C. Erdmann, to execute the tax refunds. Mr. Wellman seconded the motion. All were in favor and the motion passed.

### **b) Acceptance of Yearly Matching Grant from Connecticut Department of Transportation, for Dial-A-Ride’s Elderly and Disabled Demand-Responsive Transportation**

Mr. Askham made a motion, effective June 12, 2023, to accept the FY 2023-2024 grant funds Connecticut Department of Transportation to support our Enhanced Dial-A-Ride program and to authorize the Interim Town

Manager, Lee C. Erdmann to execute all documents related to the grant award. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**c) Abatement and Permitting Fee Waiver Request, 100 Grist Mill Road, EBAD**

Mr. Erdmann said there was an error in the chart on the abatement that has been corrected. He said the updated growth would be \$654,029 with the net tax over 10years of the abatement is 197,256. The Town has granted abatements like this in the past. The Business Incentive Committee did vote and approve the abatement and fee waiver as well, however, it was not unanimous. It was noted that this abatement and fee waiver is available to any business.

After some discussion, Mr. Askham made a motion, effective June 12, 2023, to approve the Tax Abatement Agreement for the 100 Grist Mill Road and authorize Interim Town Manager, Lee C. Erdmann to execute the agreement subject to final review and by the Town Attorney. Further move, to approve the fee waiver request for EBAD. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**d) FY 23/24 Non-Union GWI**

The was a lot of discussion about the Library Director and Police Chief positions. They would be getting a higher degree due to market analysis comparisons. They are also recommending the people in those positions be maintained at the maximum. There was also discussion on what the Library programs are and what the market rates are.

Mr. Askham amended the motion for the 2.4% increase motion, effective June 12, 2023, to approve a 2.56% general wage increase for unaffiliated staff in a non-probationary status effective July 1, 2023 pending a satisfactory annual performance evaluation.

Further move, to approve a 2.56% general wage increase for affiliated staff in a probationary status upon successful completion of their probationary period.

Further move, to adjust the salary range for non-union classifications as presented. Ms. Abbuhl seconded the motion. Mr. Askham and Ms. Abbuhl and Mr. Wellman were in favor with Ms. Goetz, Mr. Peterson and Ms. Mackstutis were against the motion. Therefore, the motion did not pass.

Ms. Goetz made a motion, effective June 12, 2023, to approve a 2.4% general wage increase for unaffiliated staff in a non-probationary status effective July 1, 2023 pending a satisfactory annual performance evaluation.

Further move, to approve a 2.4% general wage increase for affiliated staff in a probationary status upon successful completion of their probationary period.

Further move, to adjust the salary range for non-union classifications as presented.

Mr. Peterson seconded the motion. All were in favor and the motion passed.

**e) Board of Selectmen Rules of Procedure Discussion**

Mr. Wellman feels that the timeline should be changed from the next Board to review to this Board reviewing. He feels a small work group should be formed to discuss the culture the Board wants for meetings and for Town Hall. He feels they would make a draft after discussing with staff and he would be interested in being on this workgroup. Mr. Askham said he would also be in the group. There were some proposals made with the last Town Manager as well that should be discussed.

After discussion, Mr. Wellman made a motion to create a work group to discuss and revise the Board of Selectmen Rules of Procedures with he and Mr. Askham in the work group. Mr. Askham seconded the motion. After further discussion, all were in favor and the motion passed.

**f) Hazard Mitigation**

Mr. Roy spoke about a grant being applied for and received for approximately \$42,000. The Town bought the property with a plan to knock down the house. They cleared the property within the flood plain and all of this was acceptable to FEMA and other departments.

Now FEMA is saying they were not made aware of a park being built there and they want to be sure that the river will not rise any higher than it would have before. They are now saying we can remove the pavers and fencing, give the money back to them or pay for a \$60,000 study about this. He said he will be meeting with FEMA later this month to discuss this further.

After discussion, there was no motion at this time.

**APPOINTMENTS AND RESIGNATIONS**

**a) Resignations and Appointments to Various Boards and Commissions**

Mr. Askham made a motion, retroactive to May 20, 2023, to accept the resignation of Kevin E. Gray as a Regular Member of the Zoning Commission; retroactive to June 6, 2023, to accept the resignation of Susan Rubenstein as a Regular Member of the Library Board of Trustees; effective June 12, 2023, to appoint Tony Braz as a Regular Member of the Zoning Commission; effective June 12, 2023, to appoint David Moore as a Regular Member of the Public Building Committee; effective June 12, 2023, to appoint Pradeep Bajaj as a Regular Member of the Simsbury Housing Authority; effective June 12, 2023, to appoint Rachel Hayes as a Regular Member of the Simsbury Diversity, Equity and Inclusion Council; effective June 12, 2023, to appoint Mel Knight as a Regular Member (Student Representative) to the Simsbury Diversity, Equity and Inclusion Council; and, effective June 12, 2023, to appoint Michael Schultz as a Regular Member to the Simsbury Sustainability Committee with a term ending December 4, 2023. Mr. Peterson seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) May 22, 2023 Regular Meeting Minutes**

There were no changes to the May 22, 2023 Regular Meeting Minutes and, therefore, the minutes were adopted.

**COMMUNICATIONS**

**a) Administrative Approval of Public Gathering Permit Memo**

There was no discussion at this time.

**EXECUTIVE SESSION**

a) **Pursuant to CGS Section 1-200(6)(E); Discussion of Draft Memorandum of Understanding with**

Mr. Peterson made a motion to adjourn to Executive Session pursuant to CGS Section 1-200(6)(E) Discussion of Draft Memorandum of Understanding with Simsbury Main Street Partnership at 7:45 p.m. and to include Lee C. Erdmann, Tom Fitzgerald and Attorney Bob DeCrescenzo. Mr. Askham seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to adjourn executive session at 8:01 p.m. Mr. Wellman seconded the motion. All were in favor and the motion passed.

**ADJOURN**

Mr. Askham made a motion to adjourn the meeting at 8:01 p.m. Ms. Goetz seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk



# Town of Simsbury Conservation Commission

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

May 16, 2023

Town of Simsbury  
Board of Selectmen  
933 Hopmeadow Street  
Simsbury, Connecticut 06070

Honorable Board Members:

The Town Code allows outside technical assistance for its land use commissions when reviewing large and complex projects. Section 85-6.1 states that Commissions may engage subject matter experts such as engineers, traffic consultants, or soils scientists to assist the Commission when the nature, scope, or intensity is beyond the technical capacity of Town Staff to fully evaluate.

However, under the existing code, technical assistance, at the applicant's expense, is only available for a "large and complex project", which is defined as "proposed new construction of 100,000 square feet of gross building area or more and/or proposed new parking areas of 200 parking spaces or more". An application before the Conservation Commission might raise complex technical issues with potential impacts to wetlands and watercourses without involving large buildings or parking lots. In such an instance, third party technical assistance would not be available to the Commission.

We suggest that §85-6.1 A be amended to provide that subject matter experts may be retained at the Commission's discretion, without specific metrics being imposed. There would be no danger of excess on the commission's part since every proposal for the retention of an expert requires Board of Selectmen approval. There is no cost to the Town for the additional technical assistance.

The town code makes a provision for the retention of outside experts, at applicants' expense, to support the commission, but we submit that the relevant section, §85-6.1, is too restrictive.

We would very much appreciate support and your help in bringing this matter before the Board of Selectmen. Thank you for attention. A suggested revision of §85-6.1 A is attached.

Very truly yours,

Simsbury Conservation Commission

A handwritten signature in cursive script that reads "Margery Winters".

by Margery Winters  
its Chairman

cc: Chairman David Ryan, Zoning Commission  
Chairman Steven Antonio, Zoning Board of Appeals  
Chairman Erin Leavitt-Smith, Planning Commission

§ 85-6.1. Large and complex projects. [Added 9-10-2007]

A. For purposes of this section, "large and complex project" shall mean a land development project before the Planning Commission or Zoning Commission which has, cumulatively, proposed new construction of 100,000 square feet of gross building area or more and/or proposed new parking areas of 200 parking spaces or more or a project before the Conservation Commission which the Conservation Commission deems complex.

B. The Planning Commission, Zoning Commission, the Conservation Commission/Inland Wetlands and Watercourses Agency or Zoning Board of Appeals (hereinafter collectively the "land use agencies" or each individually a "land use agency") may require additional technical assistance in reviewing and evaluating applications for a large and complex project if the land use agencies or a land use agency determines that the nature, intensity, scope or impact of the proposed development is beyond the technical capacity of Town staff to fully evaluate and the actual cost of processing a municipal land use application exceeds the established minimum fee. The requested technical assistance shall directly pertain to the statutory jurisdiction of the land use agencies or land use agency requesting the supplemental fee. The requested supplemental fee shall be limited to the documented actual cost of retained technical consultants as noted in Subsection F.

C. When, after consulting with their staff, the land use agencies or a land use agency makes such a determination that a consultant or consultants with technical expertise in engineering, traffic, environmental, economics, planning and law and/or independent studies are required to process the application, the land use agencies or a land use agency shall obtain proposals from identified consultants. After receiving proposals for such consultant or consultants and/or independent studies, the land use agencies or a land use agency shall recommend the retention of selected consultants and prepare an estimated fee based on the actual costs of retaining such consultants and submit the proposed fee to the Board of Selectmen for adoption as a resolution. Prior to the submission of the proposed fee to the Board of Selectmen, the land use agencies or land use agency shall give notice of the proposed fee to the applicant and provide the applicant with an opportunity to comment on the scope and amount of the proposed fee.

D. After approval of the fee by the Board of Selectmen, the land use agencies or a land use agency shall bill the applicant for the approved fee. The approved fee for technical assistance, together with the application fee from the fee schedule, shall be paid forthwith. No application shall be deemed filed and complete unless accompanied by the appropriate application fees.

E. Any consultant fees not expended on review of the application shall be refunded to the applicant upon conclusion of the application process.

F. In the event that consultant costs are in excess of the approved fee paid by the applicant, the land use agencies or a land use agency shall bill the applicant, who shall pay such additional costs prior to the issuance of the permit or license sought. In no event shall the excess costs billed to the applicant exceed 110% of the approved fee.