

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – OCTOBER 13, 2021**

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CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:02 p.m. on ZOOM due to COVID-19. Present were: First Selectman Eric Wellman; Deputy First Selectman Sean Askham; Board members Wendy Mackstutis, Jackie Battos, Mike Paine and Chris Peterson. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Finance Director Amy Meriwether; Public Works Director Tom Roy; Director of Social Services Kristen Formanek; Police Chief Nicholas Boulter, Director of Culture, Parks and Recreation Tom Tyburski and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

- Email townmanager@simsbury-ct.gov by noon on Wednesday, October 13, 2021 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

Joan Coe, 26 Whitcomb Drive, spoke about the upcoming November election, Board of Selectmen and Police Department conduct.

FIRST SELECTMAN’S REPORT

Mr. Wellman, First Selectman, reviewed his First Selectman’s Report.

TOWN MANAGER’S REPORT

Ms. Capriola, Town Manager, reviewed her Town Manager’s Report.

Ms. Battos shared the deadline is tomorrow for the cell phone survey. She shared that there are 8 other towns plus Simsbury in the Farmington Valley whose Covid rates have stayed the same or gone down and none of the other towns have a mask mandate; she feels that they really need to consider the data. She stated that if they wait for the metric, it is going to kill businesses. Ms. Battos commented that she is also hoping the Town can get information to the public with what they are going to do with the barns at the Meadowood property.

Ms. Capriola shared that the metrics that were recommended to them for the rescission of the mask order was something that the Capital Region Health Directors worked on together, she believes they are planning a public announcement of those recommended metrics sometime next week. She feels that it is important for them to monitor the data and to revise the order where appropriate.

SELECTMEN ACTION

- a) Tax Refund Requests

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Ms. Mackstutis made a motion, effective October 13, 2021, to approve the presented tax refunds in the amount of \$7,052.42, and to authorize Town Manager, Maria E. Capriola to execute the tax refunds. Mr. Askham seconded the motion. All were in favor and the motion passed.

b) Gifts of Love Donation/Grant for Farm Stand

Ms. Capriola shared that Gifts of Love has been awarded a grant from the state Department of Agriculture. As part of the grant program, they need to make a financial contribution and they would like to purchase a farm stand that they would be using to sell produce or provide produce at no charge for eligible clients. The granting agency would like to see a letter of support from the BOS and because the asset is worth more than \$1500 the Board would need to accept the asset. If there is any permitted work on the property, Ms. Capriola would need to sign off on that. Staff is also recommending the Board waive the local permitting fees which would be around \$85.

Ms. Battos made a motion, effective October 13, 2021, to approve the building of a structure for use as a farm stand on the Town’s property (farm) leased by Gifts of Love, and to accept the subsequent infrastructure once completed as a donation to the Town and also authorize the Town Manager to sign the permit and land use applications related to the structure on behalf of the Town of Simsbury and to approve the waiver of local fees for the permit application fees related to the structure. Mr. Paine seconded the motion. All were in favor and the motion passed.

c) Proposed SPIRIT Partnership with First Church for Speaker Series and Application to Hartford Foundation for Public Giving

Mr. Wellman shared that the SPIRIT Council has been holding the “Let’s Talk” series and there is an opportunity for SPIRIT to get a grant through the Hartford Foundation for Public Giving in the amount of \$10,000 under the “Community Education on Housing Segregation” to support the Let’s Talk series. In order to apply, they must partner with a 501(c)3, or a faith based organization and Simsbury First Church of Christ has offered to partner with SPIRIT on the Let’s Talk series.

Ms. Formanek shared that they are really excited to partner with First Church and SPIRIT Council intends to use the funding to potentially hire some speakers or presenters to come to the “Let’s Talk” series to focus on the housing and equity in Simsbury.

Ms. Mackstutis made a motion, effective October 13, 2021, to extend our support for the Simsbury First Church of Christ grant application to the Hartford Foundation for Public Giving’s Community Education on Housing Segregation grant in the amount of \$10,000. The purpose of the grant fund would be to support the Town’s Let’s Talk series in providing engagement and education opportunities for town residents around the areas of housing, diversity and inclusivity. Should the grant be awarded, further to approve the development and execution of a memorandum of agreement between First Church and the Town regarding the Let’s Talk series partnership, as approved to form by the Town Attorney and to authorize the Town Manager to execute all necessary documents to finalize this partnership. Mr. Askham seconded the motion. All were in favor and the motion passed.

d) Proposed Short-Term Rental Ordinance (Schedule a Public Hearing)

Mr. Wellman shared that a workgroup was formed prior to the pandemic to draft an ordinance to regulate the short-term rental market. Ms. Battos and Mr. Peterson serve on that workgroup.

Ms. Battos made a motion, effective October 13, 2021, to set a public hearing to receive public comment on the proposed Short-Term Rental Ordinance for 6:00 p.m. on Monday, November 8, 2021. Mr. Peterson seconded the motion. All were in favor and the motion passed.

e) Proposed General Fund and Capital Transfers

Ms. Meriwether shared that the general fund on the revenue side ended the year with an excess of about \$1.4 million or 102% of budget. The following budgetary highlights were discussed:

- Finance department revenues were less than the same period in the prior year by \$1,382,467. This is mainly due to a significant decrease in the Town's investment income as well as a bond premium receipt of \$1,021,941 recorded in the prior year that did not recur in the current year. Total decrease compared to budget was \$89,457. The Town's investment income was \$340,043 less than budget. However, additional COVID grant funding totaling about \$207,000 was received, which assisted in offsetting some of the investment income loss.
- Building department revenues exceeded budgetary estimates of \$504,000 by \$805,557 due to an overwhelming increase in permits being issued.
- Insurance refund revenues exceeded budgetary estimates of \$27,500 by \$61,153.
- Town Clerk revenues exceeded budgetary estimates of \$588,669 by \$308,728 mainly due to an increase in conveyance and recording fees related to the current housing boom.
- Police revenues exceeded budgetary estimates of \$194,564 by \$40,313 due increases in permit fees, grant funding and charges for services to the Board of Education due to personnel turnover.
- Board of Education revenues exceeded budgetary estimates of \$6,426,589 by \$205,444 due to an unanticipated increase in grant funding.

Parks and Recreation fund revenues exceeded expenditures by \$140,230. Fund balance increased from \$62,833 to \$203,063. There was a significant decrease in revenues totaling \$186,214 from Special Programs, Day Camp, swimming and skating activities that were cancelled or reduced due to Covid. However, golf course fees offset the revenue losses by \$208,555.

The Health Insurance Fund revenues exceeded expenditures by \$680,411. Fund balance increased from \$3,728,490 to \$4,408,901. Reserves as of June 30, 2021 totaled 36% of expected claims, the Town's health insurance consultants recommend reserves at 20-25% of expected claims.

The staff proposals for year-end transfers were discussed. The Board discussed each item in detail. The following items were approved to be funded through year-end transfers: A Promise to Jordan; Munis Implementation Software & Contractor; Library Medical Leave of Absence; Building Official/Division Temporary Staffing; Life Safety Analysis for PAC; Lieutenant Office Space; Legal Savings to Meadowood Project; Security Cameras/Equipment - Simsbury Meadows (Rotary Park Playground, Band Shell, Parking area, Other); Wood Chipper/Front Loader Purchase; Sidewalks; Material Crushing; Way Finding Signage; P&R Tennis Courts; and Variable Message Sign Boards (two).

The following items were not approved, but will potentially be considered through the FY23 budget process: Executive Coaching Phase I; Executive Coaching Phase II; Diversity, equity and inclusion training for staff and BOS; Policy, Ordinance Equity Review; Doing Business in Simsbury Guide; and Simsbury Meadows Public Restroom.

Mr. Askham made a motion, effective October 13, 2021, to approve the General Fund and capital transfer requests as presented on the excel spreadsheet (A Promise to Jordan, Munis Implementation Software, Library

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Medical Leave, Building Division Temporary Staffing, Life Safety Analysis, Lieutenant Office Space, Legal Savings to Meadowood, Security Equipment at Simsbury Meadows, Wood Chipper, Sidewalks, Material Crushing, Way Finding Signage, P&R Tennis Courts and Variable Message Sign Boards). Mr. Paine seconded the motion. The motion passed with all in favor.

f) Budget Status Report

Ms. Meriwether discussed this item during letter e).

APPOINTMENTS AND RESIGNATIONS

a) Proposed Appointment of Lydia Tedone to the Sustainability Team

Ms. Battos made a motion, effective October 13, 2021 to appoint Lydia Tedone (R) as a regular member representing the Board of Education to the Sustainability Team, replacing Jen Batchelar. Mr. Paine seconded the motion. All were in favor and the motion passed.

b) Proposed Reappointments to Economic Development Commission

Mr. Askham made a motion, effective October 13, 2021 to extend the terms of Robert Crowther (U) and Ronald Jodice (R) of the Economic Development Commission, retroactive to October 10, 2021 and expiring December 6, 2021. Ms. Battos seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a. Regular Meeting of September 27, 2021

There were no changes to the Regular Meeting minutes of September 27, 2021, and, therefore, the minutes were adopted.

LIAISON AND SUB-COMMITTEE REPORTS

1. **Personnel** – no report at this time.
2. **Finance** – no report at this time.
3. **Public Safety** – no report at this time.
4. **Board of Education** – no report at this time.

Ms. Battos shared that Public Building met with Tecton and they are hoping to start construction at Latimer Lane School in Spring 2022.

Ms. Mackstutis shared that at the Zoning meeting on 10/18 they will be having a public hearing on having a moratorium on marijuana sales. Zoning is looking at scheduling a public hearing on the opt-out potential of the state bill, which will be coming to BOS eventually, although it is not due until 2023.

COMMUNICATIONS

a) Memo from M. Capriola RE: Public Gathering Permit, dated October 4, 2021

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b) Technology Task Force 2021 Annual Report, dated October 4, 2021

ADJOURN

Mr. Paine made a motion to adjourn at 9:13 p.m. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Heather Taylor

Clerk