

**TOWN OF SIMSBURY – BOARD OF SELECTMEN  
REGULAR MEETING MINUTES – MAY 11, 2020**

**“Approved”**

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**CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m. on Zoom due to COVID-19. Present were: First Selectman Eric Wellman; Deputy First Selectman Sean Askham; Board members Jackie Battos, Wendy Mackstutis, Michael Paine and Chris Peterson. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Finance Director Amy Meriwether; Parks and Recreation Director Tom Tyburski; Town Engineer Jeff Shea; Director of Planning and Community Development Mike Glidden; and other interested parties.

**PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

**PUBLIC AUDIENCE**

Mr. Wellman reminded everyone if they want to email comments for public audience, please send them to [ebutler@Simsbury-ct.gov](mailto:ebutler@Simsbury-ct.gov).

Joan Coe, 26 Whitcomb Drive, spoke about the budget, the Police Department issues, Town staff dismissals, taxes, golf course concerns, and other issues.

**PRESENTATIONS**

**a) 350<sup>th</sup> Anniversary Proclamation and Committee Update**

Mr. Wellman said the 350<sup>th</sup> Anniversary is tomorrow and it will be celebrated differently than planned due to COVID-19.

Ms. Cook said the Committee is trying to reschedule planned events and will also be trying to hold some virtual/social distance events. Hopefully they can add winter events to the schedule as well.

Ms. Barnett said all events are family friendly and people can get more information on [Simsbury350.com](http://Simsbury350.com) and their facebook page.

Mr. Tyburski said Septemberfest will hopefully still be happening. They are awaiting the Governors guidance on these events.

Ms. Battos made a motion, effective May 11, 2020, to endorse the following Proclamation Commemorating the 350<sup>th</sup> Anniversary of the Town of Simsbury:

**Whereas**, the Town of Simsbury, Connecticut, which was established on May 12, 1670 as part of the Colony of Connecticut, celebrates its 350<sup>th</sup> anniversary, and it is fitting to recognize the Town on this special occasion and to applaud it's past citizenship and distinguished history; and

**Whereas**, Today the Town covers nearly 35 square miles of natural beauty that is made up of four distinct communities operating as one: Simsbury, Tariffville, Weatogue, and West Simsbury; and

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**Whereas,** the Town of Simsbury marks its 350<sup>th</sup> Anniversary by celebrating its residents, volunteers, businesses, emergency workers, town staff and elected officials who strive to preserve and enhance this community, today and into the future; and

**Whereas,** the Town today is comprised of more than 24-thousand residents who enjoy the many facilities and attractions Simsbury has to offer including public parks, athletic fields, the Farmington River, a public library, extensive trails, and excellent schools; and

**Whereas,** The Town of Simsbury has many plans to celebrate its 350<sup>th</sup> Anniversary with community-wide celebrations, historical re-enactments, River Day, Septemberfest, and a formal gala organized by the dedicated volunteers of the Simsbury 350<sup>th</sup> Celebration Committee. Further, we acknowledge the generosity of dozens of businesses and individuals whose contributors have ensured that these events will be accessible to all our residents.

**Now, Therefore Be It Resolved,** the Board of Selectmen of the Town of Simsbury recognizes this historic anniversary.

Board of Selectmen  
May 12, 2020

Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**a) Library Fine Free Initiative Update**

Rachel Gravel said they presented their Fine Free Initiative to the Board last year. She made another presentation about extending the Fine Fee Initiative Program as the pilot program expires on June 30, 2020.

She feels this program has had positive impacts on the Library. She feels circulation successes have gone up about 20% overall despite the unique challenges and asked the Board for their approval of remaining fine free.

Ms. Mackstutis made a motion, effective May 11, 2020, to authorize the Simsbury Public Library to remain fine free until revised or rescinded. Mr. Peterson seconded the motion. Ms. Battos, Ms. Mackstutis, Mr. Peterson, Mr. Wellman and Mr. Askham were in favor with Mr. Paine against the motion. Therefore, the motion passed.

**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.

**SELECTMEN ACTION**

**a) Acceptance of Donation from Big Y for 350<sup>th</sup> Anniversary Celebration Events**

Ms. Battos made a motion, effective May 11, 2020, to accept a \$25,000 donation from Big Y to support the 350<sup>th</sup> Anniversary Celebration with thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

**b) Acceptance of Donation from Bill Garrity for Simsbury Social Services Food Program**

Ms. Mackstutis made a motion, effective January 13, 2020, to accept a donation from Bill Garrity in the amount of \$5,000 for the purpose of supporting Simsbury Community and Social Services Department food program that assists residents in need with thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

**c) Acceptance of Donation from Northwest Community Bank for Simsbury Social Services Food Program**

Ms. Battos made a motion, effective May 11, 2020, to accept the donation from Northwest Community Bank in the amount of \$5,000 for the purpose of supporting Simsbury Community and Social Services Department food programs that assist residents in need with thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

Ms. Capriola said the demand for help has gone up to 111 households. Donating to Social Services for the Food Program is a great way to help during this crisis.

**d) Trust for Public Lands Memorandum of Understanding and Referrals for Potential Open Space Acquisition of the Meadowood Project**

Mr. Wellman said this information was given at the April 6<sup>th</sup> meeting. At that time the Board was joined by The Trust for Public Land. It is about acquiring a parcel known as “Meadowood”. The purchase of the 288 acres would involve funding from various sources. The Town Manager proposed budget had a capital project place for open space acquisition of \$2.2 million. The Board of Finance was concerned and therefore, removed it from the Board of Selectmen’s approved capital budget.

After discussion with J. T. Horn, Senior Project Manager for The Trust for Public Land, Mr. Askham made a motion, effective May 11, 2020, to authorize Town Manager Maria E. Capriola to execute the proposed memorandum of understanding with the Trust for Public Land concerning technical assistance related to the potential Meadowood open space acquisition. Mr. Peterson seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion, effective May 11, 2020, to refer the potential acquisition of Meadowood by the Town of Simsbury to the Open Space Committee, Planning Commission, Conservation Commission, Zoning Commission, Zoning Commission, Historic District Commission, and Culture, Parks and Recreation Commission for comment on proposed purchase of open space. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**e) Request to Waive Fees for Temporary Outdoor Dining**

Mr. Wellman said restaurants will be able to begin outdoor dining with guidelines. Last week the Zoning Commission authorized staff to issue the necessary permits to expedite the process. There is a request to waive

the \$25 permit fees through September 30<sup>th</sup>. Mr. Glidden said they are also being asked to waive building permit fees.

Ms. Battos made a motion, effective May 11, 2020, to waive administrative zoning and building permit fees through September 30, 2020 for restaurants seeking approval for temporary outdoor dining. Mr. Paine seconded the motion. All were in favor and the motion passed.

**f) Budget Status Report as of March 31, 2020**

Ms. Meriwether gave the 1<sup>st</sup> quarter budget status report. She said the revenues total 97% of the budget. Insurance refunds exceeded budgetary estimates by \$32,221. All other revenues are currently proceeding in accordance with the budget.

Ms. Meriwether said the expenditures, as of March 31, 2020, total \$73,629,548 or 73% of the budget. The only expenditure going over the budget is legal services. Parks and Recreation fund revenues exceeded expenditures by \$496,696 as of March 31, 2020. Fund balance increased from \$53,201 to \$549,897.

Ms. Meriwether said expenditures are currently at 73% of the budget, which is where we are supposed to be. The COVID-19 will most likely bring additional expenditures.

She also went through the Parks and Recreation Fund, Health Insurance Fund, and Sewer Use Funds.

There was no action on this item.

**g) Revised Resolution to Extend Budget Process Timeframe**

Mr. Wellman said the Board voted to extend the budget adoption timeframe. We were hoping to still hold a referendum but, due to COVID-19 that will not be possible. There is a revised resolution in the packets that more accurately reflects the dates in the budget process.

Ms. Mackstutis made a motion, effective May 11, 2020, to adopt the attached resolution modifying the timeframes associated with the FY 20/21 budget development process and authorizing the Board of Finance to adopt the final budget in accordance with Executive Order No. 71. Mr. Paine seconded the motion. All were in favor and the motion passed.

**h) FY 20/21 Operating Budget, Capital Budget and Budget Adoption Date**

Mr. Wellman said the Board of Finance held two Public Hearings on the budget. The final budget adoption will be held on May 19, 2020 by the Board of Finance.

Mr. Peterson made a motion, effective May 11, 2020, to adopt the following resolution:

Be it resolved, that the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of the Board of Selectmen annual budget for the fiscal year ending June 30, 2021, shall be approved and implemented in the amount of \$24,104,638.

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Be it resolved, that the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of the Board of Education annual budget for the fiscal year ending June 30, 2021, shall be approved and implemented in the amount of \$72,309.061.

Be it resolved, that the appropriation recommend and approved by the Board of Finance for the purposes of paying the expenses of Sewer Use Fund (Sewer Treatment Plant), Residential Rental Properties, Simsbury Farms/Special Programs, Non-Public Schools, Debt Retirement/ Capital and Capital Non-Recurring annual budgets for the fiscal year ending June 30, 2021, shall be approved and implemented in the amount of \$12,429.922.

In accordance with Executive Order No. 71 and the resolution adopted by the Board of Selectmen on April 6, 2020 (and amended on May 11, 2020), the recommended budgets will be submitted to the Board of Finance for adoption.

Questions for Budget Adoption by the Board of Finance:

1. Shall the appropriation recommended and approved by the Board of Finance for the purposes pf paying expenses of the Board of Selectmen annual budget for the fiscal year ending June 20, 2021, be approved and implemented in the amount of \$24,104,638?
2. Shall the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of the Board of Education annual budget for the fiscal year ending June 30, 2021, be approved and implemented in the amount of \$72,309,061?
3. Shall the appropriation recommended and approved by the Board of Finance for the purposes of paying the expenses of Sewer Use Fund (Sewer Treatment Plant), Residential Rental Properties, Simsbury Farms/Special Programs, Non-Public Schools, Debt Retirement / Capital and Capital Non-Recurring annual budgets for the fiscal year ending June 30, 2021, be approved and implemented in the amount of \$12,429,922?

Ms. Battos seconded the motion. All were in favor and the motion passed.

Mr. Paine made a motion to approve the following resolution:

Town of Simsbury  
Resolutions of the Board of Selectmen

**RESOLVED,**

Upon motion duly made, seconded and adopted, the reading into the minutes of the full text of the resolutions set out below is waived, copies of the resolutions having been made available to those in attendance, and recorded in these records immediately preceding these minutes.

**RESOLVED,** that the Board of Selectmen recommends and approved the following:

CIP#	<b><u>General Purpose Project</u></b>	
	Radio System Upgrade	\$1,202,000

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Greenway Improvements (Cash)	\$ 135,000
Highway Pavement Management (bonding \$605,000; cash 200,000 & LoCIP Grant \$156,500; Town Aid Road Grant \$243,500	\$1,205,000
Sidewalk Reconstruction	\$ 200,000
Various Drainage Improvements	\$ 125,000
Wing Plow Truck (Town Aid Road Grant)	\$ 258,000
PW Facility Paving & Storm Drainage	\$ 330,000

**Sewer Use Fund (Cash)**

Secondary Clarifier Weir Covers	\$ 275,000
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**School Projects (Bonds)**

District Network Infrastructure	\$ 500,000
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Mr. Peterson seconded the motion. All were in favor and the motion passed.

**i) Proposed FY 20/21 Budget Mailer**

Mr. Wellman said usually the budget mailer is sent to all residents prior to the referendum. This year there won't be a referendum due to COVID-19. Budget adoption by the Board of Finance is scheduled for May 19, 2020.

Mr. Askham made a motion, effective May 11, 2020, to approve and authorize issuance of the FY 20/21 budget mailer as presented. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**j) Summer 2020 Pool Season Proposal and Revised Aquatics Fee Schedule**

Mr. Tyburski said due to COVID-19, they have been discussing opening the pool with public health and other colleges. The CDC finally laid out guidelines, who are passing it off to the local health district with guidelines. They would have to operate about 1/3 to 1/2 of capacity for safety. They will still try to have swim team programs, swim lessons, lap swimming, and public swimming with pre-registration the day before. Also, they are adjusting for social distancing.

Mr. Tyburski said they are estimating opening June 20<sup>th</sup>. They are still awaiting the Health Department for guidance. All this comes with a heavy cost. He gave the Board two different scenarios on costs and income.

After discussion, the Board agreed to move forward with the reopening, but final approval of the fee schedule will be heard at the next meeting.

There was no action on this item.

**k) Neighborhood Assistance Act Program Proposal; Schedule Public Hearing**

Mr. Wellman said the Town Manager's office received one Neighborhood Assistance Act application from The Grange. A public hearing, by the Board of Selectmen, is required prior to the approval of the application.

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Ms. Mackstutis made a motion, effective May 1, 2020, to set a public hearing to receive public comment on the proposal submitted by the Simsbury Grange pursuant to the 2020 Connecticut Neighborhood Assistance Act for 6:00 p.m. on Wednesday, May 27, 2020. Mr. Peterson seconded the motion. All were in favor and the motion passed.

**APPOINTMENTS AND RESIGNATIONS**

**a) Resignation of Andrew Brazer from Board of Ethics**

Mr. Peterson made a motion to accept the resignation of Andrew Brazer from the Board of Ethics with thanks. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**b) Resignation of Jim Fleming from the Police Commission**

Mr. Peterson made a motion to accept the resignation of Jim Fleming from the Police Commission with thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) Regular Meeting of April 27, 2020**

There were no changes to the Regular Meeting Minutes of April 27, 2020 and, therefore, the minutes were adopted.

**SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS**

- a) Personnel** – no report at this time.
- b) Finance** - no report at this time.
- c) Welfare** – no report at this time.
- d) Public Safety** – Mr. Askham said Public Safety continues to have weekly meeting and he thanked everyone for joining along with their professionalism.
- e) Board of Education** – Ms. Mackstutis said there will be a virtual meeting on May 20<sup>th</sup> to work with the Board of Finance on cost modeling.

Mr. Wellman reminded everyone that tomorrow is Simsbury's 350<sup>th</sup> Anniversary.

**ADJOURN**

Mr. Askham made a motion to adjourn at 8:35 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk