

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – MARCH 14, 2022
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CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m. in the Main Meeting Room of the Simsbury Town Offices and on Zoon. 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: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Finance Director Amy Meriwether; Public Works Director/Town Engineer Tom Roy (by Zoom); Director of Culture, Parks and Recreation Tom Tyburski (by Zoom); Police Chief Nicholas Boulter; Director of Community Development and Social Services Kristen Formanek; Attorney Bob DeCrescenzo (by Zoom), and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

- **Participants can address the Board of Selectmen in person at the meeting**
- **email townmanager@simsbury-ct.gov by Monday, March 14, 2022 to register to address the Board of Selectmen live thru 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’s emails**

Joan Coe, 26 Whitcomb Drive, spoke about the SPIRIT Council name change; Eno Farms Housing and Trust; CHFA funding, ARPA funding; grievances, and other issues.

Morgan Hilyard, Executive Director of the Simsbury Chamber of Commerce, spoke about requested funding, the tourism services provided at the office, and the Chamber’s efforts to host more community events.

FIRST SELECTMAN’S REPORT

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

TOWN MANAGER’S REPORT

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

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

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

Ms. Abbuhl said there will be a Town-wide clean-up day co-hosted with State Representative John Hampton on Saturday April 23rd. She said there is more information to come.

SELECTMEN ACTION

a) Tax Refund Requests

Mr. Askham made a motion, effective March 14, 2022, to approve the presented tax refunds in the amount of \$4,394.25 and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Mr. Wellman seconded the motion. All were in favor and the motion passed.

b) Donation from Keith and Carol McLean-Shinaman

Ms. Abbuhl made a motion, effective March 14, 2022, to accept a donation from Keith and Carol McLean-Shinaman in the amount of \$1,850 for the purpose of supporting Simsbury Community and Social Services Department Food Pantry Program with our thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

c) Recommend Appointment of Director of Planning and Community Development Director

Ms. Capriola said they went through a process and interviews with external and internal chairs, etc. The preferred candidate is well qualified and she is excited to have him here.

Mr. Askham made a motion, effective March 14, 2022, to appoint George McGregor to the Director of Planning and Community Development position effective April 11, 2022 with an annual salary of \$125,000 and employee related benefits assigned to that position. Ms. Goetz seconded the motion. All were in favor and the motion passed.

d) Proposed State Historic Preservation Office Historic Preservation Enhancement Grant Appeal

Ms. Capriola they have been working on Meadowood property and applied for \$20,000 grant for architectural services for the barns. This would qualify for a local match.

Mr. Wellman made a motion, effective March 14, 2022, to approve the application for the State Historic Preservation Office Historic Preservation Enhancement Grant for Meadowood Barns. In the event that the grant is awarded, also move to accept the State Historic Preservation Office Historic Presentation Enhancement Grant for Meadowood Barns grant and to authorize Town Manager, Maria E. Capriola to execute all documents related to the grant award. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

e) Revisions to Animal Control Officer Job Description

Ms. Capriola went through the changes highlighted in the Animal Control Officer job description, which are mostly housekeeping.

Mr. Askham made a motion, effective March 14, 2022, to revise the Animal Control Officer job description as presented. Mr. Peterson seconded the motion. All were in favor and the motion passed.

f) Creation of Deputy Town Engineer Classification

Ms. Capriola said this is the final step in the reorganization in Public Works. This person would report to Tom Roy. She went through the proposed job description and said the position will be posted.

Mr. Askham made a motion, effective March 14, 2022, to endorse the creation of the position classification of Deputy Town Engineer and the job description as presented. Further move, to endorse a salary range for the Deputy Town Manager position of \$95,000 - \$120,000. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

g) Naming Rights Committee

Ms. Capriola said they are looking into various grant opportunities to complete the bandshell extension at the Simsbury Meadows Facility. She said the Performing Arts Center Board of Directors is interested in exploring donor options. Mr. Wellman thought the Naming Rights Committee should be re-enacted to discuss their progress and potential needs.

Mr. Wellman made a motion, effective March 14, 2022, to activate the Naming Rights Committee – the Committee is tasked with reviewing suggested names for the Performing Arts Center Facility Expansion and with recommend name to the Board of Selectmen. Further move, to adopt the following people to the Naming Rights Committee:

Eric Wellman, Board of Selectmen member

Sean Askham, Board of Selectmen member

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

h) American Rescue Plan Act (ARPA) Policy Resolutions

Ms. Mackstutis said they came up with ideas of where/what/when to use ARPA funding. She highlighted the areas of use of the funds during the budget process.

Ms. Capriola said Attorney DeCrescenzo thought the Board should adopt a resolution to state the approved uses of the funds and establish the process to use the money.

After some discussion, Ms. Mackstutis read the following resolution:

WHEREAS, the Town of Simsbury is in receipt of funding from American Rescue Plan Act (“ARPA”); and

WHEREAS, the intent of the funding is to assist the Town in meeting immediate pandemic needs and to promote long-term recovery from the effects of the COVID-19 pandemic; and

WHEREAS, on June 15, 2021 the Simsbury Board of Finance established a Special Revenue Fund for the recording of the receipt and expenditures of ARPA funding; and

WHEREAS, on January 1, 2022 the United State Department of the Treasury published its final Rule for the State and Local Fiscal Recovery Funds (“SLFRF”) program regarding the municipal expenditure of ARPA funds; and

WHEREAS, on January 24, 2022 the Board of Selectmen held a Public Hearing to solicit comments and recommendations for the expenditure of SLFRF Program funds; and

WHEREAS, the Board of Selectmen funds that the SLFRF Program funding to support the following programs listed herein is consistent with the ARPA Fund Rule and will assist the Town in its long-term recovery from the effect of the COVID-19 pandemic,

NOW, THEREFORE, BE IT RESOLVED,

1. The Board of Selectmen intends to use ARPA funding on COVID recovery programs, services, projects, and purchases such as but not limited to:
 - Public Health recovery
 - Business recovery
 - Non-profit recovery
 - Student educational recovery and literacy efforts
 - Mental health and well-being recovery
 - Diversity, equity, and inclusion initiatives
 - Capital projects that support air-quality and HVAC systems in Town-owned facilities
 - Capital projects and purchases that support Town-owned outdoor infrastructure such as parks, playgrounds, trails, open spaces, and other outdoor amenities
 - Other categories or items as may be determined by the Board at a later date
2. When possible, the Board of Selectmen will consider appropriation of ARPA dollars through the annual budget process. Other uses of ARPA dollars will be considered as a supplemental appropriation.

Ms. Abbuhl made a motion, effective March 14, 2022, to adopt the American Rescue Plan Act Program Funding Resolution as presented. Mr. Peterson seconded the motion. All were in favor and the motion passed.

Ms. Abbuhl made a motion to adjourn to Executive Session at 6:55 p.m. to include Town Manager Maria Capriola, Deputy Town Manager Melissa Appleby, Assessor Francine Beland, and Town Attorney Bob DeCrescenzo. Ms. Goetz seconded the motion. All were in favor and the motion passed

EXECUTIVE SESSION

a) Pursuant to CGS § 1-200(6)(b) concerning Pending Claims Litigation Simsbury Property Group, LLC and Town of Simsbury (Assessment Appeal)

Mr. Askham made a motion to adjourn the Executive Session at 7:04 p.m. Mr. Wellman seconded the motion. All were in favor and the motion passed.

h) Stipulated Agreement for Simsbury Property Group LLC vs Town of Simsbury

Mr. Wellman made a motion, effective March 14, 2022, to approve the stipulation for judgement for Docket HHBCB216066858-S Simsbury Property Group LLC vs. the Town of Simsbury for a tax appeal for the property located 88 Hopmeadow Street as presented and to authorize Attorney Bob DeCrescenzo to execute the agreement. Mr. Askham seconded the motion. All were in favor and the motion passed.

i) FY 22/23 Budget Discussion and Adoption

Ms. Capriola provided an overview of the remaining items for discussion, including the outside agency requests, service improvement requests, and ARPA funding priorities.

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After review and discussion of the outside agency requests, the Board determined that outside agency requests will remain flat from the current year. Outside agencies will have an opportunity to apply for additional funding through the ARPA non-profit program.

Ms. Capriola went through the service improvement priorities including the IT specialist, network engineering support, CALEA specialist, police officer position, a pollinator initiative, Simsbury Farms anniversary, professional development, etc. There was some discussion on how to handle the pollinator project, such as using local nurseries. There was consensus to include the service improvements in the proposed budget.

Ms. Meriwether went through the levy calculation worksheet with net expenditures increasing by 2.39%. There was discussion on service improvements, ARPA revenue funds and flat mill rate funding.

Chief Boulter said the Police Department said they have 39 officers and they are already over budget in overtime. There was discussion on getting a comfort dog for the Police Department and how that would be paid for.

Ms. Capriola talked about the proposed service improvements for Community and Social Services. They are asking for two new Social Workers to provide new services due to the trends happening today. Ms. Formanek explained the difference between the proposed Social Workers and if these positions could be paid with the ARPA funding.

There was a lot of discussion on all budgets and possible savings initiatives that can be used for the budgets

Mr. Askham made a motion to move \$10,000 to the operating budget for the cost and maintenance stipend for the comfort dog. Ms. Mackstutis seconded the motion. Four members were in favor, with two against. Therefore, the motion passed.

Mr. Askham made a motion to add the items presented to be funded from ARPA as Ms. Meriwether has laid out from an accounting standpoint including:

- BOE – HVAC climate control upgrades
- Social Workers for Schools (2)
- Social Worker for Town (Youth and Family)
- Tariffville Park – Pickleball Court
- Simsbury Farms Playground (inflation impact)
- Dredging Town Forest Pond
- Library Variable Air Volume Control
- Town Hall Variable Air Volume Control
- Tariffville Park Pavilion Replacement
- Weatogue Backstop Replacement
- Tariffville Backstop Replacement
- Flower Bridge Design work
- Service Dog – vehicle
- Multi-use Trail Design – Curtiss to Tariffville

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

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Mr. Askham made a motion, effective March 14, 2022, to approve the Board of Selectmen 2022/2023 operating budget in the amount of \$25,466,760, to include the following changes from the Town Manager’s Proposed Budget:

- \$7,500 – For Pollinator Initiative
- \$7,500 – Increase for Simsbury Farms 50th Anniversary Community Events
- \$4,225 – Increase for Executive coaching
- \$117,242 – Increase for IT Specialist position
- \$5,000 – Increase for Supplemental Network Engineering Support
- \$20,000 – Increase for Construction Inspection
- \$283,551 – Increase for Two Patrol Officer positions
- \$110,789 – Increase for CALEA Specialist Position
- \$125,000 – Increase for Youth and Family Social Worker Position and Associated Costs
- \$10,000 – Increase for Service Dog Operating Costs
- \$564,574 – Increase for Cash for Capital
- \$3,757,833 – Transfer in from the American Rescue Plan Act Fund for Revenue Loss
- \$3,632,833 – Transfer out to Cash for Capital

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

Mr. Askham made a motion, effective March 14, 2022, to approve the Water Pollution Control 2022-2023 Operating Budget in the amount of \$4,341,139 including Avon and Granby CWF share. Ms. Goetz seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion, effective March 14, 2022, to approve the Residential Property 2022-2023 Operating Budget in the amount of \$54,172. Ms. Goetz seconded the motion. All were in favor and the motion passed.

Ms. Abbuhl made a motion, effective March 14, 2022, to approve the Simsbury Parks and Recreation Fund 2022 – 2023 Operating Budget in the amount of \$2,218,035. Mr. Askham seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion, effective March 14, 2022, to approve the Debt Service 2022-2023 Operating Budget in the amount of \$6,371,523. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion, effective March 14, 2022, to approve the Capital and Non-Recurring Plan for 2022-2023 in the amount of \$2,509,775 including:

- \$416,510 to be funded by General Fund via the Five-Year Payback Method
- \$763,753 to be funded by the General Fund
- \$191,500 to be funded by the Town Aid Road Fund
- \$280,000 to be funded by the Sewer Use Fund
- \$290,512 to be funded by the Capital Reserve Fund
- \$ 15,000 to be funded by Anticipated Trade-in Value
- \$ 59,000 from Project Savings
- \$ 18,500 from Donations
- \$140,000 from the Golf Equipment Fund

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

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Mr. Askham made a motion, effective March 14, 2022, to add the following new projects to the Capital Improvement Plan for 2022-2023 in accordance to Charter

Multi-use Connections/Trails Development (Curtiss Park in Tariffville)	\$300,000
Tariffville Park Court Replacements	\$350,000
District Climate Control Improvements	\$1,650,000

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

Mr. Askham made a motion, effective March 14, 2022, to approve the Capital Improvement Program to include the following projects in 2022-2023 with initial funding of \$12,522,744 for 2022-2023:

	<u>Recommended funding</u>
Golf Course Irrigation System Replacement \$2,550,000	Bonds
Multi-Use Connections/Trails Development (Rte. 10 to Curtiss Park) \$1,582,744	Grants
Multi-Use Connections/Trails Development (Curtiss Park to Tariffville) \$300,000	ARPA Funds
PAC Grant Match/Rotary Park Restrooms \$350,000	Capital Reserve Fund
Tariffville Park Court Replacement \$350,000	ARPA Funds
Highway Pavement Management \$1,205,000	Bonds/Grants/Cash
Sidewalk Reconstruction \$200,000	Bonds
Municipal Site and Safety Improvements (Town Hall) \$450,000	Bonds
Old Drake Hill Flower Bridge Repairs (Design) \$280,000	ARPA Funds
Eno Entrance Improvements \$360,000	Special Revenue Fund/Trust
Eno Parking Lot Improvements \$245,000	Bonds
Primary Clarifier \$150,000	Sewer Use Funds
District Network Infrastructure \$400,000	Bonds
District Climate Control Improvements \$1,650,000	Bonds/ARPA Funds
Tootin Hill – Water Distribution & Drainage Systems \$480,000	Bonds
Central School - Electrical Service Distribution 1950 \$250,000	Capital Reserve Fund/Cash
Central School – Replace EPDM Roof (V3) \$370,000	Bonds/Grants
Tariffville School - Replace roof EPDM (V1, V2) \$1,000,000	Bonds/Grants
Tariffville School – Replace 1984 Modularity \$350,000	Cash

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

Mr. Askham made a motion, effective March 14, 2022, to refer the following Capital Projects to the Planning Commission in accordance with CGS §8-24:

Golf Course Irrigations System Replacement
Multi-Use Connections/Trails Development (Rte. 10 to Curtiss Park)
Multi-Use Connections/Trails Development (Curtiss Park to Tariffville)
PAC Grant Match/ Rotary Park Restrooms
Tariffville Park Court Replacements
Highway Pavement Management
Sidewalk Reconstruction
Municipal Site and Safety Improvements (Town Hall)
Old Drake Hill Road Flower Bridge Repairs (Design)
Eno Entrance Improvements
Eno Parking Lot Improvements

Primary Clarifier
District Network Infrastructure
District Climate Control Improvements
Tootin Hills – Water Distribution and Drainage System
Central School –Electrical Service Distribution 1950
Central School – Replace EPDM Roof (V3)
Tariffville School – Replace Roof EPDM (V1, V2)
Tariffville School –Replace 1984 Modulares

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

APPOINTMENTS AND RESIGNATIONS

a) Resignation of Peter VanLoon from the Economic Development Commission

Ms. Goetz made a motion, effective March 14, 2022, to accept the resignation of Peter VanLoon (D) as a regular member of the Economic Development Commission effective March 14, 2022 with our thanks. Mr. Peterson seconded the motion. All were in favor and the motion passed.

b) Proposed Appointment of Carrie Meckel to the Economic Development Commission

Mr. Peterson made a motion, effective March 14, 2022, to appoint Carrie Meckel (D) to the Economic Development Commission with a term ending October 10, 2024. Ms. Goetz seconded the motion. All were in favor and the motion passed.

c) Proposed appointment of Tom Earl to the Business Development Committee

Mr. Askham made a motion, effective March 14, 2022, to appoint Tom Earl as a regular member of the Business Development Committee with a term ending August 13, 2022. Mr. Wellman seconded the motion. All were in favor and the motion passed.

d) Appointment of David Blume to Library Board of Trustees

Ms. Goetz made a motion, effective March 14, 2022, to appoint David Blume as a regular member of the Library Board of Trustees with a term ending December 1, 2025 to fill the vacancy created by the resignation of Heather Goetz on December 8, 2021. Mr. Askham seconded the motion. All were in favor and the motion passed.

e) Resignation of Richard Cortes from the Public Building Committee, Building Code Board of Appeals and Planning Commission

Mr. Wellman made a motion, effective March 14, 2022, retroactive to February 28, 2022, to accept the resignation of Richard Cortes as a regular member of the Public Building Committee with a term that was due to expire on January 1, 2026 with our thanks. Also, retroactive to February 28, 2022, to accept the resignation of Richard Cortes as an alternate member of the Building Code Board of Appeals with our thanks. His term was to expire January 1, 1024. Also, retroactive to February 28, 2022, to accept the resignation of Richard Cortes as an alternate member of the Planning Commission with our thanks. Mr. Cortes' term was due to expire on December 4, 2023. Mr. Peterson seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting Minutes of February 28, 2022

There were no changes to the Regular Meeting Minutes of February 28, 2022, and, therefore, the minutes were adopted.

COMMUNICATIONS

a) Memo from Zoning Commission, re: Decision on ADU Opt Out, dated February 28, 2022

Ms. Capriola said the Zoning Commission will present an overview of the ADU issue at an upcoming Board of Selectmen meeting.

ADJOURN

Mr. Askham made a motion to adjourn at 10:33 p.m. Mr. Wellman seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk