

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – JULY 11, 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 Zoom. Present were: First Selectman Wendy Mackstutus Deputy First Selectmen Amber Abbuhl; Board members Heather Goetz, Sean Askham, Eric Wellman and Chris Peterson. Also present were: Town Manager Maria E. Capriola; Director of Parks and Recreation Tom Tyburski; Public Works Director/Town Engineer Tom Roy; Management Specialist Tom Fitzgerald; Director of Planning and Community Development George McGregor; Simsbury Media Operations Assistant Patrick Fallon; and other interested parties. Absent was Deputy Town Manager Melissa Appleby.

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 noon on Monday July 11, 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 will be forwarded to all Selectmen via email**

Ms. Mackstutus reminded everyone about the harassment policy for Boards, staff and residents. She said we also follow Roberts Rules of Order, so please refrain from giving personal attacks on people.

Joan Coe, 26 Whitcomb Drive, spoke about the open for State Representative; grievances; job openings; the Town Planner position; the Police Department and Commission, and other issues.

Mike Rinaldi, Pinnacle Mountain Road, spoke about the quality of life in Simsbury; fairness problems in Simsbury; and diversity, equity and inclusivity and affordable housing issues in Simsbury. He said he spoke to the Board of Finance in 2018 about a renovation project at Henry James Middle School – facility master plan. He spoke about the Board of Education making mistakes and costing residents a lot of money. He is asking for a Charter Revision Commission to make changes to the Board of Education Commission under CGS 9-167a.

Steve Mitchell, 384 Hopmeadow Street, thanked everyone for helping a couple run from Key West to Canada and arrived safely. He said the greenway is the best asset Simsbury has and spoke about a regular maintenance plan for issues like the vines hanging over the trails.

PRESENTATIONS

a) Proclamation for Simsbury Farms 50th Anniversary

Ms. Mackstutis read the following Proclamation:

Proclamation in Recognition of the 50th Anniversary of Simsbury Farms

Whereas, on June 10, 1972, 50 years ago, the Town of Simsbury held an official dedication and open house (and I assume a ribbon cutting), for Simsbury Farms, which began the first chapter of Simsbury’s full recreational complex, as envisioned by Town Leaders; and

Whereas, the decision to purchase the 235 acres known as Orkil Farms, an apple orchard, by a 600-1 vote at a Town Meeting, was based on this vision presented for a complete recreation facility to meet the total needs of the community including and 18-hole golf course, tennis courts, swimming pools, biking trails, and ice rink and platform tennis courts; and

Whereas, the year 2022 marks the 50th Anniversary of the opening of the Simsbury Farms Recreation Complex at which we recognize that this vision had come to pass, with the amazing facility we have all grown to love as both adults and children, that our families grew up loving and that our children’s families will get to enjoy for years to come; and

Whereas, residents and visitors both young and old, continue to play and learns how to play golf, hockey, tennis, paddle tennis, basketball and pickleball along with swimming and diving in the multiple pools; and

Whereas, the Simsbury Recreation Complex is a source of pride for all Simsbury residents, where we’ve spent many hours with our family members, friends, and neighbors of all ages, enjoying the endless recreational activities available to us; and

Whereas, we thank all of the employees and volunteers who have made Simsbury Farms what it is today, and to all those who are playing in a golf league, taking swim lessons, joining a tennis clinic, pushing swings, at the playscape, watching an early morning hockey game, or just taking a walk and enjoying the spectacular view; and

Whereas, a series of events called “50 for 50” will be held throughout 2022 to commemorate this milestone – a Family Day, the Simsbury Farms Open, Movie Night, the Pickleball Tournament, and a spectacular grand finale concert and fireworks show to remember that will provide many opportunities for our community to engage in recreational activities; and

NOW, THEREFORE, I Wendy Mackstutis, First Selectman for the Town of Simsbury do hereby Proclaim in 2022 The 50th Anniversary Celebration of Simsbury Farms and request and encourage everyone in our community to support and enjoy the Simsbury Farms Recreation Complex, the “50 for 50” events, and to wholeheartedly share this important milestone with their friends, families, neighbors and peers

IN WITNESS WHEREOF, I have place my seal and the great seal of the Town of Simsbury on this 11th day of July 2022.

Wendy G. Mackstutis, First Selectman

Mr. Peterson made a motion, effective July 11, 2022, to issue a proclamation celebrating and honoring the 50th Anniversary of the Simsbury Farms Recreation Complex. Mr. Wellman seconded the motion. All were in favor and the motion passed.

b) Simsbury Community Media

Mr. Fallon gave a renovations update on Simsbury Community Media. He said there are 5 phases to this renovation and went through a slide show of the changes. He said they are wireless now and the stage has been removed. They hope to have a ribbon cutting in September or October.

Ms. Glassman said their Board thanks the Town and staff who expedited the process and she can't wait to invite everyone in to see the changes.

After discussion, no motion was needed at this time.

c) Zoning for Cannabis Establishments Update

Mr. McGregor gave some history about cannabis, Public Act 21-1, which went into effect in 2021 and legalized cannabis in CT with density caps. In May of 2022 the density caps were removed. Simsbury adopted a moratorium on November 8, 2021 and this will end on November 8, 2022 to establish a time period to work on our regulations.

Mr. McGregor said the Zoning Commission is starting to work on land use framework for conditions about cannabis. There will be a public hearing in late fall and then adoption of this framework. This would allow or prohibit cannabis after revising Zoning ordinances. He thinks the moratorium can be extended as long as they are working on a solution.

After some discussion, there was no motion on this agenda item.

FIRST SELECTMEN'S REPORT

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

TOWN MANAGER'S REPORT

Ms. Capriola, Town Manager, reviewed her 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** – Mr. Askham said Public Safety is discussing challenges surrounding Car 17 (the second ambulance) and their staffing issues. The community has been voicing concerns on ambulance issues in Town. The agreement with SVAA was to have the second ambulance staffed 7-7, but they haven't been keeping that promise. However, they are in compliance with the first ambulance. He said the Town would try to work with SVAA to help them with their issues.
- d) Board of Education** – there was no report at this time.

Ms. Abbuhl said Aging and Disabilities will be holding a community picnic on July 16, 2022 at the Simsbury Farms Skating Rink from 6 – 8 p.m. This is a free event individuals and families with disabilities. Everyone should RSVP by July 8, 2022 to Social Services.

Ms. Abbuhl said there will be a panel discussion at Eno Hall from 6-7 p.m. to discuss an AARP friendly community. They want to hear from people who are 50+ to see what their concerns are about aging in Simsbury and what it means to be an AARP Friendly Community.

Mr. Peterson said volunteers are needed for the Friends of the Simsbury Farms Celebration on July 30, 2022. Anyone can contact Tom Tyburski for more information.

Ms. Mackstutis said the Personnel Sub-Committee met last week. They are getting estimates for employee satisfaction surveys and personnel handbooks.

SELECTMEN ACTION

a) Tax Refund Requests

Ms. Abbuhl made a motion, effective July 11, 2022, to approve the presented tax refunds in the amount of \$7,404.66 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) Donation from Friends of Simsbury Farms

Mr. Tyburski said the Friends of Simsbury Farms makes donations every year and they are very thoughtful. They are trying to make a total of \$50,000 this year for the 50th Anniversary. They have already donated signs, a swing, etc., about \$14,000 already. He is very thankful for their donations.

Mr. Askham made a motion, effective July 11, 2022, to accept donations totaling \$13,969.34 from the Friends of Simsbury Farms for an assortment of improvements at the Simsbury Farms Recreation Complex as presented, with our thanks. Ms. Goetz seconded the motion. All were in favor and the motion passed.

c) Purchase and Sale Agreement and Supplemental Appropriation for 56 Wolcott Road

Mr. Roy said this property is adjacent to the landfill and it is for sale. It is approximately 11 acres and it is cheaper to purchase the property to eliminate environmental risks.

Ms. Capriola said it should be funded through the general fund reserves as they are in a healthy position right now. The \$40,000 would be to demolish the residential structure at would be done at year end. Mr. Roy said there might be asbestos at the property. The Town Attorney did review the agreement.

Mr. Wellman made a motion, effective July 11, 2022, to approve the purchase of 56 Wolcott Road for \$175,000. Further move to authorize Town Manager, Maria E. Capriola to execute any and all documents related to the purchase of 56 Wolcott Road, as approved to form by the Town Attorney. Further move to approve a supplemental appropriation utilizing General Fund Reserves for the purchase of the parcel of land at 56 Wolcott Road in the amount of \$175,000 and to recommend this to the Board of Finance. Mr. Askham seconded the motion. All were in favor and the motion passed.

d) Supplemental Appropriation – Bloomfield to Tariffville Multi-Use Path

Mr. Roy said this is the first of three trails from Simsbury proper to Bloomfield through a LOCIP grant program. This is part of the State roadway and they have different standards than the Town does. This is going from Bloomfield to Tariffville off Rte. 189. Any and all additional costs are going through LOCIP and no tax dollars will be used. Construction should start late summer/early fall and should be completed by next summer.

Mr. Roy said the plan from Hopmeadow to Curtiss Park is about 95% completed. More investigating is needed for appropriate materials that need to be used there. They are also waiting for grant funding on that project.

Ms. Goetz made a motion, effective July 11, 2022, to accept additional grant monies from the LOTCIP program for the subject project. Further move to authorize the Town Manager to execute any and all documents related to the additional grant monies recommended for the subject project. Further move to approve a supplemental appropriation in the amount of \$1,254,200 as it relates to the Bloomfield to Tariffville Multi-Use Trail Connection Project No. L128001 and to recommend this to the Board of Finance. Mr. Wellman seconded the motion. All were in favor and the motion passed.

e) Supplemental Appropriation – Planning and Architectural Services for Meadowood Barns

Ms. Capriola said the Board had authorized applying for two grants for \$20,000 each from the State Office of Historic Preservation for the restoration of the historic barns at Meadowood. The Town received notice that the two grants were awarded and now we need to move forward to approve the appropriation of the monies and establish a CNR project to fund it.

Mr. Roy said he did go through the RFP process and that this project is critical so that the barns don't become worse.

Mr. Askham made a motion, effective July 11, 2022, to approve a supplemental appropriation in the amount of \$40,000 (\$20,000 for the State Historic Preservation Office Historic Preservation Enhancement Grant and \$20,000 for the Survey and Planning Grant) for the Meadowood Barns and to recommend to the Board of Finance. Further move, to create a CNR project to complete this work. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

f) Settlement Agreement and Supplemental Appropriation for Cavanagh Claim under Worker's Compensation Act

Ms. Capriola said this agreement was discussed in executive session as it is confidential and involves the Police Department retiree from 2006. There was an open Workmen's Compensation Act claim as the case was not closed and no reserve was set aside for this claim. CIRMA and our legal team executed a full and final settlement and now they are seeking an execution agreement and approval of a supplemental appropriation to close the case.

Mr. Askham made a motion, effective July 11, 2022, to approve the settlement agreement regarding Mr. Cavanagh's claim under the Worker's Compensation Act. Further move to authorize Town Manager, Maria E. Capriola to execute any and all documents related to the settlement agreement. Further move to approve a supplemental appropriation utilizing General Fund Reserves for the purpose of funding the settlement agreement regarding Mr. Cavanagh's claim under the Worker's Compensation Act and related expenses in the

amount of \$185,000 and to recommend to the Board of Finance. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

g) Revenue Technician Classification and Memorandum of Agreement

Ms. Capriola said she received a request for a revenue technician classification agreement. An analysis of classifications was conducted and she feels this request is warranted as a T7 grade position. She also did get approval from the Union.

Mr. Wellman made a motion, effective July 11, 2022 to approve the creations of the Revenue Technician job classification and job description as presented. Further move to establish the position at grade T7 of the secretarial, clerical and employees pay plan. Further move to endorse authorization of the Town Manager to enter into a memorandum of agreement codifying the terms of the tentative agreement on the matter with the union and the incumbent. Mr. Askham seconded the motion. All were in favor and the motion passed.

h) Successor Collective Bargaining Agreement Between the Town and CSEA Administrative and Professional Employees, July 1, 2019 – June 30, 2023

Ms. Capriola said this is the last of the agreements that was negotiated 11/2 years ago. A cost analysis was done on this agreement as well.

Mr. Askham made motion, effective July 11, 2022 to authorize Town Manager, Maria E. Capriola to execute the proposed Successor Collective Bargaining Agreement for the Town of Simsbury and CSEA Administrative and Professional Employees, July 1, 2019 – June 30, 2023, which shall enter into effect retroactively from July 1, 2019 and expire on June 30, 2023. Mr. Peterson seconded the motion. All were in favor and the motion passed.

i) FY 22/23 Non-Union Compensation

Ms. Capriola said the Board of Selectmen upgrades the compensation annually. The Personnel Sub-Committee recommended a 2.35% retroactive to July 1st.

Mr. Askham made a motion, effective July 11, 2022, to approve a 2.35% general wage increase for unaffiliated staff in a non-union probationary status, retroactive to July 1, 2022 pending a satisfactory annual performance evaluation. Further move to approve a 2.35% general wage increase for unaffiliated staff in a probationary status upon successful completion of their probationary period. Further move, to adjust the salary ranges for non-union classifications as presented. Ms. Goetz seconded the motion. All were in favor and the motion passed.

j) Discussion on Review and Amendments to Town Charter

Mr. Askham said the Board should start the process to review the Town Charter now as it needs to be done every seven years, which will be December 2023. The process takes about 12 – 18 months to finish. We need to start thinking about how much to place aside in the budget. Also, there is a Presidential election in 2024 so we would get better participation in the process.

Mr. Askham said the Board sets the scope and then the Commission is empowered if they want to go beyond that scope. He feels the Board should discuss with the Town Attorney so all questions can be answered before the process begins.

The Town Manager form of government is still quite new and there should be discussion on the Board of Education being elected or not as well. The deadline to start this process is December 2023.

After further discussion, no motion was made at this time.

k) Board of Selectmen Goals, 2021 – 2023

The Board went through the 2022-23 goals draft and the points and values of more specific goals such as Financial Management, Public Health and Well Being, Economic Development, investments in Parks and Recreation, Infrastructure, there was some discussion on taking off old goals from their list and prioritizing new ones.

After discussion, no action taken at this time.

l) Proposed Town Manager Goals July 1, 2022 – June 30, 2023

The Board discussed goals that are achievable and perpetual and some goals are time sensitive. Sometimes things are urgent.

It was decided the Town Manager’s goals cannot be finalized until the Board of Selectmen goals are finalized. This item will be placed on the August agenda.

After discussion, no action taken at this time.

APPOINTMENTS AND RESIGNATIONS

a) Resignation from Conservation Commission

Mr. Askham made a motion, effective July 11, 2022, to accept the resignation of James Morrison as a Regular Member of the Conservation Commission/Inland Wetlands and Watercourses Agency retroactive to October 28, 2021 with our thanks. Further move to accept the resignation of Grant Gritzmacher as an Alternate Member of the Conservation Commission/Inland Wetlands and Watercourses Agency with our thanks. Mr. Peterson seconded the motion. All were in favor and the motion passed.

b) Resignation from DEI Council

Mr. Askham made a motion, effective July 11, 2022, to accept the resignation of Suzanne Feola as a Regular Member of the Simsbury DEI Council retroactive to May 31, 2022 with our thanks. Ms. Feola’s term was to expire on December 4, 2023. Ms. Goetz seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of June 13, 2022

There were no changes to the Regular Meeting Minutes of June 13, 2022, and, therefore, the minutes were adopted.

COMMUNICATIONS

- a) Lower Farmington River and Salmon Brook Wild and Scenic Committee FY 22 Update, dated June**
- b) Memo from M. Capriola re: Public Gathering Permits, dated 6/13/22 – there was no discussion at this time.**
- c) Memo from M. Capriola re: Public Gathering Permits, dated June 21, 2022 – there was no discussion at this time.**
- d) Memo from M. Capriola re: FY 21/22 Town Manager’s Performance Review Process and Timeline, dated July 7, 2022 – there was no discussion at this time.**

ADJOURN

Mr. Askham made a motion to adjourn the Regular Meeting of the Board of Selectmen at 8:45 p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk