

TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – February 8, 2021
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CALL TO ORDER

Present: First Selectman Eric Wellman, Deputy First Selectman Sean Askham; board members Jackie Battos, Mike Paine, Wendy Mackstutis and Chris Peterson. Other's in attendance included Town Manager Maria E. Capriola, Deputy Town Manager Melissa Appleby, Finance Director Amy Meriwether, Director of Culture, Parks and Recreation Tom Tyburski, Culture Parks and Recreation Commissioner Dave Bush, Cheryl Cook, Nicole Kodak and Tenesha Grant from the SPIRIT Council and Simsbury Police Chief Nicholas Boulter.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

- Email written comments to ebutler@simsbury-ct.gov by 12 P.M. on Monday February 8, 2021 to be read into the record;
- Email tfitzgerald@simsbury-ct.gov by 12 P.M. on February 8, 2021, to register to address the Board of Selectmen on ZOOM

PUBLIC AUDIENCE

Ms. Mackstutis read an email from Joan Coe. Ms. Coe felt that her First Amendment rights were taken from her by Ms. Capriola, First Selectman Eric Wellman and the Board of Selectman.

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. She requested the addition of two items to the agenda under Selectman Action; Discussion of Senate Bill 171 and Simsbury Farms Golf Course Restaurant Lease.

SELECTMEN ACTION

First Selectman Eric Wellman asked for support for the addition of the two new agenda items.

Mr. Paine made a motion to add the Discussion of Senate Bill 171 to the agenda under Selectman Action. Ms. Battos seconded the motion. The motion carried unanimously.

Ms. Mackstutis made a motion to add the Simsbury Farms Golf Course Restaurant Lease to the agenda under Selectman Action. Mr. Peterson seconded the motion. The motion carried unanimously.

a) Donation from Mark and Dianne Orenstein

Mark and Dianne Orenstein of Simsbury would like to donate \$1,565.00 to the Community and Social Service Department. The Donation will be used to provide emergency assistance to Simsbury residents who are being impacted by the COVID-19 pandemic as many of the residents are experiencing hardship.

Ms. Mackstutis made a motion, effective February 8, 2021, to accept a donation from the Orenstein family in the amount of \$1,565.00 for the purpose of supporting Community and Social Services Department programs and helping residents affected by the COVID-19 pandemic. Mr. Paine seconded the motion. Motion carried unanimously.

b) Proposed 2021 Aquatic Facilities and Day Camp Fee Schedule

For the 2021 aquatics and day camp season, the request is proposing increases to some aquatic facility fees and summer day camp program rates; this is to primarily offset increasing seasonal staff costs due to the upcoming minimum wage increase. Ms. Mackstutis questioned if these rates will hold if there continues to be the COVID pandemic. Tom Tyburski, the Director of Parks and Recreation, explained that last year they did not lower the rates due to reduced capacity. This is based on the 4 year expected attendance. He feels it will be between where they were last year and where they would be in a non-COVID year, hoping to be at 80-85% capacity. If at a lower capacity than the expenses reduce based upon the number of employees needed but the wage increase remains the primary affect.

Deputy First Selectman Sean Askham made a motion, effective February 8, 2021, to approve the 2021 fee schedule for Aquatics Facilities and Day Camp programs as presented. Mr. Peterson seconded the motion. Motion carried unanimously.

c) Proposed 2021 Simsbury Farms Golf Course Fee Schedule

For the 2021 season at the Simsbury Farms Golf Course, the proposal is for increases to the Golf Course fees; \$1.00-\$2.00 to some of the weekday and weekend greens fees, \$25.00-\$50.00 increases for season passes and \$1.00-\$2.00 increases for golf cart rentals. Senior discounts for golf cart rentals will no longer be offered.

Ms. Mackstutis made a motion, effective February 8, 2021, to approve the 2021 fee schedule for the Simsbury Farms Golf Course as presented. Deputy First Selectman Sean Askham seconded the motion. Motion carried unanimously.

d) Simsbury Farms Golf Course Restaurant Lease

There was 6 proposals submitted to the town with 1 chosen; Chez Hospitality Group LLC. Mr. Tyburski noted that Chez Hospitality showed professionalism and makes the restaurant a destination not only for golfers but for those at the complex as well. Last fall a survey was conducted on Simsbury Farms patrons to see what they were looking for, which was found to be extremely helpful. Chez Hospitality is considering renovations in the future. Dave Bush from Parks and Recreation expressed feeling that Shea Hospitality will be a complete asset to the golf course. Ms. Capriola added the Board that their proposal was very competitive; year 1 essentially the rental income that they will receive will remain flat however, over the duration of the agreement the rental income will increase each year for the remaining 4 years of the contract. Deputy First Selectman Sean Askham confirmed with Ms. Capriola that the lease language was amended so there are no issues with the signage at town facilities as they have to remain unbiased.

Deputy First Selectman Sean Askham made a motion, effective February 8, 2021, to authorize the Town Manager, Maria E. Capriola, to execute the proposed lease agreement with Shea Hospitality Group LLC. Mr. Paine seconded the motion. Motion carried unanimously.

e) Tax Refund Requests

Ms. Battos made a motion, effective, February 8, 2021, to approve the presented tax refunds in the amount of \$62,606.02 and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Deputy First Selectman Sean Askham seconded the motion. Motion carried unanimously.

f) Quarterly Budget Status Report

Amy Meriwether presented the Quarterly Budget Status report. She highlighted the Building Department budget which has exceed by \$322,000. The Finance Department interest income is only at \$32,000 however, they budgeted \$400,000. They will not be meeting the full budgetary estimate. Town Clerk revenue has seen an increase due to increased housing sales during COVID. Conveyance fees are at 80% of budget with recording fees already a little over budget; they will exceed budgetary estimates by end of the year. The \$7,000 for rental of Eno Memorial Hall and some library fees will not hit budgetary estimates as the library is only open partial hours and no one is renting Eno. The town is at \$67.3 million revenue to date.

General fund expenditures are at \$51.7 million. There are vacancies in the Police Department, Planning Department, Town Clerk, Social services and the senior center due to retirements and staff transitions. Ms. Meriwether is anticipating \$80,000 in savings due to the vacancies. Due to COVID and there being a lack of travel for conferences and education there is a \$50,000 savings related to travel expenses. The town has spent \$57,000 in COVID related expenditures to date with an expectancy of \$80,000 by the end of the year. Parks and Recreation fund has a surplus of \$114,000. The Recreation Programs and Simsbury Complex Programs are down in accordance with budget due to COVID. The Health Insurance Fund revenue has exceeded expenditures by \$727,000. During the bond rating review with S&P, Deputy First Selectman Sean Askham asked about the bond ratings and was excited to note that the quality of management in town was one of the highest categories they scored. This was confirmed by Ms. Meriwether who also highlighted the presentation and stated it was insinuated that they had the highest management score in the State of CT. Deputy First Selectman Sean Askham expressed his gratitude for the exceptional management within the Finance Department and the Town Manager's Office. He thanked Amy Meriwether and Maria Capriola on their leadership.

g) Board of Education Use of the Non-Lapsing Fund for COVID-19 Related Expenses

The Board Of Education incurred \$850,000 in COVID related expenses. They have received \$375,000 through grant funding. They will have another \$430,000 coming in April which will be used to offset fiscal year 2021 and transitioned over for fiscal year 2022. There are many intervention programs the Board of Education is looking to implement for summer programming or additional for next year. In order to offset the \$850,000 they instituted a spending phase to reduce the burden of COVID. Anything above and beyond that they are requesting permission to utilize the non-lapsing fund of \$651,308.

Deputy First Selectman Sean Askham, effective February 8, 2021, to approve the use of the Non-Lapsing Fund for COVID-19 related expenditures in an amount up to \$651,308. Mr. Paine seconded the motion. Motion carried unanimously.

h) Supplemental Appropriation Request for Farmington Valley Health District

The health district is a valued resource due to COVID. The Health District put together a proposal and a request for \$29,818. Ms. Capriola presented the request. The Health District has looked at their needs over the next 6 months and created a plan, proposing assessing the 10 district towns. Several other towns have already supported this appropriation request. Ms. Capriola felt the request was fair and reasonable. Deputy First Selectman Sean Askham and Mr. Paine commended the Health District for all of their work.

Deputy First Selectman Sean Askham made a motion, effective February 8, 2021, to approve a supplemental appropriation for additional funding for the Farmington Valley Health District in the amount of \$29,818 for their continued efforts in relation to their response to COVID-19. Ms. Mackstutis seconded the motion. Motion carried unanimously.

i) Supplemental Appropriation Request for Simsbury SPIRIT Council

Cheryl Cook and Nicole Kodak presented on behalf of the SPIRIT council. This is a mid-cycle request to allow the SPIRIT Council the ability to get started on diversity work. Deputy First Selectman Sean Askham asked to note that this was born out of a discussion with the SPIRT council about a month ago where they spoke about ensuring the town of Simsbury is diverse and inclusive. Ms. Cook and the SPIRIT council work around the clock to do this and Ms. Cook expressed that many people do not know what the SPIRIT council does and feels the message needs to be sharpened. Ms. Kodak explained the budget request is necessary since there has been declaration adopted that declares racism a public health crisis, which requires data and measuring. The outreach subcommittee has started reaching out to collaborate with other towns and presenting to various groups around town. First Selectman Eric Wellman expressed his appreciation for the work of the council and felt they have the opportunity to do something great.

Deputy First Selectman Sean Askham made a motion, effective February 8, 2021, to approve the supplemental appropriation for additional funding for the Simsbury SPIRIT Council in the amount of \$5,000 to support marketing, data collection and analysis efforts. Mr. Paine seconded the motion. The motion carried unanimously.

j) Business Incentive Policy Proposed Fee Wavier and Tax Abatement Guidelines

This is work done by the Economic Development Commission. The Economic Development Commission has been reviewing the town's policy for providing tax incentives to support economic development. This Board provided feedback back in December which has been incorporated. Examples were provided by First Selectman Eric Wellman.

Deputy First Selectman Sean Askham made a motion, effective February 8, 2021 to adopt the Fee Wavier and Tax Abatement Guidelines as presented, replacing the Business Development Incentive Policy. Ms. Mackstutis seconded the motion. The motion carried unanimously.

k) Senate Bill 171: An Act Establishing a State-Wide Tax on Real Property

Mr. Paine had requested that this item be added to the agenda. He expressed concern in the way this bill reads; there is a threshold for an exemption for residential property but none for commercial property and it is an increased tax of 1 mill. With COVID and the financial stress, he expressed that this is bad timing and will put

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stress on business owners along with residential property owners. Deputy First Selectman Sean Askham noted he doesn't feel the bill is likely to pass although it does have the potential to. He noted these are issues to be concerned about especially affordability issues with this bill. Ms. Mackstutis noted she has heard about this bill and felt they were acting as if this would be a millionaire tax when in fact it will affect anyone with property over \$430,000. This bill is being reviewed by the Committees of Finance, Bonding and Revenue. Deputy First Selectman Sean Askham expressed there is still other opportunities for this bill to be passed out of Committee or revived later on even if it is not passed now. Mr. Paine feels to increase taxes for anything right now is not good.

First Selectman Eric Wellman reported town staff drafted a letter in objection to the Senate Bill 171, that was shared this afternoon. Mr. Paine would like to have a vote tonight as he isn't sure what things would look like in a couple of weeks. Ms. Battos agreed this would be a challenge and she would like this to be addressed tonight. The letter was screen shared with the Board. The letter is a rough draft addressed to the two state representatives and to the joint Committee of Finance, Bonding and Revenue to express the Board of Selectmen's opposition to the Senate Bill 171. Ms. Battos suggested adding the statistics on the number of taxpayers that have requested a tax deferment. The Board was in agreement. This will be added to the letter.

Deputy First Selectman Sean Askham made a motion to endorse letter in opposition to SB 171 with the amendment to include the taxpayers that have applied for deferment. Mr. Paine seconded the motion. Motion carried unanimously.

APPOINTMENTS AND RESIGNATIONS

a) Appointment of Chari Chester Anderson to SPIRIT Council

Move, effective February 8, 2021, to appoint Chari Chester Anderson (D) as a regular member of the SPIRIT Council, with a term to expire on December 6, 2021.

b) Appointment to the Library Board of Trustees

Move, effective February 8, 2021, to appoint Holly McGrath as a regular member of the Library Board of Trustees with a term expiring on December 6, 2021.

c) Appointments and Reappointments to the Aging and Disability Commission

Move, effective February 8, 2021, to appoint Robin Batchelder as a regular member of the Aging & Disability Commission with a term ending January 1, 2021.

Move, effective February 8, 2021, to appoint Joanne Cohen as a regular member of the Aging & Disability Commission with a term ending January 1, 2023.

Move, effective February 8, 2021, to move Victor Bible, III from an alternate member of the Aging & Disability Commission to a regular member of the Aging & Disability Commission with a term ending January 1, 2023.

Move, effective February 8, 2021, to appointment Mary T. Henault as an alternate member of the Aging & Disability Commission with a term ending January 1, 2022.

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Move, effective February 8, 2021, to reappoint Michael R. Jennings as a regular member of the Aging & Disability Commission with a term ending January 1, 2025.

d) Reappointments to Building Code Board of Appeals

Move, effective February 8, 2021, to reappoint JoAnn M. Hogan as a regular member of the Building Code Board of Appeals with a term ending January 1, 2026.

Move, effective February 8, 2021, to reappoint Charles A. Warren, Jr. as a regular member of the Building Code Board of Appeals with a term ending January 1, 2026.

e) Appointment and Reappointment to Historic District Commission

Move, effective February 8, 2021, to appoint Chad S. Alfeld as an alternate member of the Historic District Commission with a term ending January 1, 2023.

Move, effective February 8, 2021, to reappoint Patricia F. Hyypa as a regular member of the Historic District Commission with a term ending January 1, 2026.

REVIEW OF MINUTES

a) Regular Meeting of January 25, 2021

Minutes were approved by consensus.

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** – no report at this time.
- e) Board of Education** – Ms. Mackstutis presented the Board of Education update. Tootin’ Hills school has a new principal. The personnel budget came in around a 2.5 increase for next year.

Both the First Selectman Eric Wellman and the Deputy First Selectman Sean Askham attended a SPIRIT Council Workshop about Affordable Housing. Deputy First Selectman Sean Askham felt there was many interesting perspectives on how affordable housing is viewed. 89 residents signed up for the meetings. Both the First Selectman and Deputy First Selectman reflected on the workshop and both look forward to where this goes from here.

COMMUNICATIONS

a) Memo from M. Capriola, re: Deputy Building Official Agreement, dated February 8, 2021

Mr. Peterson expressed curiosity about how busy they are and is there a concern that activity may require them to retain the deputy building official full-time. Ms. Capriola explained that it is a 60/40 split between time spent here and time spent in Bloomfield. Both towns and departments have been flexible and have worked

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collaboratively with scheduling needs. There is a shortage of certified building officials and assistant building officials in Connecticut so this arrangement is of great benefit to both towns.

- b) Memo from E. Butler, re: Notification of Number of Electors and Number of Polling Places, dated February 1, 2021**

ADJOURN

Deputy First Selectman Sean Askham made a motion to adjourn at 7:45p.m. Ms. Mackstutis seconded the motion. The motion carried unanimously and the meeting adjourned.

Respectfully submitted,

Amanda Werboff
Commission Clerk