

Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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SIMSBURY BOARD OF SELECTMEN Regular Meeting – April 17, 2023 – 6:00 p.m.

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, April 17, 2023 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

PRESENTATION

- a) Autism Awareness Month Proclamation
- b) Rotary Club

FIRST SELECTMAN'S REPORT

TOWN MANAGER'S REPORT

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- a) Personnel
- b) Finance
- c) Public Safety
- d) Board of Education

SELECTMEN ACTION

- a) Congressionally Directed Spending Program – Police Department
- b) Tax Refund Requests
- c) Homegrown National Park Co-Branding Opportunity
- d) Schedule a Public Hearing for Proposed Amendments to the Tax Credit for Elderly Relief (Chapter 141)
- e) Proposed Simsbury Sustainability Committee State of Purpose and Procedures

APPOINTMENTS AND RESIGNATIONS

- a) Reappointment of Melissa Appleby to Board of Directors for the Farmington Valley Health District

REVIEW OF MINUTES

- a) March 27, 2023 Regular Meeting
- b) March 31, 2023 Special Meeting

ADJOURN

Following adjournment, Pursuant to 1-200 (2), the Board of Selectmen and its Legal Counsel will meet as the Executive Search Committee



Town of Simsbury

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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Autism Awareness Month Proclamation

2. **Date of Board Meeting:** April 17, 2023

3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Wendy Mackstutis, First Selectman

4. **Action Requested of the Board of Selectmen:**

Maria E. Capriola

The following suggested motions are in order if the Board has a desire to support Autism Awareness Month:

Move, effective April 17, 2023, to authorize First Selectman Wendy Mackstutis to issue a Proclamation in support of Autism Awareness Month.

Further move to light Eno Memorial Hall blue for the remainder of the month of April 2023.

5. **Summary of Submission:**

The National Autism Awareness Month is April. The First Selectman has received a request to issue a proclamation for Autism Awareness Month, and to light Eno Memorial Hall blue. This proclamation is to show Simsbury's support to the Autism community and #CelebrateDifferences that make us all a unique part of our wonderful Town.

If anyone would like to learn more, please go to www.autismawarenessmonth.org.

6. **Financial Impact:**

Nominal staff time, materials, and energy costs associated with lighting Eno blue for the remainder of April.

7. **Description of Documents Included with Submission:**

a) Proclamation in Support of Autism Awareness Month

**PROCLAMATION
AUTISM AWARENESS**

WHEREAS, autism is a neurological condition affecting millions of people in the United States that demands a national response and an increase in knowledge of the programs that have been and are being developed to support persons with autism and their families; and,

WHEREAS, autism can affect anyone, regardless of race, ethnicity, gender, or socioeconomic background; and,

WHEREAS, symptoms and characteristics of autism may present themselves in a variety of combinations and can result in significant lifelong impairment of an individual's ability to learn, develop healthy interactive behaviors, and understand verbal as well as nonverbal communications; and

WHEREAS, doctors, therapists, and educators continue to help persons with autism overcome or adjust to its challenges and provide early, accurate diagnosis and the resulting appropriate education, intervention, and therapy that are vital to future growth and development; and,

WHEREAS, ensuring that persons with autism have lifelong access to care and services needed to pursue the full measure of personal happiness and achieve their greatest potential; and,

WHEREAS, The Town of Simsbury is honored to take part in the annual observance of Autism Awareness Month and World Autism Awareness Day in the hope that it will lead to a better understanding of the disorder; and,

THEREFORE, I, Wendy Mackstutis, First Selectman, do hereby proclaim April 2023 as **AUTISM AWARENESS MONTH** in Simsbury and call upon all of us to learn more about autism to improve early diagnosis, learn firsthand the experiences of persons with autism, and to build more welcoming and inclusive communities to support persons with autism.

IN WITNESS THEREOF, I have placed my seal and the great seal of the Town of Simsbury.

Dated the 17th day of April 2023

Wendy Mackstutis, First Selectman



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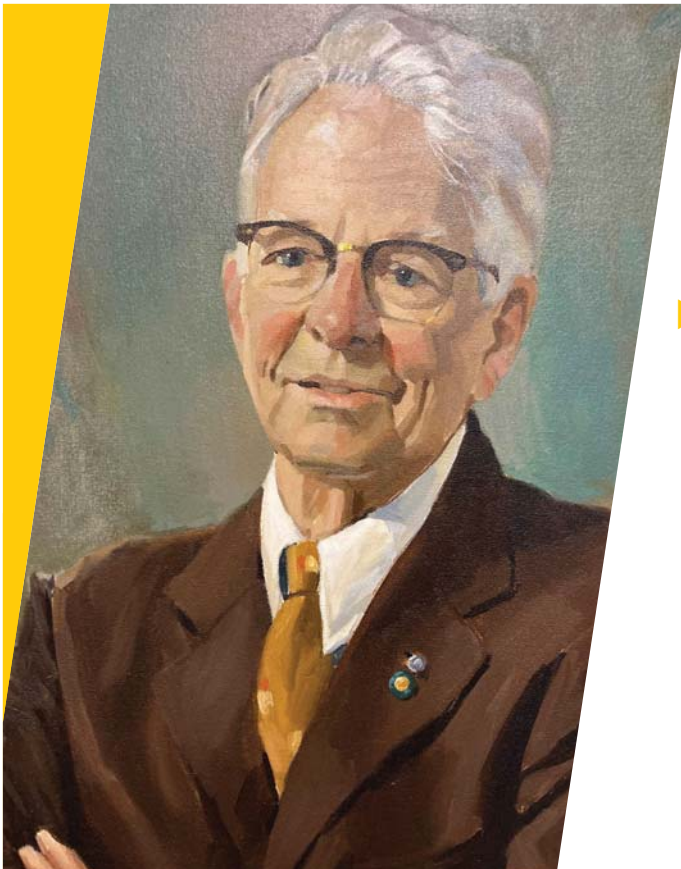
BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Rotary Club Presentation
2. **Date of Board Meeting:** April 17, 2023
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Wendy Mackstutis, First Selectman
4. **Action Requested of the Board of Selectmen:** *Maria E. Capriola*
No action is needed; this item is informational.
5. **Summary of Submission:**
The Simsbury-Granby Rotary Club, through Patrick Sullivan, made a request to the First Selectman to present to the Board. Mr. Sullivan is presenting.
6. **Financial Impact:**
N/A
7. **Description of Documents Included with Submission:**
None

Simsbury / Granby Rotary Club



Patrick Sullivan



Elliot "Ed" Dodge

- ▶ Charter member of the Simsbury Rotary Club and active from 1947 to 1993 with 100% meeting attendance during his tenure.

ROTARY CLUB OF KODUNGALLUR CENTRE

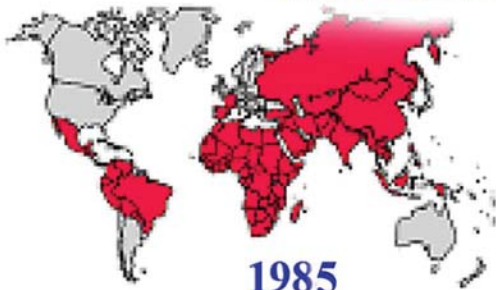


Prasad Menon

- ▶ Rotary International
- ▶ End Polio Now

ROTARY'S GREATEST ACHIEVEMENT ERADICATION OF POLIO

WILD POLIO VIRUS CASES



1985

400,000 CASES
125 COUNTRIES



2021

4 CASES
2 COUNTRIES
PAKISTAN & AFGHANISTAN

ROTARY'S POLIO ERADICATION PROJECT - 1985 - TO DATE

NUMBER OF CHILDREN IMMUNIZED

2.8 BILLION

MONEY DONATED BY ROTARIANS

\$2.9 BILLION

MATCHED BY GATES FOUNDATION

\$8.7 BILLION

COUNTRIES WITH WILD POLIO VIRUS

2

(AFGHANISTAN & PAKISTAN)



Susan Case

- ▶ Riobamaba
Medical Center
and outreach Programs





Paul Martel

2023
Ecuadorian
Presidential
Award





Local Initiatives

Charlie Kaylor



Major Fundraisers

- ▶ The River Run
- ▶ Rotary Golf Tournament

A few Projects throughout the years

- Raised the initial \$10,000 for Memorial pool construction
- Donated the first racing shell to the crew team
- Funded the construction of the SHS Athletic Field press box
- Built the refreshment stand at Memorial Field
- Jack Bannan Turkey Trot
- Group Home Holiday Party
- Simsbury Police Cadet Training
- Salvation Army Bell Ring
- WTIC Holiday Store
- Healing Meals
- Simsbury HS Robotics Team
- Simsbury Volunteer Ambulance

AND MUCH MORE.....



Rotary Day of Service May 20

- ▶ Tanager Hill Eagle Scout Pollinator Garden
- ▶ ABC House Pollinator Garden
- ▶ Farmington River Kayak/Canoe cleanup

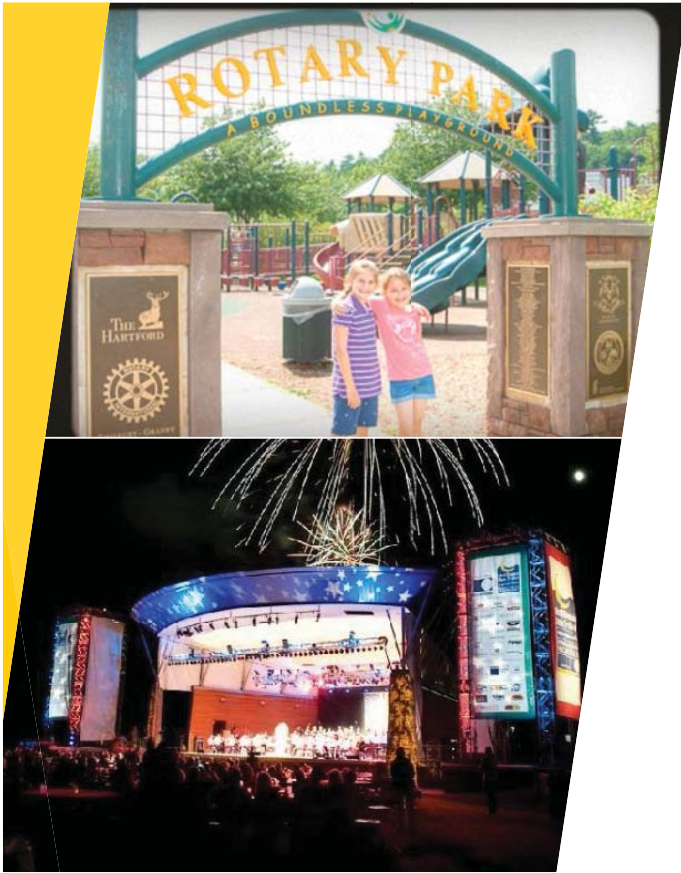




Local Scholarships

Dr. Jerry Graham





Rotary Park
and
The
Performing
Arts Center
Mark Deming







Questions??

Do you know anyone who may be interested in joining Rotary?

Visit simsburygranbyrotary.org



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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

- Title of Submission:** Congressionally Directed Spending Program – Police Department
- Date of Board Meeting:** April 17, 2023
- Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Nicholas Boulter, Chief of Police; Tom Roy, Public Works Director/Town Engineer
Maria E. Capriola

Action Requested of the Board of Selectmen:

If the Board of Selectmen supports submitting applications to the offices of Senators Blumenthal and Murphy for a Fiscal Year 2024 Congressionally Directed Spending Request, the following motion is in order:

Move, effective April 17, 2023, to authorize Town Manager Maria E. Capriola to submit two applications to the offices of Senators Blumenthal and Murphy for the Congressionally Directed Spending Request in the amount of \$112,000 for Technology Upgrades for the Simsbury Police Department and Town Hall.

Should the appropriations request be awarded, the following additional motion is in order:

Move, to accept the federal appropriations request for the Technology Upgrades for the Simsbury Police Department and Town Hall and authorize the Town Manager to execute all documents related to the award.

Summary of Submission:

Senators Blumenthal and Murphy are accepting applications for Connecticut based projects that would be eligible for Congressionally Directed Spending for Fiscal Year 2024. The senators will review projects submitted and decide which ones to submit to the Senate Appropriations Committee for approval.

The first submission is for a system upgrade from a hand-held card system to a digital system for emergency medical dispatching. Our dispatchers, as required by the State, use a process called emergency medical dispatching (EMD) in order to assess the appropriate resources needed for medical calls. For almost well over a decade, we have been using hand card sets for the process, essentially a flip chart. There is digital EMD software that provides for a more efficient and strict process, as well as a means of documenting our actions to a specific medical emergency. The digital version provides for greater consistency, efficiency and accountability and would be a benefit to

those we serve. The software and hardware to support this effort is approximately \$12,000.

The second submission is part two of our enhanced safety and security through technology at Town Hall. We submitted and received funding from the same source for security enhancements to the Town Hall campus during fiscal year 2022. This submission request is for the replacement and installation of a new access system for exterior and interior doors throughout Town Hall. It will significantly enhance the safety and security of personnel and visitors to Town Hall and the protection of assets. The estimated cost is between \$75,000 and \$100,000.

6. Financial Impact:

The total funding of the two separate requests will be in the amount of \$112,000. There is an annual licensing and user fee for the EMD software which is expected to be below \$3,000, which should be included in the first year if the funding is granted. There are no annual or recurring costs for the building access system replacement/upgrade.

The upgrades are expected to increase service, consistency and efficiency and enhance safety.

7. Description of Documents Included with Submission:

None



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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Tax Refund Requests
2. **Date of Board Meeting:** April 17, 2023
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Colleen O'Connor, Tax Collector
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports approving the tax refunds as presented, the following motion is in order:

Move, effective April 17, 2023 to approve the presented tax refunds in the amount of \$1,556.13, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds.

5. **Summary of Submission:**
Tax refunds need to be issued from time to time for motor vehicles, real property, and personal property. Some of the most common reasons tax refunds need to be issued for motor vehicles include: sale of the vehicle; the vehicle is destroyed; the vehicle is donated; the owner has moved out of state; or, the owner has successfully appealed the taxes. Real estate refunds are typically due to the fact that during the sale or refinancing of a property, both a bank and an attorney's office have paid taxes owed, resulting in an overpayment to the Town. Overpayments of personal property taxes are rare; often overpayments of personal property are due to a person or entity forgetting that they paid in full in July, then also sending the January installment.

In a legal opinion from the Town Attorney dated May 22, 2001, he stated that CGS §12-129 "requires that all applications for tax refunds be referred to the Board (of Selectmen) for their consideration and action." Once approved by the Board of Selectmen, the Town Manager will sign off on tax refund applications. As a reminder, the Tax Collector's Office is responsible for collecting revenue for the Fire District pursuant to Special Act #264 of the Legislature in 1945. However, tax refunds for the Fire District are not under the jurisdiction of nor approved by the Board of Selectmen and are therefore not included in the requested tax refunds presented.

6. **Financial Impact:**
The aggregate amount of all tax refunds as presented is \$1,556.13. The attachment dated April 17, 2023 has a detailed listing of all requested tax refunds.
7. **Description of Documents Included with Submission:**
 - a) Requested Tax Refunds, dated April 17, 2023

REQUESTED TAX REFUNDS
APRIL 17, 2023

	BILL NUMBER	TAX	INTEREST	TOTAL
List 2020				
Butchyk, Justin Joseph	20-02-40148	\$26.47		\$26.47
Total 2020		\$26.47	\$0.00	\$26.47
List 2021				
Butchyk, Justin Joseph	21-02-40152	\$28.33		\$28.33
JP Morgan Chase Bank	21-03-59319	\$425.80		\$425.80
Nissan Infiniti LT LLC	21-03-63534	\$436.04		\$436.04
Miller, Frederick H	21-03-70925	\$86.04		\$86.04
Coppinger Daniel	21-04-80615	\$204.56		\$204.56
Gladden Michelle	21-04-81132	\$8.45		\$8.45
JP Morgan Chase Bank	21-04-81592	\$331.75		\$331.75
Litchfield Christopher	21-04-81874	\$8.69		\$8.69
Total 2021		\$1,529.66	\$0.00	\$1,529.66
TOTAL 2020		\$26.47	\$0.00	\$26.47
TOTAL 2021		\$1,529.66	\$0.00	\$1,529.66
TOTAL ALL YEARS		\$1,556.13	\$0.00	\$1,556.13



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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Homegrown National Park Co-Branding Opportunity

2. **Date of Board Meeting:** April 17, 2023

3. **Individual or Entity Making the Submission:**

Maria E. Capriola, Town Manager; Thomas Tyburski, Director of Culture, Parks and Recreation

Maria E. Capriola

4. **Action Requested of the Board of Selectmen:**

If the Board of Selectmen supports the co-branding opportunity with the Town of Simsbury and Homegrown National Park, the following motion is in order:

Move, effective April 17, 2023 to approve the co-branding opportunity between the Town of Simsbury and Homegrown National Park.

5. **Summary of Submission:**

Susan Masino, Margery Winters and Karyn Corder from the Open Space Committee presented to the Board of Selectmen at your March 27th meeting. During this presentation they discussed the Homegrown National Park (HNP) Co-Branding opportunity that the Open Space Committee has been discussing.

This would make Simsbury the first town in the country to co-brand with Homegrown National Park. According to their website:

"Homegrown National Park is a grassroots call to action to regenerate biodiversity and ecosystem function by planting native plants and creating new ecological networks."

By engaging with HNP the Town would signal that it aligns with the principles of the organization. There is no binding requirement of the Town of HNP for this co-branding opportunity, no formal application process to follow, and no MOU would need to be signed. There is no additional financial resources needed to fund this opportunity as the principles that HNP follows are similar to what our Parks Maintenance crews are already doing around Town in our Parks and Open Spaces.

To learn more about Homegrown National Park organization, go to:

<https://homegrownnationalpark.org/>

6. **Financial Impact:**

None

7. **Description of Documents Included with Submission:**

None



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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Schedule a Public Hearing for Proposed Amendments to the Tax Credit for Elderly Relief (Chapter 141)
2. **Date of Board Meeting:** April 17, 2023
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Thomas Roy, Director of Public Works/Town Engineer; Tony Piazza, WPCF Superintendent *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports scheduling a public hearing for proposed revisions to Chapter 141 of the Town Code concerning Tax Credit for Elderly Relief and Totally Disabled Homeowners to include Sewer Use Fees, the following motion is in order:

Move, effective April 17, 2023, to set a public hearing to receive public comment concerning proposed revisions to Chapter 141 of the Town Code concerning Tax Credit for Elderly Relief and Totally Disabled Homeowners to include Sewer Use Fees for 6:00pm on Monday, May 8, 2023.
5. **Summary of Submission:**
At the September 28, 2022 Water Pollution Control Authority meeting, the Board agreed to authorize the implementation of Elderly Relief for Sewer Use Fees as allowed under State of Connecticut General Statutes Section 7-255(c). The proposed changes to Chapter 141 would allow the WPCA to approve adjustments to sewer use billing, to provide affordability to eligible elderly customers.

Staff has regularly had conversations with the Town Attorney regarding its options related to this elderly relief.
6. **Financial Impact:**
There are currently 180 residents that are eligible for Elderly Relief. If all of those residents currently pay sewer use fees and apply for relief, it would equate to \$35,000 in lost revenue to the sewer use fund.
7. **Description of Documents Included with Submission:**
 - a) Proposed Revisions to Chapter 141 of the Town Code

BOARD OF SELECTMEN

AMENDMENT OF CHAPTER 141, ARTICLE VIII
TAX CREDIT FOR ELDERLY AND TOTALLY
DISABLED HOMEOWNERS: SEWER USE FEES

Chapter 141, Article VIII is hereby amended to add the following additional sections.

§141-30 Optional Methods of Sewer Use Payments

(a) Any property owner who is eligible for tax relief under the provisions of Section 141-28 may apply to the Simsbury Water Pollution Control Authority (“WPCA”) for approval of a plan of payment of such property owner's sewer use charges in a manner as authorized under General Statutes Section 7-255(c) (“Eligible Property Owners”).

(b) The WPCA is authorized to establish regulations for optional methods of payment of any sewer use charges by an Eligible Property Owner as provided in this Chapter 141, Article VIII.

(c) Any such optional method of payment shall be subject to annual review by the WPCA.



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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Simsbury Sustainability Committee Statement of Purpose and Procedures
2. **Date of Board Meeting:** April 17, 2023

3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Wendy Mackstutis, First Selectman

Maria E. Capriola

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports the proposed Simsbury Sustainability Committee Statement of Purpose and Procedures, the following motion is in order:

Move, effective April 17, 2023, to adopt the proposed Simsbury Sustainability Committee Statement of Purpose and Procedures as presented.

Further move, effective April 17, 2023, to appoint Jami Lewchik as a regular member of the Simsbury Sustainability Committee, with a term ending December 4, 2023.

Move, effective April 17, 2023, to appoint Amy McLean Salls as a regular member of the Simsbury Sustainability Committee, with a term ending December 4, 2023.

Move, effective April 17, 2023, to appoint Mark W. Scully as a regular member of the Simsbury Sustainability Committee, with a term ending December 4, 2023.

5. **Summary of Submission:**
The Simsbury Sustainability Committee (SSC) is a consolidated group consisting of the Clean Energy Committee, originally formed as the Clean Energy Task Force in 2008, and the former Sustainability Team. The procedures for the SSC outline the purpose of the committee, membership composition, and how the committee will function. The purpose of the SSC is to (a) Advise the Board of Selectmen and Board of Education on sustainability policy for the Town and Public Schools, including the preparation and maintenance of a Clean Energy Plan; (b) Collaborate with the Simsbury Department of Public Works and Public

Schools to provide education and resources to Simsbury residents and officials regarding sustainability initiatives and efforts; (c) Promote community awareness of programs and services to those who are interested in sustainable actions that can be done at their homes and businesses; (d) Support Simsbury's certification efforts in the Sustainable CT program; and (e) Provide recommendations to the Board of Selectmen and Board of Education on long term energy or sustainable goals or initiatives for the Town and Public Schools to consider pursuing.

If all 3 recommended members are appointed that would leave 2 openings. Due to the openings being seats vacated by members of the Republican party, the new members filling those vacant terms would need to be of the same political party.

The current ex-officio members are Bob Crowther, Economic Development Commission; Lydia Tedone, Board of Education; Holly Beum, Planning Commission; Joe Daly, Recycling; Michelle Lipur, Culture, Parks and Recreation Commission; and Jonah Lipur, Board of Education Student.

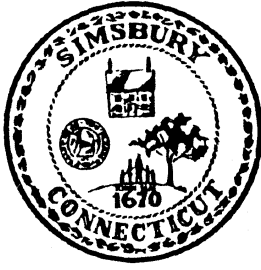
The Town Manager, Public Works Director, Board of Selectmen, Board of Education, and members of the Clean Energy Committee and Sustainability Team contributed to drafting these procedures.

6. Financial Impact:

None

7. Description of Documents Included with Submission:

- a) Draft Simsbury Sustainability Committee Statement of Purpose and Procedures



Town of Simsbury

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SIMSBURY SUSTAINABILITY COMMITTEE STATEMENT OF PURPOSE AND PROCEDURE *Approved by Board of Selectmen on Month XX, Year*

1. Background

- A. The Simsbury Sustainability Committee is a Committee of the Town and Public Schools, supported by the Simsbury Department of Public Works.
- B. The Committee was formed originally as the Clean Energy Task Force in 2008 to assist the Town in meeting statewide clean energy and efficiency goals as part of the Clean Energy Communities Program.
- C. The Committee advises the Board of Selectmen (BOS) and Board of Education (BOE) on policy that will make Simsbury a cleaner and greener town.

2. Effective Date

This policy shall remain in effect until revised or rescinded. The Town reserve the right to amend this policy as necessary.

3. Purpose

- A. Advise the Board of Selectmen and Board of Education on sustainability policy for the Town and Public Schools, including the preparation and maintenance of a Clean Energy Plan.
- B. Collaborate with the Simsbury Department of Public Works and Public Schools to provide education and resources to Simsbury residents and officials regarding sustainability initiatives and efforts.
- C. Promote community awareness of programs and services to those who are interested in sustainable actions that can be done at their homes and businesses.
- D. Support Simsbury's certification efforts in the Sustainable CT program.
- E. Provide recommendations to the Board of Selectmen and Board of Education on long term energy or sustainable goals or initiatives for the Town and Public Schools to consider pursuing.

4. Composition/Voting

- A. Membership on the Committee shall comprise of five (5) at-large members from the Simsbury community.
 - i. The Personnel Sub-Committee will make recommendations for the five (5) community members at-large to the Board of Selectmen for appointment. The Board of Selectmen may alternatively choose to seek recommendations from the Committee.

- ii. The Board of Selectmen is the appointing authority for the (5) community members at-large.
 - iii. Membership terms will generally be two years, and co-terminus with Board of Selectmen terms.
 - iv. Each at-large Committee representative shall have one vote at meetings.
 - v. A quorum consists of at least three (3) at-large, voting members being present. Being present can include in-person, virtually, or by audio technology. A quorum must be present for formal action to be taken. A quorum is not needed to run a meeting if no action is being taken.
- B. There will be five (5) ex-officio members assigned to the Committee.
- i. The ex-officio members shall be from: the Planning Commission; Economic Development Commission; Recycling Committee; Culture, Parks and Recreation Commission, the Board of Education and the Public Schools student body.
 - ii. Ex-officio members will have full participation rights, but are non-voting members.
 - iii. Ex-officio members do not count towards the quorum for the Committee.
 - iv. The respective Committees and Commissions may assign their ex-officio members to the Committee; Selectmen appointment to the ex-officio slots is not needed.
 - The Ex-officio members' role will include sharing information between the Sustainability Committee with their respective Board or Committee and supporting the Sustainability Committee with information and perspective from their respective Board or Committee.
- C. The Department of Public Works shall provide staff assistance to the Committee. The Director or their staff designee will serve as staff liaison. The staff liaison will have full participation rights, but will not vote and does not count towards a quorum of members.
- i. The Department of Public Works shall be responsible for administrative tasks associated with scheduling and cancelling meetings, and, coordinating meeting technology, as well as other technical duties that may be necessary. Administrative duties may be delegated and assigned to Committee members by the Director of Public Works.

5. Organization

- A. A Chair and Vice Chair shall be elected by voting members of the Committee on an annual basis.
- B. A member of the Committee will act as secretary and record all minutes and actions.
- C. On or before November 30th of each year, the Committee should prepare and submit to the Board of Selectmen and Board of Education an annual report of its activities, and goals for the upcoming year.

6. Meetings

- A. Regular meeting schedules shall be established annually and filed with the Town Clerk's Office in accordance with Connecticut General Statutes, currently no later than January 31st annually.
- B. Meetings should be held at least four times per year, but may be held more often if necessary to meet its purpose. Attendance shall be recorded in the minutes of the meeting.
- C. Committee meetings are open to the public, and guests may make comments during the portion of the meeting agenda that permits public audience.
- D. The Committee shall follow Roberts Rules of Order and may establish additional rules and/or procedures to govern the conduct of meetings, and review those rules and procedures on an annual basis. All FOIA rules and regulations will be adhered to.

7. Removal of Members

- A. Any member of Sustainability Committee may be removed by the Board of Selectmen and/or Board of Education, upon the recommendation of the Town Manager, for cause. Such member will be afforded an opportunity for a public meeting with the Board of Selectmen prior to a final decision being made regarding their status for removal. The purpose of the public meeting is to give the member an opportunity to be heard in person before the Board of Selectmen prior to a final decision being made.
- B. Any member who is absent from more than fifty (50) percent of Sustainability Committee meetings during any twelve (12) month period may be removed from the Sustainability Committee, and the vacancy shall be filled as outlined in Section 4A. An exception may be granted by and at the discretion of the Town Manager due to a member's illness or other extenuating circumstances.

8. Expenses

- A. **No Compensation, Reimbursement of Expenses.** Members of the Committee shall receive no compensation for their services. However, members shall be reimbursed for necessary expenses incurred in the performance of their official duties, when such funds are available in the Town's approved budget and authorized in advance by the Director of Public Works.
- B. **Commitment of Town Funds.** In the performance of its duties, the Committee shall not incur any expense, or obligate the Town to pay any expense, unless funds have been appropriated by the Town specifically for the use of the Committee and authorized in advance by the Director of Public Works.



Town of Simsbury

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SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Reappointment of Melissa Appleby to Board of Directors for the Farmington Valley Health District

2. **Date of Board Meeting:** April 17, 2023

3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager *Maria E. Capriola*

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen accepts the recommended re-appointment, the following motion is in order:

Move, effective April 17, 2023, to reappoint Melissa Appleby as a member of the Farmington Valley Health District Board, with a term ending April 24, 2026.

5. **Summary of Submission:**
The Farmington Valley Health District (FVHD) serves as the local health department for the Town of Simsbury and nine other member towns. Per the District's bylaws, each municipality in the District must appoint one member to the Board of Health for each 10,000 population, or part thereof. Based on our current population, we are entitled to three membership slots. The terms of office for Board members are three years, with successive terms permitted.

Ms. Appleby is currently serving on the FVHD Board of Directors, with a term set to expire April 24, 2023. She is a member of their Finance Committee.

6. **Financial Impact:**
None

7. **Description of Documents Included with Submission**
None

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:00p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members Eric Wellman, Heather Goetz, Sean Askham and Chris Peterson. Others in attendance included: Acting Deputy Town Manager Thomas Fitzgerald; Director of Public Works/Town Engineer Tom Roy; Culture, Park and Recreation Director Tom Tyburski; Treasurer/ Finance Director Amy Meriwether; Attorney Robert DeCrescenzo; Police Chief Nicholas Boulter, 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 noon on Monday, March 27, 2023, 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 records, but, forwarded to all Selectmen via email**

Joan Coe, 26 Whitcomb Drive, spoke about comments made at the March 13th meeting; the budget, revaluation and assessments; mental health; drug and alcohol issues; the Police Department staffing issues and other issues.

Susan Masino, 41 Madison Lane, spoke about the Olmsted bicentennial birthday on April 26th and the hope that “Fred” will visit the Town; Earth Day at Flamig Farm on April 22nd and a 5-film series beginning on April 23rd at the Grange about Beaver Pond Wildlife.

Laurie Boyko, 15 Oakhurst Road, spoke about the vacancy on the Juvenile Review Board and the qualifications of the proposed new member and possible conflicts of interest for employees becoming members of the Farmington Valley Health District.

Sharon Thomas, 42 Brettonwood Drive, spoke about engaging staff in the Town Manager position, having an open house to let the staff meet the Town Manager, and surveying staff for their input on what they feel appropriate skill set should be, etc.

PRESENTATION

a) Open Space Committee Update

Ms. Masino said open space is the foundation of our community’s well-being. She gave an overview of the Open Space Committees strategic plan and their national hallmarks and distinctions. She feels these are good building blocks to the future. She also went through their master plan, acquisition criteria and values. They have an opportunity to get on the map with a Homegrown National Park.

Ms. Winters spoke about the native plant policy, the municipal landscape policy and interconnecting with birds and wildlife species. She would like the Town to adopt the native plant policy for municipal landscapes. She

wants to use best management practices for mowing of our fields. She also spoke about bird habitats and pollinator habitats.

Ms. Corder spoke about the home-grown national park branding opportunity and the pollinator pathway. She spoke about grassroot initiatives to count native species for their ecological and health benefits. She wants to be the 1st town in the country to co-brand with Homegrown National Parks. When people start planting they should look for “native pollinator” on the packages.

After some discussion on the Homegrown National Park designation, no motion was made at this time.

FIRST SELECTMAN’S REPORT

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

TOWN MANAGER’S REPORT

Mr. Fitzgerald, Acting Deputy Town Manager, reviewed the Town Manager’s report.

SELECTMEN LIAISON AND SUB-COMMITTEE REPORT

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

Ms. Abbuhl said Simsbury Clean -up day is April 22nd from 9:30 – 12:30 beginning at Town Hall. This will also be sponsored by the Farmington Valley Trails Council.

Mr. Wellman said the Sustainability Committee will have a meeting on Wednesday, March 29th at the Library at 7 p.m.

SELECTMEN ACTION

a) Tax Refund Requests

Ms. Goetz made a motion, effective March 27, 2023, to approve the presented tax refunds in the amount of \$2,155.27 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) FY 24 Historic Documents Preservation Grant Program

Ms. Mackstutis said this application is done every year to help preserve the Town’s records.

Ms. Abbuhl made a motion, effective March 27, 2023, to submit the FY2024 Historic Documents Preservation Program Grant application and to authorize Maria E. Capriola, Town Manager, to designate Trish Monroe, Town Clerk, as the agent for making the above application.

In the event that the grant is awarded, the following motion is in order: effective March 27, 2023, to accept the FY 2024 Historic Document Preservation Program Grant and to authorize Maria E. Capriola, Town Manager, or a successor Town Manager, to execute all documents related to the grant award. Mr. Wellman seconded the motion. All were in favor and the motion passed.

c) Donation from Simsbury-Granby Rotary Club

Ms. Mackstutis said this donation is to support the cost for 3 cadets. Chief Boulter said this is a 20-year program for children from 14-20. They will learn volunteerism, have some police training, etc.

Mr. Wellman made a motion, effective March 27, 2023, to accept a donation from Simsbury-Granby Rotary Club in the amount \$1875 to sponsor the attendance of three Simsbury Police Cadets at the Cadet Academy in the summer of 2023 with our thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

d) Proposed Revisions to Fingerprinting Fee Schedule

Mr. Mackstutis said the Police are asking for an increase in the charge for fingerprinting. Chief Boulter said they do about 600+ fingerprints per year mostly for pistols, adoptions and employment. He's asking that the fees be increased as they now have to pay for the warrant and maintenance for their new system.

There was discussion about charging the Board of Education and other staff members to have this done.

After discussion Mr. Wellman made a motion, effective March 27, 2023, to approve the proposed revisions to the fingerprinting fee schedule as presented, without charging Town staff. Mr. Peterson seconded the motion. Ms. Abbuhl, Mr. Wellman, Mr. Peterson, Mr. Askham, and Ms. Goetz voted in favor and Ms. Mackstutis voted against. The motion passes.

e) Easements between Dorset Crossing LLC and Town of Simsbury

Mr. Roy said the developers want a decorative entrance. The Town would not be responsible when they take over the entrance. The Town attorney did review the easements.

Mr. Askham made a motion, effective March 27, 2023, to authorize Town Manager, Maria E. Capriola to execute the First Amendment to Temporary Turnaround Easement Agreement between Dorset Crossing, LLC and the Town of Simsbury. Further move, to accept the Driveway and Drainage Easement from Dorset Crossing LLC to the Town of Simsbury. Further move, to accept the Conservation Easement from Dorset Crossing LLC to the Town of Simsbury. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

f) Appointment of Interim Town Manager

Attorney DeCrescenzo said he is working with the Executive Search Committee and went through the process steps to find a new Town Manager. Ms. Capriola said she would stay until May 1st. The new Town Manager will begin on June 1st with an initial term of 3 months if needed. The next steps would be to submit a RFP for a Town management search firm. The proposed new Town Manager is very qualified with a lot of experience. The Board wants this to be a transparent process and would like to get the staff involved in what it is they are looking for in a Town Manager.

After discussion, Mr. Askham made a motion, effective March 27, 2023, to appoint Lee C. Erdmann to the position of Interim Town Manager effective June 1, 2023 until such time that this motion is superseded by the appointment of another Interim or permanent Town Manager. Further move, to authorize Maria E. Capriola, Town Manager to execute the proposed consulting service agreement as presented. Ms. Goetz seconded the motion. All were in favor and the motion passed.

g) FY 23/24 Budget Discussion

Ms. Meriwether showed the Board the changes made to the budget after discussing it with the Board of Finance. They were suggesting a \$150,000 - \$200,000 reduction in the operating budget and \$2.2M in capital by pushing projects out further. Therefore, changes were made reduce the Board of Education budget; reduction to the Debt Service; removing \$1.2M in FY 23 issuance debt service; decrease to debt service from ARPA; increase to investment income; increase to World Skate revenue; and increase to insurance rebate program revenues.

Ms. Meriwether said all the changes would make the mill rate 31.80 (including Fire District) and an increase of \$409 for median valued home families.

Ms. Meriwether went through the Capital budget plan without the Sewer District. There was also some discussion on the Board's rankings of projects. They asked residents to give them ideas about what they would like to change also. After discussion, no motion was made.

APPOINTMENTS AND RESIGNATIONS

a) Resignation of Chari Anderson from the Simsbury Diversity, Equity and Inclusion Council

Mr. Askham made a motion, retroactive to March 14, 2023, to accept the resignation of Chari Chester-Anderson as a Regular Member of the Simsbury Diversity, Equity and Inclusion Council with our thanks. Mr. Wellman seconded the motion. All were in favor and the motion passed.

b) Appointment of Ed LaMontagne as an Alternate member of the Aging and Disability Commission

Mr. Askham made a motion, effective March 27, 2023, to appoint Ed LaMontagne as an Alternate Member of the Aging and Disability Commission with a term ending on January 1, 2024. Mr. Wellman seconded the motion. All were in favor and the motion passed.

c) Appointment of Veena Raghuvir to Juvenile Review Board

After discussion on the qualifications professionalism of Ms. Raghuvir, Mr. Askham made a motion, effective March 27, 2023, to appoint Veena Raghuvir as a Regular Member of the Simsbury Juvenile Review Board. Mr. Peterson seconded the motion. All were in favor and the motion passed.

d) Appointment of Thomas Fitzgerald to Farmington Valley Health District

Mr. Askham made a motion, effective March 27, 2023, to appoint Thomas Fitzgerald to the Farmington Valley Health District Board of Directors for a term set to expire on April 24, 2023, then to a subsequent 3-year term set to expire on April 24, 2026. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

- a) **March 9, 2023, Regular Meeting Minutes** – there were no changes to the minutes, and, therefore, the minutes were adopted.
- b) **March 11, 2023, Regular Meeting Minutes** – there were no changes to the minutes, and therefore, the minutes were adopted.
- c) **March 13, 2023, Regular Meeting Minutes** – there were no changes to the minutes, and, therefore, the minutes were adopted.
- d) **March 15, 2023, Regular Meeting Minutes** – there were no changes to the minutes, and, therefore, the minutes were adopted.

ADJOURN

Mr. Askham made a motion to adjourn at 7:50 p.m. Mr. Wellman seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk

Following Adjournment Pursuant to 1-200(2), the Board of Selectmen and Its Legal Counsel met as the Executive Search Committee

CALL TO ORDER

The Special Meeting of the Board of Selectmen was called to order at 8:01a.m. via Zoom. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members Eric Wellman, Heather Goetz, and Chris Peterson. Others in attendance included: Acting Deputy Town Manager Tom Fitzgerald; Police Chief Nicholas Boulter; Director of Public Works/Town Engineer Tom Roy; Attorney Robert DeCrescenzo; WPCA Superintendent Tony Piazza

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

- Email townmanager@simsbury-ct.gov by noon on Thursday, March 30, 2023 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

None

SELECTMEN ACTION

a) Appointment of Interim Town Manager for May 1st – June 1st

Ms. Mackstutis gave a background on this item.

Mr. Wellman made a motion to appoint Nicholas Boulter to the position of Interim Town Manager effective May 1st, 2023 to June 1st, 2023.

Further move to increase Mr. Boulter’s salary to \$173,749 (on an annualized basis) during his interim appointment as Town Manager and that his other employment related benefits as an unaffiliated (nonunion) employee remain in place. Ms. Goetz seconded the motion. All were in favor and the motion passed.

b) Department of Agriculture Lease of Town Farm and Related Ground Licenses

Attorney Decrescenzo spoke to the Board about why this item was in front of them today. Mr. Roy spoke about Public Works and their maintenance of the property. Ms. Abbuhl asked a questions about the farmers continuing to provide food to the Simsbury Food Pantry.

Ms. Abbuhl made a motion effective March 31, 2023, to authorize Town Manager, Maria E. Capriola, to execute the Memorandum of Understanding Between the Town of Simsbury and The Connecticut Department of Agriculture for Administrative Services Related to Short Term Farm Licenses for Town Farm as presented.

Further move to authorize the Town Manager to execute ground licenses with the farmers specified in Section A of the above referenced agreement, as approved to form by the Town Attorney. Mr. Wellman seconded the motion. All were in favor and the motion passed.

c) On-Demand Battery Storage for WPCF

Mr. Roy and Mr. Piazza explained the background of this project and how it has a goal of reducing energy costs of the Water Pollution Control Facility. Attorney DeCrescenzo spoke to the legal parameters of the items presented to the Board.

Ms. Abbuhl made a motion effective March 31, 2023, to authorize Town Manager, Maria E. Capriola, to execute a Letter of Intent with Clean Peak Energy for an On-Demand Battery System at the WPCF, as presented.

Further move to authorize Town Manager, Maria E. Capriola, to execute an agreement with Clean Peak Energy for an On-Demand Battery System at the WPCF, as presented. Ms. Goetz seconded the motion. All were in favor and the motion passed.

d) Proposed Public Gathering Permit – Western Connecticut Orienteering Club Park Day

Mr. Wellman made a motion effective March 31, 2023 to approve the public gathering application on behalf of the Western Connecticut Orienteering Club and to authorize the issuance of the public gathering permit. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

ADJOURN

Ms. Abbuhl made a motion to adjourn at 8:26a.m. Ms. Goetz seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Thomas Fitzgerald
Acting Deputy Town Manager