

TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – FEBRUARY 14, 2022
“A m e n d e d ”

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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 Town Hall. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members Sean Askham, Heather Goetz, Eric Wellman and Chris Peterson. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Acting Director of Planning and Community Development Tom Hazel; Director of Parks and Recreation Tom Tyburski; Director of Public Works Tom Roy; Town Engineer Jeff Shea, Director of Social Services Kristen Formanek; Executive Director of COST Betsy Gara, and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

- **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**

Carl Meyer spoke about issues in the Simsbury Volunteer Ambulance presentation. He said the data excludes calls from other agencies coming to Simsbury. Data shows that our Town needs two ambulances. The Board needs to look at contracted response times. He said SVAA needs to run their second ambulance seven days a week and the Board needs to get a new contract with them.

Christine Traficante said it took 32 minutes for her to get help after she called 911. That is unacceptable. The police came, but can't do much due to their policies. SVAA has the equipment, money, and people to run a second ambulance and this should be implemented.

Joan Coe, 26 Whitcomb Drive, spoke about low morale at Town Hall, a FOI request she made, the Town Manager's position, communications and emails, and other issues.

Jackie Crockett, 97 Pine Hill, spoke about the sewer issues at their Association. She feels the Town should help pay for it by using the American Rescue Plan Act money. This issue has now become of utmost importance as the sewer could fail at any time. The Association cannot afford to pay for new sewers on their own.

Dave Diodato, 12 Middle Lane, also spoke about the sewer issues at Pine Hill. He said they do qualify for some of the ARPA money and feels the Town needs to help them. He said this Association is a significant tax revenue to the Town and urged the Board to help them with this urgent need.

Paul Peterson spoke about the sewer issues at Pine Hill. He did some research and they do qualify for the ARPA money. He wants the Board to preserve this historic area in Town. This is a difficult time for many and it is a critical issue now.

Mike Ganis, 9 Middle Lane, asked the Board to consider the issue of Ensign Bickford not meeting standards at Pine Hill when it was sold. Now the Association is living in fear due to this sewer issue. They cannot fix the issue on their own and really need the Town's help.

Bob Patricelli, 77 Hartford Road, spoke about the State Police Firing Range. He feels their plans are crazy and the word needs to get out about this project. People need to understand how crazy this building will be. A brochure is going out to residents and there is an update on the website. He feels the Board of Selectmen should plan an advocacy role as they need to protect the Town. Mr. Patricelli also feels the Town should help Pine Hill with the sewer issues

PRESENTATION

a) Council of Small Towns (COST) Legislative Update

Betsy Gara from COST spoke to the Board about this Legislative Session. She said Governor Lamont gave his bi-annual budget for fiscal year 2023 which showed an increase of 2%. He is asking for 2.85 billion for formula grants. There is 90 million to help towns upgrade their HVAC systems in schools.

Ms. Gara said one of the biggest issues is the car tax cap proposal. Governor Lamont wants to cap car taxes at 29 mils. There was some discussion on this issue. Mr. Askham said this has been proposed before and it did not work because the reimbursements did not come through, creating more tax burdens on homeowners. Ms. Gara said this will be a big discussion by the Legislature.

Ms. Gara said there will also be discussion on solid waste management now that China won't accept our recyclables. Different proposals are being looked at.

Ms. Gara said Broadband, juvenile crime, mental health issues, opioid abuse will also be discussed. DEEP is making an effort to ban feeding of wild animals statewide.

After some discussion on car taxes, housing funding and renter's assistance funding, Ms. Gara said these all need to be looked at further. She said the session concludes on May 4th and she will continue to keep the Board updated.

FIRST SELECTMAN'S REPORT

Ms. Mackstutis, First Selectman, reviewed 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 not report at this time.
- b) **Finance** – there was no report at this time.
- c) **Public Safety** – Mr. Askham said there will be a Public Safety meeting on Thursday to discuss the budget request from the Police Commission about staffing. He will report back to the Board on this discussion.
- d) **Board of Education** – there was no report at this time.

Ms. Abbuhl said Zoning has been speaking to the Tower Ridge Development owner and developer as they would like zoning changed to residential use as they are having a hard time finding commercial tenants. After discussion, the Zoning Board voted 0 to 6 against this request and the zone will remain a mixed use zone.

Mr. Wellman said the SPIRIT Council will be holding their third historical event of their series on Wednesday. This is for black history month.

Mr. Wellman said he had a meeting with pollinator people. This issue needs to be discussed at the budget meeting. He wants to partner with experts so pollinating can be cost effective and sustainable. He wants the Town to be able to maintain this properly.

Ms. Goetz said there will be an informational meeting hosted by the Chamber on Tuesday and Thursday to discuss the proposed merger with the Granby Chamber.

SELECTMEN ACTION

a) Tax Refund Requests

Mr. Askham made a motion, effective February 14, 2022, to approve the presented tax refunds in the amount of \$122,775.77 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 Hartford Federal Credit Union

Ms. Abbuhl made a motion, effective February 14, 2022, to accept a donation from Harford Federal Credit Union in the amount of \$2,000 for the purpose of supporting the Simsbury Community and Social Services Department Food Programs with our thanks. Ms. Goetz seconded the motion. All were in favor and the motion passed.

c) Proposed Purpose and Procedures for Community for Care

Ms. Capriola said they have been working on purpose and procedures for temporary committees. She said the change would be to go from 14 members of the committee to 7.

Mr. Askham made a motion, effective February 14, 2022 to approve the proposed Purpose and Procedures for the Community for Care Committee. Ms. Goetz seconded the motion. All were in favor and the motion passed.

d) Appointment of Interim Planning and Community Development Director

Ms. Capriola said the Charter allows for interim appointments. The appointments need to be brought to the Board for confirmation. The Interim person always has compensation increased as to meet with their responsibilities. If this is approved she will send an executive memo to the union.

Mr. Askham made a motion, effective February 14, 2022, to appoint Tom Hazel to the position of Interim Planning and Community Development Director, retroactive to January 1, 2022 until such time that this motion is suspended by the appointment of another Interim or permanent Planning and Community Development Director. Further move, to increase Mr. Hazel's salary to \$96,056 (on an annualized basis) during his Interim appointment as Planning and Community Development Director and that his other employment related benefits as an affiliated employee remain in place. At the conclusion of his service as Interim Planning and Community Development Director, Mr. Hazel shall be permitted to return to his position as Assistant Town Planner with the

salary and employee related benefits assigned to that position. Mr. Wellman seconded the motion. All were in favor and the motion passed.

e) Recreation Coordinator Classification

Ms. Capriola said during the 2020 budget process a full time recreation supervisor position was eliminated from the Park and Recreation Department. The funds are budgeted and a coordinator is needed now.

After discussion, Mr. Peterson made a motion, effective February 14, 2022, to create the classification of Recreation Coordinator and to approve the proposed job description as presented. Further move to approve placing the position at an hourly rate of pay between \$25.17 – 30.02/hour. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

f) Proposed 2022 Simsbury Golf Course Fee Schedule

Mr. Peterson made a motion, effective February 14, 2022, to approve the 2022 fee schedule for the Simsbury Farms Golf Course as presented. Mr. Wellman seconded the motion. All were in favor and the motion passed.

g) Proposed 2022 Aquatics and Day Camp Fee Schedule

Mr. Wellman asked if the increase was due to labor and other costs. Mr. Tyburski said it was mostly due to the increase in minimum wages.

Mr. Peterson made a motion, effective February 14, 2022, to approve the 2022 fee schedule for the Aquatics motion passed. Mr. Wellman seconded the motion. All were in favor and the motion passed.

APPOINTMENTS AND RESIGNATIONS

a) Proposed appointment to Community for Care

Mr. Wellman made a motion, effective February 14, 2022, to appoint Lydia Tedone as a regular member of the Community for Care Committee with a term ending December 4, 2023. Mr. Askham seconded the motion. All were in favor and the motion passed.

b) Proposed appointment to the Friends of Simsbury Farms Board

Mr. Askham made a motion, effective February 14, 2022, to appoint the following people to the Friends of Simsbury Farms Board: Thomas Cross, with a term ending December 31, 2022; Greg Werk, with a term ending December 31, 2022; Gerald Wetjen, with a term expiring December 31, 2022; David Bush, with a term ending December 31, 2023; Michael Pendergast, with a term ending December 31, 2023; Sam Roundy, with a term ending December 31, 2023; and Gerard Toner, with a term ending December 31, 2023. Mr. Peterson seconded the motion. All were in favor and the motion passed.

c) Proposed appointment for Technology Task Force

Ms. Abbuhl made a motion, effective February 14, 2022, to appoint Robert Parissi, Stephen Alexander, and Prashant Sathyamagalon as regular members of the Technology Task Force with terms ending December 4, 2023. Ms. Goetz seconded the motion. All were in favor and the motion passed.

d) Proposed appointment to Business Development Committee

Mr. Askham made a motion, effective February 14, 2022, to appoint Derek Peterson 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.

e) Appointment of Mark Orenstein to the Library Board of Trustees

Ms. Abbuhl made a motion, effective February 14, 2022, to appoint Mark Orenstein as a regular member of the Library Board of Trustees with a term ending December 4, 2023 to fill a vacancy created by the resignation of Amber Abbuhl. Ms. Goetz seconded the motion. All were in favor and the motion passed.

f) Reappointment of Susan Masino to the Open Space Committee

Mr. Peterson made a motion, effective February 14, 2022, to reappoint Susan Masino as a regular member of the Open Space Committee with a term ending December 4, 2023. Mr. Askham seconded the motion. All were in favor and the motion passed.

g) Proposed appointment and reappointments to Various Boards, Commissions, and Committees

- Reappoint Mark Scully as a regular member of the Clean Energy Task Force with a term ending January 1, 2024
- Reappoint Amy McLean Salls as a regular member of the Clean Energy Task Force with a term ending January 1, 2024
- Reappoint Rich Cortes as an alternate member of the Building Code Board of Appeals with a term ending January 1, 2024
- Reappoint Lori Coppinger as a regular member of the Culture, Parks and Recreation Commission with a term ending January 1, 2026
- Reappoint Rachel Wellman as a regular member of the Culture, Parks and Recreation Commission with a term ending January 1, 2026
- Reappoint Richard Cortes as a regular member of the Public Building Committee with a term ending January 1, 2026
- Reappoint Francis Kelly as a regular member of the Public Building Committee with a term ending January 1, 2026
- Reappoint Ryan Burns as a regular member of the Public Building Committee with a term ending January 1, 2026
- Reappoint Michael Parks as a regular member of the Water Pollution Control Authority with a term ending January 1, 2026
- Reappoint Jerry Sheehan as a regular member of the Water Pollution Control Authority with a term ending January 1, 2026
- Reappoint Steven Antonio as a regular member of the Fair Rent Committee with a term ending November 30, 1925
- Reappoint Helen Peterson as a regular member of the Fair Rent Committee with a term ending November 30, 2025
- Reappoint Helen Peterson as a regular member of the Open Space Committee with a term ending December 4, 2023

Mr. Askham made a motion, effective February 14, 2022, to reappoint the above people to the various Boards, Commissions and Committees as presented. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of January 24, 2022

Mr. Askham made a motion to approve the regular meeting minutes with correction on page 5 – Mr. Goetz to Ms. Goetz. Mr. Peterson seconded the motion. All were in favor and the motion passed.

b) Special Meeting of January 27, 2022 – there were no changes to the minutes and, therefore, the minutes were adopted.

c) Special Meeting of February 7, 2022 – there were no changes to the minutes and, therefore, the minutes were adopted.

COMMUNICATIONS

a) Memo from T. Roy, re: Pine Hill Neighborhood – Sanitary Sewers, dated February 10, 2022

Mr. Roy said the decision to use ARPA money for the sanitary sewers at Pine Hill is up to the Board. He said the sewers were there when the homes were built, but they weren't up to standards.

He said if residents want sewers instead of septic systems or the sewer system has failed they need to send a letter to the WPCA to put in sanitary sewers. WPCA will hold a Public Hearing and if they feel they get a positive response they would tell Public Works to do a full investigation and survey. The Town would then come up with a preliminary design and come back with a process for the project. There would be a straw pole at the Public Hearing for the residents interested in sanitary sewers. The Public Hearing would then be closed. Then the WPCA would vote to move forward or not with the project.

Mr. Roy said this process is sometimes controversial as residents feel they are actually voting when it's just a straw poll to get a sense of what the neighborhood wants.

Once the project is constructed those residents are assessed for their portion of the construction. This can be financed over a 10 year period through the WPCA. The hook-up fee of \$4095 plus the lateral fee will be added to the cost. About 25% of residents have gone through this process.

There was discussion on repairing the roads after the sewers are installed, in depth analysis, system failures, and costs of these projects.

Mr. Roy said if there is a sewer failure they would probably due a spot repair which is just a bandaid and not a final product. If the system fails now it would be up to the HOA to pay.

There was a lot of discussion on the use of ARPA money being used for this project. If used, it could set a precedence for other HOA's.

Ms. Mackstutis said there will be a lot of discussion on how to use the ARPA money during the budget process. There are a lot of priorities and wants. She would like to look at other ways to help the residents with this project, maybe changing the number of years for payback, etc.

After discussion, the Board feels that Pine Hill should move forward with this project without the use ARPA money. Mr. Roy said he would help the HOA however he can.

b) Draft letter from Board of Selectmen re: State Police Firing Range

Ms. Mackstutis said she would like the State Police to make a presentation to this Board. However, this project is moving forward and she would like to send this letter to voice our objection.

The Board feels this range would not be an adequate facility for the State Police.

After discussion on the first bullet point - shots being heard at the Elementary School, Mr. Wellman made a motion to approve the letter on the State Police Firing Range striking the sentence beginning with elementary school and adding cc: Governor Lamont, Senator Witkos and Representative Hampton. Mr. Peterson seconded the motion. All were in favor and the motion passed.

c) Memo from M. Capriola, re: Proposed Granby/Simsbury Chamber of Commerce Merger, dated February 7, 2022

There was no discussion at this time.

ADJOURN TO EXECUTIVE SESSION

Ms. Abbuhl made a motion to adjourn to Executive Session at 8:45 p.m. and to include Town Manager Maria E Capriola, Deputy Town Manager Melissa Appleby, Town Engineer Jeff Shea and Town Attorney Bob DeCrescenzo. Mr. Askham seconded the motion. All were in favor and the motion passed. Mr. Askham recused himself from Executive Session.

EXECUTIVE SESSION

a) Pursuant to CGS 1-200(6)(b) Exemption for Pending Claims and Litigation: Henry James Memorial School Claim Settlement

Mr. Wellman made a motion to adjourn at 8:46 p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Peterson made a motion to adjourn at 8:46 p.m. Ms. Goetz seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk