

**TOWN OF SIMSBURY – BOARD OF SELECTMEN**  
**REGULAR MEETING MINUTES – MAY 9, 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. 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; Public Works Director/Town Engineer Tom Roy; Executive Director of Simsbury Main Street Partnership Sarah Nielson; Neil Sullivan, Assistant Supervisor of Administration, and other interested parties.

**PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

**PUBLIC HEARING**

**a) Proposed Amendments to the Solid Waste Ordinance (Chapter 133)**

Mr. Roy said this Board authorized the Town Manager to opt out of MIRA due to increase costs and unsustainability. Now the Town Ordinance needs to be changed which controls municipal solid waste. Ms. Capriola is also asking for 133-6d and 133-9 and 10 to be corrected also. Mr. Roy said 133-6-d lists both commercial and residential waste and 133-9 and 10 address state license fees.

Mr. Paine, 72 Holcomb Drive, gave the Board background of handling municipal solid waste. He said the disposal fees are called “tip fees” which is a per ton charge collected and paid to haulers. Recycling was added in the 1990’s. He noted that the MIRA plant is over 40 years old and should have been rebuilt at least 20 years ago. Paine’s spends \$100,000 plus/month to collect the waste and bring it to the transfer station. He does not want to bring the waste to Torrington as it is just not efficient and it is costly.

After no further comment, Ms. Abbuhl made a motion to close the Public Hearing at 6:22p.m. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**PUBLIC AUDIENCE**

- **Participants can address the Board of Selectmen in person at the meeting**
- **Email [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov) by noon on Monday, May 9, 2022 to register to address the Board of Selectmen live through Zoom**
- **Written comments can be emailed to [townmanager@simsbury-ct.gov](mailto: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 Mr. Wellman running for the State Representative position; the Affordable Housing Act; the Zoning Commission meetings; staff resigning and grievances; the Library strategic plan; SCTV and other issues.

Mr. Paine spoke about healthy disagreements and discussions. He said unhealthy verbal attacks are not helpful and people should agree to disagree instead of fighting.

## **PRESENTATION**

### **a) Proclamation for Bike Awareness Month**

Debbie Thibodeau spoke about events for May which is National Bike Month. For more information on events, go to [www.Simsburybike.com](http://www.Simsburybike.com) and “Bike to It!”

The Board read the Proclamation:

### **PROCLAMATION** May 2022 is Bike Awareness Month in Simsbury, CT

WHEREAS, millions of Americans engage in bicycling as an environmentally sound form of transportation, an excellent form of fitness, and a quality family recreation activity; and,

WHEREAS, Simsbury, CT our State’s first Bicycle Friendly Community, annually hosts Bike to Work Day, Bike to School events, community Bike Challenges, safe cycle events that attract residents and bicycle tourists to Simsbury; and,

WHEREAS, these events demonstrate that cycling is sustainable, economic development policy impacting our home prices, our tourism industry and our local economy by making our Town attractive to businesses and citizens who enjoy safe, outdoor recreation that foster healthy lifestyles; and,

WHEREAS, recognizing in investing in bicycle-friendly communities is good public health policy, by encouraging low impact exercise, which improves overall well-being and quality of life, builds community spirit, and can reduce pollution and congestion; and

WHEREAS, the League of American Bicyclist and Connecticut cyclists view cycling as safety policy and Bike Month promotes public awareness of bicycle operation to improve reduce crashes, injuries and fatalities; and

WHEREAS, cycling is good social policy for all citizens of Simsbury benefit from the availability of a complete transportation system that includes dedicated to the safe and convenient movement of bicycle traffic;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Simsbury Board of Selectmen hereby proclaims the month of May 2022 as BIKE MONTH in beautiful and Silver Level Bike Friendly, Simsbury, CT.

IN WITNESS THEREOF, we have placed our signatures and the great seal of the Town of Simsbury.

Dated the 9<sup>th</sup> day of May 2022.

### **b) Cell Phone Project Update**

Ms. Nielson updated the Board of the current cell phone coverage with the background and complaints of coverage issues. She said there was a survey on these issues, where over 100 results were obtained She said they are working with Verizon to try to work on and complete some of these repair projects as all of these issues impact quality of life, safety and quality of life. A lot of people need to work together to come up with solutions. A more formal committee might be needed to accomplish this.

### **FIRST SELECTMAN’S REPORT**

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

### **TOWN MANAGER’S REPORT**

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

### **SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS**

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

Ms. Abbuhl said there will be a discussion on affordable housing at the Library on Thursday at 6:30p.m.

### **SELECTMEN ACTION**

#### **a) Ensign Bickford Aerospace and Defense (EBAD) Business Development Assistant Application (Permitting Fee Waiver Request)**

Ms. Capriola said the Board approved a fee waiver request in 2019 for Ensign Bickford’s first phase of new development. Now, they are requesting another 50% fee waiver for the second phase, which would be \$7,924.

Mr. Askham made a motion, effective May 9, 2022, to approve a 50% fee waiver request and local permit fees for Ensign Bickford Aerospace and Defense as presented in an amount of \$7,924. Mr. Wellman seconded the motion. All were in favor and the motion passed.

#### **b) Proposed Amendments to the Solid Waste Ordinance (Chapter 133)**

Ms. Capriola said Chapter 133 of the Solid Waste Ordinance shows Article I addressing solid waste and Article II addressing recycling. Proposed changes in Article I was noticed for the hearing, but Article II was not posted and there are a few changes there as well. Ms. Capriola said another Public Hearing should be held to make sure the public understands all of the proposed changes.

Mr. Askham made a motion, effective May 9, 2022, to set a Public Hearing to receive public comments concerning proposed revisions on Chapter 133 of the Town Code concerning storage, collection and disposal of solid waste on May 23, 2022 at 6:05 p.m. Mr. Wellman seconded the motion. All were in favor and the motion passed.

#### **c) Tax Refund Requests**

Mr. Peterson made a motion, effective May 9, 2022, to approve the presented tax refunds in the amount of \$6,672.86, 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.

**d) Latimer Lane Project Update**

Ms. Capriola said that during the budget process the Board flagged the Latimer project as not likely getting a bid that was for the authorized money during the referendum due to inflation and supply chain issues. There is a possibility of using the capital reserve funds to cover the costs.

Mr. Sullivan said they are in the bid process and understand that they need to discuss alternatives and cut-backs. The new amount of money that could now be over is \$1.3 million from the approved referendum amount. They are asking that the Board commit to covering this \$1.3 million so they don't have to slow down getting out to bid. Hopefully the complete design drawings will be completed by July 1<sup>st</sup> so true costs can be obtained. The \$1.3 million commitment will allow the project to keep rolling.

After discussion, including on air conditioning, Mr. Askham made a motion, effective May 9, 2022, to commit \$1,364,624 of the Capital Reserve Fund to meet the State of CT's ability to pay requirement and move forward at the Latimer Lane Project bid process. Mr. Peterson seconded the motion. All were in favor and the motion passed.

**e) Neighborhood Assistance Act Program Proposals; Schedule Public Hearing**

Ms. Appleby said this Assistance Act Program allows businesses to make donations to qualifying community programs and receive tax credits. The Board has to hold a Public Hearing to receive public comments on the program applications.

Ms. Goetz made a motion, effective May 9, 2022, to set a Public Hearing to receive public comment on the proposals submitted by the Simsbury Grange, the Simsbury Department of Community and Social Services and the Simsbury Town Manager's office pursuant to the 2022 Connecticut Neighborhood Assistant Act for 6:00 p.m. on Monday, May 23, 2022. Mr. Wellman seconded the motion. All were in favor and the motion passed.

**APPOINTMENTS AND RESIGNATIONS**

**a) Proposed Appointments to Various Commissions**

Ms. Abbuhl made a motion, effective May 9, 2022, to appoint Diane Prusank Duran as an Alternate Member of the Planning Commission with a term ending December 4, 2023 and appoint Ieke Scully as an Alternate Member of the Historic District Commission with a term ending January 1, 2026. Mr. Wellman seconded the motion. All were in favor and the motion passed.

**b) Resignation of Khamla Varasane**

Ms. Abbuhl made a motion, retroactive to April 20, 2022, to accept the resignation of Khamala Varasane as a Regular Member of the Design Review Board with our thanks. Mr. Wellman seconded the motion. All were in favor and the motion passed.

**c) Resignation of Nkosi Lee from the Simsbury Diversity, Equity and Inclusion Council**

Mr. Askham made a motion, effective May 9, 2022, to accept the resignation of Nkosi Lee as a CREC Parent Representative member of the Simsbury Diversity, Equity and Inclusion Council with our thanks. Mr. Peterson seconded the motion. All were in favor and the motion passed.

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**REVIEW OF MINUTES**

**a) April 25, 2022 Regular Meeting**

There were no changes to the Regular Meeting Minutes of April 25, 2022, and, therefore, the minutes were adopted.

**ADJOURN**

Mr. Askham made a motion to adjourn at 8:00 p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk