

TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – OCTOBER 24, 2022
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CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m.in the main meeting room of the Simsbury Town Offices and on Zoom. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members Chris Peterson, Eric Wellman, Sean Askham and Heather Goetz. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; 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 Monday, October 24, 2022 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

Dr. Michael Rinaldi spoke about the Zoning Commission being under pressure about the marijuana issue. He said there are different uses for medical marijuana and just using marijuana recreationally. It is a controlled substance. He wants to be sure the Board has all the information possible to discuss this issue further.

Joan Coe, 26 Whitcomb Drive, spoke about the September 12, 2022 police arrest and her FOI request for more information on this arrest. She also spoke about the new hire in Planning and a public hearing that was cancelled too late, having the Town Manager’s job discussed in executive session, pickle ball issues, other topics.

FIRST SELECTMEN REPORT

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

TOWN MANAGER’S REPORT

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

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

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

Mr. Peterson said the Parks and Recreation Commission will be meeting on Thursday night.

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Mr. Wellman said the DEI Council meeting on affordable and inclusive housing has been rescheduled to November 9, 2022 at 6:30 to 8:30 p.m. at the Library. People need to register on the Library website. Mr. George McGregor will be the moderator.

Ms. Abbuhl said the Aging and Disability Commission had their trunk or treat event at Eno Memorial Hall today, which she believes is still going on. This is a great event. She said last week was the return of the super Thursday lunch at the Senior Center and there was a fashion show after the lunch. This was a great event and she is happy it is back.

Ms. Abbuhl said there are some events with social services and library that are coming up. On November 3, 2022 from 1-2 p.m. at the Simsbury Public Library, about what the blind and physically handicapped can do for you. Our Library is partnering with the CT State Library for the Blind and Physically Handicapped as they provide audio formats for free to CT residents who are unable to read regular print due to visual or physical disabilities.

On November 7, 2022 at noon the Simsbury Public Library and the Senior Center will be recognizing Veterans for their service, bravery, and love of our country with lunch and songs. People need to register with the Senior Center or the Library by November 2, 2022.

Mr. Askham reminded everyone that Halloween is Monday, October 31, 2022 and people need to drive safely and carefully.

Mr. Askham also thanked Representative John Hampton and his team for inviting the Board to his farewell party. He always had Simsbury's interests in mind when working on the Board of Selectmen or being State Representative.

Ms. Goetz made motion to add item (e) on the Simsbury Community Media Request. Mr. Askham seconded the motion. All were in favor and the motion passed.

Ms. Abbuhl made a motion to add item (f) on the Public Hearing on Cannabis. Mr. Wellman seconded the motion. All were in favor and the motion passed.

SELECTMEN ACTION

a) Tax refund requests

Mr. Askham made a motion, effective October 24, 2022, to approve the presented tax refunds in the amount of \$2,894.02 and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

b) Proposed Revisions to Personnel Policies

Ms. Capriola said this was a project at the Personnel Sub-Committee level because a number of personnel policies are quite out of date. They chose to tackle the top 5, which had the largest number of members with Town-wide policies. The staff and our labor attorney discussed the FMLA policy Anti-Violence Policy, Anti-Harassment Policy and the Drug and Alcohol-Free Workplace Policy. On October 13, 2022 the Personnel Sub-Committee did endorse the changes and under the Charter, now the Board of Selectmen needs to approve the changes.

Mr. Askham noted that this would bring minor cost savings to the Town and he appreciated that this was done.

Mr. Askham made a motion, effective October 24, 2022, to approve the proposed revisions to the FMLA Policy, Anti-Violence Policy, Anti-Harassment Policy and Drug and Alcohol-Free Workplace Policy as presented. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

c) Proposed Bargaining Unit Changes for Certain Supervisory Positions

Ms. Capriola said she was concerned that under MIRA the supervisory positions should not be in the same bargaining with the positions they are supervising. We have a number of positions that fall under that category. She thanked everyone who worked on this issue. They also did a market analysis on the impacted positions. The Personnel Sub-Committee approved these changes as well as our labor attorney. They are proposing to fix the supervisory positions from the administrative and professional bargaining group to the supervisors union. Under our Charter, in addition to job description changes, the Board needs to set the paygrades for the positions, and the moving of people and approve the new paygrades and work schedules and the new job descriptions. The Board also needs to authorize entering into agreement with the union.

Mr. Askham made a motion, effective November 1, 2022, to approve the proposed change in bargaining unit for the Assessor, Building Official, Facilities Supervisor, Golf Course Superintendent, Highway Supervisor, and Town Clerks positions to the Supervisory Union. Further move to approve the proposed paygrades and work schedules for those positions as presented. Further move to approve housekeeping edits to the job descriptions for these positions to reflect the approved changes. Further move to authorize Town manager, Maria E. Capriola, to execute the attached memorandum of agreement. Mr. Wellman seconded the motion. All were in favor and the motion passed.

d) COVID-19 Relief 501(c)(3) Non-Profit Grant Program

Ms. Mackstutis said at the last meeting the Board pushed through eight requests for non-profits and the Finance Sub-Committee is recommending five more. There is one outstanding request as they need more information. Ms. Abbuhl said she would be abstaining from the Main Street Partnership request as she is on the Simsbury Celebrates Committee.

Mr. Askham wanted to know why Simsbury Celebrates needs money as they send out letters for donations for this event. Ms. Mackstutis said she was told they still need money to put the event on.

Mr. Wellman said Simsbury Celebrates is a wonderful event but he doesn't understand how their request relates to COVID hardships.

There was discussion on why Simsbury Celebrates needs money. They are not a non-profit organization, but are going under Main Street Partnership which is a 501(c)(3). There was more documentation that the Board doesn't have and therefore, this issue will be discussed at the next meeting. Ms. Mackstutis said the event brings the whole Town together. It was decided to do the motions separately and to get more information to the Board on Simsbury Celebrates.

Mr. Wellman made a motion, effective October 24, 2022, to approve funding for a Promise to Jordan received through the non-profit grant program. Mr. Peterson seconded the motion. All were in favor and the motion passed.

Ms. Abbuhl made a motion, effective October 24, 2022, to approve funding for The Villages, aka the Second Chance Shop, for the non-profit program. Mr. Askham seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve the \$8,000 for Main Street Partnership and to table the \$2,000 of the top portion of the request (Simsbury Celebrates portion). Mr. Peterson seconded the motion. Ms. Abbuhl abstained from the Simsbury Celebrates portion of the request.

Mr. Peterson made a motion, effective October 24, 2022, to approve the Simsbury Meadows Performing Arts Center funding as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

Mr. Peterson made a motion, effective October 24, 2022, to approve funding for the Simsbury High School Parent-Teacher Council through this program. Ms. Goetz seconded the motion. All were in favor and the motion passed.

e) PURA – Docket No.

Ms. Mackstutis said this is a Simsbury Community Media request. Patrick Fallon and Mark Orenstein came before this Board two weeks ago with a PURA request document where they need public comments by November 10th. They were opposed to the statewide consolidation of the community media stations as they feel it would impact the delivery, transparency and whole focus on Simsbury. They also provided some financial details. The request is to approve the letter stating these concerns.

Mr. Abbuhl made a motion, effective October 24, 2022, to approve the presented correspondence approving the State’s proposal to require reconciliation of local community access stations and to authorize Town Manager, Maria E. Capriola to send a letter on behalf of the Board of Selectmen. Mr. Askham seconded the motion. All were in favor and the motion passed.

f) Schedule Public Hearing on Cannabis

Mr. Peterson said he received a lot of inquiries on this issue after the Zoning meeting was rescheduled. He encourages everyone to come to all the meetings as the Board wants everyone to have a chance to speak on this matter.

Ms. Mackstutis said this public hearing would not be overkill. The more information the public and Board receive the better they can make a decision.

Mr. Askham made a motion, effective October 24, 2022, to set a Public Hearing to receive public comment regarding whether the Town of Simsbury should permit or prohibit the retail sale of cannabis within its Town borders for 6:00 p.m. on Monday, November 28, 2022. Mr. Peterson seconded the motion. All were in favor and the motion passed. This meeting will be at the Library.

Mr. Wellman asked that a communication be sent with a calendar of ways that people can speak. Ms. Capriola said this is being done.

APPOINTMENTS AND RESIGNATIONS

a) Proposed appointment to Conservation Commission/Inland Wetlands and Watercourse Agency

Mr. Wellman made a motion, effective October 24, 2022, to appoint Kyle Testerman as an Alternate Member of the Conservation Commission/Inland Wetlands and Watercourse Agency to fill a vacancy until January 1, 2023 and to appoint Cailyn Welsh as an Alternate Member of the Conservation Commission/Inland Wetlands and Watercourse Agency to fill a vacancy until January 1, 2026. Mr. Askham seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of October 12, 2022

Ms. Mackstutis had a correction as she did not have a First Selectman's report at the October 12, 2022 meeting.

COMMUNICATIONS

a) Town and Board of Education Savings Initiatives – There was no discussion at this time.

EXECUTIVE SESSION

a) Pursuant to CGS §1-200(6)(a) Town Manager's Annual Performance Review

Mr. Askham made a motion to adjourn to executive session at 6:55 p.m. and to include the Board and Town Manager. Mr. Wellman seconded the motion. All were in favor and the motion passed.

ADJOURN FROM EXECUTIVE SESSION

Mr. Wellman made a motion to adjourn from Executive Session at 8:55 p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Wellman made a motion to adjourn at 8:55 p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk