

**TOWN OF SIMSBURY – BOARD OF SELECTMEN  
REGULAR MEETING MINUTES – DECEMBER 16, 2019**

**“Approved”**

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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 Eric Wellman; Deputy First Selectman Sean Askham; Board members Mike Paine, Jackie Battos, and Wendy Mackstutis. Absent was Chris Peterson. Others in attendance included: Town Manager Maria E. Capriola, Deputy Town Manager Melissa Appleby, Recreation Director Tom Tyburski, Town Engineer Jeff Shea and other interested parties.

**PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

**PUBLIC AUDIENCE**

Maria Ecke, 8 Glen Brook Drive, spoke about articles in the Hartford Courant concerning use of power and an article in the Valley Press about the Police Commission. These articles really upset her. She feels there are issues with transparency in Simsbury. She spoke about positions at Town Hall under Maria Capriola. Ms. Ecke spoke about a complaint form she was asking for and being escorted out of Town Hall and an FOI complaint, and other issues.

Joan Coe, 26 Whitcomb Drive, also spoke about the Hartford Courant article on abuse of power, employees being paid for time not worked, a Police Commission issue, credentialing, removal of a Town employee, and other issues.

**PRESENTATION**

**a) Clean Energy Task Force – Community Choice Aggregation (CCA)**

Mr. Wellman said the Clean Energy Task Force is recommending that the Board pass a resolution in support of State CCA legislation. This would let the Town make an option available to enact CCA (Community Choice Aggregation).

Mr. Millman, from the non-profit Eastern Connecticut Green Action, explained the proposed CCA resolution. He said CCA allows a town or group of towns to use bulk purchasing power to get a better deal for the small businesses in town and residents for electricity. There are no guarantees for savings. He gave some samples of what Mass and California are doing.

After some discussion and questions, with more questions to come, the Board said they were in favor of supporting the Clean Energy Task Force recommendation.

**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.

## **SELECTMEN ACTION**

### **a) Tax Refund Requests**

Mr. Paine made a motion, effective December 16, 2019, to approve the presented tax refunds, in the amount of \$2,591.16, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

### **b) Renewal of Lease of State Land, Simsbury, Location: Corner of Route 315 & 202**

Mr. Wellman said the State has notified him about the need for an extension for the State owned property being used for parking for the Farmington Canal Heritage Trail which is along Hopmeadow south to 315. The renewal would be for another five years.

Mr. Askham made a motion, effective December 16, 2019, to authorize Town Manager, Maria E. Capriola, to execute a lease agreement between the State of Connecticut Department of Transportation and the Town of Simsbury at the intersection of State Route 202, U.S. Route 10 and State Route 315 in the Town of Simsbury for public parking adjacent to the Farmington Canal Heritage Trail. Mr. Paine seconded the motion. All were in favor and the motion passed.

### **c) Simsbury Meadows Performing Arts Center Operations Agreement**

Mr. Wellman said the operating agreement with the Simsbury Meadows Performing Arts Center, Inc. expires on December 31, 2019. The proposed term of the new agreement is January 1, 2020 through December 31, 2024, with an option for a five year renewal from January 1, 2025 through December 31, 2029.

Ms. Mackstutis made a motion, effective December 16, 2019, to approve the proposed Simsbury Meadows Performing Arts Center Operating Agreement as presented and to authorize Town Manager, Maria E. Capriola, to execute the agreement. Mr. Askham seconded the motion. All were in favor and the motion passed.

### **d) Proposed Donation from Hartford Foundation for Public Giving**

Mr. Askham made a motion, effective December 16, 2019, to accept a donation from the Hartford Foundation for Public Giving in the amount of \$4,000 for the purpose of supporting the Simsbury Community and Social Services Department food programs. Mr. Paine seconded the motion. All were in favor and the motion passed.

## **APPOINTMENTS AND RESIGNATIONS**

### **a) Short-term Rental Ordinance Workgroup Appointment**

Mr. Wellman said a Short-Term Rental Ordinance Workgroup was established to review similar ordinances from other communities and to draft an ordinance, which needs to come back to the Board.

Mr. Paine made a motion, effective December 16, 2019, to appoint the recommended member for the Short-term Rental Ordinance Workgroup:

Liz Peterson, Tourism Committee

Mr. Askham seconded the motion. All were in favor and the motion passed.

**b) Continuance of Temporary and Special Boards, Committees, and Commissions Created by Section**

Mr. Wellman said the new recommendations for appointments to the temporary and special boards, committees, and commissions, per section 403 of the Town Charter, will be received by the Board of Selectmen in January 2020.

Mr. Askham made a motion, effective December 16, 2019, to recreate all temporary and special boards, committees, and commissions created by Section 403 of the Town Charter and to reappoint all members in office on December 2, 2019 of such temporary board, committees, and commissions until such time as the Board of Selectmen takes action on the appointment or reappointment of members to those temporary and special board, committees, and commissions created by Section 403 of the Town Charter. Mr. Paine seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) Regular Meeting of November 25, 2019**

Ms. Battos made a motion to make a correction to the November 25, 2019 minutes:

Page 5, under Selectmen Liaison and Sub-Committee reports: Ms. Cooks was changed to Ms. Cook reminded everyone that Simsbury Celebrates, etc. Ms. Askham seconded the motion. All were in favor and the motion passed.

**b) Special Meeting of December 5, 2019**

There were no changes to the Special Meeting Minutes of December 5, 2019, and, therefore, the minutes were adopted.

**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) Welfare** – there was no report at this time.
- d) Public Safety** – Mr. Askham said the Public Safety Commission will be held this Thursday. There will be discussion on traffic issues on Route 10.
- e) Board of Education** – Ms. Mackstutis said she attended her first meeting of the Board of Education last week. They have had a change in leadership. They are doing a big push to get more people involved in what is going on in Town. They did go over their budget and said it will be a tough budget year.

Mr. Askham asked that residents come out January to give feedback on the wildlife feeding ordinance. There will be discussion on fines and enforcement of the ordinance.

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**COMMUNICATIONS**

**a) Email from K. Kowalski RE: Volunteer Tax Abatement, dated December 11, 2019**

Ms. Capriola said she asked staff to run an analysis on the proposed changes in the Fire District recommendations. She will bring this information back to this Board as there would be a change in the Statute.

**EXECUTIVE SESSION**

- a) Pursuant to CGS §1-200(6)(e), Discussion of Correspondence Exempt from Disclosure: Attorney-Client Privilege (Tobacco Valley Solar Tax Stabilization Request)**
- b) Pursuant to CGS §1-200(6)(d), Discussion of Possible Purchase and Sale of Parcel for Real Property for Open Space Purposes**

Mr. Askham made a motion to adjourn to executive session at 7:05 p.m. pursuant to CGS§1-200 (6)(e), Discussion of Correspondence Exempt from Disclosure: Attorney-Client Privilege (Tobacco Valley Solar Tax Stabilization Request. This will include Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Assessor Francine Butler; Finance Director Amy Meriwether; and Attorney Bob DeCrescenzo. Further move to adjourn to executive session pursuant to CGS §1-200(6)(d), discussion of Possible Purchase and Sale of Parcel for Real Property for Open Space purposes and to include Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Finance Director Amy Meriwether; Town Engineer Jeff Shea; and Parks and Recreation Director Tom Tyburski. Mr. Paine seconded the motion. All were in favor and the motion passed.

**ADJOURN**

Respectfully submitted,

Kathi Radocchio  
Clerk