

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 Michael Paine, Wendy Mackstutis, and Jackie Battos. Chris Peterson was absent. Others in attendance included: Town Manager Maria E Capriola; Deputy Town Manager Melissa Appleby; Culture, Parks and Recreation Director Tom Tyburski; Social Services Director Kristen Formanek; Finance Director Amy Meriwether; Town Engineer Jeff Shea; Town Attorney Robert DeCrescenzo, and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

Joan Coe, 26 Whitcomb Drive, spoke about the Police Department investigations, having a lot of Boards and Commissions, FOI requests, Simsbury Farms, and other issues.

FIRST SELECTMAN’S REPORT

First Selectman, Wellman, reviewed his First Selectman’s report.

TOWN MANAGER’S REPORT

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

SELECTMEN ACTION

a) Tax Refund Requests

Ms. Mackstutis made a motion, effective January 27, 2020, to approve the presented tax refunds in the amount of \$32,790.57, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Mr. Paine seconded the motion. All were in favor and the motion passed.

b) Proposed Opioid Response Initiative Grant

Ms. Formanek said Social Services has not applied for this grant in the past. It is provided by Amplify which provides funds for the local prevention counsel. It would be for \$5,000. If awarded, it would be used for additional supplies including educational materials, training on Narcan and Question, Persuading and Refer and creating a recovery friendly community, etc.

Mr. Paine made a motion, effective January 27, 2020, to approve the Community and Social Services Department’s application for a grant through the Connecticut State Opioid Response Initiative – Community Mini Grant in the amount of \$5,000 to support local prevention efforts. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

c) Proposed Simsbury Junior Woman’s Club Grant for the Library

Mr. Wellman said the Library is applying for this \$500 grant to purchase VOX Readers for the Children’s Department.

Ms. Battos made a motion, effective January 27, 2020, to approve the Library’s application for a Simsbury Junior Woman’s Club Grant in the amount of \$500 to purchase VOX Readers for the Children’s Department and to accept the Grant, if awarded, and to authorize Town Manager, Maria E. Capriola to execute all documents related to the grant award. Mr. Paine seconded the motion. All were in favor and the motion passed.

d) Proposed 2020 Simsbury Farms Gold Course Fee Schedule

Mr. Tyburski said they are proposing no increases to the daily greens fees. They are proposing increases to season pass rates that have largely remained the same in the last few years. They are proposing \$50 increases to the adult season passes and \$25 for the senior passes. The golf carts and driving range rates will go up \$1.

Mr. Paine made a motion, effective January 27, 2020, to approve the 2020 fee schedule for the Simsbury Farms Golf Course as presented. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

e) Proposed 2020 Aquatic Facilities and Day Camp Fee Schedule

Mr. Tyburski said the Culture, Parks and Recreation Department is proposing increases to some aquatic facility fees and summer day camp program rates. Most of this is due to minimum wage increases.

Mr. Tyburski said the Aquatics fee schedule is projected to generate an estimated additional \$17,000 in additional revenue for aquatics and the Day Camp is projected to generate an estimated additional \$18,000.

Ms. Mackstutis made a motion, effective January 27, 2020, to approve the 2020 fee schedule for Aquatics Facilities and Day Camp programs as presented. Mr. Paine seconded the motion. All were in favor and the motion passed.

f) Budget Status Report

Ms. Meriwether went through highlights of the general fund revenues. She said as of December 31, 2019, expenditures total \$41,000,000 or 40% of budget expenditures. Actual expenditures total \$64,952 exceeding budgetary estimates by \$24,952.

Ms. Meriwether also went through the Town Clerk information, General Fund Expenditures, Legal Services, which will be over. She also went through the Simsbury Farms Fund, Health Insurance Fund, the Residential Property Fund, and the Sewer Use Fund.

No action was required for this agenda item.

g) Recommended Transfer to Capital Non-Recurring Fund from Town Clerk LOCIP Fund for Vault Update

Mr. Wellman said the Town will be replacing the carpet in the vault within the next several months. Therefore, the staff is requesting high density shelving, which would increase the scope of this project. They are requesting an additional transfer from the Town Clerk LOCIP Fund to the Capital Non-Recurring Fund in the amount of \$25,000 to fund the remainder of the project.

Mr. Askham made a motion, effective January 27, 2020, to recommend to the Board of Finance a transfer of \$25,000 from the Town Clerk LOCIP Fund to the Capital Non-Recurring Fund to cover the cost of high density shelving in the Town vault. Ms. Battos seconded the motion. All were in favor and the motion passed.

h) Proposed Eversource Easement – Ryan Circle

Mr. Wellman said Eversource Energy has requested a permanent access road easement from the Town of Simsbury for future vegetation management, inspections and capital upgrades required for their existing electrical transmission lines and support structures. They are seeking this permanent access through Town owned open space parcel located east of Ryan Circle and west of Penwood State Forest. In exchange for this easement Eversource would give the Town \$20,000, which is proposed to go into the Open Space Fund.

After some discussion, and more explanation from Mr. Shea, Mr. Paine made a motion, effective January 27, 2020, to authorize Town Manager Maria E. Capriola to execute a permanent access road easement on land owned by the Town of Simsbury to the Connecticut Light and Power Company d/b/a Eversource Energy for the purposes of constructing and utilizing their existing right of way on the east side of Ryan Circle and Hunting Ridge Road on Assessor Map ID 109, Block 106, Lot 000. Mr. Askham seconded the motion. All were in favor and the motion passed.

i) Proposed Agriculture (Dewey Farm) Lease Extension

Mr. Wellman said the current ground lease with the Ryan Family Farm expired December 31, 2020. They have expressed an interest in continuing to farm this land, but would like the lease to be extended for three years.

Mr. Ryan explained why they really need a three year extension instead of a one year extension as he does need to plan in advance of planting.

Ms. Capriola said the Purchasing Policy was updated, so we will probably have to issue a RFP or RFQ on the parcels. The Open Space Committee also has a workgroup that is working on stewardship policies, etc. The discussion on this property will probably come up again in the fall. The Ryan Family has been good stewards of this property.

Mr. Askham made a motion, effective January 27, 2020, to authorize Town Manager, Maria E. Capriola, to execute an amendment to the current Ground Lease with the Ryan Family for a three year extension of the ground license for the Town owned agricultural property at the former Dewey Farm. Mr. Paine seconded the motion. All were in favor and the motion passed.

APPOINTMENTS AND RESIGNATION

a) Simsbury Republican Town Committee Proposed Re-appointments/New Appointments to Various Boards/ Commissions

Mr. Wellman asked that they have a separate vote on Conservation Commission/IWWA. Mr. Askham made a motion, effective January 27, 2020 to vote separately on Conservation Commission/IWWA. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion, effective January 27, 2020, to re-appoint Kathryn Robbins (U) as a Regular Member of the Aging and Disability Commission with a term expiring January 1, 2024;
To re-appoint William Egan (R) as a Regular Member of the Building Code Board of Appeals with a term expiring January 1, 2025;
To re-appoint Michael Tanca (R) as a Regular Member of the Clean Energy Task Force with a term expiring December 6, 2021;
To re-appoint Robert Beinstein (U) as a Regular Member of the Clean Energy Task Force with a term expiring December 6, 2021;
To re-appoint Timothy Walczak (R) as a Regular Member of the Clean Energy Task Force with a term expiring December 6, 2021;
To re-appoint Dianne Mead (R) as a Regular Member of the Historic District Commission with a term expiring January 1, 20205;
To re-appoint Timothy Walczak (R) as a Regular Member of the Open Space Committee with a term expiring December 6, 2021; and
To re-appoint Lucian Dragulski (R) as a Regular Member of the Public Building Committee with a term expiring January 1, 2024;
To re-appoint Michael Egan (R) as a Regular Member of the Public Building Committee with a term expiring January 1 2024;
To re-appoint John Salvatore (R) as a Regular Member of the Public Building Committee with a term expiring January 1, 2024;
To re-appoint Susan Ray (R) as a Regular Member of the Recycling Committee with a term expiring December 6, 2021;
To re-appoint Mary Turner (R) as a Regular Member of the Recycling Committee with a term expiring December 6, 2021;
To re-appoint Rosemary Fusco (R) as a Regular Member of the Recycling Committee with a term expiring December 6, 2021;
To re-appoint Sarah Summa (R) as a Regular Member of the Tourism Committee with a term expiring December 6, 2021;
To re-appoint Katherine Oakes (R) as a Regular Member of the Tourism Committee with a term expiring December 6, 2021;
To re-appoint Elizabeth Peterson (R) as a Regular Member of the Tourism Committee with a term expiring December 6, 2021;
To re-appoint Jennifer Leimbach (R) as a Regular Member of the Tourism Committee with a term expiring December 6, 2021;
To re-appoint Jacques Brignac (R) as a Regular Member of the Water Pollution Control Authority with a term expiring January 1, 2024;
To re-appoint Edward Kelly (R) as a Regular Member of the Water Pollution Control Authority with a term expiring January 1, 2024; and

To appoint Linda Jonson (R) as a Regular Member of the Recycling Committee with a term expiring December 6, 2021.

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

Mr. Askham made a motion to re-appoint Donald Eaton (R) as a Regular Member of the Conservation Commission/IWWA with a term expiring January 1, 2024. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to re-appoint Jason Levy (R) as a Regular Member of the Conservation Commission/IWWA with a term expiring January 1, 2024. Ms. Battos seconded the motion. After some discussion, Mr. Askham, Ms. Battos, and Mr. Paine were in favor and Ms. Mackstutis and Mr. Wellman were against the motion. Therefore, the motion passed 3 to 2.

b) Re-appointments and Appointments to Simsbury Meadows Performing Arts Center Board

Mr. Paine made a motion, effective January 27, 2020, to re-appoint Joe Capolieta, Bill Clegg, Jeff Domenburg and Mike Doyle to the Simsbury Meadows Performing Arts Center Board of Directors with terms expiring April 30, 2022. Ms. Battos seconded the motion. All were in favor and the motion passed.

Ms. Battos made a motion, effective January 27, 2020, to appoint Lynn Adame to the Simsbury Meadows Performing Arts Center Board of Directors with a term expiring April 30, 2023. Mr. Paine seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of January 13, 2020

There were no changes to the Regular Meeting Minutes of January 13, 2020 and, therefore, the minutes were adopted.

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- a) Personnel** – no report at this time.
- b) Finance** – no report at this time.
- c) Welfare** – no report at this time.
- d) Public Safety** – Mr. Askham said they are still working on an ordinance.
- e) Board of Education** – Ms. Mackstutis said graduation is on June 12, 2020. The Board of Education will be meeting tomorrow night. They have two capital improvement items for their budget this year. Special Ed already presented their budget for the year.

Ms. Mackstutis thanked Public Works for her snowplow ride. She said the Martin Luther King, Jr. event was very well attended and a great event. Mr. Mackstutis also said Aging and Disability does a lot and they are looking for multiple designations.

COMMUNICATIONS

- a) **BYOCT Pesticide Preemption Letter** – no discussion at this time. It is in the packet or can be emailed to residents.
- b) **Census Information** – Mr. Wellman said we are being encouraged to consider forming a committee with the goal of making sure all residents are included in the census. We need to get the word out about the importance of the census.
- c) **Correspondence Regarding Police Commission Request for Legal Opinion Regarding Duties in Charter**

Mr. Askham said this topic is a long, simmering, important topic. The Commission has asked for their responsibilities. We do need to look into the Town Charter and MERA and get a legal opinion on this issue. The Commission has asked for a legal opinion and an independent counsel review.

Ms. Capriola said we need to respect our process and Charter and first ask the Town Attorney for his opinion. She started a draft letter to the Town Attorney, if the Board is comfortable, will be sent to him to clarify their responsibilities.

After some discussion, Mr. Askham made a motion, effective January 27, 2020, to ask the Town Attorney for his interpretation of the Town Charter as it relates to the roles and responsibilities of the Police Commission and the Town Manager concerning budget development, Personnel and collective bargaining and other items. Mr. Paine seconded the motion. All were in favor and the motion passed.

EXECUTIVE SESSION

- a) **Pursuant to CGS §1-200(6)(D), discussion of Possible Purchase and Sale of Real Property**

Mr. Askham made a motion to adjourn to executive session pursuant to CGS §1-200(6)(D), discussion of Possible Purchase and Sale of Real Property at 7:08 p.m. Executive Session will include Town Manager, Maria E. Capriola, Deputy Town Manager Melissa Appleby, Attorney Robert DeCrescenzo, Town Engineer Jeff Shea, Culture, Parks and Recreation Director Tom Tyburski, and Planning Director Mike Glidden. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to adjourn the executive session at 7:35pm. Mr. Wellman seconded the motion. All were in favor and it passed unanimously.

SELECTMEN ACTION

- a) **Possible Referral to Planning Commission and Open Space Committee re: Open Space**

Mr. Askham made a motion to refer to the Planning Commission the purchase of an easement for purposes of a bike/pedestrian path along the southern frontage of 20 Tariffville Road pursuant to CGS 8-24. Mr. Paine seconded the motion. All were in favor and it passed unanimously.

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“Approved”

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Mr. Askham made a motion to refer the sale of a portion of open space located along the eastern property line of 133 Holcomb Street to the Open Space Committee pursuant to 21-8 of the Town Code and to refer the sale to the Planning Commission pursuant to 21-8 of the Town Code and CGS 8-24.

ADJOURN

Mr. Askham made a motion to adjourn the regular meeting at 7:40pm. Mr. Paine seconded the motion. All were in favor and it passed unanimously.

Respectfully submitted,

Kathi Radocchio
Clerk