

## **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 Wendy Mackstutis; Michael Paine, Jackie Battos, and Chris Peterson. Others in attendance included Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby, Parks and Recreation Director Tom Tyburski; Public Works Director Tom Roy; Chairman of Aging and Disability Commission Ed LaMontagne; Engineer Jeff Shea and other interested parties.

## **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

## **PUBLIC HEARING**

### **a) Small Cities Program Application**

Mr. Wellman said the Housing Authority is interested in applying for a Small Cities Grant to pay for some of their capital projects and, therefore, a Public Hearing needs to take place.

Mr. LaMontagne said the intent of the 2020 Small Cities Grant would be for the Owen J. Murphy Apartments and would include replacing the exterior doors and windows with energy efficient doors and windows. He said they would also like to install lever handles and replace the main electrical panel, pole lighting in roadway, install a generator at the Community Building, to install walk-in showers, etc.

Kent Lewis, Principal, Housing Authority, will be helping with the grant application. He said the residents will be staying in their apartments while the work is being done. These improvements are for the health and safety of the community. The construction will probably take place within 6-9 months.

Cheryl Cook, 15 Newbury Court, Vice Chair of the Board of Commissioners of Housing Authority, said these projects are very important, not a luxury for these residents. This is the only place that provides for low housing, which is State funded.

After no further comments, Mr. Askham made a motion to close the Public Hearing at 6:10 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

## **PUBLIC AUDIENCE**

Joan Coe, 26 Whitcomb Drive, spoke about the last Board of Selectmen meeting and the Conservation Commission, the Police Chief, FOI requests, the Police Department and Union, labor issues, tax payer issues, and other items.

Diane Nash, 5 Merrywood, spoke about concerns she has about Open Space and Parks and Recreation. She said there are many unintended consequences to the giveaway/sale of pieces of open space such as lawsuits by neighbors in the area.

Ms. Nash said there is an Executive Session tonight about the sale and purchase of Open Space. This should not be considered without the full public disclosure and input of residents. She feels the percentage of open space gives Simsbury its unique look and feel.

Lynn Steamer, 13 Surrey Circle, spoke about banning plastic straws from Simsbury's Restaurants. She wants this done to improve the environment and feels this should be done here.

## **PRESENTATIONS**

### **a) MIRA Statement of Interest**

Mr. Wellman said MIRA is looking into redeveloping its waste to energy facility, which is beyond its useful life. They are looking for Towns to issue a non-binding commitment of interest. There is no action needed tonight.

Mr. Paine excused himself from the Board and will answer any questions, if needed, on this issue.

Mr. Roy said MIRA has come to member towns with a \$330,000,000 request for upgrades on their facilities. They are also looking to upgrade their recycling facilities and a long term solution for food waste. He said Simsbury is currently paying \$83/ton with no cost for recyclables and estimates on the 2020 tip fee are \$87.85 per ton.

Mr. Roy and Mr. Paine went through a lot of information Mr. Roy said MIRA is asking for a non-binding Statement of Interest. He said the maximum tip fee for would be set at \$145/ton beginning FY 2025. The MSW tip fee would be adjusted annually based upon a COLA or change in law, if any, or other exceptional MIRA assumed risk.

After a lot of discussion, there will be more information given at the next Board meeting and no action was taken.

Mr. Paine rejoined the meeting.

### **b) 2020 Census Proclamation**

Mr. Wellman encouraged everyone be counted on the census as it is very important.

Mr. Askham made a motion, effective February 10, 2020, to authorize First Selectman Eric Wellman to issue a Proclamation in support of the U.S. 2020 Census. Mr. Mackstutis seconded the motion. All were in favor and the motion passed.

## **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**

Ms. Mackstutis made a motion, effective February 10, 2020, to approve the presented tax refunds in the amount of \$31,158.14, 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) Simsbury 350<sup>th</sup> Anniversary Gala**

Ms. Cook said the 350<sup>th</sup> Committee would like to have a Gala to culminate all of the 350<sup>th</sup> celebrations. The tentative date is November 13<sup>th</sup>. This would be to thank all of the people who made the 350<sup>th</sup> so special. The event will be co-sponsored by the Rotary Club. They will be handling ticket sales and volunteers, etc. If they use the grand ballroom, it would be a \$4,000 deposit.

Mr. Askham made a motion, effective February 10, 2020, to authorize Town Manager, Maria E. Capriola, to execute the proposed contract with the Riverview for the Simsbury 350<sup>th</sup> Anniversary Gala. Mr. Paine seconded the motion. All were in favor and the motion passed.

### **c) Acceptance of Sponsorship of the 350<sup>th</sup> Anniversary Celebration Events**

Mr. Wellman said the 350<sup>th</sup> Anniversary Celebration Committee has been soliciting sponsorships to support their events.

Ms. Battos made a motion, effective February 10, 2020, to accept \$13,350 from Vincent Funeral Home as sponsorship of the 350<sup>th</sup> Anniversary celebration events. Mr. Askham seconded the motion. All were in favor and the motion passed.

### **d) Small Cities Program Application**

Mr. Paine made a motion, effective February 10, 2020, to authorize Town Manager, Maria E. Capriola to execute any and all application materials for the 2020 Small Cities program on behalf of the Town of Simsbury, and, should the Town be awarded a Small Cities Grant, authorize Ms. Capriola to execute any and all documents related to the program implementation. Further move to designate Town Manager, Maria E. Capriola as the Environmental Certifying Officer for this program. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

### **e) Resolution to Authorize Town Manager to Sign Small Cities Documents and serve as Environmental Review Officer**

Mr. Paine made a motion, effective February 10, 2020, to adopt the attached resolution authorizing the Town Manager to file an application for the Connecticut Small Cities Community Development Block Grant Program, and authorizing the Town Manager to act as the signatory and authorized representative for the Town on all relevant documentation. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**f) Public Gathering Permit – Darius Rucker Concert at the PAC**

Missy DiNunno, Executive Director of the PAC, said they entered into a three year contract with Trantolo and Trantolo Law to bring in concerts to benefit the Boys and Girls Club of Hartford. They are very happy to be in partnership with us.

Mr. Askham made a motion, effective February 10, 2020, to approve the public gathering application for the Darius Rucker concert and to authorize the issuance of the public gathering permit with the condition that SMPAC coordinate with representatives of the Fire District concerning placement of temporary structures along the eastern edge of the facility. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**g) 2020 Distracted Driving High Visibility Enforcement Grant**

Mr. Wellman said the Police Department is applying for this Grant.

Mr. Paine made a motion, effective February 10, 2020, to submit the 2020 Distracted Driving High Visibility Enforcement Grant application and to authorize Maria E. Capriola, Town Manager, to execute the grant application. In the event that the grant is awarded, to accept the 2020 Distracted Driving High Visibility Enforcement Grant award and to authorize Town Manager, Maria E. Capriola, to execute all documents related to the grant award. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**h) Draft Debt Management Policy**

Mr. Wellman said the Board had a draft of the Debt Management Policy. He said there was a work-group that met on this policy.

Mr. Askham said the group resolved the questions and they aren't trying to do anything different. This is a more definitive Policy. The Boards will be well-served by this policy.

Mr. Askham made a motion, effective February 10, 2020, to adopt the Debit Management Policy as presented. Ms. Battos seconded the motion. All were in favor and the motion passed.

**APPOINTMENTS AND RESIGNATIONS**

**a) Appointment of Mark William Freeman to the Zoning Board of Appeals**

Ms. Battos made a motion, effective February 10, 2020, to appoint Mark William Freeman (R) as a Regular Member of Zoning Board of Appeals with a term expiring December 6, 2021, to fill the vacancy created by the resignation of Diane Madigan. Mr. Paine seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) Regular Meeting of January 27, 2020**

Ms. Mackstutis made a motion – Page 5 last paragraph – last line: add multiple in front of designations. Mr. Paine seconded the motion. All were in favor and the motion passed.

### **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** – no report at this time.
- e) **Board of Education** – Ms. Mackstutis said Ensign was at the meeting and they said they did a Stem Grant for \$10,000 for 3 years for students in Town. They also have a Task Force to help present their plans for the Grants. Ms. Battos asked everyone to fill out their survey so they can get more data on the schools. Mr. Wellman said they are also doing neighborhood meeting, dates on their website, and you can learn their process.

Ms. Mackstutis said she saw Hair Spray and it was a well-diversified cast and great show.

### **COMMUNICATIONS**

- a) **Welcome to the National W & S River System Letter**

### **EXECUTIVE SESSION**

- a) **Pursuant to Connecticut General Statutes section 1-200(6)(D), Sale and Purchase of Land – Open Space**
- b) **Pursuant to Connecticut General Statutes section 1-200(6)(B), Pending Claims and Connecticut General Statutes section 1-200(6)(E), Attorney Client Privileged document not subject to disclosure – 45 Old Farms Road**
- c) **Pursuant to Connecticut General Statutes section 1-200(6)(B), Pending Claims and Connecticut General Statutes section 1-200(6)(E), Attorney Client Privileged document not subject to disclosure- 15 Carriage Drive**

Mr. Askham made a motion to adjourn to Executive Session pursuant to Connecticut General Statutes Section 1-200(6)(D) sale and purchase of Open Space; Section 1-200(6)(B) pending claims; Section 1-200(6)(E) Attorney Client Privilege; Section 1-200(6)(B) Pending Claims; and Section 1-200(6)(E) 15 Carriage Drive and to include Attorney Robert DeCrescenzo, Town Manager Maria E. Capriola, Deputy Town Manager Melissa Appleby, Culture, Parks and Recreation Director Tom Tyburski, Planning Director Mike Glidden and Town Engineer Jeff Shea, at 7:55 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to adjourn the executive session at 8:45pm. Mr. Wellman seconded the motion. All were in favor and it passed unanimously.

### **ADJOURN**

Mr. Askham made a motion to adjourn the regular meeting at 8:45pm. Mr. Wellman seconded the motion. All were in favor and it passed unanimously.

**Respectfully submitted,**

**Kathi Radocchio**  
**Clerk**