

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – AUGUST 8, 2022
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CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:01 p.m. in the Main Meeting Room of Town Hall and on Zoom. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members Heather Goetz, Sean Askham (by Zoom), Eric Wellman and Chris Peterson. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Director of Public Works/Town Engineer Tom Roy; Director of Culture, Parks and Recreation Tom Tyburski (by Zoom); Assessor Francine Beland (by Zoom); and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

Joan Coe, 26 Whitcomb Drive, spoke about Roberts Rules of Order and everyone's first amendment rights; the Primary elections, the Police Department grievances; and other issues.

Mr. Wellman read a statement about unprecedented allegations about the pollinator pathway. They are a non-profit organization and the Town does not give them any money. Ms. Grandin does not get any compensation for her volunteer work on his campaign either. He knows he is fair game for criticism, but on a factual basis. However, no volunteer should be bullied or harassed.

Jane McAlpine, VP of Pollinator Pathway, said they receive Town support for their pollinator friendly spaces in Simsbury, but they do not receive any assistance from the Town. They are a non-profit group dedicated to increasing community awareness of the importance of pollinator friendly spaces. Support is welcome from everyone.

Ms. McAlpine also spoke as a private citizen saying she recognizes the contributions of the Town to open space. She said the State goal by 2023 is to preserve 21% of State land for open space. She thanked the Board and citizens for their support.

PRESENTATIONS

a) Recovery Friendly Initiatives Update

Lisa Gray, Founder and Executive Director of A Promise to Jordan said she was last at a Board meeting in March of 2022 to discuss the initiative and design for Simsbury to become a recovery friendly community. The Board appointed A Promise to Jordan to lead in the efforts to have the Town become a Recovery Friendly Community.

She went through her presentation noting that September is National Recovery Month.

After some discussion, the Board said there will be a Proclamation next month on the Recovery Friendly Community.

b) ClearGov Software Update

Ms. Mackstutis said this is a digital program for budget processing.

Robert Battaglia went through his presentation – It’s Time to Budget Better. He said this new software would complement the Town’s financial system. He said this uses GFOA Awarded criteria. He showed the Town of Woodbridge’s new version of the budget book. He spoke about the capital budget software and digital software request forms and other features of the software.

FIRST SELECTMAN’S REPORT

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

TOWN MANAGER REPORT

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

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- a) **Personnel** – there was not 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** – there was no report at this time.
- e) **Board of Education** – there was no report at this time.

Ms. Goetz reminded everyone that the Simsbury Public Library is collecting books thru mid-September for their book sale.

Ms. Abbuhl reminded everyone that the Aging Well in Simsbury Survey is still available. They would really like to hear from people 50 and over about their concerns and input on aging in Simsbury as we are continuing to pursue our age friendly designation through AARP.

SELECTMEN ACTION

a) Proposed Naming Rights Criteria for Simsbury Meadows Performing Arts Center

Ms. Capriola said the Board reconstituted the Naming Rights Committee to work with the Simsbury Meadows Performing Arts Center Board of Directors for a potential policy that could be endorsed by the Board of Selectmen in terms of naming rights to the facility.

Mr. Wellman said this would just provide some guidance and clarification for fund raising donors for this particular fundraising program. This is a revenue stream for fund raising programs.

Mr. Wellman made a motion, effective August 8, 2022, to approve the proposed Naming Rights Criteria for the Simsbury Meadows Performing Arts Center as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

b) Referral to the Planning Commission Pursuant to CGS 8-24 for Improvements to the Performing Arts Center

Ms. Capriola said the bandshell expansion project now needs to be referred to the Planning Commission under CT State Statutes, so they can determine if the project is consistent with the plan, conservation and development of Simsbury.

Mr. Wellman made a motion, effective August 8, 2022, to refer the Performing Arts Center planned improvements to the Planning Commission to review and report under Section 8-24 of the Connecticut General Statutes. Mr. Peterson seconded the motion. All were in favor and the motion passed.

c) Referral to the Planning Commission Pursuant to CGS 8-24 for the Acquisition of 56 Wolcott Road

Ms. Capriola said she consulted with Attorney DeCrescenzo and he recommended to make a motion to refer this item to the Planning Commission.

Mr. Goetz made a motion, effective August 8, 2022, to refer the acquisition of 56 Wolcott Road to the Planning Commission for review and report under Section 8-24 of the Connecticut General Statutes. Mr. Wellman seconded the motion. All were in favor and the motion passed.

d) Tax Refund Requests

Ms. Capriola said received notice that an elderly woman had made an overpayment of her taxes. She would like to add \$1,497.67 to the tax refunds for this issue. The total of tax refunds will now be \$107,054.21.

Mr. Wellman made a motion, effective August 8, 2022, to approve the presented tax refunds, in the amount of \$107,054.21 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.

e) Proposed 2022 Simsbury Farms Ice Rink and Paddle Tennis Fee Schedule

Mr. Tyburski said he and the Parks and Recreation Commission discussed the fees. There needs to be an increase in fees at the ice rink due to the increase in propane, minimum wages, maintenance contracts, etc., even though they had their highest revenue season last year. There are also proposed slight increases in paddle tennis court fees.

Mr. Peterson made a motion, effective August 8, 2022, to approve the Culture, Parks and Recreation Department's 2022-2023 fee schedule for Simsbury Farms Ice Rink and Paddle Tennis programs as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

f) Proposed Public Gathering Permit – Simsbury Performing Arts Center – Private Wedding

Ms. Capriola said this is not the first wedding at the Performing Arts Center, however it is a little different this time as there are asking for fireworks as well. Public Safety did sign off on this. There is a contract with the clients that includes payment for any damages incurred.

Mr. Askham made a motion, effective August 8, 2022, to approve the Public Gathering Permit application for a private wedding being held at the Simsbury Meadows Performing Arts Center and to authorize the issuance of

the public gathering permit for the event. Mr. Peterson seconded the motion. All were in favor and the motion passed.

g) STEAP Grant Application - Station Street – One Way to Two Way Conversion

Ms. Capriola said the Town received notice that the STEAP grant program was going to be accepting applications. This project would be about converting Station Street back from a one-way street to a two-way. The approximate cost would be \$160,000. If the Board supports the grant application a form will also need to be filled out. They are going to try to add some parking spaces and lights as well.

Mr. Wellman made a motion, effective August 8, 2022, to authorize Maria E. Capriola, Town Manager, to submit a 2022 Small Town Assistance (STEAP) grant application for the Station Street One-Way to Two-Way conversion.

RESOLVED, that the Town Manager, Maria E. Capriola, be, and hereby is, authorized to accept on behalf of the Town of Simsbury a 2022 Connecticut STEAP Grant in the estimated amount of \$160,000 for Station Street One-Way to Two-Way Conversion; and

FURTHER RESOLVED, that the Town Manager, Maria E. Capriola, is hereby authorized to enter into and execute any and all agreements, contracts, and documents necessary to obtain said 2022 STEAP Grant with the State of Connecticut.

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

h) Supplemental Appropriation – Local Transportation Capital Improvement Grant (LOTICIP) and Community Connectivity Grant (CCCGP) Firetown Road Sidewalk Gap Closure – Referral to Planning Commission Pursuant to CGS 8-24

Mr. Roy said the Town received the LOTICIP grant and the CT Connectivity Grant from the DOT. He has broken the project up so they can feel confident that they are getting a good value for the grant. If this is approved he will send out for survey and then do an in-house design. Hopefully construction will start next summer. They will start to notify abutters before the survey. He had a correction on the LOTICIP grant amount.

After some discussion, Mr. Peterson made a motion, effective August 8, 2022, to authorize a supplemental appropriation of the Firetown Road Sidewalk LOTICIP grant in the amount of \$1,200,000 and of the CCCGP grant in the amount of \$594,000 and to transfer the Town contribution in the amount of \$35,000 from the sidewalk reconstruction capital project, for a total appropriation of \$1,829,000 and to refer this appropriation to the Board of Finance for approval.

Further move, to create a capital project to compete this work.

Further move, to refer the Firetown Road Sidewalk Gap Closure project to the Planning Commission for review and report under Section 8-24 of the Connecticut General Statutes

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

i) Supplemental Appropriation – Local Transportation Capital Improvement Grant (LOTICIP) Hopmeadow Street Connectivity Project No. L1280002

Ms. Capriola said this grant was awarded to support a new sidewalk from Hopmeadow/Hoskins up to the DOT Garage/Commuter lot. The State has also asked us to make some improvements while we are doing our project, which they will pay for. There is a about a 17% increase in the cost from when the grant was awarded and therefore there was a change in the amount to do this project.

Ms. Abbuhl made a motion, effective August 8, 2022, to authorize a supplemental appropriation of the LOTCIP Gran for the Hopmeadow Street Sidewalk project in the amount of \$455,447.39 and to transfer the Town contribution in the amount of \$33,524.28 from the sidewalk reconstruction capital project, for a total appropriation of \$1,298,971.67 and refer this appropriation to the Board of Finance for approval. Mr. Askham seconded the motion. All were in favor and the motion passed.

j) Vacation Carryover Requests (IBPO/Police

Ms. Capriola said this is the old method of carryover time and is for the Police Union. Everyone else has switched to the new method. This involves three staff members of the IBPO Union and are small balances that need to be carried over.

Mr. Wellman made a motion, effective August 8, 2022, to approve the vacation carryover requests as presented in the table below and requiring Selectmen action. Further stipulate that the approved excess vacation days must be used on or before December 31, 2021. Any unused approved excess vacation days still on the books as of January 1, 2023 will be forfeited. Should the employee leave service for any reasons, included but not limited to retirement or resignation, they will not be paid out for the approval of unused excess vacation days authorized by the Board of Selectmen. Mr. Peterson seconded the motion. All were in favor and the motion passed.

k) COVID 19 Relief 501(c)(3) Non-profit program

Ms. Mackstutis said this has to do with the ARPA work group which was figuring out how to use funds received from the COVID pandemic. The funding was approved and this is the criteria, which includes a cleaned-up application and letter attached. This is not on a first-come first-serve basis and applications will be received up to September 16, 2022. There is also some West Hartford criteria in there for objectivity.

Ms. Abbuhl made a motion, effective August 8, 2022, to approve the 501(c)(3) Non-profit Grant Program Application and related materials as presented. Ms. Goetz seconded the motion. All were in favor and the motion passed.

l) Board of Selectmen Website Submission

Ms. Mackstutis said the problem has been resolved. Ms. Appleby said they discovered an issue with the “Contact All” function on the Board of Selectmen webpage that occurred during the transition of systems. All of these emails were recovered and the issue has been corrected. The Board apologized for this issue.

After discussion no motion is needed at this time.

m) 2021-2023 Board of Selectmen Goals

Ms. Mackstutis said it was decided the ranking system would be changed back to a high, med, low model. There was a lot of discussion on the goals and how to make the list shorter how to read the goals properly.

Ms. Capriola said the Board should focus on what items are policy oriented and what is community vision in nature. From there, the organizational needs and priorities are identified which informs the Town Manager work plan, which is more organizational and project based.

There was some discussion on having a special meeting to discuss these goals further.

After discussion, no motion was made at this time.

n) Proposed Town Manager Goals, July 1, 2022 – June 30, 2023

Mr. Askham said the Town Manager’s goals are based off of the Board of Selectmen goals so they need to be discussed after the Selectmen goals are completed.

No motion was made at this time.

APPOINTMENTS AND RESIGNATIONS

a) Resignation of Scott A. Wilson from the Historic District Commission

Mr. Wellman made a motion, retroactive to July 18, 2022 to accept the resignation of Scott A. Wilson as a Regular Member of the Historic District Commission with our thanks. Ms. Goetz seconded the motion. All were in favor and the motion passed.

b) Proposed Appointment to Various Boards

Mr. Wellman made a motion, effective August 8, 2022, to appoint William (Bill) Clegg as a Regular Member of the Public Building Committee to fill a vacancy until January 1, 2026; to appoint Michelle Lipar as a Regular Member of the Culture, Parks and Recreation Commission to fill a vacancy for a term ending January 1, 2026; to appoint Alexandra Rice as an Alternate Member of the Building Code Board of Appeals to fill a vacancy for a term ending January 1, 2026; to appoint Jennifer Seiderer as an Alternate Members of the Aging and Disabilities Commission to fill a vacancy for a term ending January 1, 2026; and to appoint Charles Haldeman from an Alternate Member to a Regular Member of the Conservation Commission/Inland Wetlands and Watercourse Agency to fill a vacancy created by the resignation of James Morrison (D) for a term ending January 1, 2026. Ms. Goetz seconded the motion. All were in favor and the motion passed.

c) Appointments to Diversity, Equity, and Inclusion Council

Ms. Goetz made a motion, effective August 8, 2022, to appoint Rohan Rajappan as a student representative/regular member of Simsbury Diversity, Equity, and Inclusion Council, with a term to expire June 19, 2023 upon his graduation; and to appoint Devonna Hall as a Regular Member of the Simsbury Diversity, Equity and Inclusion Council to fill a vacancy until December 4, 2023. Mr. Wellman seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of July 11, 2022

There were no changes to the Regular Meeting Minutes of July 11, 2022, and, therefore, the minutes were adopted.

COMMUNICATIONS

- a) **Memo from Attorney DeCrescenzo re: Charter Revision Commission, dated August 3, 2022** – there was no discussion at this time.
- b) **Memo from M. Capriola re: Public Gathering Permits, dated July 11, 2022** - there was no discussion at this time.
- c) **Memo from M. Capriola re: Public Gathering Permits, dated July 15, 2022** – there was no discussion at this time.
- d) **Memo from M. Capriola re: Public Gathering Permits, dated August 3, 2022** – there was no discussion at this time.

EXECUTIVE SESSION

- a) **Pursuant to CGS 1-200(6)(B) Strategy and Negotiations Related to Pending Claims and Litigations – 442 Hopmeadow Street**
- b) **Tobacco Valley Solar Tax Appeal**

Mr. Askham made a motion to adjourn to Executive Session at 8:55 p.m. pursuant to CGS 1-200(6)(b) Strategy and Negotiations related to Pending Claims and Litigations – 442 Hopmeadow Street and Tobacco Valley Solar Tax Appeal. Ms. Capriola, Ms. Appleby, and Mr. Decrescenzo will attend a) the Strategy and Negotiations; and Ms. Capriola, Ms. Appleby, Mr. Decrescenzo, and Francine Beland will attend b) Tobacco Valley Solar Tax Appeal. 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 9:45 p.m. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Mr. Wellman made a motion to add item (o) 442 Hopmeadow Street to the Regular agenda under Selectmen Action. Mr. Peterson seconded the motion. All were in favor and the motion passed.

o) 442 Hopmeadow Street

Mr. Wellman made a motion, effective August 8, 2022, to authorize Town Attorney Bob DeCrescenzo to get an injunction to enter the property at 442 Hopmeadow Street for the purposes of remediating the conditions if all other methods to contact the property owner fail. Mr. Peterson seconded the motion. All were in favor and the motion passed.

ADJOURN

Ms. Mackstutis made a motion to adjourn at 9:45 p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk