

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:10 p.m. on Zoom due to COVID-19. Present were: First Selectman Eric Wellman; Deputy First Selectman Sean Askham; Board members Jackie Battos, Wendy Mackstutis, Chris Peterson, and Mike Paine. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Culture, Parks and Recreation Director Tom Tyburski; Planning and Community Development Director Mike Glidden; Director of Social Services Kristen Formanek; Town Engineer Jeff Shea Zoning Enforcement Officer Tom Hazel; Honor Lawler; President of the Performing Arts Center Board Linda Schofield; Management Specialist Tom Fitzgerald and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

Mr. Wellman reminded everyone if they want their comments read in Public Audience they should email Ebuter@simsbury-ct.gov.

PUBLIC HEARING

a) Disposition of a Portion of Open Space Located Along the Rear/Eastern Property Line for 133 Holcomb Street

Mr. Wellman said this Public Hearing is about the Town being approached by the property owner at 133 Holcomb Street who is interested in purchasing small piece of Town property on 133 Holcomb Street.

Mr. Wellman read the email from Steven Antonio, property owner of 133 Holcomb Street. He spoke about a small parcel of Town owned property on his property, which he feels is an orphaned piece of property. He said he spoke to property owners in the vicinity about purchasing this small strip of land and they were all fine with it. He said he is agreeable to placing a deed restriction on this parcel as well, guaranteeing the open space will remain from ever being developed. Mr. Antonio also noted that all other Boards he has presented to have approved this purchase.

Mr. Antonio responded to several assumptions alleged at the open forum on June 22, 2020. He would really like to purchase this orphaned piece of property and would like the Board to approve this purchase as well.

Mr. Askham read an email from Lisa Antonio who said their property was divided into smaller sections back in 1997 so they could purchase the land in stages, as they did. She called the piece a “crooked finger shaped orphaned parcel” that they are trying to purchase now. She said there is no public access without trespassing on her property, no benefits for preservation, no ability for taxes to be collected, no wildlife access, and the original fence is still there from 50 years ago.

Ms. Antonio is also asking the Board to vote to allow them to purchase this parcel with a deed restriction.

Mr. Wellman read emails from Caitlin Boyd, Traci Coiro Chris Rogers, Stacy Shure, Hayley Zemantic, Carole Pagani, Kris McCue, Jesse Mills, Jullie Incillo and Brenden Marcy, who were all in favor of the sale of the parcel on 133 Holcomb Street with a provision that the parcel will never be developed.

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – AUGUST 10, 2020
“ D r a f t ”**

Page | 2

Mr. Askham read an email from Diane Nash, who is against the sale of this parcel. She gave some background on some “random” open space parcels. She feels a greedy homeowner, who sees an opportunity to purchase a parcel of land adjacent to his home for his own use, will be changing the landscape of Simsbury.

Mr. Askham made a motion to adjourn the Public Hearing at 6:24 p.m., after no further comments. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

PUBLIC AUDIENCE

Mr. Wellman read an email from Diane Nash who spoke about having Pubic Hearings during the COVID-19 pandemic and rushing to a decision on the sale of orphaned property. She also said no price has been revealed, and no real rational for this sale tied to the Old Well strip been revealed. She is strongly opposed to the sale as presented to the public.

Mr. Wellman read an email from Joan Coe, who spoke about a labor settlement, the Town Managers performance, , Code of Ethics for the Board of Selectmen, a sign at the Simsbury Farms Golf Course, the Police Department, the Plan of Development and other issues.

PRESENTATION

a) Women’s Club Proclamation

Mr. Wellman said the Woman’s Club has done over 50 years of service to the Town, but they had to disband in May. The Junior Women’s Club has taken over the Arts & Craft Festival now. He asked that the Board of Selectmen endorse this Proclamation, which he read, for the Woman’s Club.

Ms. Battos made a motion, effective August 10, 2020, to endorse the Women’s Club Proclamation as presented. Ms. 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

Mr. Askham made a motion, effective August 10, 2020, to approve the presented tax refunds in the amount of \$171,127.27, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Mr. Peterson seconded the motion. All were in favor and the motion passed.

b) Proposed Public Gathering Permit – Simsbury Performing Arts Center – Dream Believe Achieve Dance

Mr. Wellman went through the public gathering permit process. Mr. Tyburski said they have made accommodations for social distancing and the Farmington Valley Health District is also part of the process.

Mr. Askham made a motion, effective August 10, 2020, to approve the public gathering application for the Dream Believe Achieve Dan Recital and to authorize the issuance of the public gathering permit for the event. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

c) Proposed Public Gathering Permit – Simsbury Performing Arts Center – The 100 Women of Color Award

Mr. Paine made a motion, effective August 10, 2020, to approve the public gathering application for the 100 Women of Color event and to authorize the issuance of the public gathering permit. Ms. Battos seconded the motion. All were in favor and the motion passed.

d) Proposed Public Gathering Permit – Simsbury Fly-In Club – Drive Thru Food Truck Event

Ms. Mackstutis noted that this event was advertised before the Boards approval. Ms. Capriola said they will remove the “fly-in” part of the advertising as it will not be like last year.

Mr. Paine made a motion, effective August 10, 2020, to approve the public gathering application on behalf of the Simsbury Airport and to authorize the issuance of the public gathering permit for a drive-thru food truck event, on the condition that all necessary food permits are obtained from the Farmington Valley Health District. Mr. Askham seconded the motion. All were in favor and the motion passed.

e) Simsbury-Granby Rotary Club Donation

Mr. Wellman said the Simsbury-Granby Rotary Club has donated \$4,500 to the Simsbury Food Closet to help keep the shelves stocked for our residents in need. It will be focused on providing “kid friendly” food items for the households with children during the summer months.

Mr. Peterson made a motion, effective August 10, 2020, to accept the Simsbury-Granby Rotary Club donation in the amount of \$4,500 for the purpose of supporting Simsbury Community and Social Services Department food programs that assist resident in need, with special focus on “kid friendly” food items for the summer months with our thanks. Ms. Battos seconded the motion. All were in favor and the motion passed.

f) Simsbury Women’s Club Donation

Mr. Wellman said the Simsbury Woman’s Club has recently disbanded and they have decided that the Simsbury Food Pantry would be their final donation.

Ms. Mackstutis made a motion, effective August 10, 2020, to accept the Simsbury Women’s Club donation in the amount of \$2,097.37 for the purpose of supporting Community & Social Services Department food programs that assist residents in need with our thanks. Mr. Peterson seconded the motion. All were in favor and the motion passed.

g) Federal FY 2020 State Homeland Security Grant Program

Mr. Wellman said the Federal FY 2020 State Homeland Security Grant Program provides funding to State administrative agencies to the Capitol Region for emergency preparedness and response activities.

Mr. Paine made a motion, effective August 10, 2020, to approve the Federal Fiscal Year 2020 State Homeland Security Grant Program Memorandum of Agreement, which makes the Town of Simsbury eligible for regional allocations made through the Region 3 Regional Emergency Planning Team. Further move, to approve the attached resolution that authorizes the Town Manager to execute all documents related to the grant award. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

h) STEAP Grant Application – Simsbury Meadows Performing Arts Center Site Accessibility and Safety Improvements

Mr. Wellman said the Performing Arts Center at Simsbury Meadows doesn't meet current American Disabilities Act standards with respect to accommodations for the patrons that attend events at the facilities. This STEAP Grant would hopefully fully fund the project at the Performing Arts Center.

Mr. Askham made a motion, effective August 10, 2020, to authorize Maria E. Capriola, Town Manager, to submit a 2020 Small Town Assistance (STEAP) grant application for the Simsbury Meadows Performing Arts Center Accessibility and Safety Improvements.

RESOLVED, that Town Manager, Mari E. Capriola be and hereby is, authorized to accept on behalf of the Town of Simsbury, a 2020 Connecticut STEAP Grant in the amount of \$128,000 for Performing Arts Center Accessibility and Safety Improvements an

FURTHER RESOLVED, that Town Manager Maria E. Capriola is hereby authorized to enter into and execute any and all agreements, contracts and documents necessary to obtain said 2020 STEAP Grant with the State of Connecticut.

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

i) Review of Commission Referrals for Meadowood Purchase

Mr. Wellman said this is about the construction of about 300 residential homes, some with affordability component. The Board of Selectmen has received responses from the Open Space Committee, Parks and Recreation, Zoning, Planning, Conservation and the Historic District Commission on this project.

Mr. Wellman went through the draft timeline for this acquisition.

After discussion, Mr. Askham made a motion, effective August 10, 2020, to support the purchase of the Meadowood project provided that Environmental Review are completed by a licensed environmental professional and that said review certifies that there are no outstanding environmental issues with the subject properties. Mr. Peterson seconded the motion. Mr. Wellman, Mr. Askham, Mr. Paine and Mr. Peterson were in favor and Ms. Battos and Ms. Mackstutis were not in favor. Therefore, the motion passed.

j) Ice Rink and Paddle Tennis Court Fees

Mr. Wellman said the Culture, Parks and Recreation Commission agreed with the staff recommendations of increasing fees for public skating due to increased staffing costs. They agreed not to increase the rink rental or paddle tennis fees.

Ms. Mackstutis made a motion, effective August 10, 2020, to approve the fee schedule for the Simsbury Farms Ice Rink and Paddle Tennis Courts as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

k) 2020-2021 Board of Selectman Goals

Mr. Wellman said the Selectmen were asked to prioritize goals of most importance to them from a list developed in November 2019.

Mr. Paine made a motion, effective August, 10, 2020, to adopt the 2020-2021 Board of Selectmen goals as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

APPOINTMENTS AND RESIGNATIONS

a) Resignation of Kevin McCusker from the Conservation Commission

Mr. Askham made a motion, effective August 10 2020, to accept the resignation of Kevin McCusker (R) from the Conservation Commission retroactive to July 24, 2020 with our thanks. Ms. Battos seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of July 13, 2020

There were no changes to the Regular Meeting Minutes of July 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 and the Board thanked the EOC team for getting the Town through the last storm disaster. He said the issues with Eversource will be discussed further, but feels the team did a great job.
- e) Board of Education** – Ms. Mackstutis said the Board of Education hired a new Assistant Principal and they will be starting school on a hybrid plan at this time.

COMMUNICATIONS

- a) **Letter of Support for State Per Capita Funding for Local Health Departments, from Farmington Valley Health District and West Hartford-Bloomfield Health District, dated July 14, 2020**
- b) **Letter to Governor and Other State Officials regarding State funding for Connecticut Health Districts from Simsbury Board of Selectmen and Town Manager M. Capriola, dated July 13, 2020**
- c) **Letter to Governor, DEEP, and other State Officials re: Wildlife concerns from Simsbury Board of Selectmen, dated July 13, 2020**
- d) **“Connecticut reports ‘unprecedented numbers’ of black bear complaints; cases of bears entering homes on tract to triple”, dated July 14, 2020**
- e) **Revised Paving Memo from T. Roy, re: Revised Paving Schedule 2020, dated July 9, 2020**
- f) **Memo from K. Formanek Re: Diversity/Inclusivity Banner, dated August 6, 2020**
- g) **Memo from E. Wellman Re: Public Gathering Permits & the Performing Arts Center, dated August 10, 2020** There was some discussion on how to handle Public Gathering Permit Applications during this time of COVID-19. It was noted that the Farmington Valley Health District is also part of the application process. Ms. Schofield said if there were any issues at events they could just shut the event down.

EXECUTIVE SESSION

- a) **Executive Session for purposes of discussion of strategy and negotiation regarding the pending litigation listed below, FOIA section 1-200(6)(B): Proposed Settlement of Pending Tax Appeal for C-Tec Solar**
- b) **Executive Session for purposes of discussion of strategy and negotiation regarding the pending litigation listed below, FOIA section 1-200(6)(B): Proposed Settlement of Pending Tax Appeal for Willow Arms Apartments**
- c) **Executive Session for purposes of discussion of strategy and negotiation regarding the pending litigation listed below, FOIA section 1-200(6)(B): Proposed Settlement of Pending Tax Appeal for Simsbury Commons Shopping Center.**

Mr. Askham made a motion to adjourn Executive Session at 8:15 p.m. and to include Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Attorney Bob DeCrescenzo; Town Assessor Francine Beland; and Finance Director Amy Meriwether. Mr. Paine seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Askham made a motion to adjourn at 8:42 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk