

**TOWN OF SIMSBURY – BOARD OF SELECTMEN  
REGULAR MEETING MINUTES – SEPTEMBER 27, 2023**

Page | 1

---

**CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 6:07 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members Heather Goetz, Sean Askham, Eric Wellman, and Chris Peterson. Others in attendance included Interim Town Manager Lee C. Erdmann; Deputy Town Manager Tom Fitzgerald; Town Engineer/Director of Public Works Tom Roy and other interested parties.

**PLEDGE OF ALLEGIANCE**

**Everyone stood for the Pledge of Allegiance.**

**PUBLIC AUDIENCE**

- **Participants can address the Board of Selectmen in person at the meeting**
- **Email [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov) by noon, Wednesday, September 27, 2023, to address the Board of Selectmen live through Zoom**
- **Written comments can be emailed to [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov). Written comments will not be read into the record, but will be forwarded to the Selectmen by email**

Joan Coe, 26 Whitcomb Drive, spoke about the omission of alcohol consumption in the addition to the prohibition to the additions of smoking, vaping, and cannabis ordinance. micromanagement in the Police Department. She was told there was no reason to add alcohol to this as the State already has laws about alcohol. She also spoke about micromanagement in the Police Department and no one being available for her FOI requests. She also spoke about the Town Management open position and who they should hire.

Sally Reiger, 9 Shadowmill Road, said she was speaking as a Simsbury representative for the lower Farmington River and Salmon Brook Wild and Scenic Committee. She said she is not here to give the Committees opinion, but to remind the Town of their role as partners of the Wild and Scenic Committee. She said the lower Farmington River and Salmon Brook became a partnership in the Wild and scenic river program. She also spoke about the eco system and how it needs to be kept intact. For more information go to [lowerfarmingtonriver.org](http://lowerfarmingtonriver.org).

Susan Van Kleef, 6 Mallard Circle, spoke about delaying voting on the multi-use trails. She does endorse multi-use trail but needs more time to look at the impact of the Farmington River as she feels this is already overbuilt. She feels this issue is impossible to gauge and is to soon to make a decision on it. She wants to see what will happen to people and the environment first.

Sterling Quinby, 5 Mallard Circle, Tariffville, the oncoming president of the Board of Directors of Governor's Bridge, said they don't feel there has been enough discussion with the Town on their significant concerns on the proposed trails. He is asking to meet with the Board of Selectmen and Town to discuss where exactly the trail would be and other concerns of the residents.

Katie Costolnick, 19 Mallard Circle, asked that the Board delay the vote on the East Coast Greenway project. She said she emailed the Board her detailed concerns. She feels they will lose their privacy and has other environmental concerns. She also spoke about the 20 ft. right of way on the property.

**TOWN OF SIMSBURY – BOARD OF SELECTMEN  
REGULAR MEETING MINUTES – SEPTEMBER 27, 2023**

Page | 2

---

Robert Dest, 14 Tanager Circle, spoke about how he and his wife fell in love with the area due to the wildlife, etc. He has concerns about the Greenway project, especially as his deck is very close to the proposed project. He feels there can be a solution if everyone works together.

Wayne Coste, 6 Whitewater Turn, said the Greenway would be too close to his porch. He loves bike paths and the outside, but this is too close. He is also concerned about the river. He would also volunteer to help to find a solution that would be good for all on this trail.

Aimee Petras, 171 South Highland Street, West Hartford, representing the Farmington River Watershed Association, (on Zoom), also spoke about the trail issues. She said the Watershed Association is on Hopmeadow Street. She said they feel this trail is too close to the Farmington River Corridor and discussed the potential impacts. She said it's a flood zone and there were issues on the FEMA map that was presented. They are also concerned on climate changes and the aquifer and also the maintenance of the trails.

## **PRESENTATIONS**

### **a) High School Bleacher Progress Update**

Jason Casey from the Board of Education, said the bleachers are close to completion and the goal is for it to be completed for the homecoming game on October 6<sup>th</sup>. They did have issues with shipping delays, weather and also labor shortages. It will be inspected next week.

### **b) Discussion of Draft Memorandum of Understanding with Simsbury Main Street Partnership**

Sarah Nielsen, Director of Main Street Partnership, spoke about some of their history in the 27-year long partnership. They help out any brick and mortar business in Simsbury now. They go through grant processes for the Town. They have brochures to give out on school and businesses in Town. Students do projects also. The Partnership just did a project at Eno Memorial Hall also. They also gave out masks, sanitizer and did shots during the COVID 19 issue. There is now a brand-new brochure now.

Ms. Mackstutis spoke about the Draft Memo of Understanding and how it was developed. The one that the Board is looking to approve is for \$50,000. Mr. Askham asked for an attorney's opinion on this agreement. Mr. Wellman asked about a liaison to their Board. Ms. Nielsen said her Board decided not to allow a voting member to their Board. There was also discussion on quarterly updates and goals.

After Board discussion, Ms. Mackstutis suggested item g be added to the agenda to discuss and vote on this issue.

### **c) East Coast Greenway Preferred Alternative Endorsement**

Mr. Roy said there was a team who worked on this project. He knows there are challenges and this is not a perfect solution, but everyone is working on it.

Caitlin Palmer spoke about the CROCG study agenda. She thanked the Board and residents for their concerns. She said CROCG has been involved in funding of investments and the East Coast Greenway is a priority. They are also working with other towns on this project.

Mark Jewell, from VHB, went through the East Coast Greenway alignment option study. He said the goal is to identify a practical and feasible alternative for this project. This needs to be well designed and attractive. He spoke about the takeaways from the March 30<sup>th</sup> meeting. They don't know what the impacts are yet. He said there were 9 options on the score map and went through some of them.

There was discussion on the 20ft. right of way and the next stages of the project. There was also some discussion on maintenance of the Greenway. They need to initiate preliminary design, which takes 2-4 years, to secure any design. Nothing is done to the final design unless the Board approves it.

Mr. Askham made a motion to add a resolution to the preferred alignment to all of the agenda. Ms. Mackstutis seconded the motion. All were in favor and the motion passed. (2:00:02)

### **FIRST SELECTMAN'S REPORT**

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

### **TOWN MANAGER'S REPORT**

Interim Town Manager, Lee C. Erdmann, reviewed his Town Manager's report.

### **SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS**

- a) **Personnel** – there was no report at this time.
- b) **Public Safety** – Mr. Askham said they will be meeting in October.
- c) **Finance** – there is no report at this time.
- d) **Board of Education** - there was no report at this time.

Mr. Peterson said there will be a Culture, Parks and Recreation meeting tomorrow night to discuss the tobacco use ordinance. Mr. Erdmann said they can discuss the two versions of this proposed ordinance and both ordinances can be sent to the Public Hearing on October 11<sup>th</sup>.

### **SELECTMEN ACTION**

#### **a) Proposed Memo of Understanding with Simsbury Main Street Partnership (2:05:22)**

Ms. Mackstutis said this item was discussed in the Presentations.

Ms. Goetz made a motion, effective September 27, 2023, to approve the Memo of Understanding with the Simsbury Main Street Partnership; version with the Simsbury Main Street Partnership draft wording on it and with the mutually agreed upon language and authorize Interim Town Manager Lee C. Erdmann to execute the agreement. Mr. Askham seconded the motion. Ms. Goetz, Mr. Askham, Ms. Mackstutis and Mr. Peterson were in favor with Mr. Wellman and Ms. Abbuhl against; therefore, the motion passed.

Mr. Askham made a motion, effective September 27, 2023, to appoint Heather Goetz. of the Simsbury Board of Selectmen. as Liaison to the Simsbury Main Street Partnership Board with a term expiring on December 4, 2023. Ms. Goetz seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion, effective September 27, 2023, to authorize payment, in the amount of \$50,000 to the Simsbury Main Street Partnership. Ms. Goetz seconded the motion. Ms. Goetz, Mr. Askham, Ms. Mackstutis, and Mr. Peterson were in favor with Ms. Abbuhl and Mr. Wellman against, therefore, the motion passed.

**a1) East Coast Greenway (2:07:22)**

Ms. Mackstutis said Ms. Abbuhl had a proposal to add more than 20ft. to the proposal.

Ms. Goetz made a motion, effective September 27, 2023, to endorse the resolution that is included in the packet with the changes made on the preferred corridor for the East Coast Greenway study. Mr. Askham seconded the motion. All were in favor and the motion passed.

Mr. Peterson said there is no voice from the homeowner at the other Town he goes to meetings to. They do not invite Town staff or residents to talk there. People need to trust the Town of Simsbury to do the right thing.

**b) Tax Refund Requests (2:12:08)**

Mr. Askham made a motion, effective September 27, 2023, to approve the presented tax refunds in the amount of \$7,847.40, and to authorize Interim Town Manager, Lee C. Erdmann to execute the tax refunds. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**c) Anonymous Donation for Home Heating Bills (2:12:34)**

Ms. Mackstutis said this is a generous anonymous donation of \$21,000+ to the Keep Simsbury Warm Program.

Ms. Abbuhl made a motion, effective September 27, 2023, to accept a donation from an anonymous donor, in the amount of \$21,073.20 for the purpose of assisting local residents in need with their home heating bills with thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

**d) Anonymous Donation through Renaissance Acquisition Co., LLC**

Ms. Mackstutis said this is another generous anonymous donation through the Renaissance Acquisition Co., LLC. t to the Police Department for their community service revenue fund.

Mr. Askham made a motion, effective September 27, 2023, to accept an anonymous donation to the Simsbury Police Department in the amount of \$21,073.19 “to be used for such unrestricted charitable purposes as its governing Board shall determine” with thanks. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**e) Proposed donation from the Boswell Family (2:13:58)**

Ms. Mackstutis said this is another generous donation from Chris Boswell, for her late husband Brian Koscher, for an AED to be placed at the platform tennis and pickleball courts.

Ms. Goetz made a motion, effective September 27, 2023, to accept a donation of AED unit and outdoor service enclosure case valued at \$2,849.00 from the Boswell Family with thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

**f) Donation Acceptance Request for Friends of Simsbury Farms, Inc. – Greens Roller (2:14:32)**

Mr. Askham made a motion, effective September 27, 2023, to accept a donation of \$5,333.00 from the Friends of Simsbury Farms Men's Club for a Greens Roller to be used on the Simsbury Farms Golf Course with thanks. Mr. Wellman seconded the motion. All were in favor and the motion passed.

**g) Donation Acceptance Request for Simsbury Farms Men's Club Greens Roller (2:16:45)**

Mr. Askham made a motion, effective September 27, 2023, to accept a donation of \$5,333.00 from the Simsbury Men's Club to partner with the Town of Simsbury and the Friends of Simsbury Farms on a Greens Roller to be used on the Simsbury Farms Golf Course with thanks. Mr. Wellman seconded the motion. All were in favor and the motion passed.

**h) Donation Acceptance Request for Friends of Simsbury Farms, Inc. – Pond Aerator (2:15:10)**

Mr. Askham made a motion, effective September 27, 2023, to accept a donation of a pond aerator pump/fountain valued at \$9,020.60 from the Friends of Simsbury Farms, Inc. installed in the #3 pond at the Simsbury Farms Golf Course with thanks. Mr. Wellman seconded the motion. All were in favor and the motion passed.

**i) Donation Acceptance request for Friends of Simsbury Farms, Inc. – Water Fountain & Bottle Filler (2:15:38)**

Mr. Askham made a motion, effective September 27, 2023, to accept a donation of an ADA accessible Water Fountain and Bottle Filler, valued at \$6,620.00 from the Friends of the Simsbury Farms, Inc., to be installed inside of the renovated Simsbury Farms Playground with thanks. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**j) Public Gathering Permit – Simsbury Performing Arts Center Orthopedic Association of Hartford 5k (2:17:08)**

Ms. Mackstutis said this is a new event in Town with the Orthopedics of Hartford on October 7<sup>th</sup> and starting at the Performing Arts Center.

Mr. Askham made a motion, effective September 27, 2027, to approve the Public Gathering Permit application on behalf of the Simsbury Performing Arts Center and to authorize the issuance of the public gathering permit for the OAH 5k with the Performing Arts Center. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**k) Federal FY 2022 State Homeland Security Grant Program (2:17:52)**

Ms. Mackstutis said we apply for this grant every few years. It is a grant with Mike Berry the Emergency Management Director, which comes from the Federal Government.

**TOWN OF SIMSBURY – BOARD OF SELECTMEN  
REGULAR MEETING MINUTES – SEPTEMBER 27, 2023**

Page | 6

Mr. Askham made a motion, effective September 27, 2023, to approve the Federal FY 2022 State Homeland Security Grant Program Memorandum of Agreement, which make the Town of Simsbury eligible for regional allocations made through the Region 3 Regional Emergency Planning Team. Further move, effective September 27, 2023, to approve the attached resolution that authorizes the Town Manager to execute all documents related to the grant award. Mr. Wellman seconded the motion. All were in favor and the motion passed.

**l) Schedule a Public Hearing – Revisions to Town Code Section 85-6.1, Complex Programs (2:18:55)**

Ms. Mackstutis said the Inland/Wetlands Commission asked that the wording be changed for the large and complex projects rather than limit it to a numeric figure. In order to make the change a Public Hearing needs to be scheduled.

Mr. Askham made a motion, effective September 27, 2023, to set a Public Hearing to receive public comments on the proposed amendments to the Town Code Section 85-6.1 for 6:00 p.m. on Monday, October 23, 2023. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**m) Proposed Explanatory Text for November 7, 2023, Ballot Question (2:19:45)**

Ms. Mackstutis said this will be the explanatory text that will be accompanying the ballot question related to cannabis.

Mr. Askham made a motion to authorize the issuance of explanatory text as presented. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) September 11, 2023 Regular Meeting Minutes (2:20:54)**

Ms. Mackstutis had a change to September 11, 2023 minutes – Page 5, Section j: the Public Hearing on Tobacco, Vaping and Cannabis – the Public Hearing was to be delayed to be sent this to be sent to Parks and Recreation, to October 11, 203 as this item was referred to Parks and Recreation.

Mr. Askham made a motion to approve the changes made on the Regular Meeting Minutes of September 11, 2023. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**COMMUNICATIONS**

**a) Memo from A. Meriwether re: Recent Bond Sale, dated September 27, 2023**

Mr. Askham said we saved a substantial amount of money on these bond sales due to the due diligence and the process from the Finance Department, the Town Manager, the Board of Selectmen, and the Board of Finance. This is a real savings to the tax payers.

**EXECUTIVE SESSION**

**a) Pursuant to General Statutes Section 1-200(6)(A): Discussion of Town Manager Recruitment**

**TOWN OF SIMSBURY – BOARD OF SELECTMEN  
REGULAR MEETING MINUTES – SEPTEMBER 27, 2023**

Page | 7

---

Mr. Askham made a motion to adjourn to executive session pursuant to General Statutes Section 1-200(6)(a): Discussion of Town Manager Recruitment at 8:32 p.m. and to include Attorney Robert DeCrescenzo, Interim Town Manager Lee C. Erdmann, and Consultant Mike Jaillet. Ms. Goetz seconded the motion. All were in favor.

**ADJOURN FROM EXECUTIVE SESSION**

Ms. Goetz made a motion to adjourn executive session at 9:10. Mr. Askham seconded the motion. All were in favor and the motion passed.

**ADJOURN**

Mr. Askham made a motion to adjourn the meeting at 9:10 p.m. Mr. Wellman seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio, Clerk