

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
SPECIAL MEETING MINUTES – SEPTEMBER 29, 2020
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The Special Meeting of the Board of Selectmen was called to order at 6:00p.m. on Zoom due to COVID-19. Present were: First Selectman Eric Wellman; Deputy First Selectman Sean Askham; Board members Jackie Battos, Chris Peterson, Mike Paine, and Wendy Mackstutis. Others in attendance included Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Recreation Director Tom Tyburski and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC HEARING

a) Proposed Amendment to the Tax Credit for Elderly and Disabled Homeowners Ordinance

Mr. Wellman said the Public Hearing is to receive comments on the proposed Tax Credit for Elderly and Disabled Homeowners Ordinance.

There were no comments or questions on this Ordinance, therefore, Mr. Askham made a motion to adjourn the Public Hearing. Ms. Battos seconded the motion. All were in favor and the motion passed.

PUBLIC AUDIENCE

- Email written comments to ebutler@simsbury-ct.gov by 12 p.m. Tuesday September 29, 2020 to be read into the record or
- Email tfitzgerald@simsbury-ct.gov by Tuesday, September 29, 2020 to register to address the Board of Selectmen live on Zoom

Mr. Wellman read an email from Joan Coe. She spoke about a Hartford Courant article, transparency, the Hometown Hero Award, the Police Department and Police Commission, the Recreation Department master plan, pickle ball, a Board of Finance meeting, the Meadowood property, Griffin land and other items.

Mr. Wellman read an email from Jonathan Hellitzer, who spoke about the open space parcel on Holcomb Street. He feels the property owner should be allowed to purchase this orphaned piece of property as long as it is never developed.

PRESENTATION

a) Spirit Council and Resolution Declaring Racism a Public Health Crisis

Mr. Wellman introduced Cheryl Cook and Nicole Kodak, co-chairs of the SPIRIT Council, which was developed last year with the Department of Justice. He said they have done a lot of work and thanked them for all their hard work

Ms. Cook said the SPIRIT Council operates as a sub-committee under Community for Care. There was a community forum in May of 2019 with the Department of Justice and that is how the SPIRIT Council was formed. She introduced the Council, who have prepared this presentation.

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Ms. Kodak said the SPIRIT Council wants to become a Town Committee and would like a resolution approved by the Board.

Ms. Cook went through the SPIRIT Councils timeline and Ms. Kodak went through their vision and mission. Ms. Kodak said there are 24 active members who are very committed. Their banner is across Iron Horse Boulevard.

Nkosi Lee, Chair of the Event Sub-Committee, spoke about creating opportunities that promote diversity and inclusion and personal growth. They meet the first Thursday of every month to discuss different subjects.

Lloyd Huier, Chair of the Outreach Sub-Committee said they plan to promote awareness of what the SPIRIT Council does. They are reaching out and connecting with different organizations and want to partner with different Simsbury groups and collaborate with regional and state entities.

Rebekah Hatch, Chair of Data/Audit Sub-Committee said they are gathering data and analyzing it. They are going to follow up on plans or actions with committee involvement and maintain their progress.

Tenesha Grant spoke about the resolution they are asking for, which declares racism a public health crisis. This will help them gain access to the help that people need.

Ms. Kodak spoke about their next steps and asked the Board to approve them as a Town Committee tonight. She said they will have budget requests and will work on organizing and housekeeping.

The Board thanked them for all the hard work they have done.

Ms. Kodak said the Equity Council has just adopted an Equity Statement, which is making changes to the climate student referrals and other things for school children. They are working with the Board of Education.

After some discussion, Mr. Askham made a motion, effective September 29, 2020, to create the SPIRIT Council as an official Town Special Committee with 18 members. Mr. Peterson seconded the motion. All were in favor and the motion passed.

All of the Board members read the resolution declaring racism a public health crisis. Ms. Mackstutis made a motion, effective September 29, 2020, to adopt the resolution to declare racism a public health crisis. Mr. Peterson seconded the motion. All were in favor and the motion passed.

Mr. Wellman made a motion, effective September 29, 2020, to have the Town Manager work the Department Heads to review policies and procedures with an equity lens and come back to the Board of Selectmen with the recommendations on changes, improvements and updates. Mr. Askham 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. Battos made a motion, effective September 29, 2020, to approve the presented tax refunds in the amount of \$4,825.01 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.

b) FY 20/21 Emergency Management Performance Grant (EMPG) Application

Mr. Wellman said the Town is interested in applying for an Emergency Management Performance Grant, which is nearly \$25,000. The grant goes to the Fire District and the Town serves as a pass through.

Ms. Battos made a motion, effective September 29, 2020, to apply for the 2020/2021 Emergency Management Performance Grant as presented and to authorize Maria E. Capriola, Town Manager to execute all documents related to the grant award should it be awarded. Mr. Paine seconded the motion. All were in favor and the motion passed.

c) Center for Technology and Civic Life COVID-19 Response Safe Elections Grant

Mr. Wellman said the Town has an opportunity to apply for a grant from the Center for Tech and Civic Life which provides technical assistance to elections administrators across the county. This would help cover certain costs incurred by the new COVID-19 protocols.

Ms. Mackstutis made a motion effective September 29, 2020, to submit the Center for Tech and Civic Life COVID-19 Response Grant and to authorize Maria E. Capriola, Town Manager, to execute the grant applications. Mr. Paine seconded the motion. All were in favor and the motion passed.

Ms. Mackstutis made a motion to accept the Center for Tech and Civic Life COVID-19 Response Grant and to authorize Maria E. Capriola, Town Manager to execute all documents related to the grant award. Ms. Paine seconded the motion. All were in favor and the motion passed.

d) Proposed acceptance of Greater Hartford Transit District Dial-a-Ride Assistance Grant

Mr. Wellman said the Town is anticipating a grant of approximately \$6,600 from the Greater Hartford Transit District to support the Dial-A-Ride program.

Ms. Battos made a motion, effective September 29, 2020 to accept the FY20/21 grant funds from the Greater Hartford Transit District to support our Dial-A-Ride program 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.

e) Proposed update to Golf Course Superintendent Classification

Mr. Wellman said now that the Golf Course Superintendent is retiring after 16 years of service. The classification is from 2004 and most of the changes are housekeeping.

Ms. Mackstutis made a motion, effective September 29 2020, to approve the proposed changes to the job description for the Golf Course Superintendent classification as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

f) Public Gathering Permit – Simsbury Performing Arts Center – Art Trail Closing Ceremony

Mr. Wellman said the Public Gathering Committee has approved the application for the Art Trail Closing Ceremony for October 6, 2020 at the Performing Arts Center.

Ms. DiNunno said there will be social distancing at the event and some catering will be available along with beer and wine.

Mr. Paine made a motion, effective September 29, 2020, to approve the public gathering application for the Art Trail Closing Ceremony and authorize the issuance of the public gathering permit for the event. Mr. Askham seconded the motion. All were in favor and the motion passed.

g) Public Gathering Permit – Simsbury Performing Art Center – Benefit Concert for SMPAC

Mr. Wellman said there is a benefit concert scheduled for October 10 2020 at the Performing Arts Center to support the Performing Arts Center. It will include performances.

Ms. DiNunno said the band offered their services for free and the Committee thought it would be a great benefit for the Performing Arts Center. Information can be seen on Simsbury Meadows Music.com.

Ms. Battos made a motion, effective September 29, 2020, to approve the public gathering application for the 2020 SMPAC Benefit Concert and to authorize the issuance of the public gathering permit. Mr. Paine seconded the motion. All were in favor and the motion passed.

h) Public Gathering Permit – Simsbury Performing Arts Center / Iron Horse Blvd. – Spooktacular Drive-thru

Mr. Wellman said the Town is teaming up with the Performing Arts Center and the Chamber of Commerce to hold a drive-thru trick or treating event on October 18th.

Mr. Tyburski said they thought long and hard on how they could make this work. They are hoping for good weather. Tickets are almost sold out and you can get them on www.simsburyrec.com.

Mr. Askham made a motion, effective September 29, 2020 to approve the public gathering application for the 2020 Spooktacular Drive-thru and authorize the issuance of the public gathering permit. Mr. Paine seconded the motion. All were in favor and the motion passed.

i) Proposed Public Gathering Permit – Trinity Church/First Church – Pumpkin Patch Event

Mr. Wellman said this permit is for the annual pumpkin sale organized by Trinity Church and First Church, which will take place outside Boy Scout Hall from September 30, through November 7, 2020.

Mr. Paine made a motion, effective September 29 2020, to approve the public gathering application on behalf of Trinity Church and First Church and authorize the issuance of the public gathering permit for the fall 2020 pumpkin patch event. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

j) Administrative Approvals for Public Gathering Permits

Mr. Wellman said this would expand administrative approvals for public gathering permits for recurring events. Last year it was decided the Performing Arts Center recurring events could be approved at an administrative level. This would extend administrative approvals to all recurring events as long as there are no changes from previous years.

After some discussion, Mr. Askham made a motion, effective September 29, 2020, to authorize the Town Manager to approve public gathering permits administratively for recurring events without substantive changes. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

k) Proposed Amendments to the Tax Credit for Elderly and Disabled Homeowner’s Ordinance

Mr. Wellman said there was a Public Hearing for the amendments for Tax Credits for elderly and disabled homeowners. This will make sure our Town ordinance remains consistent with the State statutes which includes trusts. If the property owner and the beneficiary of the trust are the same person they would now be eligible for a tax reduction.

Mr. Paine made a motion, effective September 29, 2020, to adopt the proposed amendments to the Tax Credit for Elderly and Disabled Homeowner’s Ordinance as presented, which will be effective 21 days after publication in the newspaper having circulation in the Town of Simsbury and further to authorize a summary of the adopted ordinance published. Mr. Askham seconded the motion. All were in favor and the motion passed.

l) Proposed update to Volunteer Firefighter and Ambulance Personnel Tax Abatement Ordinance

Mr. Wellman said the State has given towns the ability to increase the tax abatement for volunteer Firefighters and Ambulance personnel. A workgroup was formed on this issue. There are various scenarios in the packet.

Kevin Kowalski, Chief Baldis and Gary Wilcox explained the updated ordinance. They asked the Board to approve the increased abatement as it is written by the State statute and not phase it in. They explained the hard work of both the Volunteer Firefighters and Ambulance personnel and explained what they have to succeed in before they can get the abatement. It has been 15 years since the last increase of the abatement.

After discussion, Ms. Battos made a motion, effective September 29, 2020, to schedule a Public Hearing for 6:00 p.m. at the Board of Selectmen Regular Meeting on October 14, 2020 to solicit public comment regarding the proposed amendment to the Volunteer Firefighter and Ambulance Personnel Tax Abatement Ordinance. Scenario A would be the proposed amendment to the ordinance. Mr. Askham seconded the motion. All were in favor and the motion passed.

m) Town Manager’s Employment Agreement 2021-2024

Mr. Wellman said the Personnel Sub-Committee was asked to provide a recommendation whether to extend the Town Manager’s contract, which expires the end of January. The Committee obtained public input. In June a contract extension was recommended. There are a few changes in the contract including an increase in vacation

time and in the event the Town Manager passes away while in her role, her family would be allowed to stay on her health insurance for a 3 month period. This insurance benefit should be extended to all Town employees. There was also some change in code of ethics, Town Charter or Law, she would still be eligible for 8 months of salary.

After some discussion, Mr. Askham made a motion, effective September 29, 2020, to execute the Town Manager’s employment agreement between the Town of Simsbury, CT and Maria E. Capriola for a three year term commencing January 29, 2021 and expiring on January 29, 2024. Ms. Mackstutis seconded the motion.

After discussion regarding the timing of the contract expiration, Mr. Askham withdrew his motion. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

After some discussion, Mr. Askham made a motion to table this discussion to further discuss the timeframe of the contract. Mr. Paine seconded the motion. All were in favor and the motion passed.

APPOINTMENTS AND RESIGNATIONS

a) Reappointments to the Economic Development Commission

Ms. Battos made a motion, effective September 29 2020, to reappoint Tom Earl and Charmaine Seavy to the Economic Development Commission effective October 10, 2020 and expiring October 20, 2023. Mr. Paine seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of September 14, 2020

There were no changes to the Regular Meeting Minutes of September 14, 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** – no report at this time.
 - e) Board of Education** – Ms. Mackstutis asked about kids going back to school. She said enrollment is down 18%. Bus riding is also down.
- Ms. Mackstutis said the Aging and Disability Commission has reorganized and Diane Yiesley is now the Chair.

COMMUNICATIONS

- a) Memo from M. Capriola Re: Administrative approvals of Public Gathering Permits, dated September 23, 2020** – no discussion at this time.

EXECUTIVE SESSION

a) Pursuant to CGS §1-200(6)(A), Town Manager’s Annual Performance Review

Ms. Mackstutis made a motion to adjourn to Executive Session with Maria E. Capriola to discuss her annual performance review at 8:13p.m. Ms. Battos seconded the motion. All were in favor and the motion passed.

ADJORN

Mr. Askham made a motion to adjourn at 9:15 p.m. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk