



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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Public Safety Sub-Committee

July 23, 2020

8:00AM

SPECIAL MEETING AGENDA

Call to Order

Pledge of Allegiance

Public Audience

Approval of Minutes

- 1) June 18, 2020 Minutes

Coronavirus Response

- 1) Farmington Valley Health District
- 2) Town Manager's Office
- 3) Emergency Management
- 4) Police
- 5) Ambulance
- 6) Fire
- 7) Board of Education
- 8) Public Works
- 9) Social Services
- 10) VNA
- 11) Main Street Partnership
- 12) Ordinance to Prohibit the Intentional Feeding of Wildlife
- 13) Other

Communications

- 1) [Hartford Courant Article](#) "Connecticut reports 'unprecedented numbers' of black bear complaints; cases of bears entering homes on track to triple", dated July 14, 2020
- 2) Letter from Board of Selectmen to Rep. Demicco, Chair of Environment Committee, dated July 13, 2020

Adjournment

**Public Safety Subcommittee
TOWN OF SIMSBURY, CONNECTICUT
SPECIAL MEETING MINUTES - DRAFT
Thursday, June 18, 2020 at 8:00 A.M.
Zoom Meeting/Simsbury Community Television Live Stream**

Chairman Sean Askham called the Special Meeting of the Public Safety Subcommittee to order at 8:00 A.M. via Zoom Meeting/Simsbury Community Television Live Stream.

Present were: James Baldis, Chief, Simsbury Volunteer Fire Department; Michael Berry, Assistant Emergency Management Director, Simsbury Fire District; Nicholas Boulter, Chief of Police; Maria Capriola, Town Manager; Mark Critz, Director of Safety & Security, BOE; Kristen Formanek, Director of Community and Social Services; Jennifer Kertanis, Farmington Valley Health District; Kevin Kowalski, Fire Marshal, Simsbury Volunteer Fire Department; Mike Long, Police Commissioner; Mark Massaro, Eversource; Sarah Nielsen, Simsbury Main Street Partnership; Chris Peterson, BOS; Nancy Scheetz, Visiting Nurses Association; Karin Stewart, Executive Director, Simsbury Volunteer Ambulance Association; Neil Sullivan, Director of Personnel, Simsbury Schools; Thomas Roy, Director, Public Works; Gary Wilcox, President, Simsbury Fire District

Pledge of Allegiance

All stood for the Pledge of Allegiance.

Public Audience

There was no public audience.

Approval of Minutes

1) June 4, 2020 Minutes

The minutes were approved as presented.

Coronavirus Response

1) Farmington Valley Health District

Ms. Kertanis reported on the consistent decline in hospitalizations the state and Farmington Valley have seen including in congregate living areas. Ms. Kertanis reported that there are about 1,000 new cases identified each week. Connecticut is in Phase 2 of re-opening and the health district staff is working with communities to assist in this phase. The FVHD is working on its drive through Flu clinics which will be in Simsbury and Avon in September and October later this year. Flu shots are going to be vitally important this year as a method to keep our healthcare infrastructure from being overwhelmed if there is a 2nd wave of COVID infections in the fall/winter. These flu clinics can also serve as test runs for when a COVID vaccine is created and needs to be distributed to the masses.

2) Town Manager's Office

Ms. Capriola reported town facilities, programs and services are going to be slowly reopening on June 22nd. The transfer station is open with full services. The Town and Board of Education

tennis courts remain open as do Town parks, open space parcels and trails. While permitted to open on June 16th as a part of Phase 2, the library will still be closed to the public and continuing their online services and curbside pick-up until at least July 5th. The Senior Center is unfortunately closed through at least Labor Day. The Town is currently working with a local company to offer a drive through COVID testing site and once information is available it will be broadcasted for the public to find out how to sign up. Lastly, the Town Manager wished Kevin Kowalski a happy retirement and congratulated Mike Berry who will be the new Simsbury Emergency Management Director starting July 1st.

3) Emergency Management

Mr. Kowalski noted that this week's Incident and Action Plan had more of a focus on recovery rather than action and that this is good news. Mr. Kowalski noted that Emergency personnel in town are in healthy, good shape. There is ongoing fit testing done for fire district employees. Mr. Kowalski stated that they are having an ongoing problem with illegal fireworks in town and to please be conscious of your neighbors and dogs in the area as these illegal loud booms can be detrimental to veterans who may have PTSD as well as dogs with their hearing.

Mr. Berry will replace him as Emergency Management Director as of July 1. He reported they are coordinating logistics to have a town-wide COVID testing site. He added they will be working with the Fire Department to support the June 12 High School graduation. Regarding PPE, he noted they are sending out thousands of masks to businesses, as well as over 200 thermometers, to meet their objective of protecting businesses, seniors and first responders during the pandemic. He reported they continue to support fit testing for N95 masks. They are checking safety at restaurants, i.e. vehicle traffic, etc.

4) Police

Chief Boulter reported staff is healthy and PPE supply is adequate. The Chief said that the Police station is open again for fingerprinting services but it is by appointment only. Calls for service have increased to pre-COVID levels and he singled out the increase in family violence calls as a noticeable increase. Motor Vehicle thefts have also increased; the Chief reminded everyone to please lock your vehicles and don't leave your keys in them overnight. All recent motor vehicle thefts were because the keys were left inside an unlocked vehicle. The Chief also mentioned that the PD is tracking the illegal fireworks.

5) Ambulance

Ms. Stewart reported staff remains healthy. There has been a decrease in COVID-related calls but call volume still remains the same. Ms. Stewart reminded the public to continue social distancing and wearing a mask in public.

6) Board of Education

Mr. Sullivan stated that the BOE held a graduation last Friday, and while it wasn't what they thought it would be at the beginning of the year, it was important to celebrate the students who graduated in any way they could. Mr. Sullivan stated that BOE personnel will begin reporting back to work in a staggered A/B schedule starting Monday for at least 4 weeks, visits will be by appointment only. The Meal service program closed on Monday due to the state. The BOE is

planning extensively for what school may look like in the fall. Residents can expect to hear directly from the BOE every 2 weeks about reopening plans.

7) Fire

Chief Baldis reported volunteers and their families continue to remain healthy. Chief Baldis mentioned that the increase in both vehicle and pedestrian traffic is something that people need to pay attention to. The Fire District is monitoring a significant increase in water usage with Aquarion and that the public may notice a decrease in water pressure due to this in an effort to save water.

8) Public Works

Mr. Roy reported they are at full staff. He noted the need to keep up with cleaning workspaces and wearing masks. Buildings and Grounds staff has been busy getting buildings ready for reopening, including plexiglass screening, new hand sanitizer dispensers at entry points, disinfection wipes and sprays at shared equipment/copiers. There will be increased, uniform signage at all facilities. They continue to support other departments, including Social Services with the food distributions.

9) Social Services

Ms. Formanek reported on the food distribution that happened on Monday at Iron Horse Commuter Lot. 126 households were served, 224 bags of food were packed and \$9,000 in gift cards were distributed. Social Services has masks available to those who need them.

10) VNA

Ms. Scheetz stated that staff is healthy and they are seeing an increase in service needed due to hospitals opening up again.

11) Main Street Partnership

Ms. Nielsen reported that she is assisting business in town with Phase 2 opening. Several restaurants in town are holding off on indoor dining at the moment and all but 1 restaurant in town are open for outdoor dining/takeout. Ms. Nielsen mentioned that businesses need thermometers and disinfecting wipes. The shopsimsbury.com list of open restaurants and businesses continues to have the most extensive and detailed information, as well as their Facebook page.

12) Eversource

Mr. Massaro told residents to reach out to Eversource if anyone needs assistance for bill paying.

13) Police Commission

Mr. Long wanted to recognize the Police Chief and Police Department for their participation in the protests that happened in the previous weeks outside town hall. He spoke on behalf of the Police Commission when he said that the Commission is in favor of Police Body Cameras.

14) Draft Prohibition of Feeding Wildlife Ordinance

Mr. Askham gave background on why this ordinance was written and how a workgroup consisting of committee members and town staff was created to draft it. The workgroup

consulted with DEEP during the drafting process. Mr. Askham mentioned that he was asking the group to forward the draft ordinance to the BOS to schedule a public hearing. Mr. Askham motioned, 2nd by Mr. Wilcox, all were in favor and the motion passed.

The group will meet again on Thursday, July 23, at 8:00 A.M. Agenda items from the past few months will continue.

Adjournment

The meeting was adjourned at 9:28 A.M.

Respectfully submitted,

Thomas Fitzgerald
Management Specialist

TOWN OF SIMSBURY
Ordinance to Prohibit the Intentional Feeding of Wildlife
Dated July 13, 2020

Purpose.

The Town of Simsbury, under its powers pursuant to state law, has adopted this ordinance to protect public health, safety, and welfare by prohibiting the intentional feeding of wildlife. This ordinance is intended to assist our residents, guests, and other stakeholders peacefully and safely coexist with wildlife.

Definitions.

When used in this ordinance, the following definitions apply:

- a) **Authorized Enforcement Agency:** All sworn personnel of the Police Department and Animal Control Officers. Additionally, any employees or designees of the town as designated by the Town Manager to enforce this ordinance.
- b) **Person:** Person shall be construed to mean and include an individual, a corporation, a partnership, a non-profit, a trust, an unincorporated organization, business organization of any kind or any other group or organization.
- c) **Town:** Town means the Town of Simsbury.
- d) **Wildlife:** Wildlife includes, but is not limited to, non-domesticated animals that due to intentional feeding have been determined to be a nuisance or threat to public health, safety, and welfare such as bears, deer, coyotes, bobcats, fisher cats, turkeys and wild birds. Wildlife does not include livestock used for agricultural purposes.

Prohibited Activity.

In recognition that these animals are wild and should be left alone for the health, safety, and welfare of both the wildlife and our residents, guests, and other stakeholders, the following is prohibited activity:

- a) **Intentional Feeding of Wildlife.** Feeding, giving, placing, exposing, depositing, distributing or scattering any edible material, attractant, or other substance with the intention of feeding, attracting or enticing wildlife.
- b) **Feeding Birds.** Bird feeders may not be used from April 1st through November 30th, unless the source is recognized as not being desirable to bears, such as but not limited to Nyjer or thistle.
- c) **Improperly Storing Food, Refuse, or Other Wildlife Attractants.** Improperly storing food, pet food, refuse (garbage), or other attractants and substances in a manner that result in wildlife feedings.

Exceptions.

- a) **Unintentional Feeding of Wildlife.** Unintentional feeding of wildlife means using or placing any material for a purpose other than to intentionally attract, entice, or feed wildlife but which results in unintentionally attracting, enticing, or feeding of wildlife. Composting that was properly secured but unintentionally led to the feeding of wildlife is excluded.

- i. Unintentional feeding will become intentional feeding if a written notice is issued by an Authorized Enforcement Agency and ignored.
- b) **Feeding Birds.** Bird feeders may be used from December 1st through March 31st.
 - i. If the source is recognized as not desirable to bears, such as but not limited to Nyjer or thistle, bird feeders may be used year round.
- c) **Permitted Activity.** This ordinance does not apply to any person with a valid permit issued by the state of Connecticut, Department of Energy and Environmental Protection.
- d) **Wildlife Rehabilitation.** Any person providing care to wildlife for the purpose of an animal's rehabilitation due to illness or injury, as part of a recognized for-profit or non-profit entity providing for such care of wildlife.

Violations and Penalties.

Whenever the authorized enforcement agency determines that a person has violated this ordinance, the authorized enforcement agency is authorized to issue a fine to the violator in the amount of two hundred and fifty dollars (\$250.00) for each offense. Any violation continued more than one (1) day shall constitute a separate offense for each day such violation continues.

After two or more violations of this ordinance have been cited to any person, the town may initiate a civil action in Superior Court for injunctive relief to prohibit and prevent such violation or violations and the court may proceed in the action in a summary matter.

Appeals.

Any person receiving a fine may appeal the determination of the authorized enforcement agency. The notice of appeal must be received in writing and filed with the Town Clerk's Office within ten (10) business days from receipt of the notice of the fine. The appeal shall be deemed received by the Town on the first business day following the day it is filed with and received by the Town Clerk's Office. Hearing on the appeal before the Hearing Officer shall take place within thirty (30) business days from the date of receipt of the notice of appeal. The decision of the Hearing Officer may be appealed to Superior Court.



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

July 13, 2020

Mike Demicco
State Representative & Chair of Environment Committee
Legislative Office Building, Room 3201
Hartford, CT 06106

Dear Representative Demicco,

On behalf of the Town of Simsbury, we are reaching out to share a public safety concern that requires swift and meaningful action by the General Assembly. As you know, interactions between humans and wildlife are on the rise in Simsbury and throughout the Farmington Valley. So far this year, our police department has responded to 139 calls about bears as of July 8th. In the full year of 2019, they responded to 374 calls and in 2018 they responded to 584 calls. The 5 year average for calls has been 377 per year.

Our concern is that bears are becoming more brazen in their attempt to procure food, putting human lives in danger. Over the July 4th weekend in just one day, our police along with officials at the Department of Energy and Environmental Protection responded to four calls – two were home invasions where bears actually entered the premises, a third was an attack of a man and dog who were walking on a nature trail, and the fourth was an incident involving a bear cub that became trapped in a commercial dumpster in our downtown area with a distressed mother and fellow cub guarding the bear and dumpster. Thankfully no human has been seriously injured or killed, but we fear it is only a matter of time as these interactions become more common.

We have also had increasing reports of problematic behavior exhibited by coyotes in our area. We have had reports of dogs being attacked and injured and dogs and humans being followed and “stalked” by coyotes. Some of this has been the result of members of the public intentionally feeding wildlife, despite advice from our local animal control officials to not do so. There is currently not state legislation that prohibits the public from intentionally feeding wildlife.

In Simsbury, we are doing our part with the resources we have. Our Board of Selectmen is working on an ordinance that would prohibit the intentional feeding of wildlife. We are pursuing this course of action because it is within our control and we believe it will have *some* impact. However, we understand this ordinance does not solve the root cause of the problem. That's why we implore the State Legislature to do its part. DEEP has been an incredible partner to Simsbury and an invaluable resource as we've navigated this issue. Please heed their expert advice and ensure they have the tools they need to ensure the safety of our residents, which we believe is the highest responsibility of those elected to lead.

Respectfully,



Eric Wellman
First Selectman



Sean Askham
Deputy First Selectman



Jackie Battos
Selectman



Wendy Mackstutis
Selectman



Mike Paine
Selectman



Chris Peterson
Selectman

Cc: Governor Ned Lamont
Katie Dykes, DEEP Commissioner
Jenny Dickson, DEEP Director of Wildlife
Rick Jacobson, DEEP Bureau of Natural Resources Bureau Chief
State Representative John Hampton
State Senator Kevin Witkos
Farmington Valley Collaborative
Nick Boulter, Simsbury Chief of Police