

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – AUGUST 12, 2019**

“Approved”

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CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Eric Wellman; Board members Michael Paine, Sean Askham, Christopher Kelly and Cheryl Cook. Absent was Chris Peterson. Others in attendance included: Town Manager Maria Capriola; Director of Culture, Parks and Recreation Tom Tyburski; Finance Director Amy Meriwether; Social Service Director Kristen Formanek, and other interested parties. Absent was Deputy Town Manager Melissa Appleby.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance, which was led by the Boy Scouts.

Mr. Askham made a motion to amend the agenda to include designating an Interim Assessor under item k. Mr. Kelly seconded the motion. All were in favor and the motion passed.

PUBLIC AUDIENCE

Joan Coe, 26 Whitcomb Drive, spoke about an escalation of grievances in the Police Department, “Gifts of Love” and the meaning of the Eno Trust, Policeman’s gun in luggage at the airport, the Simsbury Performing Arts Center concerts parking and health issues, and other issues.

Robert Kalechman, 781 Hopmeadow Street, spoke about running for First Selectman, personal information that he feels should not be given to the public, tax increases, Police responsibility to carry a weapon at all times, and other issues.

Melissa Osbourne, 44 Sand Hill in Weatogue, spoke about coyote issues in her neighborhood. She played a recording of one of the packs of coyotes because they are so loud and scary. She said there is a neighbor who feeds these animals and she won’t stop even when asked. She is asking the Town for an ordinance to stop the feeding of coyotes.

Ann Carnevale, 27 Overlook Terrace, said the Board passed a non-binding resolution to encourage the public to take preventative measures from feeding wildlife, but it isn’t stopping them. She called Animal Control about the issues and they discovered that these wild animals are well fed and have a wood shelter. She also wants the Town to do something about the feeding of wild animals. She wants a mandatory ban on feeding wildlife as she is not only attacks on animals but on the children of Simsbury as well.

Angela Cerini, 14 Park Road, also spoke about the coyotes and neighbors also feeding the wild turkeys. She feels their needs to be a long range plan for the wildlife in Simsbury.

Tammy Waychowski, 29 Overlook Terrace, also spoke about wildlife issues, including turkeys on her property. She also feels their quality of life is in jeopardy. She also wants a long term plan about this wild animals and feeding of them. There needs to be some kind of control of the animals.

Holly Greenfield, 11 Talcott Mountain, spoke about the coyotes and feels some research is needed for new laws on this solution. It is just not a safe situation at this time. She has spoken to the person who is feeding these wild animals, but the person doesn’t care what people say. These animals are stalking people and something needs to be done.

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Jan Lintner, 2 Massaco, spoke about the new park naming. She feels this is a very long name and very difficult to work with. She feels the river access is the purpose of the park. She asked that the Board read the citizen comments and then submit a new name.

Louisa Dessan, 12 Crestwood Road, spoke about “Gifts of Love” discontinuing the educational programs at the Community Farms. The “Gifts of Love” does donate food and does benefit the poor. This does abide by the Eno Trust.

Kathleen Miklus, 15 Musket Trail, also spoke about the Community Farm and all it brings to the community. She feels the Farm is great for self-esteem and learning. She is upset that the educational programs are ending and feels something should be done about it.

Eugenia Drake, East Granby, feels the magic and wonder of the Community Farms is now going to be lost. She is a former educator at the Farms, and she spoke about the educational programs and how the children learn in classes just like going to school. It is such a great teaching place about where food comes from and how it helps people.

Timothy Goodwin, 282 Vine Street, Hartford, the First Executive Director of the Simsbury Farms, who spoke about their vision of the Farms. He talked about different cultures coming together to learn and donate 100% of the produce of the Farm. He wants to find a way to keep the Farms growing and educating kids. He will help in any way he can.

Lisa Bouthe, 20 Michael Road, spoke about the Simsbury Farms camp and how great it was. The original agreement with the “Gifts of Love” was to have educational programs. We are losing a great asset which belongs to the Town and she is asking to find a way to continue these programs.

Susan P., Glastonbury, read a letter about the 30th year of “Gifts of Love” that is going to the community. She spoke about the Alice Program and how they help them. She said they are losing their funding for the education programs. They would need a 3-5 year solid funding plan to investigate re-instating this educational program again. Please continue to support the “Gifts of Love” program.

Some of the kids who go to the Community Farm Camp spoke about how fun it is to go to camp and how much they love taking care of the animals. They feed animals and clean the stalls out. It is a great learning experience.

Katie Majori said the “Gifts of Love” gives opportunity to children to learn about how to help animals and how to help people at the same time. This camp is a fun and learning camp in one.

Katelyn Slattery said she attended Simsbury Schools until High School. She said it has been 5 years that she attended the Community Farm Camp. The experience has helped influence her love of agriculture. She would like this program to continue.

A lady spoke about Eagle Scout projects that are done at the Farms as well. They have cleaned stalls, fed animals and the educational program has helped them knowledgeable of how to help at the Farm. There needs to be a way to save these programs.

Jennifer O’Dea, 7 Brownstone Turnpike, said she is a former board member of the “Gifts of Love” and her family has been helping there for year. She has now been doing the back-pack program for many years. Closing this program will definitely affect the kids and there needs to be a way to save it.

Jessica Parzise, North Saddle Ridge, also spoke about the Farm and “Gifts of Love” and how valuable it is to the community. It is an important mission to support and we should rally around it to save it.

Heather Carroll, 3 Lark Road feels the farm is a great learning mission and long-time volunteers work hard and commit to giving back. She feels the entire Town needs to support it and figure out a way to continue it as it benefits the entire Town.

A lady spoke about moving here and wanting to raise chickens and wanting to have a camp for her kids about 3 ½ years ago. They volunteered at the Farm and it was just a great experience.

Rob from Granby and on the Board of “Gifts of Love” spoke about the difficult conclusion they had to come to. He would like to see other Towns coming together to help with the ‘Gifts of Love’ situation.

Moria Fitzgerald, 27 Castlewood Road, Chair of “Gifts of Love” said she is impressed with the impact it has on the community. It was not an easy decision to close the camp or education program. The money has been stretched as far as possible and this was their decision. They are open to listening to different ideas of saving the programs.

Neil said the sheep don’t like him, but said this camp is used by businesses and different schools and there must be some kind of opportunity for them to share the expense. It would be a shame to see it just become a farm.

Mr. Wellman said he is touched by the number of people who are here for the Farm and loved hearing everyone’s stories. He feels this has definitely started a conversation.

PRESENTATION

a) Tobacco Valley Solar Construction Update (formerly DWW)

Mr. Wellman introduced Mr. Svedlow, Director of Development of the Tobacco Valley Solar Construction Co., who will give an update on this project.

Mr. Svedlow said this is a 26.4 mw solar project, which was approved this past winter. It is 135 acres off Hoskins Road. He went through the background and elements of the program. He also went through the sequences and status of the installation. The grading and access roads are already in and the panels are being installed. He said they are doing well with their inspections and if there are any issues, they are being taken care of immediately. He said he COD target is November with final acceptance as of January 2020.

He has his phone and e-mail address for anyone who has any questions.

Ms. Cook wanted them to educate the workers about the increased traffic when school starts. It can be very dangerous for them and school kids. Mr. Svedlow said he would speak to his managers about this for everyone’s safety.

FIRST SELECTMAN’S REPORT

First Selectman, Wellman, reviewed his First Selectman’s report.

TOWN MANAGER’S REPORT

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

SELECTMEN ACTION

a) Proposed Name for the New Park Being Constructed at 1 Old Bridge Road

Mr. Wellman said a work group was formed to review suggested names for the 1 Old Bridge Road Park. The Committee decided to combine two suggestions due to their emphasis on the water access of the park and the proximity of the park to the Flower Bridge.

Mr. Tyburski said the Committee went through all of the suggestions for the name. He said Hop Brook Landing is where the river access is for launching. They also felt the Flower Bridge should be in the name. There was some discussion on the name being too long, especially for signage.

Mr. Wellman made a motion, effective August 12, 2019, to approve “Hop Brook Landing at the Flower Bridge” as the formal name of the new park at 1 Old Bridge Road with the understanding that the “Flower Bridge” is a subscript and not part of every sign that is directional. Ms. Cook seconded the motion. All were in favor and the motion passed.

b) Accept Donation from Stop & Shop Feed-A-Friend Program

Ms. Cook made a motion, effective August 12, 2019, to accept the Stop & Shop Feed-A-Friend Program donation in the amount of \$3,414.60 with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

c) Proposed Youth Services Bureau Advisory Board Procedures

Mr. Wellman said the Youth Service Bureau focuses on juvenile justice, positive youth development, mental health needs, and community outreach and involvement.

Ms. Cook made a motion, effective August 12, 2019 to adopt the proposed Youth Services Bureau Advisory Board Procedures. Mr. Askham seconded the motion. All were in favor and the motion passed.

d) CROG Active Transportation Grant – Traffic Calming Demonstration Project

Mr. Askham recused himself.

Ms. Capriola said the traffic authority has some concerns that people are using David Drive as a cut through, with speeding and other issues there. This is a pilot program which has just become available through a grant.

Mr. Askham returned to the meeting.

e) Tax Refund Requests

Mr. Kelly made a motion, effective August 12, 2019, to approve the presented tax refunds in the amount of \$51,999.47, and to authorize Town Manager Maria E. Capriola, to execute the tax refunds. Mr. Paine seconded the motion. All were in favor and the motion passed.

f) Fiscal Year 2019/2020 Fund Balance Appropriation

Mr. Wellman said the approved budget did not anticipate the use of fund balance to crease mill rate relief, and, a change in the tax collection assumption rate from 98.5% to 99%. Therefore, the use of fund balances is considered a supplemental appropriation and needs the Board of Selectmen’s approval.

Ms. Capriola said this transfer is probably unlikely. Ms. Meriwether said the Finance Department wants to keep the tax collection rate at 98.5% and not increase it to 99%.

After some discussion, Mr. Askham made a motion, effective August 12, 2019, to table this discussion. Mr. Paine seconded the motion. All were in favor and the motion passed.

g) Proposed Settlement Agreement – Hoffman Phyllis W. Trustee of Hoffman Rose Rhea 190 v. Town of Simsbury

Mr. Wellman said this item was previously discussed in executive session. It takes the middle point of the Town’s assessment and the owner’s assessment on 44 Albany Turnpike.

Mr. Askham made a motion, effective August 12, 2019, to approve the attached settlement agreement for the tax appeal on the property located at 44 Albany Turnpike as presented, and authorize Town Attorney Robert DeCrescenzo to execute the agreement. Mr. Paine seconded the motion. All were in favor and the motion passed.

h) Proposed Public Gathering Permit – Latimer Lane Back to School 5K & Fun Run 2019

Mr. Wellman said this is a fundraiser that entails a fun run on school grounds and a 5K on local roads.

Mr. Askham made a motion, effective August 12, 2019, to approve the public gathering application for the Latimer Lane PTO’s 5k & Fun Run on September 22, 2019, as presented and to authorize the issuance of the public gathering permit. Ms. Cook seconded the motion. All were in favor and the motion passed.

i) Proposed Public Gathering Permit – Trinity Church & Tariffville Village Association Fall Festival 2019

Mr. Wellman said the Fall Festival is scheduled for September 15th from 11a.m. - 6 p.m.

Ms. Cook made a motion, effective August 12, 2019, to approve the public gathering application for the Trinity Church & Tariffville Village Association Fall Festival 2019 as presented and to authorize issuance of the public gathering permit. Mr. Kelly seconded the motion. All were in favor and the motion passed.

j) Proposed Public Gathering Permit – 2019 Simsbury Fly-In

Mr. Wellman said the Simsbury Fly-In is scheduled for September 22nd from 8:00 a.m. to 5:00 p.m. There will be about 10,000 to 12,000 people in attendance.

Mr. Paine made a motion, effective August 12, 2019, to approve the public gathering application for the 2019 Simsbury Fly-In Car Show & Food Truck Festival as presented and to authorize the issuance of the public gathering permit. Mr. Kelly seconded the motion. All were in favor and the motion passed.

k) Designation of Various Staff Appointments

Mr. Wellman said the Board need to appoint a Conservation, Inland/Wetlands Officer and Code Enforcement Officer, pursuant to the Charter, as the staffing transition in the Planning Department.

Ms. Capriola said the employees all back-up each other in that department. All of these employees have experience in these positions.

Ms. Cook made a motion, retroactive to December 17, 2018, to designate Robin Newton as the Conservation, Inland/Wetlands Officer. This designation shall remain in effect until rescinded or Ms. Newtown's separation from service, whichever comes first. Further move to designate her as an Assistant Code Enforcement Officer. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Paine made a motion, retroactive to April 16, 2019, to designate Janell Mullen as the Code Enforcement Officer. This designation shall remain in effect until rescinded or Ms. Mullen's separation from service, whichever comes first. Further move to designate her as an Assistant Conservation, Inlands/Wetlands Officer. Mr. Askham seconded the motion. All were in favor and the motion passed.

Ms. Cook made a motion, retroactive to September 10, 2018, to designate Mike Glidden as an Assistant Code Enforcement Officer and an Assistant Conservation, Inland/Wetlands Officer. This designation shall remain in effect until rescinded or Mr. Glidden's separation from service, whichever comes first. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to appoint Francine Beland to the position of Interim Assessor effective August 12, 2019, until the date upon the permanent Assessor beginning work in Simsbury. Further move to increase Ms. Beland's salary in accordance with her collective bargaining agreement during her interim appointment as Assessor and for her other employment related benefits as an affiliated employee to remain in place. At the conclusion of her service as Interim Assessor, and if she is not appointed to the permanent position, Ms. Beland shall be permitted to return to her position as Assistant Assessor with the salary and employment related benefits assigned to that position. Mr. Paine seconded the motion. All were in favor and the motion passed.

l) Proposed FY 19/20 General Wage Increase Unaffiliated Positions

Mr. Wellman said the Personnel Sub-Committee is recommending a general wage increase for unaffiliated positions at 2.35% general wage increase. They are recommending that the general wage increase be retroactive to July 1, 2019.

Mr. Wellman said the Committee felt this was a fair increase and that the Town Manager was also included in this process. Mr. Kelly said this did not include the Town Manager’s position.

Mr. Askham made a motion, effective August 12, 2019, to approve a pool of \$28,822, equivalent to a 2.35% general wage increase for non-union staff retroactive to July 1, 2019, to be award at the Town Manager’s discretion following successful completion of annual performance reviews. For the probationary status non-union employee, the increase can be granted following successful completion of the probationary period and would not apply retroactively. Ms. Cook seconded the motion. All were in favor and the motion passed.

m) Proposed Town Manager Goals July 1, 2019 – June 30, 2020

Mr. Wellman said the Town Manger’s goals were discussed and approved in July. The Personnel Sub-Committee then rated the priorities. All issues are important and will be updated as priorities change.

Mr. Askham made a motion, effective August 12, 2019, to adopt the prioritization of the Town Manager’s Goals for July 1, 2019 – June 30, 2020 as presented. Mr. Paine seconded the motion. All were in favor and the motion passed.

n) Proposed Town Hall and Eno Memorial Hall Posting Policy

Mr. Wellman said this is an effort to codify the existing procedures for posting of flyers, brochures and other materials in Town Hall and Eno Memorial Hall. Posted materials should be from non-profit civic and service groups, governmental organizations, or organizations that promote a service, event, public fundraisers.

Mr. Askham made a motion, effective August 12, 2019, to adopt the Town Hall and Eno Memorial Hall Posting Policy as presented. Mr. Paine seconded the motion. All were in favor and the motion passed.

o) Appointment of Ford Harrison as Labor Counsel

Mr. Wellman said the Town’s Labor Counsel, Mike Harrington, is currently at LeClairRyan, which is currently dissolving. He will be moving to Ford Harrison later this month. We hire the attorney, not the firm.

After some discussion, Mr. Askham made a motion to appoint the firm of Ford Harrison, anticipated on or around August 14, 2019, as labor and employment counsel for the Town of Simsbury through December 2, 2019 with the understanding that staff has the option to conduct a RFQ for labor and employment counsel in the future. Further move to authorize Town Manager Maria E. Capriola to execute the engagement letter once completed. Mr. Paine seconded the motion. All were in favor and the motion passed.

APPOINTMENTS AND RESIGNATIONS

a) Appointment of Members to the Lower Farmington River and Salmon Brook Wild and Scenic Management Committee

Mr. Wellman said this Committee serves in an advisory capacity to the National Park Service. The Personnel Sub-Committee discussed the applications and conducted interviews.

Ms. Cook made a motion, effective August 12, 2019, to recommend for appointment Mike Ryan (R), Sally Rieger (D), and Stephen McDonald (U) to the Lower Farmington River and Salmon Brook Wild and Scenic

Management Committee to a three year term. Mr. Paine seconded the motion. All were in favor and the motion passed.

b) Resignation of Caroline Meckel from the Economic Development Commission and the Sustainability Team

Mr. Wellman said this position needs to be filled by a Democrat per Town Charter. The Town Manager and Chair of EDC were supportive of this nomination.

Ms. Cook made a motion to accept the resignation of Caroline Meckel (D) as a member of the Economic Development Commission and the Sustainability Team retroactive August 11, 2019 with our thanks. Mr. Kelly seconded the motion. All were in favor and the motion passed.

c) Proposed Appointment of Charmaine Seavy to the Economic Development Commission

Mr. Wellman said this position needs to be filled by a Democrat per Town Charter. The Town Manager and Chair of the Economic Development Commission were supportive of this nomination.

Ms. Cook made a motion, effective August 12, 2019, to appoint Charmaine Seavy (D) to the Economic Development Commission as a member with Tourism and Marketing expertise, with a term expiring October 10, 2020. Mr. Kelly seconded the motion. All were in favor and the motion passed.

d) Resignation of David Moore from the Board of Ethics

Mr. Kelly made a motion to accept the resignation of David Moore (D) as a member of the Board of Ethics retroactive to July 10, 2019 with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

e) Resignation of Brendan M. Walsh from the Police Commission

Ms. Cook made a motion to accept the resignation of Brendan Walsh (U) as a regular member of the Police Commission retroactive to July 23, 2019 with our thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

f) Resignation of Thomas E. Frank from the Zoning Commission (Alternate position)

Mr. Kelly made a motion to accept the resignation of Thomas E. Frank (D) as an alternate member of the Zoning Commission retroactive to July 18, 2019 with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

g) Resignation of Gerald Post from the Culture, Parks and Recreation Commission

Ms. Cook made a motion to accept the resignation of Gerald Post (R) as a regular member of the Culture, Parks & Recreation Commission retroactive to July 30, 2019 with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of July 8, 2019

There were no changes to the Regular Meeting minutes of July 8, 2019, and, therefore, the minutes were adopted.

a) Special Meeting of July 15, 2019

There were no changes to the Special Meeting minutes of July 15, 2019, 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** – no report at this time.

Ms. Cook said the Aging and Disabilities Commission picnic was a great event.

Ms. Cook said Community for Care will be holding a Suicide Prevention Program on September 11th at the Library.

Ms. Cook said there is a picture of the logo for the 350th Anniversary party. They would appreciate all comments.

COMMUNICATIONS

- a) Memo from L. Karim and T. Tyburski Re: 350 Anniversary Logo, dated July 24, 2019**
- b) Memo from M. Capriola Re: Referral Regarding Tourism Committee Duties, Membership Composition, and Intergration With the Economic Development Commission, dated July 19, 2019**
- c) Farmington Valley VNA, Inc. Fiscal Year 2019 Annual Report: Town of Simsbury**
- d) Farmington Valley Health District 2018-2019 Annual Report**
- e) Letter from D. Bordonaro Re: Thank You, dated July 31, 2019**
- f) Letter from T. Roy Re: Notification of Sidewalk Replacement, dated July 31, 2019**
- g) Letter from T. Roy, Re: Notification of Multi-Use Trail Paving, dated July 31, 2019**
- h) Memo from M. Capriola Re: Update on Rainbow Crosswalk, dated August 6, 2019**

Mr. Wellman wanted to discuss a permanent display of a Rainbow installation to make sure everyone knows that Simsbury welcomes everyone. He is looking for suggestions and would like to try to get the new design on the somewhere on the trail for “Coming-Out Day” on October 11th. He would like to include the LGBTQ Community in this discussion.

Mr. Askham made a motion to create a permanent Rainbow installation on the bike trail outside of the Performing Arts Center and to seek input from the community on the design and to paint it in a public ceremony. Mr. Kelly seconded the motion. All were in favor and the motion passed.

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ADJOURN

Mr. Askham made a motion to adjourn at 8:52 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk