

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – AUGUST 13, 2018
“APPROVED”**

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CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:03 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Eric Wellman; Board members Michael Paine, Cheryl Cook, and Christopher Kelly. Absent were: Sean Askham and Chris Peterson. Others in attendance included: Town Manager Maria Capriola; Deputy Town Manager Melissa Appleby; Intern Tom Fitzgerald; Public Works Director Tom Roy; Director of Community and Social Services Kristen Formanek; Town Clerk Ericka Butler; Director of Culture, Parks and Recreation Thomas Tyburski and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

Ms. Cook made a motion to amend the agenda to add five appointments and one resignation under Appointments and Resignations. Mr. Paine seconded the motion. All were in favor and the motion passed.

PUBLIC HEARING

a) Proposed Economic Development Commission Ordinance

Mr. Wellman said there was a work group formed to provide the framework for the new Economic Development Commission ordinance as stated in the Town Charter.

Joan Coe, 26 Whitcomb Drive, spoke about the three tasks of the 2016 Charter Revision Commission's final report. The new Commission should have a more productive approach than the former Commission. She said the Town Manager's role would be to work behind the scenes to coordinate the resources for the EDC. The First Selectman would have a role in setting policies and advocating for economic development. She feels the charge from the Charter Revision is inconsistent with the ordinance as presented and therefore, the ordinance needs to be reviewed further.

Robert Kalechman, 971 Hopmeadow Street, spoke about getting rid of the EDC. He doesn't feel that an EDC is really needed due to the performance of the last Commission. This should all be done on a merit system. He feels the Board of Selectmen could form a committee and they could make decisions.

After no further comment, Mr. Kelly made a motion to adjourn the Public Hearing at 6:15 p.m. Ms. Cook seconded the motion. All were in favor and the motion passed.

PUBLIC AUDIENCE

Duane Royer, 26 Harvest Hill, thanked the Board for the pickle ball lines on five courts at Henry James School. He said last week there were 18 players and gave the Board a sketch and thank you paper from them. They appreciate the help from the Board.

Tim Plummer, CT Nighthawks, a hockey team from Simsbury asked for families to sponsor kids that they help to develop in the sport. There is a \$500 a month compensation and the families have to provide a bed and three meals a day for the kids aged 15-20. He left his business card for any questions.

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Joan Coe, 26 Whitcomb Drive, spoke about the Democratic Primary tomorrow for the 5th District Congress position. She also spoke about concerts on Town property and other issues.

Robert Kalechman, 971 Hopmeadow Street, spoke about being a candidate for State Representative, an article in the paper where people were criticizing CT, the tax mil rate, cable TV, the marijuana factory, and other issues.

FIRST SELECTMAN’S REPORT

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

TOWN MANAGER’S REPORT

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

PRESENTATION

a) Appointment Process for Unaffiliated Voters Work Group Update

Mr. Wellman said this work group was formed to review the recruitment and appointment process to appointed committees commission and boards. This update is on the overall appointment process.

Ms. Butler went over the current appointment process. She explained the changes she would like made including posting vacancies on the Town website including the parties; a cover page explaining the process; listing the terms of the appointments; etc. She also showed the conflict of interest form, volunteer submission form and resignation forms. Members will now have to come in to take the oath of office. She said the Town of Windsor has a great process.

After some discussion, the Board was comfortable with the implementation of the forms presented.

SELECTMEN ACTION

a) Tax Refund Requests

Ms. Cook made a motion, effective August 13, 2018 to approve the presented tax refunds in the amount of \$79,651.52, 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.

b) Proposed Revisions to Statement of Purpose and Procedure of the Simsbury Juvenile Review Board

Mr. Wellman said the last approved purpose and procedures of the Juvenile Review Board was in 1982. He said the Juvenile Review Board allows the Police Department, Community and Social Services Department and JRB to work collaboratively to divert troubled youths from the criminal system and helps provide a path to becoming a responsible member of the community.

Ms. Formanek said she would also like to include a representative from the YMCA. She said the staff drafted the revisions based on recommendations from professional organizations as well as other towns in the state. Staff did consult the Town Attorney on the language in this policy.

Mr. Paine made a motion, effective April 13, 2018 to revise the Statement of Purpose and Procedure of the Simsbury Juvenile Review Board striking the sentence “A quorum is needed to take action on matters.” in item H. Ms. Cook seconded the motion. All were in favor and the motion passed.

c) Proposed Updates to Eno Memorial Hall Facility Use Policy and Fee Schedule and Establishment of Work Group

Mr. Wellman said this Policy and Fee Schedule was last updated in 2010. He is proposing a work group be established to review and recommend revisions to the Eno Memorial Hall Facility Use Policy and Fee Schedule.

Mr. Paine made a motion, effective August 13, 2018 to establish a work group of the Board of Selectmen to review the Eno Memorial Hall Facility Use Policy and fee schedule. The work group is tasked with presenting a draft revised policy and fee schedule to the full Board of Selectmen. Further move to appoint Cheryl Cook and Eric Wellman to the work group. Ms. Cook seconded them motion. All were in favor and the motion passed.

d) Proposed Ice Rink and Paddle Tennis Court Fees

Mr. Wellman said the rink fees will be unchanged. The paddle court fees have stayed flat for five years and will now be increased.

Ms. Cook made a motion, effective August 13, 2018 to approve the fee schedule for the Simsbury Farms Ice Rink and paddle tennis courts as presented. Mr. Kelly seconded the motion. All were in favor and the motion passed.

e) Proposed Use of Simsbury Try-Athlon Special Revenue Fund for Informational Trailside Signage

Ms. Capriola spoke about the Try-athlon wanting to reinvest their special revenue fund into trail signage that will enhance the Farmington Canal Heritage Trail and the River Walk Trail. The Culture, Parks and Recreations Commission reviewed and endorsed this project at their July 26, 2018 meeting.

Mr. Roy said the Commission will still be leaving \$4,000 - \$5,000 in their fund. He said the signs would be permanent and ADA and National Park standard compliant.

Mr. Kelly made a motion, effective August 13, 2018 to approve the use of funds from the Try-athlon Special Revenue Fund (Fund #254) to be used for the design, fabrication and installation of informational signage at locations along the Town’s system of trails. Mr. Paine seconded the motion. All were in favor and the motion passed.

f) Proposed Economic Development Commission Ordinance and Membership Policy Resolution

Mr. Wellman said this Board listened to the public comment on this issue in the Public Hearing. He said after conferring with the Town Attorney, they cannot have more than five members from one party on the Commission.

Ms. Capriola said this is a merit based appointment more than a political appointment.

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Ms. Cook made a motion, effective August 13, 2018 to adopt the proposed Economic Development Commission Ordinance as presented, which shall be effective 21 days after publication in a newspaper having circulation within the Town of Simsbury. Further move, to move to authorize a summary of the adopted ordinance be published. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Kelly made a motion, effective August 13, 2018, to adopt the Economic Development Commission Membership Policy Resolution including minority representation language as discussed. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Wellman said they will be collecting applications within the next month or so with a plan of appointing new members to the new EDC at the October 10th meeting. This Board will need to give the new Commission some direction on how to proceed.

g) Proposed Revisions to Simsbury Business Incentive Program Policy and Appointments to the Business Development Committee

Mr. Wellman said this is a group that reviews requests for tax abatements and other issues and then makes recommendations to the Board of Selectmen.

Ms. Capriola said this used to be a five member committee and she is recommending that she would be participating, but not a voting member. She would like one member from the Board of Finance, Zoning, a member at large, and EDC. She said Ms. Cook did volunteer form this Committee. Mr. Wellman said he would volunteer as an alternate member.

Ms. Cook made a motion, effective August 13, 2018 to revise the Business Development Incentive Policy as presented. Mr. Kelly seconded the motion. All were in favor and the motion passed.

Mr. Paine made a motion, effective August 13, 2018 to appoint the following people to the Business Development Committee:

Robert Pomeroy, for the Board of Finance, David Ryan, for the Zoning Commission, Bill Ethier, as the member-at-large, Chery Cook, for the Board of Selectmen and Eric Wellman as alternate for the Board of Selectmen with terms expiring 12/02/19. Ms. Cook seconded the motion. All were in favor and the motion passed.

h) Appointment of Legal Counsel for Tax Sales

Mr. Wellman said the Board approved the Tax Sale Policy at the last Board meeting. It is now time to hire legal counsel for the Tax Sales.

Mr. Kelly made a motion, effective August 13, 2018 to use Updike, Kelly and Spellacy, the Town's general counsel, to conduct tax sales for the Town of Simsbury and to authorize Town Manager Maria E. Capriola to execute a contract addendum with the firm to reflect the scope of work and fees as presented in the correspondence dated August 3, 2018. Mr. Paine seconded the motion. All were in favor and the motion passed.

APPOINTMENTS AND RESIGNATIONS

a) Proposed Appointment of Brian Liss to the Juvenile Review Board

Mr. Kelly made a motion, effective August 13, 2018 to appoint Brian Liss as a member of the Juvenile Review Board. Mr. Paine seconded the motion. All were in favor and the motion passed.

b) Resignation of Jill G. Powilatis from the Conservation Commission/Inland Wetlands Agency

Ms. Cook made a motion to accept the resignation of Jill Powilatis as a regular member of the Conservation Commission/Inland Wetlands Agency retroactive to June 4, 2018 with our thanks. Mr. Kelly seconded the motion. All were in favor and the motion passed.

c) Resignation of Michael Long from the Tourism Committee

Ms. Cook made a motion to accept the resignation of Michael Long as a regular member of the Tourism Committee retroactive to July 26, 2018 with our thanks. Mr. Kelly seconded the motion. All were in favor and the motion passed.

d) Proposed Appointment of Kevin McCusker (R) as a member of the Conservation Commission with a term expiring January 1, 2022

Mr. Paine made a motion, effective August 13, 2018 to appoint Kevin McCusker as a member of the Conservation Commission with a term expiring January 1, 2022. Ms. Cook seconded the motion. All were in favor and the motion passed.

e) Proposed appointment of Ann Erickson (R) as a member of the Aging and Disability Commission with a term expiring January 1, 2019

Mr. Kelly made a motion, effective August 13, 2018 to appoint Ann Erickson as a member of the Aging and Disability Commission with a term expiring January 1, 2019. Ms. Cook seconded the motion. All were in favor and the motion passed.

f) Proposed reappointment of Jan Losee (U) to the Tourism Committee with an expiration date of December 2, 2019

Mr. Cook made a motion to reappoint Jan Losee to the Tourism Committee with an expiration date of December 2, 2019. Mr. Kelly seconded the motion. All were in favor and the motion passed.

g) Resignation of Katherine Beal from the Public Building Committee

Mr. Kelly made a motion to accept the resignation of Katherine Beal as a regular member of the Public Building Committee retroactive to August 9, 2018 with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

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h) Proposed appointment of Michael Egan (R) as a member of the Public Building Committee with a term expiring January 1, 2020

Mr. Kelly made a motion, effective August 13, 2018 to appoint Michael Egan (R) as a member of the Public Building Committee with a term expiring January 1, 2020. Ms. Cook seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of July 9, 2018

There were no changes to the Regular Meeting Minutes of July 9, 2018 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 reminded everyone about the “Picnic in the Park” event on August 25th which is sponsored by the Aging and Disability Commission. The event is free and the Commission has invited the Board of Selectmen and Ms. Capriola to join them.

Ms. Cook said Community for Care is holding a program on September 13th on mindfulness, mental health for younger people, and addiction. This is an important topic and she hopes everyone will attend.

Mr. Wellman said Tourism is working on a vision and tactical activities. They are categorizing them and hope to present them at the next Board meeting. This Board will need to give them some direction.

COMMUNICATIONS

a) Letter from M. Capriola re: AARP Network of Age-Friendly States and Communities Commitments, dated June 26, 2018

There was no discussion at this time.

b) Memorandum from M. Capriola and K. Formanek re: Community and Social Services – FY18/19 Service Improvements Update, dated August 8, 2018

There was no discussion at this time.

c) Capitol Region Council of Governments (CRCOG) Membership Benefits and Highlights Update

There was no discussion at this time.

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d) Bulky Waste Transfer Station Operations Agreement Extension

There was no discussion at this time.

ADJOURN TO EXECUTIVE SESSION

a) Pursuant to CGS §1-200(6)(B) concerning Pending Claims and Litigation – Deepwater Wind Appeal, Petition 1313

b) Pursuant to CGS §1-200(6)(B) concerning Pending Claims and Litigation – Martin v. Town of Simsbury, et al

Mr. Kelly made a motion to adjourn to Executive Session pursuant to CGS §1-200(6)(B) concerning pending claims and litigation on the Deepwater Wind Appeal, Petition 1313 and Martin v. Town of Simsbury, et al at 7:55 p.m. This is to include Ms. Capriola, Ms. Appleby, Michael Glidden, Jeff Shea, Attorney DeCrescenzo, and Attorney Jonathan Zeller. Mr. Paine seconded the motion. All were in favor and the motion passed.

ADJOURN FROM EXECUTIVE SESSION

Mr. Paine made a motion to adjourn from Executive Session. Mr. Kelly seconded the motion and it passed unanimously. Executive Session adjourned at 8:55 pm.

ADJOURN

Mr. Paine made a motion to adjourn the meeting. Mr. Kelly seconded the motion and it passed unanimously. The meeting adjourned at 8:55 pm.

Respectfully submitted,
Kathi Radocchio, Clerk