

**TOWN OF SIMSBURY – BOARD OF SELECTMEN  
REGULAR MEETING MINUTES – NOVEMBER 14, 2018**

**“Approved”**

Page | 1

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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 Sean Askham, Michael Paine, Cheryl Cook, and Chris Peterson. Absent was Christopher Kelly. Others in attendance included: Town Manager Maria Capriola, Deputy Town Manager Melissa Appleby, Recreation Director Tom Tyburski, Recycling Committee Director Mary Turner, Main Street Partnership Sarah Nielson, and other interested parties.

**PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

**PUBLIC AUDIENCE**

Wooda McNiven, August Drive, spoke about how important SCTV is for the Town. He asked everyone to donate as much as they can to their annual fund-raising campaign as they would miss SCTV if it wasn't here.

Joan Coe, 26 Whitcomb Drive, spoke about Gifts of Love's proposed barn conversion, the Performing Arts Center ticket booth, the War Memorial, pickle ball, and other issues.

Sarah Neilson, Simsbury Main Street Partnership, spoke about Black Friday and Small Business Saturday next weekend and the Passport to Fun. She also showed the Partnership's regular flyer and told everyone how important it is to shop locally.

**PRESENTATION**

**a) Annual Recycling Committee Award**

Mr. Wellman said this is the 21<sup>st</sup> year that the Town Recycling Committee has awarded individuals or companies who support recycling with this award.

Mary Turner, the Recycling Committee Chairperson, presented this years' award to Barbara Freedland, President of the Simsbury Grange for their electronic recycling event. The Grange also holds many other events.

Ms. Freedland thanked the Recycling Committee for this award. She also thanked Boy Scout Troop 76 who have volunteered for every recycling event for the past three years. She said the next event at the Grange will be Bee Keeping 101 on November 19, 2018 at the Library. She said the Grange welcomes new members and volunteers and they meet the 2<sup>nd</sup> Wednesday of each month. There is more information on their website [SimsburyGrange.org](http://SimsburyGrange.org).

**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) Tax Refund Requests**

Mr. Askham made a motion, effective November 14, 2018, to approve the presented tax refunds in the amount of \$2,864.53, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Ms. Cook seconded the motion. All were in favor and the motion passed.

### **b) Proposed Ensign Bickford Foundation Donation**

Mr. Wellman said the Ensign Bickford Foundation have donated \$2,500 to support expenses associated with the production of the Annual Try Simsbury Adventure Race.

Mr. Paine made a motion, effective November 14, 2018, to accept a donation from the Ensign Bickford Foundation in the amount of \$2,500 for the purpose of sponsoring the 6th Annual Try Simsbury Adventure Race (Simsbury Try-athlon) with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

### **c) Proposed Simsbury Main Street Partnership Donation**

Simsbury Main Street Partnership Inc. for the purpose of supporting the annual Simsbury Celebrates event with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

### **d) Proposed Keller Williams Realty of Great Hartford Donation**

Mr. Wellman said Keller Williams Realty donated \$2,000 to the Simsbury Celebrates Organizing Committee to support their 2018 event on November 24, 2018.

Ms. Cook made a motion, effective November 14, 2018, to accept a donation in the amount of \$2,000 from Keller Williams Realty of Greater Hartford for the purpose of supporting the annual Simsbury Celebrates event with our thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

### **e) Amendment to Connecticut Recreation Trails Program Grant – Multi-Use Trail to Curtiss/Pattison Parks**

Mr. Wellman said the Town received a State grant in 2016 to help with design and construction of the multi-use trail.

Ms. Capriola said this item will extend the grant as we are still in the design phase of the project. The State is in agreement with this extension.

Mr. Paine made a motion, effective November 14, 2018, to authorize Town Manager Maria E. Capriola to execute the contract amendment from the State of Connecticut Department of Energy and Environmental Protection (DEEP) to be in effect from January 13, 2017 to January 31, 2021 and, furthermore, to approve the

Environmental Protection on behalf of the Town of Simsbury, and, furthermore, authorize the Town Manager to execute the State of Connecticut Nondiscrimination Certification on behalf of the Town of Simsbury. Ms. Cook seconded the motion. All were in favor and the motion passed.

**f) Proposed Revisions to Purchasing Policy**

Mr. Wellman said the Purchasing Policy was last adopted on March 23, 1992. The proposed revisions were reviewed by the Board of Finance and several recommendations were made. The workgroup reviewed the proposed changes and this is the most recent revision.

Ms. Capriola said the Town Attorney did review this and it will be a policy and not an ordinance.

Ms. Cook made a motion, effective November 14, 2018, to adopt the proposed revisions to the Purchasing Policy as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

**g) Proposed Change in Work Hours for Public Works Administrative Secretary II**

Mr. Wellman said the next three items came out of recommendations from the Personnel Sub-Committee. Management would like to change the work schedule for the Public Works Administrative Secretary II from 35 hours to 40 hours per week which, would align with other administrative positions.

Mr. Askham made a motion, effective November 14, 2018 to approve the change in work schedule for the Department of Public Works Administrative Secretary II position to 40 hours per week and to authorize Town Manager Marie E. Capriola to execute the attached memorandum of agreement. Mr. Paine seconded the motion. All were in favor and the motion passed.

**h) Proposed Reclassification of Supervisor of Buildings and Grounds Position**

Mr. Wellman said the Town Manager received a request for a reclassification review regarding the Buildings and Grounds Supervisor position. The Personnel Sub-Committee endorsed the proposed changes and the Town Manager did an analysis, which would be cost neutral. Ms. Capriola explained what her analysis consisted of.

Mr. Paine made a motion, effective November 14, 2018 to approve an annual salary range for the Facilities Supervisor position of Grade 6 of the CSEA Administrative and Professional employees pay plan of \$80,047-\$95,666, which may be amended from time to time through action of the Board of Selectmen. Furthermore move to approve that the position be designated as an exempt position. Ms. Cook seconded the motion. All were in favor and the motion passed.

**i) Proposed Revisions to Code Enforcement Officer Job Description & Job Title**

Mr. Wellman said the proposed title change would be from Code Enforcement Officer to Code Compliance Officer, which is a more “customer friendly” title. The other changes were just minor.

Ms. Capriola said they are trying to make the officer’s position a more customer service orientated than “enforcement.”

Mr. Askham made a motion, effective November 14, 2018 to approve the proposed modifications to the job description and to change the job title for the Code Enforcement Officer position to Code Compliance Officer. Mr. Paine seconded the motion. All were in favor and the motion passed.

**j) Implementation of Flexible Spending Account (FSA) Plans**

Mr. Wellman said currently FSA's are offered by the Board of Education, which allow employees to set aside a portion of their salary on a pre-tax basis to pay for qualified uninsured health expenses. The Board of Selectmen are in favor of offering this plan to Town staff.

Ms. Capriola feels this is a win-win situation for employees and the Town. For 2019, employees can set aside up to \$2,700 on a pre-tax basis for uninsured eligible health expenses, including vision and dental.

Ms. Cook made a motion, effective November 14, 2018, to implement Flexible Spending Account (FSA) Plans for health care, limited purpose health care, and dependent care for Town of Simsbury employees and authorize Town Manager, Maria E. Capriola to execute all related plan documents and agreements. Mr. Paine seconded the motion. All were in favor and the motion passed.

**k) Discussion of 2018-2019 Board of Selectmen Goals**

Mr. Wellman said the Board met in October to discuss priorities and then they were ranked.

The Board went through the goals presentation. There was some discussion on the different priorities and the way they are presented. Ms. Capriola was given some direction on some possible changes. Ms. Capriola and Ms. Appleby will go through and prioritize the list more clearly and bring it back to the Board.

No action was taken at this time.

**l) Discussion on Economic Development Commission Work Plan**

Mr. Wellman said the Board had discussions in September regarding a potential work plan for the newly formed Economic Development Commission. From those discussions, five focus areas emerged. Then twenty-two specific action items were identified. Those action items were then ranked as high importance, medium importance, low importance and not important.

After discussion, no action was taken at this time.

**m) Proposed Board of Selectmen Meeting Schedule**

Mr. Askham noted that December 2, 2019 will be added as an organizational meeting. The only possible conflict would be on April 8, 2019 as it is "Spring Break."

No action was taken at this time.

**APPOINTMENTS AND RESIGNATIONS**

**a) Proposed Appointment of Karin Stewart to the Communications Committee of the North Central Emergency Management Services Council**

Mr. Paine made a motion, effective November 14, 2018, to appoint Karin Stewart (U) to the Communications Committee of the North Central Emergency Management Services Council. Mr. Askham seconded the motion. All were in favor and the motion passed.

**b) Resignation of Geoffrey Dale as Trustee from the Belden Combined Trusts**

Ms. Cook made a motion to accept the resignation of Geoffrey Dale as the Town Financial Trustee for the Belden Combined Trusts retroactive to November 13, 2018 with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

**c) Resignation of Paul McAlenney as Trustee from the Belden Combined Trusts**

Mr. Askham made a motion to accept the resignation of Paul McAlenney as the Town Legal Trustee for the Belden Combined Trusts retroactive to November 13, 2018 with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

**d) Proposed Appointment of Christopher Drew as a Trustee to the Belden Combined Trusts**

Ms. Cook made a motion, effective November 14, 2018, to appoint Christopher Drew as a trustee for the Belden Combined Trusts. Mr. Paine seconded the motion. All were in favor and the motion passed.

**e) Proposed Appointment of Stephen Gellman as a Trustee to the Belden Combined Trusts**

Ms. Capriola said Mr. Gellman is an attorney at Shipman & Goodwin, LLP and they have asked the Town to review and execute a conflict of interest waiver before appointing Mr. Gellman as a trustee to the Belden Combined Trusts.

Mr. Askham made a motion, effective November 14, 2018, to authorize Town Manager Maria E. Capriola to execute the conflict of interest waiver as presented. Ms. Cook seconded the motion. All were in favor and the motion passed.

Mrs. Cook made a motion, effective November 14, 2018, to appoint Stephen Gellman as a trustee for the Belden Combined Trusts. Mr. Paine seconded the motion. All were in favor and the motion passed.

**f) Proposed Appointment of Joe Buda to the Central Regional Tourism District Board of Directors**

Mr. Paine made a motion, effective November 14, 2018 to appoint Joe Buda as Simsbury's representative to the Central Regional Tourism District Board of Directors for a two-year term expiring on November 13, 2020. Mr. Askham seconded the motion. All were in favor and the motion passed.

## **REVIEW OF MINUTES**

### **a) Regular Meeting of October 22, 2018**

There were no changes to the Regular Meeting of October 22, 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 said the Community for Care program on anxiety had a tremendous turn-out. She said their next program is on January 9, 2019, which will be on drugs being used in our schools.

Mr. Askham said Public Safety will be meeting tomorrow morning at 7 a.m. The Traffic Authority will be added.

Mr. Wellman said the Town Council in Avon is meeting tonight to discuss raising the legal drinking age to 21. They are interested in keeping Simsbury informed as they are so close.

## **COMMUNICATIONS**

- a) Memo from M. Glidden re: Update Public Gathering Permit Application and Process, dated November 5, 2018**
- b) Memo from M. Capriola and N. Boulter re: Summary of Bear Data, dated October 26, 2018**

Mr. Wellman said there was a very thorough memo on the bear situation and everyone should read it.

Ms. Cook said the Police Department put out very helpful information on how to prevent bears near your homes that was very helpful.

## **EXECUTIVE SESSION**

- a) Pursuant to CGS §1-200(6)(B) concerning Pending Claims and Litigation – Deepwater Wind**
- b) Pursuant to CGS §1-200(6)(B) concerning Pending Claims and Litigation – Stop & Shop Supermarket Company, LLC v. Town of Simsbury (Assessment Appeal)**

Mr. Askham made a motion to adjourn to executive session at 7:18 p.m. pursuant to CGS §1-200(B) concerning Pending Claims and Litigation – Deepwater Wind and concerning Pending Claims and Litigation – Stop & Shop Supermarket Company, LLC v. Town of Simsbury. The session on Deepwater will include Attorney DeCrescenzo, Maria E. Capriola, and Melissa Appleby and the session on Stop & Shop will also include David Gardner and Amy Meriwether. Mr. Paine seconded the motion. All were in favor and the motion passed.

## **Possible Action on Stop and Shop Assessment Appeal (return to open session)**

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Page | 7

Ms. Cook made a motion to adjourn from Executive Session. Mr. Askham seconded the motion and it passed unanimously. Executive Session adjourned at 7:42 pm.

Mr. Askham made a motion, effective November 14, 2018, to approve the Joint Stipulation for Judgment for Docket No. HHB-CV- 18-60644664-S, THE STOP & SHOP SUPERMARKET COMPANY, LLC V. TOWN OF SIMSBURY. Ms. Cook seconded the motion and it passed unanimously.

**EXECUTIVE SESSION**

**a) Pursuant to CGS §1-200(6)(A) – Annual Performance Review of the Town Manager**

Mr. Askham made a motion to adjourn to executive session at 7:46 p.m. pursuant to CGS §1-200(A) concerning the Annual Performance Review of the Town Manager. Mr. Paine seconded the motion. All were in favor and the motion passed.

**ADJOURN**

Mr. Askham made a motion to adjourn from Executive Session. Mr. Paine seconded the motion and it passed unanimously. Executive Session adjourned at 8:19 pm.

Mr. Askham made a motion to adjourn the meeting. Mr. Paine seconded the motion and it passed unanimously. The meeting adjourned at 8:19 pm.

Respectfully submitted,

Kathi Radocchio  
Clerk