

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 7:00 p.m. at Eno Memorial Hall, 754 Hopmeadow Street, Simsbury CT 06070. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Steven Antonio, Board members Curtis Looney, Heather Goetz, Diana Yeisley and Kevin Beal. Others in attendance included: Interim Town Manager Lee C. Erdmann and Acting Deputy Town Manager Tom Fitzgerald, incoming Town Manager Marc Nelson and other interested parties.

PLEDGE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

- **Participants can address the Board of Selectmen in person at the meeting**
- **Written comments can be emailed to townmnaager@simsbury-ct.gov. Written comments will not be read into the record, but will be forwarded to all Selectmen via e-mail**

Joan Coe, 26 Whitcomb Drive, spoke about how she thinks the new Board of Selectmen should act with respect and good judgement when serving the Town residents. She also spoke about other issues.

FIRST SELECTMEN'S REPORT

Ms. Mackstutis, First Selectman, had no report at this time.

TOWN MANAGER'S REPORT

Mr. Erdmann, Interim Town Manager, reviewed his Town Manager's report.

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- a) **Personnel** – Ms. Mackstutis said she and some town staff will review the compensation study on Friday.
- b) **Finance** – no report at this time.
- c) **Public Safety** – no report at this time.
- d) **Board of Education** – no report at this time.

SELECTMEN ACTION

a) Appointment of Deputy First Selectman (10:25)

No action is required by the Board of Selectmen according to Chapter IV Section 411 of the Town of Simsbury Charter. Therefore, Ms. Mackstutis appointed Mr. Antonio as Deputy First Selectman. She went through some of Mr. Antonio's qualifications for the Board.

b) Board of Selectmen Rules and Procedures (24:56)

Ms. Mackstutis said the rules and procedures are reviewed every two years. Franklyn Barrueco in the Town Manager's Office drafted an updated version, and the changes made are highlighted in the Board's packets. She

said there was a new section on decorum and standards of conduct at meetings which are guidance for the Board and public. Mr. Beal spoke about the decorum. He'd like items 5, 6 & 7 to say "members of the public" like in items 1, 2 & 3.

Ms. Mackstutis noted that there is also a new Consent Agenda for items that do not require discussion like tax refunds or regular grants, which will be moved out of the regular agenda. The Board can always move things back onto the regular agenda if they want items discussed.

Ms. Goetz asked about adding agenda items. Ms. Mackstutis said this could be changed to "except for an emergency action will not be taken. There was also some discussion on the 5-minute rule and signing up to speak. The 20-minutes is just a guideline.

Ms. Goetz made a motion, effective December 4, 2023, to approve the proposed Board of Selectmen Rules and Procedures with the changes made tonight. Ms. Yeisley seconded the motion. All were in favor and the motion passed.

c) Board of Selectmen 2024 Regular Meeting Schedule (26:27)

Mr. Beal made a motion, effective December 4, 2023, to approve the Board of Selectmen 2024 Regular Meeting Schedule as presented. Mr. Looney seconded the motion. All were in favor and the motion passed.

d) First Selectmen Appointments of Boards, Commissions and Committees Liaison Assignments

After some discussion, no action is required by the Board of Selectmen according to Chapter IV, Section 402 of the Town of Simsbury Charter.

e) Stipend for First Selectman (40:28)

Ms. Mackstutis recused herself and turned the meeting over to Deputy First Selectman Antonio.

There was some discussion about increasing the stipend by 12%, as it has not been increased in about 8 years, and if that should be done now or possibly during the budget process.

Mr. Beal made a motion to approve the First Selectman's stipend in the amount of \$10,000. Ms. Yeisley seconded the motion. All were in favor and the motion passed.

Ms. Mackstutis rejoined the meeting.

f) Reappointment of Town Counsel, Labor/Employment/Pension Counsel and Board Counsel (47:30), (55:54), (57:16), (58:56)

There was discussion on asking for an RFP for labor counsel or possibly having a month-by-month contract. It was noted that they receive a \$100,000 retainer and Attorney DeCrescenzo only bills outside of that retainer for extraordinary items.

Mr. Beal made a motion, effective December 4, 2023, to reappoint the firm of Updike, Kelly and Spellacy, PC as Town Attorney for a two-year term through December 1, 2025, per Section 706 of the Town Charter and for

Interim Town Manager Lee C. Erdmann to execute the engagement letter. Ms. Goetz seconded the motion. All were in favor and the motion passed.

After discussion on an RFP, Mr. Beal made a motion, effective December 4, 2023, to reappoint the firm of Ford Harrison, LLP as Labor and Employment Counsel and as Pension Counsel for the Town of Simsbury for a two-year term through December 1, 2025. Ms. Yeisley seconded the motion for discussion.

After discussion, Ms. Yeisley made a motion to continue with Ford Harrison at the proposed current rate of \$285 through the duration of this fiscal year ending June 2024, with a possible extension if we choose it at that point under the new rates, while giving us time to collect RFPs and do a search. Ms. Mackstutis seconded the motion. Mr. Beal, Ms. Yeisley, Mr. Antonio, Ms. Goetz and Mr. Looney were in favor with Ms. Mackstutis opposed and, therefore, the motion passed.

Ms. Yeisley made a motion, effective December 4, 2023, to reappoint the firm of Pullman and Comley, LLP as Bond Counsel for the Town of Simsbury for a two-year term through December 1, 2025. Mr. Beal seconded the motion. Ms. Mackstutis, Ms. Goetz, Mr. Antonio, Ms. Yeisley and Mr. Beal were in favor and therefore, the motion passed. (Mr. Looney had left the room).

g) Reauthorization of Temporary Committees (1:03:30)

There was discussion on Community for Care not having quorums at their meetings and a lot of their issues fall on Social Service staff.

Mr. Antonio made a motion, effective December 4, 2023, to reauthorize the following temporary committees, with members' terms being conterminous with the Board of Selectmen: Building Development Committee; Sustainability Committee; Hometown Hero Committee; Juvenile Review Board; Simsbury DEI Council; Technology Task Force; and Youth Services Advisory Board. Ms. Goetz seconded the motion. All were in favor and the motion passed.

h) Tax Refund Requests (1:05:10)

Ms. Yeisley made a motion, effective December 4, 2023, to approve the presented tax refunds in the amount of \$2,505.14 and to authorize Interim Town Manager, Lee C. Erdmann, to execute the tax refunds. Mr. Antonio seconded the motion. All were in favor and the motion passed.

i) Donation from Valley Simsbury Church (1:06:06)

Mr. Beal made a motion, effective December 4, 2023, to accept a donation from Valley Simsbury Church, in the amount of \$1,800, with our thanks, for the purpose of supporting the Simsbury Community and Social Services Department Food Pantry program. Ms. Yeisley seconded the motion. All were in favor and the motion passed.

APPOINTMENTS AND RESIGNATIONS

a) Proposed Appointments to Public Building Committee (1:06:42)

Ms. Yeisley made a motion, effective December 4, 2023, to appoint Dagny Griswold as a Regular Member of the Public Building Committee. Mr. Antonio seconded the motion. All were in favor and the motion passed.

b) Resignation of Steven Antonio from Fair Rent Commission, Zoning Board of Appeals and Building Code Board of Appeals (1:07:14)

Ms. Goetz made a motion, retroactive to December 3, 2023, to accept the resignation of Steven Antonio as a Regular Member of the Zoning Board of Appeals and Building Code Board of Appeals with our thanks. Mr. Beal seconded the motion. Mr. Beal, Ms. Yeisley, Ms. Mackstutis, Ms. Goetz and Mr. Looney were in favor, with Mr. Antonio abstaining. Therefore, the motion passed.

REVIEW OF MINUTES

a) Minutes of October 27, 2023, Regular Meeting - there were no changes to the minutes of October 27, 2023 and, therefore, the minutes were adopted.

b) Minutes of November 13, 2023, Regular Meeting – there were no changes to the minutes of November 13, 2023, and, therefore, the minutes were adopted.

COMMUNICATIONS

a) Letter from R. DeCrescenzo re: Recusal of Updike, Kelly and Spellacy from Zoning Commission Application ZC-23-38, dated November 21, 2023 – there was no discussion at this time.

ADJOURN (1:08:07)

Ms. Yeisley made a motion to adjourn at 8:08 p.m. Mr. Beal seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk