

**TOWN OF SIMSBURY – BOARD OF SELECTMEN**  
**SPECIAL MEETING MINUTES – FEBRUARY 15, 2023**  
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Page | 1

**CALL TO ORDER**

The Special 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 Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members Chris Peterson, Eric Wellman, and Heather Goetz. Sean Askham was absent. Others in attendance included Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Director of Culture, Parks and Recreation Tom Tyburski, Deputy Town Engineer Adam Kessler, and other interested parties.

**PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

**PUBLIC AUDIENCE**

- **Participants can address the Board of Selectmen in person at the meeting**
- **Participants can email [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov) by noon on Wednesday, February 15, 2023 to register to address the Board of Selectmen live through Zoom**
- **Written comments can be emailed to [townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov). Written comments will not be read into the records, but will be forwarded to all Selectmen via email**

Susan Masino, 41 Madison Lane, gave a follow up on the seed swap/seed give away/lego building event at the Grange on February 25<sup>th</sup>. There is a large bucket at the Grange is anyone has any legos to donate. She's hoping that the kids 12 x 12 lego creations can be entered at the Agricultural Fair on June 10<sup>th</sup>. She also spoke about old and old growth forests and the bill that has Belden Forest in it, which is the first forest in it. The bill will be called the Simsbury Bill. This is a place where you can find peace and serenity. Open Space will be presenting on March 27<sup>th</sup>.

Joan Coe, 26 Whitcomb Drive, spoke about the assessments going up and taxes going up for the next budget. She spoke about using the ARPA funds the Town used for many capital projects. She wants a "taxpayers group" to be formed. Ms. Coe also spoke about a FOI complaint filed last year from Culture, Parks and Recreation, Gifts of Love, Eno Farms, and a Police Officers complaint and other items.

Lori Boyko, 15 Oakhurst Road, spoke about needing better information when meetings are changed, cancelled or moved. She said the calendar isn't corrected on the website and needs to be done so people can attend meetings. She is concerned about purchasing license plate reading machines. She feels these would violate our constitutional privacy. She doesn't feel there are enough incidents in Town to warrant this.

**PRESENTATION**

- a) Legislative Update with Council of Small Towns (COST), State Representative Melissa Osborne, and State Senator Lisa Seminara**

Betsy Gara, COST, spoke about the State Budget and Municipal Aid. She said they are looking at small towns for Omnibus Municipal Grants, Town Aid Roads, etc. She said STEAP has no funding in FY24 but does have 30 million for FY 25. She said they are looking at the Local Bridge Program, Special Ed Fixes and trying to address

the Solid Waste Management issue, due to the MIRA closure. Ms. Gara said the Emergency Medical Services issues is a priority. Housing is also a big issue, especially efforts to have more affordable housing. There are also transportation concerns and other environmental bills being discussed. She also spoke about transit oriented development issues.

She said the Planning and Development Committee has a tax elimination bill proposed. The Committees deadline for raising bills was today. The Legislative Session adjourns on June 7<sup>th</sup>.

Senator Seminara said she sits on several committees like Aging and Children Committees. She said there were budget updates on guardrails. They are working on improving Nursing Homes as well. She said there is a bill HB5194 for grief counseling for children and HB5003 for educational cost sharing. Bill 5B762 is one of her priorities as is speaks about excessive cost for grants for education. She spoke about HB5001 which is about resources and support for the disabled.

State Representative Osborne spoke gave some handouts about major issues in session. She said the municipal camp bill issue is dead. She said the budget has some great proposals in it. She said she sits on three Committees and one Sub-Committee. She spoke about the Transportation Committee and Emergency Services Grant. She said bill 5003 will return money to Simsbury in 2025 instead of 2028. She spoke about the affordable housing issue and said there is a Public Hearing on February 28<sup>th</sup>.

Ms. Osborne said human services is flat-funded and she is disappointed about this. She also spoke about the cannabis issue. She spoke about the Chief and Ambulance reimbursement rates.

After some discussion, no motion was needed at this time.

### **FIRST SELECTMAN’S REPORT**

First Selectman, Wendy Mackstutis, reviewed her First Selectman’s report.

### **TOWN MANAGER’S REPORT**

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

### **SELECTMEN LIAISON REPORTS**

- a) **Personnel** - there was no report at this time.
- b) **Finance** – there was no report at this time.
- c) **Public Safety** – there was no report at this time.
- d) **Board of Education** – there was no report at this time.

Ms. Abbuhl said Social Services held their Cheese Day yesterday. Dieticians joined them to discuss nutrition and Clifton was even there. She said Social Services is looking for donations of coffee, tea, juice, canned chicken, pasta sauce, etc. The entire list can be seen on her facebook page.

Ms. Abbuhl said Memory Café’ was held at the Library. This is for family members who suffer memory impairments to get together. More of these will be held with details to come.

Mr. Wellman said the DEI Council held an event on living witnesses to slavery. A resident used Ancestry to trace family histories. Everyone should see this on SCTV.

Mr. Wellman also spoke about UConn class in landscape architecture and the design put together a project for Meadowood. There will be a presentation at the Library next Friday from 3:30 -5:30. This information will hopefully be used as a catalyst for when the community is engaged more fully is a conversation about Meadowood. He spoke about Pollinator pathways, They are interested in building a bird habitat in the triangle of the open space parcel off Holcomb. This will be presented to the Open Space Committee and then the Board of Selectmen. They may be able to apply for grants for this project.

### **SELECTMEN ACTION**

#### **a) Tax Refund Requests**

Ms. Goetz made a motion, effective February 15, 2023, to approve the presented tax refunds in the amount of \$46,884.89 and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

#### **b) 2023 Simsbury Farms Golf Course Fee Schedule**

Mr. Tyburski said the breakdown for fees is in the Board’s packet. He said he feels comfortable with the amounts and doesn’t feel they will be a burden to families. Most of the increases come from supply increases and employment fees.

After some discussion, Mr. Peterson made a motion, effective February 15, 2023, approve the 2023 fee schedule for the Simsbury Farms Golf Course as presented. Ms. Goetz seconded the motion. All were in favor and the motion passed.

#### **c) 2023 Aquatic Facility and Day Camp Fee Schedule**

Mr. Tyburski said the minimum wage increases and supplies has the biggest impact on these increases. The information is also in the Selectmen packets.

After some discussion, Mr. Wellman made a motion, effective February 15, 2023, to approve the 2023 fee schedule for Aquatics Facility and Day Camp programs as presented. Mr. Peterson seconded the motion. All were in favor and the motion passed.

#### **d) Appropriation of Congressionally Directed Spending for Police Department IT Needs and Create CNR Project**

Ms. Mackstutis said this appropriation began with Senator Blumenthal in 2022 and now we have received the money. Ms. Capriola said now that we have received the funds we need to appropriate them.

Ms. Abbuhl made a motion, effective February 15, 2023 to appropriate funds received from the Congressionally Directed Spending Request, in the amount of \$70,000 for Technology Upgrades for the Simsbury Police Department. Further more to create a CNR project for Police Department IT Needs and appropriate the funds received toward that project. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**e) Simsbury Public Library PEGPETIA Grant Application**

Ms. Capriola said the Library applied for a grant and if awarded it would cover a sound proof unit for podcasting and webcasting.

After some discussion, Ms. Goetz made a motion, effective February 15, 2023, to apply PEGPETIA Grant in the amount of \$26,864 to purchase a smart meeting room pod, webcasting and podcasting equipment. In the event that the grant is awarded, the following motion is in order: Move to accept the PEGPETIA grant and to authorize Town Manager, Maria E. Capriola, to execute all documents related to the grant award. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**f) GRCOG LOTCIP Grant Application – Climax Road Bridge Replacement**

Ms. Capriola said if CRCOG accepts this application we need to know what to do with it. Climax Road makes the most sense. We are responsible for grant costs.

Mr. Kessler said the sidewalks and trails were done before. Climax Road is a local road and we do qualify for this grant and it is a good project for right now. The design phase is funded by the Town. It will probably take two years before we get the grant.

Mr. Peterson made a motion, effective February 15, 2023, to apply for a 2023 CRCOG LOTCIP grant to fund the replacement of Climax Road Bridge over Nod Road. In the event that the grant is awarded, the following motion is in order: Move to accept the LOTCIP grant for the Climax Road Bridge replacement and authorize Town Manager, Maria E. Capriola, to execute all documents related to the grant award. Mr. Wellman seconded the motion. All were in favor and the motion passed.

**g) Supplemental Appropriation Request – Emergency Repairs to DPW Garage Furnace**

Ms. Capriola said there is a temporary heating source at the garage right now. Parts have been ordered but no work has been done yet. This furnace failed in January.

Ms. Goetz made a motion, effective February 15, 2023, to approve a supplemental appropriation for the Emergency Repairs to a DPW garage furnace in the amount of \$16,312.26 and to recommend to the Board of Finance use of funds from the capital reserves to fund the work. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**h) Schedule a Public Hearing for proposed Ordinance to Temporarily Prohibit the Retail Sale of Cannabis in Simsbury**

Ms. Mackstutis said this public hearing was originally approved in January but it was on President’s Day. This is a new date and the meeting will be held at Town Hall.

Ms. Abbuhl made a motion to schedule a Public Hearing for 6:00 p.m. on February 27, 2023, to consider the proposed ordinance to temporarily prohibit the retail sale of cannabis in Simsbury. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**i) Teva, Allergan, CVS, Walgreens, Walmart National Opioid Settlement**

Ms. Capriola said this will be the second settlement and she is recommending that we opt-in to this settlement.

Mr. Peterson made a motion, effective February 15, 2023, to opt-in to the Teva, Allergan, CVS, Walgreens, Walmart National Opioid Settlement and to authorize Town Manager, Maria E. Capriola or her designee to execute and submit all required documentation. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**j) Local Emergency Medical Services Plan Agreement**

Ms. Capriola said this plan agreement approval is required by Statute every five years. There were some changes in the service area in Powder Forest. The committee did more specified detail on staffing also.

After some discussion, Ms. Goetz made a motion, effective February 15, 2023, to approve the Local Emergency Medical Services Plan as presented and to authorize Town Manager, Maria E. Capriola to execute the Emergency Medical Services Plan Agreement presented as Attached K to the Plan. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**APPOINTMENTS AND RESIGNATIONS**

**a) Proposed Appointments to Board of Assessment Appeals**

Ms. Abbuhl made a motion, effective February 15, 2023, to appoint Sheree Landerman (D) and Kenneth Katz (U) as alternate members to the Board of Assessment Appeals with a term expiring on December 4, 2023. Further move to appoint Shannon Shinskie (R) as an alternate member to the Board of Assessment Appeals with a term expiring January 1, 2025. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**b) Resignation of Francis Kelly from the Public Building Committee**

Mr. Wellman made a motion to posthumously acknowledge the resignation of Francis Kelly as a Regular Member of the Public Building Committee with our thoughts are with the Kelly family. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**c) Resignation of Rachel Wellman from Culture, Parks and Recreation Commission**

Mr. Peterson made a motion, retroactive to January 23, 2023, to accept the resignation of Rachel Wellman as a Regular Member of the Culture, Parks and Recreation Commission with our thanks. Ms. Goetz seconded the motion. All were in favor and the motion passed.

**d) Resignation of Linda Johnson from the Library Board of Trustees**

Ms. Goetz made a motion, retroactive to February 1, 2023, to accept the resignation of Linda Johnson as a Regular Member of the Library Board of Trustees with our thanks. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) January 23, 2023 Regular Meeting Minutes**

There were no changes to the Regular Meeting Minutes of January 23, 2023 and, therefore, the minutes were adopted.

**EXECUTIVE SESSION**

**a) Executive Session pursuant to General Statutes Section 1-200(6)(E): Discussion of a matter which would result in the disclosure of public records or the information contained therein exempt from disclosure under Section (b) of the General Statutes Section 1-210**

Mr. Peterson made a motion to adjourn to Executive Session, pursuant to General Statutes 1-200(6)9E): Discussion of a matter which would result in the disclosure of public records or the information contained therein exempt from disclosure under Section (b) of the General Statutes Section 1-200 (6)(E) and to include Attorney Bob DeCrescenzo and Town Manager Maria E. Capriola at 7:50 p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

**ADJOURN FROM EXECUTIVE SESSION**

Mr. Peterson made a motion to adjourn from Executive Session at 8:09 p.m. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**ADJOURN**

Mr. Peterson made a motion to adjourn at 8:09 p.m. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk