

**TOWN OF SIMSBURY – BOARD OF SELECTMEN  
REGULAR MEETING MINUTES – JUNE 8, 2020  
“ Approved ”**

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**CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 6:01 p.m. on ZOOM due to COVID-19. In attendance were: First Selectman Eric Wellman; Board members Michael Paine, Jackie Battos, Chris Peterson and Wendy Mackstutis. Absent was Deputy First Selectman Sean Askham. Others in attendance included Town Manager Maria E. Capriola; Police Chief Nicholas Boulter; Director of Community and Social Services Kristen Formanek, and Tom Fitzgerald. Absent was Deputy Town Manager Melissa Appleby.

**PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

**PUBLIC AUDIENCE**

Mr. Wellman said if anyone wishes to send in comments for Public Audience, please submit them to [ebutler@simsbury-ct.gov](mailto:ebutler@simsbury-ct.gov).

Mr. Wellman read comments from Joan Coe, 26 Whitcomb Drive, who spoke about protests, the pandemic, and violence during the protests. She also spoke about the Police Department, Police Commission, the Library, the Recreation Department, possible errors in the Charter, filing a FOI complaint and other issues.

**FIRST SELECTMAN’S REPORT**

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

**TOWN MANAGER’S REPORT**

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

**SELECTMEN ACTION**

**a) Statement in Memory of George Floyd and in support of our African American Community**

Mr. Wellman said he drafted a statement so this Board could speak to the community with a collective voice. The other members of the Board shared some reflections of the last week.

Mr. Wellman read his statement, attached, and the Board was in support of this.

Mr. Paine made a motion to support First Selectman’s letter in memory of George Floyd and in support of our African American Community. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Ms. Wellman said his will go out as part of his First Selectman’s Report and will be put on the Town’s Facebook page.

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Ms. Mackstutis said there is an initiative to take a pledge to initiate a review of our use of force policy. She also spoke about the information out there about defunding the Police. After some discussion, Ms. Capriola said that she and Chief Boulter on working on the body camera project now.

**b) Tax Refund Requests**

Ms. Battos made a motion, effective June 8, 2020, to approve the presented tax refunds in the amount of \$903.78, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**c) Proposed Appointment of Michael Barry as Emergency Management Director**

Mr. Wellman said Chapter VI, Section 704 of the Charter, says the Town Manager, with approval from this Board, should appoint a number of different Town Officers of which one is the Director of Civil Preparedness.

Ms. Capriola said she feels Michael Barry demonstrated great leadership in the past and would be a great asset to the Town.

Mr. Peterson made a motion, effective June 8, 2020, to appoint Michael Barry as the Emergency Management Director (Civil Preparedness Director) for the Town of Simsbury effective July 1, 2020 through June 30, 2022. This designation shall remain in effect until reappointment occurs, rescinded, or Mr. Barry's separation from service, whichever comes first. Ms. Battos seconded the motion. All were in favor and the motion passed.

**d) Proposed Greater Hartford Transit District Dial-a-Ride Assistant Grant**

Mr. Wellman said the Town applies for grant funding for the purchase of new Dial-A-Ride vehicles.

Ms. Formanek said the grant would be used to replace the oldest vehicle. If the grant is awarded the vehicle would not be purchased until 2021.

Ms. Battos made a motion, effective June 8, 2020, to approve the submission of a ConnDot 5310 capital application grant. If this grant is awarded, to further move to accept the ConnDot 5310 grant award and to authorize Town Manager, Maria E. Capriola to execute all documents related to the grant awarded. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**e) Proposed Acceptance of Archdiocese of Hartford Donation**

Mr. Wellman said the Archdiocese of Hartford has donated \$3,500 to the Simsbury Food Closet to help our residents in need, especially during this pandemic.

Mr. Paine made a motion, effective June 8, 2020, to accept the Archdiocese of Hartford Archbishop's Annual Appeal Donation in the amount of \$3,500 for the purpose of supporting Simsbury Community and Social Services Department food programs that assist residents in need with our thanks. Mr. Peterson seconded the motion. All were in favor and the motion passed.

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**f) Purchase of Sign Post Banners**

Mr. Wellman said the Board personally purchased Simsbury Pride art banners that were hung on Iron Horse Boulevard last September. He would like to purchase more banners stating everyone is welcomed and loved in Simsbury. He will ask for ideas from the community on social media. Staff would like to hang additional Pride banners and will be researching purchasing seasonal banners and/or lights to hang on the sign posts when they are not in use by the PAC or Main Street Partnership. Ms. Capriola said they are looking at all different signs to post, including holiday signs.

Mr. Paine made a motion, effective June 8, 2020, to support the purchase of additional sign posts banners and kits to be hung by Town staff on Iron Horse Boulevard. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**g) Social Media Account Request from Simsbury SPIRIT Council**

Mr. Wellman said the SPIRIT Council has been operating as a sub-committee related to Community for Care. The mission is to represent the community at large and to serve as our diversity champion. SPIRIT means Site Problem Identification and Resolution of Issues Together.

Mr. Wellman said this Council meets monthly and will be doing a presentation to the Board in September. He said Cheryl Cook and Nicole Kodak are co-chairs of this Committee.

Ms. Battos made a motion, effective June 8, 2020, to approve the creation of a Simsbury SPIRIT Council establishing a Facebook account to be used by the Committee to publicize their efforts, of which Town staff will have oversight. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) Regular Meeting of May 27, 2020**

Ms. Mackstutis made a correction on page 5, number 5 under Selectmen Liaison and Sub-Committee Reports: Change to - the Board of Education is moving forward with the Tecton option to add 6<sup>th</sup> grade to Henry James Middle School and to renovate as new Latimer Lane School.

Ms. Battos made a motion to accept the minutes of May 27, 2020 with this change. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

**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.

Mr. Peterson said he attended the May 28<sup>th</sup> Culture, Parks and Recreation meeting and he encouraged everyone to watch this meeting. He said Simsbury Farms Complex is doing a great job to provide services to the

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residents. They gave a preview of how the pool might be opened. He said Orlando gave a great presentation about what staff has been doing around Town during this pandemic. He has asked him to make the same presentation to this Board.

**COMMUNICATIONS**

- a) Connecticut News Junkie Article “MIRA; Trash to Energy Plant No Longer Viable Without State Help” by Christine Stuart, dated May 28, 2020**

Mr. Paine said this issue is very big and will affect everyone. More information will come out between 60-90 days. Ms. Capriola said it is very unfortunate that we are not seeing investment from the State on this issue. Staff will continue to monitor the situation.

- b) Connecticut Mirror Article; “The State’s Waste Management if in Dire Straits Now, Its Hartford Plant Overhaul is Uncertain” by Gregory Hladky dated May 29, 2020 – no discussion at this time.**

- c) Letter from Maria Capriola, Re: Governor’s Executive Order 7-PP: Selection of Municipal Designees, dated May 20, 2020- no discussion at this time.**

Ms. Mackstutis made a motion to adjourn to Executive Session at 7:13p.m., pursuant to the following CGS and to include Maria E. Capriola, Attorney Bob DeCrescenzo, Planning Director Mike Glidden, Finance Director Amy Meriwether and Town Assessor Francine Beland. Mr. Paine seconded the motion. All were in favor and the motion passed.

**EXECUTIVE SESSION**

- a) Pursuant to CGS §1-200(6)(E), Attorney Client Privileged to document not subject to disclosure – Review of Open Space Criteria Under the POCD for Purpose of Tax Exemption**  
**b) Pursuant to CGS §1-200(6)(B), Pending Litigation : Tobacco Valley Solar Real Estate Tax Appeal; Pursuant to CGS 1-200(6)(E), Attorney Client Privileged document not subject to disclosure – Tobacco Valley Solar Tax Stabilization Request**  
**c) Pending Litigation: CTEC Solar vs Town of Simsbury CGS §(6)(B), Attorney Client Privileged Commission, Section 1-200(6)(E) for the same legal matter**

**ADJOURN**

Ms. Mackstutis made a motion to adjourn Executive Session at 8:23 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Ms. Mackstutis made a motion to adjourn at 8:23. Mr. Paine seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk