

CALL TO ORDER

The Regular meeting of the Board of Selectmen was called to order at 6:00 p.m.in the Program Room of the Simsbury Public Library. Present were: Deputy First Selectman Sean Askham; Board members Jackie Battos, Wendy Mackstutis, and Mike Paine. Absent were: First Selectman Eric Wellman and Board member Chris Peterson. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Finance Director/Treasurer Amy Meriwether; Social Service Director Kristen Formanek; Attorney Robert DeCrescenzo and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC HEARING

a) Proposed Omnibus Amendment to the Code of Ordinances – Changing First Selectman References to Town Manager When Appropriate Due to Change in Form of Government

- Email townmanager@simsbury-ct.gov by 12:00 P.M. on Monday, July 12, 2021 to register to address the Board of Selectmen live through ZOOM; or
- Citizens can participate live in-person
- Written comments can be emailed to townmanager@simsbury-ct.gov by 12:00 P.M. on Monday, July 12, 2021

Mr. Askham noted that this Public Hearing was called to amend the Code of Ordinances to change the First Selectman references to Town Manager where appropriate.

After no comments, Ms. Battos made a motion to adjourn the Public Hearing at 6:02 p.m. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

PUBLIC AUDIENCE

- Email townmanager@simsbury-ct.gov by 12:00 P.M. on Monday, July 12, 2021to register to address the Board of Selectmen live through ZOOM; or
- Citizens can participate live in-person
- Written comments will not be read into the record, but forwarded to all Selectmen via email

Joan Coe, 26 Whitcomb Drive, spoke about concerns, morale, complaints and investigations at the Police Department; the Town Manager, open space at Meadowood and other issues.

FIRST SELECTMEN’S REPORT

Mr. Askham, Deputy First Selectman, provided an oral report in the First Selectman’s absence.

TOWN MANAGER’S REPORT

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

Ms. Mackstutis said she watched the open space meeting where it was noted that a barn was taken down on the Meadowood property. She wanted more information on this issue.

Ms. Capriola said this barn had been endanger of collapsing and the property owner had taken out a permit to demolish the barn. There are other barns on that property that need to come down and the Town did receive additional funding for this project. She said the wood from that barn will be used to refurbish at some of the other barns on the property.

SELECTMEN ACTION

a) Dial-a-Ride Vehicle Grant

Mr. Askham said ConnDot will give the Town an 80% match on the van and 20% will come from Dial-A-Ride. The funds were already approved and in the budget.

Ms. Battos made a motion, effective July 12, 2021, to approve the submission of the ConnDot 2021 Traditional Section 5310 Capital grant application. Should the grant be awarded, further move to accept the ConnDot 5310 grant award and authorize Town Manager, Maria E. Capriola to execute all documents related to the grant award. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

b) Proposed Public Gathering Permit – Simsbury Parks and Recreation – Republican Caucus at the Flower Bridge

Mr. Askham aid the Republican Party would like to hold their Caucus at the Flower Bridge on July 24th at 10 a.m. outdoors.

Ms. Battos made a motion, effective July 12, 2021, to approve the public gathering application on behalf of the Simsbury Parks and Recreation and to authorize the issuance of the public gathering permit for the Simsbury Republican Caucus at the Flower Bridge. Mr. Paine seconded the motion. All were in favor and the motion passed.

c) Revisions to Construction Inspector Job Description

Mr. Paine made a motion, to table this item until further information is received. Ms. Battos seconded the motion. All were in favor and the motion passed.

d) Simsbury Public Schools Lighting Upgrade Loan Agreements

Ms. Capriola said this loan agreement is similar to the agreements to upgrade the lighting in Town buildings to energy efficient lights.

Ms. Mackstutis made a motion, effective July 12, 2021, to authorize Finance Director Amy Meriwether to execute the agreements with Eversource for each of the three lighting upgrade projects as presented. Ms. Battos seconded the motion. All were in favor and the motion passed.

e) Proposed Memorandum of Understanding with Simsbury Volunteer Ambulance Association for Reimbursement of Radio System Equipment

Ms. Appleby said the radio project is near completion. This agreement is for the costs associated with the equipment for the Simsbury Volunteer Ambulance Association. The agreement calls for the reimbursement to occur over a ten-year period, which is the expected life for the equipment.

Ms. Mackstutis made a motion, effective July 12, 2021, to approve the Memorandum of Understanding with the Simsbury Volunteer Ambulance Association regarding the reimbursement of costs associated with the public safety radio system equipment, and to authorize Town Manager, Maria E. Capriola to execute the agreement. Mr. Paine seconded the motion. All were in favor and the motion passed.

f) FY 21/22 Non-Union Compensation

Mr. Askham said at the Personnel Sub-Committee meeting they felt this increase was appropriate to bring forth.

Ms. Capriola said this increase was comparable with other internal groups as well as statewide data.

Mr. Paine made a motion, effective July 12, 2021, to approve a 2.35% general wage increase for unaffiliated staff in a non-probationary status, retroactive to July 1, 2021 pending a satisfactory annual performance evaluation, and that the salary ranges for those classifications be adjusted accordingly. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

g) Proposed Omnibus Amendment to the Code of Ordinances – Changing First Selectman References to Town Manager When Appropriate Due to Change in Form of Government

Mr. Askham said this is a housekeeping issue due to the change in form of government. Professional management is what is needed for the Town. The Public Hearing was held early in this meeting.

Ms. Battos made a motion, effective July 12, 2021, to adopt the proposed omnibus amendment to the Code of Ordinances as presented, which shall be effective 21 days after publication in a newspaper having circulation within the Town of Simsbury. Further move to authorize a summary of the adopted ordinance be published. Mr. Paine seconded the motion. All were in favor and the motion passed.

Ms. Battos made a motion, effective July 12, 2021, to approve the proposed changes to the Personnel Rules and Regulations as presented. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

h) Proposed Town Manager Goals July 1, 2021 – June 30, 2022

Mr. Askham said this is a guide for the Town Manager. The Board of Selectmen and Town Manager work together to get Town work done.

Ms. Capriola said she likes to look forward to prepare for projects and this helps her departments prioritize their projects.

After some discussion, Ms. Mackstutis made a motion, effective July 12, 2021, to adopt the Town Manager's Goals for July 1, 2021 – June 30, 2022 as presented. Ms. Battos seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of June 28, 2021

There were no changes to the Minutes of June 28, 2021, and, therefore, the minutes were adopted.

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- a) Personnel** – there was no report at this time.
- b) Finance** – there was no report at this time.
- c) Welfare** – there was no report at this time.
- d) Public Safety** – there was no report at this time.
- e) Board of Education** – Ms. Mackstutis said the Board of Education hired a Diversity and Access Director effective August 9.

Mr. Askham said there has been a lot of discussion on public forums on critical race theory and what is being taught in schools. The Board of Education and SPIRIT Council will be discussing how curriculum is set.

Ms. Mackstutis said the Aging and Disability annual picnic will be held at the Rink from 6-8 on Saturday.

Mr. Askham said the Public Safety Sub-Committee will talk about the ambulance and their level of service to make sure they provide the best service for the Town.

COMMUNICATIONS

- a) Memo from M. Appleby – Re: Update on Remote Meetings, dated July 7, 2021** – there was no discussion at this time.
- b) Memo from State Office of Policy and Management, Re: SB 1201 – AN ACT CONCERNING RESPONSIBLE AND EQUITABLE REGULATIONS OF ADULT-USE CANNABIS, MUNICIPAL AUTHORITY – IPACT OVERVIEW, dated July 1, 2021** – there was no discussion at this time.

Ms. Mackstutis noted that everyone should read www.canabus-ct.gov to get better informed on the new laws and the authority that the Town will have. Ms. Capriola noted that Attorney DeCrescenzo is also working on providing guidance, and has recommended handling this matter through an ordinance.

EXECUTIVE SESSION

- a) Pursuant to General Statutes Section 1-200(6)(E): Document exempt from disclosure under the attorney-client privilege, Re: Release of Restrictive Covenant – Powder Forest Homes**

Ms. Battos made a motion to adjourn to Executive Session pursuant to General Statutes Section 1-200(6)(E): Document exempt from disclosure under the attorney-client privilege, Re: Release of Restrictive Covenant – Powder Forest Homes at 6:50 p.m. and to include Town Manager Maria E. Capriola, Deputy Town Manager Melissa Appleby and Attorney Robert DeCrescenzo. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Ms. Mackstutis made a motion to adjourn from executive session at 7:14 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

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Mr. Paine made a motion to amend the agenda to add Release of Restrictive Covenant – Powder Forest Homes to the agenda. Ms. Battos seconded the motion. All were in favor and the motion passed.

Mr. Askham reviewed the action taken by a prior Board of Selectmen in 2012 to remove the affordability restrictions on the homes in Powder Forest in consideration of a payment made to the Town. He noted that the Zoning Commission has approved the release of the restrictions.

Ms. Battos made a motion to set the consideration in exchange for execution of the previously approved releases not to exceed \$100 and further move to authorize the Town Manager to accept that fee not to exceed \$100 in exchange for execution of the previously approved releases. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

ADJOURN

Ms. Mackstutis made a motion to adjourn the meeting at 7:17 p.m. Ms. Battos seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk