

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF SELECTMEN
MAY 17, 2023
7:00 P.M.
Town Hall Meeting Room, 83 Mountain Road, Suffield CT
Hybrid Meeting**

Selectmen present: Colin Moll, Mel Chafetz, Kathleen Harrington, Pete Hill and Jerry Mahoney

Also present: Bill Hawkins - Planning and Development Director, Derek Donnelly – Town Attorney and Aaron Marcavitch – Executive Director, CT Landmarks

First Selectman Moll called the meeting to order at 7:03 p.m. and asked everyone to join him in the Pledge of Allegiance.

Public Comment

Kathy Bielonko, 981 East Street North – Ms. Bielonko wanted to express concerns over the recent paving of South Grand Street and the installation of curbing which has narrowed the roadway and created a danger for those traveling on the road.

Discussion and Approval of the minutes from the May 3, 2023 Regular Meeting of the Board of Selectmen

Selectman Harrington motioned to approve the minutes from the May 3, 2023 regular Meeting of the Board of Selectmen as presented. **Vote: 5-0 in favor. Motion passed unanimously.**

Discussion and approval to opt out of the statutory parking requirements in CGS 8-2(d)(9)

Planning and Development Director Bill Hawkins addressed the selectmen and referenced a memo he had sent to them regarding the approval to opt out of the statutory parking requirements being considered this evening. He provided a high-level overview, described the timeline of what action items had been taken thus far and answered questions from the selectmen accordingly.

Selectman Harrington asked **Mr. Hawkins** to clarify that if the board does approve to opt out it is essentially allowing the municipality to have more control than if the town were to follow the state standards, thereby doing what is appropriate for Suffield. **Mr. Hawkins** agreed.

Selectman Harrington motioned that the Board of Selectmen, in accordance with Connecticut General Statutes Section 8-2p, votes to opt out of the statutory requirement for maximum number of parking spaces in CGS Section 8-2(d)(9). **Vote: 4 in favor (Moll, Harrington, Hill and Mahoney) and 1 abstain (Chafetz.) Motion passed.**

Open Public Hearing for CT Landmarks Society application for CT Neighborhood Assistance Act (NAA) program

First Selectman Moll opened the Public Hearing for CT Landmarks Society application for CT Neighborhood Assistance Act (NAA) program and **Planning and Development Director Bill Hawkins** explained why a Public Hearing must be held prior to approving the application for the program. He also provided detail with regard to the project CT Landmarks Society is interested in pursuing as follows:

BACKGROUND: The Connecticut Department of Revenue Services (DRS) has announced the availability of the 2023 Neighborhood Assistance Act Program. The Program provides a tax credit to business firms that make cash investments in qualifying community programs conducted by tax exempt or municipal agencies. The community programs must be approved by both the municipality in which the programs are conducted and by the DRS. The Phelps Hathaway House has an application before you as they have a project to restore and upgrade 15-20 windows to make them more energy efficient. This is an eligible project under the guidelines of the program.

DISCUSSION/ANALYSIS: Business firms that make cash investments in qualified community programs may claim the tax credit, which is equal to 60% of the amount contributed or 100% for energy efficiency projects. A business firm is limited to receiving \$150,000 in tax credit annually. Businesses interested in claiming a tax credit complete a separate application to the DRS during the period of September 15 and October 1 of each year. A non-profit organization or municipal project is limited to receiving \$150,000 in contributions in the aggregate. Also, there is a two year carry back provision for the credits so even if some corporations may not need the tax credits this year they may be carried back to the two immediately preceding income years. The Phelps Hathaway House application is for \$20,000 for the energy efficiency project through the program. They will also contribute \$5,000 of internal funds to the project.

FINANCIAL IMPACT: There is no financial impact to the town with regard to the Phelps Hathaway House application outside of the public notice required for the public hearing. The legal notice was published on May 10, 2023 in the Journal Inquirer as follows:

LEGAL NOTICE

NOTICE OF A PUBLIC HEARING TOWN OF SUFFIELD

The Town of Suffield will be holding a Public Hearing regarding applications to the 2023 Neighborhood Assistance Act Tax Credit Program. The Program provides a tax credit to business firms that make cash investments in qualifying community programs conducted by tax exempt or municipal agencies. The community programs must be approved both by the municipality in which the programs are conducted and by the CT Department of Revenue Services. The Public Hearing will take place on Wednesday, May 17, 2023 at 7:00 P.M. in the Town Hall Conference Room, 83 Mountain Road. This room is handicapped accessible. The meeting will also be available remotely via Zoom.

Meeting Call in number: 1-646-876-9923

Meeting ID: 875 3908 6769

Meeting Password: 088757

<https://us02web.zoom.us/j/87539086769?pwd=bHFTTUdhV2VKV3RKMzVBZGJXN0lNdz09>

For more information, please contact Bill Hawkins at 860-668-3848.

Journal Inquirer May 10, 2023

Aaron Marcavitch – Executive Director of CT Landmarks, which owns the Phelps Hathaway House, also addressed the selectmen to discuss the proposed window project and answered their questions accordingly.

First Selectman Moll closed the Public Hearing.

Discussion and approval of CT Landmarks Society application for CT Neighborhood Assistance Act (NAA) program

Mr. Marcavitch clarified that the official organization name is The Antiquarian and Landmark Society, Incorporated d/b/a as CT Landmarks.

Selectman Mahoney motioned that the Board of Selectmen approves the Phelps Hathaway House energy efficiency project for inclusion in the 2023 Neighborhood Assistance Tax Credit Program. **Vote: 5-0 in favor. Motion passed unanimously.**

Discussion and approval to pay River Valley Animal Hospital invoices and refer to Board of Finance

Attorney Donnelly gave a brief history as it relates to River Valley Animal Hospital and their continued care for Dexter, a dog owned by Neil and Annie Hornish. A disposal order was placed against Dexter, however, the owners have appealed and the appeals process has been ongoing for some time now. Until January of 2022, the owners had been making payments to River Valley Animal Hospital for the care of Dexter. As of January 2022 they refused to make any further payments and due to their action, the invoices were presented to the Town of Suffield for payment. The Board of Selectmen had previously approved invoices for January 2022 through August 2022. They now must determine whether to approve invoices for the remainder of 2022 as well as for January 1, 2023 through March 31, 2023.

Payment amounts are as follows:

- August 1, 2022 through December 31, 2022 - \$8,095.92
- January 1, 2023 through March 31, 2023 - \$5,972.40

- Total Due: \$14,068.32

Attorney Donnelly pointed out that these funds were not a budgeted expense for the FY 2022-23, therefore, this payment will require approval from the Board of Selectmen as well as the Board of Finance. He reminded the selectmen that in the town's contract with River Valley Animal Hospital it stipulates that in order to continue using River Valley Animal Hospital as the town's animal facility, any invoices not paid by the owners of the animal being held become the responsibility of the town and must be paid accordingly. **Attorney Donnelly** clarified that the payments being considered this evening are the subject of ongoing litigation and the town hopes to have it resolved in the near future.

Selectman Chafetz commented that while he understands the arrangement made between the Town of Suffield and River Valley Animal Hospital, it really bothers him that taxpayers are paying these expenses.

Selectman Harrington agreed with the comments made by **Selectman Chafetz**.

Selectman Harrington motioned to approve payment to River Valley Animal Hospital in the amount of \$14,068.32 and refer to Board of Finance. **Vote: 5-0 in favor. Motion passed unanimously.**

First Selectman Moll announced that the Economic Development Commission would be losing two longtime members, Howie Orr and Susan Thorner, at the end of their terms on May 31, 2023. He thanked them for their many years of dedicated service and wished them well.

Discussion and approval to appoint Robert Kelly as full member of the Economic Development Commission through May 31, 2027

Selectman Mahoney motioned to appoint Robert Kelly as full member of the Economic Development Commission effective June 1, 2023 through May 31, 2027.

Selectman Chafetz noted that while he knows both alternate candidates being considered for full membership, and has no problem with either, he would like to see resident and business owner Jeff Girard appointed to the commission. He explained that Mr. Girard is an individual who has proven he is invested in this town. He went on to describe the current make-up of the committee as primarily republicans and independents with little democratic representation. **Selectman Chafetz** noted that what is most important to him is Mr. Girard's commitment to Suffield as a homeowner and a business owner. He feels Mr. Girard represents a "voice" that is needed on this commission.

First Selectman Moll explained to the commission that Mr. Girard had expressed interest in joining the Economic Development Commission which prompted **Selectman Chafetz's** comments.

Selectman Hill agreed with **Selectman Chafetz**, noting that Mr. Girard had created a business, bought land in town, built an industrial building and started a second business in the same building. He also emphasized that over the course of this board's tenure the argument has come up on more than one occasion that there needs to be balance on the town's boards and commissions. In his opinion, adding Mr. Girard would be a perfect opportunity to provide more balance to this commission.

Selectman Mahoney asked for clarification that if Mr. Kelly and Ms. Demko were to be appointed as full members there would be two alternate positions available. **First Selectman Moll** stated that would be correct. **Selectman Mahoney** suggested amending the agenda to allow the appointment of Mr. Girard as an alternate member. **Selectman Chafetz** agreed that while this could be done, he would still prefer to appoint Mr. Girard as a full member. Discussion continued with **First Selectman Moll** pointing out that as an alternate member, Mr. Girard would be included in all discussions and allowed to voice his opinions the same as any other member. **Selectman Hill** clarified that as an alternate member Mr. Girard would have no vote. **Selectman Harrington** commented that everybody participates as a "big team" and whoever has voting rights makes the decisions at that particular meeting. She went on to say that she believes there are three great candidates, two current alternates who both want to become full members and if they are to be appointed the board make up will stay the same as it was prior to the departure of Mr. Orr and Ms. Thorner. If Mr. Girard steps in as an alternate member there will still be an opportunity to appoint an additional alternate member.

Selectman Hill stated that while he did not disagree with **Selectman Harrington**, he feels that in the past his republican counterparts on this board have vocalized their desire to more balance on boards and commissions and appointing Mr. Girard would be the perfect opportunity to implement the balance they have been pushing for. **Selectman Harrington** agreed that balance is one of the factors they look for, but she also noted that it is only one of several factors to consider and in this case she is giving weight to those who have been serving on the commission.

Vote: 3 in favor (Moll, Harrington and Mahoney) and 2 opposed (Chafetz and Hill.) Motion passed.

Discussion and approval to appoint Gayle Demko as full member of the Economic Development Commission through May 31, 2027

Selectman Mahoney motioned to appoint Gayle Demko as full member of the Economic Development Commission effective June 1, 2023 through May 31, 2027. Vote: 5-0 in favor. Motion passed unanimously.

Selectman Mahoney motioned to amend the agenda to add item 9a “Discussion and approval to appoint Jeff Girard as alternate member of the Economic Development Commission effective June 1, 2023 through May 31, 2027.” Vote: 5-0 in favor. Motion passed unanimously.

Discussion and approval to appoint Jeff Girard as alternate member of the Economic Development Commission effective June 1, 2023 through May 31, 2027

Selectman Mahoney motioned to appoint Jeff Girard as an alternate member of the Economic Development Commission effective June 1, 2023 through May 31, 2027. Vote: 5-0 in favor. Motion passed unanimously.

Selectman Updates

Board of Selectmen Meeting

There will only be one Board of Selectmen meeting for the month of June on Wednesday, June 21st.

May Market

The Suffield Garden Club’s 45th Annual May Market will be held at the Phelps-Hathaway House on Saturday, May 20th from 9:00 a.m. to 3:00 p.m.

Rotary Day of Service

The Suffield Rotary will be working on the Suffield section of the Windsor Locks Canal Trail for its Rotary Day of Service on May 20, 2023.

Swearing In Ceremony – Fire Chief

The Swearing In Ceremony for Suffield’s new Fire Chief Scott Cunningham will be held at Fire Station #1 on Sunday, May 21st at 1:00 p.m.

Dustin Doyon Memorial Road Race

The Dustin L. Doyon Memorial Road Race is being held on Saturday May 27, 2023 at Suffield Middle School. All money raised will go towards a scholarship fund in Dustin's name.

Suffield Summer Fair

Preparations continue for the upcoming Suffield Summer Fair which is being held on June 16, 17 and 18.

The Suffield Farmers Market

The Suffield Farmers Market kicks off their season on Saturday, June 17th at 9:00 a.m. on the Suffield Town Green – South.

Regional Household Hazardous Waste Collection Day

The Town of Suffield is partnering again with the Towns of Avon, Canton, Granby, Simsbury and Farmington to provide a Spring Household Hazardous Waste Collection Day on Saturday, June 10th from 8:00 a.m. to 1:00 p.m. Collection is being held at Simsbury Public Works, 66 Town Forest Road, Simsbury, CT. Collection is only open to residents of the participating towns.

Third Baptist Church Anniversary

Third Baptist Church will be celebrating their 120th Anniversary on Monday, June 19th.

Veterans Breakfast – June 4th

Selectman Hill mentioned that he will be sponsoring the June 4th Veterans Breakfast at the VFW and encouraged all to come and join him for some of his breakfast specialties as well as Mrs. Murphy's donut!

Public Comment

Neil Hornish, 864 Thrall Avenue – Mr. Hornish stated that he felt compelled to respond after **Selectman Chafetz** mentioned, and **Selectman Harrington** agreed, that the issue with River Valley Animal Hospital should not be a burden to the town taxpayers. He noted that he had two responses:

- 1) Mr. Hornish suggested that the board read the Connecticut Statute as, in his opinion, it is very clear and identifies three circumstances in which dog owners are required to pay for boarding and Mr. Hornish feels that none of those circumstances apply in this case.
- 2) Mr. Hornish claimed that he and his wife have offered this board three separate solutions which would have no cost to the town and this board has repeatedly refused the Hornish's requests to sit down and discuss those solutions and instead is now paying two separate law firms to address this case.

Mr. Hornish concluded his comments by saying that *“when any member of the board makes a public comment that it should not be the taxpayers burden to cover such costs it must be made clear that any burden on the taxpayers of Suffield in this matter is a direct result of the decisions made by this board.”*

First Selectman Moll clarified that the board has also tried to come to a resolution on this matter and that neither party has been able to come to an agreement.

Attorney Donnelly clarified for the record that the town is **NOT** paying two law firms. He explained that the Town of Suffield is insured through CIRMA and the claims against the Town of Suffield and the most recent lawsuit, the third suit by Mr. Hornish, was covered by CIRMA. As such, CIRMA has appointed defense counsel which is something they are obligated to do.

Selectman Mahoney motioned to adjourn at 7:44 p.m. Motion passed unanimously.

Respectfully submitted,
Kristen O. Lambert
Recording Secretary