

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF SELECTMEN  
JUNE 21, 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** Fire Chief Scott Cunningham and Police Chief James Canon

**First Selectman Moll** called the meeting to order at 7:00 p.m. and asked everyone to join him in the Pledge of Allegiance.

**Public Comment**

**Neil Hornish, 864 Thrall Avenue** – Mr. Hornish referenced the current contract the Town of Suffield has with River Valley Animal Hospital to act as its Animal Control Facility. He pointed out that the contract specifies boarding fees to be paid by owners for cats and dogs will be determined by River Valley Animal Hospital. Currently, the Hornish's are suing the Town and River Valley Animal Hospital, in part, because the wording in the contract violates the CT General Statute, which identifies three (3) specific instances, when a dog or cat owner is responsible for paying for boarding. Mr. Hornish noted that in their lawsuit the motion for partial summary judgment was denied, however, he feels that it may be reargued as they are currently waiting for the court to decide. Either way, this case will continue until it goes to trial, which is not scheduled to happen until the summer of 2024. Mr. Hornish identified an agenda item for this evenings meeting which involves a revised town ordinance that states owners of cats and dogs must pay all boarding fees for an animal impounded for any reason and for any amount of time. He feels the board is being irresponsible and unethical by violating the CT General Statute he referenced.

**Selectman Mahoney** asked Mr. Hornish to confirm that in the ongoing lawsuit, which the Hornish's are pursuing against the Town and River Valley Animal Hospital, the request for partial summary judgement was denied. Mr. Hornish confirmed that to be true. **Selectman Mahoney** asked Mr. Hornish if they were asking the court to grant summary judgment in their favor based on the argument he just gave regarding violation of the CT General Statute, which the judge denied. Mr. Hornish confirmed that to be accurate.

**Annie Hornish, 864 Thrall Avenue** – Mrs. Hornish noted that during the last three years they have proposed three separate solutions that would not cost the town any money and would cover liability concerns. Mrs. Hornish outlined all three solutions for the board. She discussed Dexter's current living conditions and the level of socialization he has daily and expressed concern over the town's refusal to have an Animal Behaviorist examine Dexter to confirm his wellbeing. Mrs. Hornish suggested that the town has been cited for numerous Freedom of Information violations and contends that the Town has also broken multiple laws. She claimed that she and her husband are willing to fight this through, although, they are also willing to discuss settlement. Her understanding is that the town has spent over \$100,000 on this case to date, and it will be at least another year of expenses ahead. Based on this information and the fact that a "free solution exists" Mrs. Hornish asked the board to allow she and her husband to attend the Executive Session this evening to work towards a solution. On a separate note, Mrs. Hornish commented on the recent pride celebration in town saying it was wonderful and there was "lots of public support and a high number of attendees." The Juneteenth celebration was also wonderful and she applauded the organizers of both events.

**Selectman Mahoney** asked Mrs. Hornish to confirm that each proposal she discussed during her public comment would provide for Dexter to remain alive and not to be put down. Ms. Hornish said yes and commented that the dog had been provoked.

**Sandra Janik, 380 Prospect Street** – Ms. Janik clarified that any comments made this evening are solely on her own behalf and she does not represent any groups. She spoke about the Pride celebration and commented that it was a beautiful event and she was happy to see the Kent Memorial Library was able to attend. She expressed disappointment that the library had not been allowed to display the LGBTQIA+ banner in their booth and referenced the town’s decision a few years ago not to fly the pride flag on the town green. She also mentioned the beautiful Juneteenth event and discussed the decision by the town not to recognize it as a legal holiday, understanding that as a municipality, there are union contracts to take into account. Ms. Janik offered suggestions for the board to consider moving forward.

**Melissa Silva, 201 Ratley Road** – Ms. Silva stated that she was speaking on her own behalf and not as a representative of any organization. Ms. Silva claimsto have spoken with a number of citizens who feel they are not being heard or represented by the town. She noted that the month of June offers two opportunities in which the town can demonstrate that all citizens are welcome no matter their denomination, race or gender identity. She pointed out that the town had not been involved in any way during this year’s Pride Celebration or Juneteenth Celebration. In her opinion, people are feeling disappointed, unwelcomed and unheard due to the town’s lack of involvement in these two events, as well as the decision not to close the town offices on Juneteenth and “*holding a Summerfest instead.*” She wants all people in town to have a voice.

**Selectman Mahoney** asked Ms. Silva to walk him through the thought process for why Juneteenth would be a day for the town to shut down. Ms. Silva responded by saying it was “*a recognized federal holiday, just like the 4<sup>th</sup> of July or Memorial Day and it was the day that all slaves were told that they were free.*”

**Selectman Mahoney** stated that her interpretation was not actually accurate and proceeded to explain in detail what Juneteenth represents. Ms. Silva continued to explain her interpretation and **Selectman Mahoney** clarified that not all slaves were free at that time. Ms. Silva agreed that **Selectman Mahoney** was correct and that she had misspoken on that point.

**First Selectman Moll** addressed Ms. Silva and informed her that during the 2022 Summer Fair Juneteenth was included and celebrated and that it was a welcome possibility for the 2023 Summer Fair. Ms. Silva commented that the 2022 celebration was not “announced as Juneteenth” and she knew nothing about it, questioning whether it had been advertised with a set time. **First Selectman Moll** explained how the Juneteenth celebration had been advertised during Summer Fair 2022 . Ms. Silva continued to say that her comments were what she was seeing with her own eyes and she was not representing any sort of group. **First Selectman Moll** inquired as to whether she represented ABAR to which she said “*I do not represent ABAR.*” He asked if she was a member of ABAR and she said she was a member, however, she was not an active board member.

**Fred Sweitzer, 165 South Stone Street** – Mr. Sweitzer expressed disappointment over the town’s lack of support of pride month and hoped that the board would do better in the future. He discussed what other towns have done, including the flying of pride flags. He pointed out that no one from town leadership, with the exception of **Selectman Chafetz**, attended or sent any type of declaration to the Pride or Juneteenth events. He emphasized that individuals from the LGBTQIA+ community experience feelings of being unwelcome, unseen and unsafe all the time and our leaders need to step forward with actions that say “you are seen, welcomed and a valued member of the community.” He hopes the board will have the political courage to stand up for this portion of our community.

**Rick Sotil, 426 South Grand Street** – Mr. Sotil expressed his views on the Hornish dog situation by saying *“It’s just common sense management. It does not make any sense to me to spend over \$100,000 on a dog when there is a way out of it. By the time this is gone and over, it seems like it is going to go well over \$200,000 and to only get \$7,500 from them. I think it is time to make a decision and take whatever emotions we have on it...and I may agree with a lot of you guys here, but the bottom line is that if it is going to cost us a lot of money knowing that there is another option, then I think we ought to take option #2 for the benefit of the taxpayers in town.”*

**First Selectman Moll** asked Mr. Sotil to repeat his address and welcomed him to town.

**Tom Frenaye, 489 Warnertown Road** – Mr. Frenaye echoed Mr. Sweitzer’s comments and felt that he was “on target.” He expressed shock to see the agenda item regarding changes to the Animal Control Ordinance, as he did not recall any previous Board of Selectmen meetings where this was discussed. After reviewing the draft ordinance, he feels that it seems like a rather hurried effort to make a change in a town ordinance. Mr. Frenaye elaborated on his concerns over the process and detailed how ordinance reviews had been done in the past. He urged the board to “do better” on getting the word out in order to solicit public input on the changes. He questioned the validity of the contract signed with River Valley six months ago and commented that the rush to change the ordinance has a “smell.”

**Attorney Donnelly** – **Attorney Donnelly** explained that the intention of the board was to start the process of publicly discussing the ordinance and assured Mr. Frenaye that there would be no approval this evening. He noted that multiple ordinances are scheduled to be reviewed over the summer and each will come up for public discussion within the next few months. He thanked Mr. Frenaye for his comments and agreed that ample discussion is necessary prior to approving changes to any town ordinances.

**Dave Gauthier, 3219 Phelps Road** – Mr. Gauthier provided guidance regarding rules for flying the American flag and other flags as well. He also commented on ordinances and repeated his request for a moratorium for town ordinances, as he feels that there are numerous town ordinances that are outdated and not up to the standards of today and enforcement would be difficult. He also expressed concern with how the town handles the maintenance and publishing of ordinances and stated that in his opinion, the ordinances do not mean anything. He urged the group to “take two steps back, take a look at what is going on, and then move forward.”

**Selectman Harrington** respectfully disagreed with Mr. Gauthier’s comments and explained that she was a member of the committee that reviewed the town ordinances a few years ago. She clarified for the record that the ordinances are available on-line on the town website. She also explained that during the review they came across some ordinances that only needed to be cleaned-up and corrected, while others required changes of a substantive nature that were done with guidance and direction from legal counsel.

**Dave Gauthier, 3219 Phelps Road** - Mr. Gauthier argued that there were a number of ordinances that were identified as requiring updates and yet nothing has been done.

**Selectman Harrington** respectfully disagreed with Mr. Gauthier’s comments.

### **Discussion and Approval of the minutes from the May 17, 2023 Regular Meeting of the Board of Selectmen**

**Selectman Harrington** motioned to approve the minutes from the May 17, 2023 regular Meeting of the Board of Selectmen as presented. **Vote: 5-0 in favor. Motion passed unanimously.**

### **Introduction of the new Fire Chief, Scott Cunningham**

**First Selectman Moll introduced Fire Chief Scott Cunningham. Chief Cunningham addressed the selectmen and the meeting attendees and provided an over view of his career and his involvement in fire services and fire administration. He is honored to be serving as our new Fire Chief and looks forward to working with the residents of Suffield.**

**Discussion and approval to reappoint Scott Crosson as alternate member of the Advisory Commission on Capital Expenditures through May 31, 2027**

**Selectman Harrington motioned to reappoint Scott Crosson as alternate member of the Advisory Commission on Capital Expenditures through May 31, 2027. Vote: 5-0 in favor. Motion passed unanimously.**

**Discussion and approval to appoint Scott Crosson or Alex Lepage as full member of the Advisory Commission on Capital Expenditures through May 31, 2027**

**Selectman Mahoney motioned to appoint Alex Lepage as full member of the Advisory Commission on Capital Expenditures through May 31, 2027. Vote: 5-0 in favor. Motion passed unanimously.**

**Discussion and approval to reappoint John McGuire as full member of the Economic Development Commission through June 30, 2027**

**Selectman Harrington motioned to reappoint John McGuire as full member of the Economic Development Commission through June 30, 2027. Vote: 5-0 in favor. Motion passed unanimously.**

**Discussion and approval to appoint Maria Silvestri as an alternate member of the Economic Development Commission to fill the remainder of Gayle Demko's term through June 30, 2024**

**Selectman Mahoney motioned to appoint Maria Silvestri as an alternate member of the Economic Development Commission to fill the remainder of Gayle Demko's term through June 30, 2024. Vote: 5-0 in favor. Motion passed unanimously.**

**Discussion and approval to reappoint Elizabeth Fanous as full member of the Conservation Commission through June 30, 2027**

**Selectman Hill motioned to reappoint Elizabeth Fanous as full member of the Conservation Commission through June 30, 2027. Vote: 5-0 in favor. Motion passed unanimously.**

**Discussion and approval to reappoint Alex Fraser as full member of the Cable Advisory Council through June 30, 2025**

**Selectman Hill motioned to reappoint Alex Fraser as full member of the Cable Advisory Council through June 30, 2025. Vote: 5-0 in favor. Motion passed unanimously.**

**Discussion and approval to reappoint Jay Presser as full member of the Ethics Commission through June 30, 2027**

**Selectman Hill motioned to reappoint Jay Presser as full member of the Ethics Commission through June 30, 2027. Vote: 5-0 in favor. Motion passed unanimously.**

**Discussion and approval to reappoint Carol Martin as full member of the Ethics Commission through June 30, 2027**

Selectman Hill motioned to reappoint Carol Martin as full member of the Ethics Commission through June 30, 2027. Vote: 5-0 in favor. Motion passed unanimously.

**Discussion and approval to reappoint Ben Rodriguez as full member of the North Central District Health Department Board through June 30, 2026**

Selectman Hill motioned to reappoint Ben Rodriguez as full member of the North Central District Health Department Board through June 30, 2026. Vote: 5-0 in favor. Motion passed unanimously.

**Discussion and approval to appoint Gerard Chase as full member of the Zoning Board of Appeals to fill the remainder of Renee Pacewicz term through June 30, 2024**

Selectman Harrington motioned to appoint Gerard Chase as full member of the Zoning Board of Appeals to fill the remainder of Renee Pacewicz term through June 30, 2024. Vote: 5-0 in favor. Motion passed unanimously.

**Discussion and approval of Dairy Abatement in the amount of \$1,951.49 to David P. & Deborah Coulter Fusiek**

Selectman Mahoney motioned to approve Dairy Abatement in the amount of \$1,951.49 to David P. & Deborah Coulter Fusiek. Vote: 5-0 in favor. Motion passed unanimously.

**Discussion and approval of Dairy Abatement in the amount of \$4,620.80 to Lawrence R. & Susan R. Hastings**

Selectman Harrington motioned to approve Dairy Abatement in the amount of \$4,620.80 to Lawrence R. & Susan R. Hastings. Vote: 5-0 in favor. Motion passed unanimously.

**Discussion and approval of Dairy Abatement in the amount of \$2,927.23 to Brick Turf LLC**

Selectman Harrington motioned to approve Dairy Abatement in the amount of \$2,927.23 to Brick Turf LLC. Vote: 5-0 in favor. Motion passed unanimously.

**Discussion and approval of Dairy Abatement in the amount of \$3,803.41 to Home & Stiles Farm LLC**

Selectman Mahoney motioned to approve Dairy Abatement in the amount of \$3,803.41 to Home & Stiles Farm LLC. Vote: 5-0 in favor. Motion passed unanimously.

**Discussion and appointment of Al Rusilowicz as Director of Finance effective 8/1/2023**

First Selectman Moll explained that the appointment of the Director of Finance is required for procedural purposes.

Selectman Harrington motioned to appoint Al Rusilowicz as Director of Finance effective 8/1/2023. Vote: 5-0 in favor. Motion passed unanimously.

**Discussion and approval to transfer funds from Contingency to the Police Department for retroactive payments related to the Union contract settlement in the amount of \$85,000 and \$8,000**

**First Selectman Moll** invited **Police Chief Canon** to address the selectmen. **Chief Canon** provided an overview of the dollar amounts requested and answered the selectmen's questions accordingly. He also noted that the Board of Finance has already approved these transfers.

**Selectman Harrington** motioned to transfer funds from Contingency to the Police Department for retroactive payments related to the Union contract settlement in the amount of \$85,000 and \$8,000. **Vote: 5-0 in favor. Motion passed unanimously.**

**Discussion and approval of FY 22-23 transfers**

- a. **Transfer of \$12,000 from Police Cruiser Budget to Capital Expenditures Police Cruisers from the sale of obsolete cruisers**
- b. **Transfer of \$7,200 from the Asset Forfeiture Fund to Police Consultant Fees to fund the costs of a promotional exam**
- c. **Transfer of \$2,850.76 from the Asset Forfeiture Fund to Police Consultant Fees to fund the costs of the Department Policy Project**
- d. **Transfer of \$8,000 from Contingency to Police Consultant Fees to fund the costs of the Department Policy Project**

**First Selectman Moll** invited **Police Chief Canon** to address the selectmen regarding each line item transfer request. **Chief Canon** provided appropriate details and answered the selectmen's questions accordingly.

**Selectman Harrington** motioned to approve the FY 2022-23 transfers as outlined in agenda item #21 sub-sections A through D. **Vote: 5-0 in favor. Motion passed unanimously.**

**Discussion and approval of Suffield Dog/Animal Control Ordinance and refer to Town Meeting**

**First Selectmen Moll** emphasized that the proposed Suffield Dog/Animal Control Ordinance would be discussed this evening and that no formal decision or approval would be made. The selectmen ran through differing scenarios, discussed the document wording, expressed their concerns and provided suggestions on each section. **Attorney Donnelly** acknowledged their comments, provided his thoughts on their concerns and provided historical information pertaining to other animal issues the town has encountered and how these issues were handled. **First Selectman Moll** inquired as to whether the ordinance violates the CT General Statutes to which **Attorney Donnelly** assured him that the ordinance does not violate CT State Statutes.

**Selectman Harrington** expressed her personal feeling that there is no need for a Public Hearing as it is not required by town charter and explained her rationale.

**Selectman Harrington** motioned to table agenda item #22. **Vote: 5-0 in favor. Motion passed unanimously.**

**Selectman Chafetz** expressed concern about agenda item wording being misleading. Discussion ensued among the selectmen and they agreed to consider different wording based on individual items in the future.

## **Discussion of Town Social Media Policy**

**First Selectman Moll** explained the purpose of the Town Social Media Policy. The selectmen expressed numerous concerns about the policy, including infringement on employee's First Amendment Rights. All selectmen agreed that Social Media guidance is necessary; however, they feel significant changes need to be made before rolling anything out. Extensive discussion ensued with **Attorney Donnelly** providing thoughts and recommendations as well.

**Selectman Harrington** moved to table agenda item #23. **Vote: 5-0 in favor. Motion passed unanimously.**

## **Selectman Updates**

### **Suffield Summer Fair**

The fair went well, despite the less than ideal weather. **First Selectman Moll** thanked all the residents who came out for the event. He also extended thanks to town employees Pete Leclerc, Kris Lambert, Shannon Foley, Dan Leonard and Olivia Eastman as well as Colleen Phelps from Peoples Bank for their assistance in planning and working all weekend. A special thanks to our sponsors: Windsor Federal, USA Recycling, Peoples Bank, Artioli, Suffield Village Market and Suffield Music. Frank Campiti and Campiti Ventures who handles all of the rides, games and fireworks at no cost to the town. Additional thanks to DPW and first responder units for their assistance throughout the weekend.

### **Employee, Board and Commission Appreciation BBQ at Sunrise Park**

Next Thursday, June 29<sup>th</sup> we will be holding an Appreciation BBQ at Sunrise Park for all employees, board and commission members to say thank you for all of their hard work and service to our town.

### **Suffield Farmers Market**

The Suffield Farmers Market will kick off their season this Saturday on the Town Green.

### **Parks and Recreation Movie Nights/Summer Concert Series**

Parks and Recreation Movie Nights and Summer Concert Series will begin in July on the Town Green. Food trucks will be a new addition this season.

### **Capital Region Council of Governments Approval**

CRCOG approved the Town of Suffield's grant applications for reconstruction at Kent Avenue in the amount of \$795,000 to replace existing sidewalk and add additional sidewalk to Wisteria Lane. They also approved our application to reconstruct the walking path at the Windsor Locks Canal Trail for \$1,200,000.

### **Town of Suffield Job Openings**

Current open positions include: Assistant Finance Director, Assistant Library Director, Assistant Assessor, and Fire Captain.

### **Repaving**

Repaving work will begin on Mountain Road at the N/S Stone intersection to Babbs Road on July 10<sup>th</sup>. Expect single lane road closures during that time. The mill and repaving work should be completed by the end of July.

### **Juneteenth Celebration**

**First Selectman Moll** attended the recent Juneteenth Celebration at Third Baptist Church and commented that the organizers; Bill and Sonia Hill, Liz Warren and Bill Sullivan, did an outstanding job and their efforts were truly appreciated.

### **Thank you – Sandra Janik**

**First Selectman Moll** thanked Ms. Janik, one of the residents who spoke during Public Comment this evening, for her discussion regarding the possible negotiation of Juneteenth into Union contracts and how the town may be able to recognize this date while not making any pointed comments. He thanked her and noted that he appreciated her approach.

### **Fireworks**

**Selectman Chafetz** commented on how fantastic the Fireworks display was during Summer Fest this year.

### **120<sup>th</sup> Anniversary – Third Baptist Church**

**Selectman Chafetz** also commented on the amazing service held two weeks ago to celebrate Third Baptist Church's 120<sup>th</sup> anniversary. Kudos to all who made it such a successful celebration.

### **Beer/Wine Garden**

**Selectman Hill** commented on a call he had received from a resident regarding the recent beer and wine garden held at the same time as the Suffield Summer Fair and whether it had been handled by the appropriate parties in order to meet all legal requirements. **Attorney Donnelly** explained that it was actually a private event and while it was located near the Summer Fair it was not on town property and the ordinances and the legal restrictions the resident referenced would not be applicable in this particular situation. He also ensured **Selectman Hill** that **First Selectman Moll** did his due diligence in making sure all legal requirements were being met. **Selectman Hill** suggested that moving forward the town should avoid being involved in advertising events involving alcohol, especially if the town is not handling the event themselves.

### **Pride Flag**

**Selectman Hill** shared his thoughts on flying the Pride Flag, same sex marriage and the LGBTQIA+ community. He feels the town should move forward and select one day to fly the pride flag. He brought up the numerous ways that the LGBTQIA+ community is being recognized in other Connecticut towns and feels that one day is not too much to ask. This gesture would mean a lot to the people who are impacted, and in his opinion, it is the right thing to do.

### **Public Comment**

**Neil Hornish, 864 Thrall Avenue** – Mr. Hornish thanked **Selectman Hill** for his comments and asked that in the future if the board plans to discuss changes to public policies or ordinances that the proposed draft language be attached to the agenda in order for residents to review prior to the meetings.

**Annie Hornish, 864 Thrall Avenue** – Ms. Hornish also thanked **Selectman Hill** for his comments and noted that the town currently has a very restrictive flag policy. She questioned why a change to this ordinance could not be done more quickly in order to allow the pride flag to be flown. She feels the LGBTQIA+ community has been oppressed for long enough and it is time to “grow up and modernize.”

**Tom Frenaye, 489 Warnertown Road** – Mr. Frenaye thanked the board for their discussion on the proposed changes to the Animal Control Ordinance and offered suggestions of his own with regard to wording. He feels that a change to the wording, including the removal of references to the Board of Selectmen, would create a template that could be applied to other ordinances that may include imposing of fees. He urged the selectmen to consider this idea.

**Dave Gauthier, 3219 Phelps Road** – Mr. Gauthier praised the current Animal Control Officer after an incident at his home involving a raccoon. He also provided his thoughts on the difficulties he has encountered while trying to obtain copies of current town policies. He also touched on social media and the usage of the town logo.

#### **Executive Session – Current Litigation**

#### **Executive Session – 301 Hickory Street**

**Selectman Mahoney motioned to enter Executive Session to discuss Current Litigation and 301 Hickory Street and invited Town Attorney Derek Donnelly to join the session at 8:40 p.m. Vote: 5-0 in favor. Motion passed unanimously.**

**Executive Session ended at 9:27 p.m.**

#### **Action on Executive Session**

No action was taken during Executive Session.

**Selectman Mahoney motioned to adjourn at 9:27 p.m. Motion passed unanimously.**

Respectfully submitted,  
Kristen O. Lambert  
Recording Secretary