

TOWN OF SIMSBURY – BOARD OF SELECTMEN  
REGULAR MEETING MINUTES – JANUARY 25, 2016  
“Subject to Approval”

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**CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 6:04 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Lisa Heavner; Board members Michael Paine, Cheryl Cook, Christopher Kelly, Elaine Lang and Sean Askham. Others in attendance included: Thomas Cooke, Director of Administrative Services, Attorney Robert DeCrescenzo and other interested parties.

**PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

**PUBLIC AUDIENCE**

Joan Coe, 26 Whitcomb Drive, spoke about the Charter Revision Commission, changing to a Professional Town Management form of government, CHFA and Eno Farms, and solar in Simsbury.

Robert Kalechman, 971 Hopmeadow Street, spoke about public gathering permits, selling alcohol at events, the marijuana factory, the Community for Care Committee and the Veteran’s Memorial.

**PRESENTATIONS**

There were no presentations at this time.

**FIRST SELECTMAN’S REPORT**

Ms. Heavner reminded every that there is a free seminar for small businesses on how to become certified in Connecticut on Thursday, January 28<sup>th</sup> from 4:30 to 6:30 p.m. in the Simsbury Public Library. If you want to attend, you will need to contact the Chamber of Commerce at (860) 651- 7307. For questions about the program itself, contact the Department of Administrative Services Supplier Diversity Program at (860) 713-5228.

Ms. Heavner thanked everyone who helped make the 6<sup>th</sup> Annual MLK Day a success. It was a very inspiring celebration.

Ms. Heavner said she will be holding an open house on Monday, February 1<sup>st</sup> from 4:30 to 6:30 p.m. in her office. This is an opportunity for residents to ask questions, voice concerns, and share opinions on the Town.

**SELECTMEN ACTION**

- a) **Appoint Akash Kaza as a youth member of the Community for Care Committee with an expiration date of December 4, 2017**

Ms. Heavner noted that Akash Kaza was running late and asked that this item be moved to the end of the action agenda. The Board agreed.

**b) Approve Tax Refunds**

Mr. Askham made a motion to approve tax refunds in the amount of \$11,080.82 as requested and approved by the Tax Collector. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**c) Approve a Resolution for Municipal Filing Pilot Program for Campaign Financing**

Ms. Heavner said the State Elections Enforcement Commission are in the process of establishing a pilot program, under which up to twenty municipalities will be selected to have some or all of their filing duties transferred to the Commission for the 2017 cycle election.

Ms. Keily, Town Clerk, explained the program, which would reduce staff time and have no budget impact to the Town at this time. She said right now the Commission is in charge of handling campaign finance reporting for State offices. Municipalities are required to receive financial reports from the municipality only. She said the SEEC would like to take all reports, State and Municipalities, and have them on their site to be able to look at. She is interested in applying to see if Simsbury can join the pilot program as it would be easier for staff and residents. Residents wouldn't have to drive to each municipality to check financial filings.

After some discussion, Mr. Askham made a motion:

“RESOLUTION TO APPROVE TOWN CLERK’S APPLICATION TO THE  
STATE ELECTIONS ENFORCEMENT COMMISSION’S MUNICIPAL FILING  
PILOT PROGRAM

WHEREAS, on June 30, 2015, the Governor signed into law Special Act No. 2015-14, an Act Establishing A Pilot Program for Municipal Campaign Finance Filings;

WHEREAS, the Special Act establishes a pilot program for the State Elections Enforcement Commission to provide assistance to the town clerks of up to twenty municipalities with the completion of some or all of their filing repository duties for the 2017 election cycle;

WHEREAS, the application to participate in the pilot program requires the approval of the municipality’s legislative body:

NOW, THEREFORE, BE IT RESOLVED by the BOARD OF SELECTMEN of the TOWN OF SIMSBURY that the Town Clerk of the Town of Simsbury may apply to participate in the State Elections Enforcement Commission’s Municipal Filing Pilot Program for the 2017 election cycle.

BE IT FURTHER RESOLVED that a copy of this signed resolution be forwarded to the State Elections Enforcement Commission as part of the Town of Simsbury’s application.”

Ms. Lang seconded the motion. All were in favor and the motion passed.

**d) Approve Revised 2016 Budget Workshop Dates**

Ms. Heavner said she would like a motion to approve the revised budget workshop dates.

Mr. Paine made a motion to approve the following Budget Workshop Dates:

Thursday, March 10<sup>th</sup> at 5:30 p.m.

Saturday, March 12<sup>th</sup> at 8 a.m.

With possible additional dates, if necessary, of Wednesday, March 16 at 5:30 p.m. and

Saturday, March 19<sup>th</sup> at 8:00 a.m.

Mr. Kelly seconded the motion. All were in favor and the motion passed.

**e) Set Public Hearing date for proposed Amendment to Chapter 21 of the Code of Ordinances, the Agricultural Land Preservation and Land Acquisition Fund as follows: Section 21-8 Process and Criteria for the Disposition of Open Space Land**

Ms. Heavner said in January 2015, the Board of Selectmen discussed the need to have an ordinance on the disposition of land designated as open space before the Town considers selling land donated or purchased for that purpose. The Open Space Committee and Town Counsel prepared a draft ordinance for consideration. The Open Space Committee voted unanimously to forward the draft ordinance to the Board of Selectmen.

Ms. Heavner said the amendment proposes that proposals for sale of designated Open Space Land be referred to Planning and reviewed by the Open Space Committee, Culture, Parks and Recreation and the Conservation Commission.

Attorney DeCrescenzo explained the proposed ordinance. He said this is property owned by the Town and designated as Open Space only.

After some discussion, Ms. Cook made a motion to set February 22, 2016 @ 6 p.m. for a Public Hearing for the proposed Amendment to Chapter 21 of the Code of Ordinances, the Agricultural Land Preservation and Land Acquisition Fund with a new section titled Section 21-8 Process and Criteria for the Disposition of Open Space Land, with the addition of a 60 day provision on item A1. Mr. Paine seconded the motion. All were in favor and the motion passed.

**Approve submission of Emergency Management Performance Grant Application for Fiscal Year 2015**

Ms. Heavner noted that this submission is done retroactively every year.

Mr. Askham made a motion to approve submission of Emergency Management Performance Grant Application for Fiscal Year 2015. Mr. Kelly seconded the motion. All were in favor and the motion passed.

Ms. Cook made a motion to amend the agenda to appoint Akash Kaza as a youth member of the Community for Care Committee with an expiration date of December 4, 2017. Mr. Kelly seconded the motion. All were in favor and the motion passed.

Ms. Cook made a motion to appoint Akash Kaza as a youth member of the Community for Care Committee with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

Ms. Cook noted that Mr. Kaza asked what he could do to become more involved with the local government. He chose to be on this Committee and he comes highly recommended.

#### **OTHER BUSINESS**

##### **a) Update on Senior Community Center Project**

Ms. Heavner said the Board received the consultant report, which has very interesting options. She asked that everyone read this report and give her feedback.

Ms. Heavner thanked everyone who worked so hard on this project.

Mr. Kelly said he thinks this report gives a lot of insight with a lot of viable options. He said the current information on demographics was very interesting as well.

Ms. Heavner said the report can also be seen online and asked the public look at it and give their feedback as well. This will be a long/hard process to make sure the final project is the right one for all.

#### **APPOINTMENTS AND RESIGNATIONS**

Mr. Paine noted that the Board has inadvertently omitted a number of unaffiliated members who are on the Boards and Commission. He is asking that the Board amend the agenda to extend all the unaffiliated members, who are not on the agenda, for another month to be able to still use their valuable input.

Mr. Askham made a motion to amend the agenda to extend the terms of unaffiliated members to Boards and Commissions. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Paine made a motion to extend the terms of the unaffiliated members of the Boards and Commissions, who are not on this agenda, until the second Board of Selectmen meeting in February (February 22<sup>nd</sup>). Mr. Kelly seconded the motion. All were in favor and the motion passed.

**a) Acknowledge the resignation of Barbara L. O'Connor (D) as a regular member of the Tourism Committee effective January 8, 2016**

Mr. Askham made a motion to acknowledge the resignation of Barbara L. O'Connor as a regular member of the Tourism Committee effective January 8, 2016. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**b) Acknowledge the resignation of Jacqueline S. Battos (R) as an alternate member of the Zoning Commission effective January 12, 2016**

Mr. Askham made a motion to acknowledge the resignation of Jacqueline Battos as an alternate member of the Zoning Commission effective January 12, 2016. Ms. Lang seconded the motion. All were in favor and the motion passed.

**c) Acknowledge the resignation of Robert D. Pomeroy, Jr. (R) as a regular member of the Zoning Commission effective upon appointment of replacement member effective 1/25/16**

Mr. Askham made a motion to acknowledge the resignation of Robert D. Pomeroy, Jr. as a regular member of the Zoning Commission effective upon appointment of replacement member effective January 26, 2016. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**d) Appoint Jacqueline S. Battos (R) as a regular member of the Zoning Commission with an expiration date of December 4, 2017**

Mr. Askham made a motion to appoint Jacqueline S. Battos as a regular member of the Zoning Commission with an expiration date of December 4, 2017. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**e) Appoint Vaughn A. Marecki (R) as an alternate member of the Zoning Commission with an expiration date of December 4, 2017**

Mr. Askham made a motion to appoint Vaughn A. Marecki as an alternate member of the Zoning Commission with an expiration date of December 4, 2017. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**Aging and Disability Commission**

**a) Reappoint Victor Bible III (U) as an alternate member of the Aging & Disability Commission with an expiration date of January 1, 2018**

Mr. Askham made a motion to reappoint Victor Bible III as an alternate member of the Aging & Disability Commission with an expiration date of January 1, 2018. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**b) Reappoint Grace Comeau (R) as a regular member of the Aging & Disability Commission with an expiration date of January 1, 2020**

Mr. Askham made a motion to reappoint Grace Comeau as a regular member of the Aging & Disability Commission with an expiration date of January 1, 2020. Ms. Lang seconded the motion. All were in favor and the motion passed.

**c) Appoint April Schmidt (R) as a regular member of the Aging & Disability Commission with an expiration date of January 1, 2019**

Mr. Askham made a motion to appoint April Schmidt as a regular member of the Aging & Disability Commission with an expiration date of January 1, 2019. Ms. Cook seconded the motion. All were in favor and the motion passed.

**Building Code Board of Appeals**

**a) Reappoint JoAnn M. Hogan (R) and Charles A. Warren, Jr. (U) as regular members of the Building Code of Appeals with an expiration date of January 1, 2021**

Mr. Askham made a motion to reappoint JoAnn M. Hogan and Charles A. Warren, Jr. as regular members of the Building Code Board of Appeals with an expiration date of January 1, 2021. Ms. Cook seconded the motion. All were in favor and the motion passed.

**Clean Energy Task Force**

**a) Reappoint Mark Scully (D), Susan Van Kleef (D) and Melissa Osborne (D) as regular members of the Clean Energy Task Force with an expiration date of December 4, 2017**

Mr. Askham made a motion to reappoint Mark Scully, Susan Van Kleef, and Melissa Osborne as regular members of the Clean Energy Task Force with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

**Conservation Commission / Inland Wetlands Agency**

**a) Reappoint Darren P. Cunningham (R) and Andrew S. O'Connor (R) as regular members of the Conservation Commission / Inland Wetlands Agency with an expiration date of January 1, 2020**

Mr. Askham made a motion to reappoint Darren P. Cunningham and Andrew S. O'Connor as a regular member of the Conservation Commission / Inland Wetland Agency with an expiration date of January 1, 2020. Ms. Cook seconded the motion. All were in favor and the motion passed.

**b) Appoint Craig MacCormac (R) as a regular member of the Conservation Commission / Inland Wetlands Agency with an expiration date of January 1, 2018**

Mr. Askham made a motion to appoint Craig MacCormac as a regular member of the Conservation Commission / Inland Wetlands Agency with an expiration date of January 1, 2018. Ms. Cook seconded the motion. All were in favor and the motion passed.

**c) Appoint Phillip J. Purciello (R) as a regular member of the Conservation Commission / Inland Wetlands Agency with an expiration date of January 1, 2020**

Mr. Askham made a motion to appoint Phillip J. Purciello as a regular member of the Conservation Commission / Inland Wetlands Agency with an expiration date of January 1, 2020. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**Culture, Parks & Recreation Commission**

**a) Reappoint Gerald A. Post (R) as a regular member of the Culture, Parks & Recreation Commission with an expiration date of January 1, 2020**

Mr. Askham made a motion to reappoint Gerald A. Post as a regular member of the Culture, Parks & Recreation Commission with an expiration date of January 1, 2020. Ms. Cook seconded the motion. All were in favor and the motion passed.

**Fair Rent Commission**

**a) Reappoint Madeleine P. Gilkey (R) and Mary N. Turner (R) as regular members of the Fair Rent Commission with an expiration date of November 30, 2019**

Mr. Askham made a motion to reappoint Madeleine P. Gilkey and Mary N. Turner as regular members of the Fair Rent Commission with an expiration date of November 30, 2019. Ms. Lang seconded the motion. All were in favor and the motion passed.

**Historic District Commission**

**a) Reappoint Patricia F. Hyypa (R) as a regular member of the Historic District Commission with an expiration date of January 1, 2021**

Mr. Kelly made a motion to reappoint Patricia F. Hyyppa as a regular member of the Historic District Commission with an expiration date of January 1, 2021. Ms. Cook seconded the motion. All were in favor and the motion passed.

#### **Insurance Committee**

- a) Reappoint Peter C. Peterson (D), Paul H. Mikkelsen, Jr. (R) and Edward F. Sparkowski (R) as regular members of the Insurance Committee with an expiration date of December 4, 2017**

Mr. Kelly made a motion to reappoint Peter C. Peterson, Paul H. Mikkelsen, Jr. and Edward F. Sparkowski as regular members of the Insurance Committee with an expiration date of December 4, 2017. Ms. Cook seconded the motion. All were in favor and the motion passed.

#### **Open Space Committee**

- a) Reappoint Helen Peterson (D) as a member at large of the Open Space Committee with an expiration date of December 4, 2017**

Mr. Kelly made a motion to reappoint Helen Peterson as a member at large of the Open Space Committee with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

#### **Public Building Committee**

- a) Reappoint Lucian M. Dragulski (R), Mary Lou Patrino (R) and John J. Salvatore (R) as regular members of the Public Building Committee with an expiration date of December 4, 2017**

Mr. Kelly made a motion to reappoint Lucian M. Dragulski, Mary Lou Patrino and John J. Salvatore as regular members of the Public Building Committee with an expiration date of December 4, 2017. Ms. Cook seconded the motion. All were in favor and the motion passed.

#### **Recycling Committee**

- a) Reappoint R. Kingsbury Chase (D), Lori P. Fernand (D), Rosemary V. Fusco (R), William P. Hantzogs (D), Alexandra Rice (D) and Mary N. Turner (R) as regular members of the Recycling Committee with an expiration date of December 4, 2017**

Mr. Kelly made a motion to reappoint R. Kingsbury Chase, Lori P. Fernand, Rosemary V. Fusco, William P. Hantzogs, Alexandra Rice and Mary N. Turner as regular members of the Recycling Committee with an expiration date of December 4, 2017. Mr. Askham seconded the motion. All were in favor and the motion passed.

Ms. Heavner noted that the Public Building Committee reappointments should expire January 1, 2020.



Mr. Askham made a motion to reconsider the Public Building Committee motion. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to reappoint Lucian M. Dragulski, Mary Lou Patrina, and John J. Salvatore as regular members of the Public Building Committee with an expiration date of January 1, 2020. Ms. Cook seconded the motion. All were in favor and the motion passed.

#### **Tourism Committee**

- a) Reappoint Dominique Avery (D), Catherine Barnard (D), Patricia Carbone (D), Paulette Clark (D), Joyce R. Howard (R), Katherine A. Oakes (R), Diane Phillips (D), Charmaine L. Seavy (D) and Richard D. Wagner, Jr. (R) as regular members of the Tourism Committee with an expiration date of December 4, 2017**

Mr. Kelly made a motion to reappoint Dominique Avery, Catherine Barnard, Patricia Carbone, Paulette Clark, Joyce R. Howard, Katherine A. Oakes, Diane Phillips, Charmaine L. Seavy and Richard D. Wagner, Jr. as regular members of the Tourism Committee with an expiration date of December 4, 2017. Mr. Askham seconded the motion. All were in favor and the motion passed.

- b) Reappoint Elizabeth Keppel (R) as a regular member of the Tourism Committee with an expiration date of December 4, 2017**

Mr. Kelly made a motion to reappoint Elizabeth Keppel as a regular member of the Tourism Committee with an expiration date of December 4, 2017. Mr. Askham seconded the motion. All were in favor and the motion passed.

#### **Water Pollution Control Authority**

- a) Reappoint Edward J. Kelly (R) and Loren Shoemaker (R) as regular members of the Water Pollution Control Authority with an expiration date of January 1, 2020**

Mr. Kelly made a motion to reappoint Edward J. Kelly and Loren Shoemaker as regular members of the Water Pollution Control Authority with an expiration date of January 1, 2020. Ms. Cook seconded the motion. All were in favor and the motion passed.

#### **Technology Task Force Committee**

- a) Reappoint Harald Bender (U), Lawrence A. DiSciacca (D), Michael T. Doyle (R), Laurel E. Hennebury (D), John W. Jahne (U), Mark A. Orenstein (D), Jerry P. Queen (D), Ramon W. Rosati (D), William J. Rucci (U), Jeremy B. Wallman (U) and Eric J. Zemantis, as regular members of the Technology Task Force with an expiration date of December 4, 2017**

Mr. Kelly made a motion to reappoint Harald Bender, Lawrence A. DiSciacca, Michael T. Doyle, Laurel E. Hennebury, John W. Jahne, Mark A. Orenstein, Jerry P. Queen, Ramon W. Rosati, William J. Rucci, Jeremy B> Wallman, and Eric J. Zemantis as regular members of the Technology Task Force with an expiration date of December 4, 2017. Mr. Askham seconded the motion. All were in favor and the motion passed.

### **REVIEW OF MINUTES**

#### **a) Regular Meeting of January 11, 2016**

No action was taken and therefore, the minutes were adopted.

### **SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS**

1. **Personnel** – no report at this time.
2. **Finance** – Ms. Heavner said the Board of Selectmen and Finance Sub-Committee met to discuss insurance participations. This is being looked at by our attorneys and financial advisors. Hopefully they will have some information for the Board meeting next month.
3. **Welfare** – no report at this time.
4. **Public Safety** – Mr. Askham said there will be an emergency disaster drill that the Town is organizing. There is more information to come. Ms. Heavner asked that the other Board Members be sure to do their NIMS training 100.

Mr. Askham noted that the Town did have a recent structural fire and there were no working fire alarms in the structure. However, everyone, including pets, did get out safely.

Ms. Heavner also asked that during snow storms that everyone clear their fire hydrants.

5. **Board of Education** – Ms. Cook said the SCTV website is showing the Community for Care updates. There is also a background on their mission.

Ms. Cook said Community for Care have four public programs on their agenda for this year. The programs will be held in the Library. Please check the website for all the information. The programs are set up to help all different demographics in Town. All problems are community problems, not just school problems.

Ms. Lang said the 6<sup>th</sup> Annual MLK Day was held at First Church. There were eloquent speakers, and great singers at the event. She thanked everyone for their help with this event.

Ms. Cook said a High School student wrote her a letter about possibly using the electric sign in front of Town Hall when there are meetings to be held to better inform people of the meetings.

Mr. Askham said the Economic Development Committee passed their budget. There was additional discussion on setting up an infrastructure fund again. Mr. Cooke said he is preparing a memo on this fund for the EDC and he will forward it to the Board as well. He asked the Board to look at this and share their thoughts.

**ADJOURN TO EXECUTIVE SESSION**

**a) Discuss possible lease or purchase of property for Senior/Community Center including 828 Hopmeadow Street**

Mr. Askham made a motion to adjourn to Executive Session to discuss possible lease or purchase of property for Senior/Community Center including 828 Hopmeadow Street at 7:30 p.m., including Thomas Cooke and Attorney Robert DeCrescenzo, Esq. in attendance. Mr. Paine seconded the motion. All were in favor and the motion passed.

**ADJOURN FROM EXECUTIVE SESSION**

Mr. Askham made a motion to adjourn from Executive Session at 8:02 p.m. Ms. Lang seconded the motion. All were in favor and the motion passed.

**ADJOURN**

Mr. Askham made a motion to adjourn the meeting at 8:02 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk