

### **CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectwomen Lisa Heavner; Board members Sean Askham, Christopher Kelly, Cheryl Cook, Michael Paine and Elaine Lang. Others in attendance included: Tom Roy, Director of Public Works; Tom Cooke, Director of Administrative Services; Gerard Toner, Director of Culture, Parks & Recreation; Jeff Shea, Town Engineer; Sean Kimball, Finance Director, Richard Ostop, Public Building Committee Chairman; David Ryan, Chairman of Performing Arts Center Board, and other interested parties.

### **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

### **PUBLIC HEARING**

**To receive public comment concerning a proposal to amend §137-3 of the Town of Simsbury's Sidewalk Maintenance ordinance to include required replacement or resurfacing of sidewalks in the Town of Simsbury's maintenance or capital budget and to discontinue assessing adjacent landowners.**

Mr. Roy said the Town has an existing Sidewalk Ordinance which says when a sidewalk has surpassed its useful life and is in need of replacement, along an entire length of the street, the Town will take the responsibility of designing the new sidewalk and hiring the contractor to replace the sidewalk. However, the Town is supposed to assess the abutting property owners for their portion of the costs. This is difficult as sometimes there is only sidewalk on one side of the street.

Mr. Roy said the proposed change is that the Town would take on the total cost of the replacement. He is proposing the sidewalk program to be done like the roadway program. There would be an initial investment through bonding to get them up to a good condition. Then they would be on an annual maintenance program. If a homeowner damages a sidewalk it would still be up to the homeowner to repair the sidewalk.

Joan Coe, 26 Whitcomb Drive, said she was pleased to see the Town was going to update the plan for sidewalks. However, she has some concerns on the liability of maintenance. She doesn't understand who is responsible for a "trip and fall."

Jay Sadalano, 2 Hayes Road, Tariffville, said he has taken care of his sidewalk for 33 years now and understands the responsibility. He thanked Mr. Roy for bringing this forward to the Town. He said he maintains a sidewalk that the students use to go to Tariffville School. He said the

sidewalks on Rte. 315 are in need of repair and that is a State road and maybe the State can get involved with this program. He would like this program passed.

Robert Kalechman, 971 Hopmeadow Street, said he has been asking for lighting and sidewalks for years now. He wanted to know what type of material would be used to replace the sidewalks as tar just heaves up and is difficult to walk on. He doesn't feel another ordinance is really needed and the Town doesn't need more responsibility.

Debbie Thibodeau, 5 Woodsmith Drive, said she is in support of this proposed ordinance. This is consistent with the Town's complete street resolution of June 13, 2016. She feels other aspects of the sidewalks policy should be looked at. She has concerns about sidewalks near schools. She also wants the Town to look at bikes being able to ride on certain sidewalks as well.

Ed Pabich, 26 Woodchuck Hill Road, spoke about a unique situation on 131-135 West Street. He feels there are some burdens to small businesses. The students walk along this sidewalk and the burden comes upon the businesses. While he welcomes the students, there are some issues there he would like looked at.

### **CLOSE PUBLIC HEARING**

Ms. Cook made a motion to adjourn the Public Hearing, after hearing public comments at 6:27 p.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Kelly made a motion to amend the agenda to add a brief presentation from Sean Kimball, Director of Finance. Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Kelly made a motion to amend the agenda to add the appointment of Richard Jones to the Board of Ethics under Appointments and Resignations. Ms. Lang seconded the motion. All were in favor and the motion passed.

### **PUBLIC AUDIENCE**

Joan Coe, 26 Whitcomb Drive, spoke about changing to a Town Manager form of government; moving SCTV out of Eno Memorial Hall; the Performing Arts Center Board; issues at the International Skating Center; and other issues.

Robert Kalechman, 971 Hopmeadow Street, spoke about a \$200,000 donation for the Veteran's Memorial and other issues.

Mark Orenstein, 82 Old Meadow Pine Road, spoke about sketches he look at for the proposed new Eno Memorial Hall. He had some questions about wanting more office space.

## **PRESENTATIONS**

Sean Kimball, Finance Director, said the State announced two current year budget adjustments that will have an impact on our revenues. He said one was a decrease in the Education cost-sharing grant. The State is also freezing applications for reimbursement through the State’s Capital Improvement Program.

Mr. Kimball said he would have his quarterly update at the next Board meeting.

- **Simsbury Public Library Strategic Plan Presentation**

Lisa said the community were very invested in this Strategic Planning. She said it took a lot of going out to speak to residents and they held focus groups on this planning.

Ms. O’Neil said they finished the plan at the end of the year. This plan will help move the Library into the future. The goals will help them achieve their vision and accomplish their mission.

Mr. Blume said they looked at their existing vision and mission statement and revised them. He feels the Library is already doing great things now, but will getting even better within the next five years.

Ms. Ryan said the Library goals are critical components of their strategic plan and she went through their five goals.

Mr. Blume explained how the plan was developed. Residents were asked what they want for Simsbury, not just the Library. The Board of Trustees approved this document when completed.

Ms. Heavner thanked everyone for their hard work on this plan. She said the Board of Selectmen would like a copy of the summary of the feedback from residents.

- **Senior/Community Center Conceptual Plan**

Ms. Heavner said the Board directed the Public Building Committee to obtain more information to relocate SCTV and to complete the Senior/Community Center into Eno.

Richard Ostop, Chairman of the Public Building Committee, said they were charged to look at Eno for the Senior/Community Center. They spoke to many people, including past architects, the Fire Marshall, and other committees, etc. to see what everyone needs there.

They have been assured that Eno would be competent to meet all American Disability Acts and Regulations. They added approximately 2300 sq. ft. with the removal of SCTV from Eno and many other features there. There would also be changes in the parking area, with a drop-off area. He said the estimated cost for the renovation would be about \$4,000,000.

Raymond Giolitto, from Northeast Collaborative Architects explained the changes needed to Eno for the new Senior/Community Center. He showed plans of the updated building and new parking area and drop-off area. He said there are 45 parking spaces that will be provided.

Ms. Heavner said Aging & Disabilities is looking at this new proposal and will get back to the Board with their feedback.

The Board had questions about walkways, the outdoor sitting area, ramps, etc. and asked that a few changes be made, if possible, to discuss further. They appreciate all the work that has been done on this plan and are looking at moving forward with this plan.

#### **FIRST SELECTWOMAN’S REPORT**

Ms. Heavner said Mayor Luke Bronin from Hartford held a Town Hall at the Simsbury Public Library on January 3<sup>rd</sup> to discuss his vision for the capital city along with obstacles he is facing and how successes of Simsbury are tied together. The watch this discussion please control-click on <http://simsburytv.org/v/4PlfNoOtoBU>.

Ms. Heavner said the Planning Commission invites everyone to participate in a discussion about *How Simsbury Should Guide Growth or Change* to be held on January 10<sup>th</sup> in the cafeteria at Henry James School at 7:00 p.m.

Ms. Heavner said there will be two Martin Luther King Programs in Simsbury. One will be held on Saturday, January 14<sup>th</sup> at 1:p.m. at the Simsbury Public Library. It is called *Come Walk in My Shoes – Film and Community Discussion*. The other one is the *2017 MLK in Simsbury Celebration* on January 16<sup>th</sup> at 2:00 p.m. at the First Church of Christ.

Ms. Heavner said three Simsbury Restaurants made the List of CT Magazine’s 2017 Best Restaurants. Congratulations to *Millwrights*, *Present Company* and *Metro Bis*.

Ms. Heavner reminded everyone that the last day to pay taxes without penalty is February 1, 2017. Postmarks of February 1<sup>st</sup> are acceptable or payments can be made online at <http://www.simsbury-ct.gov/tax-office>.

Ms. Heavner said Paine’s customers can put their Christmas trees out for pick-up the week of January 17<sup>th</sup> and All Waste customers can put their trees out the week of January 30<sup>th</sup>.

Ms. Heavner congratulated the Simsbury Police Department for receiving two awards from the State’s Law Enforcement Safety Challenge for 2015. They received the “*Best Overall Occupant Protection Safety Program*” for the fourth year in a row. They also received an Honorable Mention for “*Overall Traffic Safety Enforcement*” for the second year in a row.

Ms. Heavner thanked the Simsbury Abigail Phelps Chapter of the Daughters of the American Revolution for sponsoring Wreaths Across America in Simsbury. Volunteers placed over 300 wreaths in cemeteries across Simsbury to remember the fallen

Ms. Heavner asked everyone to keep Simsbury safe by clearing fire hydrants from snow in case of an emergency. Besides it is the law! She said the ordinance can be found by control-clicking on <http://www.simsbury-ct.gov/public-safety-subcommittee/files/fire-hydrant-maintenance>.

Ms. Heavner said the January/February edition of the Senior Center Communicator Newsletter is out. Just control-click on the following link: <http://www.simsbury-ct.gov/sites/simsburyct/files/news/january-february-2017.pdf>.

Ms. Heavner congratulated Chef Attilio Ceneviva who was featured on the Food Network’s “Cooks vs. Cons” on December 14<sup>th</sup>.

Ms. Heavner said the Snow Plow Ride-Along program is still running. For more information go to the Public Works page of the Town’s website or click on <http://www.simsbury-ct.gov/public-works/files/snow-plow-ride-along-program-information-application>.

Ms. Heavner reminded everyone that the Drought watch is still in effect statewide. For more information go to <http://www.fvhd.org>.

Ms. Heavner said the Simsbury Social Services Department has been designated as an official intake site for residents wishing to apply for the Conn. Energy Assistance Program. For more information, call (860) 658-3283.

Ms. Heavner said the Town of Simsbury, Simsbury Chamber of Commerce and Eversource have launched a town-wide energy-savings campaign for businesses. For more information, please contact 1-877-947-3873 or visit [EnergizeCT.com/businesses](http://EnergizeCT.com/businesses).

Ms. Heavner said Wednesday Night is Business Night at the Simsbury Library beginning January 11<sup>th</sup>. To get more information or register for these programs go to: <http://www.simsburylibrary.info>.

Ms. Heavner welcomed the new owner of *Farmers Insurance – The Kosior Agency*; Benny’s reopening; and *Khagan Mongolian Grill & Sushi* who are now open for business.

**SELECTMEN ACTION**

**a) Possible Action on Amendment to §137-3 of the Town of Simsbury’s Sidewalk Maintenance Ordinance**

Mr. Roy reiterated the proposed amendment to the Sidewalk Maintenance Ordinance. He said the abutting property owner would still be responsible to remove snow within 24 hours, make the sidewalk safe if icing issues within 2 hours after sunrise, repairs to maintenance associated with heaving associated with tree roots, etc.

Mr. Roy said the only actual change would be under the complete replacement of a sidewalk within a neighborhood. The property owner would no longer be assessed for this cost.

Ms. Lang made a motion to amend section §137-3 of the Town of Simsbury’s Sidewalk Maintenance Ordinance to be as the notice of the Public Hearing held on January 9, 2017. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**b) Approve Tax Refunds**

Ms. Cook made a motion to approve tax refunds in the amount of \$25,278.34 as requested and approved by the Tax Collector. Ms. Lang seconded the motion. All were in favor and the motion passed.

**c) Authorize the First Selectwoman to execute a Historic Documents Preservation Grant with the CT State Library in the amount of \$4,000**

Ms. Heavner said the Board of Selectmen approved the submission of this grant to be used for scanning and attaching land record images to the Town Clerk’s Electronic Land Record Index. The application was approved by the Ct State Library, and now the Grant needs to be signed by the First Selectwoman.

Ms. Lang made a motion to authorize the First Selectwoman to accept and execute the Historic Documents Preservation Grant awarded to the Town of Simsbury in the amount of \$4,000 from the CT State Library. Ms. Cook seconded the motion. All were in favor and the motion passed.

**d) Approve Eagle Scout Projects**

Mr. Toner said these are two great projects. Chris Anderson will be making repairs and renovations to the David Emott Memorial Fitness Trail at Simsbury Farms. He will be upgrading and signage and doing some work at the stations and give it a good face-lift.

Alec Traktovenko will be constructing and installing two “Little Free Library” book cabinets along the Farmington Valley Greenway.

Mr. Toner said the Culture, Parks and Recreation Commission voted unanimously to approve these proposals.

Mr. Askham made a motion to authorize Chris Anderson’s Eagle Scout project at David Emott Memorial Fitness Trail at Simsbury Farms and Alec Traktovenko’s Eagle Scout projects along the Farmington Valley Greenway as presented. Ms. Lang seconded the motion. All were in favor and the motion passed.

**e) Approve the Recommendation for Simsbury Farms Golf Course Restaurant Agreement**

Mr. Toner said Culture, Parks and Recreation did go out to RFP for this. He said Maple KRG, LLC was the only response. He said Attilio has previously operated the restaurant from 2005 to 2012. He feels this is a good fit for the Golf Course Restaurant.

Ms. Cook made a motion to approve the recommendation of the Culture, Parks and Recreation Commission to enter into a two year agreement with Maple KRG, LLC to operate the Simsbury Farms Golf Course Restaurant for 2017 and 2018 subject to counsel review and approval, and to authorize the First Selectwoman to sign the agreement. Ms. Lang seconded the motion. All were in favor and the motion passed.

**f) Approve extending the term of the non-exclusive license agreement for the use of the Stoddard Reservoir between the Town of Simsbury and the Simsbury Fish and Game Club, Inc. by four years from March 1, 2017 to March 1, 2021**

Ms. Heavner said the Simsbury Fish and Game Club, Inc. has had a non-exclusive license agreement with the Town for the Stoddard Reservoir Pond Fishing Program since 2000.

Mr. Toner said they have been great stewards of the property. The dam may require some repairs within the next few years and they will make the Fish and Game Club aware of this.

Mr. Askham made a motion to waive the reading of the resolution on the non-exclusive license agreement. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve the resolution for the Simsbury Fish and Game Club, Inc. License Agreement as presented. Ms. Lang seconded the motion. All were in favor and the motion passed.

**g) Discussion and possible approval of Performing Arts Center Contract Renewal**

Ms. Heavner said the original agreement gave SPAC the “non-exclusive right to manage and conduct the operations of the Performing Arts Center” for a three year period beginning January 1, 2014 and ending on December 31, 2016. This proposal is intended to continue that relationship with some modifications for another three year period with the possibility of two one-year extensions.

Mr. Cooke said in recognition of the additional financial burden placed on SPAC the administrative fee would be dropped from \$10,000 to \$2,500 per year. There needs to be a balance of maintenance of vehicles as well. The amended agreement also provides SPAC with year-round access to the office located at the Performing Arts Center. Other issues were addressed and improved. The agreement has been reviewed and approved by Town Counsel.

Mr. Askham made a motion to authorize the First Selectwoman to execute the Amended Facility Operation Agreement with Simsbury Performing Arts Center, Inc. for the operation of the Simsbury Performing Arts Center. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**h) Accept Donation in the amount of \$4,000 from Sutton Kaylor and Jake Goodwin for Social Services Department Programs**

Ms. Heavner said Sutton Kaylor and Jake Goodwin came before the Board of Selectmen with their proposal for this Middle School Semi-formal dance. It was a huge success with no problems. Something special will be done for these two boys for their donation.

Ms. Lang made a motion to accept the donation of \$4,000 from Sutton Kaylor and Jake Goodwin to support Social Services Department programs with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

**i) Accept Donation in the amount of \$5,000 from Garrity Asphalt Reclaiming, Inc. for the Keep Simsbury Warm Programs**

Ms. Heavner noted that Mr. Garrity donates \$5,000 every year for this program. It assists the needy in keeping their homes warm.

Ms. Cook made a motion to accept the donation of \$5,000 from Garrity Asphalt Reclaiming Inc. for the Keep Simsbury Warm Program with our thanks. Mr. Kelly seconded the motion. All were in favor and the motion passed.



**j) Adopt Resolution Amending Defined Contribution Plan Administrative Procedure**

Ms. Heavner said the Board is being asked to adopt the resolution of the collective bargaining agreement negotiated with AFSCME Local 2945 of Council 4, AFL-CIO and previously approved by the Board of Selectmen. This resolution approves the revisions necessary to update the defined contribution plan's Administrative Procedure regarding eligible employees and contributions to reflect those changes.

Mr. Askham made a motion to waive the reading of the Resolution amending the Defined Contribution Plan Administrative Procedure. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to adopt the resolution amending the Defined Contribution Plan Administrative Procedure as presented. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**k) Accept of Proposal from L. Wagner & Associates for services relating to Small Cities Grant, Simsbury Housing Authority**

Ms. Cook recused herself at this time.

Ms. Heavner said a RFP went out for a firm to provide professional and technical services in connection with preparation of a 2017 Small Cities Community Development Program Grant on behalf of the Housing Authority. The entire cost of the firm chosen will be covered by the grant, if awarded.

She said the purpose of the grant is to resurface the roadway surrounding the Virginia Connolly Residence, install new sidewalks with curb cuts for accessibility, upgrade the existing generator and replace the in-ground oil tank.

Mr. Cooke said the Small Cities Grants are extremely complicated in terms of the administrative side. The application is one of the most complicated processes he has seen. L. Wagner & Associates has done work like this for the Town before.

Mr. Paine made a motion to accept the proposal of L. Wagner & Associates to provide professional and technical services in connection with the submission of a Small Cities Grant on behalf of the Simsbury Housing Authority. Ms. Lang seconded the motion. All were in favor and the motion passed.

Ms. Cook returned to the meeting.

**I) Approve 2017 Budget Workshop Dates**

Ms. Lang made a motion to approve the 2017 budget workshop dates as presented. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**OTHER BUSINESS**

There was no other business at this time.

**APPOINTMENTS AND RESIGNATIONS**

**a) Acknowledge the resignation of Carolyn Bligh (R) as a regular member of the Economic Development Commission effective December 9, 2016**

Mr. Askham made a motion to acknowledge the resignation of Carolyn Bligh as a regular member of the Economic Development Commission effective December 9, 2016 with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

**b) To appoint Richard Jones (U) to fill a vacancy on the Board of Ethics with a term of January 1, 2017 to January 1, 2021**

Mr. Kelly made a motion to appoint Richard Jones to fill an unaffiliated position on the Board of Ethics with a term of January 1, 2017 to January 1, 2021. Ms. Cook seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) Regular Meeting of December 12, 2016**

No changes were made to the Regular Meeting Minutes of December 12, 2016, and therefore, the minutes were adopted.

**SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS**

- 1. Personnel** – Mr. Kelly said they will start to schedule meetings within the next two months. They will be working on RFP's.

Mr. Askham said he would be meeting with the Economic Development Commission to answer questions of what they have been charged with. They will discuss the scope of work needed.

- 2. Finance** – no report at this time.
- 3. Welfare** – no report at this time.

- 4. **Public Safety** – no report at this time.
- 5. **Board of Education** – no report at this time.

Ms. Lang said that the Martin Luther King celebration at First Church will have great musical entertainment this year. This will start at 2 p.m.

Ms. Lang said she did a piece for the NPR show “Next” which starts on Thursday. This will give Simsbury’s connection to Dr. Martin Luther King as well. You can google Martin Luther King in Connecticut to view the history of Dr. King and Simsbury.

### **ADJOURN**

Mr. Askham made a motion to adjourn at 8:45 p.m. Ms. Lang seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk