

The Regular Meeting of the Board of Selectmen was called to order at 6:03 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectwoman Lisa Heavner; Board members Christopher Kelly, Elaine Lang and Cheryl Cook. Mr. Askham and Mr. Paine were absent. Others in attendance included Thomas Cooke, Director of Administrative Services and other interested parties.

PLEDGE of ALLEGIANCE

First Selectwoman Lisa Heavner led the Pledge of Allegiance.

PUBLIC AUDIENCE

Robert Kalechman, 971 Hopmeadow Street – Mr. Kalechman commented on the election regarding pensions, the 2nd Amendment and tax increases.

Joan Coe, 26 Whitcomb Drive – Ms. Coe commented on the 5 minute rule for speakers, accommodations for SCTV, the process for hiring a Town Manager, the presentation on residence developments and trends at the last Board of Selectmen meeting and Capital Asset Inventory.

PRESENTATIONS

- **Legislative Update on State Budget – Senator Kevin Witkos and Representative John Hampton**

Representative Hampton stated the Governor released his budget last week, which is devastating on many levels. A lot of the costs like teachers’ pensions will be transferred to the towns. That would mean a \$4.5 million increase for Simsbury. Representative Hampton stated the need for a balanced budget, and that this is only the beginning. There will be many iterations of this budget throughout the process. Representative Hampton stated he and Senator Witkos are here to reassure the Town and advocate at the Capitol. Senator Witkos stated the state is looking at a \$1.7 million deficit. The present budget would cause towns like Simsbury to dip into their reserves or raise their own taxes. Senator Witkos assured the Board of Selectmen that the legislature will be delivering a better budget, and that they feel the Governor’s budget is unrealistic. Commissioners are working with other branches of government, even though they have been told not to. Senator Witkos went on to discuss the teachers’ pension packages. Senator Witkos and Representative Hampton also discussed possibilities for towns to establish shared for positions like Superintendent.

Ms. Cook moved to amend the agenda to add Executive Session Pursuant to CGS §1-200(6)(B) to discuss strategy and negotiations with respect to Martin v. Town of Simsbury at the end of the regular agenda. Mr. Kelly seconded. The vote passed unanimously.

- **Senior/Community Center Conceptual Plan – Public Building Committee**

The Board of Selectmen had asked the Public Building Committee for an update. Ray Giolitto of Northeast Collaborative Architects was present to go over the changes made. Northeast has done a number of different options for the lower level, including filling in the courtyard. They have also tried to move the entrance closer to the drop off area, and increase the size of the multipurpose room.

With the courtyard filled in, they could potentially move some of the offices into the addition. The entrance has been moved further east and is about 20 feet from the curb. The increase in the multipurpose room brings it from around 1,000 sq. ft. to 2,000 sq. ft. There will still be a small fitness room, social services room, etc... The second floor still has the historic meeting rooms and the light and sound room. The amount of parking spaces has increased to 47. The lower end cost would be \$1,260,000 with a total of \$3,000,000 if there is a trade; the full air conditioner system or the north addition. For everything shown, the cost would be \$5,300,000. The next step is to consult with the Historic District Commission, then continue to do refinements. The boiler system is good, and the electrical has been updated previously. Northeast will develop a referendum package, and have an independent cost estimator look at the project as well. The Board of Selectmen discussed the possibility of eligibility of a State Historical Grant. Board Member Elaine Lang will look into possible eligibility.

FIRST SELECTWOMAN’S REPORT

The First Selectwoman reviewed her report, which was part of the agenda packet.

SELECTMEN ACTION

a) Approve Tax Refunds

Mr. Kelly moved to approve tax refunds in the amount of \$74,060.68. Ms. Lang seconded. The vote passed unanimously.

b) Review proposed ordinance for Water Conservation and possibly set Public Hearing Date: The initial draft was brought before the Board of Selectmen in November and was referred back to the Conservation Commission.

After a positive reference from the Conservation Commission, it is now back to the Board of Selectmen. The restrictions would be towards public water supply companies. Restrictions to private wells could be applied if determined to be necessary.

Mr. Kelly moved to set a public hearing date for the proposed ordinance for Water Conservation for March 13, 2017. Ms. Lang seconded. The vote passed unanimously.

c) Approve increase to the Police Department Private Duty Rates as recommended by the Chief of Police with an effective date of July 1, 2017

Chief Peter Ingvertsen and Captain Nicholas Boulter were present. Chief Ingvertsen explained that right now the money for Private Duty is coming from the Special Revenue Fund, and the Department is close to not being able to cover the cost. Last time the Chief approached the Board of Selectmen for an increase was 3 years ago. The Department is trying to avoid approaching the taxpayers to foot the bill for equipment like tasers, etc.

Ms. Cook moved to approve the increase to the Police Department Private Duty rates as recommended by the Chief of Police with an effective date of July 1, 2017. Ms. Lang seconded. The vote passed unanimously.

d) Approve Public Gathering Permit Applications for 2017 Events

All the applicants submitted proper application material. Almost all are repeat events. The Performing Arts Center will be serving beer and wine pending Zoning approval. The Police Department has signed off on the extra duty officers. All events have or are obtaining the required insurance certificates. The following organizations have submitted Public Gathering Permit Applications:

- MS Society Annual Walk – Sunday, April 23
- SMPAC – Simsbury Flea Market – Saturday, April 29
- SMPAC – Mainly Marathon – Friday, May 19
- Simsbury Try-athlon – Sunday, May 21
- Tootin Hills PTO Duck Race – Flower Bridge – Friday, May 26
- Talcott Mountain Music Festival – Fridays, June 30 – July 28 (rain dates Saturdays, July 1, 22, 29)
- Valley Car Club Show – Sunday, July 9
- SMPAC – Tedeschi Trucks Band Concert – Sunday, July 9
- SMPAC – Two Left Feet Blues Festival – Saturday, August 26, Sunday August 27
- SMPAC – Septemberfest – Friday, September 8 – Sunday, September 10
- Woman’s Club Arts and Crafts Festival – Saturday September 16 – Sunday September 17
- Vie for the Kids Race – Sunday, October 1
- Chamber of Commerce Chili Fest – Saturday, October 28

Ms. Lang moved to approve the Public Gathering Permit Applications for 2017. Ms. Cook seconded. The vote passed unanimously.

e) Approve 2017 fee schedule for Simsbury Farms Golf Course, Aquatic Facilities and Summer Camp Programs

Gerry Toner, Director of Culture, Parks & Recreation explained that every year the Culture, Parks and Recreation Commission review these fees and make recommendations. Most of the rates have been left alone. Two years ago there was an equipment surcharge added. There has been contemplation about adding an additional open swim in order to encourage season pass purchases.

Ms. Lang moved to approve the 2017 fee schedule for Simsbury Farms Golf Course, Aquatic Facilities and Summer Camp programs. Mr. Kelly seconded. The vote passed unanimously.

f) Refer pursuant to CGS §8-24 Donation of Playground Equipment from Simsbury Volunteer Fire Company for Rotary Park to the Planning Commission, other Land Use Commissions and the Culture, Parks & Recreation Commission

Kevin Kowalski and Chris Trovato stated that the placement of the playground equipment will be the lead event for the 75th Anniversary festivities. The Fire Company will fund the \$21,000 high-grade play scape product; a fire engine play scape, engine #75. The fire company membership will build it.

Ms. Lang moved to refer the Donation of Playground Equipment from Simsbury Volunteer Fire Company for Rotary Park to the Planning Commission. Ms. Cook seconded. The vote passed unanimously.

g) Approve Board of Education Contract:

- 1) Simsbury Education Association (SEA)**
- 2) Simsbury School Administrators and Supervisors Association (SSASA)**

The Board of Education Contract has been published and all the filings have been done. Michael Goman, 45 Old Stone Crossing was present to address the Board. This is a very regulated, scripted process. The process starts in June. Both parties are subject to mediation. Attorney Tom Looney was counsel for the committee and was present at all the meetings. Mr. Goman narrated the mediation process for the board. No action was required from the Board of Selectmen at this time.

h) Review and discuss waiver of fees for the Theatre Guild of Simsbury Event at Eno Hall: The Theatre Guild will perform their next play on April 22nd, 23rd, 28th, 29th, and 30th

Ms. Lang moved to waive the fees for the Theatre Guild of Simsbury Event at Eno Hall. Mr. Kelly seconded. The vote passed unanimously.

i) Amendments to the Town of Simsbury Retirement Plans:

- 1) Adopt the attached Resolution authorizing the amendment of the Town of Simsbury Retirement Income Plan to reflect changes to the Plan negotiated by the Town of Simsbury and UE Local 222, CILU/CIPU Local 41; and**
- 2) Adopt the attached Resolution authorizing the amendment of the Administrative Procedure Regarding Eligible Employees and Contributions appended to the Defined Contribution Plan of the Town of Simsbury to reflect changes to the Plan negotiated by the Town of Simsbury and UE Local 222, CILU/CPU Local 42**

Mr. Kelly moved to waive the reading of the resolutions. Ms. Lang seconded. The vote passed unanimously.

Ms. Lang moved to adopt the attached Resolution authorizing the amendment of the Town of Simsbury Retirement Income Plan to reflect changes to the Plan negotiated by the Town of Simsbury and UE Local 222, CILU/CIPU Local 41. Ms. Cook seconded. The vote passed unanimously.

Ms. Cook moved to adopt the attached Resolution authorizing the amendment of the Administrative Procedure Regarding Eligible Employees and Contributions appended to the Defined Contribution Plan of the Town of Simsbury to reflect changes to the Plan negotiated by the Town of Simsbury and UE Local 222, CILU/CPU Local 42. Ms. Lang seconded. The vote passed unanimously.

j) Small Cities Program Application

- 1) Authorize the First Selectwoman to sign and submit an “Intent to Apply Form” for a Small Cities grant; and**
- 2) Set a Public Hearing for March 13, 2017 at 6:00pm to solicit citizen input on the proposed application for a Small Cities grant of \$800,000 for renovations at the Virginia Connelly Residence/Dr. Owen L. Murphy Apartments**

Ed LaMontagne addressed the Board. The grant would allow improvements for more accessibility to disabled individuals. It would also address the generator which is beyond its useful life by 5 years, and the underground storage tank which will be beyond its useful life in 2017.

Ms. Lang moved to authorize the First Selectwoman to sign and submit an “Intent to Apply Form” for a Small Cities grant for \$800,000 and set the Public Hearing for March 13, 2017. Ms. Cook seconded. The vote passed unanimously.

k) Approve Resolution for 100percent CT – Clean Energy Concept Program

Tom Roy and Mark Scully from the Clean Energy Task Force were present to address the Board. Mr. Roy equated clean energy in 30-35 years to present day concept cars. The Task Force looked at four key benchmarks: taking stock – benchmarking current energy use, how the need can be reduced, how much renewable energy could be produced in town – solar, and rethinking the grid. A PowerPoint presentation was given on the above benchmarks which included solar panel placement and micro grid options.

Ms. Lang moved to approve the attached Resolution for 100percent CT – Clean Energy Concept Program. Ms. Cook seconded. The vote passed unanimously.

OTHER BUSINESS

- a) Notification of Number of Voting Tabulators: The Town Clerk filed the notification of the number of voting tabulators with the Board of Selectmen as required pursuant to CGS Sections §9-238 and §9-238a.
- b) Aquarion Environmental Champion Awards Program: Anyone interested in nominating someone for the Aquarion Environmental Champion Award must apply before the May 1, 2017 deadline.

APPOINTMENTS AND RESIGNATIONS

a) Acknowledge the resignation of Denise H. Alfeld (D) as an alternate member of the Historic District Commission effective February 1, 2017

Ms. Lang moved to acknowledge the resignation of Denise H. Alfeld (D) as an alternate member of the Historic District Commission effective February 1, 2017. Ms. Cook seconded. The vote passed unanimously.

b) Acknowledge the resignation of Francis J. Salls (U) as a regular member of the Culture, Parks & Recreation Commission effective January 31, 2017

Ms. Cook moved to acknowledge the resignation of Francis J. Salls (U) as a regular member of the Culture, Parks & Recreation Commission effective January 31, 2017. Mr. Kelly seconded. The vote passed unanimously.

c) Acknowledge the resignation of Melissa E. Osbourne (D) as a regular member of the Clean Energy Task Force effective February 3, 2017

Ms. Cook moved to acknowledge the resignation of Melissa E. Osbourne (D) as a regular member of the Clean Energy Task Force effective February 3, 2017. Ms. Lang seconded. The vote passed unanimously.

d) Acknowledge the resignation of Allan Raphael, Sr. (D) as a regular member of the Economic Development Commission effective February 6, 2017

Ms. Lang moved to acknowledge the resignation of Allan Raphael, Sr. (D) as a regular member of the Economic Development Commission effective February 6, 2017. Ms. Cook seconded. The vote passed unanimously.

REVIEW OF MINUTES

a) Regular Meeting of January 23, 2017

There were no changes to the January 23, 2017 minutes. They stand as final.

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- 1. Personnel** – Christopher Kelly stated the Personnel Committee will meet twice a month and the next meeting will be at 7:30 next Thursday in the Board of Education Conference room.
- 2. Finance** – nothing to report
- 3. Welfare** – There will be a public forum at the public library March 8th on the use of marijuana.
- 4. Public Safety** – nothing to report
- 5. Board of Education** – nothing to report

Elaine Lang reported on the 2020 celebration meeting. There is a Main Steering Committee and many sub committees. This will be good for the economy and tourism.

ADJOURN TO EXECUTIVE SESSION

a) Pursuant to CGS §1-200(6)(B) to discuss strategy and negotiations with respect to Martin v. Town of Simsbury

Ms. Lang made a motion to move into Executive Session with Director of Administrative Services Tom Cooke in attendance. Ms. Cook seconded the motion and it passed unanimously. The Board of Selectmen moved into Executive Session at 8:26 p.m.

ADJOURN FROM EXECUTIVE SESSION

Ms. Cook made a motion to adjourn from Executive Session. Ms. Lang seconded the motion and the Board of Selectmen adjourned from Executive Session at 8:34 p.m.

ADJOURN

Ms. Cook made a motion to adjourn the meeting. Ms. Lang seconded the motion and the motion passed. The meeting adjourned at 8:34 pm.

**RESOLUTIONS TO BE ADOPTED
BY THE BOARD OF SELECTMEN
OF THE
TOWN OF SIMSBURY**

WHEREAS, The Town of Simsbury (the "Town") maintains the Town of Simsbury Retirement Income Plan (the "Retirement Plan") for the benefit of its eligible employees; and

WHEREAS, it is desirable that the Retirement Plan be amended in order to reflect the most recent agreement with the UE Local 222, CILU/CIPU Local 41 bargaining unit, comprised of the Police Dispatcher Employees in the Retirement Plan.

NOW, THEREFORE, BE IT

RESOLVED: That Amendment No. 3 to the Retirement Plan, in the form presented to this meeting, be and hereby is approved and adopted, together with any modifications that are determined by counsel for the Town to be necessary or desirable to effectuate the intention thereof and to comply with the requirements of the Internal Revenue Code of 1986, as amended; and further

RESOLVED: That the First Selectwoman of the Town or any other officer designated by the First Selectwoman be, and each of them hereby is, authorized and empowered, for and on behalf of the Town, to execute Amendment No. 3 to the Retirement Plan and to take any and all other actions which may be necessary or desirable to effectuate the intention of the foregoing resolution.

**RESOLUTIONS TO BE ADOPTED
BY THE BOARD OF SELECTMEN
OF THE
TOWN OF SIMSBURY**

WHEREAS, the Town maintains the Town of Simsbury Defined Contribution Plan (the "Defined Contribution Plan") for the benefit of its eligible employees; and

WHEREAS, it is desirable that the "Administrative Procedure Regarding Eligible Employees and Contributions" as appended to the Defined Contribution Plan be amended in order to reflect the most recent agreement with the UE Local 222, CILU/CIPU Local 41 bargaining unit, comprised of Police Dispatchers.

NOW, THEREFORE, BE IT

RESOLVED: That Amendment No. 2 to the Defined Contribution Plan Administrative Procedure Regarding Eligible Employees and Contributions, in the form presented to this meeting, be and hereby is approved and adopted, together with any modifications that are determined by counsel for the Town to be necessary or desirable to effectuate the intention thereof and to comply with the requirements of the Internal Revenue Code of 1986, as amended; and further

RESOLVED: That the First Selectwoman of the Town or any other officer designated by the First Selectwoman be, and each of them hereby is, authorized and empowered, for and on behalf of the Town, to execute Amendment No. 2 to the Defined Contribution Plan Administrative Procedure Regarding Eligible Employees and Contributions and to take any and all other actions which may be necessary or desirable to effectuate the intention of the foregoing resolution.

AUTHORIZING RESOLUTION OF THE
TOWN OF SIMSBURY BOARD OF SELECTMEN

I, Ericka Butler, the Town Clerk of The Town of Simsbury, do hereby certify that the following is a true and correct copy of a resolution adopted by The Town of Simsbury Board of Selectmen at its duly called and held meeting on February 15, 2017, at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

RESOLVED, that the Town of Simsbury, in keeping with its commitments to initiate the Clean Energy Task Force and to take the Clean Energy Communities Pledge, has demonstrated a strong commitment to clean energy and the environment ; and

FURTHER RESOLVED, that the Town of Simsbury aims to support local and regional efforts to improve energy efficiency and the generation of clean renewable energy; and

FURTHER RESOLVED, the Town of Simsbury is currently dependent on an electric grid maintained by Eversource that was developed in an era before distributed energy generation and which will need to be modernized at some point in the future to support the needs of our community;

FURTHER RESOLVED, that the 100Percent CT program aims to explore and investigate the transition to 100% renewable energy, through benchmarking current energy usage, investigating the potential for energy reduction through conservation and efficiencies measures, investigating the potential capacity for local renewable energy generation and modernization of the electric grid;

And be it RESOLVED, that the Simsbury Board of Selectmen is in support of the aspirational goals of the 100Percent CT program as they are in line with the Town of Simsbury's commitments to clean energy.

IN WITNESS WHEREOF: The undersigned has executed this certificate this ____ day of February, 2017.

Ericka Butler, Town Clerk

PLACE
SEAL HERE
(or "L.S." if
no seal)