

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:05 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectwoman Lisa Heavner; Board members Sean Askham, Michael Paine, Cheryl Cook, Christopher Kelly and Elaine Lang. Others in attendance included Thomas Cooke, Director of Administrative Services; Attorney Robert DeCrescenzo; Sean Kimball, Director of Finance/Treasurer; Melissa Appleby, Deputy Director of Administrative Services; James Rabbitt, Director of Planning and Development; Ed LaMontagne, Executive Director of the Simsbury Housing Authority; Rich Bazzano, Director of Technology; State Representative John Hampton, and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC HEARINGS

To Discuss 2017 Small Cities Program Application and to Solicit Citizen Input for Renovation and Repair of property owned by the Simsbury Housing Authority

Nancy Wagner, from L. Wagner & Associates, the Grant Administrator for the Town of Simsbury said the Town is proposing to submit a 2017 Small Cities Grant Application to the Department of Housing for Phase II Renovations and Improvements at Virginia Connelly Residence and Dr. Owen L. Murphy Apartments.

Ms. Wagner said the Town currently has a 2015 grant, which they received for roof replacement and site improvements at the same complex. This work is approximately 90% complete with total completion expected this Spring.

She said the work under the proposed 2017 grant will include a new generator, removal of an old underground storage tank and completion of the sidewalks/paving at Virginia Connelly, as well as replacing the front and rear storm doors at 70 housing units at Dr. Owen L. Murphy Apartments.

Mr. LaMontagne said they are applying for a 2017 Small Cities Grant to fund Phase II of this project. The purpose at Virginia Connelly is to fund Phase II which includes repaving and restriping the roadway, install concrete sidewalks, a new generator, have more handicap parking places, and to purchase a new oil tank. At the Owen L. Murphy Apartments the front and rear storm doors will be replaced.

He said the President will be reducing the Small Cities Grant program or eliminating it. He thanked all the Town employees who helped with the grant. It was a lot of hard work.

With no further public comment, Ms. Cook made a motion to adjourn the Public Hearing at 6:10 p.m. Mr. Kelly seconded the motion. All were in favor and the motion passed.

To receive public comment concerning a proposal to adopt a new Chapter 157, Water Shortages

Don Rieger, Secretary of the Conservation Commission, spoke about State Legislation and what Municipalities can do on their own. He said Simsbury is a ground water system. He feels this proposal would be a “tool kit” so the Town can be prepared for water shortages.

Attorney DeCrescenzo said he worked with the Conservation Commission on this proposal and the Commission unanimously approved this proposal.

Representative John Hampton said Connecticut does have an excellent clean water standard and regulations, but it is necessary that we continue to do are part to conserve water for the Town, especially when extreme situations warrant it.

Representative Hampton said water conservation is one of his top priorities and he is in full support of this ordinance to impose water use restrictions in events when there is a water shortage, a state of ground water depletion or a declaration of public drinking water supply emergency issued by the Department of Public Health. He is also in support of giving the Board of Selectmen the authority to adopt a drought management plan to cover all matters of water conservation. He feels a clean, safe and reliable source of water is one of our most precious and vital natural resources.

Joan Coe, 26 Whitcomb Drive, spoke about the supply in our Aquifer and doesn’t feel a problem exists. She feels there is a State ordinance and we should just adopt that one. She wants this proposed ordinance for further study.

Mr. Rieger, speaking on his own behalf, doesn’t feel the State model fits Simsbury’s case. The proposed ordinance offers possible restrictions and is better tailored to our Town.

David Balboni, 13 Fox Den Road, gave some background on the great flood and the different water companies we have. He doesn’t feel this ordinance is needed as we have one of the largest aquifers in the State. People who own their own wells know they need to maintain them.

With no further public comment, Ms. Lang made a motion to adjourn the Public Hearing at 6:27 p.m. Mr. Askham seconded the motion. All were in favor and the motion passed.

Ms. Cook made a motion to amend the agenda to add Appointments and Resignations to acknowledge the resignation of Derek Peterson from the Zoning Commission; appoint Mike Doyle to the Zoning Commission; appoint Evelyn Golden, Maura Ann Fitzgerald Mocciae, and Mark Brady to the Economic Development Commission. Also, to adjourn to Executive Session pursuant to § Section 1-200 6d concerning the selection of a site for lease or sale of purchase of real estate in connection with the Senior Center. Ms. Lang seconded the motion. All were in favor and the motion passed.

PUBLIC AUDIENCE

Mr. LaMontagne, 4 George Street, spoke in favor of the Simsbury Ambulance request for supplemental funding in the amount of \$80,000. Their assistance to seniors and persons with disabilities in the Town is immeasurable. He has worked closely with them and they are very knowledgeable, caring and professional.

Ms. Coe, 26 Whitcomb Drive, spoke about her discussions with Town staff on different matters, moving SCTV, a Town survey, a brochure for Town Manager, purchasing items for the Performing Arts Center, and other issues.

PRESENTATIONS

There were no presentations at this time.

FIRST SELECTWOMAN’S REPORT

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

SELECTMEN ACTION

a) Approve WPCA Budget and CIP items

Ms. Heavner said the Water Pollution Control budget was reviewed during the budget process. The WPCA budget for FY18 was approved by the WPCA Board.

Mr. Askham made a motion to approve the Water Pollution Control 2017-2018 Operating Budget in the amount of \$3,553,972. Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve the following projects to be included with the previously approved FY18 Capital Improvement Program approved by the Board of Selectmen on March 7, 2017:

| | |
|-------------------------------------|------------|
| 36 Drake Hill Road Dike Analysis | \$ 75,000 |
| Phosphorous Removal Analysis | \$ 150,000 |
| Hayes Road Pump Station Upgrade | \$ 45,000 |
| Tariffville Area Sewer Repairs | \$ 100,000 |
| Water Pollution Control Plan Update | \$ 100,000 |

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

b) Approve submission of 2017 Small Cities Program Application for Renovation and Repair of property owned by Simsbury Housing Authority

Ms. Heavner asked the Board to approve the attached Resolution authorizing the First Selectwoman to file an application with the State of Connecticut in order to obtain a Small Cities

Community Development Program Grant for the renovation and repair of property owned by the Simsbury Housing Authority in the amount of \$800,000.

Ms. Cook made a motion: “WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program administered by the State of Connecticut, Department of Housing pursuant to Public Law 93 – 3 83, as amended; and,

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Housing is authorized to disburse such Federal monies to local municipalities; and,

WHEREAS, it is desirable and in the public interest that the Town of Simsbury make application to the State for \$800,000 in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement therefore, should be offered.

NOW, THEREFORE, BE IT RESOLVED THE Board of Selectmen:

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of the Connecticut General Statutes; and,
2. That the filing of an application by the Town of Simsbury in an amount not to exceed \$800,000 is hereby approved, and that the First Selectwoman is hereby authorized and directed to file such Application with the Commissioner of the Department of Housing, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, rescissions, and revisions thereto, to carry out approved activities and to act as the authorized representative of the Town of Simsbury.”

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

c) Possible Action on adopting a new Chapter 157, Water Shortages

Ms. Heavner said the Board received public comment on this issue during the Public Hearing. She said the ordinance is not mandatory and she supports it. She said water is a fundamental part of life. Ms. Heavner said the Board of Selectmen was elected to make hard decisions.

Mr. Paine does have some concerns at what is going on at the State level which might put the Town in an uncomfortable position. He does support the concept but wants some changes made.

Ms. Lang doesn't think this a perfect solution, but she thinks the passage would raise awareness of what is going on.

Mr. Kelly supports the ordinance as it does mandate all the concerns that were made. It is always better to be thoughtful and proactive on these types of issues.

Ms. Cook also has some concerns about some of the drafting. Some residents have expressed having a voluntary period of conservation measures. She has questions on enforcement and how businesses would be handled as well.

Mr. Askham objects to this ordinance. We don't need to police our residents as they are smart enough to preserve water on their own. This is government overreach.

After more discussion, Ms. Cook made a motion to defer the proposed Chapter 157, Water Shortages ordinance to a Sub-Committee made up of Mr. Paine and Mr. Kelly. Mr. Kelly seconded the motion. Ms. Heavner, Mr. Paine, Ms. Cook, Mr. Kelly and Ms. Lang approved; with Mr. Askham opposing. Therefore, the motion passed.

d) Approve Tax Refunds

Mr. Askham made a motion to approve tax refunds in the amount of \$4,354.84 as requested and approved by the Tax Collector. Ms. Lang seconded the motion. All were in favor and the motion passed.

e) Approve Software License Agreement and provide copy of Database Software Town of Granby Town Clerk's Office

Ms. Heavner said the Board is being asked to approve the software license agreement that is attached to the submission that will provide the Town Clerk's Office, Granby Town Hall with a software database to enter, issue, track and report Absentee Voter Ballots to the SOTS, Simsbury Registrars, and Election Moderators.

She said this agreement has been reviewed and approved by Town Counsel and does carry a financial payment to the Town of Simsbury by the Town of Granby, CT for \$1.00 for the database software. The database that will be provided is void of data.

Mr. Bazzano said this is a simple Microsoft access database to help streamline the Town Clerk's process, which helped Simsbury greatly. Now Granby is asking for it. They have to purchase licensed software.

Mr. Kelly made a motion to approve the software license agreement to the Town of Granby as submitted. Mr. Askham seconded the motion. All were in favor and the motion passed.

f) Approve Request for Supplemental Funding by Simsbury Volunteer Ambulance Association in the amount of \$80,000

Ms. Heavner said this request is being made due to an increase in call volume for ambulance services. There has also been the need for paid staffing of the primary ambulance during weekday hours.

For the first year, this would be a onetime expenditure using Section 809c of the Town Charter, which allows the Board of do this. This would come out of reserves. Then there would be a further in depth study on what is needed in the future.

Mr. Askham said this is the type of issue a onetime transfer is to be used for. The ambulance service is a terrific service for our community.

Mr. Askham made a motion to provide a subsidy of \$80,000 to the Simsbury Volunteer Ambulance Association toward its operating budget. Ms. Lang seconded the motion. All were in favor and the motion passed.

g) Approve Registrars of Voters Redistricting

Ms. Heavner said the Towns voter enrollment has increased by approximately 2000 voters in the last two years, affecting districts disproportionately in order to avoid opening a fifth polling place. The Democratic and Republican Registrars of Voters have been working together to identify neighborhoods to redistrict that will better balance the enrollment numbers. Consideration was also given to polling location parking and street access.

Ms. Heavner read the changes being made. Ms. Cortes said this is an immediate need as they cannot continue to operate Latimer Lane with the number of voters registered there.

Ms. Cotes said they will be sending registered letters to the residents whose locations are being changed. It was suggested that at the budget referendum they could hand out information as well.

Ms. Lang made a motion to approve the redistricting of electors on streets listed on the attached summary. Mr. Askham seconded the motion. All were in favor and the motion passed.

h) Review and discuss waiver of fees for the Simsbury Light Opera Company Event at Eno Hall

Ms. Heavner said the Simsbury Light Opera Company is requesting that the Board waive the use fees for Eno Memorial Hall for March 26-31st; April 1-2nd; April 8-9th. They will cover the overtime expense of the custodial staff.

Ms. Cook asked if there should be a policy in place for these kinds of requests. Ms. Heavner requested that Mr. Cook and Mr. Roy to work on a policy.

Mr. Askham made a motion to waive fees for Eno Memorial Hall for March 26-31st; April 1-2nd and April 8-9th performances by the Simsbury Light Opera Company. Ms. Lang seconded the motion. All were in favor and the motion passed.

i) Accept Donation in the amount of \$2,822.80 from Stop & Shop for the Feed-A-Friend Program

Ms. Heavner said this donation would support the Cheese Day Program and our Food Closet.

Ms. Lang made a motion to accept the donation of \$2,822.80 from Stop & Shop for the Feed-A-Friend Program with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

j) Approve Town of Simsbury Fair Housing Resolution and Equal Opportunity Policies

Ms. Heavner said in connection the with the Town’s commitment to non-discrimination and the recognition of April as Fair Housing Month, the Board is being asked to adopt and authorize the

First Selectwoman to execute and re-issue policies prohibiting discriminatory practices which also provide for enforcement.

Mr. Askham made a motion to adopt and authorize the First Selectwoman to execute and re-issue the following policies prohibiting discriminatory practices which also provide procedures for enforcement:

- Fair Housing Resolution
- Fair Housing Policy Statement
- Title VI Equal Opportunity Statement
- Affirmative Action Policy Statement
- ADA Notice
- Municipal Grievance Procedure

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

k) Appoint Real Estate Firms to represent the Town of Simsbury in its Real Estate transactions for a period ending on January 31, 2019

Ms. Heavner said on January 23, 2017 the Town issued a RFP seeking up to four real estate firms to represent the Town in real estate transactions, including but not limited to the sale of properties owned by the Town as a result of tax foreclosure. Responses were received from six interested firms.

Ms. Lang made a motion to appoint the following real estate firms to represent the Town of Simsbury in its real estate transactions for a period ending on January 31, 2019:

- Coldwell Banker Residential Brokerage – Maura Hammick, Branch V.P.
- Berkshire Hathaway Home Services – Sandy Fine, Office Leader/Director of Sales
- RE/MAX Communities, LLC – Charlie Kaylor, Broker/Owner
- CBRE/New England – John M. McCormick, Executive Vice President

Mr. Askham 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 Derek Peterson from the Zoning Commission

Ms. Cook made a motion to acknowledge the resignation of Derek Peterson from the Zoning Commission. Mr. Askham seconded the motion. All were in favor and the motion passed.

b) Appoint Mike Doyle, 48 Sunset Hill Road, as a regular member of the Zoning Commission with an expiration date of December 4, 2017

Mr. Kelly made a motion to appoint Mike Doyle as a regular member of the Zoning Commission with an expiration date of December 4, 2017. Ms. Cook seconded the motion. All were in favor and the motion passed.

c) Appoint Evelyn M. Golden, 43 Pine Glen Road, as a regular member of the Economic Development Commission with an expiration date of January 1, 2020

Ms. Cook made a motion to appoint Evelyn Golden as a regular member of the Economic Development Commission with an expiration date of January 1, 2020. Mr. Paine seconded the motion. All were in favor and the motion passed.

d) Appoint Maura Ann Fitzgerald Mocciae, 27 Castlewood Road, Weatogue as a regular member of the Economic Development Commission with an expiration date of January 1, 2020

Ms. Cook made a motion to appoint Maura Ann Fitzgerald Mocciae as a regular member of the Economic Development Commission with an expiration date of January 1, 2020. Mr. Askham seconded the motion. All were in favor and the motion passed.

e) Appoint Mark Brady, 144 ½ Firetown Road, as regular member of the Economic Development Commission with an expiration date of January 1, 2020

Mr. Paine made a motion to appoint Mark Brady as a regular member of the Economic Development Commission with an expiration date of January 1, 2020. Ms. Cook seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of February 27, 2017

Mr. Paine made a correction under HeartSafe Community Designation, on page 1, of the Regular Meeting Minutes of February 27, 2017, the name of Mike Morse being changed to Mike Delehanty.

Ms. Cook made a motion to correct the name of Mike Morse to Mike Delehanty under HeartSafe Community Designations. Ms. Lang seconded the motion. All were in favor and the motion passed.

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- 1. Personnel** – Mr. Kelly was cancelled, but will be held next Thursday at 7:00 a.m. in Town Hall
- 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 everyone should read the First Selectwoman’s Report as it has a lot of information on all events in Simsbury.

ADJOURN TO EXECUTIVE SESSION

Ms. Lang made a motion to move into Executive Session and Ms. Cook seconded the motion. The motion was amended to include Director of Administrative Services Tom Cooke and Director of Planning and Community James Rabbitt in the Executive Session. The motion and passed unanimously. The Board of Selectmen moved into Executive Session at 7:37 pm.

- a) Pursuant to § Section 1-200 6d concerning the selection of a site for lease or sale or purchase of real estate in connection with design of the Senior Center**

Mr. Cooke and Mr. Rabbitt were present.

ADJOURN FROM EXECUTIVE SECTION

Ms. Lang made a motion to adjourn from Executive Session. Mr. Askham seconded the motion and it passed unanimously. Executive Session adjourned at 8:27 pm.

No action was taken.

ADJOURN

Ms. Lang made a motion to adjourn the meeting. Mr. Askham seconded the motion and it passed unanimously. The meeting adjourned at 8:27 pm.

Respectfully submitted,

Kathi Radocchio
Clerk