

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 7:00 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Lisa Heavner; Board members Sean Askham, Cheryl Cook, Philip Purciello, Michael Paine and Christopher Kelly. Others in attendance included: Thomas Cooke, Director of Administrative Services; Chief Kevin Kowalski, Gerry Toner, Director of Culture, Parks and Recreation, and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

Ms. Heavner asked everyone to remain standing to take a moment of silence for 9/11.

PUBLIC HEARING

To receive public comment concerning the proposed Amendments to Simsbury Code of Ordinances, inserting a new Chapter 90 concerning the removal of vegetation and other obstructions from public and private fire hydrants

Robert Kalechman, 971 Hopmeadow Street, said it was his intent to read the enforcement provision and definition on the amendments to the Simsbury Code of Ordinances and his concern is that this is not constitutional.

Mr. Kalechman said safety should be first, but had concerns about people over 65 having to take care of the snow and other obstructions on their own. He doesn't want the elderly to be arrested because they can't take care of the property. He feels we shouldn't have a fine and punishment for this. He feels the Administration should direct the Chief of Police and Fire Marshall want needs to be done.

Joan Coe, 26 Whitcomb Drive, feels that neighbors should help neighbors clean their property. She feels the volunteer Fire Department should be shoveling the snow out of the way.

Mr. Kalechman said his intent is public safety and the safety of the elderly. We need to study the demographics to see how many seniors own these properties. He feels this needs to be re-worded.

CLOSE PUBLIC HEARING

Ms. Askham made a motion to close the Public Hearing at 7:10 p.m. Ms. Cook seconded the motion. All were in favor and the motion passed.

PUBLIC AUDIENCE

Ms. Coe, 26 Whitcomb Drive, said she is running for the First Selectman position and is very qualified for the job. She also spoke about Septemberfest and how she used the empty tent. She also spoke about the proposed Senior Community Center and C-Tech solar panels.

Amy McLean Sals, Democratic Party Chairperson, said it was her decision not to have someone in the tent on Sunday, of the Septemberfest, due to the weather.

Mr. Kalechman said he is also running for First Selectman, under the 1c petition, so he can clean-up the corruption in the 5th District. He spoke about a saying a commander said about not looking down on people unless you are going to help them up. He also spoke about the budget issues and the unsolved murder in Town.

Lisa Gray, Executive Director of the Chamber of Commerce, spoke about their upcoming activities, the new visitor center at the Chamber's office, and their website Simsbury-coc.org.

PRESENTATIONS

Ms. Heavner said this is an annual week which celebrates the Constitution.

- **Proclamation - Constitution Week**

Ms. Heavner said Constitution Day is September 17th. The week of September 17-23 will be in observance of defending the Constitution.

Mr. Purciello read the following Proclamation:

WHEREAS, September 17, 2015, Constitution Day, marks the 228th anniversary of the signing of the Constitution of the United States of America; and,

WHEREAS, We the People did ordain and establish a Constitution for the United States of America to secure the blessings of liberty for ourselves and our posterity; and

WHEREAS, it is important that all citizens fully understand the provisions, principles and meaning of the Constitution, so they can support, preserve and defend it against encroachment; and

WHEREAS, the President and the Congress of the United States have designated September 17th through 23rd as Constitution Week; and

WHEREAS, Constitution Week provides the opportunity for all Americans to learn about and to reflect upon the rights and privileges of citizenship and its responsibilities; and

WHEREAS, the people of the Town of Simsbury do enjoy the blessings of liberty, the guarantee of the Bill of Rights, equal protection of the law under the Constitution, and the freedoms derived from it.

NOW, THEREFORE, LET IT BE KNOWN, I, Lisa L. Heavner, First Selectman of the Town of Simsbury, do hereby proclaim September 17-23, 2015 as

CONSTITUTION WEEK

And invite every citizen and institution to join in the national commemoration.

IN WITNESS THEREOF, I have placed my seal and the great seal of the Town of Simsbury.

Dated the 16th day of September 2015
Lisa L. Heavner, First Selectman

- **Special Olympics Medalist – Selina Derungs**

Ms. Heavner introduced Selina Derungs who is Simsbury’s Special Olympics Medalist. She said the Town is very proud of Ms. Derungs.

Ms. Derungs showed her three metals and said going to the Olympics in Los Angeles was a great experience.

FIRST SELECTMAN’S REPORT

Ms. Heavner reported that Eversource has agreed to establish a temporary staging area in Simsbury for staging its equipment, in the event of a natural weather disaster, at the Iron Horse Boulevard parking lots. She thanked everyone who worked on this project and for keeping the safety of Simsbury residents and businesses in the forefront of their initiatives.

Ms. Heavner said Septemberfest closed the season at the Simsbury Meadows Performing Arts Center. She thanked the not-for-profit organization with its volunteer Board of Directors, paid staff and volunteers for all their help throughout the season.

Ms. Heavner said the Simsbury Public Library held their used book sale on September 12-13. This event is put together by the Friends of the Simsbury Public Library and 100% of the proceeds go toward programs and services at the Library. She thanked everyone for their help and support.

Ms. Heavner said the Simsbury Woman’s Club annual Arts and Crafts Festival is being held on September 19-20 in the parking lots on Iron Horse Boulevard. Each year, the Club has been able to donate up to \$20,000 to non-profit, public service organizations. She thanked the Club’s volunteers for holding this wonderful event and doing so much for the community.

Ms. Heavner said the Simsbury Fly-in and Car Show is on Sunday, September 20th from 8 – 3. The Club reported that this is the largest event of its kind in New England. For more information, look on-line at www.simsburyflyin.com.

Ms. Heavner said the Senior Centers of Simsbury, Avon, Bloomfield, Canton and Newington have been working to create a monthly “LGBT Moveable Senior Center” day of programming. Opening day is September 24th at the Avon Senior Center. For more information, please send your name and email address to “kmarschall@simsbury-ct.gov.

Ms. Heavner said September 24th our Senior Center and the Farmington Valley VNA will present a Wellness Fair in the Eno Memorial Hall Auditorium. If you need a flu shot, you need to make an appointment. Residents can also call the Senior Center at 860-658-3273.

Ms. Heavner said the Senior Center will be honoring all Veterans with a special luncheon on Thursday, October 1st at Eno Memorial Hall. Reservations are needed in advance by calling the Senior Center at 860-658-3273.

Ms. Heavner said that Realtor.com identifies West Simsbury as 43rd Hottest Residential Real Estate Market in the Nation. There is a wonderful article in HartfordBusiness.com on September 7th and she encouraged everyone to read it.

SELECTMEN ACTION

a) Possible Action on Amendments to Simsbury Code of Ordinances Chapter 90 Fire Hydrants

Mr. Kelly said this ordinance has worked well in other Towns. The intent is to have this as a vehicle so if other things, such as letters, don’t work they can use this to take action. The Board did receive two small edits on the ordinance.

Mr. Cooke noted that there should also be a change in §90-4 B.

Chief Kowalski said the proposed amendment to the Simsbury Code of Ordinances was approved by the Public Safety Committee. He said this is not an issue just about snow removal, but there are also shrubs, fencing, etc. that are in the way of some hydrants. He feels they need an enforcement process to help with these problems.

Mr. Askham made a motion approve the revised and proposed Town ordinance for fire hydrant maintenance with changes. Mr. Kelly seconded the motion. All were in favor and the motion passed.

b) Adopt Resolution authorizing the First Selectman to enter into an amended and restated Intergovernmental Consortium Agreement regarding the implementation of the Workforce Innovation and Opportunity Act of 2014

Alex Johnson, Executive Vice President and COO of Capital Workforce Partners gave some background on the Intergovernmental Consortium Agreement. He said there is no cost to the Town for this Innovation.

Mr. Askham made a motion to adopt the following resolution:

RESOLUTION AUTHORIZING CHIEF ELECTED OFFICIAL OR CHIEF EXECUTIVE OFFICER TO ENTER INTO AN AMENDED AND RESTATED INTERGOVERNMENTAL CONSORTIUM AGREEMENT ON BEHALF OF THE MUNICIPALITY OF SIMSBURY TO IMPLEMENT THE WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014 IN ACCORDANCE WITH FEDERAL AND STATE LAW

WHEREAS, the 105th Congress of the United States of America enacted the federal Workforce investment Act of 1998 (“WIA”), for the purpose of providing workforce investment activities through statewide and local workforce systems; and

WHEREAS, pursuant to WIA, the Governor of the State of Connecticut created the North Central Region consisting of thirty-seven municipalities (the “Municipalities”), including the Municipality of Simsbury (the “Municipality”); and

WHEREAS, in or about 2003 the Municipalities entered into an Intergovernmental Consortium Agreement (the “Existing ICA”) to implement a local workforce system for the North Central Region, and;

WHEREAS, the 113th Congress of the United States of America enacted and President Obama signed into law on July 22, 2014 the federal Workforce innovation and Opportunity Act of 2014 (“WIOA”) to continue with certain changes the policies and programs created and administered under WIA, including the initial re-designation of the North Central Region as the North Central Connecticut Workforce Development Area (the “Local Area”); and

WHEREAS, the implementation of WIOA and the re-designation of the Local Area shall require amending the Existing ICA through the execution of an amendment creating an Amended and Restated Intergovernmental Consortium Agreement (the “New ICA”) among the Municipalities in the Local Area specifying among other things the powers and authority of the Consortium of

the Municipalities created thereby (the “Consortium”), the process for the selection of the members of the workforce development board, the designation of a grant recipient and of a sub grant recipient/administrative agency/fiscal agent and a statement of accountability for allocated federal workforce funds; and,

WHEREAS, the Municipality wishes to remain a part of the Consortium and the Local Area and to continue to receive funds under WIOA and other related workforce funding streams so as to provide workforce services to its constituents, by entering into a New ICA.

NOW THEREFORE BE IT RESOLVED, that the Municipality having complied with all of its municipal and other applicable requirements to enter into the New ICA, authorizes its chief elected official or chief executive officer to execute any amendment or other documents and to do such other lawful things as are necessary to enter into the New ICA on behalf of the Municipality; and

BE IT FURTHER RESOLVED, that the Municipality authorizes its designated representative to the Consortium to act for the Municipality on all Consortium matters as set out in the New ICA.

Signatures, Authorized Official – Title

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

c) Approve Tax Refunds

Ms. Heavner recused herself and turned the meeting over the Deputy First Selectman Askham. Mr. Kelly made a motion to approve tax refunds in the amount of \$8,296.90, as requested and approved by the Tax Collector. Ms. Cook seconded the motion. All were in favor and the motion passed. Ms. Heavner rejoined the meeting.

d) Approve Public Gathering Permit for VIE for the Kids 6K Trail Walk/Run on October 3, 2015 at Ethel Walker Woods

Mr. Toner said this is a great event that successfully raises funds for the Connecticut Children’s Medical Center.

Ms. Cook made a motion to approve the Public Gathering Permit application for VIE for the Kids 6K Trail Run/Walk on October 3, 2015 as described in the packet. Mr. Askham seconded the motion. All were in favor and the motion passed.

e) Approve Timber Harvest Bid for Onion Mountain Park

Ms. Heavner noted that she consulted with the Town Attorney and Mr. Purciello will be permitted to vote on this item. She also noted that there is a management plan for the Onion Mountain Park, which people can read on the Town’s website.

Mr. Toner said this is a resumption of this program, which was first addressed in the 1990’s and it is a good, healthy thing to do.

Mr. Kelly made a motion to approve the bid of and authorize entering into an agreement with DML Logging to harvest timber on 37 acres of Town owned land on Onion Mountain Park. Mr. Paine seconded the motion. All were in favor and the motion passed.

f) Approve Simsbury Chamber of Commerce License with The Simsbury Free Library for the Tourism Committee

Ms. Heavner noted that the Board allocated \$5,000 to the Tourism Committee to lease space and re-establish a presence for a Visitor’s Center.

Mr. Kelly made a motion to approve Simsbury Chamber of Commerce License with the Town of Simsbury for Space at the Simsbury Free Library for the Tourism Committee. Ms. Cook seconded the motion. All were in favor and the motion passed.

g) Approve Revocable Licensing Agreement with Eversource Energy for Emergency Staging Area

Ms. Heavner said she was pleased that Simsbury is going to be a staging area for Eversource to keep their vehicles here before storms. She thanked Town staff and everyone who worked very hard to find the staging area.

Mr. Askham made a motion to authorize the First Selectman to enter into the attached Revocable Licensing Agreement permitting Eversource Energy to use the Iron Horse Boulevard Parking Lots as an emergency staging area subject to final Town Attorney review and approval. Ms. Cook seconded the motion. All were in favor and the motion passed.

h) Approve First Amendment to Tier 1 Short Term Municipal Solid Waste Management Services Agreement and authorize the First Selectman to execute the document

Mr. Askham made a motion to table the discussion on the First Amendment to Tier 1 Short Term Municipal Solid Waste Management Services Agreement. Ms. Cook seconded the motion. All were in favor, with Mr. Paine abstaining. Therefore, the motion passed.

Mr. Kelly made a motion to amend the agenda to consider the Community Farm – Farm to Table Dinners request. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Cooke noted that this item was given to them a day or two ago and they are trying to help move the request forward as they didn't realize the needed to get permits and comply with Zoning regulations in order to get the dinners approved.

Mr. Askham made a motion to authorize Community Farm of Simsbury to hold two Farm to Table Dinners (September 24 & October 8, 2015) that will include serving alcohol or allowing participants to bring their own liquor for consumption on Town property. Approval is contingent on all necessary liquor permits and compliance with Zoning Regulations. Mr. Paine seconded the motion. All were in favor and the motion passed.

OTHER BUSINESS

a) Update on Senior Community Center Project

Ms. Heavner said there will be upcoming meetings to discuss program needs and other issues at the end of September.

APPOINTMENTS AND RESIGNATIONS

a) Appoint Rreze Grajcevci, Keith Penney and Naomi Garcia as student members to the Youth Services Advisory Board

Mr. Askham made a motion to appoint Rreze Grajcevci, Keith Penney and Naomi Garcia as student members to the Youth Services Advisory Board. Ms. Cook seconded the motion. All were in favor and the motion passed.

b) Acknowledge the resignation of Gregory W. Piecuch (R) as a regular member of the Zoning Board of Appeals effective September 1, 2015

Mr. Askham made a motion to acknowledge the resignation of Gregory W. Piecuch as a regular member of the Zoning Board of Appeals effective September 1, 2015 with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

c) Acknowledge the resignation of James Morrison (D) as an alternate member of the Conservation/Inland Wetlands & Watercourses Agency effective September 16, 2015

Mr. Askham made a motion to acknowledge the resignation of James Morrison (D) as an alternate member of the Conservation/Inland Wetlands & Watercourses Agency effective September 16, 2015 with our thanks. Mr. Kelly seconded the motion. All were in favor and the motion passed.

d) Appoint James Morrison (D) as a regular member of the Conservation/Inland Wetlands & Watercourses Agency with an expiration date of January 1, 2018

Mr. Kelly made a motion to appoint James Morrison as a regular member of the Conservation/Inland Wetlands & Watercourses Agency with an expiration date of January 1, 2018. Ms. Cook seconded the motion. All were in favor and the motion passed.

e) Appoint Charles Haldeman (D) as an alternate member of the Conservation/Inland Wetlands & Watercourses Agency with an expiration date of January 1, 2018

Mr. Purciello made a motion to appoint Charles Haldeman as an alternate member of the Conservation/Inland Wetlands & Watercourses Agency with an expiration date of January 1, 2018. Mr. Askham seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of August 10, 2015 – no action was taken and therefore, the minutes were adopted.

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

1. Personnel:

a. Approval of Children’s Services Librarian Job Description

Mr. Kelly noted that the last update on this job description was in 1996.

Mr. Kelly made a motion to approve Job Description and Title Changes for the position of Children’s Services Librarian. Mr. Askham seconded the motion. All were in favor and the motion passed.

b. Approval of Library Page Job Description

Mr. Kelly noted that the Committee doesn’t know when the last update was done on this job description.

Mr. Kelly made a motion to approve Job Description Changes for the position of Library Page. Mr. Askham seconded the motion. All were in favor and the motion passed.

c. Approve Unaffiliated Compensation for Fiscal Year 2016

This agenda item was tabled.

2. **Finance** – there was no report at this time.
3. **Welfare** – there was no report at this time.
4. **Public Safety** - Mr. Kelly said there will be a Public Safety meeting tomorrow.
5. **Board of Education** - Mr. Kelly said they had their first meeting to discuss back to school. They have also started in the budget process.

There will be a joint meeting of the Board of Selectmen, Board of Education and Board of Finance to discuss expectations, goals and challenges ahead on October 6th at the Library. The public is welcome to attend the meeting.

ADJOURN

Mr. Askham made a motion to adjourn at 8:40 p.m. Ms. Cook seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk