

### **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, Philip Purciello, Cheryl Cook, Christopher Kelly, and Michael Paine. Others in attendance included Thomas Cooke, Director of Administrative Services and other interested parties.

### **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

### **PUBLIC AUDIENCE**

Joan Coe, 26 Whitcomb Drive, spoke about her platform for running for First Selectman, tailgating at concerts, the platform tennis team needing players, Senior Center issues, Eversource staging equipment in Simsbury, and the proposed waiving of fees for 760 Hopmeadow Street.

Mr. Kalechman 971 Hopmeadow Street, spoke about his platform for running for First Selectman and waiving of fees for 760 Hopmeadow Street.

Chip Houlihan, President of the Chamber of Commerce, spoke about upcoming Chamber events. He said the Visitor Center is open and invited everyone to come to the “Spooktacular” Chili Challenge event. The website for more information is [www.simsburycoc.org](http://www.simsburycoc.org).

### **PRESENTATIONS**

Ms. Heavner said there were no presentations at this time.

### **FIRST SELECTMAN’S REPORT**

Ms. Heavner thanked the Simsbury Woman’s Club and Simsbury Flying Club for the 46<sup>th</sup> annual Arts and Craft Festival and the 30<sup>th</sup> Fly-in and Car Show. She thanked all of the volunteers who helped make these events so successful.

Ms. Heavner said the Senior Center will be honoring all Veterans with a special luncheon at Eno Hall on Thursday free of charge. Reservations are necessary and can be made by calling 860-658-3273.

Ms. Heavner said the Public Works Department and the Simsbury Public Library will be sponsoring Touch a Truck once again. This will be held at Boy Scout Hall on October 3<sup>rd</sup> from

10:00 a.m. to 1:00 p.m. Everyone is being asked to bring a donation for the Simsbury Food Closet.

Ms. Heavner said there will be a ribbon cutting ceremony, for the new Simsbury Visitors Center, on October 5<sup>th</sup> at 4:00 p.m. at 749 Hopmeadow Street and everyone is invited to attend.

Ms. Heavner said all State offices will be closed on October 12<sup>th</sup> in honor of Columbus Day and therefore, the Board of Selectmen will meet on Wednesday, October 14<sup>th</sup>.

Ms. Heavner said she will be holding an open house on Columbus Day from 4:30 – 6:00 p.m. She invited the public to visit her with any comments or questions. She is also available by phone at 860-658-3230.

Ms. Heavner thanked Yvonne Kline, staff and the Board for helping with the Small Cities Grant. She also congratulated the Housing Authority.

#### **SELECTMEN ACTION**

##### **a) Approve Tax Refunds**

Ms. Cook made a motion to approve tax refunds in the amount of \$4,261.66 as requested and approved by the Tax Collector. Mr. Kelly seconded the motion. All were in favor and the motion passed.

##### **b) Consider Request for Waiver of Fees for the Landmark Building at 760 Hopmeadow Street**

Ms. Heavner said this is a request for the waiving of the original \$240.00 fee for the Landmark Building on 760 Hopmeadow Street. She said this Board doesn't decide on Land Use issues, but is just being asked to waive a fee.

Attorney Houlihan explained the issue at 760 Hopmeadow Street. He said because the appeal was resolved by agreement, Hop760, LLC is requesting a refund of the original \$240.00.

Mr. Askham made a motion to table the request for waiver of fees for the Landmark Building at 760 Hopmeadow Street so the Board can obtain more information from Town Counsel. Mr. Paine seconded the motion. All were in favor and the motion passed.

##### **c) Acknowledge FY2016 Historic Documents Preservation Grant Application**

Ms. Heavner noted that this was for transparency purposes only. No motion is needed. She said this grant was to microfilm and scan Land Records volumes (from 1972-1983) paid for by a State Library Grant and the Historic Documents Preservation Account, which is collected from a surcharge added to recording fees.

**d) Adopt Resolution regarding Restatement and Amendment of Town of Simsbury General Government and Police Retirement Plans to reflect collectively bargained and legally required changes**

Ms. Heavner said the Administrative Services staff has been working with John Galiette, the Town’s Retirement Plan Counsel and Beck Sielman, its Actuary, to revise the Town’s Pension Plan documents to incorporate legislative and collective bargaining changes and to improve the Retirement Plan’s format. She said the changes are ministerial - not substantive.

Mr. Galiette explained the qualification requirements and the amendments proposed.

Ms. Cook made the following motion:

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

WHEREAS, The Town of Simsbury (the “Town”) is the sponsor of a defined benefit pension plan for the benefit of its employees, the terms of which are set forth in The Town of Simsbury General Government Employees’ Retirement Income Plan and The Town of Simsbury Police Retirement Income Plan; and

WHEREAS, it is desirable that the defined benefit pension plan be combined into a single emended and restated plan document, and that the emended and restated defined benefit pension plan be renamed the Town of Simsbury Retirement Income Plan (the “Retirement Plan”); and

WHEREAS, it is desirable: (a) that the amendment and restatement of the Retirement Plan incorporated the requirements of the Pension Protection Act Of 2006 (“PPA”), the Heroes Earning Assistance and Relief Tax Act of 2008 (the “HEART Act”), the Worker, Retiree, and Employer Recovery Act of 2008 (“WRERA”) , and subsequently-enacted legislation and regulations; and (b) that the Retirement Plan be submitted to the Internal Revenue Service during the Cycle E remedial amendment period for the issuance of a favorable determination letter.

NOW, THEREFORE, BE IT

RESOLVED: That the amendment and restatement of 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 Selectman of the Town or any other officer designated by the First Selectman be, and each of them hereby is, authorized and empowered, for and on behalf of the Town, to take any and all actions which may be necessary or desirable in order to permit the Town to submit an application to the Internal Revenue Service requesting a favorable determination regarding the continued qualifications of the Retirement Plan; and further

RESOLVED: That the First Selectman of the Town or any other officer designated by the First Selectman be, and each of them hereby is, authorized and empowered, for and on behalf of the Town, to execute the amendment and restatement of the Retirement Plan, to execute such other documents, and to take any and all other actions which may be necessary or desirable to effectuate the intention of the foregoing resolutions.

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

#### **OTHER BUSINESS**

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

Ms. Heavner said Dr. Pardisani will be meeting with the Aging & Disabilities Commission at a Special Meeting on September 30<sup>th</sup>, at 5:00 p.m. in the Main Meeting Room. He will also meet with other staff throughout the day.

Ms. Heavner said there are two new considerations to this project. There will be an upcoming application for a tax abatement for the Chestnut Hill Mansion, which is approximately 18,000 sq. ft. Mr. Jackson Eno was very interested in preserving this property and there is a possible opening for a Senior/Community Center to be created at this location.

Ms. Heavner said she was approached by the owner of Andy's who is looking for a possible public/private partnership also. He is not interested in selling the property, but just in a long term lease. This building is approximately 28,000 sq. ft. and on one level.

The Board agreed that both of these new considerations have possible potential. Ms. Heavner noted that both parties are continuing to pursue their own investors, and this is not exclusive to the Town. She noted that the Senior/Community Center is an investment in the future. It is a very challenging task and it needs to be done right.

The Town agreed to have Town staff explore both properties for this project and to let the Chairman of the Public Building Committee know about these potential property considerations.

### **APPOINTMENTS AND RESIGNATIONS**

- a) **Acknowledge the resignation of Edward J. LaMontagne as the Town of Simsbury’s representative to the North Central Regional Mental Health Board effective September 8, 2015**

Ms. Heavner said no motion is needed, but the Board gave their thanks to Mr. LaMontagne for all of his service to the Town.

### **REVIEW OF MINUTES**

- a) **Regular Meeting of September 16, 2015**

Mr. Kelly made a motion to approve the Regular Meeting Minutes of September 16, 2015 as amended. Mr. Paine seconded the motion. All were in favor and the motion passed.

- Amendment to Page 1, 8<sup>th</sup> paragraph: Ms. Askham made a motion to close the Public Hearing at 7:10 p.m. (Change Ms. Askham to Mr. Askham)

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

1. **Personnel** – no report at this time.
2. **Finance** – no report at this time.
3. **Welfare** – no report at this time.
4. **Public Safety** – Mr. Kelly said there will be a Fire Department, Police, Ambulance, in conjunction with Ensign Bickford are going to hold an Emergency training session on Hopmeadow Street on October 6<sup>th</sup> at 6:00 p.m. This is just a training session and signs will be posted.

Ms. Heavner said a press release will also be sent out so people are aware of this program.

5. **Board of Education** – no report at this time.

Mr. Askham said the Chief Kowalski and the Fire Department have been pursuing an emergency radio station and will be attempting to broadcast on October 1<sup>st</sup>. It can be heard on 103.5 WSIM.

Mr. Kelly noted that the radio station is also asking for people to do programming on this station as well.

Ms. Heavner thanked everyone for their help on working on this project.

**ADJOURN**

Mr. Paine made a motion to adjourn at 8:10 p.m. Ms. Cook seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk