

TOWN OF SIMSBURY - BOARD OF SELECTMEN
REGULAR MEETING MINUTES
JANUARY 24, 2011

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 7:05 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Mary Glassman; Board members Moira Wertheimer, John Hampton, Lisa Heavner, and Robert Hensley. Selectman Gerald Post was absent. Others in attendance included: Hiram Peck, Thomas Cooke, David Ryan, Thomas Vincent and other interested parties.

PLEDGE OF ALLEGIANCE

Jacob Gatmaitan and Dana Reichler from Troop 174 lead the Pledge of Allegiance.

PRESENTATIONS –

None

FIRST SELECTMAN'S REPORT –

Ms. Glassman announced that the Town of Simsbury is the recipient of the CIRMA Risk Management Achievement Award for 2011. The Town was recognized by CIRMA, its property, casualty and workers compensation insurance provider for "sustained risk management efforts."

A documentary on the life of Dr. Martin Luther King, prepared by Simsbury High School students under the direction of Rich Curtiss, was premiered at Eno Memorial Hall on Monday, January 17th to a standing room only crowd.

We would like to recognize and thank the MLK Observation Committee for making the day not only a local, but a national success.

Committee members: John Hampton, Sarah Batchelder, Jim Flynn, TJ Donohue, Pat McDonald, Angela Griffin, Tara Donohue-Willerup and Rich Curtiss.

In spite of the severity of the winter storms, Public Works Director Tom Roy reports that Public Works is well within its snow removal budget. Mr. Roy and the other department heads will be submitting a statement of costs to the State for potential reimbursement of up to 75% of our costs for winter storm Benedict. While the final numbers aren't in, Mr. Roy estimates that, using the State guidelines, the Town's costs for Benedict could be between \$30,000 and \$35,000 – which could mean reimbursement of over \$22,000 in costs.

Thanks also to the Selectmen who have been part of the Ride Along Program – lots of fun and a good experience.

As part of our commitment to ensure that Simsbury residents have access to information about the budget process and the budgets as they develop, we have created a "proposed 2011-2012 budget" page on our website. You may visit us at www.simsbury-ct.gov.

Nearly 50 seniors and students shared a free pizza dinner and an exciting Simsbury High School basketball game on January 20th. The goal of the event, as conceived by a team including our own Lisa Heavner, Simsbury High School Principal Neil Sullivan, Athletics Director John Domaingue, volunteer Mary Maher and Social Services employees Mickey Lecours-Beck and Kathleen Marschall, was to connect our seniors with the school system.

PUBLIC AUDIENCE

Greg Piecuch – addressed the Board to announce that Boy Scouts are in attendance.

SELECTMEN ACTIONS –

a) Approve Tax Refunds

Ms. Wertheimer made motion to approve tax refunds in the amount of \$8,050.94 as recommended and approved by the Tax Collector. Mr. Hampton seconded the motion. All were in favor and the motion passed.

b) Senior Center Study Committee

The CNR budget for FY 10/11 includes an item for preparation of an Eno Memorial Hall – Senior Center Needs' Assessment. In order to accomplish this task, the Board of Selectmen assigned the Study to the Public Building Committee (PBC). At this time, the PBC has completed a Request for Qualifications (RFQ) for firms to prepare the Study; 12 firms responded on January 20. The PBC will "short list" the firms, interview the top 4 or 5 firms, and finally select a firm to prepare the Study; this task is expected to be completed in early February. Concurrent with the RFQ process, a subcommittee comprised of PBC members, Senior Center users and staff, and members from the Committee on Aging and Disability has been formed to participate in the selection process, and to participate in the Need's Assessment input and review.

The Public Building Committee, through the selected consulting firm, will produce a needs' assessment for a senior center, as well as to meet the requirements for social services and community center needs. The Study will include demographic analysis, space and facility requirements, schematic design options, and preliminary estimations of cost for renovation and additions to Eno Memorial Hall, and at other sites, as may be identified. Important features of the Study are obtaining users, public, commissions and staff input during the Needs' Assessment process through public meetings and presentations; and, identifying advantages and disadvantages of providing the Senior Center facilities at Eno Memorial Hall; or, by providing

the complete facility at a new site, or by providing a combination of services at Eno and another location.

The Needs' Assessment project is expected to take 6 to 8 months.

c) Performing Arts Center

Ms. Glassman advised the members of the PAC Board that we did ask that requests from promoters be put into an application form; in the future that procedure should be followed. This would be helpful to the Board. Mr. Ryan informed Ms. Glassman that the PAC Board is working on that to be consistent.

Mr. Ryan informed the Board that Town Attorney DeCrescenzo approved the license agreement for The Manhattan Transfer. There will be a booking fee of \$5,000 with 20% to the Manager. Banner

costs will be paid by CT Theater Festival, per Mr. Vincent. Ms. Glassman clarified that expenses come out of special revenue fund of the PAC, no costs incurred by the Town.

Mr. Hensley recommended approving The Manhattan Transfer request pending final approval of the license agreement by the Town Attorney. MG wants to be able to read it.

Mr. Hampton made motion to approve the request of the Connecticut Theater Festival for a concert starring The Manhattan Transfer on June 12, 2011 pending Town Attorney review. Mr. Hensley seconded the motion. All were in favor and the motion passed.

Ms. Heavner stated that she wanted to be sure that the Town has a positive cash flow and questioned if that was still a priority for the PAC Board. She also questioned what would be the biggest amount we could potentially lose and how many tickets would we need to sell to recoup the costs from this event. Mr. Ryan responded that a positive cash flow is a priority for the PAC Board and Mr. Vincent explained which items need to be rented and that these rental costs are incurred for a 5 week period; the ball park number is \$35,000-\$40,000 over this 5 week period. Since the CT Theater Festival event is June 12th, the equipment is already being rented for HSO and falls within the same time frame. Mr. Vincent explained that the total cap that the we could be out would be \$2,500 since all other items are in place.

Ms. Glassman complimented the PAC Board for being flexible noting the Board departed from the policy of charging a \$10,000 for each function.

Ms. Heavner made motion to approve the 2011 Talcott Mountain Music Festival dates: Friday, June 24th, Friday, July 1st, Friday, July 8th, Friday, July 15th and Friday, June 22nd, with rain dates of Saturday, June 25th, Saturday, July 2nd, Saturday, July 9th, Saturday, July 16th, and Saturday, July 23rd as requested by the Hartford Symphony. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

Mr. Ryan advised the Board that Mr. Vincent has come up with a proposal to bring back Septemberfest since everyone always enjoyed it. Mr. Vincent is suggesting that the Town promote it and he will manage it. The PAC Board agreed to enter into an agreement with the Simsbury Chamber of Commerce to buy rights to the name, buy leftover signs, etc. and arrange for some of Charity's time to help plan and put together a new Septemberfest. The PAC Board also decided that Mr. Vincent would reap 50% of the net profits; the original suggestion of 30% was too low to be reasonable.

Mr. Hampton questioned how this would work with Mr. Vincent's current contract with the Town. The Board of Selectmen agreed several weeks ago that he was going to devote himself full time to the effort of managing the Performing Arts Center and managing Septemberfest would veer off from that responsibility.

Mr. Ryan stated that Mr. Vincent had asked that this be included in his regular contract but it was kept out of the original contract discussion. Mr. Ryan feels that Mr. Vincent is committed to this particular endeavor which will probably equal about 600 hours and if Mr. Vincent is willing to put it in those hours he should be compensated fairly for it.

Ms. Glassman questioned the Town's maximum exposure. Mr. Ryan explained that Charity would commit to 20 hours to giving Mr. Vincent the forms and explaining what was done in the past. Mr. Vincent will then go back to the PAC Board and the PAC Board would go back to the Town. The funds expended are paid out of a Special Revenue Fund, this not simply money going out the door. The Simsbury Chamber of Commerce is transferring the naming.

Mr. Hensley stated that this could be a revenue generator for the PAC Board. The PAC Board needs to be creative about this. Septemberfest was a huge success but very labor intensive; the PAC Board can work with the Chamber to help create it and make it a fund raiser for PAC Board.

Ms. Glassman stated that Septemberfest does require an immense number of volunteers but there would be no Town staff.

Ms. Heavner raised a question that she felt was important for the public to know: Mr. Vincent came in at 30% and the PAC Board bumped it up to 50%. She thanked Mr. Vincent for coming in at 30%. Mr. Ryan explained the increase was due to the fact that you wouldn't get the incentive you need to have Mr. Vincent work long hours to make this a success, he must be paid properly.

Ms. Heavner stated that there are about 1300 hours between now and Septemberfest and Mr. Vincent is proposing to use 600 for Septemberfest. She doesn't think this is a good use of hours and time for the potential profits that may be generated, but there may be other reasons beyond profits to go forward.

Ms. Glassman stated that in the future she would prefer the Town go out to bid for services like Septemberfest. Mr. Ryan agreed in principle.

Mr. Hensley commented that this would be an excellent chance to bring thousands of people to downtown, showcase businesses that will have booths on site, and generally highlight our Town.

Ms. Heavner feels that it is important for the public to see the role of the Board of Selectmen as establishing a record and letting the public know why we are voting for various matters. Additionally, there are lots of intangibles; economic development, community enrichment. She appreciates Mr. Vincent's willingness to lay it out.

Ms. Heavner questioned Charity about the cost of purchasing the supplies for \$1,000; and asked if the Chamber would profit by this. Ms. Folk responded that the original price was set at \$1,500 and the PAC Board requested a reduction to \$1,000. There is no profit for the Chamber.

Ms. Heavner stated that when Mr. Vincent's proposal comes back to this Board for the final approval it may not be approved. She doesn't feel that will happen, but if it does she wants full understanding from all that if final proposal is rejected no compensation will be paid for preparing the proposal.

Ms. Glassman stated that the Board of Selectmen has voted against the sale of alcohol at the Performing Arts Center. She questioned what the proposal for alcohol is; who holds the license and insurance and stated that it will have to go through the Zoning Commission. Mr. Ryan informed her that the PAC Board has asked for an RFP and the draft will be presented to the Board of Selectmen.

In response to Ms. Glassman's question about selling alcohol at the Performing Arts Center Mr. Piecuch acknowledged that they would like to sell alcohol and that he is aware that the Board of Selectmen turned down the original request. He stated that the public may not be immediately aware of this but PAC Board had a special meeting about sale of alcohol at the PAC. They are not opposed to it on a blanket basis but if there are potential events they would present it to the

Board of Selectmen for review on a case by case basis. What happened with Reach Foundation, from the operations point of view, it cannot be entrusted to the individual organizations for arranging for a vendor. If we are going to put it out there it must be done on a case by case basis. The PAC Board voted to get out an RFP to get started on identifying a vendor for this purpose.

Ms. Glassman acknowledged that the PAC Board is not asking for a vote on that issue at this meeting. Mr. Ryan advised that they will come back to the Board of Selectmen in March with further details and a full proposal. At this time the PAC Board needs to have Mr. Vincent approved, deal with Chamber approval and proceed with getting the job done.

Ms. Heavner stated that the current total risk exposure is \$2,300 at this point and the PAC Board finds this risk acceptable.

Ms. Wertheimer made motion that the Board of Selectmen approve the proposed agreement between the Town of Simsbury and the Chamber of Commerce to transition the event formerly known as Septemberfest to the Performing Arts Center Board. As part of that the Simsbury Chamber of Commerce will pay the Town of Simsbury \$750 for the use of the area located behind the Performing Arts Center. The Simsbury Chamber of Commerce will release all rights and responsibility to the event formerly known as Septemberfest to the Town of Simsbury for the consideration of \$1.00. The Simsbury Chamber of Commerce will sell Septemberfest supplies currently held by the Simsbury Chamber of Commerce for the sum of \$1,000 which is not a profit to the Simsbury Chamber of Commerce and the Simsbury Chamber of Commerce will require a guarantee from the Town of Simsbury to reimburse the Simsbury Chamber of Commerce a fixed project fee of \$1,300 covering 20 hours of administrative assistance to transition the event after which time any additional time would be at the hourly rate of \$65.00. In compensation for preparing the Septemberfest event this Board also approves Mr. Tom Vincent should receive 50% of the net income from the event as approved by the Performing Arts Center Board. This will entail an approximately 600 hour commitment. Mr. Hensley seconded the motion. The Board of Selectmen members voted in favor the motion but Ms. Glassman voted no because she stated Mr. Vincent's RFP requested 30% of the net revenue and she was not in favor of the PAC Board increasing the fee to 50%

Ms. Heavner wanted the minutes to reflect that it is the Board's understanding that should more hours be necessary it will come before this Board for approval. This was agreed to by Mr. Piecuch.

d) Outdoor Wood Burning Ordinance

Ms. Glassman informed that Board that this item was on the agenda for discussion only since there have been a number of residents stating their concern about this matter. A number of Towns have passed ordinances and Ms. Glassman wants to bring this to the attention of the Board and the public. Hiram Peck is here to answer any questions prior to referring this to the Planning & Zoning commissions.

Mr. Peck informed the Board that 14 out of 169 towns have decided to ban them either through zoning regulations or ordinance. The question is whether Simsbury wants to do that; Mr. Peck's suggestion, since there is a good deal of environmental information on both sides of this issue, is to gather some facts and make a decision based on the facts. The Town Attorney seems to feel comfortable with doing it by ordinance if the Board decides to do it.

Currently no wood burning furnaces actually exist in Town; there have been a number of inquiries prompting us to bring it to the public's attention. The Board should move on and consider the matter quickly.

Mr. Hampton made motion to refer the matter of the Outdoor Wood Burning Ordinance to the Planning and Zoning Commissions. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

e) Route 10 Corridor Study – February 7th Charrette

Mr. Peck showed posters regarding the Charrette from February 7th to February 10th, they will be posted around Town. A significant public relations campaign has been kicked into gear. The Steering Committee has met several times and stakeholder meetings have been set for January 31st. The Stakeholder groups consist of residents from the Northern Gateway, Town Center, Weatogue and the Southern Gateway. The Steering Committee did recommend that postcards be mailed to every home in Simsbury. Mr. Peck has coordinated with Town Planners in surrounding towns to bring them up to speed on the Charrette.

Ms. Glassman reviewed some of the guiding principles: make regional travel more efficient to maintain the integrity of a two lane Route 10; maintain the Town Center and respect the character of the Town Center and goals. The priorities of the Steering Committee can be viewed on the CRCOG website at www.crcog.org and there is also a link on the Town website.

Public kickoff will be in the evening between 7:00 p.m. and 9:30 p.m.

f) Low Impact Regulation – Extension of Dept. of Environmental Protection Grant until September 2011

Mr. Peck is requesting that the Board approve extension. He is waiting for the revised Town Center Code

Mr. Hampton made motion to approve the extension of the Department of Environmental Protection Grant Low Impact Regulation until September, 2011. Ms. Heavner seconded the motion. All were in favor and the motion passed.

g) Budget Update 2011-2012

Budget workshop dates are: Monday, February 14th; Tuesday, February 15th; Wednesday, February 16th and Thursday, February 17th. On February 14 the workshop will be held from 6:00 p.m. to 7:00 p.m. prior to the Board of Selectmen meeting. The rest of the workshops will be held from 6:00 p.m. to 9:00 p.m. each day.

Ms. Glassman announced that budgets will be received on February 14th. Department heads are currently at a 2.72% increase so there is work to be done. We are looking at a potential revenue loss from the State of at least \$165,000, a 10% increase in health care, sewer use is up 12%, the Animal Control budget is up 11% and the Simsbury Farms budget is up 1.63%.

OTHER BUSINESS

None

APPOINTMENTS AND RESIGNATIONS

a) Possible appointment of members of the Charter Revision Commission

Ms. Glassman advised that letters of interest were received from Unaffiliated voters Peter Pabich and Brad Mead. Mr. Hampton and Mr. Hensley worked together to determine a candidate and are recommending accepting both applicants.

Mr. Hensley made motion to expand the Charter Revision Commission to include eight individuals. Mr. Hampton seconded the motion. All were in favor and the motion was approved.

Mr. Hensley made motion to approve the appointment of Peter Pabich (U) and Brad Mead (U) as members of the Charter Revision Commission. Ms. Wertheimer seconded the motion. All were in favor and the motion was approved.

ACCEPTANCE OF MINUTES

Mr. Hensley made motion to accept the minutes of the January 10, 2011 Regular Meeting as presented. Mr. Hampton seconded the motion. All were in favor and the motion was approved.

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. Hampton commented that the MLK celebration was a huge success and there are plans to hold this celebration annually. The Gifford's Green presentation at the Library was successful; the Recycling Committee did a great job with their presentation of "Everything you Always Wanted to Know About Recycling" – many thanks to Linda Schofield and Rich Sawitzke.

Thanks for the drug bring back day on January 8th. Important for residents to shovel out hydrants.

5. Board of Education

No report at this time

Mr. Hensley reported that the HSO has a new Music Director who will begin work in September. She is from Seattle and Baltimore and is also a resident artist for the NYC Ballet.

The Police Commission's new Chairman is Mike Long and the Clerk is Brendon Walsh. Officer John Mimnaugh will be the contact person for the Citizens' Police Academy. The Graduate Program had to cancel their presentation with Dr. Henry Lee – it will be rescheduled in May. The Accreditation Program is on track – there will be a mock inspection on February 2nd – assessors are coming in April.

ADJOURN

Ms Heavner made motion to adjourn at 8:20 p.m. Mr. Hampton seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Mary A. Glassman
First Selectman