

From: Susan Mazurski March 1, 2010 4:21:31 PM  
Subject: Board of Selectmen Minutes 02/22/2010 APPROVED  
To: SimsburyCT\_SelectMin  
Cc:

TOWN OF SIMSBURY - BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
FEBRUARY 22, 2010

A. Call to order

The Regular Meeting of the Board of Selectmen was called to order at 7:12 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Mary Glassman; Board members Tom Herlihy, John Hampton, Lisa Heavner and Robert Hensley. Absent was Moira Wertheimer. Others in attendance included: Bonnie Therrien, Jim Clifton, Dave Ryan, John Loomis, Richard Sawitzke, Attorney Robert DeCrescenzo, and other interested parties.

B. Pledge of Allegiance - Everyone rose for the Pledge of Allegiance

C. Presentation - Kristen Phillips, Executive Director of Hartford Symphony Orchestra

Ms. Phillips said in September of 2009 some members of her Board, the First Selectman, and some Performing Arts Board members sat down to discuss strengthening the partnership. She said the Symphony Orchestra is very grateful to be a part of such a cultural Town asset.

Ms. Phillips said the website has been updated for the 2010 season. She handed out the seasons brochures. They also added rain dates this year.

Ms. Phillips said the fund raising has begun. She said Chubb won't be a presenting sponsor this year. She thanked Mr. Hensley's firm for stepping up to become a supporter. They are looking for many more supporters. Ms. Phillips thanked the Board for all their support.

Mr. Hampton made motion to amend the agenda to add the following dates of June 25th, July 2nd, July 9th, July 14th, and July 16th of the Talcott Mountain Music Festival. Ms. Heavner seconded the motion. All were in favor and the motion passed.

Ms. Heavner made motion to amend dates listed to include rain dates of June 26th, July 3rd, July 10th, July 15th, and July 17th of the Talcott Mountain Music Festival. Mr. Hampton seconded the motion. All were in favor and the motion passed.

#### D. First Selectman's Reports

Ms. Glassman said the Town retained their AA1 rating from Moody's for their bonds. The bonds will be used to finance voter approved Town and school capital improvements. Moody's was very pleased that the budget was passed on its initial referendum vote and incorporated approximately \$400,000 of negotiated wage concessions and no use of reserves.

Ms. Glassman said the Public Hearing on the PAD regulations will be held on March 15th at 7:00 p.m. The location will be forthcoming.

Ms. Glassman said Code Studio is expected to be back in Town at the end of March to discuss the draft Town Center Zoning regulations. There will also be a Public Hearing on this draft regulation.

Ms. Glassman said the grant was received for the historic survey work. The work will be coordinated with homeowners, so a workshop can be held on the project.

#### E. Public Audience

John Schaefer, 16 Lostbrook Road gave the Board a letter about reappointing Emil Dahlquist as chairman of the Design Review Board as attached.

Joan Coe, 26 Whitcomb Drive spoke again about fiscal restraints and moving to a Professional Management form of government. She wants the process to begin.

Ms. Coe said there was a budget meeting last Wednesday that the Department Heads didn't know about. She feels they should have been notified. She feels that EDC shouldn't have any line items in the budget except for a clerk, if needed.

Ms. Coe showed a picture of water coolers in Town building and she feels these should be eliminated. This could save the Town some money.

Ms. Coe said the Community Farms sent out flyers for a summer camp. Who gave them permission to have a camp at the poor farm? This has nothing to do with the poor of Simsbury.

She spoke about the Board of Education budget process and feels some eliminations should be made.

Ms. Coe asked to finish her comments at the end of the meeting as her time was up.

All of Ms. Coe's comments can be read on [Simsbury.com/forum](http://Simsbury.com/forum).

Robert Kalechman, 971 Hopmeadow Street congratulated the Hartford Symphony and Simsbury for another contract year.

Mr. Kalechman said there is no growth for 2009 and the Board needs to be realistic in the budget process. He doesn't feel we can bring in industry. He feels the Board is making some wrong decisions on the children and Town staff budgets.

Mr. Kalechman gave his condolences to Lt. Col. Walter Stecko's family and read a poem in his honor.

John Lucker, 88 Blue Ridge Drive spoke about the PAD zoning regulations. His comments are attached. He asked that the graphic he attached be reviewed.

Sue Bednarczyk, 119 E. Weatogue also spoke about PAD zoning regulations. She said "good planning brings good zoning, which brings good conservation and development." She spoke about a standards document that was pulled up on the computer at the Zoning Commission

meeting, but no information was shared on it. She did ask for this document, but never received it. She has put in a FOI request for this document.

Steve Mitchell, 432 Hopmeadow Street thanked the Board for their support from PAD to Bicycle Friendly Community. He said the application has been sent to Washington, DC and we could become the first community in Connecticut to be a bicycle friendly community.

Mr. Mitchell said there will be an East-Coast Greenway Summit on March 20th at Mitchell Dodge from 3-5 p.m. On April 1st there will be a S-S Bike Ride. This ride will be from Simsbury to Southwick, Mass. It's called the "Breakfast Club", where one week the riders will stop in Simsbury for breakfast and one week they will stop in Southwick for breakfast. This will help out both communities.

Mr. Mitchell said on May 3rd there will be an official ribbon cutting of

the Rails to Trails path.

Sally Rieger, 9 Stodmore Road and Chairman of the Wild and Scenic Study Committee thanked the Board for their endorsement for the Wild and Scenic designation.

Ms. Glassman said the Board wondered whether there were any restrictions on the Town for this designation. Ms. Rieger said the only time there is any additional involvement of the federal government is if the Town is involved in a plan which involves the flow of the river or funding and licensing. All the Committee needs is an endorsement, no funding. The Board thanked her for their help.

F. Hearings - None

G. Selectmen Action:

1. Ordinances, Resolutions and Appointments for Action -

a. Acceptance of Resignations from Boards and Commissions - Phillip Burton (R) of 6 Meeting House South has resigned from the Water Pollution Control Authority effective February 9, 2010.

Mr. Hampton made motion to accept the resignation of Phillip Burton of 6 Meeting House South from the Water Pollution Control Authority with deep regret and thanks. Ms. Heavner seconded the motion. All were in favor and the motion passed.

Mr. Herlihy said he would be hosting a party for Mr. Burton's 30 years of service party. He will let everyone know the date as soon as possible.

2. Unfinished Business - None

3. Other Business

a. Review, discuss and possibly approve Tax Refunds

Mr. Hensley made motion to approve the tax refund requests in the amount of \$841.82 for the list of 2008 for a total of \$841.82. Ms. Heavner seconded the motion. All were in favor and the motion passed.

b. Review, discuss and possibly approve Use of Town Parking Lot - April 10, 2010 - Litter Clean Up Day

Mr. Herlihy made motion to allow the use of the Town Hall parking lot on Saturday, April 10, 2010 as a collection point for the Litter Clean Up Day in Town. Mr. Hampton seconded the motion. All were in favor and the motion passed.

c. Review, discuss and possibly approve the upgraded title position of Assistant Superintendent of Water Pollution Control Authority.

Mr. Herlihy questioned the supposed savings if the Assistant Superintendent position is approved. He noted that there will still be overtime for employees.

Mr. Hensley said this position makes a lot of sense for the Town. Mr. Clifton said the budget is self-funded through user fees incurred, not by taxpayers. He is also the only one with a class 4 license and there is nobody to cover for him if needed.

After further discussion, no action was taken until further information is received and discussed.

d. Review, discuss and possibly approve the draft Alcohol Use Policy for the Performing Arts Center

Ms. Glassman said this item is on the agenda for discussion only. She would like to recommend that the Board either continue the BYOB policy and/or, that a private vendor be hired to sell alcohol at the activities.

Dave Ryan and Greg Piecuch said this issue needs to be addressed. They gave the Board Attorney DeCrescenzo's legal opinion, a draft alcohol policy from the Performing Arts Board, current codes from the Town, minutes from January 21st PAC special meeting and information from CIRMA to review.

After discussion, Ms. Glassman said this will be reviewed by Town staff, the PAC Board and Zoning Commissions for further review.

No action was taken.

e. Review, discuss and possibly approve the use of \$6,000 from the legal account for an outside Attorney - PAD regulations

Mr. Herlihy made motion to hire Attorney Robert Sitkowski for an amount not to exceed \$6,000, to assist with finalizing the Planned Area Development regulations project. Mr. Heavner seconded the motion. All were in favor and the motion passed.

f. Review, discuss and possibly approve the use of Iron Horse Boulevard parking lot from September 10, 2010 - September 12, 2010 - Simsbury Chamber of Commerce

Mr. Herlihy made motion to approve the following event on Town property as per their request, as long as there is a timely issuance of a public gathering permit and insurance, if necessary: The Simsbury Chamber of Commerce to hold their annual Home Improvement Show from September 10 thru 12, 2010. Mr. Hensley seconded the motion. All were in favor and the motion passed.

g. Review, discuss and possibly approve additional members and added charge to the Charrette Sub-Committee

Mr. Hampton made motion to authorize the addition of two members to the Charrette Sub-Committee - one representing the Main Street program and one for the Chamber of Commerce; and to expand the charge of the Committee to include the Incentive Housing Zone Grant work and the Farmington River, Low Impact Development grant. Mr. Hensley seconded the motion. All were in favor and the motion passed.

h. Discussion - Christensen and Hall State Open Space Grants and Easements

Ms. Glassman said these grants are from 1999. The DEP said if they were not cleared out by December 2009, the Town would not receive the money.

Attorney DeCrescenzo said the Christensen grant of \$350,000 has been received and deposited. The Christensen and Hall grant programs require public access to the land, which isn't just viewing the land. He explained the long process.

The Hall property access was harder than the Christensen land. The deadline was met with a revised property access. This process is still ongoing.

Mr. Herlihy said there seems to be some mis-communication on the Christensen issue. He voted against this on the basis of process as no one had any answers for him about this easement. He thanked the First Selectman for putting this on the agenda again and having someone available for questions.

Mr. Hensley asked if receiving more money was possible. Attorney DeCrescenzo said if the Town is successful in completing this grant it will be \$185,000, then more money can be asked

for. This is just a hopeful thing.

Mr. Sawitzke said the possibility of more money came up as when the award money is actually written the numbers are not precise. They are written as 40% of the acquired price up to.

He said he is actually preserving land, the grant comes later. The dollar amount is pre-determined in formula grants. Competition grants are pretty straight forward also. The DEP grants are qualifying grants which says the projects are eligible. Then you need to qualify for the grant.

After further discussion, no action was taken.

4. Bids - None

5. Ordinances, Resolutions and Appointments for Introduction - None

6. Acceptance of Minutes

a. February 8, 2010

Mr. Hampton made motion to approve the minutes of the Regular Meeting of February 8, 2010, with an addition on page 5 c. and correction on page 7 I. Mr. Herlihy seconded the motion. All were in favor and the motion passed.

H. Selectmen Liaison and Sub-Committee Reports -

Ms. Heavner, as the Board of Education liaison, said that for the third year Simsbury High School won a silver rating. She said that Simsbury has been named one of 20 schools in the country to receive funding in a Chinese program. There is also a budget update on the Town website.

Mr. Hampton said the Gifford's Green conversation will be held on March 17th about chemical free lawns at the Apple Barn at 7:00 p.m.

1. Personnel - no report at this time
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

Public Audience -2:

Ms. Coe questioned the Executive Session about the Administrative Assistant position. Ms.

Glassman said this is a search for this position.

Ms. Coe spoke about her previous suggestion about a tree farm at Meadowood. She wondered when the planting process will begin.

Ms. Coe spoke about the Owen Murphy property becoming a dumping ground. She wants this corrected.

Ms. Coe wants the Town to do an asset update and sell or get rid of assets not being used.

Ms. Coe asked for a zero percent tax increase.

John Lucker, President of SHARE requested consideration for resident groups to be a part of the Charrette Committee. Ms. Glassman noted that Main Street and the Chamber asked to be on the Committee and he should ask as well.

I. Executive Session - Personnel Matters - Union Negotiations and Director of Administrative Services Position

Mr. Hampton made motion to adjourn to Executive Session at 9:30 p.m. to discuss Personnel Matters - Union Negotiations and the Director of Administrative Services Position. Ms. Heavner seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk