

From: Susan Mazurski May 5, 2009 11:54:39 AM
Subject: Board of Selectmen Minutes 04/13/2009 APPROVED
To: SimsburyCT_SelectMin
Cc:

TOWN OF SIMSBURY
BOARD OF SELECTMEN
REGULAR MEETING MINUTES
APRIL 13, 2009

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 Mary Glassman; Board members Moira Wertheimer, Robert Hensley, John Hampton, Michael Long and Richard Hogan. Others in attendance were: Brandon Robertson, Hiram Peck, Chief Ingvertsen, John Loomis, Dr. Norton, Sarah Nielson, and other interested parties.

PUBLIC HEARING

Mr. Hensley made motion to open the Public Hearing to receive public comment on proposed changes to Chapter 13 of the Town Code of Ordinances entitled, CODE OF ETHICS, as recommended by the Board of Ethics at 7:02 p.m. Mr. Hampton seconded the motion. All were in favor and the motion passed.

John Lucker, 88 Blue Ridge Drive, said he has been active in the monitoring of ethics and conflict of interest issues in Simsbury, especially in regards to land use and planning and zoning issues. He agrees with the proposed changes in the Code of Ordinances entitled CODE OF ETHICS, but feels they need to go further. He gave the Board his changes, as attached.

Mr. Lucker would like the Board to adopt these proposed changes, as a Phase 1, but also to have a Phase 2 of changes, which would be made within the next six months.

Ms. Glassman thanked Mr. Lucker for his comments. After no further comments, Mr. Hampton made motion to close the Public Hearing at 7:15 p.m. Mr. Hensley seconded the motion. All were in favor and the motion passed.

Autism Awareness-Proclamation

Mr. Hampton read the following:

“PROCLAMATION

Autism Awareness

WHEREAS, Autism is a complex neurobiological disorder that typically lasts throughout a person’s lifetime. It is part of a group of disorders known as autism spectrum disorders (ASD), and;

WHEREAS, 1 in 150 children is diagnosed with autism: 1 in 94 boys is on the autism spectrum and 67 children are diagnosed per day, a new case is diagnosed almost every 20 minutes; and

WHEREAS, more children will be diagnosed with autism this year than with AIDS, diabetes and cancer combined; and

WHEREAS, autism is the fastest-growing serious developmental disability in the United States, costing the nation over \$90 billion per year, a figure expected to double in the next decade, and autism receives less than 5% of the research funding of many less prevalent childhood diseases; and

WHEREAS, there is no medical detection or cure for autism.

NOW, THEREFORE, LET IT BE KNOWN, that the Town of Simsbury joins with Autism Speaks in designating the month of April 2009 as Autism Awareness Month to enhance the understanding of Autism and to encourage participation in voluntary activities to support education programs and the funding of research programs to find a cure.

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

Dated the 13th day of April 2009.

Mary A. Glassman, First Selectman

Ms. Glassman introduced Shannon Knall and Diana Yeisley. Ms. Knall said she has three boys, the oldest one has Autism and he attends the “Ready Set Go Program” at Squadron Line.

She is also the advocacy Chair for the State of Connecticut Chapter of Autism Speaks.

Ms. Yeisley said her nine year old son has Autism and also attends Squadron Line, “Ready Set Go Program.” She is the Fund-raising Chair for the Connecticut Chapter of Autism Speaks.

Ms. Knall said there will be a walk on June 7th at Walnut Hill Park. Last year the walk raised \$450,000 for Autism Speaks. She is also working on Autism insurance reform. For more information on Autism go to Autismspeaks.org. or Autismvotes.org.

Announcement - Employee Recognition Ceremony

Ms. Glassman said there will be an Employee Recognition Ceremony on Thursday, May 14th from 12:00 - 1:30 p.m. at the Main Meeting Room of the Simsbury Town Offices. Employees celebrating 5, 10, 15, 20, 25 and 30 years of Town service will be honored. All are welcome, with RSVP required by May 11th to Social Services.

Announcement - Simsbury Volunteer Expo 2009

Mr. Hampton said there will be a Celebration of Volunteerism in the Community on Tuesday, April 28th from 6-9 p.m. at Eno Memorial Hall. This will bring non-profit and service organizations together for residents to meet, and learn about them. For more information, you can contact Mr. Hampton.

PUBLIC AUDIENCE

Ms. Glassman recognized Mike Paine. Mr. Paine said they run Paine's Recycling & Rubbish Removal as well as operate the Simsbury Bulky Waste Facility. He said they will start accepting electronic recycling at the Bulky Waste Facility on Wednesdays and Saturdays during April 18-25 at no charge. After that time, there will be a nominal charge for items received. Nothing with a rechargeable battery can be accepted.

Mr. Paine said they will also be accepting sneaker recycling for the Nike Reuse a Shoe Program.

Sarah Nielsen, Simsbury Main Street Partnership introduced the Tree Committee who are a sub-committee that compliment the Design Committee.

Diane Nash, Chairman of the Tree Committee, said that Simsbury has extraordinary trees. Their mission is to preserve and enhance the trees of Simsbury. They have mapped trees and will be making a walking book. They will be planting a tree on Arbor Day 4/24/09 at noon at the Library. All are welcome.

Joan Coe, 26 Whitcomb Drive spoke again about having a professional Town Manager form of government.

Ms. Coe feels there is no need for a new maintenance building, that the

swimming and ice skating building have more serious issues to repair. She doesn't like "alcohol road" and feels it is an accident waiting to happen.

Ms. Coe said there has been money stolen from residents and people who know something should step forward.

Ms. Coe doesn't feel that the Hoffman Nissan property should receive a tax abatement and feels the program should be eliminated. All of her comments can be read on Simsbury.comforum.

First Selectman Reports

Ms. Glassman said the Zoning Commission approved a one lot subdivision of approximately 40 acres of property owned by the Hartford.

Ms. Glassman said Keystone Properties has filed an application for site plan approval for Phase 1 of a mixed used development known as Dorset Crossing. This application includes two medical office buildings at this time.

Ms. Glassman said there have been pre-application discussions with the Zoning Commission by the owner of Drake Hill Mall for two new buildings on the site.

Ms. Glassman said there was a meeting of the Charrette Sub-Committee on Thursday, April 9th and they selected Code Studio of Austin, Texas to complete the Charrette.

Ms. Glassman said several grants have been received including Incentive Housing Zone (Home-CT) for \$49,900; CT Trust for Historic Preservation for \$25,000 for the Charrette; CT DEP-Farmington River Enhancement Grants totaling \$75,000; CT Commission on Culture and Tourism-Historic Resource Survey for \$30,000 and 2009 Farmers Market Promotion Program for \$2,500.

ACTION ITEMS

a) Review, discuss and possibly approve minutes of the following Regular and Special meetings:

* February 26, 2009 Special Meeting Minutes

Ms. Wertheimer made motion to approve the minutes of the Special Meeting of February 26, 2009. Mr. Hensley seconded the motion. All were in favor with Mr. Hogan, Mr. Long and Mr. Hampton abstaining, therefore the motion passed.

* March 23, 2009 Regular Meeting Minutes

Mr. Long made motion to approve the minutes of the Regular Meeting of March

23, 2009. Mr. Hogan seconded the motion. All were in favor with Mr. Hensley abstaining, therefore, the motion passed.

Mr. Hampton made motion to move item d) Public Safety under Sub-Committee Reports to this position. Mr. Long seconded the motion. All were in favor and the motion passed.

Chief Ingvertsen said this in an adoption of an ordinance where commercial buildings are built in Simsbury where the signals need to have a booster for better communication. This is about building density where communication isn't up to date.

Chief Ingvertsen said they are asking that each new building have a radio test performed so there is communication from inside to outside of the building. If the test is inadequate, the building owner would have to purchase an amplification system to allow the transmission of signals necessary. This doesn't have anything to do with the cruisers. The Board would like the Chief to have more information available for the Public Hearing.

Mr. Hampton made motion to set a Public Hearing date of April 27, 2009 at 7:00 p.m. to receive public comment regarding an ordinance recommended by the Public Safety Sub-Committee entitled "Signal Booster/BDA" (Bi-Directional Amplifier) Ordinance. Mr. Hensley seconded the motion. All were in favor and the motion passed.

b) Review, discuss and possibly act on proposed revision to the Code of Ethics as recommended by the Board of Ethics.

Ms. Glassman introduced Dr. Norton and thanked Mr. Lucker for his comments in Public Audience.

Dr. Norton said the investigations are confidential and therefore not open to the public. He said the meetings about the Code of Ethics are open and posted, but no one comes to them.

Ms. Glassman said the Board is trying to avoid problems. Mr. Hampton said he doesn't understand why the conflict forms are not being done. He feels they should pursue further penalties to make sure the conflict forms are done.

Mr. Long made motion to adopt current amendments to the Code of Ethics as proposed and to look further into this for possible future amendments. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

Ms. Wertheimer made motion to approve publication of a summary of revisions

of the Code of Ethics as prepared and approved by Town Council. Mr. Long seconded the motion. All were in favor and the motion passed.

c) Review, discuss and possibly approve a revision to Chapter 158 of the Town Code or Ordinances entitled, ZONING Violations, as recommended by the Zoning Commission - the change clarifies that each fine imposed for violations imposed by the Zoning Enforcement Officer constitutes a separate offense and accrues for each day that the violation continues, and specifically authorizes the publication of a summary of the revised ordinance pursuant to C.G. S. 7-157.

Mr. Hampton made motion to approve publication of a summary of a revision to Chapter 158 of the Town Code of Ordinances entitled, ZONING Violations, pursuant to C.G.S. 7-157. Mr. Hensley seconded the motion. All were in favor and the motion passed.

d) Review, discuss and possible approve a recommendation regarding the Barndoor/Firetown/Holcomb Triangle Agriculture Use Proposals.

The Board received proposals for agricultural use of the Barndoor/Firetown/Holcomb Triangle from the Open Space Committee. There were seven replies from the RFP that was sent out. They range from \$0 per acre to \$201 per acre of planting.

Mr. Sawitzke recommended Gresczyk Farms for traditional operations of planting of potatoes, and sweet corn at a price of \$201 per acre for the full 40 acres. He recommended Holcomb Farms and George Hall Farm for organic operations.

After further discussion, Mr. Hensley made motion to approve the agriculture use proposal from Gresczyk Farms for the Barndoor/Firetown/Holcomb Triangle contingent upon a discussion with Town staff about a one year option initially. Mr. Hampton seconded the motion. All were in favor and the motion passed.

e) Receive update regarding Town Farm and discuss Simsbury Community Farm Proposal.

Ms. Glassman noted that the conversations with Farmstead Mine Brook will not be moving forward.

There was some response to the RFP to have a Community Based Farm Initiative. They did submit a proposal. It involves Bessie Speers, Cary Wheaton, Chuck Howard, Diane Nash, Dunny Barney and NOFA CT member. The advisers would be Brooke Redmond and Matthew Goldfarb.

The legal documents have not been drafted. There would have to be a document with Bill Walsh for the land.

Ms. Glassman said the Town is still in the process of cleaning up the Farm. Also, they are not sure how much farming can be done in one year.

Diane Nash said the Farm Based Initiative would make a one year commitment as this is a great resource. She also noted that Bill Walsh would do the paperwork for this commitment. The Town Farm Dairy has debt so they would have to set up a new corporation. They do have a buyer for the organic produce.

After further discussion, the Board agreed to move forward with further reporting back to them on the progress.

f) Receive update regarding Charrette Sub-Committee Activities.

Mr. Peck said that the Charrette Sub-Committee chose Code Studio for the Charrette consultant.

The contract has not been drawn up yet. Ms. Glassman said the Town received half the money to continue in grants and gave the Board a handout of more information. Also, more information will be given at the next Board meeting.

g) Review, discuss and possibly approve recommendation of the Business Development Committee regarding an application for the tax abatement program as submitted for the Hoffman Nissan Property at 46 Albany Turnpike.

Mr. Peck said the Tax Abatement Program is in place for new and expanding businesses located in the Town. The applications are referred to the Business Development Committee for review and recommendations.

The Business Development Committee has recommended approval of the tax abatement request for the Hoffman Nissan property at 46 Albany Turnpike.

Ms. Glassman recused herself from discussion on this item. Mr. Hampton went through some of the abatement applications approved since inception. After further discussion:

Mr. Hogan made motion to approve the application for tax abatement as submitted for the Hoffman Nissan Property at 46 Albany Turnpike. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

Ms. Glassman rejoined the meeting. There was discussion on suspending the tax abatement program and reviewing it further. After more discussion, the Business Development Committee will be asked to further report and discuss

this issue at the next Board of Selectmen meeting.

h) Review, discuss and possibly adopt the following statements and resolutions required by the Small Cities Community Development Block Grant Program.

Mr. Hogan made motion to adopt statements and resolutions, as presented, required by the Small Cities Community Development Block Grant Program:

- Fair Housing Resolution
- Fair Housing Policy Statement
- Title VI Equal Opportunity Statement
- Affirmative Action Policy Statement

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

I) Review, discuss and possibly approve the following requests to utilize Town property as recommended by the Performing Arts Center Committee.

Ms. Wertheimer made motion to approve the following as recommended by the Performing Arts Center Committee -

- Simsbury Women's Club request for Arts & Crafts Show - September 19-20, 2009

- Iron Horse Marathon- May 31, 2009

- Valley Classic Wheels Event - July 12, 2009

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

j) Report and Project Status regarding New England East-West Solution-Central Connecticut Reliability Project-Connecticut Light and Power.

The Board received information on the Central Connecticut Reliability Project from CL & P. This includes seven miles of transmission lines. All of the information is on the Town's website. Anyone who is being affected, is also being sent a postcard from CL&P.

Ms. Glassman said they asked for a Public Hearing to be held in Simsbury and CL & P agreed to it. They have also asked CL & P to go through the Land Use process and they also agreed to that. More information will be forthcoming.

k) Review, discuss and possibly approve tax refunds as recommended and requested by the Tax Collector.

Mr. Hogan made motion to approve tax refunds in the amount of \$4,694.15 as recommended and requested by the Tax Collector. Mr. Hensley seconded the motion. All were in favor and the motion passed.

MISCELLANEOUS

There are no miscellaneous items at this time.

SUB-COMMITTEE REPORTS

- a) Personnel - no report at this time.
- b) Finance - no report at this time.
- c) Welfare - Ms. Wertheimer said the Welfare Sub-Committee is reviewing rental property procedures and applications.

APPOINTMENTS AND RESIGNATIONS

- a) Review, discuss and possibly appoint Hometown Hero Selection Committee.

Mr. Hensley made motion to appoint the Hometown Hero Selection Committee of Moira Wertheimer, Dawn Hutchins, Charity Folk, Tom West, and Robert Gauthier. Mr. Hampton seconded the motion. All were in favor and the motion passed.

- b) Review, discuss and possibly re-appoint Paul F. McAlenney to the Pension Committee for a term to expire December 7, 2009.

Mr. Long made motion to re-appoint Paul F. McAlenney to the Pension Committee for a term to expire December 7, 2009. Mr. Hensley seconded the motion. All were in favor and the motion passed.

- c) Review, discuss and possibly re-appoint Ed LaMontagne, Chairman of the Aging and Disability Commission to serve as Simsbury's representative on the North Central Regional Mental Health Board.

Ms. Wertheimer made motion to re-appoint Ed LaMontagne, Chairman of the Aging and Disability Commission to serve as Simsbury's representative on the North Central Regional Mental Health Board. Mr. Hampton seconded the motion. All were in favor and the motion passed.

LIAISON REPORTS

Mr. Hampton said at the Simsbury Farms Complex Committee meeting they received a presentation on the design study of the Apple Barn and Golf Building. Further discussion will be held at a later meeting.

EXECUTIVE SESSION

Mr. Hensley made motion to adjourn to Executive Session to discuss CHRO

Claim of Complainant: Owusu at 9:50 p.m. Mr. Hampton seconded the motion. All were in favor and the motion passed. Brandon Robertson, Director of Administrative Services, was also present in Executive Session.

ADJOURN FROM EXECUTIVE SESSION

Mr. Long made a motion to adjourn the Executive Session at 10:05 p.m. Ms. Wertheimer seconded the motion. All were in favor and the Executive Session was adjourned.

No action was taken.

ADJOURN

Mr. Hensley made a motion to adjourn the meeting at 10:07 p.m. Mr. Long seconded the motion. All were in favor and the meeting was adjourned.

Respectfully submitted,

Mary A. Glassman