

CALL TO ORDER

Secretary Thomas Benneche called the Regular Meeting of the Simsbury Charter Revision Commission to order at 5:30 p.m. on Thursday, December 17, 2015. The meeting was held in the Board of Education Conference Room of the Simsbury Town Offices located at 933 Hopmeadow Street, Simsbury, CT. In attendance were the following commission members: Paul Henault, Mary Glassman, Anita Mielert, Jeff Tindall, Lydia Tedone, James Ray, Edward Pabich and Robert Crowther. Staff included Tom Cooke, Director of Administrative Services and Town Attorney Robert DeCrescenzo. Town Assessor David Gardner and Director of Planning and Community Development Jamie Rabbitt subsequently joined the meeting.

PLEDGE OF ALLEGIANCE

All stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

Joan Coe of 26 Whitcomb Drive urged the Commission to move forward with a Council-Manager form of government. She mentioned that Commissioner Glassman described the need for a professional town manager in order to eliminate liability risks to taxpayers. Ms. Coe suggested that the Town Manager duties should include programs and policies to oversee costs, set goals and assess performance of personnel. Ms. Coe added that other topics should not be added or removed from the Charter to allow voters to focus on the Town Manager issue.

Dave Ryan, Chairman of the Zoning Commission, stated that he served on the Economic Development Commission and Planning Commission for four years and the Zoning Commission for six years. He recommended keeping the Planning and Zoning Commissions separate since both function differently. The Planning Commission spent 300 hours working on the POCD in addition to other responsibilities related to the capital needs of the town. He added that the Zoning Commission key factors are to protect individuals from their neighbors, which was apparent at the public hearings. Mr. Ryan said that having more people applying their skills and knowledge will strengthen the town. Mr. Ryan also commented on a separate topic. He requested review of the process that event promoters go through to obtain public gathering permits. The promoters are risking thousands of dollars to put on the shows at the Performing Arts Center and the process to acquire a permit is difficult.

Mr. Robert Kalechman of 971 Hopmeadow Street said that the Constable position should be reinstated since it is an historical position that dates back 300 years. He added that the Constable could be available in situations of dire emergency. Mr. Kalechman mentioned that he disagrees with increasing the number of members of the Board of Assessment Appeals from three to five. He also doesn't recommend combining Planning and Zoning Commissions. Keeping the Commissions separate encourages checks and balances.

Bob Duguay of 11 Nod Brook Drive praised the town government officials and town staff for their services to the public. He added that he prefers a First Selectman government since the politicians

have been responsive to the public. Mr. Duguay mentioned that he opposes combining the Planning and Zoning Commissions. Keeping the Commissions separate provides checks and balances and strength from the multiplicity of voices. Mr. Duguay added that he is against making the process easier for developers. He cautioned the Commission that attracting more developers will change the character of Simsbury.

Jackie Battos of 15 August Road is a member of the Zoning Commission. Ms. Battos is against combining the Planning and Zoning Commissions. She gave an example of a recent application that required four meetings and a fifth meeting was added due to public discussion, which included hundreds of people. Ms. Battos said that if the two Commissions were combined, nothing would be approved since the applicant consumed the majority of the time. She also added that the two boards are distinct in responsibilities and it's important to keep the checks and balances in place.

Presentation by Richard Barlow, former First Selectman, Canton on Selectmen/Chief Administrative Officer Form of Government

Mr. Richard Barlow, former First Selectman of Canton, said the hybrid form of government in Canton started 20 years ago. Under that form, the First Selectman serves as CEO on a part-time basis. The Board of Selectman appoints seven positions including the CAO, which manages the administrative functions of the town. Removal of the CAO requires a vote by the Board of Selectmen. Mr. Barlow mentioned the problem with a part-time CEO is that it limits the pool of people that can run for that position. Usually the person is either retired or a business owner.

Mr. Barlow answered questions from the Commission. He said that the CAO in Canton reports to the Board of Selectman and is active in the selection process of the six other town positions. These six positions report to the CAO. He added that the CAO position has a contract based on three years. The contract specifies his duties, salary, benefits and a notice period prior to leaving the position. Another requirement is for the CAO is to live within a certain distance of the town.

ACTION ITEMS

a. Review of Minutes – Regular Meeting of December 17, 2015.

Commissioner Henault moved to approve the minutes from December 17, 2015 Regular Meeting. The motion was seconded by Commissioner Tedone and was unanimously approved.

b. Discussion and Possible Action on Recommendation to Increase the Membership of the Board of Assessment Appeals from Three to Five and Add Two Alternates.

Mr. Dave Gardner, Assessor for the Town of Simsbury, said that the Board of Assessment Appeals meets in March to hear appeals on real estate, personal property and motor vehicles. He said that after the 2007 re-evaluation, the Board heard 350 appeals in March of 2008, at total

of 51 hours of meetings. The Board met separately with tax payers and reconvened to deliberate and vote.

Mr. Gardner said that available time to meet has become more of an issue. Going to a five member board would lighten the load and make the schedule less vulnerable to the effects of unexpected absences. Having alternates will also help in this regard.

Mr. Gardner answered questions from the Commission. He explained the procedures a person would follow if they are in disagreement the assessment of their property. The background of board members varies from engineer, insurance consultant, attorney, teacher and accountant. He said that alternates will help with the unforeseen matters that occur; adding more people will help with lightening the load. Mr. Gardner also said that the hours are excessive for volunteers to handle in the course of a month.

Commissioner Mielert asked for Mr. Gardner’s notes to be distributed among the Commission for review. Commissioner Glassman would like to know the number of members on the Board in neighboring towns. Mr. DeCrescenzo advised the Commission of a state statute providing for appointment of additional Board of Assessment Appeals members and alternates by Town ordinance. He also said that there isn’t any certification or education process to become a member of the Board. He continued with explaining the statute and possible concerns. Commissioner Mielert would like to discuss this topic in a future meeting specifying the contents of the proposed ordinance. Mr. DeCrescenzo was asked to draft an ordinance for review by the Commission as a possible recommendation to the Board of Selectmen.

c. Discussion and Possible Action on Recommendation to Combine Planning and Zoning Commissions.

Commissioner Mielert said that she spoke with a member of the Conservation of Inland Wetlands. The Conservation Commission is more proactive and the Inlands Wetlands Commission is more regulatory. The member said that the regulatory functions overtake the proactive projects that can affect the town in the future. She added that combining Planning and Zoning would make developers happier, but it’s more important to have the town and voters happier. She doesn’t recommended combing the Planning and Zoning Commissions.

Mr. Jamie Rabbitt, Director of Planning and Community Development, said there are pluses and minuses to combining the Planning and Zoning Commissions. He explained the roles of the two Commissions and offered suggestions to balance the work load if combining the Commissions. He discussed staffing challenges with the current schedule of meetings. He also noted that when updating the POCD, the combined Commission can make changes that would be consistent with Planning and Zoning issues. He added that time is wasted when application handled by Zoning has to return to Planning.

Commissioner Glassman moved to not recommend combining the Planning and Zoning Commissions. The motion was seconded by Commissioner Mielert. Commissioners Benneche, Henault, Glassman, Mielert, Tedone, and Ray voted in favor of the motion. Commissioner Crowther and Pabich voted against. The motion passed.

d. Agenda items for the next scheduled meeting

- Continue discussion Board of Assessment Appeals.
- Length of Terms
- Additional presentations on forms of government.
- Commissioner Henault recommended members to read the Erdmann study and review towns that have a First Selectman and Town Administrator. Ms. Glassman asked Mr. Henault to forward his materials via e-mail.
- Add as an agenda item: Members to review models of Town Administrators and discuss pro/con aspects at next meeting.

ADJOURN

Commissioner Ray made a motion to adjourn the meeting at 8:55 p.m. The motion was seconded by Commissioner Mielert and was unanimously approved.

Respectfully Submitted,
Irene Muench