Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Lisa L. Heavner - First Selectman

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SIMSBURY BOARD OF SELECTMEN
Regular Meeting – January 12, 2015 – 7:00 p.m.

PLEDGE OF ALLEGIANCE

SELECTMEN ACTION

a) Accept the resignation of Lisa L. Heavner (D) as a Selectman of the Board of Selectmen effective January 11, 2015

b) Appoint Christopher Kelly (D) as a Selectman of the Board of Selectmen with an expiration date of December 7, 2015

c) Swearing in of Christopher Kelly

FIRST SELECTMAN'S WELCOME REMARKS

RECESS – There will be a short break to recognize Mr. Kelly

PUBLIC AUDIENCE

PRESENTATIONS

- GIS Update
- Ethel Walker Open Space Improvement Plan
- Future Use of Dewey Farm Property

FIRST SELECTMAN'S REPORT

SELECTMEN ACTION

d) Approve Tax Refunds

e) Approve 2015 Budget Workshop Dates

f) Approve License Fee Waiver not to exceed $100 for Marriage Licenses issued on February 13, 2015

g) Acceptance of Proposal from L. Wagner & Associates for services relating to Small Cities Grant, Simsbury Housing Authority

h) Accept donation of $5,000 from Garrity Asphalt Reclaiming, Inc. for the Keep Simsbury Warm Programs

i) Adopt Resolution authorizing the First Selectman to execute a grant contract with the Connecticut State Library in the amount $5,000 for Historic Documents Preservation

j) Approve the Public Gathering Permit Applications for 2015 Events

k) Assign 1 Old Bridge Road to Open Space Committee

OTHER BUSINESS

a) Liaison Appointments
b) Impeachment Process
c) MS4 DEEP Regulations Update
d) Veterans Memorial Project and Open Space

APPOINTMENTS AND RESIGNATIONS

a) Accept the resignation of Kevin W. Schultz (R) as a regular member of the Simsbury Farms Complex Committee effective December 27, 2014

ACCEPTANCE OF MINUTES

a) Regular Meeting of December 8, 2014

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

1. Personnel
2. Finance
3. Welfare
4. Public Safety
5. Board of Education

ADJOURN TO EXECUTIVE SESSION

a) Review Hopmeadow Street, LLC Vs Town of Simsbury with Town Counsel
b) Review of status of Town Negotiations with IBPO

ADJOURN FROM EXECUTIVE SESSION

Possible action

ADJOURN

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Thomas F. Cooke – Director of Administrative Services

BOARD OF SELECTMEN

MEETING AGENDA SUBMISSION FORM

1. **Date of submission**: January 5, 2015

3. **Date of Board Meeting:** January 12, 2015

4. **Individual or Entity making the submission**: Lisa L. Heavner, 21 Aspenwood Drive, Weatogue

5. **Action requested of the Board of Selectmen:**
Accept the resignation of Lisa L. Heavner as a **regular** member of the Board of Selectmen, the Community for Care Committee, the Public Safety Sub-committee, the Personnel Sub-committee, the Retirement Plan Sub-committee and the Long Range Planning Sub-committee effective January 11, 2015.

6. **Individual(s) responsible for submission**: Carolyn Keily, Town Clerk

7. **Summary of Submission**:

Resignation: Lisa L. Heavner
Party: Democratic
Effective date: January 11, 2015
Board: Regular member of the Board of Selectman
Community for Care Committee
Public Safety Sub-committee
Personnel Sub-committee
Retirement Plan Sub-committee
Long Range Planning Sub-committee
Term: 12/2/2013 to 12/7/2015

8. **Description of documents included with submission**
The following documents are included with this submission and attached hereto:

Signed letter of resignation

January 3, 2015

21 Aspenwood
Weatogue, CT 06089

RECEIVED
JAN - 5 2015
TOWN OF SIMSBURY, CT
TOWN CLERKS OFFICE

Carolyn Keily
Simsbury Town Clerk
933 Hopmeadow Street
Simsbury, CT 06070

Dear Ms. Keily:

Please accept my resignation from the following committees and boards of the Town of Simsbury effective January 11, 2015:

Regular member of the Board of Selectmen
Community for Care
Public Safety
Personnel
Retirement Plan Sub-Committee
Long Range Planning

Sincerely,

Lisa L. Heavner

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Thomas F. Cooke – Director of Administrative Services

BOARD OF SELECTMEN
MEETING AGENDA SUBMISSION FORM

1. **Date of submission**: December 30, 2014

3. **Date of Board Meeting:** January 12, 2015

4. **Individual or Entity making the submission**: Simsbury Democratic Town Committee

5. **Action requested of the Board of Selectmen:** On December 17, 2014 the Simsbury Democratic Town Committee unanimously approved the nomination of Democrat Christopher Kelly, 10 East Tomstead Road Simsbury Ct 06070, to complete the term of Lisa Heavner (Democrat) on the Board of Selectman which expires 12/07/2015.

6. **Individual(s) responsible for submission**: Alan Needham, Nominations Chair Simsbury Democratic Town Committee (2 Basswood Lane, Weatogue CT 06089) 860-670-0723

7. **Summary of Submission**: Request approval of Christopher Kelly to Board of Selectman

8. **Description of documents included with submission**
   The following documents are included with this submission and attached hereto:
   None

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Jerome F. Shea – Town Engineer

MEMORANDUM

To: Lisa Heavner, First Selectman

From: Jerome F. Shea, P.E. Town Engineer

Subject: **Status Report- Geographical Information System (GIS)**

Date: January 6, 2015

This memorandum provides a status report on the schedule for release of the town Geographical Information System (GIS). Over the past several months, I have been working with key town staff on refining the datasets to be included in the GIS so that the initial response from the public would be a positive experience and the data would be as current as possible.

We are confident that the system is ready for release to the public and are requesting authorization to move forward with the release. I would like to provide you with a brief presentation of the information available to the public through the GIS site.

Below is our plan for release and for educating the boards and committees with a basic overview of the GIS system.

1. January 13, 2015 - Release of website link to the public. Issue a press release announcing the availability of the GIS system.
2. January 21, 2015 at 6:00 p.m. – Provide an informational session for the board members that may benefit from the information available in the GIS.

I would request your concurrence with our schedule for release of this informational system to the public. Information that we develop going forward will be released on the site as the information is vetted by key staff working on the project from our departments. A press release and an announcement on the main web page of the town web site will be released if the board is in agreement.

cc: Tom Roy, P.E., Director of Public Works
Hiram Peck, Director of Community Planning and Development
David Gardner, Assessor
Rick Bazzano, Data Processing Manager
Tony Piazza, Superintendent of Water Pollution Control

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Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Engineering Department

MEMORANDUM

To: Lisa Heavner, First Selectman

From: Jerome F. Shea, P.E., Town Engineer JFS

Subject: **Ethel Walker Open Space Improvement Plan**

Date: January 6, 2015

The memorandum provided a status report on the progress on the Ethel Walker Open Space Improvement Plan. The consultant has completed an evaluation of the existing conditions of the property, reviewed the forest management plan, and has recently provided preliminary recommendations and cost estimates for a long term improvement plan recommended to enhance to use of the property. The complete draft report has not been received and is expected to be completed in the next 2 weeks. This draft plan will be reviewed by staff and comments will be provided to the consultant for the preparation of a final draft plan.

When the final draft plan has been refined by staff, the draft plan and recommendations will be presented to the appropriate committees and the public.

I would recommend that a joint meeting of the Open Space Committee and the Culture, Parks and Recreation Committee be scheduled in February. Comments provided as a result of this joint meeting will be incorporated into the plan. The final plan will then be presented to the Board of Selectmen.

This plan will provide an overall blueprint for developing the parcel, provide an inventory and condition assessment of the trails and other important features, long and short term recommendations for improvements and provide management guidelines for operation and maintenance of the parcel.

cc: Gerard Toner, Director of Parks and Recreation
Hiram Peck, Director of Planning and Land Use
Tom Roy, Director of Public Works
Joseph Mancini, Director of Finance / Treasurer

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Jerome F. Shea – Town Engineer

MEMORANDUM

To: Lisa Heavner, First Selectman

From : Jerome F. Shea, Town Engineer JFS

Subject: **Future Use of Dewey Farm Property (51 Terry Plains Road)**

Date: January 6, 2015

The memo is to discuss options available for the future use of the Dewey Farm property located at 51 Terry Plains Road. The property was in recent years leased for agricultural use with the most recent lease due to expire in March of 2015. Attached is a map of the property and a report prepared by the former Town Engineer (not including attachments) that provides background information on the property. The report summarized the various aspects of the property relative to ownership, funding, zoning, soils and topography, development potential, and findings relative to options available to the town moving forward.

The report raised questions relative to the towns' authority to sell all or some of the property in consideration of the authorizations and funding obtained for the purchase of the property, the status of the parcel relative to the Plan of Conservation and Development, and to any limitations that would preclude to town from selling all or portions of the property.

The Town Attorney has rendered an opinion (attached) that outlines possible authorizations that may be required for a sale of the property along with use of the sale proceeds. The Town Attorney also recommended that bond counsel be consulted on the re-use of the sale proceeds if the town was considering a sale of the property.

The report suggests that the property has development potential for residential development. A sale of all or portions of the property could have significant value if developed as residential property. The Plan of Development identifies the land as Open Space. Therefore, if the sale of all or part of the property is to be considered, a referral will be required from the Planning Commission. With potential high value for residential lots, an appraisal should be obtained if sale of the land is under consideration. The sale of all or part of the property should be evaluated with the recent discussions of evaluating the inventory of open space parcels owned by the Town and the possible sale of the least desirable parcels.

cc: Tom Cooke, Director of Administrative Services
Tom Roy, P.E., Director of Public Works
Joe Mancini, Director of Finance
Gerald Toner, Director of Culture, Parks, and Recreation
Hiram Peck, Director of Planning and Land Use

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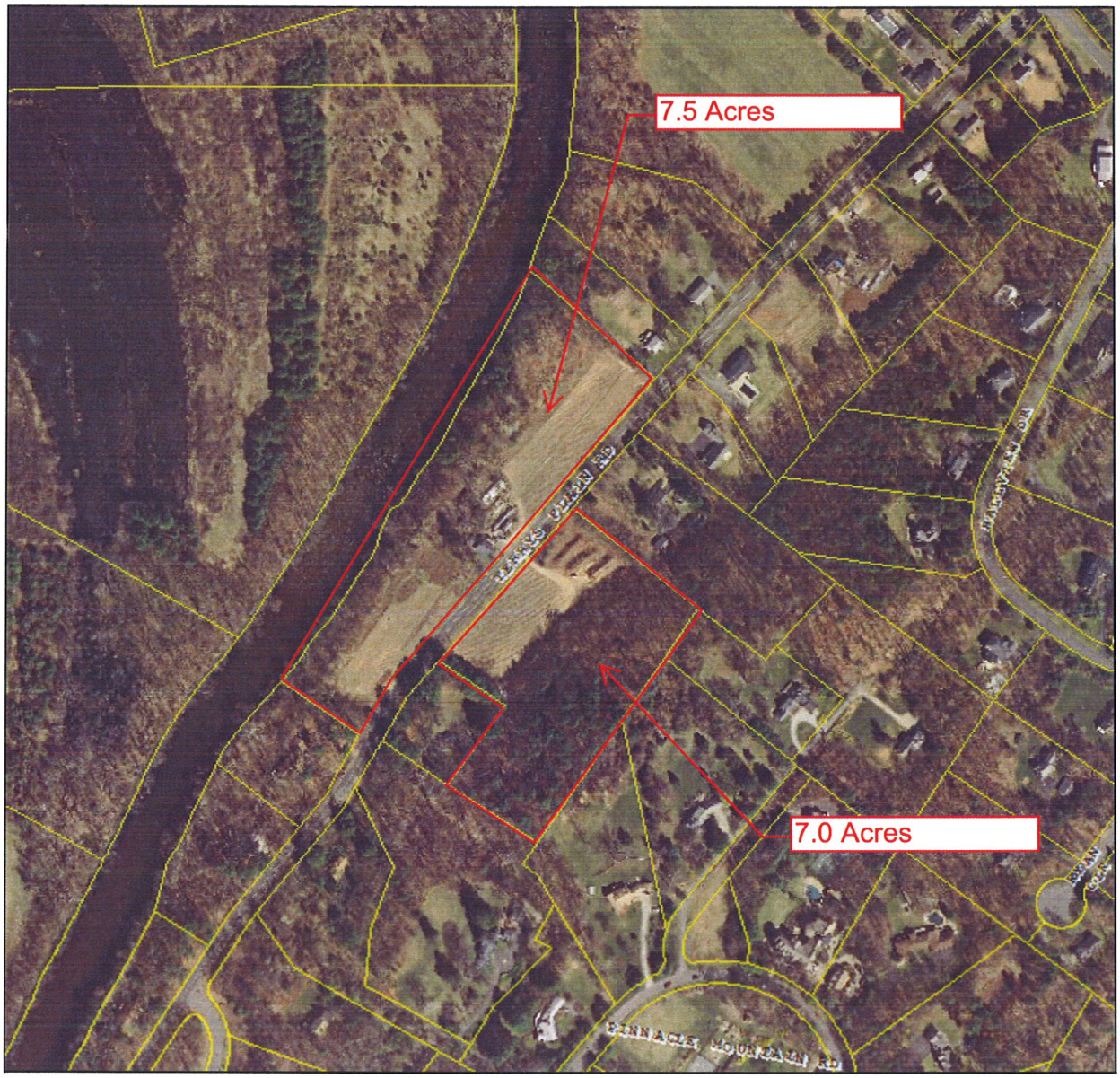
Town of Simsbury

Geographic Information System (GIS)

Date Printed: 10/28/2014



MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Simsbury and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 400 feet

0 400 Feet

N W E S

UKS
MERITAS LAW FIRMS WORLDWIDE

RECEIVED
APR 28 2014
TOWN OF SIMSBURY
FIRST SELECTMANS OFFICE

File Legal

Robert M. DeCrescenzo
(t) 860.548.2625
(f) 860.548.2680
rdecrescenzo@uks.com

April 24, 2014

Thomas Cooke
Director of Administrative Services
Town of Simsbury
933 Hopmeadow Street
Simsbury, CT 06070

Re: Dewey Farm Report

Dear Tom:

You have asked me to research the Town's authority to re-sell one of the two lots located at the Dewey Farm land acquisition. At your request, I reviewed the Dewey Farm Report prepared by Rich Sawitzke, Town Engineer. The following are my comments:

1. The source of the $278,000 purchase price for the February 1, 1999 acquisition of the Dewey Farm property was a $1,000,000 bond authorization approved at a Special Town Meeting on October 20, 1998. The purpose of the 1998 bond authorization was for the "purchase of development rights and acquisition of land for open space and municipal purposes". The bond authorization did not specify any particular parcels of land.

2. The Planning Commission and the Board of Finance approved the Dewey Farm purchase for open space. There was no provision in either approval for the resale of the land for private development purposes.

3. A proposed sale for development purposes of any portion of the Dewey Farm parcel should be reviewed by the Open Space Committee (created after the original acquisition), and must be reviewed by the Planning Commission under General Statutes §8-24 and the Board of Finance.

4. Upon any sale of the land, the sale proceeds will need to be devoted to the same purpose authorized by the 1998 Bond Resolution. I advise you to consult with Bond Counsel on the Town's options for the re-use of any sale proceeds including to determine whether the potential sale proceeds need to be dedicated to the acquisition of alternative open space.

I trust this responds to your inquiry. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

Robert M. DeCrescenzo, Esq.
Town Attorney

RMDe/psm

DEWEY FARM

14.5 acre parcel

51 TERRY'S PLAIN ROAD

SITE INFORMATION

JULY 2013

Prepared For: Simsbury Board of Selectmen
Prepared By: Richard L. Sawitzke, P.E., Town Engineer

Issue

At its meeting of July 8, 2013, the Board of Selectmen considered the award of an Agriculture License Agreement for the Dewey Farm, with a 3 year period, with two 1 year extensions. Prior to making a decision, the Board requests information concerning the possibility/feasibility of selling all, or part of, the land, clean-up of the property, and assessment of the residential building on the property.

Background

The Board of Selectmen purchased the Dewey property on February 1, 1999. The purchase, for $278,000.00, was a fee simple transaction, reserving a life estate for the benefit of the Grantor (Leslie N. Dewey) and his son, Carlton Dewey. Recorded at V. 503 P. 622 in the Simsbury Land Records, the deed only mentions the following restrictions or easements:

- No commercial office development, on parcel fronting Farmington River
- 2 drainage easement on parcel west Terry's Plain Rd.
- 8' wide bridle path right-of-way on parcel east Terry's Plain Rd. (except location undefined)

If the property were to be sold for purposes other than agriculture and/or open space, I believe that a legal opinion regarding the required actions would be needed. The reason for this is the funding and purchase authorization language reflected in various board and commission actions. These actions are briefly summarized, as follows.

- 3/23/98: BOS action for amending Talcott Mt. Ridge fund balance, to be used for the purchase of development rights and acquisition of land for open space and municipal purposes.
- 5/5/98: Special Town Meeting approved the above mentioned fund balance amendment ($261,947.00)
- 10/20/98: Special Town Meeting appropriated $1,000,000.00 for the purchase of development rights and acquisition of land for open space and municipal purposes. Approved bonding of this amount.
- 11/9/98: BOS authorized First Selectman to sign Purchase/Sale Agreement for Dewey Property and refer to Planning Commission for Open Space.
- 11/17/98: BOF approved the purchase of the Dewey Property for Open Space, and authorized the First Selectman to sign a Purchase and Sales Agreement. Use of land for farming was discussed.

- 12/8/98: Planning Commission, on Section 8-24 Referral, it was stated that after the Life Tenancy period the land would be kept as Open Space. The Commission gave a favorable recommendation in order to preserve open space; and, the purchase is in accordance with the Plan of Development.
- 2/1/99: Land purchased for $278,000.00

The above sequence of events indicates that the intent of the purchase was for Open Space, and that Open Space funds were utilized.

Location/Zoning
The property consists of 2 parcels, as summarized below.

Parcel	Location	Size (ac.)	Frontage
First Piece	West side-Terry's Plain Rd.	7.6	1,160'
Second Piece	East side-Terry's Plain Rd.	7.0	516'

A residential structure is located on the First Piece. Agricultural out-buildings have been removed.

The property is zoned R-40, single family residential, with a minimum lot size of 40,000 square feet, and frontage or 200'. With the available frontage, and shape of the land, a subdivision along with associated open space is very feasible.

Both of these parcels have existed with their present boundaries since before planning was adapted in 1954. Leslie Dewey has owned the parcel on the east side of the road since 1945 and on the west side (#51) since 1936. The significance of this time of ownership is that both of these parcels can divided into two lots without subdivision approval.

Character of Land
The parcel on the east side is level for the length of its frontage on Terry's Plain Road. The land from approximately 200' back from the road rises fairly steeply from elevation 190' to elevation 250'. This slope would tend to limit lot development towards the land immediately along the road, for 2 to 3 lots.

The parcel on the west side is level along the road frontage, for a depth from the road of 230' to 400'. Fronting on the Farmington River, the floodplain is limited to a narrow area along the river due to the steep slope along the river. This parcel could easily be divided into 5 lots.

There are no wetlands on these parcels, public water is available on Terry's Plain Road about 1000' to the south, and soils are favorable for lot development, with on-site septic systems.

While these soils are not characterized as Prime Agricultural Soils, they can produce good crops with the addition of compost (which has been on-going) and seasonal irrigation. Of the total parcel areas, there are about 4 acres on the west side and 2 acres on the east side of Terry's Plain Road that are suited for agriculture.

Outstanding Questions

Assessed Value: The Assessor has an appraised land value of $133,056.00 for the east side and $149,860.00 for the west side. A house value of $114,545.00 is also indicated. It is noted that the land values are generally for excess lot property and carry a much lower value than if the land was divided for residential lots. I believe, based on its condition, that the house value is too high.

Appraisal: An appraisal for this property would cost between $3500.00 and $4500.00

Time to do Appraisal: 2 months

Land Trust estimate of farm value: The Land Trust and the Town recently completed appraisals for farm land on Quarry Road. These values should be similar for the Dewey Farm. Farm value was $6,250/acre; and $12,500/acre with some limited development potential. I believe that the Dewey Farm, if considered for full development potential, would carry a much higher value.

Clean-up: The Public Works Department has received proposals to completely clear all materials from the house. Completion is estimated at 4 weeks.

Findings

There is evidence that this property has single family home development potential. However, the various purchase and funding authorizations indicate that the land was acquired for Open Space and/or agriculture purposes. The Plan of Development lists the land as Open Space. Therefore, if sale of all or part of, the land is to be considered, an opinion as to process is needed from the Town Attorney, and a referral is needed from the Planning Commission.

Regarding the existing residential structure, an evaluation by our Building Official and Director of Public Works suggests the house should be demolished.

With potential high value for residential lots, an appraisal should be obtained if sale of the land is an option.

Attachments

- BOS meeting 3/23/98 – portion of minutes
- Special Town Meeting 5/5/98 – portion of minutes
- Special Town Meeting 10/20/98 – portion of minutes
- BOS meeting 11/9/98 – portion of minutes
- BOF meeting 11/17/98 – portion of minutes
- PC meeting 12/8/98 – portion of minutes
- Deed, dated 2/1/99
- Property location plan, 1"=400'
- Assessor cards

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING
AGENDA SUBMISSION FORM

1. **Date of submission:** **01/06/2015**

2. **Date of Board Meeting** **01/12/2015**

3. **Individual or Entity making the submission:** Colleen O'Connor, Tax Collector

4. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**
The Individual or Entity making the submission requests that the Board of Selectmen:

   Approve tax refunds per attached printout in the amount of **$ 16,716.98**

5. **Individual(s) responsible for submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting.):** Colleen O'Connor, Tax Collector

6. **Summary of Submission (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any additional information in an attached memorandum.):**
.

7. **Description of documents included with submission (All documents must be in final form and signed by the appropriate party.):**
The following documents are included with this submission and attached hereto:

   Excel spreadsheet prepared by the Tax Collector showing detailed information on refunds

	BILL NUMBER	TAX	FIRE	INTEREST	TOTAL
List 2010					
					$0.00
Total 2010		**$0.00**	**$0.00**	**$0.00**	**$0.00**
List 2011					
Mowel Amy L	11-03-62945	$69.64	$2.29		$71.93
					$0.00
Total 2011		**$69.64**	**$2.29**	**$0.00**	**$71.93**
List 2012					
Nelson Elizabeth M	12-01-5666	$401.61	$13.14		$414.75
Honda Lease Trust	12-03-58441	$132.34	$4.33		$136.67
Mowel Amy L	12-03-62951	$77.19	$2.53		$79.72
Rubin, Lawrence K	12-03-66064	$118.02	$3.86		$121.88
Veith Stephanie M	12-03-69175	$221.54	$7.25		$228.79
Huggins Barbara	12-04-81369	$449.11			$449.11
					$0.00
					$0.00
					$0.00
Total 2012		**$1,399.81**	**$31.11**	**$0.00**	**$1,430.92**
List 2013					
Anderson Kevin R	13-01-0172	$5,406.71			$5,406.71
Bevilacqua Frank	13-01-0625	$50.00			$50.00
Brimecombe Phyllis (Corelogic/Atty.)	13-01-0887	$4,776.89			$4,776.89
Charlie 10 LLC	13-01-1303	$101.02			$101.02
Fed. Nat. Mrtg. Assoc. (Fannie Mae)	13-01-1328	$180.59			$180.59
Kons Britta B	13-01-1686	$22.92			$22.92
Quirk Susan D	13-01-6445	$245.32			$245.32
Reese James	13-01-6529	$20.00			$20.00
Rosenthal Jennifer L	13-01-6903	$373.21			$373.21
Rubin Jonathan N	13-01-6966	$287.96			$287.96
Wunderlee Max	13-01-8694	$18.27			$18.27
B Fare LLC	13-02-40068	$5.82			$5.82
Powder Forest Homes LLC	13-02-40633	$470.20	$33.98		$504.18
Buffo Gerard C	13-03-52167	$61.31	$1.96		$63.27
CAB East LLC	13-03-52378	$190.16	$6.09		$196.25
EAN Holdings LLC	13-03-55114	$82.53	$15.63		$98.16
Gaidos Carol M	13-03-56261	$144.47	$4.63		$149.10
Gilbert Peter R	13-03-56658	$64.70	$2.07		$66.77
Gilbert Peter R	13-03-56659	$64.70	$2.07		$66.77
Gowdy Randall A	13-03-57048	$940.38	$30.13		$970.51
Graziano Charles	13-03-57147	$66.92	$2.14		$69.06
Hamborg Robert C	13-03-57531	$7.35	$0.23		$7.58
Honda Lease Trust	13-03-58222	$204.82	$6.57		$211.39
Kennedy Diane E	13-03-59494	$42.34	$1.36		$43.70
Lipponen Tarja M	13-03-60798	$96.19	$3.08		$99.27
Perevozchikov Oleg	13-03-64332	$6.83	$0.22		$7.05
Rosen Michael	13-03-65805	$89.39	$2.87		$92.26
Rosen Michael	13-03-65806	$135.53	$4.34		$139.87

Schechinger Robert C	13-03-66402	$86.54	$2.77		$89.31
Smith Bruce A	13-03-67276	$40.00	$1.28		$41.28
Stachowiak Edward	13-03-67596	$272.24	$8.72		$280.96
Turner Robert E	13-03-68838	$450.84	$14.45		$465.29
USB Leasing LT	13-03-68944	$223.25	$7.15		$230.40
Zentek Thaddeus	13-03-70501	$18.13	$0.58		$18.71
					$0.00
Total 2013		**$15,247.53**	**$152.32**	**$0.00**	**$15,399.85**
TOTAL 2010		**$0.00**	**$0.00**	**$0.00**	**$0.00**
TOTAL 2011		**$69.64**	**$2.29**	**$0.00**	**$71.93**
TOTAL 2012		**$1,399.81**	**$31.11**	**$0.00**	**$1,430.92**
TOTAL 2013		**$15,247.53**	**$152.32**	**$0.00**	**$15,399.85**
					$16,902.70
TOTAL ALL YEARS		**$16,716.98**	**$185.72**	**$0.00**	**$16,902.70**

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Thomas F. Cooke – Director of Administrative Services

BOARD OF SELECTMEN MEETING
AGENDA SUBMISSION FORM

1. **Title of submission:** Budget Workshop Schedule

2. **Date of submission:** January 8, 2015

3. **Date of Board Meeting:** January 12, 2015

4. **Individual or Entity making the submission:**

   Thomas F. Cooke – Director of Administrative Services

5. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**
   The Individual or Entity making the submission requests that the Board of Selectmen:

   Adopt a schedule for budget workshop dates and times based on the available date described herein

6. **Individual(s) responsible for submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting.):**

   Thomas F. Cooke – Director of Administrative Services

Telephone (860) 658-3230
Facsimile (860) 658-9467

tcooke@simsbury-ct.gov
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8:30 – 1:00 Tuesday through Friday

7. <u>Summary of Submission</u> (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any <u>additional</u> information in an attached memorandum.):

Pursuant to the Charter, the Director of Finance, at the direction of the First Selectman, is required to present the budget to the Board of Selectmen no later than the first day of March (Section 805). In order to ensure that the Board of Selectmen has adequate opportunity to meet, the First Selectman, Town Staff and the Director of Finance will accelerate the budget preparation process so that the budget is available to this Board by February 27th.

Based on responses to the initial proposed dates, the following alternative dates are presented for your consideration:

- Monday 3/2 through Thursday 3/5: Initial budget presentation and overview
- Saturday, March 7: Budget presentations by Town Staff – day-long workshop
- Additional dates as necessary:
    - Tuesday 3/10 – evening meeting
    - Wednesday 3/11 – evening meeting
    - Thursday 3/12 – evening meeting

In total, this schedule offers five (7) evening meetings and two (1) Saturday meeting.

8. <u>Description of documents included with submission</u> (All documents must be in final form and signed by the appropriate party.):

The following documents are included with this submission and attached hereto:

Key Budget Dates

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Joseph P Mancini – Director of Finance/Treasurer

Below is a listing of Key Budget Dates

Town	Friday,	January 16, 2015 – Department Heads Budgets provided to Finance Director
Town	Friday,	January 30, 2015 – Finance Director to provide First Selectman with Budget
Town	Sunday,	March 1, 2015 – First Selectman to provide Board of Selectman with First Selectman's Budget.
BOS	TBD	March 2 – 30, 2015 – BOS Budget Workshops
BOF	Wednesday,	March 11, 2015 - BOE Budget Presentation to BOF (pursuant to Section 806 of the Town Charter)
BOS	Tuesday,	March 31, 2015 - BOS Budget Presentation to BOF (pursuant to Section 807 of the Town Charter)
BOF	**Thursday,**	**April 9, 2015 - 6:00 P.M. Simsbury High School Amphitheatre** - Public Budget Hearing (Operating & Capital) (pursuant to Section 808 of the Town Charter); Regular Meeting to follow
BOF	Tuesday,	May 5, 2015 **- 8:30 p.m., Henry James Junior High School Cafeteria (After Referendum)**

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Thomas F. Cooke – Director of Administrative Services

BOARD OF SELECTMEN

MEETING AGENDA SUBMISSION FORM

1. **Date of submission**: January 7, 2015

3. **Date of Board Meeting:** January 12, 2015

4. **Individual or Entity making the submission**: Tourism Committee, Main Street Partnership, Town Clerk

5. **Action requested of the Board of Selectmen:**
Approve a non-budgeted expenditure, not to exceed $100, to cover any surcharge to be remitted to the State and waive collection of the fee for Marriage Licenses issued on February 13, 2015.

6. **Individual(s) responsible for submission**: Carolyn Keily, Town Clerk

7. **Summary of Submission**:
To continue a program from last year to promote small businesses in Simsbury, the Tourism Committee, Main Street Partnership and Town Clerk's Office will coordinate a program to issue "free" marriage licenses the day before Valentine's Day and to present a Grand Prize package comprised of donations from local businesses to one couple who applies for their license on Friday, February 13. (Valentine's Day is on Saturday.)

   - The Board is being asked to approve a non-budgeted expense, not to exceed $100, to cover a part of the marriage license surcharge, which must be remitted to the State Department of Public Health. The State requires municipalities to collect a $20 surcharge in addition to the $10 marriage license fee (altogether $30). The portion of the surcharge remitted to the State is $19 per license. The $100 would cover up to five couples who might come in on February 13. Their wedding would have to take place in Simsbury and occur by April 20, 2015.

   - The Board is being asked to waive collection of the $30 marriage license fee on February 13, 2015. Normally, of that amount $11 per license would be collected for the Town General Fund.

8. **Description of documents included with submission**
The following documents are included with this submission and attached hereto: (none)

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Thomas F. Cooke – Director of Administrative Services

BOARD OF SELECTMEN MEETING
AGENDA SUBMISSION FORM

1. Title of submission:

Acceptance of Proposal for Professional and Technical Services for Small Cities Grant – Simsbury Housing Authority – L. Wagner & Associates

2. Date of submission: January 8, 2015

3. Date of Board Meeting: January 12, 2015

4. Individual or Entity making the submission:

Thomas F. Cooke – Director of Administrative Services
Edward LaMontagne – Executive Director, Simsbury Housing Authority

5. Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):
The Individual or Entity making the submission requests that the Board of Selectmen:

Accept the proposal of L. Wagner & Associates to provide professional and technical services in connection with the submission of a Small Cities grant on behalf of the Simsbury Housing Authority

6. Individual(s) responsible for submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting.):

Thomas F. Cooke – Director of Administrative Services – (860) 658-3200
Edward LaMontagne – Executive Director, Simsbury Housing Authority – (860) 658-1147

7. **<u>Summary of Submission</u> (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any <u>additional</u> information in an attached memorandum.):**

On November 10, 2014 the Board of Selectmen authorized the issuance of an RFP for a firm to provide professional and technical services in connection with preparation of a 2015 Small Cities Community Development Program Grant on behalf of The Housing Authority of the Town of Simsbury. The entire cost of the firm chosen will be covered by the grant, if awarded, and there will be no charges in the event that the application is denied.

The purpose of the grant is to replace the roof at the Virginia Connolly Residence and to resurfacing of the roadway throughout the Housing Authority property, as well as to make modifications to bring the property into compliance with the ADA.

The Town and the Housing Authority worked with L. Wagner & Associates on preparation of an application in 2014 and much of the same work can be reused for submission of the 2015 application. L. Wagner & Associates previously helped the Housing Authority to secure a grant of $775,000 for the renovation of senior housing.

Only one other proposal was submitted and, based on the economies inherent in using L. Wagner & Associates, both Town Staff and the Housing Authority recommend moving forward with L. Wagner & Associates.

8. **<u>Description of documents included with submission</u> (All documents must be in final form and signed by the appropriate party.):**
The following documents are included with this submission and attached hereto:

NA

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Social Services Department

BOARD OF SELECTMAN MEETING
AGENDA SUBMISSION

1. **Date of Submission:** December 23, 2014

2. **Date of Board Meeting:** January 12, 2015

3. **Entity making Submission:** Social Services Department

4. **Action Requested:** Acceptance of financial donation from Garrity Asphalt Reclaiming, Inc. in the amount of $5,000 for the Keep Simsbury Warm Program.

5. **Responsible for Submission:** Social Services Department
M. Lecours-Beck, Director

6. **Summary of Submission:** Garrity Asphalt Reclaiming Inc. has donated the sum of $5,000 to be used to assist needy Simsbury residents with keeping their homes warm during the cold winter months.

7. **Description of Document:** Copy of check from Garrity Asphalt Reclaiming, Inc.

Telephone (860) 658-3283
Facsimile (860) 408-7046

mlecours-beck@simsbury-ct.gov
www.simsbury-ct.gov

Office: Eno Memorial Hall
An Equal Opportunity Employer

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Thomas F. Cooke – Director of Administrative Services

BOARD OF SELECTMEN

MEETING AGENDA SUBMISSION FORM

1. **Date of submission**: January 2, 2015

3. **Date of Board Meeting:** January 12, 2015

4. **Individual or Entity making the submission**: Carolyn Keily, Town Clerk

5. **Action requested of the Board of Selectmen:**
   Adopt the following resolution so that the First Selectman may sign a grant contract with the Connecticut State Library.

6. **Individual(s) responsible for submission**: Carolyn Keily, Town Clerk

7. **Summary of Submission**:

In order to qualify for a $5,000 Connecticut State Library grant for Historic Documents Preservation, the Board of Selectmen needs to consider and to adopt the following resolution:

"RESOLVED, that Lisa L. Heavner, First Selectman of the Town of Simsbury, is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for an Historic Documents Preservation Grant."

The projects would be completed by June 30, 2015.

8. **Description of documents included with submission**
   The following documents are included with this submission and attached hereto:

   - A copy of the contract to be signed after adoption of the resolution
   - A summary of the grant projects

Historic Documents Preservation Program
Connecticut State Library
Hartford, Connecticut 06106

GRANT CONTRACT

Targeted Grant FY 2015, Cycle 2 — Grant #128-PC-15

This contract made between the State of Connecticut, Connecticut State Library (hereinafter "State Library") and the **Town of Simsbury** (hereinafter "Contractor") pursuant to C.G.S. §§ 11-8i through 11-8n, inclusive.

WHEREAS, the State Library's Office of the Public Records Administrator administers the Historic Documents Preservation Grant Program ("Program") for the purpose of preserving and managing historic documents;

WHEREAS, all Connecticut municipalities are eligible to apply for a Targeted Grant ("Grant") from this Program; and

WHEREAS, the Contractor is a municipality;

NOW THEREFORE, in consideration of the aforesaid and the mutual promises hereinafter contained the parties do hereby agree as follows:

1. The State Library hereby authorizes a Grant for an amount not to exceed **$5,000.00** (hereinafter "Grant Funds"), for the following (hereinafter referred to as the "Project") as approved in the municipality's Targeted Grant Application on **December 18, 2014**, on file at the State Library:

   A. Records conversion project to improve access to a collection of public records.
   B. Microfilming project for public records.
   C. Purchase of archival supplies for the preservation of public records.

2. The approved Project Budget is as follows:

	Expense Type	Funds Approved
1.	Consultants/Vendors	**$ 4,149.00**
2.	Equipment	$
3.	Supplies	$ **851.00**
4.	Town Personnel Costs	$
5.	Other (*specify*)	$
6.	TOTAL	**$ 5,000.00**

   The Contractor is responsible for any Project expenses greater than the Grant Funds.

3. Contract Period. The Contractor shall complete the Project and expend the Grant Funds as described in the Project Budget within the contract period. The contract period is from **July 1, 2014, or the date of approval of this contract by the State Librarian or, if applicable, the Connecticut Attorney General, whichever is later,** through **June 30, 2015**. Any Grant Funds remaining unexpended on **June 30, 2015**, must be returned to the State Library with the *Project Evaluation/Expenditure Report*.

4. Payment. The State of Connecticut shall assume no liability for payment of services under the terms of this contract until the Contractor is notified that this contract has been approved. Payment to the

Contractor shall be processed upon approval of this contract or upon the first day of this contract period, whichever is later.

5. Contract Amendment. To request approval for a change to the Grant's purpose, methodology, budget and/or completion deadline, the Contractor shall submit an *Amendment Request Form*, available on request from the State Library, to the State Library at least two (2) months prior to the then-current end of the contract period. (a) The State Library must approve any changes to the Grant's purpose and/or methodology which are deemed significant by the State Library. (b) The State Library must approve any budget reallocation that exceeds ten percent (10%) of the total Grant Funds. The Contractor may reallocate up to ten percent (10%) of the total Grant Funds among line items contained in the approved Project Budget as detailed in Paragraph 2 of this contract without prior approval. (c) The State Library must approve any extension to the completion deadline. The Contractor must notify the State Library immediately if difficulties arise that could affect the timely completion of all grant work and expenditures. Extensions are at the sole discretion of the State Library and will not be considered except in the most extenuating situations beyond the municipality's control.

6. Final Report. The Contractor shall submit a *Project Evaluation/Expenditure Report*, available on the State Library website at www.ctstatelibrary.org, for receipt at the State Library by **September 1, 2015**. Failure to submit a completed *Project Evaluation/Expenditure Report* for receipt by the due date may result in termination of the Grant and the requirement that the Contractor return the full Grant Funds, as well as loss of eligibility for the next grant cycle. This filing deadline shall not be extended.

7. Insurance. The Contractor agrees that while performing services specified in this contract that it shall carry sufficient insurance (liability and/or other) as applicable according to the nature of the service to be performed so as to "save harmless" the State of Connecticut from any insurable claim whatsoever. If requested, certificates of such insurance shall be filed with the State Library prior to the performance of services.

8. Indemnification. The Contractor agrees to indemnify and hold the State, its officials, agents, and employees harmless from and against any and all claims, suits, actions, costs, and damages resulting from the negligent performance or non-performance by the Contractor or any of its officials, agents, or employees of the Contractor's obligations under this agreement. It is further understood that such indemnity shall not be limited by any insurance coverage which is required herein Paragraph 7.

9. Audit Requirements for State Grants. For purposes of this clause, the word "Contractor" shall be read to mean "nonstate entity," as that term is defined in C.G.S. § 4-230. The Contractor shall provide for an annual financial audit acceptable to the State Library for any expenditure of State-awarded funds made by the Contractor. Such audit shall include management letters and audit recommendations. The State Auditors of Public Accounts shall have access to all records and accounts for the fiscal year(s) in which the award was made. The Contractor will comply with federal and State single audit standards as applicable.

10. Inspection of Work Performed. (a) The State Library or its authorized representative shall at all times have the right to enter into the Contractor's or subcontractor's premises, or such other places where duties under this Contract are being performed, to inspect, to monitor or to evaluate the work being performed in accordance with C.G.S. § 4e-29 to ensure compliance with this contract. The Contractor and all subcontractors must provide all reasonable facilities and assistance to State Library representatives. All inspections and evaluations shall be performed in such a manner as will not unduly delay work. Written evaluations pursuant to this paragraph shall be made available to the Contractor. (b) The Contractor must incorporate this section verbatim into any contract it enters into with any subcontractor providing services under this contract.

11. Refund. The Contractor shall refund any amounts found to be owing to the State as a result of an error or the discovery of any fraud, collusion, or illegal actions and shall make such refund within thirty (30) days from the notice in writing by the State. In the event that the Contractor fails to make such refund, the State shall deduct such amount from any current or future sums owing to the Contractor on the part of the State from any source or for any purpose whatsoever.

12. Governing law. This contract and the rights and obligations of the parties hereunder shall be governed by, and construed in accordance with, the laws of the State of Connecticut.

13. Assignment. The Contractor shall not assign any of its rights or obligations or sublet under this contract, voluntarily or otherwise, in any manner without the prior written consent of the State Library. The State Library may void any purported assignment in violation of this paragraph and declare the Contractor in breach of contract. Any cancellation by the State Library for a breach is without prejudice to the State Library or the State's rights or possible claims.

14. Claims against the State. The sole and exclusive means for the presentation of any claim against the State arising from this contract shall be in accordance with Chapter 53 of the Connecticut General Statutes (Claims Against the State) and the Contractor further agrees not to initiate legal proceedings in any State or Federal Court in addition to, or in lieu of, said Chapter 53 proceedings.

15. Executive Orders. This contract is subject to the provisions of Executive Order No. 3 of Governor Thomas J. Meskill, promulgated June 16, 1971, concerning labor employment practices; Executive Order No. 17 of Governor Thomas J. Meskill, promulgated February 15, 1973, concerning the listing of employment openings; Executive Order No. 16 of Governor John G. Rowland, promulgated August 4, 1999, concerning violence in the workplace, all of which are incorporated into and made a part of the contract as if they had been fully set forth in it. This contract may also be subject to Executive Order 7C of Governor M. Jodi Rell, promulgated July 13, 2006, concerning contracting reforms and Executive Order 14 of Governor M. Jodi Rell, promulgated April 17, 2006, concerning procurement of cleaning products and services, in accordance with their respective terms and conditions. At the Contractor's request, the State Library shall provide a copy of these Executive Orders to the Contractor.

16. Termination. The State may terminate this contract upon thirty (30) days written notice to the Contractor if the Contractor fails to comply with this contract or time schedules to the satisfaction of the State. In the event of such a termination, the State shall not be responsible for any future payments to the Contractor, and the State may recover any payments already made to the Contractor by any available means, including the withholding of grants of funds otherwise due the Contractor from the State.

17. Sovereign Immunity. The parties acknowledge and agree that nothing in this contract shall be construed as a modification, compromise or waiver by the State of any rights or defenses of any immunities provided by Federal law or the laws of the State of Connecticut to the State or any of its officers and employees, which they may have had, now have or will have with respect to all matters arising out of this contract. To the extent that this section conflicts with any other section, this section shall govern.

18. Entire Agreement. This written contract shall constitute the entire agreement between the parties and no other terms and conditions in any document, acceptance or acknowledgment shall be effective or binding unless expressly agreed to in writing by the State Library. This contract may not be changed other than by a formal written contract amendment signed by the parties hereto and approved by the Connecticut Attorney General, if applicable. This contract shall be binding upon and shall inure to the benefit of the Contractor and its successors.

IN WITNESS WHEREOF, the parties have executed this Contract by their duly authorized representatives with full knowledge of and agreement with its terms and conditions.

Municipality:

Signature of Municipal CEO, duly authorized _____ Date _____

Name (Print Clearly) _____ Title (Print Clearly) _____

Municipality Name and Mailing Address (Print Clearly) _____

Connecticut State Library:

Kendall F. Wiggin, State Librarian _____ Date _____

***CONNECTICUT ATTORNEY GENERAL approved as to form*:**

__X__ This contract, prepared on a template previously reviewed and approved by the Connecticut Attorney General, is therefore exempt from individual review and approval pursuant to a Memorandum of Agreement between the Connecticut State Library and the Connecticut Attorney General on **June 10, 2014**; or

_____ This contract template has been modified and therefore is subject to review and approval by the Connecticut Attorney General.

By: _____ _____ Title

Date: _____

For STATE LIBRARY Use Only:

Fund	Department	SID	Program	Account	Project	Budget Ref.
12060	CSL66094	35150	73001	55070	CSL_Non. Proj.	2015

Rev. 06/2014

FY 2015 Grant Request Cycle 2

Project A – Inspect Condition of Microfilm Rolls

- Project Description - Review and Assess Microfilm Rolls
  The vendor will retrieve, review and assess the condition and viability of 74 Acetate microfilm rolls. The microfilm was created before Polyester-based film came into use during the 1980's. The project will encompass 74 rolls covering Land Record volumes 197 through 270. The content of the film may include images of town meeting records, and election records, also.
- Project Vendor The vendor for the project will be Adkins Printing Company of New Britain, Connecticut. Adkins is the company that stores the microfilm at an Iron Mountain facility on behalf of the Town of Simsbury. Adkins will be able to retrieve the film and conduct the assessment.
- Goal The vendor will create a report of their findings and indicate any film which has deteriorated to a point that the records should be filmed again on Polyester film. The Town will be able to plan for re-filming as needed.
- Estimated Cost The cost of retrieval of the film rolls will be $94.00; and the cost of the inspection will be $107.30. Total cost will be $201.30. See attached Job Estimate.

Project B – Re-film Land Records Captured on Acetate Microfilm

- Project Description – Re-film Land Records
  Land Records in volumes 136 through 196 were filmed by town clerks during the 1960's through the early 1980's onto Acetate film. For the project, the pages in 61 volumes will be re-filmed onto Polyester microfilm. There are approximately 600 pages in each volume.
- Project Vendor The vendor will be Adkins Printing Company. The books will be taken to the Adkins facility for filming. After the re-filming is completed the microfilm will be stored by Adkins at an Iron Mountain facility.
- Goal The project will provide security microfilm with greater longevity, which will be achieved using Polyester film.
- Estimated Cost The cost of microfilming will be at 10 cents per page, which will be about $60.00 per volume. The total cost will be $3,660.00. See attached Job Estimate.

Project C – Microfilm Maps and Provide Scanned Images

- Project Description – Film Maps
  The project will create security microfilm for about 105 maps, #3974 to #4079, and create scanned images. The vendor will take the maps to their facility for microfilming and scanning. The vendor will provide scanned images that the Town Clerk's staff will link to an existing map index. Any maps that are recorded between the time the project is proposed and the actual date of execution will be added to the project.
- Project Vendor The vendor will be Adkins who will store the microfilm at an Iron Mountain facility.

- Goal The scanned images will be added to an existing data base that will be used to print copies of maps for title searchers and others. The original maps will receive less handling and wear and tear. As always, the originals will be available to the public.
- Estimated Cost The cost will be $2.00 to microfilm each map or $210.00. Scanning and providing a CD of images will cost 74 cents each, or $77.70. Total cost will be $287.70. Maps included in this project that are recorded beyond #4079 will be paid with local funds. See attached Job Estimate. (Note: At least 25 new maps were recorded after the Job Estimate was received. There are 44 older maps which need to be included - see table.)

12	28	72	100	210	216b	222	315	375	410	420
14	39	81	119	211	216c	239	323	383	412	460
25	52	82	147	215	216d	247	334	392	413	485
26	53	100	150	216a	218	284	346	409	417	490

Project D – Archival Supplies

- Project Description – Archival Supplies
  In July 2014, the Town Clerk vault was renovated. New shelving was installed and old cabinets were removed. These supplies will be used for boxing and filing existing records that were removed from old cabinets and placed on the new shelving.
- Project Vendor University Products, Holyoke, MA.
- Goal Archival-rated supplies will maintain the integrity of the records for future use and provide for efficient retrieval.
- Estimated Cost Fifty rectangular boxes of various sizes: $393.10. A dozen roll storage boxes for maps: 380.70. React Pak: $262.00. Total Cost: $1,035.80.

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Thomas F. Cooke – Director of Administrative Services

BOARD OF SELECTMEN MEETING
AGENDA SUBMISSION FORM

1. **Title of Submission: Public Gathering Permits – Recommendation for Approval**

2. **Date of submission:** January 6, 2015

3. **Date of Board Meeting:** January 12, 2015

4. **Individual or Entity making the submission:**

   Gerard G. Toner, Director of Culture, Parks and Recreation

5. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**
   The Individual or Entity making the submission requests that the Board of Selectmen:

   Approve the Public Gathering Permit Applications for the 2015 events listed on the following page.

6. **Individual(s) responsible for submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting.):**

   Gerard G. Toner, Director of Culture, Parks and Recreation
   860-408-4682
   gtoner@simsbury-ct.gov

7. <u>Summary of Submission</u> (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any <u>additional</u> information in an attached memorandum.):

On December 2 and January 6, Public Gathering Permit meetings were held for organizations interested in securing permission for an event utilizing town owned property.

Since the representative from the Farmington Valley Health District was unable to attend either meeting, approvals will be contingent on applicants securing all necessary health district permits prior to their event.

The following have submitted completed applications with all required signoffs and are ready for Board of Selectmen approval:

Simsbury Granby Rotary Club River Run	Sunday, April 26
Strut Your Mutt Dog Park Fundraiser	Saturday, May 16
Simsbury Try-athlon	Sunday, May 17
Iron Horse Half-Marathon	Sunday, June 7
SMPAC Summer Solstice Jazzfest	Saturday, June 20
Talcott Mountain Music Festival	Fridays, June 26 – July 24
Rain dates	Saturdays, June 27 – July 25
Valley Car Club Show	Sunday, July 12
SMPAC Concert – The Beach Boys	Wednesday, August 12
SMPAC Concert – Jazz Festival	Saturday, August 15
SMPAC – Mainly Marathon	Thursday, August 27
Septemberfest	Friday, September 11- Sunday, September 13

8. <u>Description of documents included with submission</u> (All documents must be in final form and signed by the appropriate party.):
The following documents are included with this submission and attached hereto:

NA

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Lisa L. Heavner - First Selectman

DATE: January 6, 2015
MEMO TO: Board of Selectmen
FROM: Lisa L. Heavner
RE: UPDATED LIAISON APPOINTMENT

Liaison	Elected Board/Commission
Chris Kelly	Board of Education
Lisa Heavner	Board of Finance
Chris Kelly	Library Board of Directors
Michael Paine	Planning Commission
Michael Paine	Board of Assessment Appeals
Michael Paine	Zoning Board of Appeals
Michael Paine	Zoning Commission

Liaison	Appointed Board/Commission
Cheryl Cook	Aging and Disability Commission
Lisa Heavner	Board of Ethics
Nancy Haase	Building Code Board of Appeals
Nancy Haase	Conservation Commission/Inland Wetlands
Michael Paine	Culture, Parks and Recreation Commission
Chris Kelly	Economic Development Commission
Sean Askham	Historic District Commission
Cheryl Cook	Housing Authority
Cheryl Cook	Human Relations Committee
Lisa Heavner	Open Space Committee
Sean Askham	Police Commission
Cheryl Cook	Public Building committee
Nancy Haase	Water Pollution Control Authority
Lisa Heavner	Fair Rent Commission

Telephone (860) 658-3230
Facsimile (860) 658-9467

LHeavner@simsbury-ct.gov
www.simsbury-ct.gov

An Equal Opportunity Employer

8:30 – 7:00 Monday
8:30 - 4:30 Tuesday through Thursday
8:30 - 1:00 Friday

Liaison	Board of Selectmen Sub-Committee
Chris Kelly, Chair	Public Safety
Nancy Haase	
Sean Askham, Chair	Welfare
Lisa Heavner	
Chris Kelly, Chair	Personnel
Sean Askham	
Cheryl Cook	
Lisa Heavner, Chair	Finance
Sean Askham	
Nancy Haase	

Liaison	Temporary Boards/Commissions
Michael Paine	Clean Energy Task Force
Cheryl Cook	Community for Care
Chris Kelly	Community for Care
Sean Askham	Design Review
Nancy Haase, Chair	Economic Development Task Force
Chris Kelly	Economic Development Task Force
Nancy Haase	Insurance
Michael Paine	Juvenile Review
Chris Kelly	Long Range Planning Subcommittee
Nancy Haase	Long Range Planning Subcommittee
Chris Kelly	Retirement Plans Subcommittee
Cheryl Cook	Retirement Plans Subcommittee
Sean Askham	Performing Arts Center Board
Michael Paine	Simsbury Farms Complex Committee
Nancy Haase	Eno Farms Sub-Committee
Sean Askham	Eno Farms Sub-Committee
Chris Kelly	The Hartford Sub-Committee
Nancy Haase	The Hartford Sub-Committee
Chris Kelly	Technology Task Force
Sean Askham	Tourism Committee

Cc: Carolyn Keily, Town Clerk
Thomas F. Cooke, Director of Administrative Services

UKS
MERITAS LAW FIRMS WORLDWIDE

Robert M. DeCrescenzo
(t) 860.548.2625
(f) 860.548.2680
rdecrescenzo@uks.com

January 8, 2015

Thomas Cooke
Director of Administrative Services
Town of Simsbury
933 Hopmeadow Street
Simsbury, CT 06070

Re: Impeachment and/or Recall of
Municipal Officials in Connecticut

Dear Tom:

You have asked me to respond to the issue raised by a citizen at the recent Board of Selectmen meeting inquiring about the process for impeachment and/or recall of municipal officials in Connecticut.

Impeachment is a procedure by which public officials are removed from office after a finding by the Connecticut House of Representatives that valid grounds for impeachment have occurred, followed by a trial in the Connecticut State Senate. Recall is a procedure by which elected officials may be removed from office during their term by the vote of the people at a recall election called by a specified number of voters for that purpose.

The power to impeach a Connecticut elected official is defined in Article Ninth of the Connecticut State Constitution. Section 1 of Article Ninth states that the State House of Representatives has the 'sole power of impeachment" with a trial in the State Senate according to Section 2 of that Article. Section 3 of Article Ninth limits the power of impeachment to the Governor and "all other executive and judicial officers." Municipal officials are not State executive officers and Article Ninth powers of impeachment do not include municipal officials. Samperi v. DeLoatch, 2001 WL 984713 (July 24, 2001), Sampieri v. Haley, 2001 WL 951355 (July 23, 2001).

Regarding the power of recall, the State Supreme Court has ruled that towns cannot enact recall provisions by charter or ordinance. Simons v. Canty, 195 Conn. 524 (1985). The only Connecticut towns that have the valid authority to recall local officials are the five towns that were granted the power by special act prior to the enactment of the State constitutional home rule provision. The five towns are Bristol, Milford, New Haven, Stratford and Westport. For all other Connecticut municipalities, the Court in Simons v. Canty ruled that in the absence of an explicit legislative authorization, the power of recall cannot be implied by the Home Rule Act and, therefore, municipalities lack the legal authority to include recall provisions in their charters or ordinances.

Therefore, in Connecticut, there is no general authority or process for the impeachment or recall of municipal officials.

I trust this responds to your inquiry. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

Robert M. DeCrescenzo, Esq.
Town Attorney

RMDe/psm

UKS

Town of Simsbury

66 TOWN FOREST ROAD, P.O. BOX 495, SIMSBURY, CONNECTICUT 06070

~ Department of Public Works ~

Memorandum: **Update on Proposed Changes to CT DEEP Storm Water Regulations**

To: **Lisa Heavner, First Selectman**

CC: **Board of Selectmen, Tom Cooke**

From: **Thomas J. Roy, PE - Director of Public Works** TJR

Date: **January 6, 2015**

As you are aware, the CT-DEEP is proposing significant changes to municipal storm water general permit regulations (MS4) that could significantly impact our Town's operations and budget. The proposed changes are slated to be in effect in January of 2016 and if implemented as currently proposed could add $450,000 per year in additional operational costs. The requirements of the proposed permit include:

- Dramatic increases in street sweeping
- More restrictions on the disposal of the materials collected from street sweeping
- Detailed monitoring of de-icing chemicals used for winter road maintenance
- More stringent inspections and reporting for catch basin cleaning
- Modifications to land use regulations
- More complicated and expensive water quality testing
- Extensive requirements for public outreach programs
- Detailed mapping of all Stormwater outfalls

Simsbury along with a number of other Towns throughout the state are working with both the Connecticut Council of Municipalities (CCM) and the Council of Small Towns (COST) to encourage the DEEP to revise the proposed Stormwater permit to be more practical and less costly to municipalities. Simsbury has submitted the attached letter and I provided the attached testimony at the DEEPs hearing this past December on behalf of the Town. The turnout at this hearing was substantial and Simsbury is not alone in pushing back against this unfunded mandate.

At this point, the DEEP has reported that they intend on removing the street sweeping requirements and reducing the catch basin cleaning requirements, but we have not received a new or revised permit to provide the details of any changes they intend to make. As this issue will have a significant impact on the Town's budget, I will keep you informed on the status of this issue. Should you have any questions, please let me know.

P:\Operations\PUBLIC WORKS\DEEP MS4 Permit\DEEP MS4 Update to BOS 1-6-15.docx

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Mary A. Glassman - First Selectman

August 28, 2014

Christopher Stone, P.E.
Water Permitting and Enforcement Division
Bureau of Materials Management and Compliance Assurance
DEEP
79 Elm Street, Hartford, CT 06106

VIA E-Mail chris.stone@ct.gov

Re: Proposed Revisions to DEEP MS4 Stormwater Discharge Permit

Dear Mr. Stone:

The Town of Simsbury has a long history of environmental stewardship and conservation. As a community we value our natural resources and have been committed preservation and protection of our forests, grasslands, rivers and streams. We appreciate that DEEP shares our commitment to the environment and that this is the driving goal behind the aggressive modifications to the Stormwater Discharge (MS4) permitting process.

Simsbury understands DEEP's approach under the new storm water program where the focus will be on removing pollutants from the environment before they have the ability to be impactful on our local streams and rivers. Although we support the theory behind the revised modifications to the storm water discharge permit process, as currently proposed these changes do not represent a practical approach that can be effectively implemented in our community. For a community like Simsbury, with 23,000 residents and an annual operating budget of $18.5M, the proposed modifications to the storm water discharge process will cost the town approximately $450,000 per year, representing a 2.5% increase to our operating budget. Over the past five years, our budget has only increased by 1.5%. We feel strongly that there are more cost effective measure that can achieve the same if not better results for our environment.

Telephone (860) 658-3230
Facsimile (860) 658-9467

MGlassman@simsbury-ct.gov
www.simsbury-ct.gov

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8:30 - 7:00 Monday
8:30 - 4:30 Tuesday through Friday

By way of comparison, the Town has recently purchased 423 acres of woodland to preserve as open space for $9.2M; the Town could purchase and protect over 20 acres per year using the same $450,000 required for compliance with the proposed stormwater regulations. We believe this is just one example of how we could better protect the environment with the same level of expenditure. The proposed revisions focus too narrowly on street runoff and miss some of the more important pollutant sources, most notably the nitrogen from lawn fertilization. Nitrogen from runoff waters lead to an algae bloom causing a two day water ban in Toledo Ohio this past summer, leaving 100,000 residents without potable water.

The proposed increases in street sweeping will have a minimal impact on the environment. A number of years ago our DPW stopped using sand on the roads for winter maintenance. In changing our winter maintenance program we have seen a marked decrease in the amount of debris collected through our annual street sweeping program. As we stand today, sweeping the roads once per year, we routinely receive calls from our residents asking us to stop, as they view this as a waste of their taxpayer dollars.

I appreciate your time and efforts to revise MS4 Stormwater Permit and would offer any assistance we can from the Town of Simsbury.

Thank you,

Mary A. Glassman

cc: Thomas J. Roy, Director of Public Works
Jerome Shea, Town Engineer
Hiram Peck, Town Planer
Anthony Piazza, WPCA Superintendant
Robert Klee, DEEP Commissioner (Robert.klee@ct.gov)
Randy Collins (rcolllins@ccm-ct.org)

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Mary A. Glassman - First Selectman

December 17, 2014

Christopher Stone, PE
Water Permitting and Enforcement Division
Bureau of Materials Management and Compliance
CT DEEP
79 Elm Street
Hartford, CT 06106

Hand Delivered

Re: **Testimony Opposing Revisions to CT DEEP MS4 Stormwater Permit**

Dear Mr. Stone:

On behalf of the Town of Simsbury, we present the following testimony in opposition to the proposed revisions to the CT DEEP's MS4 storm water permit.

Simsbury has a long history of environmental stewardship and conservation. As a community we value our natural resources and have been committed to the preservation and protection of our forests, rivers, and streams. We appreciate that DEEP shares our commitment to the environment and that this is the driving force behind the aggressive modifications to the MS4 permitting process.

Although we strongly support DEEP's goals of protecting our rivers and streams, the draft permit in its current form is both impractical and unrealistic. Simsbury has conservatively evaluated the cost impact of the revised MS4 permit to be well in excess of $450,000 per year. This represents a 2.5% increase in the Town's operating budget. By way of comparison over the past five years our Town's operating budget has only increased by 1.5%.

It is our understanding that DEEP has made significant amendments to the proposed permit and has taken steps to remove some of the most egregious issues, including: unmanageable increases in street sweeping, requirements for third party engineering review, and scaling back the wet and dry weather outfall monitoring. Although we are pleased to see that DEEP is listening to the Towns and cities that will be impacted by this new permit, much more still needs to be done to improve this new permit.

In respect for the time constraints of this hearing, I will focus our testimony on two key issues that demonstrate the challenges many communities have with the proposed permit:

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Facsimile (860) 658-9467

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8:30 - 1:00 Friday

Excessive Administrative Work: The new permit as currently written will put an unmanageable administrative burden on all of the communities participating in the program. In reviewing the requirements of section (6), Development of Stormwater Management Plan, the amount of programs and data collection and administrative work is overwhelming. Towns will be required to: establish ordinances, change our land use regulations, develop education and outreach materials for the public, inspect stormwater structures including detention ponds and catch basins, develop an Illicit Discharge Detection and Elimination (IDDE) program, provide mapping for all of our outfalls, and document the number of violations issued for improper pet waste disposal.

While all of this information has a value, there is a significant cost and effort required to collect and manage this data, as well as the requirement to provide this information to DEEP as part of our annual reporting. The amount of administrative work between coordination, tracking and reporting could easily require two full time staff members.

We have to ask, what is the purpose of all of this data – how will it be used to better protect the rivers and streams in our community? For the past ten years under the current MS4 program, the Town of Simsbury has submitted annual reports with all of our sampling data – what has DEEP done with all of this data? How is this information being used to better improve the water quality in the State? If the amount of data currently being provided to DEEP is too much to review and process, how will DEEP manage the substantially larger amount of data proposed under the draft permit?

Snow Management Practices: Section 6(a)(C)(vii) outlines DEEP's requirements for Towns to implement standard operating procedures for the application and storage of deicing product used for winter roadway maintenance. Although well intentioned, this section implies that our local towns and cities are not keeping up with industry standards for proper winter roadway maintenance practices and further suggests that with training and proper goals that communities can reduce the amount of chemical deicing products used. As a small town, we spend over $200,000 per year on road salts and this alone provides a significant financial incentive to be as efficient as possible with all of our operations. We have a responsibility to provide for the safety of the motoring public within our financial means. We highlight this as one of the many sections of the permit, that however well-intentioned, does not add real value to our shared goals of protecting our local environment.

We thank you for taking the time to hold these hearings and for hearing our concerns. We look forward to working with you on any further revisions to the MS4 permit process.

Respectfully,

Mary A. Glassman
First Selectman

Thomas J. Roy, PE
Director of Public Works

Westminster School

William V.N. Philip
Headmaster

RECEIVED
JAN 07 2015
TOWN OF SIMSBURY
FIRST SELECTMANS OFFICE

January 7, 2015

Lisa Heavner
First Selectman
Town of Simsbury
933 Hopmeadow Street
Simsbury, CT 06070

Dear Lisa,

Since moving to Simsbury in 1900, Westminster School has been an active participant and supporter of the Town, its organizations and its events. Our entire school community, from our students to faculty, staff and their families, is very connected to their town, volunteering and participating in myriad ways. And as you know, each year, the school makes a significant financial contribution to the town, and through our community outreach efforts, helps to underwrite community programs. Our school could not be in a better location, and we will continue to support and enhance our "hometown."

It has come to my attention that plans are in the works and a fundraising drive is underway to build a new veterans memorial in the center of town. This is a wonderful idea, one that is perhaps overdue, and I hope that it moves forward as planned. Memorializing the more than 100 residents who gave their lives in service honors *all* veterans killed in action including dozens of Westminster students and others with connections to the school. Having this memorial in the center of town will also honor and comfort family members and will go a long way toward recognizing and supporting the service men and women who serve now. This is a very fitting and timely initiative.

With that in mind, I hope that Westminster School can play a part in supporting the memorial's completion. Therefore, I would suggest that a portion of the Westminster School gift to the Town of Simsbury ($120,000 given in July 2014) be appropriated from the Town's General Fund and put toward the Simsbury Veterans Memorial Fund Drive. Knowing that the drive has been successful up to this point, and that planners are close to their $175,000 goal, perhaps this appropriation can quickly "close the gap" between the goal and the funds raised and pledged.

Thank you for your consideration on this matter and for bringing it to the attention of the Board of Selectmen. If you need any additional information or support from me on this, please ask.

Sincerely,

995 Hopmeadow Street P. O. Box 337 Simsbury, Connecticut 06070
tel 860.408.3010 fax 860.408.3029 wphilip@westminster-school.org

Town of Simsbury

933 HOPMEADOW STREET P.O. BOX 495 SIMSBURY, CONNECTICUT 06070

Thomas F. Cooke – Director of Administrative Services

BOARD OF SELECTMEN

MEETING AGENDA SUBMISSION FORM

1. **Date of submission**: December 30, 2014

3. **Date of Board Meeting:** January 12, 2015

4. **Individual or Entity making the submission**: Kevin W. Schultz, 15 Horseshoe Circle, Simsbury, CT

5. **Action requested of the Board of Selectmen:**
Accept the resignation of Kevin W. Schultz as a **regular** member of the Simsbury Farms Complex Committee effective December 27, 2014.

6. **Individual(s) responsible for submission**: Carolyn Keily, Town Clerk

7. **Summary of Submission**:

Resignation: Kevin W. Schultz
Party: Republican
Effective date: December 27, 2014
Board: Simsbury Farms Complex Committee
Term: 12/2/2013 to 12/7/2015

8. **Description of documents included with submission**
The following documents are included with this submission and attached hereto:

Signed letter of resignation

ST. FRANCIS COLLEGE
THE SMALL COLLEGE OF BIG DREAMS

12/27/14

Town Clerk
Town of Simsbury

Please accept my resignation from the Simsbury Farms Complex Committee effective immediately.

Kevin W. Schultz

Kevin W. Schultz
15 Horseshoe Circle
Simsbury, CT
06070

RECEIVED
DEC 30 2014
TOWN OF SIMSBURY, CT
TOWN CLERKS OFFICE

www.sfc.edu

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 7:00 p.m. in the Simsbury Library Program Room. In attendance were: First Selectman Mary Glassman; Board members Sean Askham, Michael Paine, Lisa Heavner, Cheryl Cook and Nancy Haase. Others in attendance included Attorney Robert DeCrescenzo, Tom Cooke, Director of Administrative Services, Tom Roy, Director of Public Works, and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

Ms. Glassman thanked everyone for coming and said it was nice to see everyone here. She said we were at capacity and showed everyone where the exits were in case of an emergency. She asked everyone to make sure they signed the sign-up sheet if they wished to address the Board.

SELECTMEN ACTION

Ms. Glassman said the first item on the agenda is the reconsideration of the action taken on November 24, 2014 regarding the compensation of the First Selectman. The submission was requested by Selectman Nancy Haase as she asked to reconsider the action taken on November 24, 2014 regarding compensation of the First Selectman. She said pursuant to Roberts Rules of Order, Section 36, the motion to reconsider is as follows:

1. It must be made at the next meeting of the body, following the meeting where the action to be reconsidered was taken.
2. The motion must be made by a member of the prevailing side of the original motion.
3. The motion must be seconded by any member.
4. After the motion is made and seconded, the chair must state for the record, the action as being reconsidered.
5. If the motion passes, it will be placed back before the body in the same posture as if the original action had not been taken.
6. If the motion fails, the original action stands and a second or subsequent motion to reconsider will be out of order unless renewed by unanimous consent of the body.
7. After the vote on the motion to reconsider, if the motion passes, the next order of business is consideration and action of the matter being reconsidered.

Ms. Glassman introduced Attorney Robert DeCrescenzo, who represents the Town of Simsbury. He is here to answer any questions the Board may have.

Ms. Glassman asked if there was a motion to reconsider, by the prevailing side, the original motion.

a) Reconsider Action taken on November 24, 2014 regarding Compensation of the First Selectman

Ms. Glassman said as she has always done in her last 16 years, anytime there appears to be any kind of conflict of interest, she will not take part in the discussion.

Ms. Heavner said there are three items before the Board tonight. She said Ms. Glassman announced her resignation on December 1, 2014 and on December 3rd the Simsbury Democratic Town Committee

unanimously recommended her to become Ms. Glassman's replacement. Ms. Heavner said at this past Friday's press conference, her Republican colleagues graciously announced that they would be supporting her as the replacement. She then consulted with the Town Attorney and he advised her that the Code of Ethics requires that government employees avoid even the appearance of impropriety. She does not presume to know the outcome of the votes, but she is not comfortable voting on issues that have the potential to impact her financially or where her impartiality could be questioned. Therefore, she will also recuse herself from these discussions.

Ms. Haase moved the first action of the item and made a motion to reconsider the action taken on November 24, 2014 regarding the First Selectman's compensation. Ms. Cook seconded the motion. Ms. Glassman and Ms. Heavner recused themselves from this item and items b and c. Ms. Glassman turned the chair over to Ms. Haase. All were in favor and the motion passed. Ms. Haase stated that the original motion, which was a motion by Ms. Cook to implement the new First Selectman salary effective July 1, 2015, was accordingly before the Board for reconsideration.

Ms. Haase said the action back before them was to implement the new First Selectman's salary effective July 1, 2015.

Ms. Haase proposed a friendly amendment to the motion to extend the current salary and benefits of the First Selectman through the end of the First Selectman's term on December 7, 2015. Ms. Cook and Mr. Paine approved the friendly amendment. The Board of Selectmen voted on the motion as amended. All were in favor and the motion passed.

Ms. Haase said she would be voting in favor of this motion. She thanked everyone for coming tonight and for sharing their feedback and suggestions for the last two weeks. Ms. Haase thanked Carl and Melissa Meyer for helping everyone to have a means to express themselves.

Ms. Haase said her decision two weeks ago was made with careful consideration of the facts based upon input from residents and with the Town in mind. It was not personal or partisan. She sought reconsideration as part of the Board's job, which is to listen to the people, which she has done. Residents have agreed with the rationale behind the decision, however, residents feel it is unfair to change a salary during an elected term. Many residents have asked her to reconsider and asked that the First Selectman not resign.

Ms. Haase said her vote tonight is also made with the best interest of the Town in mind. She is sorry that the original motion has caused such turmoil in Town, as it was not her intention. She has reached out to Ms. Glassman and has asked her to reconsider her decision to resign. She said the Town is facing many critical issues that are of great concern to all of us. She said she will support either Ms. Glassman or Ms. Heavner moving forward so the Selectmen and Town can work together to get through these issues. She thanked everyone for their concerns and participation in this process.

Ms. Cook said it has been a trying two weeks in Town and she has heard from many people on both sides of this issue. She is thankful that most of the comments have been constructive. She appreciates all the efforts of the people who have participated in a civil discussion.

Ms. Cook said moving forward she has to re-examine her decision because of everything that has happened since the original vote. The basic facts have not changed since the Board agreed that the salary has to be adjusted. However, the only question seemed to be when to make the adjustment. She concluded, for fiscal reasons, that it should be changed from two weeks ago. There have now been unattended results

and misunderstandings that need to be addressed. There is also a fairness argument to be made as well.

Ms. Cook said all the changes have been made to implement the move towards professional management. Given what has happened and the impact of the comments made, she has to step back from that decision. Ms. Cook said her actions were not in any way a personal to the First Selectman. It is unfortunate that her decision to resign was made. She said to try to heal the Town, she will agree to extend the salary date until December 7, 2015. She said the salary issue will be part of the budget process for the next fiscal year. The people will have the opportunity to discuss their concerns at the time.

Ms. Cook thanked everyone for attending the meeting as said she hoped that discussion can continue on all important matters of the Town of Simsbury.

Mr. Paine said he made his vote on November 24th with the belief that it was in the best interest of the Town. He does not believe that the Town should pay for two people to do the same job. He did not make his vote with any political motive or ill-intent towards the First Selectman. He apologized to the citizens for not making his intentions clearer during that discussion and vote. He did not intend or anticipate that the vote would lead to a resignation.

Mr. Paine said he has spoken to many people since that vote and he appreciated all who have reached out to him. He appreciates the civil discussions. Decisions need to be made on the facts and what is best for this Town. His oath said he would faithfully discharge, according to law, his duties as a member of the Board of Selectman to the best of his abilities and he takes his oath very seriously.

Mr. Paine thanked everyone for their thoughts, concerns and questions, whether they agreed or not. These discussions are very important. He also thanked Carl and Melissa Meyer for getting involved with their petition.

Mr. Paine said he has decided to change his vote on this matter after long consideration. He didn't think the change in leadership in mid-term or this turmoil was in the best interest of the people. He is prepared to vote to agree to extend the First Selectman's compensation at the current level until December 2015. He also thanked the First Selectman for all of her efforts for her 16 years of service to the Town.

Mr. Askham thanked everyone for their comments and discussion on this matter. He said he did oppose the change in compensation mid-term at the original discussion. He felt in his heart that this would be the right vote. He thanked everyone for their reconsideration at this time.

All were in favor of the motion and therefore, it passed.

Ms. Haase asked if the First Selectman and Ms. Heavner can now return to the meeting. Attorney DeCrescenzo said it was his understanding that they wished to stay out until item d. He said it is up to each Board member whether they have a conflict of interest on what issue. Their statements stated they wish to stay out at this time.

Mr. Askham felt that a staff member should inform them of the vote and they could then decide if they would like to return or not. Mr. Cooke informed the Board that they received a letter of resignation that was filed with the Clerk of Courts earlier today.

b) Accept the resignation of Mary A. Glassman (D) as the First Selectman of the Board of Selectmen effective January 2, 2015

Mr. Askham made a motion, with deepest regrets and our deepest thanks, to acknowledge the letter of resignation, submitted on December 8, 2014, of Mary A. Glassman as the First Selectman of the Board of Selectmen effective January 2, 2015 and recognized the vacancy of the office as of January 3, 2015.

Attorney DeCrescenzo referenced Connecticut State Statute 7-103 about letter of resignations. He said, under the law, the Board is not really accepting the letter of resignation, but they are acknowledging receipt of the letter. Under the law, as soon as it is filed at the Town Clerk's office, it becomes effective the date stated in the letter, which is January 2, 2015. Ms. Glassman will legally hold title to the office until that date.

Mr. Cooke said Ms. Glassman and Ms. Heavner will remain out of the meeting until item d.

Mr. Paine seconded, with regret, the motion. All were in favor, with regret, and the motion passed.

c) Appoint Lisa L. Heavner (D) as the First Selectman of the Board of Selectmen effective January 5, 2015 with an expiration date of December 7, 2015

Ms. Haase made a motion to appoint Lisa L. Heavner as the First Selectman of the Board of Selectmen, with a friendly amendment to make it effective January 3, 2015 with an expiration date of December 7, 2015. Attorney DeCrescenzo said the letter of resignation is at the end of the day of January 2, 2015. Therefore, he feels the swearing in can be done, and the position can be effective on January 3, 2015. Ms. Cook seconded the motion. Mr. Askham thanked Ms. Glassman for her 16 years of service in Simsbury. He said working with her has been a wonderful experience for him and the Town has been better off with her being here for the past 16 years. She has had many accomplishments and everyone is grateful to her. The other Board members also thanked her for her wonderful service and accomplishments. All were in favor and the motion passed.

Ms. Glassman and Ms. Heavner rejoined the meeting to a loud applause. Ms. Glassman asked Attorney DeCrescenzo for the results of the voting.

Attorney DeCrescenzo said on agenda item a) reconsideration of action taken on November 24, 2014 regarding the Compensation of the First Selectman; the motion of reconsideration passed 4 to 0. He said the matter was reconsidered and the amendment was accepted by the maker of the motion and changed the effective date of the salary from July 1, 2015 to December 2, 2015, the end of the current term.

Attorney DeCrescenzo said the second item b) there was an acknowledgement and acceptance of the resignation of Mary A. Glassman as First Selectman effective January 2, 2015.

Attorney DeCrescenzo said on item c) there was a motion made and seconded to appoint Selectman Heavner as First Selectman effective January 3, 2015 with an expiration date of December 7, 2015.

d) Acceptance and Referral of Citizens Petition(s) to Town Counsel for Advice and Procedural Direction

Ms. Glassman said the next item before the Board is a petition for acceptance and referral to Town Counsel for advice and direction from Carl Meyer. Ms. Glassman thanked him for being here and thanked him for representing the will of the citizens. She said the application was now before the Board.

Ms. Haase said comments were made earlier that the Board appreciated their hard work on bringing the information to the Board and allowing them to consider comments.

Mr. Meyer said there are almost 1500 signatures on the petition to date. About 1300 are Simsbury residents with 100 former residents and a smaller number of people from neighboring Towns.

Mr. Askham made a motion to accept and refer the Citizen Petition(s) to Town Counsel for advice and procedural direction. Ms. Cook seconded the motion. All were in favor and the motion passed.

PUBLIC AUDIENCE

Ms. Glassman said this would be her last meeting and she asked for personal privilege to talk to the citizens in attendance. She said the last two weeks have been very difficult for the Town and the residents. For that, she is truly sorry. It is not always easy to be a public servant entrusted with the most sacred honor of protecting the public trust. She said these public servants work very hard to be prepared, ask tough questions, to listen to others, and to do what is in the best interest of the Town. Most of the time they get it right. A lot has been accomplished here, it's a very special place and it has been recognized as one of the best places to live and to work. Ms. Glassman said sometimes we get it wrong.

Ms. Glassman said two weeks ago when the decision was made to change the office of the First Selectman mid-term this was, in her opinion, very wrong. She said it is not about the money, it never was. It was always about the importance of the process that needs to be followed when making important decisions for the Town. It's about the need to establish best practices so decisions are not made on a whim and are always made in the best interest of the Town. It's about a dangerous precedence that could be set when policies aren't followed. It was about reminding all of us to use our voice, our mind, and our hearts because that's who the people of Simsbury are.

Ms. Glassman said she felt what happened two weeks ago was so significant and so wrong for the residents of Simsbury and therefore she did the only thing she could do. She blew her whistle, as loud as she could, in hopes that someone would hear her. She feels everyone heard her loud and clear and beyond her wildest imagination. She has felt many things since that vote, but only feels pride now.

Ms. Glassman said she is proud that for 16 years she has had the privilege and honor of representing the Town in so many different ways. She has enjoyed each and every day. She said she worked as best she could to speak for the residents at the State Capital, take on the electric company when the power went out and to even call in the National Guard when she thought it was necessary. She said now residents have stood up for her and she is forever grateful and she will never forget. She said she is proud of what everyone has accomplished tonight. She said they have sent a signal that in our Town and in every Town people need to pay attention to decisions that are made and to be involved to make sure good decisions are made and to speak out when something is wrong.

Ms. Glassman said to see that 1,500 people have signed a petition and are now more involved in the community than they were two weeks ago makes her proud . She hopes that the silver lining after this is that more people will engage and become more involved in the community. She said she was grateful to

her husband Andy and her children Amanda, Nathan and Sam who have always supported and encouraged her to do what was right no matter how hard or difficult it is. She also thanked Lisa Heavner for taking on a job, she did not ask for, and for her willingness to step up for the residents of Simsbury. She said Ms. Heavner has the background, experience, and kindness to do what is best for the Town. She feels the Town

will be in good hands. She thanked everyone for being here tonight.

Ms. Heavner said she tried very hard to get Ms. Glassman to change her mind. Unfortunately, her decision is final. Ms. Heavner asked that everyone join her to thank her friend, Mary Glassman.

Ms. Heavner said she did not seek or run for this position. However, she willingly and respectfully accepts this responsibility. She thanked the Board for their support in the vote tonight and hoped they continue with their support while running the Town's business. She said she worked with Ms. Glassman and feels she is ready to step up and step in to complete Ms. Glassman's term. She is up to speed on Town issues and does take this responsibility seriously. She feels they now need to turn to restoring the trust of the public. They need to carry out the will of the people. She wants to work together and listen to the people. She wants the government to remain fair, compassionate and effective for the people of Simsbury. She said she looked forward to working with everyone and thanked everyone for attending the meeting.

Don Massey was very sad to see that Ms. Glassman has resigned. He said the door was opened and the residents allowed a "prize race horse to get free". He has personally struggled with this and finds it very unnecessary. He said they are all residents of a Town that they love and he doesn't seek to engender ill will. He hopes this never happens again. He fells it is time for everyone to think whether or not the consolidation of all administrative duties should come under a different form of government. We love politics in the Town. The process might need to be changed for true efficiency.

Mr. Massey said he crafted a petition on change.org that everyone could see tomorrow. This is to decide whether or not the Town should move for a Charter Revision Commission to reconsider the form of government. Let’s not keeping spending so much money on Administrative services.

Barbara Dolinsky said she is heartened that the Board of Selectmen have listened to the residents and have reconsidered their votes. She feels it is for the best. She thinks it has been a humbling and learning experience. She said it is like a child getting caught with their hand in the cookie jar and she knows the Board is "very sorry". Ms. Dolinsky feels the Board has turned a corner on this issue and is now in a healing mode.

Ms. Dolinsky said she was going to make a presentation about Aquarion, but she tabled that. She said she usually says just what she is thinking, but today she will filter her speech. Then she said "what the hell were you thinking?". She said there have been more projection here than at the movies. She said if they were upset about paying health care benefits to employees because of the affordable care act, they need to get over it as it is the law. They need to think about changing their attitudes. If someone works hard for the community and is successful, then she wants them to use that person as a role model.

Ms. Dolinsky said she has made many mistakes in her life and the best course moving forward is to apologize immediately and make changes. She wants the Board to take a fearless inventory of their motivations and take remedial steps if found to be warranted.

Joan Coe said she was here to urge the Board of move on. She feels the present form of government is broken and should be changed to a professional Town manager. The present Town Charter is murky at best. Ms. Coe read Section 502 of the Charter, Duties of First Selectman. She said it also states that the First Selectman may appoint another officer to the position of personnel director. She feels the verbiage is murky. She wants to hold a Charter Revision Commission so Simsbury can change to a Town Manager form of government.

Ms. Coe read the job description for Town Manager in Farmington. She feels it is time for this Board to move on and put the issue of Town Charter Revision on the next agenda. She read an article in the December 4th in the Valley Press about the Town needing better structure that she agrees with. She said every consultant has asked for a Town Manager also. She feels the residents need a choice of government.

Barbara Hirsch said she has lived here for 28 years. She was concerned about some of the Board member's campaigns. She doesn't want this to be the new norm in Simsbury. She met Ms. Glassman at a little craft fair many years ago and she was very encouraging to her. This is just who Ms. Glassman is.

Ms. Hirsch respectfully requested that Ms. Cook, Mr. Paine and Ms. Haase apologize to Ms. Glassman and the residents of Simsbury for the harm they have brought. She also respectfully requested that Ms. Cook, Mr. Paine and Ms. Haase resign as they do not represent Simsbury at its best. She said the harm that has been caused is unmeasurable.

Jerry Hirsch said the Town needs to move forward but can never forget what has happened. He said we need to make sure this never happens again. The Town needs to be sure that "no gang of three" are able to disrespect the office of the First Selectman, disrespect the Board and to so mis-judge this wonderful Town. That can never happen again.

Mitchell Klein said he has been in Simsbury for 18 years. He thanked Ms. Glassman for what she did for them when they were having an issue with their house. He is very upset to think that the other Board members and feels they owe the First Selectman and the Town an apology. He just can't imagine what they were thinking. They all knew what was going to happen when they reduced a staff person's salary. He hopes this Town can recover after losing someone like Ms. Glassman.

John Loomis commended Ms. Glassman for being a great First Selectman and person. He thanked her for giving an extra measure for everything she did. She always paid attention with a positive energy reaching out to the Town. She really made Simsbury sparkle on the map.

Jerry Lintner said he has been here for 40 years. He has interviewed a First Selectman for the past 20 years. He is an unaffiliated voter. He thanked Ms. Glassman for removing the partisanship in this Town. He also acknowledged Mr. Askham for having the courage to stand up and be one of those people.

Mr. Lintner can't believe this has happened - it is incomprehensible. He said we have removed the effectiveness and removed the possibility of an outstanding person to lead us. He feels this will happen again and the bad feeling has to stay.

Mr. Lintner asked what has to be done to bring an impeachment process to other Selectmen. He would like an answer either tonight or when someone can get back to him.

Mr. Lintner said if things are going well in Town no one gets involved. He said the residents have the responsibility to make sure this never happens again. Ms. Glassman said they will have to get back to him at the next meeting.

Ron Savino said he has been a resident for 30 years. He is a retired High School teacher. He said he is so angry about this. He said Ms. Glassman doesn't really know him, but he feels we are losing a statesman. He thinks this is just ridiculous. He goes to South Carolina, but always comes back to Simsbury and he will never leave.

Mr. Savino thought the Town would get Ms. Glassman back and he can't believe she is really leaving. It doesn't feel this is real. Ms. Glassman is a tremendous resource and he can't believe this is over. Who gets cut $40,000 after all she has accomplished.

David Richman said he friends from other towns have been calling him asking what is wrong with this town. They asked him why he would want to live here. He started to do some math and said it cost every household $1.75 for the First Selectman and now she has resigned. Ms. Glassman said it was not about the money but the principal and principal is always much more than money in most things in life.

Mr. Richman said he always appreciated Ms. Glassman visiting his businesses in Town. She always supported small businesses. He spends $72,000 in taxes each year and this would have paid her salary. He wants the other Board members to think about if they still want to represent the Town. He looks at most of them very differently now.

Mr. Richman said most of the people here don't support some of the officials. After 26 years he does agree with Ms. Coe. He does think that we should change the Town Charter and go to a Town Manager form of government.

Bill Garrity said he was on the Board of Selectmen for 10 years and he never saw anything close to what has happened here. He feels this was a republican power play. He hates the way this was done. He feels they wanted her to resign and that's what they got.

Mr. Garrity said he was disappointed in the Board and thought they were going to do better. He said the Republican Town Committee craves power and this is what they have now done when they get the majority for the first time. He feels the Town has lost a special person in Mary Glassman. He feels that it is unfortunate. He thanked Ms. Glassman for her 16 years of service to the Town. He doesn't blame her for not changing her decision. However, he does feel she should be back on and others should resign.

Shannon Knall said Ms. Glassman has been a great role model and an outstanding example of what good government for and about people looks like. She thanked her for her dedication to the Town. Ms. Knall said her heart is very heavy. She said as a former Selectman, she is confused and insulted by the actions taken.

Ms. Knall asked if this move was a political power play or a lack of misunderstanding of the issue at hand. She said this is not in the best interest for the residents of Simsbury. There is no place for this here. She said the reversal shouldn't have come after public outcry for the reversal of their decision.

Ms. Knall said we now need to move forward. She feels there needs to be a smooth transition of leadership. We need someone who is committed to the well-being of the residents of Simsbury. She feels Ms. Heavner is this person for First Selectman. She thanked the Board for their support for electing her.

Greg Banks said what happened here happens every day in a "banana republic". He said everything he had to say was already said except we will miss Ms. Glassman.

Fletcher Fischer said this is an amazing Town. He has some questions for those who created this issue. He said they said in the press conference that they spoke to many residents and he asked how many were not from the Republican Party. Ms. Glassman said this is just Public Audience and not up for discussion.

Mr. Fischer also asked if they Board felt that they have damaged their credibility with the residents of

Simsbury. He also asked if they felt their actions brought shame at all in this matter. He said the Town became a nation story because of what happened. He also asked if the other Board members felt they should resign.

Mr. Fischer said he has known Ms. Glassman for many years and he will miss her.

George Trautman said he has rarely voted for a Democrat in his lifetime. He said he voted for Ms. Glassman for many years know, but he hardly knows her. He finds her to be a very special and unusual person. He hopes she has great success in the future and knows that she will. Mr. Trautman said he is sorry that this has taken place and hopes the Board puts themselves together as this is not Washington DC.

Pat S. said she was born and raised in Simsbury and she has never been so dumbfounded in her life. She said the Town is very proud of what they have and what Simsbury has grown to be. It is a lovely place to live. She said Ms. Glassman has frozen her salary when she felt necessary. She has taken good care of Simsbury. She can't understand why they would want to give her a $40,000 pay cut as this is not in the best interest of Simsbury.

She said anyone who voted for the decrease in pay needs to do some sole searching because integrity is not at the top of that list. If this was negotiated it would be a different story, but for all that Ms. Glassman has done in the past 16 years it is a "kick in the ass." She asked the other Board member to put themselves in Ms. Glassman's shoes and see how they feel. She asked if she could change Ms. Glassman's mind about resigning.

Linda Schofield said this is sad day for the Town. She feels we need to move forward and support Ms. Heavner as she is most qualified and dedicated to step in. She will serve the Town well.

Ms. Schofield thanked the Board for reconsidering their positions. She does have some concerns about cheapening the First Selectman position. She feels the salary should remain the same in the future unless there is a change in the form of government. She said the consultant report really did recommend taking away some personnel functions away from the First Selectman. She doesn't feel that there was a basis on which to make the assumption that a big portion of her workload was reduced.

Ms. Schofield said Simsbury was short-staffed to begin with according to the amount of staff in other towns. She wondered if 35% of the First Selectman job was to disappear, why didn’t they think to make her job part-time. She submitted that CEO's delegate administrative tasks as organization evolve and become more complex. She also thinks everyone needs to think about what a CEO really does and how involved they are in different project. She doesn't think the consultant report was totally accurate. She feels we need further analysis before proceeding with the decision to cut the pay in the coming years.

Ms. Schofield hopes the Town can move forward and beyond this painful experience. She said we have to choose to trust each other and work together. She feels we have to do this to be productive in the coming years.

Craig Trutillo said he has lived here for 17 years. He is the Deputy Chief Officer for the City of Hartford. He said the Board is elected to represent the feelings of the citizens of Simsbury and they have now made the right decision. He wants this put behind us. He feels this is the best Town in the Country. He has traveled a lot of places, but will always stay here. He feels the residents and Board need to support Ms. Heavner and move forward.

Mr. Trutillo said he supported Ms. Glassman and really wants her to rescind her resignation.

John Schaefer thanked Ms. Glassman for all she has done for the Town. He said he was shocked that the Board cut Ms. Glassman's pay for their own petty reasons. He said we are a country of laws and the Board broke Ms. Glassman's contract with the Town. They picked apart the consultant report and made certain choices. This shows poor management skills. The citizens are not only concerned about cutting Ms. Glassman's salary, but they are concerned about the poor decision making it represents.

Mr. Schaefer said the Selectmen have failed and maybe they shouldn't be Selectmen at all. He said they failed to represent the citizens.

Erwin Sabella said he lives in the most beautiful and safe town. He said he is not worried about Ms. Glassman and he thanked her for her service. However, he is worried about Simsbury and asked that the residents move forward.

Kris Barnett said she lived here since she was 13. She moved back here to raise her family. She said she makes her living here and volunteers her also. She said we can't change what happened, but we need to keep the moving forward in a positive direction and to support Ms. Heavner and all Board members and Commissions who volunteer their time to make this community a better place. She said this is the best turnout in any meeting and she implores everyone to continue to be involved and to respect each other for the future of the Town. She also thanked Ms. Glassman for her service.

Diana Yeisley thanked Ms. Glassman for her service, her guidance, your leadership, and her friendship. She has been a role model. She said Ms. Glassman set Ms. Heavner in a perfect place to step into her tremendous shoes. She feels Ms. Heavner will take the Town forward.

Ms. Yeisley feels so dismayed as this is why people hate politics. She doesn't believe we were paying duly in Town. She doesn’t care what other towns are paying as she lives in Simsbury and only cares about Simsbury. She doesn't feel the salary should be cut at all as the job has grown over the last several years. Ms. Glassman has also helped with State issues on top of the Town issues.

Ms. Yeisley said she is sad that the person who the people of Simsbury voted for is no longer going to hold the office. She said their voices are now going to be extinguished. She has a hard time stomaching that. She wants everyone to listen to their hearts and all of the people of Simsbury. The Board owes them a responsibility to carry the Town not only in a fiscally responsible way but in an emotional way because they live here. She is very proud to say that Ms. Glassman is her friend and that Ms. Heavner is willing to step up and she never wants this to happen again.

Joe Townsley said he came here 30 years ago because Simsbury had a great reputation. They offered great schools and great leadership. He said the Board of Education always rotated the chairman from Democrat to Republican each year. He is very disappointed over what has happened here.

Mr Townsley said he is a consultant and works with towns who have difficulty working together. This is not our Town. He feels this Town can move forward and hopes we do. He said we need to use this as a means to move forward and take care of the Town. What was done was just wrong.

Mr. Townsley said he has worked with six different First Selectman’s and he always loved working with Ms. Glassman as he thought she was fair and he wished her luck.

Harmon Poole said he has lived in Simsbury for 63 years. He said he remembered when the Republicans ran the Town and ran it very well. He remembered when they changed to two of the opposite party at all times.

Mr. Poole said we have now lost an outstanding First Selectman, who is very outstanding with State issues as well. He thought this meeting would be to recognize Ms. Glassman's remarkable work. He feels this did a lot to harm the Town and both Ms. Glassman and the Town need an apology in writing.

Martha Hickey said she is a small business owner and resident of Simsbury. She thanked Ms. Glassman for everything. She said many of her comments have been covered, but she never thought that this year her vote has no clout. She said this is inexcusable. She said this is a perfect social study lesson.

Ms. Hickey said he never thought she would be in this room and is just so sad that Ms. Glassman won't stay.

Jim Fenton said he is a former board of selectmen. He quoted Keith Richards of the Rolling Stones about faith being broken and tears needing to be shed. Then he spoke about going on with living. He sees this as a negative slap in the face. He spoke about a negative campaign and said it wasn't needed.

Mr. Fenton said Ms. Glassman couldn't have done a better job, couldn't have been a better person, she couldn't have a better family and he said it is Simsbury's loss.

Lori Fernand said just because people have power doesn't mean they always use it wisely. She feels the power should now be challenged in Simsbury. She said the action on behalf of the Board to attack the salary of someone who has been effectively here for so long is nothing short of petty. There is no real benefit to the Town and no significant savings. She said the most disturbing thing is how this reflects on the Town.

Ms. Fernand said the residents live in a beautiful community with natural resources, great schools, wonderful Library and wonderful amenities. She feels residents are chosen people. She said everyone here needs to work hard to be the best humans possible. She said we are our own worst enemies when power fuels the abuse of the democratic process that democracy is threatened.

Ms. Fernand said this Board took the opportunity tonight to right this wrong, however, those who voted for this change apologize to Ms. Glassman and the residents. It is only then that she feels the Town can move forward so to realize the best within all of us.

Mary Norstrom said she is unaffiliated. She said she is bothered that throughout this campaign period she didn’t' really hear any new ideas just the degrading of other candidates. She travels a great deal and feels this Town is a very lovely Town. She understands the worth of the Ethel Walker Woods purchase and other open space purchases in Town.

Ms. Norstrom spoke about school security. Her challenge for future campaigns is to ask that they give the residents their ideas for the Town. She is mad and hates the hurtful comments that were made. Simsbury is a very special Town and we need to think about what we care about.

Ms. Glassman thanked everyone for being here, for speaking and sharing their thoughts. It's been her pleasure.

There was a brief recess.

e) Approve Tax Refunds

Mr. Askham made a motion to approve tax refunds in the amount of $33,409.36 as reviewed and recommended by the Tax Collector. Ms. Cook seconded the motion. All were in favor and the motion passed.

f) Accept a gift in the amount of $2,000 from Michael and Patricia Motley for the Simsbury Food Closet

Mr. Askham made a motion to accept a gift in the amount of $2,000 from Michael and Patricia Motley for the Simsbury Food Closet with our thanks. Ms. Haase seconded the motion. All were in favor and the motion passed.

g) Adopt Resolution for Capitol Region Council of Governments (CRCOG) Application for Regional Performance Grants

Ms. Glassman said there has been a focus on mutual cooperation throughout her term and we have constantly looked for ways to save money for the residents. We apply for grants to try to find savings and this grant needs to be approved by this Board.

Mr. Askham read the following motion:

"OPM Regional Performance Incentive Program

WHEREAS, Section 4-124s as amended by Section 251 and 253 of Public Act 13-247 passed by the Connecticut General Assembly provides statewide incentive grants to regional planning organizations for projects that involve shared services; and

WHEREAS, the Capital Region Council of Governments is acting as a convener and facilitator of service sharing projects around the CRCOG, region; and

WHEREAS, on November 12, 2014 the Policy Board of CRCOG passed a resolution authorizing development an submittal of an application package to the State Office of Policy and Management for funding under the Regional Performance Incentive Grant Program, on behalf of the Council's member municipalities, and municipalities of other regions, which are participating in Council initiatives; and

WHEREAS, the Chief Elected Officials and municipal staff of the Capitol Region have developed a list of service sharing project proposals that will be included in this application package, to the benefit of individual municipalities and the region as a whole; and

WHEREAS, the Town of Simsbury has expressed an interest in taking part in the project proposal(s) entitled:

1. Regional Computer Forensics Laboratory
2. TOD Study for CTfastrak Corridor
3. Economic Development Grant for the Towns of Bolton, Coventry, Mansfield and Tolland
4. Regional Service Management (CRM) System

NOW, THEREFORE, BE IT RESOLVED that the Simsbury Board of Selectman does hereby endorse the above referenced Regional Performance Incentive Program project and authorizes the First Selectman (Chief Administrator, i.e. Town Manager, First Selectman, etc.) to sign all necessary agreements and take all necessary actions to allow for the Town's participation in this program."

Ms. Cook seconded the motion. All were in favor and the motion passed.

h) Approve Travelers Insurance Photo Shoot on Nod Road

Mr. Askham recused himself.

Ms. Glassman said this is a request to do a photo shoot on Nod Road submitted by Point Productions. She said there have been similar requests in the past, they do need to provide insurance, and it needs to be approved by the Board.

Ms. Cook made a motion to approve the Travelers Insurance photo shoot on Nod Road. Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Askham rejoined the meeting.

i) Approve On-Bill Energy Upgrades at Various Town Buildings

Mr. Roy said the Connecticut Energy Efficiency Fund has started a new program this year for both electrical and natural gas improvements. He said they will allow for on-bill finance, which is actually truly zero percent, as the money is coming out of the Connecticut Energy Efficiency Fund. He said they have looked a several buildings in Town to see what improvements are needed.

Mr. Roy said the great thing about the program is that is it on-bill financing, so the Town pays the same as they did prior to the improvements. He went through the spreadsheet he handed out to the Board.
He said there will be a significant improvement to the operating costs within the next four years.

Attorney DeCrescenzo said there is a spreadsheet in the back of the presentation and the Town will have to enter into a contract for the amount with two different contractors. This has to be accepted as a regional bid under the purchasing ordinance and then preferred to the Board of Finance for review.

Attorney DeCrescenzo said it would be up to the Board of Finance to determine the mix between two grants, loan, and net Town costs.

Mr. Roy said the Finance Director has been involved with this process and has kept the Board of Finance updated on this project.

Mr. Askham read the following motion:

SIMSBURY BOARD OF SELECTMEN
RESOLUTION

CL & P ENERGY EFFICIENCY GRANT AND LOAN PROGRAM

WHEREAS, the Connecticut Light & Power Company ("CL&P") is offering to provide the Town with energy efficiency services at the five Town owned facilities identified in Exhibit A, attached hereto, according to the terms of a proposal agreement with the Town ("the Agreement"); and

WHEREAS, under the terms of the Agreement, CL & P agrees to pay to the Town a total grant of $143,587 in grant incentives from the Connecticut Energy Efficiency Fund ("CEEF") to compensate the Town for the cost of its installation of the energy efficiency measures ("EEM") as listed in the exhibits to the Agreement; and

WHEREAS, the Town is not obligated to install the EEM's but payment of the incentives is contingent on their installation; and

WHEREAS, the Agreement also includes a proposed contract with a vendor to install the EEM's. The installation of the identified incentives is covered by a draft contracts between the Town and the EEM contactors Environmental Systems Corp. ("ESC") and JK Energy Solutions (JK); and

WHEREAS, the ESC contract cost is $203,198 and JK contract cost is $185,276. Of this amount, CL&P proposes to pay directly to ESC and JK the energy incentive grants for the five projects in the amount of $143,587 and is offering the Town a no-interest loan to pay for a portion of the remaining contract cost.

WHEREAS, the balance of due under the ESC contract will be paid to ESC directly by the Town; and

WHEREAS, the amount to be paid by the Town can be further offset by a separate CNG incentives, estimated to be $30,797 for three of the five projects.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF SELECTMEN:

1. Accepts the CL&P bid process for the selection of ESC and JK as the contractor for the five projects as a regional bid in satisfaction of the requirements of the Simsbury Purchasing Ordinance;
2. Refers the matter to the Board of Finance for consideration and possible approval of a supplemental appropriation to fund the net amount due under the ESC contract payable by the Town;
3. Authorizes the First Selectman to execute the documents necessary to carry out the purposes of this Resolution.

Approved by the Board of Selectmen this 8th day of December, 2014.

Ms. Cook seconded the motion. All were in favor and the motion passed.

ACCEPTANCE OF MINUTES

a) Regular Meeting of November 24, 2014

Mr. Askham made a motion to approve the regular meeting minutes of November 24, 2014. Mr. Paine seconded the motion. All were in favor and the motion passed.

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

ADJOURN

Mr. Askham made motion to adjourn the meeting at 10:00 p.m. Ms. Haase seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk