

### **CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 7:45 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Lisa Heavner; Board members Michael Paine, Cheryl Cook, Christopher Kelly, Sean Askham and Elaine Lang. Others in attendance included Thomas Cooke, Director of Administrative Services, Attorney Robert DeCrescenzo, Gerry Toner, Director of Culture, Parks and Recreation, James Rabbitt, Director of Planning and Community Development, and other interested parties.

### **PUBLIC AUDIENCE**

Joan Coe, 26 Whitcomb Drive, spoke about the last Charter Revision Commission meeting; a Town Manager form of government; the changing of positions in Town Hall; the Performing Arts Center; the Senior Center; the Fire District by-laws, and other issues.

Robert Kalechman, 781 Hopmeadow Street, read a citation he received from the Republic of the People of Korea. He spoke about reinstating the Constables; the Board of Education; the Performing Arts Center, the Charter, and other issues.

Everyone congratulated Mr. Kalechman on his citation.

Susan Masino, 41 Madison Lane, acknowledged Erin Smith who was just appointed to the Planning Board. She was happy that Troop 76 stared in the Pledge of Allegiance for their merit badge.

Ms. Masino spoke about an activity at the Simsbury Grange. She said they will be hosting electronic recycling events on Saturday on May 14<sup>th</sup> and October 29<sup>th</sup>. There is a \$10 donation that supports this effort.

Mr. Askham made a motion to amend the agenda to make Item J first on the Selectmen Action. Mr. Kelly seconded the motion. All were in favor and the motion passed.

### **j) Approve submission of CT Humanities Council “Quick Grant” Application**

Ms. Lang recused herself.

Ms. Nagy, Reference Librarian of the Simsbury Public Library, asked the Board to approve an application to submit a CT Humanities Council “Quick Grant” on “Simsbury and the Early Environmental Movement”, in the amount of \$1,125 to help cover the cost of a series of programs beginning June 4<sup>th</sup> through 11<sup>th</sup>.

Ms. Cook made a motion to approve an application for a quick grant to the CT Humanities Council for Simsbury and the History of Land Conservation. Mr. Askham seconded the motion. All were in favor and the motion passed.

Ms. Lang rejoined the meeting.

### **PRESENTATIONS**

- **Current projects & Growth in Simsbury – James Rabbitt Director of Planning**

Mr. Rabbitt said it is an exciting time in Simsbury. He said that the Cumberland Farms and Dorset Crossing specialty housing projects have been recently completed.

Mr. Rabbitt said the Berkshire Bank, Carson Way, Dorset Crossing Eastpointe Apartments, Garden Homes, Ethel Walker Centennial Center, Murphy’s Turn, Cumberland Farms and Pool Barn Building, and the Townhouses at Mill Pond Crossing are still under construction.

Mr. Rabbitt said the following projects are on the horizon: The Silverman Group; Community/Senior Center Facility; Performing Arts Center ticket booth/office building; Infinity IV/Mark Greenberg; St. Mary’s School; Sunrise Convenience; Powder Forest; and the Solar Farm Projects.

Mr. Rabbitt gave the Board a map of the new projects.

### **FIRST SELECTMAN’S REPORT**

Ms. Heavner said residents are welcome to attend the Board of Selectmen budget workshops, which will be held on Thursday March 10<sup>th</sup> at 5:30 p.m.; Saturday, March 12<sup>th</sup> beginning at 8:00 a.m.; and, if necessary, Wednesday, March 16<sup>th</sup> at 5:30 and Saturday, March 19<sup>th</sup> beginning at 8:00 a.m.

She said information about the budget would be posted on the Town’s website as it becomes available.

Ms. Heavner said the Simsbury Community for Care offers a panel on the impact of Drugs on Youth and Young Adults on Wednesday February 24<sup>th</sup> at 6:00 p.m. at the Simsbury Public Library’s Program Room.

Ms. Heavner announced that the Simsbury Senior Center and the Simsbury Public Library will be sponsoring the AARP Tax Aide Program. The program is free of charge and open to anyone who needs assistance regardless of age or town or residence. Appointments can be made by calling 860-658-3273.

Ms. Heavner said it was time to “get your ducks in a row” for the 2016 Simsbury Duck Race. The Tootin’ Hills POT is sponsoring the second Duck Race at the Historic Drake Hill Flower Bridge on Friday, May 20<sup>th</sup> from 4:00 to 7:00 p.m. This event serves as a fundraiser for the Tootin’ Hills PTO which is a 501(c)(3) organization.

### **SELECTMEN ACTION**

#### **a) Possible Action on Amendment to Chapter 21 of the Simsbury Code of Ordinances, the Agricultural Land Preservation and Land Acquisition Fund**

Ms. Heavner said there was a lot of public input in the Public Hearing. There were two minor changes to the proposed changes made that would not require another Public Hearing.

The Board cannot change the word should to shall and that is it important to have a policy in place for these issues.

Mr. Askham made a motion to adopt the proposed ordinance amendment to Chapter 21, Fund For Land Acquisition and Preservation with the two highlighted changes (item a and a1) as given to the Board by Tom Cooke. Mr. Paine seconded the motion. All were in favor and the motion passed.

#### **b) Approve Tax Refunds**

Ms. Lang made a motion to approve tax refunds in the amount of \$105,022.71 as requested and approved by the Tax Collector. Mr. Askham seconded the motion. All were in favor and the motion passed.

#### **c) Director of Administrative Services effective March 1, 2016**

Ms. Heavner said with the resignation of Joseph Mancini as Director of Finance/Treasurer effective March 1<sup>st</sup>, the Town must appoint an Interim Finance Director to maintain the daily financial operations and to complete the budget process for the FY 2016-17. She also asked that Eric Gomes, who serves as the Town’s Benefits Coordinator, be moved to the Deputy Director of Administrative Services position on an interim basis to insure the risk management and pension management functions and preparations for collective bargaining receive priority attention.

Mr. Askham made a motion to appoint Sean Kimball as interim Director of Finance/Treasurer and Eric Gomes as Interim Deputy Director of Administrative Services as of March 1, 2016. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**d) Approve expenditure of \$15,000 for replacement of Simsbury Meadows Performing Arts Center Utility Vehicle and refer to Board of Finance**

Ms. Heavner said the existing Cushman Utility Vehicle is essential in setting up, operating and tearing down concerts. The old Cushman will be kept as a backup vehicle.

Dave Ryan said the Cushman they have now is old and has failed several times. They can rent one, but it was not be cost effective. He said Mr. Mancini had found a way to finance a new vehicle at this time. Mr. Ryan feels we could get good deals now, before the actual concert season starts.

After some discussion and budget concerns, it was decided that this item would be put on the agenda for the meeting on the 29<sup>th</sup>.

No action was taken at this time.

**e) Approve 2016 fee schedule for Simsbury Farms Golf Course, Aquatic Facilities and Summer Camp Programs**

Mr. Toner said the Culture, Parks and Receptions Commission addressed the 2016 fee schedule at their December meeting. The process involves reviewing annual fee surveys as well as the review of past years usage and projected operational costs for the same facilities.

Ms. Lang made a motion to approve the 2016 fee schedules for the Simsbury Farms Golf Course and Aquatic Facilities, as well as the summer camp programs. Mr. Askham seconded the motion. All were in favor and the motion passed.

**f) Approve the appointment of the following members to the Friends of Simsbury Farms:  
•Sarah Cramer, Thomas Cross, Robert Ellis, Ronald Patterson, and Paul Simeon**

Ms. Lang made a motion to approve the appointment of Sarah Cramer, Thomas Cross, Robert Ellis, Ronald Patterson and Paul Simeon to the Friends of Simsbury Farms. Mr. Askham seconded the motion. All were in favor and the motion passed.

**g) Proposed Amendment to Code of Ordinances: Board of Assessment Appeals**

Ms. Heavner said the proposed amendment, which comes pursuant to the CT Statutes, appoints additional members to the Board of Assessment Appeals on an annual basis. The Town must adopt the Resolution authorizing such participation. This proposed ordinance would allow the Board of Selectmen to appoint an additional member of the Board of Assessment Appeals and to allow the Selectmen to appoint an alternate to the Board of Assessment Appeals.

Mr. Askham made a motion to set the Public Hearing date of March 28, 2016 at 6:00 p.m. for the proposed amendment to Code of Ordinances: Board of Assessment Appeals. Ms. Cook seconded the motion. All were in favor and the motion passed.

**h) Adopt Resolution for Capitol Region Council of Governments (CROG) Application for Regional Performance Grants**

Ms. Heavner said the Capital Region Council of Governments has asked its member Towns to adopt a resolution identifying two projects to submit to the Office and Policy Management for grant funding. In order to participate in this application, the Town of Simsbury must adopt the Resolution authorizing such participation. There is no cost to the Town.

She said the first project is intended to create an inter-governmental pool for medial stop loss insurance. The grant is estimated at \$650,000. Also, support for this grant does not constitute a commitment to participate in the underlying project.

Ms. Heaver said the second project seeks funding for a study to identify potential economic development initiatives related to “transit oriented development” in the CTfastrak corridor, which will have no direct impact on the Town of Simsbury.

Some members of the Board had some issues with funding the CTfastrak project as there are many other projects should be funded and helpful to our Town. However, they did like the Insurance project.

Ms. Cook made a motion to adopt the resolution authorizing the Town of Simsbury to join the Capitol Region Council of Governments and participate in a regional application for grants to support the Stop Loss Captive Insurance project proposal. Mr. Paine seconded the motion. All were in favor and the motion passed.

Ms. Cook made a motion reading the following resolution:

**CROG Support Resolution  
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 Capitol Region Council of Governments is acting as a convener and facilitator of service sharing projects around the CROG region; and

Whereas, on November 24, 2015 and January 27, 2016 the Policy Board of CROG passed resolutions authorizing development and submittal of an application packages 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 entitled:

1. Stop Loss Captive Insurance

Now, Therefore, Be it Resolved, that the Simsbury Board of Selectmen does hereby endorse the above referenced Regional Performance Incentive Program project proposal and authorizes the First Selectman to sign all necessary agreements and take all necessary actions to all for the Town’s participation in this program.

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

Mr. Kelly made a motion to approve the resolution to adopt the resolution for the Anchor Institution and Neighborhood Engagement in TOD - Implementation of Next Steps for \$200,000. Ms. Lang seconded the motion. Mr. Kelly, Ms. Heavner, and Ms. Lang were in favor with Mr. Paine, Ms. Cook, and Mr. Askham not in favor. Therefore, the motion did not pass.

**i) Adopt resolution updating Retirement Income Plan to include terms of IBPO Arbitration Award**

Mr. Askham made motion reading the following resolution:

**RESOLUTIONS TO BE ADOPTED  
BY THE BOARD OF SELECTMEN  
OF THE TOWN OF SIMSBURY**

WHEREAS, the Town of Simsbury (the “Town”) maintains the Town of Simsbury Retirement Income Plan (the “Retirement Plan”) for the benefit of its eligible employees; and

WHEREAS, it is desirable that the Retirement Plan be amended in order to reflect the participant contributions which police officers have been required to make to the Retirement Plan pursuant to the terms of the August 19, 2014 binding arbitration award.

NOW, THEREFORE, BE IT

RESOLVED: that Amendment No. 1 to the Retirement Plan, in the form presented to this meeting, be and hereby is approved and adopted, together with any modifications that are determined by counsel for the Town to be necessary or desirable to effectuate the intention thereof and to comply with the requirements of the Internal Revenue Code of 1986, as amended; and further

RESOLVED: that the First Selectman of the Town or any other officer designated by the First Selectman be, and each of them hereby is, authorized and empowered, for and on behalf of the Town, to execute Amendment No. 1 to the Retirement Plan and to take any and all other actions which may be necessary or desirable to effectuate the intention of the foregoing resolution.

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

#### **OTHER BUSINESS**

##### **a) Notification of Number of Voting Tabulators**

Ms. Heavner said this is filing that needs to be made with the Board of Selectmen pursuant to Section 9-238 and 9-238a of the Connecticut General Statutes. There is no action needed.

##### **b) Update on Senior Community Center Project**

Ms. Heavner said the Board received a letter from the Performing Arts Center that said they met on the conceptual design of the Senior Community Center. There will be more meetings for program needs. The next steps include a meeting between the representative from the Dog Park and Town staff, along with other Committees and Commissions.

##### **c) Aquarion Environmental Champion Award Program**

Ms. Heavner said Aquarion is seeking names to recognize people for their sixth Annual Aquarion Environmental Champion Award. The deadline for nominations is May 4<sup>th</sup>. The complete details of the program are at [aquarionwater.com](http://aquarionwater.com) or [facebook.com/aquarionwater](https://www.facebook.com/aquarionwater).

**APPOINTMENTS AND RESIGNATIONS**

- a) Acknowledge the resignation of Ronald J. Locandro, Jr. (R) as an alternate member of the Planning Commission effective February 8, 2016**

Mr. Askham made a motion to acknowledge the resignation of Ronald J. Locandro, Jr. as an alternate member of the Planning Commission effective February 8, 2016. Ms. Lang seconded the motion. All were in favor and the motion passed.

- b) Appoint Ronald J. Locandro, Jr. (R) as a regular member of the Planning Commission with an expiration date of December 4, 2017**

Mr. Askham made a motion to appoint Ronald J. Locandro, Jr. as a regular member of the Planning Commission with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

- c) Appoint Mark Drake (R) as an alternate member of the Planning Commission with an expiration date of November 7, 2017**

Mr. Askham made a motion to appoint Mark Drake as an alternate member of the Planning Commission with an expiration date of November 7, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

- d) Reappoint Kevin Kowalski as Director of Civil Preparedness with an expiration date of December 4, 2017**

Mr. Askham made a motion to reappoint Kevin Kowalski as Director of Civil Preparedness with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

- e) Reappoint Michael Berry as Assistant Director of Civil Preparedness with an expiration date of December 4, 2017**

Mr. Askham made a motion to reappoint Michael Berry as Assistant Director of Civil Preparedness with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

**f) Reappoint Geoffrey H. Dale (R), Donald Kipetz (U) and Robert R. Moran (U) as Hearing Officers with an expiration date of December 4, 2017**

Mr. Askham made a motion to reappoint Geoffrey H. Dale, Donald Kipetz, and Robert R. Moran as Hearing Officers with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

**g) Reappoint Peter C. Pabich (U) as a member at large of the Business Development Committee with an expiration date of December 4, 2017**

Mr. Askham made a motion to reappoint Peter C. Pabich as a member at large of the Business Development Committee with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

**h) Reappoint Paul F. McAlenney (U) and Philip M. Schulz (D) as members a large of the Retirement Plans Sub-Committee with an expiration date of December 4, 2017**

Mr. Askham made a motion to reappoint Paul F. McAlenney and Philip M. Schulz as members at large of the Retirement Plans Sub-Committee with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

**i) Reappoint Robert Beinstein (R) and James A. Ray (U) as regular members of the Clean Energy Task Force with an expiration date of December 4, 2017**

Mr. Askham made a motion to reappoint Robert Beinstein and James R. Ray as regular members of the Clean Energy Task Force with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

**j) Reappoint Carol Miller (R) as a regular member of the Recycling Committee with an expiration date of December 4, 2017**

Mr. Askham made a motion to reappoint Carol Miller as a regular member of the Recycling Committee with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

**k) Reappoint Steven S. Mitchell (U) as a regular member of the Tourism Committee with an expiration date of December 4, 2017**

Mr. Askham made a motion to reappoint Steven S. Mitchell as a regular member of the Tourism Committee with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

**l) Appoint Lucian M. Dragulski (R) as a regular member of the Water Pollution Control Authority with an expiration date of January 1, 2018**

Mr. Askham made a motion to appoint Lucian M. Dragulski as a regular member of the Water Pollution Control Authority with an expiration date of January 1, 2018. Ms. Lang seconded the motion. All were in favor and the motion passed.

**m) Rescind the January 25, 2016 appointment of Elizabeth Keppel (R) to the Tourism Committee**

Mr. Askham made a motion to rescind the January 25, 2016 appointment of Elizabeth Keppel to the Tourism Committee. Ms. Lang seconded the motion. All were in favor and the motion passed.

**n) Reappoint Judy Schaefer (D) as a regular member of the Fair Rent Commission with an expiration date of November 30, 2019**

Mr. Askham made a motion to reappoint Judy Schaefer as a regular member of the Fair Rent Commission with an expiration date of November 30, 2019. Ms. Lang seconded the motion. All were in favor and the motion passed.

**o) Appoint Eric Wellman (D) and Todd Burrick (D) as regular members of the Insurance Committee with an expiration date of December 4, 2017**

Mr. Askham made a motion to appoint Eric Wellman and Todd Burrick as regular members of the Insurance Committee with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

**p) Appoint David Krayeski (D) and Joy Himmelfarb (D) as regular members of the Tourism Committee with an expiration date of December 4, 2017**

Mr. Askham made a motion to appoint David Krayeski and Joy Himmelfarb as regular members of the Tourism Committee with an expiration date of December 4, 2017. Ms. Lang seconded the motion. All were in favor and the motion passed.

**REVIEW OF MINUTES**

**a) Regular Meeting of January 25, 2016**

No action was taken and therefore, the minutes were adopted.

**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.

Ms. Cook said Wednesday, February 24<sup>th</sup> Community for Care will be hosting a panel discussion at 6 p.m. The age range is 13-24. The panel will have a therapist, law enforcement, teacher, affected parent, coach, etc. They invite everyone to attend.

**ADJOURN**

Mr. Askham made a motion to adjourn the meeting at 9:30 p.m. Ms. Lang seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk