

**BOARD OF SELECTMEN – SPECIAL MEETING MINUTES
DECEMBER 2, 2013**

CALL TO ORDER

The Special Meeting was called to order at 7:00 p.m. on Monday, December 2, 2013 at Eno Memorial Hall after the Oath of Office Ceremony. Present were: First Selectman Mary Glassman; Board members Lisa Heavner, Nancy Haase, Michael Paine, Sean Askham and Cheryl Cook. Others in attendance included State Representative John Hampton, Tom Cooke and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

Ms. Glassman thanked SCTV for broadcasting the meeting tonight. She congratulated all of the elected officials of the Board of Selectmen and said she looked forward to working with them.

PUBLIC AUDIENCE

Amy Salls congratulated the Board of Selectmen. She spoke about the choice of Deputy First Selectman. She said there was a rule, back in 2005 that suggested that the First Selectman would choose the Deputy First Selectman. This was held up three times and was also given to the Charter Revision Commission. The Charter Revision Commission didn't change this rule. She feels this is the will of the body. She feels a change in this process would be an unfortunate signal and a first step down a partisan path. She'd like to keep this rule as a precedent.

Alan Needham, 2 Basswood Lane, Weatogue, feels it would be an unfortunate precedence to break with the way the Deputy First Selectman is chosen. He also feels the First Selectman should choose the Deputy and feels this is better government. The First Selectman should choose the Deputy as she has to work with the Deputy and has to be comfortable knowing the Deputy will work the best in her absence. It has been like this for a long time and done without regard to vote totals.

Robert Kalechman, 971 Hopmeadow Street, feels the voters have spoken and they want change. He feels the voters replaced people on the Board and now there is a strong majority. He feels the Deputy First Selectman should be part of the majority members on the Board.

David Moore, Secretary of the Democratic Town Committee, feels the will of the people should be followed. He feels the First Selectman should choose the Deputy First Selectman. He feels going on party lines will be a step down and send a bad tone to the voters. The First Selectman has always chosen the Deputy and should still be selecting the Deputy.

ELECTION OF DEPUTY FIRST SELECTMAN

Ms. Glassman said she was honored that the people voted her as First Selectman. One of the first decisions that the First Selectman makes is to elect a Deputy First Selectman. She said Section 603 of the Charter states that the Deputy First Selectman shall serve as acting First Selectman in the event of temporary absence or temporary disability of the First Selectman. She said there is nothing in the Charter that outlines the selection of the Deputy, but the First Selectman has been choosing the Deputy since 2005. She said there are other Selectmen on this Board that also followed this rule.

Ms. Glassman nominated Deputy First Selectman Lisa Heavner to continue to serve in her role as Deputy First Selectman. She said Ms. Heavner is the most senior member of the Board, has a law degree, and has acted in a bi-partisan manor since joining the Board. She feels that to strip Ms. Heavner from this position would signal political opportunism. She has a lot of experience in different Committees and has earned the trust and respect of Town staff. Ms. Heavner has also been instrumental in emergency response to the Town. Ms. Glassman feels Ms. Heavner is the best qualified for the Deputy position and she would serve the best interest of the Town.

Ms. Glassman said she spoke to Ms. Haase as she is also seeking the Deputy First Selectman position. She was surprised as she has twice gone with the policy of the First Selectman choosing the Deputy. The only other discussion with the Board is about allowing the First Selectmen having the choice or to allow the highest vote getter to have the nomination. Neither applies in this case. If they strip Ms. Heavner she doesn't know what the new rule would be in the future. She feels this would send a strong message to the voters that this is no longer a bi-partisan Board. She said it would also send a warning that the Republican Party will change the rules and the precedence to benefit the party instead of doing what is in the best interest of the people of Simsbury.

Ms. Askham asked for a point of order. He wanted to know what the intension of the process was tonight. Ms. Glassman said she nominated Ms. Heaver and receive a second. She will follow Roberts Rules of Order.

There was no second to Ms. Glassman's nomination and the nomination failed.

Mr. Askham said he has looked for any rules or procedure anywhere about the Deputy First Selectman. This isn't a court of law and precedence doesn't matter.

Ms. Glassman said there is no actual rule. She directed everyone to two other minutes when the First Selectman made the nomination and was granted her choice.

After further discussion, Mr. Askham made a motion to nominate Ms. Haase as Deputy First Selectman. Ms. Cook seconded the motion.

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Ms. Haase said she appreciates everyone who spoke. She is very committed in her work for Simsbury. She did run against Ms. Glassman as she wanted to be First Selectman and lost. She feels everyone has skills to bring to this Board. She said this is not lack of appreciation to Ms. Heavner. She believes in her wishes to become Deputy First Selectman and appreciates the nomination. Everyone wants to do good work for the Town. She feels the change would be good for partisanship as two different parties would be working closer together.

Ms. Heavner thanked everyone for their comments. She said she believes in the principal of Deputy First Selectman being chosen by the First Selectman.

Ms. Cook said she has worked with Ms. Heavner on several things and she has the greatest respect for her ability. She feels they never even knew who was Democrat and who was Republican. She would like someone from each party being First Selectman and Deputy First Selectman.

Ms. Glassman asked if the four Republicans would support a Democratic Chairman of the Board of Finance as she feels this is also a very important Board. Mr. Askham said he didn't feel the question was relevant as it is the decision of the Board of Finance to elect their Chairperson.

Ms. Glassman feels a strong message is being sent to the voters about who chooses the Deputy. Mr. Askham said there is no rule to be followed.

Four were in favor of the motion with Ms. Glassman and Ms. Heavner against. Therefore, the motion passed. Ms. Haase was congratulated on her new position.

REVIEW CONFLICT OF INTEREST FORM REQUIREMENTS

Ms. Glassman said all Board members are required to fill out conflict of interest forms. She did speak with Selectman Paine and called the Town Attorney about this issue. The Town Attorney said this issue needs to be decided by the Ethics Commission. Mr. Paine will also look into this further. She said if any other Board members have a conflict with the Town they should speak to the Ethics Commission also.

Mr. Paine said if there are issues he should not be involved with he will recuse himself when necessary.

**APPROVAL OF RESOLUTION ADOPTING THE BOARD OF SELECTMEN RULES
AND PROCEDURES**

Ms. Glassman said these rules and procedures are the same as the last Board of Selectmen's.

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Mr. Askham gave the Board a small update and some additions he would like looked in to. He went through the possible corrections and changes he would like to see made. After some discussion, Ms. Heavner made a motion to adopt the current rules and procedures and to refer the proposed changes to the Town Attorney for further review. Mr. Paine seconded the motion. All were in favor and the motion passed.

APPROVAL BOARD OF SELECTMEN MEETINGS FOR 2014

Ms. Glassman noted that the proposed schedule is for regular meetings, however, special meetings can be called and scheduled if necessary.

Mr. Askham made a motion to approve the Board of Selectmen meeting dates for 2014. Ms. Haase seconded. All were in favor and the motion passed.

FIRST SELECTMAN'S APPOINTMENT OF BOARD AND COMMISSION LIAISON ASSIGNMENTS

Ms. Glassman noted that she did have to switch Mr. Askham to Ms. Haase on Public Safety, Eno Farms Sub-committee and The Hartford. These liaison positions need to be held by the Deputy First Selectman.

REAPPOINTMENT OF TOWN ATTORNEY AND TOWN LABOR COUNSEL

Ms. Glassman said she received letters from the regular counsel and labor counsel that they are still interested in serving the Town. There has been no rate increase since 2008. Both Counsels have served the Town very well.

Mr. Askham asked when the last time an RFP was done on these positions. After further discussion, Mr. Askham made a motion to issue an RFP for Town Counsel and Labor Counsel, but to continue with the retention of the current attorneys until the process is completed. Ms. Haase seconded the motion. All were in favor and the motion passed.

ADJOURNMENT

Mr. Askham made a motion to adjourn at 7:35 p.m. Ms. Heavner seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio, Commission Clerk