

**TOWN OF SIMSBURY - BOARD OF SELECTMEN  
REGULAR MEETING MINUTES - DECEMBER 9, 2013**

**DRAFT**

**CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 7:00 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Mary Glassman; Board members Sean Askham, Cheryl Cook, Nancy Haase, Lisa Heavner and Michael Paine. Others in attendance included Tom Roy, Attorney Bob DeCrescenzo, Hiram Peck, Robert Hensley, David Ryan, Tom Cooke and other interested parties.

**PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

**PUBLIC AUDIENCE**

Joan Coe, 26 Whitcomb Drive, said now that the election is over and the Republican's have the majority Selectmen vote, it is time to set public policy that is in the best interest of the Town. She quoted Section 402 of the Charter about the Deputy First Selectman. She said this states the Selectman chooses who they want for the Deputy First Selectman, but Ms. Glassman shouldn't challenge the intent of the elected officials and she gets on with the work at hand.

Ms. Coe said the difference between a caucus and quorum is that, according to FOI, a caucus is all members of a single party meeting alone while a quorum consists of each member voting on action items.

Ms. Coe spoke about a security breach at the Northeast Utilities sub-station, where allegedly copper wire was stolen. She spoke about living near high voltage power lines. She said there is evidence of risks by living near them. There are studies done on this issue and there seems to be high risks of cancer. She doesn't understand how the Town is allowing a development there for residential use.

Ms. Coe said there were tweets made on November 30<sup>th</sup> by a male student to a female student. She wants to know is being done about this.

Ms. Coe said the Town is losing many Department Heads due to retirements or resignations and she is concerned that the Town did not post the opening for the Finance Director on the State Government Finance Officers of Connecticut CFOA website.

Ms. Coe is still upset about the payment for use at the Paddle Courts. She said the signs at the Courts tell people to pay, but most of the time no one is there to pay. She feels this needs professional management. She wants to know if the bottles left in the garbage pails are being recycled with the money going back to the special revenue fund.

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Sue Bednarczyk, 119 E. Weatogue spoke about agenda item g; the possible development of an Economic Development Task Force. She hopes that one discussion is about the PAD. She said she saw a proposal for Powder Forest, which is being proposed for more apartments in Town. She feels this proposal needs more detail and they need to know how it will affect the Rte. 10 corridor study. She wants to be sure that things are developed correctly and in the best interest of the Town.

Ms. Bednarczyk said she is still having a drainage issue across the street from her house that she would like repaired now that there will be ice forming.

Robert Kalechman, 971 Hopmeadow Street, said there is now a new name of the bridge on Simsbury Road. This was named for the survivors and deceased that fought for us in 1942.

Mr. Kalechman also spoke about the December 2<sup>nd</sup> meeting that elected the new Deputy First Selectman. He feels this was all sour grapes. He said there are a lot of rumors about new rules and procedures. He said there was a vote taken and nothing was put in the Charter about the nominations for the Deputy First Selectman.

Mr. Kalechman spoke about the OSHA inspection. He said several violations were seen that are very important to take care of. He said the PAC had bad code violations about extension cords and not public facilities. He feels nothing is being done about these violations.

Mary Turner, Chairperson of the Recycling Committee introduced Lori Fernannd, member of the Recycling Committee. Ms. Turner said there is a pending agreement between Paine's and the Town, the Recycling Committee is requesting the anticipated rebate to the Town, be set aside in a special account where the Recycling Committee could draw money, with Board of Selectmen approval, for funds to promote and for further recycling efforts Town wide. She gave some proposals for use of the funds including educational notices, outreach to schools, composting bins, recycling fairs, additional bins, etc. She is asking that the Board approve this request when it comes up in the budget process.

Ms. Glassman asked that Ms. Turner and the Committee submit a formal proposal in writing that can be reviewed by the Board's budget process. Ms. Turner agreed to do so.

**FIRST SELECTMAN'S REPORT**

Ms. Glassman wished everyone Happy Holidays.

Ms. Glassman said there are 200 HELP YOUR NEIGHBOR JARS in the community. People can place their loose change in the jars to help others in need. In addition, the Social Services Department has partnered with Foodshare to offer supplemental nutrition assistance eligibility screening and application assistance twice a month at Eno Hall. Please call the Social Services

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at 860-658-3283 for more information.

Ms. Glassman thanked Abigail Phelps Chapter of DAR for holding "Wreaths Across America" on Saturday, December 14<sup>th</sup> at noon at Plank Hill Road. There will be a reception in the Simsbury Public Library Program Room immediately after the ceremony. If you have any questions, please contact Angie Bautista at [abautista@me.com](mailto:abautista@me.com) or 860-490-0105.

Ms. Glassman also thanked Senator Witkos and Representative Hampton to rename the Rte. 185 bridge. There was a great turnout on Saturday with a very moving celebration.

**SELECTMEN ACTION**

**a) Approve Tax refunds**

Mr. Askham made a motion to approve tax refunds in the amount of \$5,067.79 as requested and approved by the Tax Collector. Ms. Haase seconded the motion. All were in favor and the motion passed.

**b) Approval of Facility Operation Agreement with Simsbury Performing Arts, Center, Inc.**

Mr. Askham made a motion to approve the proposed Facility Operations Agreement between the Town of Simsbury and the Simsbury Performing Arts Center, Inc. providing for the seasonal operation of the Simsbury Meadows Performing Arts Center by the Simsbury Performing Arts Center, Inc. subject to final review by Town Counsel and approval by the Board of Finance to transfer funds from the revenue fund to the Performing Arts Center, Inc. Fund. Ms. Cook seconded the motion. All were in favor and the motion passed.

**c) Discussion of Board of Selectmen Rules and Procedures**

No action was taken on this item.

**d) Approve the demolition of the existing house at the Dewey Farm**

Mr. Askham made a motion to approve going out to bid for the demolition of the existing house at Dewey Farm with recommendations to be presented at the next Board of Selectmen meeting. Ms. Heavner seconded the motion. All were in favor and the motion passed.

**e) Approve the use of the Simsbury Town Hall parking lot for the 2013 Simsbury Holiday Collection Drive on Sunday, December 15, 2013 from 12:00 p.m. to 2:00 p.m.**

Ms. Heavner made a motion to approve the use of the Simsbury Town Hall parking lot for the 2013 Simsbury Holiday Collection Drive on Sunday, December 15<sup>th</sup> from 12:00 p.m. to 2:00

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p.m., sponsored by State Representative John K. Hampton and the VFW/Simsbury VFW Ladies Auxiliary. Mr. Paine seconded the motion. All were in favor and the motion passed.

**f) Approve proposed Residential Recycling Registration form and fee**

Mr. Paine recused himself. Ms. Haase made a motion to approve the recommended recycling registration fee of \$10.00 per ton for the period from January 1, 2014 through June 30, 2014. Ms. Cook seconded the motion. All were in favor and the motion passed.

Mr. Paine rejoined the meeting.

**g) Discussion and possibly take action to form an Economic Development Task Force (EDTF)**

Mr. Askham made a motion to recommend the Economic Development Commission help define this Task Force and to begin the process of identifying potential members of this Task Force. Ms. Haase seconded the motion. All were in favor and the motion passed.

**OTHER BUSINESS**

**Review of Board of Education negotiated contracts**

Mike Goman, Chair, BOE Personnel and Negotiations Sub-Committee, Matt Curtis, Superintendent of Schools, Burke LaClaire, Business Manager and Lydia Tedone, Chairperson of Board of Education were all here tonight.

Mr. Goman submitted the review of negotiated contracts for the Simsbury Education Association and Simsbury School Administrators and Supervisors Association. He said both collective bargaining agreement contracts were negotiated under the timelines and provisions of the State of Connecticut Teacher Negotiation Act.

Mr. Goman said once a tentative agreement has been ratified by the Board of Education and the respective certified bargaining unit, the contracts must then be filed with the Town Clerk and Commissioner of Education. The Town Clerk is required to give public notice of receipt of the agreements.

Mr. Goman said the terms of the agreements are binding unless the legislative body rejects the contract(s) at a regular or special meeting within 30 days of the filing. If no vote is taken, the contract(s) are approved.

Ms. Goman said the three year contract starts July 1, 2014 and through June 30, 2017. Mr. Goman then went through the proposed contracts.

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After discussion, there was no motion to reject negotiated contracts.

**APPOINTMENTS AND RESIGNATIONS**

**a) Accept the resignation of Warren Coe as a regular member of the Water Pollution Control Authority effective November 25, 2013**

Mr. Askham made a motion to accept the resignation of Warren Coe as a regular member of the Water Pollution Control Authority effective November 25, 2013 with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

**b) Approve Democratic and Republican nominations to various Boards and Commissions**

Ms. Haase made a motion to approve the Democratic and Republican nominations to various Boards and Commissions to January 2014. Ms. Cook seconded the motion. All were in favor and the motion passed.

**c) Reappoint the Technology Task Force**

Ms. Heavner made a motion to reappoint the Technology Task Force until January 2014. Ms. Haase seconded the motion. All were in favor and the motion passed.

**ACCEPTANCE OF MINUTES**

**a) Regular Meeting Minutes November 25, 2013**

Mr. Askham made a motion to approve the Regular Meeting Minutes of November 25, 2013. Ms. Heavner seconded the motion. All were in favor, with Mr. Paine and Ms. Cook abstaining, therefore, the motion passed.

**b) Special Meeting Minutes December 2, 2013**

Ms. Cook made a motion to approve the Special Meeting Minutes of December 2, 2013. Ms. Haase seconded the motion. All were in favor and the motion passed.

**SELECTMEN LIAISON AND SUB-COMMITTEE  
ADJOURN TO EXECUTIVE SESSION**

**Review the legal status of Tax Appeals with Town Counsel per Section 6E**

Mr. Askham made a motion to adjourn to Executive Session at 8:40 p.m.. Mr. Paine seconded

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the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk

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EXECUTIVE SESSION MINUTES - DRAFT**

The Board of Selectmen voted at 8:45 p.m. to go into executive session to discuss pending tax appeals. All Selectmen were in attendance as well as Town Attorney Robert DeCrescenzo and Town Assessor David Gardner.

The Board of Selectmen came out of executive session at 9:07 p.m. and went into the Main Meeting Room. Mr. Askham moved to accept the town's proposed settlements for tax appeals for Willow Arms Mutual Housing Association, Mitchell Auto Group and Woodgreen Simsbury, LLC. The Board voted unanimously 6-0 to approve the settlements.

Mrs. Glassman noted the Willow Arms assessment reduction would result in a decreased town tax in the current year of \$23,263; the Mitchell assessment reduction will result in a decreased town tax in the current year of \$4,349; and the Woodgreen assessment reduction will result in a decreased town tax in the current year of \$6,233.

Mr. Askham moved to go back into executive session at 9:10 p.m. to discuss the Estate of McLean settlement proposal. Mrs. Haase seconded the motion. Mr. Paine said he had a conflict and recused himself from the discussion. Mr. Paine left the meeting. The 5 members voted to go into executive session with Atty. DeCrescenzo and Mr. Gardner.

At 9:24 p.m., the five board members came out of executive session and went back into the Main Meeting Room. Mrs. Cook moved to accept the McLean tax settlement proposal. Mrs. Haase seconded the motion. The Board voted 5-0 to accept the settlement.

Mrs. Glassman noted the McLean assessment reduction will result in a decreased town tax in the current year of \$18,995.

Mr. Askham moved to adjourn the meeting. Mrs. Haase seconded the motion. The board voted unanimously to adjourn the meeting at 9:26 p.m.