

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:04 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Lisa Heavner; Board member Michael Paine, Sean Askham, Elaine Lang, Christopher Kelly and Cheryl Cook. Others in attendance included: Thomas Cooke, Director of Administrative Services; Tom Roy, Director of Public Works; Sean Kimball, Finance Director/Treasurer; Gerry Toner, Director of Parks and Recreation; Attorney Bob DeCrescenzo, and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

Joan Coe, 26 Whitcomb Drive, spoke about changing to a Town Manager form of government, public audience being a court order, increased police calls due to the marijuana factory, the “Slightly Stupid” concert allowing marijuana use, the character of Simsbury changing for the worse, accepting a gift of solar panels, and other issues.

Robert Kalechman, 971 Hopmeadow Street, spoke about the court ordered public audience, the Charter Revision Commission, a Town Management form of government along with Board of Selectmen, and other issues.

Hadley Rose, spoke about the Town Management form of government with people being happy the way Simsbury is now, and other issues. He asked that everyone reject the change from Board of Selectmen to the Town Management form of government.

Ms. Cook made a motion to amend the agenda to add an acceptance of a paving gift from Garrity Asphalt, Paving Services after item a. Mr. Paine seconded the motion. All were in favor and the motion passed.

PRESENTATIONS

There were no presentations at this time.

FIRST SELECTMAN’S REPORT

Ms. Heavner congratulated the Simsbury Veterans who received Connecticut Wartime Service Medals. She thanked everyone who organized this wonderful ceremony.

Ms. Heavner said the Town and Board of Education received a members’ equity distribution check for \$17,000 from the Connecticut Interlocal Risk Management Agency (CIRMA).

Ms. Heavner said the construction of the Veteran’s Memorial Project is underway with completion anticipated by November 1, 2016. She thanked everyone for their cooperation and patience during this period.

Ms. Heavner said the Town recently launched a service to help make residents aware of municipal legal notices. This will allow everyone the ability to sign up to automatically receive updates when legal notices are posted to the Town website.

Ms. Heavner said the Town is a League of American Cyclists Silver Level Bicycle Friendly Community. She went through the “Six Golden Rules for Trails.” More information can be seen on www.railstotrails.org.

Ms. Heavner said the “Taste of Simsbury” will be held on August 25th at the Riverview of Simsbury at 5:30 p.m. Tickets are \$50 and can be purchased through www.ShopSimsbury.com.

Ms. Heavner said the “Hike to the Mic at Heublein Tower” will be held on August 27th and 28th. For more information, you can visit the Friends of Heublein, Inc.

Ms. Heavner said “Picnic in the Park” will be held on August 27th at St. Catherine of Siena Church from 11:30 a.m. to 1:30 p.m. RSVP to Diana Yeisley or the Senior Center.

Ms. Heavner said Septemberfest will be held on September 9th, 10th, and 11th. For more information visit: <http://simsburymeadowsmusic.com/events/septemberfest-2016/>.

Ms. Heavner said the Simsbury Agriculture Fair will be held on September 17th from 10:00 a.m. to 3:00 p.m. For more information visit: <http://www.simsburygrange.org/grangeagfair.asp>.

Ms. Heavner said the 31st Annual Simsbury Fly-in and Car Show will be held on September 18th from 8:00 a.m. to 3:00 p.m. For more information visit: www.simsburyflyin.com.

Ms. Heavner said the Simsbury Library Giant Used Book Sale is September 24th & 25th from 10:00 a.m. to 4:00 p.m. at the High School.

Ms. Heavner reminded everyone to sign up for all three of the Emergency Alerts. This system will get residents information in a timely manner.

Ms. Heavner said construction began on the new Ice Rink Warming Room at Simsbury Farms. She thanked everyone for their cooperation and patience during this construction period.

Ms. Heavner congratulated Tyler Anderson of Millwrights Restaurant for being named a semi-finalist by the James Beard Foundation Awards for Best Chef: Northeast!

Ms. Heavner congratulated Rana Morton who opened State Farm Insurance; Jeffrey Lizotte and his partner for taking over the space located at the Mill at 2T ; Karen Holmes owner of Bee Trendy; and coming soon, Luis Valentin of Sabor Olive Oli Co. and Art Gallery.

Ms. Heavner said Green Tea Chinese Restaurant will be re-open with a new names and new Asian-fusion style menu. She is looking forward to the re-opening.

Ms. Heavner said Garden Homes is now under construction and Highcroft is also under construction. She said Berkshire Bank is working on interior fit-out and is not open yet.

Ms. Heavner said Big Y has indicated that they have delayed a start date for a least a year based on internal financial priorities and commitments elsewhere, but will begin removal of the buildings on their property. She said the Town planning boards have approved 88 residential units on Hoskins Road Workforce Overlay Zone. She also said 46 unit apartments have been approved at Chestnut Hills.

Ms. Heavner said The Silverman Group continues to press forward on their plans to develop/redevelop the site located at 200 Hopmeadow Street. She said the Girard Brothers Corporation have presented initial concept plans to Design Review and Planning and Zoning for a multi-family residential community.

SELECTMEN ACTION

a) Approve Tax Refunds

Mr. Askham made a motion to approve tax refunds, in the amount of \$65,181.01, as requested and approved by the Tax Collector. Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Roy said Garrity Asphalt has been contracting with the Town for a number of years. They are now looking to expand their services to use a heat technique for paving. They would like to pave Town Forest Road to perfect their process at no cost to the Town.

Ms. Lang made a motion to accept paving work from Garrity Asphalt Paving Services, with a value of \$40,000 as a gift to the Town. Ms. Cook seconded the motion. All were in favor and the motion passed.

b) Authorize the First Selectman to execute a Side Letter of Agreement to participate in the CRCOG ezIQC Procurement Program

Mr. Roy said a number of CRCOG communities have been using this system for years and have reported very positive results.

Mr. Kelly made a motion to authorize the First Selectman to execute a Side Letter of Agreement to participate in the CRCOG ezIQC Procurement Program subject to Town Counsel approval. Mr. Askham seconded the motion. All were in favor and the motion passed.

Mr. Paine recused himself from consideration of item (c).

c) Authorize the First Selectman to execute a Letter of Intent (subject to review of Town Counsel) with Ameresco Inc. for Community Shared Solar Project at the Landfill Site

Mr. Roy said this project was first brought to this Board in January. He said DEEP is putting together a number of pilot programs where they allow “shared solar.” The landfill has been looked at for this project. This is a complicated project. He went through the way this project would work. Mr. Roy would like the Board to hold a special meeting on the 29th to get all of the information complete this project.

Mr. Zimmer, Senior Manager of the solar group, went through the project costs and the savings for everyone.

Attorney DeCrescenzo went through the legal issues and benefits of this project. He said this would be a 20 year lease with Ameresco. A Public Hearing needs to be held before approving this project.

Ms. Lang made a motion to indicate support for the Ameresco Inc. proposed submission and direct staff to develop a form of an option to lease necessary to comply with the DEEP RFP requirements. Mr. Askham seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to schedule a Public Hearing on the possible conveyance of land for a 20 year lease option, for August 29th at 6:00 p.m. Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Paine rejoined the meeting.

d) Accept the gift of and approve placement of Solar Panels on the Community Farm of Simsbury property

Mr. Roy said this project was presented back in June. This is a great project that is a 5.2 kilowatt solar array that would be placed on Town property.

Ms. Lang made a motion to accept the gift and approve placement of solar panels on the Community Farm of Simsbury Property. Ms. Cook seconded the motion. All were in favor and the motion passed.

e) Authorize the Town of Simsbury to participate in the Small Business Energy Advantage Program

Ms. Heavner said this would be in partnership with the Chamber of Commerce. The Clean Energy Task for should push this program.

Mr. Roy said this program would be for small businesses to obtain a free energy audit that will include a list of all eligible energy efficiency issues they could take care of and the estimated savings they could get.

Mr. Askham made a motion to authorize the Town’s participation in the Small Business Energy Advantage Program. Ms. Lang seconded the motion. All were in favor and the motion passed.

f) Tariffville Water Storage Tank Easements:

- 1) Approve an easement entitled “Water Storage Tank Easement” for location of the new water tank on Laurel Hill; and**
- 2) Approve an easement entitled “Access and Water Main Easement” for access to the tank and for location of the water main**

Attorney DeCrescenzo said this is probably the final process. Once all the documents are approved and recorded and it is all sent to DEEP with the title search, with the exception to the easements, it will hopefully be all set. This is all being done so the Tariffville Fire District can receive their grant money to complete their process.

Mr. Askham made a motion to approve an easement entitled “Water Storage Tank Easement” for location of the new water tank on Laurel Hill. Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve an easement entitled “Access and Water Main Easement” for access to the tank and for the location of the water main. Mr. Paine seconded the motion. All were in favor and the motion passed.

g) Approve Public Gathering Permit Applications for 2016 Events

Mr. Toner said the Opera has been cancelled as it didn’t work within their timeframe. All other events are good, repeat events.

Mr. Askham made a motion to approve the Public Gathering Applications for the 2016 events as presented, with the exception of the Opera. Ms. Lang seconded the motion. All were in favor and the motion passed.

h) Authorize the First Selectman to execute a CASAC Grant Application in the amount of \$5,323 to support Local Prevention Activities

Mr. Askham made a motion to authorize the First Selectman to sign Grant Application for funds to support local prevention activities. Mr. Kelly seconded the motion. All were in favor and the motion passed.

i) Discussion and possible action on draft Final Report of the Charter Revision Commission

Attorney DeCrescenzo went through the rules again. He said if the Board wants this issue to be put on the November ballot, the deadline will be September 6th.

After much discussion, it was decided to go from item g) back to item a) of the questions to approve the wording only:

Mr. Kelly made a motion to approve the wording on g) “Shall the Charter be amended to use gender neutral language throughout the Town Charter to take effect December 4, 2017?” Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve the wording on f) “Shall the Charter be amended to make technical changes to the Town Budget and appropriations process to take effect December 4, 2017?” Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve the wording on e) “Shall the Charter be amended to expand the membership of the Open Space Committee to take effect December 4, 2017?” Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Kelly made a motion to approve the wording on d) “Shall the Charter be amended to create a Culture Commission to take effect December 4, 2017?” Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Kelly made a motion to approve the wording on c) “Shall the Charter be amended to eliminate the Human Relations Commission to take effect December 4, 2017?” Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve the wording on b) “Shall the Charter be amended to make certain amendments to the Economic Development Commission to take effect December 4, 2017?” Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve the wording on a) “Shall the Charter be amended to change the form of government from First Selectman/Board of Selectmen to the Town Manager form of government to take effect December 4, 2017?” Mr. Paine seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to hold a recess at 7:50 p.m. Ms. Lang seconded the motion. All were in favor and the motion passed.

The Board resumed the meeting at 8:10 p.m.

Mr. Askham made a motion to approve the updated language “Shall the Charter be amended to use gender neutral language throughout the Town Charter to take effect December 4, 2017” and include it in the resolution. Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve the updated language “Shall the Charter be amended to make technical changes to the Town Budget and appropriations process to take effect December 4, 2017” and include it in the resolution. Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve the updated language “Shall the Charter be amended to expand the membership of the Open Space Committee to take effect December 4, 2017” and include it in the resolution. Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Kelly made a motion to approve the updated language “Shall the Charter be amended to create a Culture Commission to take effect December 4, 2017” and include it in the resolution. Ms. Lang seconded the motion. After discussion, Mr. Paine, Mr. Askham, and Ms. Cook voted against this item with Ms. Lang, Mr. Kelly and Ms. Heavner voting in favor. Therefore, the motion fails.

Mr. Askham made a motion to approve the updated language “Shall the Charter be amended to eliminate the Human Relations Commission to take effect December 4, 2017” and include it in the resolution. Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve the updated language “Shall the Charter be amended to make certain amendments to the Economic Development Commission to take effect December 4, 2017” and include it in the resolution. Ms. Lang seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to approve the updated language “Shall the Charter be amended to change the form of government from First Selectmen/Board of Selectmen to the Town Manager form of government to take effect December 4, 2017” and include it in the resolution. Mr. Kelly seconded the motion. After discussion, Ms. Lang and Ms. Heavner voted against this item and Mr. Askham, Mr. Kelly, Mr. Paine, and Ms. Cook voted in favor and the motion passed.

Mr. Askham made a motion:

RESOLUTION
PROPOSED REVISED CHARTER
OF THE TOWN OF SIMSBURY

WHEREAS, Pursuant to Section 1108 of the Simsbury Town Charter and Chapter 99 of the Connecticut General Statutes, the Simsbury Charter Revision Commission has completed its review of the Simsbury Town Charter; and

WHEREAS, the Simsbury Charter Revision Commission has proposed certain amendments to the Simsbury Town Charter, contained in the Final Report and Proposed Revised Charter filed with the Town Clerk on August 3, 2016; and

WHEREAS, the Connecticut General Statutes requires the Simsbury Board of Selectmen to consider and take action on the Final Report and the Proposed Revised Charter; and

WHEREAS, the Board of Selectmen held a public hearing on the Proposed Revised Charter on June 13, 2016; and

WHEREAS, on August 8, 2016 the Board of Selectmen approved several provisions of the Proposed Charter as submitted by the Charter Revision Commission and rejected one provision regarding the creation of a Culture Commission.

NOW, THEREFORE BE IT RESOLVED:

1. That a referendum shall be held on the Proposed Revised Charter on Tuesday, November 8, 2016 between the hours of 6:00 a.m. and 8:00 p.m. at the four polling places established for regular election in Simsbury, Connecticut.

2. That the following ballot question shall appear on the voting machines of the referendum in the following form:
 - a. Shall the Charter be amended to change the form of government from First Selectman/ Board of Selectmen to the Town Manager form of government to take effect December 4, 2017? ☐ Yes ☐ No
 - b. Shall the Charter be amended to make certain amendments to the Economic Development Commission to take effect December 4, 2017? ☐ Yes ☐ No
 - c. Shall the Charter be amended to eliminate the Human Relations Commission to take effect December 4, 2017? ☐ Yes ☐ No
 - d. Shall the Charter be amended to expand the membership of the Open Space Committee to take effect December 4, 2017? ☐ Yes ☐ No
 - e. Shall the Charter be amended to make technical change to the Town Budget and appropriations Process to take effect December 4, 2017? ☐ Yes ☐ No
 - f. Shall the Charter be amended to use gender neutral language throughout the Town Charter to take effect December 4, 2017? ☐ Yes ☐ No
3. That the First Selectman shall cause the Proposed Revised Charter to be published as a legal notice as set forth in the Connecticut General Statutes.
4. That the Simsbury Town Clerk shall prepare an explanatory text to be reviewed and approved by the Town Attorney for the Referendum on the Proposed Revised Charter for consideration by the Board of Selectmen.
5. That the attached Legal Notice of Referendum, as revised at the August 8, 2016 meeting, is hereby approved.

Signed by:

Lisa L. Heavner
Sean P. Askham
Cheryl B. Cook

Chris M. Kelly
Elaine W. Lang
Mike R. Paine

Attest:
Simsbury Town Clerk

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

Mr. Askham made a motion to accept the proposed legal notice, with the revisions made August 8, 2016, with the renaming and striking of the Culture Commission question all together. Ms. Lang seconded the motion. All were in favor and the motion passed.

OTHER BUSINESS

There was no other business at this time.

APPOINTMENTS AND RESIGNATIONS

a) Appoint Pastor Chris Dion as the Clergy Representative to the Juvenile Review Board

Mr. Paine made a motion to appoint Pastor Chris Dion as the Clergy Representative to the Juvenile Review Board. Ms. Lang seconded the motion. All were in favor and the motion passed.

b) Appoint Valerie Lee, Jeffrey Lewtan, Kevin Boysen and Helena Vanderbeck as student members to the Youth Services Advisory Board

Mr. Askham made a motion to appoint Valerie Lee, Jeffrey Lewtan, Kevin Boysen and Helena Vanderbeck as student members to the Youth Services Advisory Board. Ms. Cook seconded the motion. All were in favor and the motion passed.

c) Appoint two Unaffiliated Members to the Board of Ethics

Mr. Kelly made a motion to appoint Lynn Raccio as an unaffiliated member to the Board of Ethics at this time. Mr. Askham seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of July 11, 2016

There was no action taken and, therefore, the minutes were adopted.

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

1. Personnel:

a. Approval of UConn MPA Internship & Professional Practicum (IPP) Job Profile

Mr. Kelly said the Personnel Sub-Committee did vote to approve the UConn MPA Internship & Professional Practicum Job Profile. He said the estimated cost is \$15,250, which will be shared by Finance and the First Selectmen's office budgets.

Mr. Kelly made a motion to approve the participation in the UConn MPA Internship & Professional Program and approve the profile as submitted. Mr. Askham seconded the motion. All were in favor and the motion passed.

b. Approval of Modification of Position Descriptions:

- **Deputy Director of Administrative Services**

Mr. Kelly made a motion to approve the job description for Deputy Director of Administrative Services, and to take out “meets with employees to review pension plan retirement options” on page 2. Mr. Askham seconded the motion. All were in favor and the motion passed.

- **Employee Benefits Coordinator**

Mr. Kelly made a motion to approve the job description for Employee Benefits Coordinator and to add “meet with employees to review pension plan retirement options.” Mr. Askham seconded the motion. All were in favor and the motion passed.

- **Executive Secretary to the First Selectman/Selectwoman**

Mr. Kelly made a motion to approve the Executive Secretary to the First Selectman/Selectwoman job Description as submitted. Mr. Askham seconded the motion. All were in favor and the motion passed.

- 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.

Mr. Askham there is discussion on long term ambulance staff and costs. While the ambulance service is volunteer, there are costs to run the service. The discussion is about keeping the level of service as good as it is right now. Ms. Heavner said CCM reached out to them and the options will be but before the Board of Selectmen for approval.

ADJOURN

Ms. Lang made a motion to adjourn at 8:52 p.m. Mr. Askham seconded the motion. All were in favor and the motion passed.

Respectfully submitted,
Kathi Radocchio
Clerk