

**Town of Simsbury Board of Selectmen – “Subject to Approval”**  
**REGULAR MEETING MINUTES**  
**Monday, September 12, 2016 at 6:00PM**  
**Simsbury Town Offices – Main Meeting Room**  
**933 Hopmeadow Street, Simsbury, Connecticut**

**PRESENT:** First Selectman Lisa Heavner, Selectmen Sean Askham, Cheryl Cook, Christopher Kelly, Elaine Lang and Michael Paine(6:35PM).

**ABSENT:** None.

**ALSO PRESENT:** Director of Administrative Services Thomas Cooke, Finance Director Sean Kimball,

The Board of Selectmen Regular Meeting Budget Workshop was called to order at 7:03PM.

**1. PLEDGE OF ALLEGIANCE:**

Boy Scout JR Breslav from Troop 175 led all those present in the Pledge of Allegiance.

**2. PUBLIC AUDIENCE:**

Ms. Joan Coe of 26 Whitcomb Drive shared comments opposing the entry fee charged to the Septemberfest recently held as well as her thoughts on the operational costs of the Simsbury Performing Arts Center and other issues.

Mr. Robert Kalechman of 781 Hopmeadow Street shared comments opposing the recent vote on an option agreement for a possible lease to a company interested in installing a solar array at the Town's closed landfill and other issues.

Ms. Susan Masino of 41 Madison Lane reminded the Board that the Simsbury Grange is hosting their annual Agricultural Fair this Saturday, September 17, 2016 from 10AM – 3PM, noting that more information could be found on the group's website, [www.simsburygrange.org](http://www.simsburygrange.org).

**3. PRESENTATIONS:**

**A. GFOA Certificate of Achievement – Sean Kimball, Director of Finance/Treasurer.**

Ms. Heavner reported that Simsbury has again received the GFOA (Government Finance Officers Association) Certificate of Achievement for Excellence in Financial Reporting. Ms. Heavner thanked and recognized Finance Director and Treasurer Sean Kimball for his efforts. Mr. Kimball explained that this recognition is one that the Town takes great pride in, and noted that this is the seventeenth consecutive year that Simsbury has received the honor.

**B. Budget Status Update – Sean Kimball, Director of Finance/Treasurer.**

Mr. Kimball reviewed that last year's revenue came in \$1.5M above what had been budgeted, indicating that the major drivers for this was the buffer created by the collection rate assumption, the conveyance taxes received in the Town Clerk's office, the increase in building department fees, and the ECS (Education Cost Sharing) received by the Board of Education being higher than what was expected.

Mr. Kimball then reviewed his Memorandum to the Board of Selectmen, entitled “Quarterly Budget Report – FY16 Actuals and FY17 Budget Update”.

**C. Aging & Disability Commission – Ed LaMontagne.**

Aging and Disability Commission Chairman Ed LaMontagne appeared before the Board, sharing with them a report describing the purpose of his Commission as well a description of some of the programs and services provided by them. Mr. LaMontagne's report also provided legislative priorities and the Commission's plans to continue to educate the community on important topics to seniors and persons with disabilities. The

Affordable Housing Plan, Senior Services, and Age-Friendly Community were also topics covered within this report.

#### **D. Silver Bicycle Friendly Business – The Bicycle Cellar.**

Ms. Heavner reported that The Bicycle Cellar has been designated as Simsbury's first bicycle-friendly business by the League of American Bicyclists. Manager Dave Bishop appeared before the Board and briefly described the application process for this prestigious award. Mr. Bishop praised the local schools, noting that they have purchased bicycles and are teaching bike safety within the school setting. Ms. Heavner and her Board communicated their congratulations to Mr. Bishop and all who assisted him in achieving the award.

**MOTION:** Ms. Cook, Mr. Kelly second, **to amend the Agenda to add under 5. Selectmen Action, Item K. Charter Revision Brochure; unanimously approved.**

#### **4. FIRST SELECTMAN'S REPORT:**

Ms. Heavner thanked all those who attended and those who volunteered at Septemberfest, noting that this is not a town sponsored event but instead relies entirely upon volunteers. Ms. Heavner also recognized the upcoming Walk/Bike to School event coming up as part of the National Safe Kids to School initiative which promotes health, wellness and safety. She noted the schedule for the Walk/Bike to School as follows: Latimer Lane (September 29<sup>th</sup>), Tootin Hills (October 5<sup>th</sup>), and Squadron Line (October 7<sup>th</sup>).

Ms. Heavner reported that the Revaluation is now underway in accordance with state law in order to make sure that residents are taxed on the fair value of their property. She explained that this is a several phase process which will culminate in December, 2017. Ms. Heavner also reported that the Veterans Memorial Project is also underway with an expected completion date of early November, 2016. Additionally, Ms. Heavner's report included updates on various upcoming community events as well as sharing information on new businesses opening in Town.

Ms. Lang read the following Proclamation:

**WHEREAS**, September 16, 2016, Constitution Day, marks the 229th anniversary of the signing of the Constitution of the United States of America; and

**WHEREAS**, We the People did ordain and establish a Constitution for the United States of America to secure the blessings of liberty for ourselves and our posterity; and

**WHEREAS**, it is important that all citizens fully understand the provisions, principles and meaning of the Constitution, so they can support, preserve and defend it against encroachment; and

**WHEREAS**, the President and the Congress of the United States have designated September 16th through 22nd as Constitution Week; and

**WHEREAS**, Constitution Week provides the opportunity for all Americans to learn about and to reflect upon the rights and privileges of citizenship and its responsibilities; and

**WHEREAS**, the people of the Town of Simsbury do enjoy the blessings of liberty, the guarantees of the Bill of Rights, equal protection of the law under the Constitution, and the freedoms derived from it.

**NOW, THEREFORE, LET IT BE KNOWN**, I, Lisa L. Heavner, First Selectman of the Town of Simsbury, do hereby proclaim September 16-22, 2016 as **CONSTITUTION WEEK** and invite every citizen and institution to join in the national commemoration.

#### **5. SELECTMEN ACTION:**

##### **A. Approve Fiscal 2016 Supplemental Budget Appropriations.**

Mr. Kimball reminded this Board that the Board of Finance had made these two requests to reduce the Board of Education's FY2017 operating budget by paying cash for \$115K of their CNR budget as well as deeming the NEASC certification, a process occurring once every ten years, as also appropriate for a supplemental appropriation out of FY2016 reserves to fund that for FY2017 budget relief.

**MOTION:** Ms. Lang, Mr. Askham second, **to recommend to the Board of Finance the following supplemental appropriations pursuant to the Charter Section 809(c) which were discussed as part of**

**the FY2017 budget planning process: BOE CNR Payment for FY17 Items \$155K, NEASC Certification \$25K; unanimously approved.**

**B. Approve Tax Refunds.**

**MOTION:** Mr. Askham, Mr. Paine second, **to approve tax refunds in the amount of \$19,389.71; unanimously approved.**

**C. Culture, Parks & Recreation Commission Special Revenue Fund Committee:**

Mr. David Bush of 4 Katherine Lane, and Chairman of the Culture, Parks & Recreation Commission, noted that a Special Revenue Fund Committee was formed previously several years ago for similar purposes, explaining that at that time the Commission was faced with significant deficit in their revenue fund. He explained that the group had determined that it would be beneficial to have representatives from the Board of Finance and Board of Selectmen to review fees, revenues and expenses.

**MOTION:** Mr. Askham, Ms. Cook second, **to approve the creation of a tri-board taskforce for the Culture, Parks & Recreation Commission consisting of two members each from the following boards: Board of Finance and Board of Selectmen and Culture, Parks & Recreation Commission; unanimously approved.**

**MOTION:** Mr. Kelly, Mr. Askham second, **to appoint Gerry Wetjen and Dave Bush from the Culture, Parks & Recreation Commission to the Special Revenue Find Committee; unanimously approved.**

**MOTION:** Mr. Kelly, Ms. Cook second, **to appoint Sean Askham and Mike Paine from the Board of Selectmen to the Culture, Parks & Recreation Commission Special Revenue Fund; Motion passed with Ms. Heavner, Ms. Lang, Ms. Cook, Mr. Kelly, Mr. Paine voting aye while Mr. Askham abstained.**

**D. Refer pursuant to CGS§8-24 Proposed Project at Simsbury Farms to the Planning Commission.**

Ms. Heavner noted that pictures have been provided of a proposed gift of a pavilion to the Simsbury Farms Recreational Complex in memory of Brian Koscher through funds raised by his family. Culture, Parks, & Recreation Director Gerry Toner appeared before the Board, reporting that the family had requested that the donation be used towards enhancing Simsbury Farms.

**MOTION:** Ms. Lang, Mr. Askham second, **to approve the proposed pavilion at Simsbury Farms to the Planning Commission pursuant to Connecticut General Statutes Section 8-24; unanimously approved.**

**E. Approve Public Gathering Permit Application for Event on September 17, 2016.**

Mr. Toner addressed the Board regarding a proposed concert outside of Boy Scout Hall on September 17, 2016. He explained that this is a relatively small event and that Mr. James Malley has held similar fundraising events for charity like this before. Mr. Toner noted that one concern that had arisen from this application regarding the current work underway at the Veteran's Memorial will be addressed through the use of the parking lot at the First Church of Christ nearby. Mr. Askham inquired what kind of concert would be occurring. Mr. Toner indicated that he believes it is a folk music concert.

**MOTION:** Mr. Askham, Ms. Lang second, **to approve the public gathering application for a concert outside Boy Scout Hall on September 17, 2016 sponsored by James Malley; unanimously approved.**

**F. Authorize the First Selectwoman to execute an agreement with Planimetrics, Inc. to update the 2007 Plan of Conservation and Development (POCD).**

Ms. Heavner explained that the Board had already approved an allocation for the update of the Plan of Conservation and Development (POCD) as part of the budget process. Town Planner Jamie Rabbit explained that the POCD is required to be updated every ten years, with Simsbury's set to expire in November, 2017. He noted that on June 1, 2015, an RFQ (Request for Qualifications) was released. He explained that a request for a scoped budget was included in this RFQ. Mr. Rabbit explained that on June 24, 2016, three responses were received ranging in price from \$49K - \$126K. Mr. Rabbit went over how the process unfolded including interviewing two of the three as well as reviewing qualifications. He noted that

the Planning Commission ultimately selected Planimetrics. Mr. Rabbit also reviewed the time frame that the Commission will be working with to meet the November, 2017 deadline.

**MOTION:** Mr. Kelly, Mr. Paine second, **to authorize the First Selectman to enter into an agreement for professional services with Planimetrics, Inc. in the amount of \$87,500; unanimously approved.**

**G. Accept Donation of gift valued at \$5,650 provided by the Simsbury-Granby Rotary Club for Repairs to existing Gazebo at Simsbury Meadows.**

Mark Deming of 3 Ryan Circle appeared before the Board, explaining that his club helped to construct the pavilion including the vinyl railings several years ago. He explained that the Rotary Club is offering to replace the existing railings with galvanized and painted wrought iron sunk into the concrete.

**MOTION:** Ms. Lang, Ms. Cook second, **to accept, with the Board's thanks, the donation of a gift valued at \$5,650 provided by the Simsbury-Granby Rotary Club for repairs to the existing gazebo at Simsbury Meadows; unanimously approved.**

**H. Discussion and Possible Action on Gateway Signs.**

Mr. Deming shared cell phone pictures of the "Welcome to Simsbury" gateway signs. The Board agreed to include this as an agenda item at the next regular meeting.

**I. Accept Donation in the amount of \$2,500 from the Estate of June Sherman.**

Ms. Heavner explained that this donation of \$2,500 is to be used for the Senior Center.

**MOTION:** Mr. Askham, Ms. Cook second, **to accept, with the Board's thanks, in the amount of \$2,500 from the Estate of June Sherman; unanimously approved.**

**J. Accept Donation of framed print of Heublein Tower from Pearl Shulman.**

Mrs. Pearl Shulman was present during the donation of a framed print of the Heublein Tower in memory of her husband, Charles "Chaz" Shulman, who had painted the original.

**MOTION:** Mr. Askham, Ms. Cook second, **to accept, with the Board's thanks, the framed print of Heublein Tower from Ms. Shulman valued at \$300; unanimously approved.**

**K. Charter Revision Public Information Brochure.**

Ms. Heavner reminded the Board of the requirement of their August 8, 2016 Resolution to issue a publication with explanatory text in connection with the Charter revision ballot question for the November, referendum. She referred board members to a document within their packages that was prepared by Town Counsel to fulfill this commitment, noting that copies will be available through the Town Clerk's office as well as online.

A modification was made to #2. Changes to the Provisions Governing the Economic Development Commission to read: The Commission voted to revise the Charter to require the Board of Selectmen to create an Economic Development Commission by ordinance and further, to provide the Board of Selectmen, by ordinance, to set its memberships, terms, duties, and responsibilities.

**MOTION:** Mr. Askham, Mr. Kelly second, **to approve the attached Public Information Brochure, with the changes recommended by Mr. Cooke and read to the Board of Selectmen; unanimously approved.**

**6. OTHER BUSINESS:**

**A. Discussion regarding planning for Simsbury's 350<sup>th</sup> Anniversary Celebration.**

Ms. Heavner noted that Simsbury's 350<sup>th</sup> Anniversary is only three years away, 2020.

**MOTION:** Mr. Askham, Mr. Paine second, **to appoint Cheryl Cook and Elaine Lang to come together with a plan on scope and process for appointing members to an exploratory committee; unanimously approved.**

**7. APPOINTMENTS AND RESIGNATIONS:**

**A. Acknowledge the resignation of Polly Maier (U) as a regular member of the Board of Ethics effective August 31, 2016.**

**MOTION:** Mr. Kelly, Mr. Askham second, **to acknowledge, with the Board's thanks, the resignation of Polly Maier (U) as a regular member of the Board of Ethics effective August 31, 2016; unanimously approved.**

**B. Acknowledge the resignation of Joy Himmelfarb as a regular member of the Tourism Committee effective September 1, 2016.**

**MOTION:** Mr. Askham, Ms. Cook second, **acknowledge the resignation of Joy Himmelfarb as a regular member of the Tourism Committee effective September 1, 2016; unanimously approved.**

#### **8. REVIEW OF MINUTES:**

##### **A. Regular Meeting of August 8, 2016**

##### **B. Regular Meeting of August 29, 2016.**

No changes were made to the Regular August 8, 2016 and August 29, 2016 Minutes

February 22, 2016 – Public Hearing Meeting Minutes, the Regular February 22, 2016 Meeting Minutes or the Regular Budget Workshop February 29, 2016 Meeting Minutes.

#### **9. SELECTMEN LIAISON AND SUBCOMMITTEE REPORTS:**

##### **A. Personnel.**

Ms. Heavner reminded the Board about the recent ninety-page major court decision by the Connecticut Supreme Court of CCJEF (Connecticut Coalition for Justice in Education Funding) v. Jodi Rell. Ms. Heavner noted that this decision has the potential to impact future budgets. She noted that she had recently read the decision and briefly updated the Board on some of the details of the decision.

Ms. Lang provided a Tourism Update including the Two Left Feet Blues Festival for Saturday, September 17, 2016. Also on this date, the Historical Society will launch the opening of a tea room in the rear of Phelp's Tavern. She also shared many other various events occurring during the month of September.

Ms. Cook reported that the Community for Care will present their first program of this school year, Building Effective Treatment Systems and Services for Youth with Mental Health Concerns and Trauma, on Wednesday, September 14, 2016 led by Dr. Jeffrey Vanderploeg.

##### **B. Finance.**

No business was discussed.

##### **C. Welfare.**

No business was discussed.

##### **D. Public Safety.**

No business was discussed.

##### **E. Board of Education.**

No business was discussed.

#### **10. ADJOURN:**

**MOTION:** Mr. Askham, Ms. Lang second, **to adjourn at 8:08PM; unanimously approved.**

**Respectfully submitted,**

**Pamela A. Colombie  
Commission Clerk**

**TOWN OF SIMSBURY**  
**PUBLIC INFORMATION BROCHURE**  
**CHARTER REVISION COMMISSION**  
**PROPOSED REVISED SIMSBURY TOWN CHARTER**  
**REFERENDUM DATE: TUESDAY, NOVEMBER 8, 2016**

**September 12, 2016**

**TOWN OF SIMSBURY**  
**PUBLIC INFORMATION BROCHURE**  
**PROPOSED REVISED CHARTER**

Dear Simsbury Resident:

This brochure provides background information about the Proposed Revised Charter. The Proposed Revised Charter is under consideration for a public referendum on November 8, 2016. The ballot questions at the referendum will appear as follows:

- 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 changes 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\_\_\_\_\_

The following proposed changes to the Simsbury Town Charter have been recommended by the Simsbury Charter Revision Commission and approved by the Board of Selectmen. The proposed changes in the Town Charter are not final unless approved by Simsbury voters at referendum.

1. **Form of Government – Town Manager:**

Based on the testimony it received, other input from the public and its own considerable deliberations, the Commission recommended, by a vote of 7-4, that a change to the Simsbury form of government to a Town Manager-Board of Selectmen be made.

2. **Changes to the Provisions Governing the Economic Development Commission:**

The Commission voted to revise the Charter to require the Board of Selectmen to create an Economic Development Commission by ordinance and further to provide the Board of Selectmen with the authority to set, by ordinance, its membership, terms, duties and responsibilities.

3. **Elimination of the Human Relations Commission:**

Based on the testimony it received from Town Staff, the lack of activity on the Human Relations Commission for years, and the difficulty finding volunteers to serve on the Commission, the Charter Revision Commission voted to eliminate the Human Relations Commission. The Charter Revision Commission also took note of the availability of state remedies for alleged violations of the state's equal rights laws.

4. **Open Space Committee Expansion of Membership:**

The Commission recommended that the Open Space Committee be expanded to include three public members.

5. **Town Budget and Appropriations Process: Sections 808 and 809:**

The Commission recommended changes to the Town budget and appropriations process outlined in Charter Sections 808 and 809 to reflect the recommendations of the Finance Director and Bond Counsel. The changes made to Section 808 allow cost savings in the publication requirements for the annual town budget and provide clarification of budget preparation deadlines. The changes recommended by the Bond Counsel clarify the appropriations process outlined in Section 809.

6. **Gender Neutral Language for Town Public Offices:**

The Commission recommends that the Town Charter should be revised to incorporate gender neutral language for public offices.

A complete copy of the Proposed Revised Charter, including a black-lined version outlining each proposed revision, and of the Final Report of the Charter Revision Commission



are available in the Simsbury Town Clerk's office during regular business hours and can be reviewed on the Town of Simsbury's website at [www.town.simsbury.ct.us](http://www.town.simsbury.ct.us). The Town Clerk will mail or otherwise provide a copy upon request.

**THIS PUBLIC INFORMATION BROCHURE WAS APPROVED  
BY THE BOARD OF SELECTMEN TO PROVIDE A GENERAL  
OVERVIEW OF THE CHARTER REVISION COMMISSION'S  
PROPOSED REVISED TOWN CHARTER**