

## **CALL TO ORDER**

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m. in the Large Program Room of the Simsbury Public Library. Present were: First Selectman Lisa Heavner; Board members Sean Askham, Cheryl Cook, Michael Paine, Christopher Kelly and Elaine Lang. Others in attendance included Gerry Toner, Director of Culture, Parks and Recreation; Ed LaMontagne, Chairman of Aging & Disabilities Commission with some Committee members; Richard Ostop, Chairman of the Public Building Committee with some Committee members; Jeff Shea, Town Engineer; Attorney Robert DeCrescenzo; David Ryan, Chairman of Performing Arts Center, with some Committee members; Thomas Cooke, Director of Administrative Services, and other interested parties.

## **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

## **PUBLIC AUDIENCE**

Joan Coe, 26 Whitcomb Drive, spoke about voting on the Charter. She said the most important issue on the Charter is changing the form of government to a Town Manager instead of First Selectman. She also spoke about the State Representative position, the Senior Center project, foreclosures in Simsbury, salaries, and other issues.

Anita Mielert, 1 West Street, spoke about the new Senior Center/Community Center project. She feels different places in Town would provide a much larger scope of services for the seniors. She said they need to avoid duplicate services and wants the Board of Selectmen to partner with the Main Street Partnership on this issue.

Robert Kalechman, 971 Hopmeadow Street, spoke about running for State Representative, right to life, an article in The Hartford Courant about corruption, and other issues.

Helen Peterson, 20 Longview Drive, spoke about membership in the Open Space Committee possibly being increased. She feels if people want to help they should be able to.

Bud Kelly, 1 West Street, a Public Building Committee member, spoke about the Senior Center. He said the Committee went around the State to see other Senior Centers in order to see how they look. He doesn't feel that Eno Memorial Hall is a good place for a decent Senior Center. He also doesn't feel the place at the Library is suitable either. That space is only for the book sale and should remain that way.

Steve Mitchell, formerly of 165 Old Farms Road, said he handed in his resignation from the Tourism Committee as he no longer lives in Simsbury. He spoke about the East Coast Greenway project and how it should keep going.

Mr. Askham made a motion to amend the agenda to add a presentation on the Veteran's Memorial. Ms. Lang seconded the motion. All were in favor and the motion passed. He also asked that Simsbury become more business friendly.

Len Lanza, Chairman of the Simsbury Veteran's Memorial Committee, said the Memorial is coming together and will be ready for the dedication on November 13, 2016 at 2 p.m. The Committee is expecting a large crowd for the ceremony and everyone is welcome.

Mr. Kalechman asked about the grant money for the Veteran's Memorial and gap funding from the Board of Selectmen. Mr. Lanza said the grant money will be used, but he doesn't think the gap money will be needed by the Veteran's Memorial Committee.

Ms. Coe asked if the Veteran's Memorial Committee will have an escrow account set up for maintenance and other issues. Mr. Lanza said that he felt there would be something set-up for other issues. Information on the dedication ceremonies will be on the Town website.

#### **FIRST SELECTMAN'S REPORT**

Ms. Heavner said on November 8<sup>th</sup>, residents will have an opportunity to vote on the proposed Town Charter changes. For any information or to see a sample of the questions, please visit:

[http:// www.simsbury-ct.gov/site/simsburyct/files/uploads/1601912\\_docs-1356784-v1-explanatory+text\\_simsbury\\_charter\\_revision\\_tfc\\_adopted.pdf](http://www.simsbury-ct.gov/site/simsburyct/files/uploads/1601912_docs-1356784-v1-explanatory+text_simsbury_charter_revision_tfc_adopted.pdf).

Ms. Heavner said the Town received a Main Street Investment Fund grant from the Connecticut Department of Housing in the amount of \$460,760 for improvements in the Town center.

Ms. Heavner said Simsbury is ranked 11<sup>th</sup> safest city in Connecticut in the Safe Wise Report 2016 Safest Cities in Connecticut report. She said Simsbury takes a Community Policing approach to law enforcement and has received national accreditation from CALEA for the excellence.

Ms. Heavner invited everyone to come to the dedication ceremony on November 13<sup>th</sup> for the Veteran's Memorial project.

Ms. Heavner said on November 3<sup>rd</sup> at 7:00 p.m. the Planning Commission will kick-off its planning process for Simsbury's common vision for the future of our community and policies that will help us get there. All are welcome to attend this informative and interactive meeting.

Ms. Heavner congratulated the Simsbury Bike Challenge riders as the Advocacy Challenge finished first in the U.S. with 137 riders logging 105,900 miles.

Ms. Heavner said one issue facing Simsbury and the entire State is the number of invasive plants that overtake native plants. The beautiful red burning bushes are part of the invasive plants. They create dense thickets that dominate the landscape, replacing native plants. To learn more about this issues visit: [http://www.ctwoodlands.org/site/default/files/woodlands\\_2009\\_winter.pdf](http://www.ctwoodlands.org/site/default/files/woodlands_2009_winter.pdf).

Ms. Heavner said all residents and businesses of Connecticut are being asked to conserve water. For tips on how to conserve visit: <http://www.fvhd.org>.

Ms. Heavner said the Town has begun work to stabilize the bank of the Farmington River in the area of Mathers Crossing and Riverview Court. Black and Warner Construction Co. as been engaged to complete the work on this project. Residents can contact the Water Pollution Control office at (860) 658-3258 for any questions or information.

Ms. Heavner said the Town will be holding a Household Hazardous Waste Collection on November 5<sup>th</sup> from 8:00 a.m. to 1:00 p.m. at the Simsbury Public Works Facility on 66 Town Forest Road.

Ms. Heaver said Election Day is November 8<sup>th</sup>. Residents can visit the Town’s Registrar of Voters page to find out everything they need to know about registering to vote and other issues.

Ms. Heavner said revaluation on all real estate in Simsbury is underway and will continue for another 18 months. The first phase is a pre-view, which includes a comparison between what is actually observed at the property and what is shown on the assessor’s card. The next phase, beginning in December, includes property questionnaires and updating records for work done under building permits.

For questions, please call (860) 658-3244 or visit: [dgardner@simsbury-ct.gov](mailto:dgardner@simsbury-ct.gov).

Ms. Heavner said the Simsbury Social Services Department has been designated as an official intake site for residents wishing to apply for the Connecticut Energy Assistance Program. Incomes and asset limits apply. Please call the Social Services Department at (860) 658-3283 for more information.

Ms. Heavner asked everyone to join the Simsbury Aging and Disability Commission for free presentations and discussions regarding emerging trends across all

healthcare settings at the Public Library on November 29<sup>th</sup> from 6:30 p.m. to 8:00 p.m.

Ms. Heavner said Simsbury Trunk or Treat will be held on Saturday, October 29<sup>th</sup> starting at 12:00 p.m. at Simsbury Farms. Pre-registration for a parking space is required and can be done on [www.simsburyrec.com](http://www.simsburyrec.com).

Ms. Heavner said the Chamber’s Simsbury *Spooktacular* Chili Challenge will be held on October 29<sup>th</sup> from 12:00 p.m. to 5:00 p.m. For more information visit: [simsburychili.com](http://simsburychili.com) or [simsburycoc.org](http://simsburycoc.org).

Ms. Heavner said Federal Economic Injury Disaster Loans are available to small businesses, small agricultural cooperatives, small businesses engaged in aquaculture and private non-profit organizations located in Connecticut as a result of the drought. Please go to: <https://disasterloan.sba.gov/cla> or [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov)/disaster.

Ms. Heavner said *Wednesday Night is Business Night!* The first program is on How to Use *Linkedin to Grow your Business*. This program will be held at the Library on October 26<sup>th</sup> at 6:00 p.m. To register or to get more information visit: <http://libraryinsight.com/calendare.asp?jx=sc&xc=1>.

Ms. Heavner said the Planning Department has been advised that The Silverman Group continues to press forward on their plans to develop/redevelop the site located at 200 Hopmeadow Street. A Public Hearing is scheduled for November 21<sup>st</sup> at 7:00 p.m., with a location to still be determined.

## **SELECTMEN ACTION**

### **a) Approve Tax Refunds**

Mr. Askham made a motion to approve tax refunds in the amount of \$8,408.16 as requested and approved by the Tax Collector. Ms. Lang seconded the motion. All were in favor and the motion passed.

### **b) Approve Fee Schedule for Simsbury Farms Ice Rink and Paddle Tennis Courts as recommended by the Culture, Parks and Recreation Commission**

Ms. Heavner said the Commission is recommending modest fee increases to address the increased operating costs at the Simsbury Farms Skating Rink and Paddle Tennis Courts.

Mr. Toner said fees for both facilities were not increased last year and the vote to increase fees this year was unanimous.

Mr. Askham made a motion to approve the fees schedule for the Simsbury Farms Ice Rink and Paddle Tennis Courts as recommended by the Culture, Parks and Recreation Commission at their September 22, 2016 meeting. Ms. Lang seconded the motion. All were in favor and the motion passed.

**c) Approve Public Gathering Permit Application for November 2016 Events**

Ms. Heavner said the application for the American Legion Posts #84 includes the approval of the CT Dept. of Transportation to close Rte. 10 for three hours. All other requirements have been met and they have also submitted a Certificate of Insurance as required.

The Simsbury Celebrates event has no changes from the past years and is also being recommended for approval.

Ms. Lang made a motion to approve Public Gathering Application for the Annual Simsbury Celebrates event on November 26<sup>th</sup> and the dedication for the Veteran's Memorial by the American Legion Post #84 on November 13<sup>th</sup>. Mr. Askham seconded the motion. All were in favor and the motion passed.

**d) Acceptance of Friends of Simsbury Farms donation in the amount of \$3,500 toward the construction of a sod farm at the Simsbury Farms Golf Course**

Ms. Heavner said there is no financial impact to the Town and it will be a great benefit to the Golf Course.

Mr. Askham made a motion to accept the donation for the Friends of Simsbury Farms of \$3,500 toward the construction of a sod farm at the Simsbury Farms Golf Course, with our thanks. Ms. Lang seconded the motion. All were in favor and the motion passed.

**e) Acceptance of Archdiocese of Hartford donations in the amount of \$2,435 for the Simsbury Food Closet**

Ms. Heavner said this donation will help with the Simsbury Food Closet.

Mr. Askham made a motion to accept the financial donation, in the amount of \$2,435 from the Archdiocese of Hartford Archbishop's Annual Appeal with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

**f) Acceptance of donation in the amount of \$4,000 from the Hartford Foundation for Public Giving to support Social Services Department programs**

Ms. Lecours-Beck said this donation will help residents heat their homes and some of it goes for the *Cheese Day* events.

Ms. Cook made a motion to accept the donation of \$4,000 from the Hartford Foundation for Public Giving, with our thanks, for the Cheese Day, Bread Day, and Food Closet Programs, which assist low-income residents of Simsbury. Ms. Lang seconded the motion. All were in favor and the motion passed.

**g) Adopt Resolution authorizing the amendment of the Town of Simsbury Retirement Income Plan to reflect changes to the Plan negotiated by the Town of Simsbury and AFSCME Local 2945**

Ms. Heavner said the approved contract negotiated with and ratified by AFSCME Local 2945 included changes in the provisions of the pension plan applicable to employees in Public Works; Culture Parks & Recreation; and the Water Pollution Control Authority. This resolution is intended to authorize amendment of the defined benefit plan to reflect those changes.

Ms. Cook made a motion to adopt the following resolution:

**RESOLUTION 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 most recent agreement with the AFSCME bargaining unit, comprised of the Public Works and Parks Employees in the Retirement Plan.

**NOW, THEREFORE, BE IT**

**RESOLVED:** That Amendment No. 2 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 Selectwoman of the Town or any other officer designated by the First Selectwoman be, and each of them hereby is, authorized and empowered, for and on behalf of the Town, to execute Amendment No. 2 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.

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

**h) Authorize the First Selectmen to execute DEEP and DOT easements in favor of the Town of Simsbury and enter into the AT & T Encroachment Permit, to allow for the installation of sanitary sewer from 20 Hopmeadow Street to connect to an existing sewer line owned by the Town of Simsbury**

Ms. Heavner said at the July 11, 2016 Board meeting the Board referred the proposed sewer easement pm 20 Hopmeadow Street to the Planning Commission. This easement area, owned by DOT is encumbered by an easement in favor of AT&T. In addition to the easement from DOT, AT&T requires that the Town of Simsbury and Simsbury Developers, LLC enter into an Encroachment Permit authorizing Simsbury Developers, LLC to install the sewer line and the Town to subsequently enter onto AT&T's easement for future maintenance, etc. of the public sewer line.

Attorney DeCrescenzo explained the project and the easement. The attorney for Simsbury Developers, LLC also answered some questions on this issue.

Mr. Askham made a motion to waive the reading of the resolution regarding the request that Simsbury accept the easement of a property owned by the State of Connecticut DEEP. Ms. Lang seconded the motion. All were in favor and the motion passed.

Ms. Lang made the motion: **NOW THEREFORE**, be it resolved that the Board of Selectmen authorizes the following:

1. The Town of Simsbury accepts the conveyance of the easement of the land shown as “PROPOSED 50’ SANITARY SEWER AND ACCESS EASEMENT TO BE GRANTED TO THE TOWN OF SIMSBURY WPCA 1,816 SQ. FT. “on the Plan.
2. That Lisa L. Heavner, as First Selectman, is authorized to execute any and all documents necessary to consummate the transaction above contemplated.

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

Mr. Askham made a motion to waive the reading of the resolution regarding the request that Simsbury accept easement of a property owned by the State of Connecticut DEEP. Ms. Lang seconded the motion. All were in favor and the motion passed.

Ms. Lang made the motion: **NOW, THEREFORE**, be it resolved that the Board of Selectmen authorizes the following:

1. The Town of Simsbury accepts the conveyance of the easement of the land shown as “proposed 50’ sanitary sewer and access easement to be granted to the Town of Simsbury 3,304 SQ.FT.” on the plan.
2. The Town of Simsbury agrees to be bound by the terms and conditions contained in the AT & T Encroachment Permit.
3. That Lisa L. Heavner, as First Selectman, is authorized to execute any and all documents necessary to consummate the transaction above contemplated, including but not limited to the AT & T encroachment permit.

**i) Discussion regarding Senior Center Community Project with members for Aging & Disability Commission, Public Building Committee and Performing Arts Center**

Ms. Heavner said the Board had a book of most of the documents on this project. She said the book is also published online and it is also available in the First Selectmen’s office.

She said the Town takes great pride in offering programming and services to everyone, including seniors. This is why it is one of the top 10 “best places to live” in Connecticut. This project has been an ongoing journey.

The Board has heard from residents in meetings and on surveys. The seniors of Simsbury are very active people all over town. Many options have been looked into as well as many recommendations being made.

Ms. Heavner went through a lot of work that has already been done on this project. The Board does have certain policies that need to be met. Ms. Heavner also went through different costs on this project.

Ms. Heavner said the Public Building Committee recommended that a new Senior/Community Center be built at the State lot site. At that time, this Board didn’t agree with this as they felt that site could be better used for commercial development or parking, as recommended by the Charrette. She said the Board also didn’t reach any agreement with Andy’s market for the project.



Ms. Heavner said there are different options available, including continuing to look into building another Senior/Community Center; to re-evaluate the State site or other sites; renovate or expanding existing facilities; moving SCTV; etc. We are at a decision making point now.

Richard Ostop, Chairman of the Public Building Committee, said the Board of Selectmen, in 2010, assigned the Public Building Committee to consider different sites and options for the Senior/Community Center. They also went around and looked at different facilities to see what they have available to their seniors. They did make two proposals to the Board of Selectmen as well.

David Ryan, Chairman of the Performing Arts Center, said their site was looked at, but the plans didn't fit on the property. It actually constrained the growth of the PAC. There were also wetlands constraints there. They made a recommendation to have the center stay at a renovated Eno and maybe have some shared space at the PAC.

Ed LaMontagne, Chairman of Aging & Disability Commission, said they submitted a letter back in June. They agreed with the architects in sharing the space at the PAC site. That was four months ago and it is now time to finish this journey. He said Aging & Disabilities will help, but really want the Board of Selectmen to give them direction on how to move on.

Richard Deer, Hedge Hog Lane, member of the Public Building Committee said he feels the Board of Selectmen and Board of Finance need to sit down and figure out the funding and then give direction to the Public Building Committee.

There was much discussion on this issue and everyone agreed that the seniors are very important to Simsbury and deserve to have a great place for what they want to do too.

Mr. Askham and the Board feel that residents need to convince the Board of Finance why this project is needed and why it is a community problem that needs to be solved now. Not everyone will be happy with the decision, but something needs to be done, even if done in phases. Eno needs to be reconsidered for this project.

The moving of SCTV from Eno was also discussed to make more room for the Center. This project would be huge, but Mr. Shea will get some clarity on costs, etc. before the budget process begins.

Ms. Cook made a motion for the Board of Selectmen to charge the First Selectman to construct a new change to the Public Building Committee to consider Eno for the Senior Center to include moving SCTV. Mr. Paine 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) Acknowledge the resignation of David Krayeski (D) as a regular member of the Community for Care Committee effective September 27, 2016**

Ms. Cook made a motion to acknowledge the resignation of David Krayeski as a regular member of the Community for Care Committee effective September 27, 2016, with our thanks. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**b) Acknowledge the resignation of David Krayeski (D) as a regular member of the Tourism Committee effective September 27, 2016**

Ms. Lang made a motion to acknowledge the resignation of David Krayeski as a regular member of the Tourism Committee effective September 27, 2016, with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

**c) Appoint Joy Himmelfarb (D) as a regular member of the Aging & Disability Commission with an expiration date of January 1, 2020**

Ms. Cook made a motion to appoint Joy Himmelfarb as a regular member of the Aging & Disability Commission with an expiration date of January 1, 2020. Mr. Kelly seconded the motion. All were in favor and the motion passed.

**d) Acknowledge the resignation of Steven S. Mitchell (U) as a regular member of the Tourism Committee effective immediately**

Mr. Kelly made a motion to acknowledge the resignation Steven Mitchell as a regular member of the Tourism Committee effective immediately with our thanks. Ms. Lang seconded the motion. All were in favor and the motion passed.

### **REVIEW OF MINUTES**

**a) Regular Meeting Minutes of September 26, 2016**

No changes were made to the Regular Meeting Minutes of September 26, 2016 and therefore, the minutes were adopted.

**b) Special Meeting of October 7, 2016**

No changes were made to the Special Meeting Minutes of October 7, 2016 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 the Community for Care meeting will be held on November 15, 2016 at the Library to discuss suicide prevention.

**ADJOURN**

Mr. Askham made a motion to adjourn at 9:18 p.m. Ms. Lang seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio  
Clerk