

TOWN OF SIMSBURY
BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MAY 14, 2012

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 7:20 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Mary Glassman; Board members Sean Askham, Lisa Heavner, John Hampton, Moira Wertheimer and Nancy Haase. Others in attendance included Attorney Bob DeCrescenzo, Emil Dahlquist and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

Ms. Glassman asked that public audience not include the issue of the public hearing regarding the Charter Revision Commission report as that hearing is for public comment on that issue.

PUBLIC AUDIENCE

Robert Kalechman, 733 Hopmeadow Street, gave a reading from the 18th century from Edmond Burke. He feels this Board does nothing. Mr. Kalechman said taxes keep going up and both parties are to blame for it. He feels the referendum vote is self-serving.

Joan Coe, 26 Whitcomb Drive, said everyone should vote no on the budget referendum. She feels the budget is in violation of the State Statute as expenditures are not itemized.

Ms. Coe said there will be a domino effect when The Hartford Insurance Group leaves Simsbury. She said the vote on Ethel Walker should be no as the Town can't afford it. She also will vote no on the Board of Education budget.

Ms. Coe asked why the taxpayers are still footing the bill for the Performing Arts. Taxpayers can't afford to keep paying more.

Sue Benarczyk, 119 E. Weatogue Street, spoke again about Planning and Zoning. She said there is a great article in the Canton Patch and the Town could get great ideas from their Charrette.

PRESENTATIONS

Squadron Line Team for the 2012 US Competition for Kid's Lit Quiz

Ms. Glassman introduced the 6th grade students who won the U.S. Kid's Lit Quiz and are now trying to raise money to compete in the world championships. The kids said they have read a lot

of books, even from other countries, to get ready for the world championships in New Zealand.

People can send donations to Squadron Line School; Attn: Kids' Lit Quiz; 44 Squadron Line Road, Simsbury, CT 06070 - all donations are tax deductible.

Ms. Glassman said that everyone is very proud of the team and hopes they do well in raising money and wining in New Zealand. She gave them a gift from the Town for their efforts.

Northeast Utilities - Improvements to Substation

Ms. Glassman thanked Northeast Utilities for working with the Town on storm Alfred. There have been a number of meetings with them.

Marcia Wellman said she was here about a great project for the Town. She said the substation on Hopmeadow Road is not a reliable as needed during certain demand conditions. They have proposed an expansion of that substation. They will inter-connect it to the bulk power system both from the East and West. It has been their pleasure to work with the Town. This will cost about 9-11 million dollars. They would like to put forth a petition to the Conn. Sitting Counsel in June after the land arrangements are done as the Town owns the land. Ms. Glassman thanked Northeast Utilities for the investment in our Town.

Ms. Glassman said the Rte. 10 corridor study did suggest a road where the transformer was. After working with Northeast Utilities, the transformer was moved to meet the Town improvement.

SUSPEND REGULAR MEETING TO CONDUCT PUBLIC HEARING

CALL TO ORDER - PUBLIC HEARING

Ms. Haase made motion to open the Public Hearing to receive public comment regarding the Final Report of the Charter Revision Commission at 7:45 p.m. Mr. Hampton seconded the motion. All were in favor and the motion passed.

Anita Mielert, 57 E. Weatogue Road, said she has 25 years of appointed and elected positions in Simsbury. She supports the many comments which advocate adding Design Review Board to the Charter as a permanent commission. The Main Street Partnership also supports the Design Review Board. She feels they are a very

dedicated group of professionals and citizen volunteers have refined the appearance of our community.

Ms. Mielert said there is a red flag in that the Design Review Board be appointed by the Zoning Commission. The Board of Selectmen should be doing this period. She begged the Board not to

allow this as this would be the start of a slippery slope.

Ms. Mielert said there is a typo in Section 602. She spoke about the Personnel Director. She agrees with a staff member becoming the Director the way it has worked in the past. The First Selectman should always be the top boss and should sign off on all proposed changes.

Joan Coe, 26 Whitcomb Drive feels the Charter Revision Commission revisions be rejected. She feels this proposed Charter does not provide the Town a robust Charter for the future. She feels that this would become a dysfunctional government with a loose chain of command. Ms. Coe feels Simsbury needs professional management.

Ms. Coe noted that the Culture, Parks and Recreation Commission has the authority to hire and remove the Director, which she thinks gives them too much authority. She doesn't understand why the Zoning Commission should decide who is on the Design Review Board. The Design Review Board has served the Town well.

Ms. Coe said the Charter as presented has become a political document and does not serve the Simsbury residents well. Some of the changes give Commissions too much authority and changes need to be made. This document should be rejected.

Dennis Jacobs, representing the Simsbury Chamber of Commerce, read a letter from March 27th to Ms. Glassman. He commended the Charter Revision on their countless hours of hard work, research, meetings. He said the Chamber of Commerce wants to affirm the Charter Revision Commission recommendations of the Design Review Board. They support the Design Review Board becoming a permanent Board in the Town Charter, appointed by the Zoning Commission.

The Simsbury Chamber of Commerce Board of Directors urges the Board of Selectmen to approve the proposed Charter Revision recommendations.

Emil Dahlquist, Chairman of the Design Review Board, read a letter he gave to Ms. Glassman today. He spoke about Section 617 of the revised Charter. He said the Design Review Board asked that they be placed in the Town's Charter after volunteering for the Town for 24 years. The goal was not to change their mission or enhance their authority. The role of a Design Review Board, as defined in the proposed Section 617, will diminish the effectiveness of the Design Review Board. There are three critical elements in this proposed section. The Design Review Board would like the Board to reject Section 617 as written. He'd like to have joint meetings with the

Zoning Commission, Design Review and Board of Selectmen. They would also like to look into changes in an ordinance instead of the Charter.

Robert Kalechman said he disagrees with Mr. Jacobs. He feels the changes do not serve the public well. He feels the changes to the Design Review Board are not effective. He asked that the proposed Charter revisions be rejected. The members of the Design Review Board are good

people who look out for the Town.

Rick Wagner, 152 Old Farms Road felt Mr. Kalechman's opinions are valuable ones. He is against what the Chamber said. He agrees with the slippery slope if Zoning decides who sits on the Design Review Board. The Design Review Board is good for the Town and are design specialist. He supports civic involvement in the Town to keep the character of the Town.

Nick Mason, 6 Arrons Way, who is a member of the Board of Finance and Pension Commission, said Section 808 has a whole new section about what the Board of Finance has to do with the pension plans. He suggests that he takes the paragraph out and re-write it to make more sense.

John Carroll, 3 Terry's Plain Road, said he's been working on this Design Review project since it started. He offers his experience and education on the Design Review issue to make things better for everyone.

Rob Pomeroy, 9 School House Lane, Chairman of the Zoning Commission, said someone told him the definition of a volunteer is someone who doesn't understand the question. He said the Design Review Board discussion took place at the Charter Revision meetings not in Zoning meetings. He said there are some process issues and would like to work with Design Review to work on these issues. Maybe they could come to a compromise and then give their opinions to the Charter Revision Commission for review.

Joyce Howard said she feels that the recommendations on the Design Review Board in the Charter Revision will dilute the valuable contribution that the Design Review Board has made to Simsbury. She feels the Design Review Board should not be appointed by the Zoning Commission. She also feels the qualifications on the Design Review Board need to be based on expertise, professional knowledge and experience. She feels that Section 617 will restrict and damage the Design Review Board.

Sue Benarczyk feels the Board of Finance meetings should have public audience at them. This would benefit the residents.

She also feels the Referendums should have votes on things other than just items with dollar amounts on them. This would also benefit the residents.

Ms. Benarczyk feels the Design Review Board does benefit the residents and make great contributions to the Town. The process, as it stands, isn't broke so it doesn't need to be fixed.

Bruce Elliott, 21 Lincoln Lane thanked the Charter Revision Commission for their time and effort. He feels the Design Review Board should be recognized.

He did speak to the Charter Revision Commission about Section 706, which is about the role of the Town Attorney. He did request an Attorney for Zoning issues. He wants the Charter language to be clarified to avoid future misunderstandings.

Mr. Elliott does acknowledge the Charter recommendations including the Design Review Board, however, he does feel the Board of Selectmen should appoint the members. He is afraid that no one will want to be on the Design Review Board is certain changes are made in the Charter.

With no other comments, Ms. Glassman thanked everyone for their comments and concerns.

ADJOURN PUBLIC HEARING

Ms. Wertheimer made motion to close the Public Hearing at 8:40 p.m. after public comment on the Final Report of the Charter Revision Commission. Ms. Haase seconded the motion. All were in favor and the motion passed.

RESUME THE REGULAR MEETING

The Regular meeting resumed at 8:50 p.m.

FIRST SELECTMEN REPORT

Ms. Glassman said this is the third time for public comment on the Charter Revisions. She also thanked Northeast Utilities and KeyStone Properties for working with the Town on the upgrades to the substation. This project will cost about 9-11 million dollars.

Ms. Glassman said the Town budget Referendum and Capital Projects will be held tomorrow at Henry James from 6 am - 8 pm. The Town budget increase is 0.99%.

Ms. Glassman said Art Walk of Simsbury will be held Saturday, May 19th from 11 - 5. Also Paw Meadow's grand opening will be held from 1-4 on Saturday also.

Ms. Glassman said the annual Memorial Day Parade will be May 28th in Tariffville at 8:30 and then Simsbury starting at 1 pm. She thanked all of the volunteers who put on these wonderful events.

SELECTMEN ACTIONS

a) Approve Tax Refunds

Mr. Hampton made motion to approve the Tax Refunds in the amount of \$1874.48 as requested and approved by the Tax Collector. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

b) Accept the gift of a bench and bicycle rack for use at the Greenway adjacent to Simsbury Meadows

Mr. Hampton made motion to accept a gift of a bench and bicycle rack for use at the Greenway adjacent to Simsbury Meadows, with thanks to the friends and family of Elaine Montano, who passed away in December of 2011, for this donation. Mr. Askham seconded the motion. All were in favor and the motion passed.

c) Accept a gift of \$3,000 from the staff of Interim Health Care in memory of John F. Keane to be used toward the installation of lighting for the flag pole at the Simsbury Performing Arts Center

Ms. Haase made motion to accept a gift of \$3,000 for the staff of Interim Health Care in memory of John F. Keane, with thanks to his friends and family. This gift will go toward the installation of lighting for the flag pole at the Simsbury Performing Arts Center. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

d) Accept give of Friends of the Simsbury Public Library to the Simsbury Public Library of \$19,600 to cover the cost of additional lighting

Ms. Wertheimer made motion to accept a give of Friends of the Simsbury Public Library to the Simsbury Public Library of \$19,600 to cover the cost of additional lighting. Mr. Askham seconded the motion. All were in favor and the motion passed.

e) Forward recommendations of a proposed land exchange with Keystone Partners to Planning Commission for their consideration

Mr. Hampton made motion to forward recommendations of a proposed land exchange with Keystone Partners in connection with the Dorset Crossing to Planning Commission and Town Counsel for review. Ms. Haase seconded the motion. All were in favor and the motion passed.

f) Approve recommended changes to the Final Report and Recommendation of the Charter Revision Commission for Submission to the Charter Revision Commission

Ms. Wertheimer made motion to, send back to the Charter Revision Commission, to revisit the new Town Meeting referendum electors vs. voters clarified. Also, to have the moderator and procedures clarified. Ms. Haase seconded the motion. All were in favor and the motion passed.

Mr. Hampton made motion, to send back to the Charter Revision Commission, to have a joint commission meeting on the Design Review Board to discuss Board terms, qualifications, scope, procedures, who they report to, and commission size. Also, to discuss the Design Review Board status to be put into the Charter Revision or have an ordinance for this Board. Ms. Haase seconded the motion. All were in favor and the motion passed.

Mr. Hampton made motion, to send back to the Charter Revision Commission, to look at Section 808 on clarifying an ordinance not Charter revision, input from the Board of Education which was not received, address the question of Fiduciary, address the question of public audience, address the questions on the impact of the current pension, and address of the Board of Selectmen maintaining the appointment of the sub-committee. Ms. Haase seconded the motion. All were in favor and the motion passed.

Mr. Hampton made motion, to send back to the Charter Revision Commission, looking at having Public Audience at all meetings. Ms. Heavner seconded the motion. All were in favor and the motion passed.

Mr. Hampton made motion to ask the Charter Revision Commission to review procedural issues and correct any errors made to their revisions. Ms. Heavner seconded the motion. All were in favor and the motion passed.

APPOINTMENTS AND RESIGNATIONS

Ms. Wertheimer made motion to amend the agenda to fill the vacancies accepted tonight with Marc Lubetkin to fill the remainder of Joe Grace's term on Culture, Parks and Recreation and Alan Needham to fill the remainder of Andrew Buckman's term on the Conservation Commission/ IW&WA. Mr. Askham seconded the motion. All were in favor and the motion passed.

a) Accept the resignation of J. Paul Lanza as an Alternate Member of the Historic District Commission effective May 8, 2012

Mr. Hampton made motion to accept the resignation of J. Paul Lanza as an alternate member of the Historic District Commission, with many thanks, effective May 8, 2012. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

b) Accept the resignation of Andrew Buckman as a Full member of the Conservation Commission/Inland Wetlands Agency effective May 4, 2012

Ms. Heavner made motion to accept the resignation, with thanks, of Andrew Buckman as a full member of the Conservation Commission/Inland Wetlands Agency effective May 4, 2012. Ms. Haase seconded the motion. All were in favor and the motion passed.

c) Accept the resignation of Joseph Grace as a Full Member of the Culture, Parks and Recreation Commission effective May 1, 2012

Mr. Askham made motion to accept the resignation, with thanks, of Joseph Grace as a full member of the Culture, Parks and Recreation Commission effective May 1, 2012. Ms. Heavner seconded the motion. All were in favor and the motion passed.

d) Accept the resignation of Sharon Lawson as a Full Member of the Performing Arts Center Board effective May 8, 2012

Ms. Haase made motion to accept, with thanks, the resignation of Sharon Lawson as a full member of the Performing Arts Center Board effective May 8, 2012. Mr. Hampton seconded the motion. All were in favor and the motion passed.

Ms. Heavner made motion to appoint Marc Lubetkin to fill the remainder of Joe Grace's term on the Culture, Parks and Recreation Commission. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

Mr. Askham made motion to appoint Alan Needham to fill the remainder of Andrew Buckman's term on the Conservation Commission / Inland Wetlands Agency. Ms. Heavner seconded the motion. All were in favor and the motion passed.

OTHER BUSINESS

a) Result of Special Town Meeting to consider and approve amendments to the Eno Farms Ground Lease

Ms. Glassman recused herself and turned the chair over to Mr. Hampton.

Ms. Askham made motion to amend the agenda to appoint a sub-committee for further discussion with CHFA and the public for a second draft of amendments to the Eno Farms Ground Lease. Ms. Haase seconded the motion. All were in favor and the motion passed.

Ms. Wertheimer made motion to approve the Sub-Committee of Mr. Askham and Ms. Heavner

to hear from the public, CHFA and Attorney General on the issue of the Eno Farms Ground Lease. Ms. Haase seconded the motion. All were in favor and the motion passed.

The Sub-Committee will inform the Board of their first meeting date.

Ms. Glassman rejoined the meeting.

b) State Legislative update

Ms. Glassman said she has gotten any figures yet from CCM, but will get them tomorrow. She thinks they did very well with cost sharing.

Ms. Glassman thanked Karen Cortez who wrote a bill and got it passed to allow Simsbury to consolidate polling places.

ACCEPTANCE OF MINUTES

a) Regular Meeting of April 23, 2012

Ms. Wertheimer made motion to accept the Regular Meeting Minutes of April 23, 2012 with name correction on first page. Mr. Hampton seconded the motion. All were in favor, with Mr. Askham abstaining, with the motion passing.

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 - Mr. Hampton said the Public Safety Committee will be meeting Thursday, May 17th at 7 am. Everyone is welcome to attend.

Mr. Hampton said the Senior Summit will be held tomorrow, May 15th at 1:30 - 3 at the Senior Center. There are 15-17 panelists to discuss everything from tax relief to Social Security and Medicare.

Mr. Hampton said the Senior Tax Relief deadline is tomorrow, May 15th. There have been 55 people who have applied for this relief.

Mr. Hampton said there will be a Farmington Valley Tourism Forum tomorrow, May 15th from 7-8:30 at Eno Memorial Hall. Everyone is encouraged to attend.

Mr. Hampton thanked the Tariffville Valley Association for a great job on the kayak racing. Next year they hope to have shuttles from Simsbury instead of Granby to bring the business here. Mitchell's said they would offer a shuttle next year.

Mr. Hampton said the opening of the pool building at Simsbury Farms is June 15th. The building looks great.

5. Board of Education - Ms. Heavner said Thursday, May 17th, at 9 am in the main meeting room, the Town of Simsbury Associate Deputy Commissioner of the Department of Community Development will hold a meeting.

Ms. Heavner said the Board of Education is in search of a new superintendent . Dr. Ulman is leaving July 6th. A number of focus groups have been held and a consultant has been hired. He presented a leadership profile, which is on line. Hopefully the position will be filled by July 15th. She also thanked Dr. Ulman who said she would be accessible if needed.

Ms. Heavner said she a other Board members taught civic classes at the High School and she thanked all for their attendance.

Ms. Heavner said she and Mr. Hampton had the opportunity to meet Rebecca Lobo and Congressman Chris Murphy for the "Lets Move" Program, which was a lot of fun. This gets everyone interested in exercise.

6. WPCA - Status of Consultant Report - Ms. Haase said the consultant did meet with the sub-committee. As of last Thursday the WPCA didn't get a consultant report. The sub-committee did feel the fees were in line. There are some concerns about this issue. She feels the tax payers need to approve the consultant to look at the issues. Things really need to be worked through.

ADJOURN

Ms. Haase made motion to adjourn at 10:10 p.m. Mr. Hampton seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Mary A. Glassman
First Selectman