

From: Susan Mazurski July 23, 2009 2:27:14 PM
Subject: Board of Selectmen Minutes 06/22/2009 APPROVED
To: SimsburyCT_SelectMin
Cc:

TOWN OF SIMSBURY
BOARD OF SELECTMEN
REGULAR MEETING MINUTES
JUNE 22, 2009

CALL TO ORDER

The Regular Meeting of the Simsbury Board of Selectmen was called to order at 7:00 p.m. in the Main Meeting Room of the Simsbury Town Officers. Present were: First Selectman Mary Glassman; Board members Moira Wertheimer, Robert Hensley, John Hampton, Michael Long and Richard Hogan. Others in attendance included: Brandon Robertson, Dave Ryan, Kevin Kane, Sarah Nielsen, Gerry Toner and other interested parties.

PUBLIC AUDIENCE

Robert Kalechman, 971 Hopmeadow Street gave Joan Coe, his own hometown hero, a copy of the United States Constitution.

Mr. Kalechman said he addressed an important issue years ago and to date the Board hasn't addressed this issue at all. He wrote an article for the Hartford Courant in February 2006 about the selection of the Charter Revision Commission and unaffiliated votes. At that time, the Board of Selectmen voted 7 to 1 to reject the revisions to the Charter and to return the Charter revisions back to the Commission with the ultimatum that they would reject anything that was below 2% of the Town budget. He feels the Charter Revision Commission was pre-selected not to include too many unaffiliated voters. He feels that all Committees are pre-selected. He said there is now a new party in Town called "Simsbury First" and they have made many recommendations to include unaffiliated voters to different Committees. He said to date they may have been able to include one unaffiliated voter to one Committee. Mr. Kalechman doesn't think this is fair.

Mr. Kalechman said Item G about the Main Street Partnership which is about the Town receiving 10% and Main Street Partnership receives 80%. He feels once again the Town takes it on the chin again.

Mr. Kalechman spoke about the accident on Avon Mountain again this week. He said he had written an article "Two Years Too Long to Wait for Action", which is about the "death trap" of Avon Mountain. There was a proposed bill 439, which would have put cameras on the mountain to stop speeding on the Mountain, which still sits in the Transportation Committee. Something should be done about this issue before someone else gets killed there.

Joan Coe, 26 Whitcomb Drive asked how Ms. Glassman could ask the citizens to re-elect her as First Selectman as she still has unfulfilled promises from her last campaign. Ms. Coe still feels a Town Manager form of government should be implemented in Simsbury.

Ms. Coe feels the Town Meeting should be eliminated and everyone should be allowed to vote in a booth at the referendum.

Ms. Coe showed a picture of the front door at the Town Hall showing hours of operation. There is no mention that Town Hall stays until 7:00 p.m. on Mondays. She asked why employees should stay if residents aren't aware of the schedule.

Ms. Coe said that Captain Sevetz will be retiring and this is for the better of the Town.

Ms. Coe showed a picture of a water mark on the ceiling of the Library. She asked what the Town was doing to rectify the situation. She also noticed that there aren't any security cameras on the CD's. She asked who paid for the use of Thomas the Train for the Library's 1st Anniversary and approved the use.

Ms. Coe said the trees are diminishing the lights on Iron Horse Blvd. and asked if there was a plan to remove the branches hiding the lights.

Ms. Coe urged the Board to vote no about alcohol at the Meadows. She wants to eliminate all alcohol on Town property.

All of Ms. Coe's comments can be read on Simsbury.com/forum.

Andrew Sharp, 81 Hedgehog Lane said he is opposed to the Dog Park as there is already enough traffic on Hedgehog Lane. He also feels that speed is a problem on Hedgehog Lane and doesn't feel more traffic is needed for the Dog Park.

Mr. Sharp said that the Granby Dog Park is a huge complex and he frequents this facility. He asked that the Simsbury Dog Park not be placed in a

residential area.

Former State Senator Tom Herlihy asked that the Board not consider changing alcohol rules at events. He implored them not to fix something that isn't broke. He feels that residents should be allowed to bring alcohol to events, but the Town should not sell the alcohol.

Ms. Glassman stated that the Board isn't going to take away the BYOB at events, but looking into the sale of alcohol at events.

Gerry Garlic, 38 Hedgehog Lane said he is in favor of the Dog Park. He said the Committee took a lot of time looking at different places for a Park and this was the best place available.

Joel Mandell, 7 Harriet Lane thanked the Board for their service. He also doesn't want to change the alcohol policy at events. He is glad that there is a committee to oversee events and feels there is a great attendance record and great events planned for the season.

Peggy Ralphs, 14 Highview Road is also against the changing of the alcohol policy at the Performing Arts Center.

Sue Bednarczyk , 119 E. Weatogue said that she and Kirsten Griebel started a Simsbury Revenue Resource Committee in 2007. She said this is a group to provide excess funding for different projects in Town. They are looking into different projects and will discuss them with the Board at a future meeting.

There was some discussion about the Performing Arts Center and the sale/ BYOB policy of alcohol. Ms. Glassman said the goal is to look at the issue and provide information. She wanted to reaffirm that the BYOB policy is not changing at this time.

First Selectmen Reports

Ms. Glassman said the General Assembly has ended without a State budget. She gave the Board a list of bills that passed and bills that were defeated.

Ms. Glassman noted that the Town tax bills will be mailed on June 25th.

Ms. Glassman said that CIRMA recognized the Department of Public Works for demonstrating creative engineering with the development of "Pinchie the Basin Cleaner." This is the second award Tony Amaral and Don Bordanaro have received.

PUBLIC HEARING

The Board of Selectmen will hold a public hearing on June 22, 2009 at 7:00 p.m. in the Main Meeting Room of the Simsbury Town Offices to receive public comments on applications received pursuant to the Neighborhood Assistance Act Program. Any applications received will be filed in the First Selectman's Office. For more information regarding the Neighborhood Assistance Act Program, please visit www.simsbury-ct.gov (See Attached).

Mr. Hogan made motion to open the Public Hearing regarding the Neighborhood Assistance Act Program applications at 7:45 p.m. Mr. Hampton seconded the motion. All were in favor and the motion passed.

There were no public comments at this time.

Mr. Hensley made motion to close the Public Hearing regarding the Neighborhood Assistance Act Program applications at 7:47 p.m. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

PRESENTATIONS

a) Legislative Update-State Representative Linda Schofield and Senator Kevin Witkos.

Ms. Glassman noted that Senator Witkos was unavailable this evening, but introduced State Representative Linda Schofield.

Ms. Schofield said the Governor made a budget proposal in February. The Legislative Republicans made their proposal in March and the Legislative Democrats made a proposal in April. Then the Governor gave them additional cuts at the end of May and the Democrats are working on a counter-proposal.

Ms. Schofield said there is an in-balance in all of the proposals made. She said there are also proposed cuts that are not substantiated or unrealistic or really bad for needy people as well. She said all of the proposals ask that the ECS is held flat.

Ms. Schofield spoke about different cuts on different items. She said they are very aware of the positions they are putting the Towns in without a State budget.

After further discussion, Ms. Glassman asked that Representative Schofield keep the Town informed of the progress and thanked her for coming before the Board.

b) Probate Court Reform Update-Probate Judge Paul Knierim.

Judge Knierim said he has served as Judge of Probate in Simsbury for 10 years and has served as Administrator of the Probate System since last fall. It has been a very challenging time for the Probate System. Now their surplus funds are being exhausted by the end of the year.

Judge Knierim said the Governor signed a bill that restructures the Probate System and a modernization of it. He said there is redistricting, which is a part of the restructuring.

Judge Knierim said that all new Judges need to be Attorneys. The system will become much more uniform and coherent. All of the courts will be given pre-approved budgets and staffing will be consistent. Courts will be reduced from 117 and Simsbury is part of Region II. The minimum district size needs to be 40,000.

Probate Judge Knierim said he would like to create a district that would keep the court in Simsbury. He will update the Board for their next meeting.

ACTION ITEMS

a) Review, discuss and possibly approve minutes of the following regular meeting:

Regular Meeting of the Board of Selectmen held on June 8, 2009

Mr. Hogan made motion to approve the Regular Meeting Minutes of June 8, 2009. Mr. Hampton seconded the motion. There was a change on Page 7 - Liaison reports - second paragraph to start:

"Mr. Hensley said that the number of fields may be adequate, but they may need to be allocated appropriately." All were in favor of the approval of the minutes of June 8, 2009 with the change and therefore the motion passed.

b) Review, discuss and possibly approve applications submitted pursuant to the 2009 Neighborhood Assistance Act Program.

Mr. Hensley made motion to approve applications received pursuant to the 2009 Neighborhood

Assistance Act Program from the following:

Town of Simsbury - Department of Social Services for automated external defibrillator at Eno Memorial Hall; Town of Simsbury- Department

of Social Services for Cheese Day; Farmington River Watershed Association, Inc. For Farmington River Watershed Association Environmental Education Program; and Town of Simsbury for New Gateway Signs for the Town of Simsbury.

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

c) Review, discuss and possibly take action regarding Capital Improvement Planning.

Ms. Glassman noted that none of the economic stimulus projects were approved. She is asking that the Board of Education and Finance Board meeting with the Selectmen this summer about the CIP budget. All of the following information is on the Town website.

Kevin Kane gave the Board the current six-year CIP and a memo about the 7% Debt Policy.

Mr. Kane said that page one of his report shows approved projects and funding. Mr. Kane went through his report. Ms. Glassman said she would like a meeting with the Board of Finance and Board of Education in July.

The Board thanked Mr. Kane and Ms. Glassman for their hard work. There was no action taken.

Ms. Wertheimer made motion to move item g before item d. Mr. Hampton seconded the motion. All were in favor and the motion passed.

g) Review, discuss and possibly authorize the First Selectman to execute a Memorandum of Understanding with the Simsbury Main Street Partnership, Inc., outlining services to be provided by the Simsbury Main Street Partnership, Inc., for the Talcott Mountain Music Festival.

Ms. Glassman said this agreement is to continue what has been done with the Main Street Partnership. The Town Attorney made a few suggestions about insurance and licensing.

Ms. Neilson said 10% of the business sales goes to the Town instead of the Symphony and 80% of sales go to the businesses.

Mr. Hampton made motion to authorize the First Selectman to execute a Memorandum of Understanding with the Simsbury Main Street Partnership, Inc., outlining services to be provided for the Talcott Mountain Music Festival.

d) Review, discuss and possibly authorize the First Selectman to execute a

Technology Services Agreement with the Town of Canton.

Ms. Wertheimer made motion to authorize the First Selectman to execute a Technology Services Agreement with the Town of Canton. Mr. Hampton seconded the motion. All were in favor and the motion passed.

e) Review, discuss and possibly approve a supplemental appropriation in the amount of \$10,881 to be reimbursed through a 2009 Emergency Management Performance Grant through the State of Connecticut, Department of Emergency Management & Homeland Security.

Mr. Long made motion to approve a supplemental appropriation in the amount of \$10,881 to be reimbursed through a 2009 Emergency Management Performance Grant through the State of Connecticut, Department of Emergency Management & Homeland Security. Mr. Hampton seconded the motion. All were in favor and the motion passed.

f) Review, discuss and possibly approve a resolution authorizing the First Selectman to execute a contract with the Department of Environmental Protection to accept a grant for a Low Impact Development (LID) Density Development Study to be done in connection with the Town Center Charrette.

Ms. Wertheimer made motion to accept the following resolution:

“CERTIFIED RESOLUTION”

“Be it resolved that it is in the best interests of the Town of Simsbury, Connecticut to enter into contracts with the Department of Environmental Protection.

In furtherance of this resolution the First Selectman, Mary A. Glassman is duly authorized to enter into and sign said contracts on behalf of the Town of Simsbury. The First Selectman is further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute any amendments, rescissions and revisions thereto.

I, Carolyn D. Keily, Town Clerk of the Town of Simsbury, do hereby certify this to be a true copy of the resolution duly adopted at the Board of Selectmen meeting on June 22, 2009, and that it has not been rescinded, amended or altered in any way, and that it remains in full force and in effect.

Request to the Board of Selectmen to pass a resolution allowing the First

Selectman to sign contract with the D.E.P. to accept the grant for low impact development and for the development study done in connection with the Town's center Charrette.

Mr. Hogan seconded the motion. Five were in favor with Mr. Long abstaining. Therefore, the motion passed.

h) Review, discuss and possibly authorize the First Selectman to execute Residential Lease Agreements subject to the completion of applicable income certifications.

Mr. Hampton made motion to authorize the First Selectman to execute Residential Lease Agreements for 69 Wolcott Road and 60C Old Farms Road. Mr. Hensley seconded the motion. After discussion, Mr. Hampton amended his motion to include a provision to include a 90 day escape clause after review by Town council and disposition of property. All were in favor and the motion passed.

I) Review, discuss and possibly approve updated Americans with Disabilities Act Grievance Procedure.

Mr. Hogan made motion to approve the updated Americans with Disabilities Act Grievance Procedure. Mr. Long seconded the motion. All were in favor and the motion passed.

j) Review, discuss and possibly approve tax refunds in the amount of \$679.76 as recommended and requested by the Tax Collector.

Mr. Hogan made motion to approve tax refunds in the amount of \$679.76 as recommended and requested by the Tax Collector. Mr. Long seconded the motion. All were in favor and the motion passed.

REPORTS & UPDATES

a) Report regarding Research on Tax Incentive Programs for Businesses.

Mr. Long made motion to table this item as Mr. Peck was unavailable. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

b) Preliminary report regarding research on regulation of alcoholic beverages at outdoor music venues.

Ms. Glassman said they would broaden their search for more information on this issue and forward it to the Performing Arts Center Board. After further discussion, no action was taken at this time.

SUB-COMMITTEE REPORTS

- a) Personnel - no report at this time.
- b) Finance - no report at this time.
- c) Welfare - no report at this time.
- d) Public Safety - no report at this time.

APPOINTMENTS AND RESIGNATIONS

- a) Review, discuss and possibly appoint Robert Beinstein to the Clean Energy Committee.

Mr. Hogan made motion to appoint Robert Beinstein to the Clean Energy Committee. Mr. Hampton seconded the motion. All were in favor and the motion passed.

- b) Review, discuss and possibly accept the resignation of Nancy Hendryx from the Board of Ethics.

Mr. Hampton made motion to accept the resignation of Nancy Hendryx from the Board of Ethics with much thanks. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

LIAISON REPORTS

Mr. Hampton said some of the Board members went to the Simsbury Garden Club's 75th Anniversary Celebration today. There was a sculpture donated to the Performing Arts Center entitled Flora. It was a great event and thanked everyone who helped make it great.

EXECUTIVE SESSION

Adjourn to Executive Session to discuss the following:
CHRO Claim of Complainant: Owusu

Mr. Hampton made motion to adjourn to Executive Session at 9:20 p.m. to discuss the CHRO Claim of Complainant: Owusu. Ms. Wertheimer seconded the motion. All were in favor and the motion passed. The members of the Board of Selectmen and Brandon Robertson, Director of Administrative Services, were present in executive session.

John Hampton made a motion to adjourn the executive session at 9:39 p.m. Robert Hensley seconded the motion. All were in favor and the motion was adopted.

Mike Long made a motion to settle the claim in the matter of Gertrude Owusu vs. Town of Simsbury, et al as recommended by the Town Attorney. Richard Hogan seconded the motion. All were in favor and the motion was adopted.

Robert Hensley made a motion to adjourn the meeting at 9:41 p.m. Mike Long seconded the motion. All were in favor and the meeting was adjourned.

Respectfully submitted,

Mary A. Glassman