

From: Susan Mazurski August 11, 2009 10:53:29 AM
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To: SimsburyCT_SelectMin
Cc:

TOWN OF SIMSBURY
BOARD OF SELECTMEN
SPECIAL MEETING MINUTES
JULY 20, 2009

CALL TO ORDER

The Special 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 Offices. 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, Dr. Cato Laurencin, Dave Ryan, Hiram Peck, Hon. Paul Knierim and Attorney Bob DeCrescenzo.

PUBLIC AUDIENCE

Robert Kalechman, 971 Hopmeadow Street noted that one of the Selectman has missed a lot of meetings and doesn't know why he ran if he can't attend meetings. He read a part of Roberts Rules of Order.

Mr. Kalechman said the Board rejected the sale of alcohol at public gatherings on Town property and doesn't understand why this item keeps coming up. The people don't want it and therefore, it shouldn't be done.

Mr. Kalechman said that the Chair of the Performing Arts Board is asking for 5 tables and 40 free tickets for the event on the 24th.

Mary Baier, 92 Westledge Road congratulated the Town on being in the top 100 of places to live. She said she read about the Dog Park coming to Town and had no idea about this issue. She said the public wasn't informed enough about this issue. She feels that the community needs to be more informed and involved and didn't understand the "secret."

Ms. Glassman said that the Dog Park was a volunteer effort that came to the Board after going to Parks and Recreation. The Board endorsed the concept, but there was no approval and they were told that public information and approval was needed. This is not a "secret" and it will need to come back

to the Board for final approval. All meetings have been open to the public.

Kirsten Griebel, 7 Karin Lane said she attended the Aging & Disability meeting a month ago and they had a very full agenda. She asked why they still have a Republican vacancy on their Commission as there are people who have asked to be on their Board. She feels people who are willing to be on a Commission should be added to the Commission, especially where help is needed.

Gerry Garlick, 38 Hedgehog Lane said he is a part of the Dog Park volunteers and they went to the people on Hedgehog Lane explaining their issues. There is a meeting this Thursday at 7:30 p.m. with Culture, Parks & Recreation and they feel they have another location for this Dog Park that will be better for the people on Hedgehog Lane.

Joan Coe, 26 Whitcomb Drive said that promises of forming a Charter Revision Commission have been broken. There has been no mention of a Town Manager form of government.

Ms. Coe asked why Hartford neighbors are getting involved in the Community Farm at Town Farm Dairy.

Ms. Coe asked why there is still discussion on the Simsbury Airport when the Town said they are not interested.

Ms. Coe asked about the alcohol policy at the Performing Arts Center. She said the insurance company said the Town is at risk even with a BYOB policy. She asked that all alcohol be eliminated on Town property.

Ms. Coe showed a picture of the "alcohol road" at the golf course which showed dirt and dust coming up on to the cars and people. It also showed erosion and garbage near the building.

Ms. Coe told the Board that she has lodged an FOI complaint against the Board of Ethics.

Ms. Coe said her comments can be read on Simsbury.com/forum.

Diane Nash, 5 Merrywood said that the article that Simsbury Life wrote about the Community Farm was correct and the article in the Hartford Courant was incorrect.

Linda Johnson, is a volunteer for the Dog Park and will probably become chairman. This is a service for the community, a positive, not a negative. They have kept searching for another property and now feel that they do have another one that could make everyone happy. They will go before Culture, Parks & Recreation on Thursday night with this new site. This issue has not been a secret issue.

Mary Lawlor, 62 Hedgehog said that she uses the playground at Meadow Pond and a lot of kids are afraid of dogs. She doesn't feel that Hedgehog is a good place for this Dog Park.

First Selectman Reports - Simsbury Ranked among top 100 places to live by Money Magazine.

Ms. Glassman congratulated Simsbury for being #57 out of 100 top place to live.

Ms. Glassman said the Tootin' Hills Roof Replacement Project will be completed prior to the 2009 school session. The Tariffville School project will be substantially completed for August 24, 2009. Henry James School boiler replacement is scheduled for spring and summer of 2010. Also, the Central Elementary School Brownstone stairs project is scheduled for completion in mid August 2009.

Ms. Glassman said they are also working on the Streetscape project in coordination with the DOT. This construction is scheduled for autumn 2009 and spring 2010.

PRESENTATIONS

a) Introduction and brief presentation by Dr. Cato Laurencin - Dean of the University of Connecticut Medical School.

Ms. Glassman introduced Dr. Cato Laurencin, Vice President of Health Affairs at UConn. He discussed the partnership with Hartford Hospital and is looking for support of that. Dr. Laurencin said that he is very excited to join with Hartford Hospital which will increase schooling, research, and jobs. This partnership is in the State Legislature for this session.

Dr. Laurencin stated that UConn employees 120 Simsbury residents and 55 graduates live in Simsbury. They are a research campus. They home the medical school, dental school, graduate school, hospital, practice plan, and graduate school of environmental sciences. They are also famous for stem cell research and known around the world.

b) Probate Court Update - Hon. Paul Knierim

The Hon. Paul Knierim went through the preliminary map of towns that are being asked to consolidate together into one court. The Simsbury court is included with Canton, Avon, Burlington and Farmington.

Ms. Glassman said that if the court is not going to stay in Simsbury, the Town would need to appropriate funds for the other location for expenses that will be charged to our Town.

There was a lot of discussion about how to change the map of Towns that would include Simsbury. Judge Knierim suggested that the Board could send a letter of opinion to the Committee Chairman at the Probate Court asking for a change.

Mr. Hampton made motion to authorize the First Selectman to submit a letter of opinion, to the Committee Chairman at the Probate Court, outlining concerns of the Town of Simsbury such as area and Court location not being in the best interest of the Town residents. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

c) Simsbury Town Center Charrette

Ms. Glassman announced the creation of a webpage dedicated to the Town Center Charrette. This will be located under the First Selectmen reports tab of the Simsbury website and it contains information about the proceedings set to be from September 11th – 16th. There will be links to educate residents about the process.

ACTION ITEMS

a) Review, discuss and possibly approve minutes of the following Regular Meeting:

* Review, discuss and possibly approve the minutes of the Regular Meeting of the Board of Selectmen held on June 22, 2009.

Mr. Long made motion to approve the June 22, 2009 Board of Selectmen Regular Meeting minutes. Ms. Wertheimer seconded the motion with the following corrections to be made - on Page 2 – 8th paragraph from the top - “Town should not sell the alcohol and paragraph 12 - “Peggy Ralphas, 14 Highview Road..” All were in favor and the motion passed.

b) Review, discuss and possibly approve fiscal year end budget transfers as requested by the Director of Finance.

Mr. Hogan made motion to approve the fiscal year end budget transfer as

requested by the Director of Finance in the amount of \$736,795.00. Mr. Hampton seconded the motion. All were in favor and the motion passed.

Ms. Wertheimer spoke about her concerns about the part-time teen reference person not being hired at the Library. Ms. Glassman said that could be brought forward again at the next meeting if wanted.

c) Review, discuss and possibly approve request for transfer from reserves for Supplemental Certified Local Government Grant in the amount of \$30,000 from the Connecticut Commission on Culture & Tourism.

Mr. Hogan made motion to approve the request for transfer from reserves for Supplemental Certified Local Government Grant in the amount of \$30,000 from the Connecticut Commission on Culture and Tourism. Mr. Long seconded the motion. All were in favor and the motion passed.

d) Review, discuss and possibly approve request for transfer from reserves for the Farmington River Enhancement Grant in the amount of \$50,000 from the State of

Connecticut Department of Environmental Protection.

Ms. Wertheimer made motion to approve the request for transfer from reserves for the Farmington River Enhancement Grant in the amount of \$50,000 from the State of Connecticut Department of Environmental Protection. Mr. Hensley seconded the motion. All were in favor and the motion passed.

e) Review, discuss and possibly approve a sub-lease agreement between the Town of Simsbury and Community Farm of Simsbury, Inc. For the premises located at 73 Wolcott Road.

Ms. Glassman said this lease is similar to the one the Town had with Bill Walsh only more defined. She also noted that the equipment inventory has been taken care of.

Attorney DeCrescenzo went through the lease with the Board and made certain changes are requested.

Ms. Wertheimer made motion to approve the lease with the following changes with the Town Attorney and also for the First Selectman to be given authority to execute the sub-lease with the sub-lessee to be Bill Walsh with approval of Town Attorney as informed. On 4.ii - take out the line - Lessor shall notify Lessee at least one (1) month prior to the date of the scheduled demolition of the existing facility so that Lessee shall have ample time to move and/or arrange for temporary shelter for all equipment

presently stored in the existing equipment storage facility. To add - within available appropriation for the obligation to build a shed. To add language to item 3 b add the sentence called Community Service and Food to the Poor as an obligation imposing the lessee for use of the property (or make that 3 c with lease language). On 14 - Subletting; Successors and Assigns - to delete "such consent not to be unreasonably withheld, conditioned or delayed." On 15 Default - add a iii to include legal language. Mr. Hensley seconded the motion. All were in favor and the motion passed.

f) Review, discuss and possibly approve a request from the Simsbury Trojan Youth Football and Cheer organization for the use of the Performing Arts Center.

There was some discussion about policies for permits and in-season usage. There is direction needed from the Board of Selectmen for these policies.

The website for the Simsbury Trojan Youth Football and Cheer Organization is Simsbury.football.com.

Mr. Hogan made motion to approve the request from the Simsbury Trojan Youth Football and Cheer Organization for the use of the Performing Arts Center on September 11, 2009. Mr.

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

g) Review, discuss and possibly authorize the First Selectman to apply for funding in the amount of \$30,000 through the Justice Assistance Grant Program.

Mr. Long made motion, "RESOLVED, that Mary A. Glassman, First Selectman of the Town of Simsbury, is authorized to make, execute and approve on behalf of the Board of Selectmen any and all contracts and amendments and to execute and approve on behalf of this municipality other instruments a part of or incident to such contracts and amendments, effective until otherwise ordered by the Board of Selectmen." Mr. Hampton seconded the motion. All were in favor and the motion passed.

h) Meadowood Residential Development: Proposed Modification of date of recording obligations of Mylar for Subdivision.

Attorney DeCrescenzo said that Attorney Hollister's correspondence request that the Town agree to extend the deadline for the filing of the Meadowood Residential Development subdivision Mylar from "the earlier of September 1, 2009 or the completion of the soil remediation" to April 30, 2010.

Mr. Hogan made motion to refer this item to the Planning Commission. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

I) Review, discuss and possibly approve tax refunds in the amount of \$7,794.59 as recommended the requested by the Tax Collector.

Mr. Hampton made motion to approve the tax refunds in the amount of \$7,794.59 as recommended and requested by the Tax Collector. Mr. Hensley seconded the motion. All were in favor with Mr. Long abstaining due to possible conflict of interest.

j) Review, discuss and possibly take action regarding a proposal from the Aquarion Water Company to donate to the Town the property located at 6 Station Street.

Ms. Glassman recused herself.

Mr. Hampton said the Aquarion building has been vacant for over five years now and they are willing to give this building to the Town for non-profit usage.

Ms. Wertheimer said the Town doesn't need any more property right now.

Mr. Long, Mr. Hensley and Mr. Hogan said the Board should wait until next month to make a

decision, after the probate court issue is settled.

No action was taken.

Ms. Glassman rejoined the meeting.

REPORTS AND UPDATES

a) Report regarding Research on Tax Incentive Program for Businesses

Ms. Glassman said this issue was sent to the EDC for further review. A sub-committee is needed with the EDC, a member of the Board of Selectmen and a member of the Finance Board. Mr. Long and Ms. Wertheimer volunteered for this committee.

b) Report regarding Town Vehicle Usage

Ms. Glassman said this policy has been cleaned-up by the Board. The update is attached. There is also some discussion on trading in old vehicles, and taking vehicles home. Mr. Long said to sell the vehicle that shows a

vacant position.

c) Report regarding Execution of Agreement with Transcanada for provision of Electricity

Ms. Glassman said the Town is going through the competitive bidding process for electricity to help save more money.

SUB-COMMITTEE REPORTS

a) Personnel

Mr. Long said the Personnel Sub-Committee met this evening. They are working on rules and regulations in the "blue book." They have come to a decision to recommend a re-draft and ordinance approval. They would like a Public Hearing August 10th for this item.

This was a special meeting so items couldn't be added. There was a request for reimbursement of expenses for educational purposes which they couldn't address.

Ms. Glassman said this item needs to be discussed on August 10th.

Mr. Hampton thanked Brandon for all his hard work on the policies.

b) Finance - no report at this time.

c) Welfare - no report at this time.

d) Public Safety

Mr. Hampton said they had a full agenda last week. The Town has great public safety officials and he thanked them.

Mr. Hampton said they discussed the AMR back-up proposal and they will report back soon.

Mr. Hampton said they are looking into an emergency exercise for this fall. There is a really good plan in place and everyone should know about.

Mr. Hampton said they discussed the "Numbers Up" program so emergency services can see homes clearly. Eagle Scout Troop 76 will go door to door to explain this ordinance.

Mr. Hampton said there was a request by Fire and Ambulance to use Town sites for gas. Ms. Glassman said the Public Works Director will update

that.

APPOINTMENTS AND RESIGNATION

a) Review, discuss and possibly accept the resignation of Robert Asensio from the Insurance Commission.

Mr. Hogan made motion to accept the resignation of Robert Asensio from the Insurance Commission. Mr. Hampton seconded the motion. All were in favor and the motion passed.

LIAISON REPORTS

Mr. Hampton thanked the Symphony for adding two more concerts at Talcott Mountain. He thanked everyone for their help.

Mr. Hampton also noted that the Farmer's Market is held Thursdays 2-6 pm through October. It has been a great success and the volunteers were thanked.

EXECUTIVE SESSION

Adjourn to Executive Session to discuss Pending Litigation as follows:
Weiselberg v. Town of Simsbury

Docket No. CV-07-5008995: Connecticut Housing Finance Authority v. Eno Farms Limited Partnership and Eno Farms Cooperative Association,, Inc.: Foreclosure of Mortgage.

Docket No. 07-5294 CV: Eno Farms Cooperative Association, et al v. Corporation for Independent Living, et al

Mr. Hampton made motion to adjourn to Executive Session at 9:50 p.m., inviting Attorney Bob Decrescenzo, to discuss pending litigation Weiselberg v. Town of Simsbury; Docket No. CV-07-5008995 and Docket No. 07-5294-CV. Mr. Hensley seconded the motion. All were in favor and the motion passed.

Robert DeCrescenzo, Town Attorney and Brandon Robertson, Director of Administrative Services, were also present in Executive Session.

At 10:03 p.m., Mr. Long made a motion to adjourn from Executive Session. Mr. Hampton seconded the motion. All were in favor and the Executive Session was adjourned.

Mr. Hogan made a motion to approve the payment of a settlement by the Town insurance carrier as recommended by insurance counsel in the matter of

Weiselberg v. Town of Simsbury. Mr. Hensley seconded the motion. All were in favor and the motion was adopted.

Mrs. Glassman excused herself from the meeting for the discussion of the next two items. Mr. Hensley made a motion to adjourn to Executive Session at 10:05 p.m. Mr. Hampton seconded the motion and all were in favor. The following items were discussed:

Docket No. CV-07-500899S: Connecticut Housing Finance Authority v. Eno Farms Limited Partnership and Eno Farms Cooperative Association, Inc: Foreclosure of Mortgage

Docket No. 07-5294 CV: Eno Farms Cooperative Association, et al v. Corporation for Independent Living, et al

Mr. Long made a motion to adjourn from the Executive Session at 10:10 p.m. Mr. Hampton seconded the motion. Mr. Long made a motion to adjourn the meeting at 10:12 p.m. Mr. Hampton seconded the motion. All were in favor and the meeting was adjourned.

Respectfully submitted,

Mary A. Glassman
First Selectman