

TOWN OF SIMSBURY  
BOARD OF SELECTMEN - REGULAR MEETING MINUTES  
SEPTEMBER 30, 2009

CALL TO ORDER

The Regular Meeting of the 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: Director of Public Works Thomas Roy and other interested parties.

PUBLIC AUDIENCE

Joan Coe, 26 Whitcomb Drive, expressed concerns that the Democratic platform in the upcoming election does not address the issue of adopting a Town Manager. She felt that the Ethel Walker project at Town Farm Dairy was not in keeping with the Eno Trust's commitment to helping the poor of Simsbury. She was disappointed that the Zoning Commission had voted not to fine the Reach Foundation for what she deemed to be a distribution of alcohol at the Earth, Wind and Fire concert. She questioned if there were funds designated for the upkeep of the plantings that were made at the Town Hall. She felt that the Superintendent of Schools was correct in terminating Coach Dan Cochran. She noted that rents at Eno Farm will be increased and hoped that the increases were approved by the Attorney General and were in keeping with the provisions of the Eno Trust.

Robert Kalechman, Simsbury, stated that Mrs. Gallagher has been tending to the plantings and thought that the Town should extend a note of thanks to her for her efforts. He felt that the Parks and Recreation and Performing Arts Center committees were in violation of FOI regulations for not timely posting minutes on the Town website. He expressed concern about the safety of walkers on the bike path and feared the eventuality of a serious injury to a walker being struck by a biker. He felt that the relocation of the proposed dog park to be adjacent to the Performing Arts Center was moving along without adequate hearings or input from the residents. He agreed with Mrs. Coe that the Ethel Walker project is an inappropriate use of the Town Farm Dairy and does not focus on the original intent of helping the poor. He added that the Attorney General has not rendered an opinion that it is an acceptable use.

Gary Dornbush, Simsbury, suggested that it might be more efficient and beneficial if questions or concerns that are expressed in the public audience could be submitted in advance so that Board members could answer them at the meeting.

FIRST SELECTMAN REPORTS

Ms. Glassman stated that all furlough days that were part of the employee concessions that were part of the fiscal year 2010 budget package, which included wage freezes, furlough days and co-pay increases totaling \$433,006, have now been taken. The contribution from the furlough days comprised a total savings of approximately \$4,403. Ms. Glassman thanked those employees for voluntarily giving up a day without pay in order to meet the budget constraints.

Ms. Glassman stated that the charrette process has been completed and can now be viewed on SCTV. The next step is to hold a Charrette Subcommittee Board meeting to discuss implementation strategy. All regulations will now go to the land use commissions for approval. It is expected that Code Studio will present their report to the boards at the end of November and prepare draft regulations by the end of the year.

The Tariffville School project is now completed. The Farmington Valley Greenway project continues and is expected to address some of the concerns expressed earlier by Mr. Kalechman as the Public Safety Commission reviews safety on the bike path and the Bike Friendly Simsbury Committee will be meeting every second Tuesday at 4:00 and will have bike safety as its top priority. Additionally, the oldest portions of the trail, which are now about twenty years old, are scheduled to be replaced. Work at Eno Hall continues and new fixtures and tile flooring will be installed on the first floor bathroom shortly. An ADA-compliant bathroom has just been installed at Simsbury Farms. The Park Maintenance Project that was approved by the voters has now begun.

## PROBATE COURT UPDATE

Ms. Glassman reported that the opposition voiced against the proposed redistricting of the probate court that would have resulted in the creation of the 10th largest district in the State, comprised of Simsbury, Canton, Avon, Burlington, Farmington and Granby, was successful. The new district adopted by the General Assembly will be comprised of Simsbury, Canton, Avon and Granby (a much smaller district) and the court will be located in Simsbury. The Bill is expected to be signed by the Governor.

## PRESENTATION

Anita Mielert, representing the Main Street Partnership, reviewed their recent application to the National Trust for Historic Preservation to be recognized in their Dozen Distinctive Destinations program. The program recognizes that the preservation of a town's historic character often results in tourism and that heritage tourism and destination tourism are the most lucrative as they involve longer stays and more money spent. The Trust is expected to render a decision in December or January with the national announcement being made on February 3rd.

## AGENDA ITEMS

1. Review, discuss and possibly approve the minutes of the Regular Meeting of the Board of Selectmen held on September 14, 2009.

Ms. Wertheimer made a motion to approve the minutes of the September 14, 2009 Regular Meeting. Mr. Hampton seconded the motion and it passed unanimously.

2. Review, discuss and possibly approve resolution as presented by the Simsbury Main Street Partnership Inc., for a Historic Restoration Fund Grant for Eno Memorial Hall.

Ms. Glassman stated that the Board will support Main Street Partnership in their efforts to obtain a grant in the amount of up to \$200,000 for various projects at Eno Hall. There would be no new additional Town funds required as any matching funds would be comprised of funds that have already been allocated by the Town for capital improvements at Eno.

Mr. Hampton made a motion to adopt the following Resolution:

WHEREAS, Eno Memorial Hall is one of the most important contributing structures in our downtown, and is listed on the National Register of Historic Places; and

WHEREAS, Eno Memorial Hall serves as Simsbury's community center, senior center, and home to Simsbury Community Television;

WHEREAS, the Historic Restoration Fund Grant is a program that recognizes the importance of the State's historic and cultural assets and their role in enhancing the quality of life for Connecticut's citizens and the State's economic vitality;

WHEREAS, the Town of Simsbury is committed to maintaining the long-term preservation and protection of this building, and improving accessibility to programs that will serve a wider audience; and now therefore be it

RESOLVED, that the Town of Simsbury will accept this grant if awarded, and will remain committed to this project through its completion.

RESOLVED, that the Town of Simsbury appoints the Simsbury Main Street Partnership, Inc. as its agent in applying for and administering this Grant in partnership with the Town of Simsbury.

Ms. Wertheimer seconded the motion to adopt the Resolution and it passed unanimously.

3. Approve proposed revisions to Chapter 130 of the Town Code of Ordinances entitled "Sewers" to authorize publication of a summary pursuant to C.G.S. 7-157.

Ms. Glassman stated that the changes to the Ordinances, which were technical in nature, were adopted at a Public Hearing. The cost to publish the changes was almost \$3,000. After consulting with Town Counsel, it was determined that a summary with a legal notice is appropriate and would be legal and would cost \$75. Therefore, the

recommendation was to authorize the publication of a summary in the interest of saving money.

Mr. Hensley made a motion to approve proposed revisions to Chapter 130 of the Town Code of Ordinances entitled "Sewers" to authorize publication of a summary pursuant to C.G.S. 7-157. Mr. Long seconded the motion and it passed unanimously.

4. Review, discuss and possibly schedule a public hearing to receive comment regarding a proposed Local Vendor Preference Ordinance.

Ms. Glassman stated that the establishment of a Local Vendor Preference Ordinance was a suggestion made at a regular meeting that the Town had with the Chamber of Commerce. She noted that, although the proposal has been researched by the Town and reviewed by Town Counsel, no input has yet been received from the Economic Development Commission regarding this suggestion and felt it should be referred out to them for their comments. She stated that other towns, such as Avon, have similar ordinances in place.

Ms. Wertheimer made a motion to schedule a Public Hearing at the Board's October 26th meeting in order to receive comment regarding a proposed Local Vendor Preference Ordinance and to refer the matter to the Economic Development Committee prior to said hearing. Mr. Long seconded the motion and it passed unanimously.

5. Review, discuss and possibly accept a financial donation in the amount of \$4,258 from Paine's Inc., to the Department of Social Services pursuant to the Town's Gift Ordinance.

Mr. Long made a motion to accept a financial donation in the amount of \$4,258 from Paine's Inc., to the Department of Social Services pursuant to the Town's Gift Ordinance. Mr. Hensley seconded the motion and it passed unanimously.

Ms. Glassman noted that the funds received will go towards purchasing items for the food pantry at the Social Services department.

6. Accept grants in the amount of \$95,000 as follows: a) a grant in the amount of \$30,000 awarded by the State of Connecticut Office of Policy and Management, and b) a grant in the amount of \$65,000 awarded by the U.S. Department of Justice, and authorize a transfer from reserves.

Ms. Glassman stated that the first grant will go towards replacing some equipment and the additional \$65,000 grant will go towards implementing cameras in the Town's police cruisers. Currently, only one cruiser is equipped with a camera and the grant will allow all of the cruisers to be equipped with cameras.

Mr. Long made a motion to accept a grant in the amount of \$30,000 awarded by the State of Connecticut Office of Policy and Management and a grant in the amount of

\$65,000 awarded by the U.S. Department of Justice as well as authorize a transfer from reserves. Mr. Hensley seconded the motion and it passed unanimously.

7. Review, discuss and possibly authorize the First Selectman to enter into an agreement with the State of Connecticut-Department of Environmental Protection-WPLR, Office of Long Island Sound Programs to perform Stream Bank Stabilization at Sycamore Park, Simsbury paid for by a grant in the amount of \$50,000.

Ms. Glassman indicated that this grant has already been received and a legal contract has been drafted by the DEP. Authorization is now needed to allow the First Selectman to enter into the contract so that work can be started and the funds utilized.

Mr. Hensley made a motion to adopt the following Resolution:

Be it resolved that it is in the best interest of the Town of Simsbury to enter into a contract with the Department of Environmental Protection-WPLR, Office of Long Island Sound Programs to perform Stream Bank Stabilization at Sycamore Park, Simsbury, Connecticut.

In furtherance of this Resolution, the First Selectman, Mary A. Glassman, is duly authorized and directed to enter into and sign said contract 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 contract and to execute any amendments, rescissions and revisions thereto.

Mr. Long seconded the motion to adopt the Resolution and it passed unanimously.

8. Review, discuss and possibly approve the sale of 2,000 cubic yards of screened sand located at the Public Works Facility on Town Forest Road.

Mr. Roy stated that, as part of an upgrade to the Highway Department's fuel system, two underground tanks, which have reached the end of their useful lives, will be replaced by two new above ground tanks. Approximately 2 cubic yards of screened sand are currently stored in the area designated for these new tanks and would need to be cleared. If the sand is not sold, Public Works staff would have to relocate it. One bid has been received at \$10/cubic yard, which is a very competitive price.

Mr. Roy stated that the goal this year is to use 100% treated salt (and no sand) for treating winter roads. He discussed the merits of and concerns regarding migrating from sand to treated salt. Mr. Hampton and Mr. Hensley suggested that information regarding the benefits and different procedures involved in the use of treated salt should be conveyed to the residents so as to avoid confusion.

Mr. Hogan made a motion to approve the sale of 2,000 cubic yards of screened sand located at the Public Works Facility on Town Forest Road. Mr. Hampton seconded the motion and it passed unanimously.

9. Review, discuss and possibly approve the purchase of a front end loader for use by the Department of Public Works as budgeted in the FY 09 Capital Outlay Budget.

Mr. Roy stated that the front end loader would be used for snow operations and would replace the current loader, which has become unreliable and is costly and requires a lot of time to repair.

Mr. Hampton made a motion to approve the purchase of a front end loader for use by the Department of Public Works as budgeted in the FY 09 Capital Outlay Budget. Mr. Hogan seconded the motion and it passed unanimously.

10. Review, discuss and possibly approve the purchase of a half-ton pickup truck for use by the Department of Public Works as budgeted in the FY 10 Capital Outlay Budget.

Mr. Roy stated that the new truck would be smaller than those currently in use and, as such, would have substantially better gas mileage, but would have a 4-door cab and could hold more men, which would result in less trucks parked at a job site. Initially, it would be used by the DPW Director and then migrated into the fleet.

Mr. Long made a motion to approve the purchase of a half-ton pickup truck for use by the Department of Public Works as budgeted in the FY 10 Capital Outlay Budget. Mr. Hampton seconded the motion and it passed unanimously.

11. Review, discuss and possibly authorize the use of Town Property for the 11th annual David Vidal Road Race.

Mr. Long made a motion to authorize the use of Town Property for the 11th annual David Vidal Road Race. Mr. Hogan seconded the motion and it passed unanimously.

12. Review, discuss and possibly approve tax refunds as requested and recommended by the Tax Collector.

Mr. Hensley made a motion to approve tax refunds as requested and recommended by the Tax Collector. Mr. Hogan seconded the motion and it passed unanimously.

13. Amendment to the Agenda

Mr. Hogan made a motion to amend the agenda to include two additional items: (1) a grant request in the amount of \$15,000 from Aquarion Water Company and (2) a request for Board authorization to sign a contract in connection with the Connecticut DEP Trails Grant. Mr. Long seconded the motion and it passed unanimously.

#### 14. Grant from Aquarion Water Company

Mr. Hampton made a motion to accept a grant in the amount of \$15,000 from Aquarion Water Company to fund the Clean Energy Committee and to authorize the First Selectman to execute a grant agreement, if necessary, as reviewed and approved by the Town Attorney. Mr. Long seconded the motion and it passed unanimously.

Ms. Glassman stated that the grant will be paid in three annual installments. Patrick Boeshans, 2 Roswell Road, of the Clean Energy Task Force, indicated that the funds will be used towards implementing the Green Business Certification program, the Clean Energy Options Program, and establishing an alternate education module into the 5th-grade curriculum.

#### 15. CT DEP Trails Grant Multi-Use Trail Along CT Route 10/US 202 & Drake Hill Road

Ms. Glassman stated that it was necessary to authorized the First Selectman to sign a grant contract and related documents in order to accept a \$132,000 grant for construction of the Greenway Multi-Use Trail between Hopbrook and Drake Hill Road.

Ms. Wertheimer made a motion to adopt the following Resolution:

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

In furtherance of this Resolution, Mary A. Glassman, the First Selectman, 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.

The Town Clerk is authorized to impress the seal of the Town of Simsbury on any such document, amendment, rescission, or revision.

Mr. Long seconded the motion and it passed unanimously.

#### SUB COMMITTEE REPORTS

Personnel

None.

Finance

None.

## Welfare

In response to Mrs. Coe's concerns regarding the changes at the community farm, Ms. Wertheimer suggested that the Welfare Subcommittee take a walk-through.

## Public Safety

Mr. Hampton advised that there will be a tabletop exercise on November 19th in which the Town responds to a simulated airplane disaster. Also, preparations for the H1N1 virus are underway.

## APPOINTMENTS AND RESIGNATIONS

Mr. Long made a motion to re-appoint Richard Sawitzke, Brandon Robertson and Susan Beardsley to the Farmington Valley Health District Board of Directors for a period ending December 31, 2012. Mr. Hensley seconded the motion and it passed unanimously.

Mr. Hensley made a motion to accept the resignation of John Hampton as liaison to the Simsbury Housing Authority. Mr. Long seconded the motion and it passed 5-0 (Mr. Hampton abstained).

## LIAISON REPORTS

Mr. Hensley stated that the southern gateway sign has been staked out and site work will hopefully begin shortly. Also, the Performing Arts Center Board will be reviewing bids received for a new manager as the current manager has accepted another position and will not be returning. Mr. Long asked if the Board could receive copies of the RFP or the job description to review.

Mr. Hensley stated that he had received inquiries as to whether CD copies of the charrette presentation were available. Ms. Glassman thought that disks could be made or kept at the Library. Nick Mason stated that SCTV makes program copies at \$35 and could make it available at the Library.

## ADJOURNMENT

Mr. Long made a motion to adjourn the meeting at 8:38 PM. Mr. Hampton seconded the motion and it passed unanimously.

Respectfully submitted,

Mary A. Glassman, First Selectman