

From: Susan Mazurski November 29, 2010 10:45:57 AM  
Subject: Board of Selectmen Minutes 10/25/2010 APPROVED  
To: SimsburyCT\_SelectMin  
Cc:

TOWN OF SIMSBURY  
BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
OCTOBER 25, 2010

#### 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 John Hampton, Lisa Heavner, Robert Hensley, Gerald Post, Moira Wertheimer. Others in attendance included: Director of Public Works Thomas Roy, Town Engineer Richard Sawitzke, Director of Planning Hiram Peck and other interested parties. Ms. Glassman also introduced the new Director of Administrative Services, Thomas Cooke.

#### PRESENTATIONS

##### National Red Ribbon Celebration

Ms. Heavner announced that red bracelets and lanyards will be worn around the schools, library and Town Hall during October 25th-October 29th in observation of National Red Ribbon Week and indicating support of a healthy, drug-free lifestyle. She read the following proclamation:

WHEREAS, alcohol, tobacco, and other drug abuse in this nation has reached epidemic stages, and

WHEREAS, 34% of 7th and 8th grade students have used tobacco, 51% drink alcohol, and 13% have used marijuana; and

WHEREAS, alcohol and other drug abuse is involved in 80% of property crimes and 70% of the violent crimes in Connecticut; and

WHEREAS, it is imperative that visible, unified prevention and education efforts by community members be launched to reduce the demand for drugs;

and

WHEREAS, the Capital Area Substance Abuse Council (CASAC) is urging all Connecticut residents to make a commitment to a healthy drug-free lifestyle by participating in the Red Ribbon Celebration, as well as prevention activities throughout the year; and

WHEREAS, businesses, media, social services, governments, schools, service organizations, religious institutions, safety forces, and individuals will demonstrate their commitment to a healthy drug-free lifestyle by wearing and displaying Red Ribbons during this week-long celebration; and

WHEREAS, the Town of Simsbury further commits its resources to ensure the success of the Red Ribbon Celebration;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Simsbury does hereby declare October 25th –29th, 2010, as National Red Ribbon Celebration Week in Simsbury and encourages all its citizens to wear a Red Ribbon, making a visible statement that we are strongly committed to a drug-free Simsbury community.

Signed this 25th day of October, 2010

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Mary A. Glassman, First Selectman

#### Free Ride Program

Public Works Director, Tom Roy announced the new Free Ride Bike program and that the Town is seeking donations of used bikes to be used in the program. The donated bikes will be refurbished and painted by Town staff in conjunction with the Bicycle Cellar. In the spring the bikes will be placed in bike racks around Town for anyone to use for the day using the honor system.

#### Clean Energy Task Force

Patrick Boeshans, Chairman of the Clean Energy Task Force presented an update on its ongoing initiatives. He encouraged residents to sign up at [ctcleanenergy.com](http://ctcleanenergy.com) or via flyer inserts that are included with their CL&P bill and opt that energy that is brought on to the New England grid on their behalf be from clean and renewable sources. Other initiatives include an educational project, spearheaded by Susan VanCleeef, in which a 5th grade curriculum was developed using an underwriting grant from

Aquarion as well as development of a green business certification program.

## FIRST SELECTMAN REPORTS

### Grants

Ms. Glassman announced the receipt of a STEAP grant in the amount of \$115,000 from the Small Town Economic Assistance Program to install a curtain system at the Performing Arts Center, which will eliminate future rental expense.

She also announced the receipt of a \$75,000 technology program grant for Avon, Simsbury and Canton to work together to study the use of one regional dispatch center. Additionally, the Town received two land use grants: \$450,000 to be used towards the Ethel Walker purchase currently in the Town's capital plan and \$500,000 to the Simsbury Land Trust to help complete the Tulmeadow Woods purchase.

## PUBLIC AUDIENCE

Robert Kalechman, Simsbury, stated that he was against public sales of alcohol at the Performing Arts Center and felt that the Board of Selectmen should retain oversight of the Center. He questioned the use of Imagineers to administer Town rental property, commented on recent instances of destruction of political signs and asked why the Town is subsidizing the mowing of property that belongs to Simscroft.

Joan Coe, 26 Whitcomb Drive, was in favor of a Charter Revision Committee to establish a Town Manager form of government. She felt that the Town should put waste disposal out to bid and that Ethel Walker should purchase the community farm that they are currently using and also that they should be fined for proceeding with construction without the proper permits in place. She also felt that there should be centralized management of Town vehicles.

## AGENDA ITEMS

### 1. Approve Tax Refunds

Mr. Post made a motion to approve tax refund requests in the amount of \$8,563.32, as requested by the Tax Collector. Ms. Wertheimer seconded the motion and it passed unanimously.

Tax Collector Colleen O'Connor stated that tax collections through September of last year were 99.6% and they are 99.8% through September of this year. She also addressed residents' confusion as to why their tax

payments are going to a Massachusetts address, noting that it is the lock box used by Simsbury Bank.

2. Discuss establishment of a Special Revenue Fund to be used for the collection of funds, grants and gifts for the purpose of creating enhanced design guidelines for the Town Center area.

Mr. Peck explained that a Special Revenue Fund needs to be created in order to deposit gifts to the Town, funding from the Board of Finance or grant revenue to be used towards finishing up the guidelines or standards for the Town Center. The fund must be established before he can even apply for grants and he already missed an October 1st deadline for one grant. Ms. Heavner pointed out that this is the last step in the charrette process. Mr. Post added that anything that helps clarify the design guidelines is a positive move. Mr. Peck stated that the intent of fine tuning the guidelines is to move the application and approval process along more quickly for a developer.

Mr. Hampton made a motion to establish a Special Revenue Fund to be used for the collection of funds, grants and gifts for the purpose of creating enhanced design guidelines for the Town Center area. Ms. Heavner seconded the motion and it passed unanimously.

3. Charrette Update

Mr. Peck stated that the new Town Code was put on the Town website about a month ago for residents' review and is over 100 pages long. They are currently in the process of incorporating legal comments into the Code and expect to be scheduling a Public Hearing date soon.

4. Authorize the First Selectman to execute an agreement with the Farmington Valley ARC Inc.

Ms. Glassman stated that there is a request to renew the existing contract for \$4,800 with FAVARAH, who assists Town staff in providing programs for the disabled.

Mr. Hensley made a motion to authorize the First Selectman to execute an agreement with the Farmington Valley ARC Inc. Ms. Wertheimer seconded the motion and it passed unanimously.

5. Request to transfer Riverside Road tax liens

Ms. Glassman stated that there is a request to transfer tax liens on property at 111 East Weatogue Street that was purchased from the Town of Simsbury by John Butler. It is a condition of the sales agreement that tax

liens cannot be assigned or transferred without approval of the Board of Selectmen. Taxes were current as of the closing of the lien and current property taxes due total \$292.19. Closing documents have been reviewed by the Town Attorney and the Tax Collector.

Ms. Wertheimer made a motion to transfer the tax liens for property at 111 East Weatogue Street from John Butler to William Selig with the stipulation that outstanding taxes be paid in full. Mr. Hensley seconded the motion and it passed unanimously.

6. Transfer from Reserves (FY10/11) Simsbury Meadows "Red Barn" Replacement

Mr. Hensley summarized items that were discussed at the recent meeting of the Board of Selectmen with the PAC Board: the establishment of a 501(c)(3) project, the liquor policy, the interviewing of a new manager for the upcoming season and the replacement of the recently destroyed barn. The PAC Board has completed the manager candidate interviews and decided to continue with the existing alcohol policy for usual events such as the Hartford Symphony, but felt that, should any events come forward with requests to sell alcohol for profit, then there should be a contract with professional management with proper licensing in place.

Mr. Hensley stated that the insurance company is currently assessing the cost of replacement of the barn that burned to the ground several months ago. The PAC Board wants to replace the barn as soon as possible as it was used for storage and perhaps add some additional facilities, such as a bathroom. In anticipation of the insurance proceeds, there is a request to move the funds from reserves, which will then be replaced upon receipt of the insurance funds. Ms. Glassman also noted that there is a \$10,000 deductible. Mr. Sawitzke noted that the addition of a bathroom is not currently feasible as the insurance carrier will not cover the inclusion of facilities that did not previously exist. Rather, the bathrooms, along with a needed pump station, should be included in the Phase II plan. He stated that the Town is prepared to bid out for the barn construction.

Mr. Hensley added that the original plans included a Phase II and Phase III and the Board felt that it was appropriate to review them to see if they comport with current needs. Mr. Sawitzke stated that a market/user analysis would be done and then an RFP would be issued for architectural schematics and cost estimates for the Phase II and Phase III construction projects. Mr. Hensley said that, in order for this process to go forward, it was felt that it would be necessary to establish a 501(c)(3) entity. Ms. Glassman agreed that it is appropriate to update what has been done before in order to assure that current needs match the original plans and that doing so will help when fundraising.

Mr. Hensley made a motion to transfer reserves in the amount of \$180,000 to be used for the construction of a replacement barn at Simsbury Meadows. Mr. Hampton seconded the motion and it passed unanimously.

Mr. Hensley made a motion to amend the agenda to include discussion of the establishment of a 501(c)(3) fundraising entity for the Performing Arts Center. Ms. Wertheimer seconded the motion and it passed unanimously.

#### 7. Establish 501(c)(3) Fundraising Entity

Mr. Hensley stated that there also was a long discussion at the meeting regarding the establishment of a 501(c)(3), which would provide an ability to raise funds such that the Performing Arts Center could function as a self-sustaining entity for the citizens of Simsbury and the surrounding area. The 501(c)(3) organization would provide a way for people to make a tax-deductible donation. When setting up the organization, it will need a board and it was suggested that the board initially consist of Greg Piecuch, Dave Ryan and Gerry Toner in order to file the paperwork and that the rest of the board would be added at a later date.

Mr. Hensley made a motion to establish a 501(c)(3) fundraising entity for the Performing Arts Center and that Greg Piecuch, Dave Ryan and Gerry Toner be initially listed as directors for purposes of making the filing. Mr. Hampton seconded the motion and it passed unanimously.

Town Counsel will draft the filing. Ms. Wertheimer noted that the overall intent is to reduce the costs to the users of the Performing Arts Center.

#### 8. Transfer from Reserves Municipal Building Lighting Retrofit

Mr. Sawitzke stated that the transfer request is for the replacement of interior and parking area lighting at Town Hall with energy efficient fixtures, using a \$93,507 block grant that has been received.

Mr. Hampton made a motion to transfer reserves in the amount of \$93,507 for the municipal building retrofit. Ms. Heavner seconded the motion and it passed unanimously.

#### 9. Transfer from Reserves Regional Probate Court

Mr. Sawitzke stated that four departments are being shifted around in order to accommodate the new regional probate court, which will consist of one judge and four clerks. The project is expected to be completed by mid-November. Costs to renovate are about \$38,000 and Simsbury will invoice Avon, Canton, and Granby for their proportionate costs, based on population.

Ms. Heavner made a motion to transfer \$38,000 from reserves for costs associated with the establishment of the regional probate court to be housed in Simsbury Town Hall. Mr. Hampton seconded the motion and it passed unanimously.

10. Accept a financial donation in the amount of \$1,700 from the Archdiocese of Hartford/Archbishop's Annual Appeal for the Simsbury Food Closet pursuant to the Town's Gift Ordinance

Mr. Hensley made a motion to accept a financial donation in the amount of \$1,700 from the Archdiocese of Hartford/Archbishop's Annual Appeal for the Simsbury Food Closet pursuant to the Town's Gift Ordinance. Ms. Wertheimer seconded the motion and it passed unanimously.

#### APPOINTMENTS AND RESIGNATIONS

Mr. Hampton made a motion to accept the resignation of Adam Sharaf (D) as a full member of the Performing Arts Center Board effective October 16, 2010. Ms. Wertheimer seconded the motion and it passed unanimously.

Mr. Hensley made a motion to accept the resignation of Alan Needham (D) as a full member of the Economic Development Commission effective October 1, 2010. Mr. Post seconded the motion and it passed unanimously.

Mr. Hampton made a motion to appoint Gerald Post as a liaison to the Board of Assessment Appeals, Building Code Board of Appeals, Water Pollution Control Authority and Finance Sub-committee. Ms. Wertheimer seconded the motion and it passed unanimously.

#### ACCEPTANCE OF MINUTES

Mr. Hensley made a motion to approve the minutes of the September 27, 2010 Regular Meeting. Mr. Post seconded the motion and it passed unanimously.

Mr. Hampton made a motion to approve the minutes of the October 18, 2010 Special Meeting. Mr. Post seconded the motion and it passed 5-0 (Ms. Wertheimer abstained).

#### SUB- COMMITTEE REPORTS

Mr. Hampton reported that the Tariffville Village Association dedicated their long-awaited gazebo last weekend. He noted that the Community Farm will be hosting an "Autumn Evening on the Farm" on October 29th from 5:00 until 8:30 PM. He also noted that there will be a Special Meeting on November 8th of the Simsbury Farms Complex Committee to discuss the

proposed design for the new main building.

Ms. Heavner reported that the Farmington Valley VNA will be administering seasonal flu and pneumonia vaccines on Tuesday, October 26th from 9:30 to 4:30 and on Thursday, November 4th from 3:00 to 6:00 PM; appointments are necessary and can be made by calling 658-5514. She also noted that a Choices counselor will be available to meet with seniors and other Medicare beneficiaries at the Senior Center on the third Thursday of the month from 10:00 to 12:00. She will provide information and provide assistance necessary to understand your rights and receive benefits that you are entitled to and to make informed choices regarding health insurance. Appointments are necessary and can be made with the Senior Center at 658-3273. Finally, the public schools will be providing VIP passes for seniors 65 and older that will entitle them to attend sporting events at the high school, musical events and chorus concerts. Also, gift certificates to Main Street vendors will be provided to seniors who give 30 hours of volunteer service.

Mr. Hensley reported that, after a 2.5 year effort, the new gateway sign was recently dedicated.

#### EXECUTIVE SESSION

Mr. Hampton made a motion to adjourn to Executive Session at 8:37 PM to discuss police contract negotiations. Mr. Hensley seconded the motion and it passed unanimously.

#### ADJOURNMENT

Respectfully submitted,

Mary A. Glassman, First Selectman