

From: Susan Mazurski January 15, 2009 11:59:39 AM  
Subject: Board of Selectmen Minutes 12/08/2008 APPROVED  
To: SimsburyCT\_SelectMin  
Cc:

TOWN OF SIMSBURY  
BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
DECEMBER 8, 2008

#### 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 Robert Hensley, John Hampton, Michael Long and Richard Hogan. Absent was Moira Wertheimer. Others in attendance included Brandon Robertson, Richard Sawitzke, Hiram Peck, Sarah Floroski, Colleen O'Connor and other interested parties.

#### PUBLIC AUDIENCE

Sue Bednarczyk, 119 East Weatogue Street said she read the newspaper article about the regional meeting today. She said planning means good zoning which means good economic development. She feels that a regional charrette could be a good planning tool. She asked about the status of the charrette. She also asked about the CRCOG funds being attached to a charrette.

Ms. Glassman said they have talked to the State DOT and they are looking for grant funds for a charrette. The Charrette Sub-Committee is still working on ways to lower costs also.

Grace Connors of the Simsbury Main Street Partnership introduced Karen Ginelle the manager of Abigail's Restaurant, which just recently opened after extensive renovations after a fire. Their website is [Abigailsgrill.com](http://Abigailsgrill.com).

Robert Kalechman, 971 Hopmeadow Street asked about the Performing Arts Center's final financial report. He said there was nothing on line to see, just minutes from October 9, 2008, no November minutes.

Mr. Kalechman said the Board of Finance requested that the Parks and

Recreation Commission stop construction of the road at Old Farms as there was no funding for it. He said there was a very tragic incident years ago involving alcohol. He doesn't think that a liquor permit should be given there.

Mr. Kalechman also noted that the Board said they would stop excessive spending, but a new vehicle purchase was approved for Parks and Recreation due to an accident with one of the vehicles. He doesn't think this vehicle is needed.

Mr. Kalechman said there is a new law, House Bill 6502, about comprehensive ethics reform, section 11, about minutes being posted from all committees within 48 hours. He asked why this isn't done for Parks and Recreation.

Ms. Glassman said she will check into the minutes not being posted from Park and Recreation.

Kirsten Griebel, from Simsbury Citizens First, said there will be an opening for an unaffiliated person to join the Board of Ethics as someone is resigning. She will e-mail the Board of Selectman with names of unaffiliated people interested in this position.

#### Reports of the First Selectman

Ms. Glassman said there is a pending application for \$675,000 for the Rails-for-Trails to help pave the bike path.

Ms. Glassman said there was a meeting this morning with towns brainstorming including regionalizing dispatching, equipment services, solid waste and Library services, etc. There will be another meeting on December 18th at 8 a.m. at the Farmington Town Hall.

#### ACTION ITEMS

a. Review, discuss and possibly adopt minutes from the Regular Meeting held on November 24, 2008.

Mr. Hogan made motion: "Resolved, the Board of Selectmen hereby adopts the regular meeting minutes of the meeting held on November 24, 2008. Mr. Hampton seconded the motion. Mr. Long made changes on page 2 and page 3 c. All were in favor with the changes and the motion passed.

b. Review, discuss and possibly authorize First Selectman to execute a contract for consulting services with Concord Square Planning and Development, Inc. for consulting services as specified in connection with the grant the Town has received for work on the Home Connecticut

Legislation.

Ms. Glassman said Home Connecticut allows Towns to look at providing different types of housing in communities with a grant of \$50,000. We were one of the first Towns to receive the grant money. Therefore, the Town has looked for a consultant for this project.

Hiram Peck said they interviewed four consultants, but selected Concord Square as they have worked on different housing in Massachusetts. They are also working on Wallingford legislation. They look at locations and see if they are suitable for different housing. This is just a study, which also includes three public input sessions.

Mr. Peck said that six property owners approached the Town to have their property looked at to see if they could apply for different housing.

Mr. Peck said 80% of units in a development would be market rate units with 20% mixed income units. The property owners need to apply for the development, but the Board makes the final decision.

Mr. Long said he would like to find out what this means to the community as a whole. He asked that someone from Concord Square come and explain exactly what this means and what the success rate would be before making a final decision.

After further discussion, it was decided that Concord Square Planning & Development, Inc. would be invited to discuss this further at a January Board of Selectmen meeting. They will also ask the Planning and Zoning Commissions to attend this meeting.

c. Presentation and possible action regarding report concerning solid waste options prepared by CRCOG Consultant.

Ms. Glassman said when people put their garbage out it has to go somewhere. One of the concerns is that the contract with CRRA expires in 2012 or earlier. There is no plan by the Town or the State on what happens after contract expires at this time.

Mr. Sawitzke gave the Board a written report and said the Metropolitan District Commission runs the transfer stations and its processes. Mr. Long said there is legislation in place where they can move into this process without the need for a new legislation process.

Mr. Sawitzke said the process works very well in most cases right now. There are 70 towns in the CRRA mid-state project, which Simsbury is a part of. CRRA handles about 850,000 tons of waste, including 52,000 of

recyclables. There are several options to this solid waste item that need to be looked in to.

After further discussion, Mr. Long made motion to refer this report and discussion to the Board of Finance and Richard Sawitzke and report back to the Board of Selectmen. Mr. Hampton seconded the motion. All were in favor and the motion passed.

d. Mr. Hampton made motion to amend the agenda to discuss items e and f before d. Mr. Hogan seconded the motion. All were in favor and the motion passed.

e. Review, discuss and possibly accept Whitney Lane (Gillette Farms Subdivision) as a Town Road as recommended by the Planning Commission and Town Engineer/Director of Capital Projects.

Mr. Sawitzke said that Whitney Lane serves 8 homes in the Gillette Farms Sub-division. The street has been completed for quite some time now.

Mr. Long made motion: "Resolved, the Board of Selectmen hereby accepts Whitney Lane, in the Gillette Farms Subdivision as recommended by the Planning Commission and the Town Engineer/Director of Capital Projects. Mr. Hogan seconded the motion. All were in favor and the motion passed.

f. Review, discuss and possibly authorize the First Selectman to submit an application for funding pursuant to the Department of Environmental Protection - "Grant to Municipalities for the Control of Invasive Species" Program and to execute a grant agreement if awarded."

Mr. Sawitzke said invasive species consist of bittersweet and other vines, etc. He said this specific grant is for the Simsbury Farms Facility. It provides funding to remove plants. The grant application is for \$50,000, which the Town would match. Mr. Sawitzke feels this should be done in a timely fashion and would be a good investment at this time.

Mr. Hampton feels the Open Space Committee should also look at this program and come up with a land management program.

Mr. Hampton made motion, "Resolved, that Mary A. Glassman, First Selectman, be, and hereby is, authorized to sign the grant application entitled: "Agreement between the Department of Environmental Protection and the Town of Simsbury for the Grant to Municipalities for the Control of Invasive Plants which utilizes funding through the Connecticut Invasive Plants Council for invasive plant control projects on publicly accessible land and waters." Mr. Hensley seconded the motion. All were in favor and the motion passed.

g. Presentation and possible action regarding response to request for proposals for possible uses at 73 Wolcott Road.

Ms. Glassman said they did advertise for interested farmers for this project. There were several interested parties and the interviews will be held with Open Space Committee members.

A recommendation would be made to the Board on the applicant they feel should be hired.

Mr. Hampton said he attended the annual meeting of the Friends of the Town Farm Dairy last week and they are excited to move forward with the process for the farm and will support the decision of the Board.

h. Review, discuss and possibly take action regarding tax corrections requested and recommended by the Tax Collector.

Mr. Hensley made motion, "Resolved, the Board of Selectmen hereby approves tax refunds, as requested and recommended by the Tax Collector in the amount of \$8,210.13 as presented in a memo dated December 8, 2008. Mr. Long seconded the motion. All were in favor and the motion passed.

#### 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 - Mr. Hampton congratulated the volunteers and leaders of the Simsbury Celebrates event that he attended and said a great time was had by all. He said the farmer's market was also a huge success.

#### APPOINTMENTS AND RESIGNATIONS

Review, discuss and possibly accept the resignation of Kathleen B. Martin from the Board of Ethics.

Mr. Hampton made motion, "Resolved, the Board of Selectmen hereby accepts the resignation of Kathleen B. Martin from the Board of Ethics. Mr. Hogan seconded the motion. All were in favor and the motion passed.

#### FIRST SELECTMAN STATE BUDGET UPDATE

Review status of State Budget and review of Bill No. 1200 entitled "An Act Concerning Various Measures to Provide Relief for Municipalities."

Ms. Glassman said everyone should have received an e-mail about the State Board of Education budget reductions. The State is recommending the education grants be cut by 10%.

Ms. Glassman also spoke about a one time tax amnesty program and different options of the State.

After some discussion, Mr. Hensley made motion to refer this packet to the Board of Finance. Mr. Long seconded the motion. All were in favor and the motion passed.

#### MISCELLANEOUS

Review, discuss and possibly adopt proposed calendar year 2009 Meeting Schedule.

Ms. Glassman noted that when a holiday falls on a Monday meeting day, the date was changed to Wednesday of that week.

Mr. Hogan made motion, "Resolved, the Board of Selectmen hereby adopts the proposed 2009 Board of Selectmen Meeting Schedule as presented in a memo from the First Selectman dated December 1, 2008." Mr. Hampton seconded the motion. All were in favor and the motion passed.

#### LIAISON REPORTS

Mr. Hampton said he and Ms. Glassman attended the Public Hearing of the Public Building Committee and feel it was a very helpful meeting.

#### EXECUTIVE SESSION

- a) Collective Bargaining
- b) Pending Claim/Pending Litigation

Mr. Hensley made motion, "Resolved, the Board of Selectmen hereby adjourns at 9 p.m. to executive session for purposes of discussing collective bargaining and pending claims and pending litigation. Mr. Hampton 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 the Executive Session.

#### ADJOURN FROM EXECUTIVE SESSION

The Executive Session was adjourned at 9:30 p.m. The Board of Selectmen took the following action:

Mr. Long made a motion to settle the tax appeal referred to as Mitchell Auto, Inc. v. Simsbury, HHB-CV-08-4017747-S at a revised value of \$4,265,000 as recommended by the presiding Judge. Mr. Hampton seconded the motion and all were in favor.

Mr. Long made a motion to settle the tax appeal referred to as Udolf Enterprises, LLC v. Simsbury, HHB-CV-4017935-S at a revised value of \$2,660,000 as recommended by the presiding Judge. Mr. Hensley seconded the motion and all were in favor.

ADJOURN

Mrs. Glassman requested a motion to adjourn at 9:35 p.m. the motion was unanimously adopted and the meeting was adjourned.

Respectfully Submitted:

Mary A. Glassman  
First Selectman