

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – AUGUST 12, 2013**

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 7:10 p.m. in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectman Mary Glassman; Board members Sean Askham, Shannon Knall, Lisa Heavner, Moira Wertheimer and Nancy Haase. Others in attendance included Tom Cooke, Tom Roy, Mary Ann Harris, Sean Kimball, Hiram Peck, Richard Sawitzke, Colleen O'Connor and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood as the Pledge of Allegiance was led by Eagle Scout Ryan Weathers.

Ms. Glassman asked for a moment of silence for the loss of Jewel Gutman. She was chairperson of the Board of Education, School Finance Commission, Board of Ethics and many other Committees and Commissions. She was a very important part of the community and will be deeply missed.

PUBLIC AUDIENCE

Joan Coe, 26 Whitcomb Drive, said she received a letter from Attorney DeCrescenzo explaining why the Board of Selectmen had chosen to give several politically connected people first on the agenda instead of public audience. She said the taxpayers should be first on the agenda and wondered if the Town is in contempt of court.

Ms. Coe asked if the Community Farm can be merged with Gifts of Love in Avon or if this is against the Eno trust.

Ms. Coe said there was a problem at the Performing Arts Center with a former P.O.W. who wanted to sit outside the perimeter of the concert. He was told this was not allowed without a ticket. She wants to know why Simsbury is so restrictive as other Towns hold free concerts. Ms. Coe said the Emily Lou Harris concerts sales were lacking and therefore prices were reduced. She said this venue is not Tanglewood and feels it needs to be re-evaluated for better direction. She wants to know why the Hartford Symphony concerts are being renewed.

Ms. Coe said there was an illegal trailer and banner in the parking lot where the bike sculpture is. She asked why certain people never have to go through the Zoning process and never get held accountable for their violations.

Ms. Coe said the Department of Health said the Ethel Walker School is in non-compliance for asbestos.

Ms. Coe said Ms. Haase and Ms. Glassman are running against each other for the next term. This should be proof that a professional manger is needed in Simsbury as she feels the residents lose with

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either candidate.

Robert Kalechman, 971 Hopmeadow Street, also gave his condolences for the loss of Jewel Gutman.

Mr. Kalechman thanked the First Selectman for her courtesy and thankfulness to the Veterans of the Korean War. He said the Armistice was signed on the 27th of July including the Korean conflict. This is usually referred to "the forgotten war".

Mr. Kalechman said he saw a program on the hearing of the Zoning Board regarding horses and stables. He felt this was a mob not a hearing. He was very concerned about this and feels residents were offended by it.

Mark Sullivan, 52 East Weatogue, said he was responsible for "the mob". He had spoken to the Town before this meeting, but did feel he needed legal assistance to craft a moratorium. He said there are hobby farms and then there are horse farms. They are very different. He would just like Zoning regulations for horse farms vs. acres vs. number of houses.

Dan Crowley, said the Farmington Valley Times quoted and labeled him as a security risk. He said he would wear an ankle bracelet if the Town thought he was such a risk. He said this article said that Town owned property, owned by the people, should have massive fencing. He seems to want to block the flow of sound from the Performing Arts Concerts. This would be very expensive to do. He also asked for more guards.

Mr. Crowley said the Town has a precious asset called the Farmington Valley Orchestra. They are just wonderful musicians, who are just as good as or better than The Hartford Symphony. The Town should give full endorsement of their own. There is no charge to hear them at The Meadows and everyone loves them. They do lack massive speakers and maybe some fund-raising could be done for them so they can perform at the Performing Arts Center. Then there wouldn't have to be a charge for listening to music.

John Luckner, 88 Blue Ridge Drive, said the Public Hearing on July 30th on the proposed Big Y was closed in record time of one hour. All of his comments are attached. He concluded that the Big Y is the wrong development for Simsbury.

Sue Bednarcyk, 119 East Weatogue Street, spoke again about Land Use. She said her neighbor is putting in an addition and found out that their wetland moved. How does a wetland move 40 yards? This needs to be looked in to. She said there is still a drainage issue in her neighborhood which the Town needs to take care of.

Ms. Bednarcyk said she is also against the proposed Big Y. She asked the Board to either table or vote down this proposal and look further into what is best for the Town.

Mr. Crowley said he doesn't want the Senior Center built on the corner of Stratton and Bushy due to the aquifer and great trees.

PRESENTATION

• Korean War Armistice Proclamation

Ms. Glassman thanked all Veterans for their services. Mr. Askham read the following Proclamation:

“ WHEREAS, Simsbury is extremely proud of its veterans and all the men and women who have served for our protection; and

WHEREAS, The Korean War should no longer be known as the “Forgotten War”; and

WHEREAS, The Town of Simsbury wishes to honor and remember the brave women and men who made the ultimate sacrifice for their country and the freedom from tyranny for those abroad; and;

WHEREAS, The Korean War resulted in 33,686 American deaths, 103,234 wounded American Service people, 4,759 Americans Missing In Action, and 7,140 American Prisoners of War; and

WHEREAS, The Korean Armistice Agreement was signed on July 27, 1953 by U.S. Army Lieutenant General William Harrison, Jr. and North Korean General Nam Il and created an immediate and complete cease-fire, and created the Korean Demilitarized Zone (DMZ) which was created to serve as a buffer zone between North and South Korea; and

WHEREAS, The United States is honoring Korean War Veterans on the 60th Anniversary of the Armistice.

NOW, THEREFORE, LET IT BE KNOWN, that I, Mary A. Glassman, First Selectman of the Town of Simsbury, do hereby proclaim Saturday, the Twenty-Seventh of July, Two-thousand and Thirteen as

KOREAN WAR ARMISTICE DAY

•Government Finance Officers Association Certificate of Achievement Award

Ms. Glassman said the Town received a Government Finance Officers Association Certificate of Achievement Award. She congratulated the Finance Director and Finance Dept. staff for all their hard work.

• Update on Northeast Utilities Substation

Ms. Glassman said the first half of the project is scheduled for the first half of 2014. This substation will be double in size and will cost about 7-10 million dollars.

FIRST SELECTMAN'S REPORT - UConn Water Diversion Update

Ms. Glassman thanked the Board for their support in opposition of the UConn Water Diversion. She thanked all who spoke at the Public Hearing on this issue. There is a meeting on Thursday morning to discuss further action and water plans.

Ms. Glassman reminded Simsbury residents to mark their calendars for Septemberfest on September 6 – 8th; the Arts and Crafts Festival on September 14-15; and the Grange Agricultural Fair on September 14th.

Ms. Glassman noted that Simsbury has once again made Money Magazine's top 50 Best Places to Live. Simsbury made a 50th ranking on the 2013 list. Congratulations!

SELECTMEN ACTION

a) Approve the proposed Amendments to Simsbury Code of Ordinances, Chapter 133 concerning the Storage, Collection and Disposal of Recyclable Materials

Ms. Haase made a motion to approve the proposed Amendments to Simsbury Code of Ordinances, Chapter 133, Article II, Storage, Collection and Disposal of Recyclable Materials. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

b) Approve Eagle Scout Project for Ryan Weathers

Ms. Wertheimer made a motion to approve the Eagle Scout Project as presented by Ryan Weathers. Ms. Heavner seconded the motion. All were in favor and the motion passed.

c) Accept a Grant from the Capital Area Substance Abuse Council (CASAC) for a Simsbury Suicide Prevention Initiative

Ms. Heavner made a motion to accept a grant from the Capital Area Substance Abuse Council (CASAC) for a Suicide Prevention Initiative for the Town of Simsbury. Ms. Knall seconded the motion. All were in favor and the motion passed.

d) Approve Tax Refunds

Mr. Askham made a motion to approve tax refunds in the amount of \$66,100.04 as requested and approved by the Tax Collector. Ms. Haase seconded the motion. All were in favor and the motion passed.

e) Approve a resolution allowing Simsbury to enter into an interlocal agreement with the Houston Galveston Area Council (HGAC) for the purpose of procuring goods from its bid list

Ms. Haase made a motion to approve the attached resolution allowing Simsbury to enter into an interlocal agreement with the Houston Galveston Area Council (HGAC) for the purpose of procuring goods from its bid list. Mr. Askham seconded the motion. All were in favor and the motion passed.

f) Action on fee changes for certain items, as requested by Paine's, Inc., for the Simsbury Transfer Station facility

Ms. Heavner made a motion to take no action on this item, at this time, as the contract is close to the expiration date. Ms. Knall seconded the motion. All were in favor and the motion passed.

g) Approve the First Selectman to sign an easement to allow the development of the Big Y market to proceed

Mr. Askham made a motion to allow the First Selectman to sign the easement referred to in the attached letter to allow the development of the Big Y to proceed upon the recommendation of and subject to final approval of Town Counsel. Ms. Knall seconded the motion. All were in favor and the motion passed.

h) Approval of contract for The Hartford consultants

Ms. Heavner recused herself from this item. Mr. Askham made a motion to agree to allow the First Selectman to sign the contract with Gateway Planning for The Hartford land use study subject to final review and recommendation of Town Counsel. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

Ms. Heavner rejoined the meeting.

I) Approve the request of the Trinity Episcopal Church to hold a picnic on the Tariffville Green

Ms. Heavner made a motion to approve the use of the Tariffville Green on Main Street, Tariffville for the youth and family community picnic on Sunday, September 8, 2013 from the hours of 10:00 a.m to 2:00 p.m. after obtaining the necessary Public Gathering Permits. Ms. Haase seconded the motion. All were in favor and the motion passed.

j) Approve new fee schedule for the Simsbury Farms Ice Skating Rink as recommended by the Culture, Parks and Recreation Commission on July 25, 2013

Mr. Askham made a motion to approve the attached fee schedule for the Simsbury Farms Ice Skating Rink as recommended by Culture, Parks and Recreation Commission at their July 25th meeting. Ms. Knall seconded the motion. All were in favor and the motion passed.

k) Approve a transfer of \$200,000 from the Board of Finance Reserve Fund to increase the Fund Balance in the Town of Simsbury Pension Funds

Ms. Heavner made a motion to approve a transfer of \$200,000 from the Board of Finance reserve fund to increase the Fund Balance in the Town of Simsbury Pension Funds. There needs to be a time-frame in

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place to go through the Pension Fund Committee in the future. Mr. Askham seconded the motion. All were in favor and the motion passed.

l) Supplemental Year End Transfers

Mr. Askham made a motion to approve the supplemental year end transfers as presented. Ms. Haase seconded the motion. All were in favor and the motion passed.

m) Approve expansion of Pension Sub-committee Duties

Ms. Haase recused herself. Mr. Askham made a motion to expand the role of the Pension Sub-committee to include oversight of the investment offerings in the Town of Simsbury's existing 457 Plan and its new 401(a) Defined Contribution Plan

Ms. Haase rejoined the meeting.

n) Approve the Naming Rights Policy

Ms. Haase made a motion to approve the attached Naming Rights Policy which has been revised to include the Board of Selectmen's comments and suggestions from its consideration of the previous draft. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

o) Consideration of request from Charles Houlihan to waive land use fees

Mr. Askham made a motion to refer this item to the Zoning Commission for consideration and then have the issue come back to the Board of Selectmen with their recommendation for Board approval. Ms. Haase seconded the motion. All were in favor and the motion passed.

OTHER BUSINESS

a) Household Hazardous Waste Collection Event to be held on Saturday, August 17th at the Public Works Garage on Town Forest Road from 8:00 a.m. to 12 Noon

Ms. Glassman reminded everyone that Household Hazardous Waste Collection Day is Saturday, August 17th from 8 - 12 noon at the Public Works Garage on Town Forest Road. This is only open to Simsbury residents.

b) Announcement of a distribution from CIRMA of Member's Equity in the amount of \$6,738.00

Ms. Glassman said the Town received a distribution check in the amount of \$6,738.00 from CIRMA.

This is a very strong program.

c) Update on Senior Center and next steps

Ms. Glassman said Mr. Sawitzke will give everyone an update on the Senior Center project. There is no voting on this issue tonight.

Mr. Sawitzke said he is on schedule, which was set in July, with comments and concerns from that meeting. Hopefully there will be a decision in September in location and/or updates on the Senior Center.

Mr. Sawitzke went through different questions that were asked at the July meeting. He said there are some 975 unduplicated user members of the Senior Center. There are about 144 people per day involved in different activities.

Mr. Sawitzke said there were a lot of questions on parking, aquifer and wetland considerations, and operation costs. There was also some interest in using the PAC site for some activities and moving SCTV out of Eno Hall. He gave five possible phases of this project. He said he proposes that the new entry/drop off area be presented to the State Historic Preservation Office and the Simsbury Design Review Board. The historic integrity of the Eno building as well as the functional requirements need to be balanced.

Mr. Sawitzke said both a new site and an Eno or Eno/PAC proposal all have merit. He said in short term, a phased construction program appears to be able to meet current needs and cost constraints to Eno Memorial Hall. Whatever site selection is made, the next step would be to request Design Development plan funding.

Ms. Glassman thanked Mr. Sawitzke and his staff for all their hard work. The staff feels a new kitchen is definitely needed at Eno Hall.

APPOINTMENTS AND RESIGNATIONS

a) Accept the resignation of David Freitas as a regular member of the Historic District Commission effective July 5, 2013

Ms. Heavner made a motion to accept the resignation of David Freitas as a regular member of the Historic District Commission effective July 5, 2013 with thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

b) Accept the resignation of Kenneth Feder as a regular member of the Historic District Commission effective July 20, 2013

Ms. Wertheimer made a motion to accept the resignation of Kenneth Feder as a regular member of the Historic District Commission effective July 20, 2013 with thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

c) Accept the resignation of Derek Peterson as a regular member of the Economic Development Commission effective July 22, 2013

Ms. Wertheimer made a motion to accept the resignation of Derek Peterson as a regular member of the Economic Development Commission effective July 22, 2013 with thanks. Ms. Haase seconded the motion. All were in favor and the motion passed.

d) Approve the appointment of Gary Dombush as a regular member of the Economic Development Commission effective immediately

Ms. Wertheimer made a motion to approve the appointment of Gary Dombush as a regular member of the Economic Development Commission effective immediately. Ms. Haase seconded the motion. All were in favor and the motion passed.

ACCEPTANCE OF MINUTES

a) Regular Meeting July 8, 2013

Mr. Askham made a motion to approve the Regular Meeting minutes of July 8, 2013. Ms. Knall seconded the motion. All were in favor, with Ms. Haase abstaining, and the motion passed.

SELECTMAN LIAISON AND SUB-COMMITTEE REPORTS

1. Personnel -

Ms. Glassman thanked the staff and employees for settling the final two contracts. This completes all of the contracts being settled.

a) Job Descriptions and Unaffiliated Compensation FY 2014

Ms. Wertheimer made a motion to approve the creation of a part-time Tax Collector as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

Ms. Wertheimer made a motion to approve the Water Pollution Control Authority Supervisor updated job description. Ms. Haase seconded the motion. All were in favor and the motion passed.

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Ms. Wertheimer made a motion to approve the revised Head of Adult Services at the Library as presented. Ms. Knall seconded the motion. All were in favor and the motion passed.

Ms. Wertheimer made a motion to approve the job description for the Code Compliance Officer as presented. Ms. Haase seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to authorize the revision of job descriptions proposed based on the transfer of duties. Ms. Knall seconded the motion. All were in favor and the motion passed.

Ms. Wertheimer made a motion to approve the merit system as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion that the Personnel Sub-Committee and the full Board of Selectmen approve the proposed guidelines for determination of full-time unaffiliated employee compensation for FY 2014 and the proposed terms and conditions for full-time unaffiliated employees hired after August 12, 2013. Ms. Knall seconded the motion. All were in favor and the motion passed.

Ms. Wertheimer made a motion to approve an RFP for a consultant to look at the responsibilities and salaries of the First Selectman's office before the next term of the First Selectman subject to final approval of the Board of Selectmen. Mr. Askham seconded the motion. All were in favor and the motion passed.

b) Approve the tentative agreement for a contract with AFSCME Local 2945 of Council 4, AFL-CIO ("AFSCME") for a period covering July 1, 2011 to June 30, 2016 and authorize the First Selectman to execute the agreement as modified

Ms. Heavner made a motion to approve the tentative agreement for a contract with AFSCME Local 2945 of Council 4, AFL-CIO ("AFSCME") for a period covering July 1, 2011 to June 30, 2016 and authorize the First Selectman to execute agreement as modified. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

c) Approve the tentative agreement for a contract with UE Local 222, CILU/CIPU Local #41 (the Dispatchers Union) for a period covering July 1, 2011 to June 30, 2016 and authorize the First Selectman to execute the agreement as modified

Mr. Askham made a motion to approve the tentative agreement for a contract with UE Local 222, CILU/CIPU Local #41 (the Dispatchers Union) for a period covering July 1, 2011 to June 30, 2016 and authorize the First Selectman to execute the agreement as modified. Ms. Knall seconded the motion. All were in favor and the motion passed.

ADJOURN

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Mr. Askham made a motion to adjourn at 10:22 p.m. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio, Clerk