

Town of Simsbury

DRAFT

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TOWN OF SIMSBURY - BOARD OF SELECTMEN MINUTES REGULAR MEETING DRAFT MINUTES - MARCH 11, 2013

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 7:06PM, Monday, March 11, 2013, in the Main Meeting Room of the Simsbury Town Offices. Present were: First Selectmen Mary Glassman; Board Members: Lisa Heavner, Nancy Haase, Moira Wertheimer, Shannon Knall and Sean Askham. Others in attendance included: Sean Kimball; Deputy Director of Administrative Services, Robert DeCrescenzo; Town Attorney, Hiram Peck; Town Planner Gerry Toner; Director of Culture, Parks and Recreation, Jim Clifton; WPC Superintendent, Ed LaMontagne; Executive Director at Simsbury Housing Authority and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

Joan Coe, 26 Whitcomb Drive, reported concern regarding issues at Henry James School. She outlined the concerns she has within the school including issues of sanitation, maintenance, teacher training and technology, among others. Ms. Coe said she hopes with a new superintendent, the issues will be corrected. She then spoke about the advertising for a Community Farm Educator at the Simsbury Community Farm and said the skills were not serious requirements. She then said the Simsbury truck should not be donated to the Community Farm. She then spoke about the Eno Farms Affordable Housing complex and its litigation issues and a light post that needs to be fixed. Ms. Coe then said seniors do not get reduced fees for paddle, as they do for golf and swimming. She then moved onto the topic of the loss of insurance jobs in the area and the potential effects on Simsbury and how that relates to the budget. She concluded speaking about hazmat materials/environmental issues regarding Dewey and Hall Farms.

Robert Kalechman, 971 Hopmeadow Street, addressed the Board regarding the Town Charter, Section 411, saying no Selectmen should give orders to any administrative officer of the Town. Then he spoke about the Governor's actions regarding gun control saying it goes against the Connecticut Constitution. In closing, he spoke about Congresswoman Esty's recent meeting, saying the Simsbury taxpayers shouldn't pay for her to come here to use the Town Hall.

Sue Bednarczyk, 119 East Weatogue Street, came to the meeting to let the Board know there is no volume on the SCTV broadcast.

Ms. Glassman called for a short break in order to address SCTV this issue.

PRESENTATION

Jim Clifton Award

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Ms. Glassman announced Jim Clifton's awarding of the William Hatfield Award. Ms. Glassman read some of Mr. Clifton's many professional accomplishments. She congratulated Mr. Clifton on behalf of the Town of Simsbury for this prestigious award. Mr. Clifton spoke briefly about his tenure with Simsbury.

Proclamation - Fair Housing Month - April

Ms. Glassman introduced Ed LaMontagne, Executive Director at Simsbury Housing Authority and Ms. Knall read the following proclamation:

WHEREAS, the year 2013 marks the 45th Anniversary of the passage of the Federal Fair Housing act; Title VIII of the Civil Rights Act of 1968, as amended; and

WHEREAS, this law guarantees that housing throughout the United States should be made available to all citizens without regard to race, color, religion, sex, family status, disability or national origin; and

WHEREAS, equality of opportunity for all is a fundamental policy of this nation, state and city, and

WHEREAS, barriers which diminish the rights and limit the options of any citizen will ultimately diminish the rights of all citizens;

WHEREAS, the cooperation, commitment and support of all residents of the Town of Simsbury is necessary to removing barriers to the enjoyment of living where one chooses within one's means.

NOW THEREFORE, I MARY A. GLASSMAN, FIRST SELECTMAN of the Town of Simsbury do hereby Proclaim the month of April 2013 as

FAIR HOUSING MONTH

And request and encourage every citizen and business of our community to support and endorse Fair Housing; to reaffirm their commitment to Fair Housing for all, and wholeheartedly recognize these rights and responsibilities throughout the year.

IN WITNESS WHEREOF, I have placed my seal and the great seal of the Town of Simsbury.

Dated the 11th day of March, 2013.

Town Counsel presentation on Section 411 of the Town Code

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Attorney Decrescenzo spoke about Section 411 of the Town Code, saying it defines the powers and duties of the Board of Selectmen. He then provided an overview of Section 411. Attorney Decrescenzo said he has never run into any instance when the work of the administrative staff was interfered with by an issue/complaint.

FIRST SELECTMEN'S REPORT

Ms. Glassman noted that tax assistance is available for Simsbury seniors at Simsbury Public Library and appointments are now being scheduled. She thanked the volunteers helping with this important free service. Ms. Glassman then said tonight the Board will be assigning a task force regarding the sale/marketing of The Hartford property. Ms. Glassman then announced the sale of \$5MM in bonds at a record low interest rate of 1.299%. She said it will save Simsbury \$377,425 in interest costs over the life of the issue. She noted the Town's AAA rating certainly helped obtain this favorable rate. Ms. Glassman then noted that the 2013 Neighborhood Assistance Act Tax Credit Program applications are now available. The information is available on Simsbury's town web site and at www.ct.gov/drs.

Ms. Wertheimer made a motion to amend the agenda in order to address Dorset Crossing Land Exchange Agreement (Item j) after Approve tax refunds (Item a). Ms. Heavner seconded the motion. All were in favor and the motion passed.

SELECTMEN ACTION

a) Approve tax refunds

Mr. Askham made a motion to approve the tax refunds in the amount of \$1,664.74. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

j) Dorsett Crossing Land Exchange Agreement

Ms. Glassman described the history of this land exchange agreement and handed the discussion over to Attorney DeCrescenzo to explain further details. Attorney DeCrescenzo distributed a map outlining the site's separate parcels. He then described the 4 Acre site that is the current location of the CL&P substation and noted CL&P has an easement over the entire 4 acres. He said the plan was always to allow CL&P to expand its substation at that location. However, he continued, it was recognized that the road of Dorset Crossing should go through that site. He then described the original plan of land exchange and then spoke about why the Town is now incapable of conveying clear title on that parcel due to an existing reverter clause within the deed. DOT let Attorney DeCrescenzo know that State Regulations do not allowed for the release of the reverter. Attorney DeCrescenzo referenced a letter to Mary Glassman, dated March 11, 2013, describing the solution and outcome. Attorney DeCrescenzo gave further details of the solution, which is outlined in the previously referenced letter. He then stated that all documents will be reviewed and approved by the DOT before anything is signed.

Ms. Glassman provided some further details regarding the background on this topic. Attorney DeCrescenzo described some of the other concessions Dorsett Crossing has made in order to make this all possible, including revising its site plan to move a building.

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Ms. Heavner asked if that site plan revision has already gone through Land Use for approval and Mr. Peck said it has not come through yet, but the Board can still move on this item prior to that happening. Ms. Wertheimer asked if Dorset will be able to accomplish what they want while making this change and Attorney DeCrescenzo said yes and described the revised configuration of buildings.

Attorney DeCrescenzo submitted the actual agreement into record.

Ms. Wertheimer made a motion to finalize and execute the substation easement agreement (attached to the motion), as defined by Town Counsel, which includes, (a) approve the revised agreement; (b) approve the modifications to the to the existing CL&P easement over Area 2A and Area 2B (to allow the construction of the road and public parking lot); (c) approve the grant of the easement to CL&P over Area 3 (to allow the substation expansion); and (d) authorize the First Selectmen to execute documents. Mr. Askham seconded to the motion. All were in favor and the motion passed.

Mr. Askham made a motion to amend the agenda in order to address Authorization of the Application for National Recreation Trails Program (Item i) prior to Action on Proposed Aquarion Water Company Rate Increase (Item b). Ms. Haase seconded the motion. All were in favor and the motion passed.

i) Authorize application for National Recreation Trails Program

Ms. Glassman spoke briefly about this DEP Grant under the Recreational Trails Program. Mr. Peck presented a schematic plan illustrating the Baker property. He said he would like to apply for the Grant in order to create a trail path on the property which can also be used for environmental studies and wildlife viewing. Ms. Heavner noted that this comes right out of the Charrette and she thanked Mr. Peck for presenting this opportunity. Mr. Peck described potentially two phases of this, the trails being the first phase and a study for phase B. Ms. Glassman suggested getting input from the other commissions (Wetlands, Planning, etc.) Mr. Peck confirmed there is no cost to the Town, other than staff hours, as the Town has some preliminary plans already composed.

Ms. Heavner made a motion to authorize the application for the National Recreation Trails Program Grant. Ms. Haase seconded the motion. All were in favor and the motion passed.

b) Action on proposed Aquarion Water Company rate increase

Ms. Glassman asked Ms. Heavner to take the Chair for this item, as she recused herself due to a conflict. Ms. Wertheimer also recused herself from participating on this agenda item due to a conflict.

Ms. Heavner referenced the letter from Charles Firlotte, President and CEO, Aquarion Water Company of Connecticut, dated February 26, 2013, to Mary Glassman. This letter was regarding a proposed increase in water service rates. Ms. Heavner referenced the stated 16.8% rate increase and then the second and third years having an increase of approximately 2%. It was consensus of the Board members that they will write a letter objecting to the 16.8% increase and request

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further information. Ms. Heavner said the letter will be drafted tomorrow and will object to the large increase, ask for further details on the increases and also contain the questions of (1) what has Aquarion spent on Simsbury's infrastructure and (2) what caused the 16.8% increase at this point?

At this point, Ms. Glassman and Ms. Wertheimer rejoined the meeting.

c) Presentation and submission of an application for the HEARTSafe Program

Ms. Glassman said Karen Stewart has volunteered to help Simsbury file its HEARTSafe Designation application. Ms. Glassman thanked Ms. Stewart for everything she has done on this issue and then spoke about the benefits of being a part of this program. Ms. Heavner recognized Sandy Regusa who introduced this idea many years ago. The importance of rapid response and automated external defibrillators (AED) was discussed. Ms. Stewart spoke about the public CPR training they plan to do within the community. She then spoke about the Volunteer EMS program and further about CPR and HEARTSafe. Ms. Stewart said they will list a CPR training schedule on their website so people know when to come through.

Ms. Heavner made a motion to authorize the application for the HEARTSafe Program. Mr. Askham seconded the motion. All were in favor and the motion passed.

d) Approve a request by the Hartford Marathon Foundation to use the Performing Arts Center and surrounding grounds for its annual Iron Horse Half Marathon on June 2, 2013

Gerry Toner was present in order to answer any questions. Mr. Toner said this has been run for many years in a row with the Town and with the same route. Ms. Glassman said the payment fee for that event is \$4,000 which is good revenue generator.

Mr. Askham made a motion to approve a request by the Hartford Marathon Foundation to use the Performing Arts Center and surrounding grounds for its annual Iron Horse Half Marathon on June 2, 2013. Ms. Haase seconded the motion. All were in favor and the motion passed.

e) Approve a request by the Fidelco Guide Dog Foundation to use the Performing Arts Center and surrounding grounds for its annual fundraising walk and family fun day on September 29, 2013

Ms. Glassman noted this event also generates a license fee of \$3,000 and it has experienced no issues with previous events and is for a good cause.

Ms. Wertheimer made a motion to approve a request by the Fidelco Guide Dog Foundation to use the Performing Arts Center and surrounding grounds for its annual fundraising walk and family fun day on September 29, 2013. Ms. Knall seconded the motion. All were in favor and the motion passed.

f) Accept donations to Simsbury Celebrates for \$2,000 each from Ensign-Bickford Industries, Inc., Big Y and Le Bel Esprit Spa

Ms. Haase recused herself from this item.

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Ms. Wertheimer made a motion to accept donations to Simsbury Celebrates for \$2,000 each from Ensign-Bickford Industries, Inc., Big Y and Le Bel Esprit Spa. Ms. Heavner seconded the motion. All were in favor and the motion passed with 1 abstention (Ms. Haase abstained from the vote).

g) Approve the disposition of a 1997 Ford F250 pickup truck through a donation to the Community Farm for off road maintenance of their property

Ms. Glassman gave some background on this item, saying the Community Farm asked for any assistance with acquiring equipment and Mr. Toner identified a truck with no value to the town, as it could no longer be driven on the roads. The Farm expressed interest in using the truck and Mr. Toner said it seems to work for all parties.

Ms. Haase made a motion to approve the disposition of a 1997 Ford F250 pickup truck through a donation to the Community Farm for off road maintenance of their property. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

h) Accept a financial donation in the amount of \$55,000 from the Estate of Miriam H. Nichols to the Social Services Department

Ms. Glassman said Ms. Nichols was a long time member of the Senior Center and everyone is extremely grateful for this very generous donation. Ms. Glassman said the Director of Social Services has requested these funds go towards funding the Dial-A-Ride program in order to enhance the program.

Ms. Heavner made a motion to accept a financial donation in the amount of \$55,000 from the Estate of Miriam H. Nichols to the Social Services Department. Ms. Knall seconded the motion. All were in favor and the motion passed.

OTHER BUSINESS

a) Aquarion Water Company Environmental Champion Award

Ms. Glassman said this is open to everyone and carries significant grants as well as a savings bond. She said she wanted to spread the word on this opportunity.

b) Appointment of Task force to work with The Hartford on the sale of the property.

Ms. Heavner removed herself from this conversation.

Ms. Glassman said in February she was informed The Hartford's Simsbury building will be put on the market for sale and they asked for Simsbury's participation in selecting a broker and creating a marketing plan. Ms. Glassman said she would like to select a task force to work with The Hartford. Mr. Peck recommended following the Charrette Subcommittee model of including; 2 Board of Selectmen members and 1 member from the following boards/commissions: Board of Finance, Zoning Commission, Planning Commission, EDC, DRB and Conservation Commission. Ms. Glassman said they will also look for input from Chamber of Commerce and Simsbury Main Street Partnership. It was noted it will be called the Hartford Land Use Study Committee. Ms. Glassman noted that she and Mr. Askham will serve from the

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Board of Selectmen and the chairs of each of the previously referenced boards will be invited to join the task force, or appoint another representative from their respective boards.

Ms. Wertheimer made a motion to appoint The Hartford Land Use Study Committee, comprised of the members outlined this evening, noting this is not a reconvening of the Charrette Subcommittee. Ms. Knall seconded the motion. All were in favor and the motion passed with 1 abstention (Ms. Heavner abstained from the vote).

APPOINTMENTS AND RESIGNATIONS

a) Accept the resignation of Mark Orenstein as an alternate member of the Aging and Disability Commission effective February 21, 2013 and appoint him as a full member of the Aging and Disability Commission effective February 21, 2013

Ms. Haase made a motion to accept the resignation of Mark Orenstein as an alternate member of the Aging and Disability Commission effective February 21, 2013 and appoint him as a full member of the Aging and Disability Commission effective February 21, 2013. Mr. Askham seconded the motion. All were in favor and the motion passed.

b) Appoint Diana Yeisley as an alternate member of the Aging and Disability Commission
Ms. Wertheimer made a motion to appoint Diana Yeisley as an alternate member of the Aging and Disability Commission. Ms. Knall seconded the motion. All were in favor and the motion passed.

ACCEPTANCE OF MINUTES

a) Public Hearings of February 25, 2013

Mr. Askham made a motion to approve the minutes from the Public Hearings of February 25, 2013 as presented. Ms. Wertheimer seconded the motion. All were in favor and the motion passed.

b) Budget Workshop Meeting February 25, 2013

Ms. Wertheimer made a motion to approve the minutes from the Budget Workshop Meeting February 25, 2013 as presented. Ms. Haase seconded the motion. All were in favor and the motion passed.

SELECTMEN LIAISON REPORTS

Personnel - act on Library Director job description

Ms. Heavner said the language related to the Library Director position was updated and it was unanimously voted on by the Library Board.

Ms. Haase made a motion to accept the revised Library Director job description. Mr. Askham seconded the motion. All were in favor and the motion passed.

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Ms. Heavner said the library board members agreed that there was no need to increase the salary range. Ms. Glassman thanked Sue Bullock for her work while Library Director. Ms. Heavner noted they are considering adopting a nepotism policy. Ms. Heavner continued by saying she attended the Special Olympic Opening Ceremony last week. She also said she was contacted by Congresswoman Esty's staff to see if we needed assistance regarding The Hartford's transition.

Ms. Glassman recused herself from the upcoming conversation regarding the Eno Subcommittee.

Ms. Heavner spoke about the delay regarding the sale of Eno Farms. Mr. Askham said we are well positioned to act when the deal is finalized, but any deal will need to be in the best interest for those current residents and the Town of Simsbury. Ms. Heavner said they want to use national accepted standards when determining what is affordable in order to protect those that live there.

ADJOURN

Mr. Askham made a motion to adjourn the Board of Selectmen meeting at 8:38PM. Ms. Haase seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Leslie U. Faraci, Clerk