

Subject to Approval

Town of Southbury
Board of Selectmen
Regular Meeting Minutes
October 5, 2017
Room 205, Southbury Town Hall, 7:00 pm

Present

Jeff Manville, First Selectman
Jennifer Naylor, Selectman
Justin Bette, Selectman
Jason Buchsbaum, Selectman
Mike Rosen, Selectman
George Bertram, Selectman

Also Present

Bill Sarosky, Treasurer
Cindy Harrison, Assistant to the First Selectman
Noreen Thompson, Office Manager
Interested Citizens
Members of the Press

Call to Order

First Selectman Manville called the regular meeting of the Board of Selectmen to order at 7:00 pm in room 205 of the Southbury Town Hall.

Pledge of Allegiance

All joined in reciting the Pledge of Allegiance.

First Selectman Manville called for a moment of silence for Robin Mazerolle, a longtime employee who passed away last week.
A moment of silence was also held for the tragedy in Las Vegas, which occurred this past week.

Public Comment

Ms. Jennifer Tokarczyk of 359 Berkshire Road and Vice Chair of the Southbury Democratic Town Committee read a statement on behalf of the town committee calling for the town to consider an ordinance banning weapons inside of town-owned buildings as well as on town property. (see attached for full statement)

Mr. Richard Boritz of 401A Heritage Village presented a petition calling for a town meeting to remove President Trump. This petition will be presented to the Town Clerk in the morning. (see attached for the petition and proposed resolutions)

Ms. Loretta Booth of 185 Riverhill Road asked that a noise ordinance be considered by the town.

Mr. John Gray of 21 Patriot Road does not support the proposed ordinance prohibiting weapons on town property.

Ms. Michele Barnes of 107 Lum Lot Road spoke against the proposed ordinance prohibiting weapons on town property. As far as impeaching Trump, she suggests that the group proposing this look at the constitution.

Ms. Holly Sullivan of 334 Brown Brook Road respectfully asks that the town not consider the proposed ordinance for the ban of weapons on town property.

Mr. Chuck Jones of 150A Heritage Village spoke of the code of conduct that the Senior Center enacted which does not allow dangerous objects on the property. He spoke in favor of an ordinance banning guns on town property.

Ms. Mary Doherty of 53 Pine Hill Road spoke in favor of the ordinance to ban weapons on town property.

Mr. John Potz of 768 Purchase Brook Road spoke against the proposed ordinance.

Ms. Sharon Wirt of 463B Heritage Village spoke in favor of the proposed ordinance.

Mr. Ray Bevis of Wolcott and former Southbury resident spoke in opposition to the proposed ordinance.

Mr. Dave Whitman of 951 Southford Road spoke against the proposed ordinance.

Ms. Lorraine Marcantonio of 252A Heritage Village spoke in favor of the proposed ordinance.

Mr. Eric Brenn of 1111 Purchase Brook Road spoke against the proposed ordinance.

Ms. Sydney Grimm (sp.?) spoke against the proposed ordinance.

Announcements and Correspondence

All announcements and correspondence are available on the town website.

1. Lord Byron program at Library.
2. Author Diane Meier Book Talk at Library
3. Author Melinda K. Elliott program at Library
4. Ancestors Road Show at Library
5. Vivaldi program at Library
6. IPOC minutes

Consent Agenda

Selectman Bertram moved to approve the consent agenda, Selectman Rosen seconded, and all were in favor. Motion carries.

1. Resignations/Appointments

RESOLVED, that the Southbury Board of Selectmen hereby accepts the retirement of Barry W. Rickert as Fire Marshal, within the next 30 days.

RESOLVED, that the Southbury Board of Selectmen hereby accepts the resignation of Charles H. Jones as a member of the Senior Services Commission, effective immediately.

RESOLVED, that the Southbury Board of Selectmen, upon the recommendation of the Head Librarian and Interview Committee hereby approves hiring the following:

Christine Murphy of Beacon Falls for the position of part time Library Assistant for 18.5 hours per week, effective October 6, 2017.

Sarah Rogers of New Haven for the position of part time Library Assistant for 30 hours per pay period, effective October 6, 2017.

Valerie Annis of Brookfield for the position of substitute reference librarian on a per diem basis, effective October 6, 2017.

2. Refunds

RESOLVED, that the Southbury Board of Selectmen, upon the recommendation of the Tax Collector and in accordance with State Statute 12-129, hereby approves the refunds for a total amount of **\$8,904,24.**

3. Referral from Land Use

a. donation of property

RESOLVED, that the Southbury Board of Selectmen, upon the recommendation of the Planning Commission, hereby accepts the donation of property from Linda Masterson, Executrix on behalf of the Estate of Beverly Allen, as described on Map 20B, Block 29, Lots 39 & 40, in lieu of back taxes.

4. Job Descriptions

a. Tax Collector

See attached.

b. Assistant Tax Collector

See attached.

5. Disbursement from P & R fund

See attached.

6. Driveway bond release

RESOLVED, that the Southbury Board of Selectmen, upon the recommendation of the Driveway Inspector, hereby releases the following Driveway bonds in the amount of **\$1,500:**

PRINCIPAL: Gregory Ecsedy
PROPERTY: 81 Sterling Ridge
(Town File 12-20)

Minutes

1. September 14, 2017 regular meeting

Selectman Naylor moved to approve the minutes as presented, Selectman Buchsbaum seconded, and all were in favor. (Selectman Rosen abstained due to absence) Motion carries.

Bids and Procurement

1. Kubota Utility Vehicle

Selectman Buchsbaum moved, Selectman Bertram seconded the motion relating to the purchase of a Kubota.

Selectman Buchsbaum asked whether the town is looking at freezing expenditures in light of the State budget crisis and the unknown impact it will have on the town. Mr. Sarosky explained that the town is in good shape from a cash flow perspective until April. First Selectman Manville stated that at this time the town is not filling open positions in order to conserve on expenditures. Consideration is being given to bonding, especially for the road program. The Kubota is expected to save on labor costs. Selectman Buchsbaum asked about our obligation to the schools, are we able to meet our obligations? Mr. Sarosky explained yes, we are able to meet the payments at least until April. Selectman Rosen stated that all expenses should be looked at prior to expended. Only "needs" should be considered and the "wants" should be deferred. Mr. Sarosky explained that both he and the First Selectman look at each expenditure carefully prior to spending. Selectman Naylor suggests that the town look "outside the box" to save money

First Selectman Manville called the vote and it is unanimously RESOLVED, that the Board of Selectmen, upon the recommendation of the Director of Public Works, hereby awards the bid for the purchase of a Kubota TRV-X1100 utility vehicle with attachments to Ruwet-Sibley Corp. of Torrington at a total net cost of \$24,833.66 (State Bid Pricing Contract #13PSX0321). Motion carries.

2. Pool Lining System

Selectman Naylor moved, Selectman Rosen seconded, and it is unanimously RESOLVED, that the Board of Selectmen, upon the recommendation of the Director of Director of Parks and Recreation, hereby awards the bid for the installation of a PVC Membrane Pool Lining System at the Southbury Town Pool to Aquatic Renovation Systems, Inc. in the amount of \$72,216. Motion carries.

Selectman Rosen moved to add, under new business, discussion of a potential ordinance to ban weapons on town property, Selectman Naylor seconded, and all were in favor. Motion carries.

New Business

1. IPOC Recommendations

Selectman Bette explained that IPOC has been working on a revised policy statement as well as changes to the menu of options, in order to clarify and simplify the choices to the users. There were no questions. Selectman Rosen thanked the members for all of their work on this.

a. Investment Policy Statement

Selectman Bette moved, Selectman Naylor seconded and it is unanimously RESOLVED, that the Southbury Board of Selectmen hereby concurs and approves the recommendation of the Investment Portfolio Oversight Committee to adopt the Investment Policy Statement as attached. Motion carries.

b. FIA Investment Menu

Selectman Bette moved, Selectman Rosen seconded and it is unanimously RESOLVED, that the Southbury Board of Selectmen hereby concurs and approves the recommendation of the Investment Portfolio Oversight Committee to adopt the changes in the proposed FIA Investment Menu for the defined contribution and deferred compensation plans, as attached. Motion carries.

c. Fees for participants

First Selectman explained that IPOC is recommending that the town pick up the cost of the fee associated with the defined contribution plan as shown in the resolution below.

Selectman Naylor moved, Selectman Rosen seconded and it is unanimously RESOLVED, that the Southbury Board of Selectmen hereby concurs and approves the recommendation of the Investment Portfolio Oversight Committee to pay the fees for the town matching contribution of the defined contribution plan and that this will be reviewed annually by IPOC. Motion carries.

2. Purchase of property – Gasso

Selectman Bette moved, Selectman Rosen seconded and it is RESOLVED by a vote of 5 in favor and 1 abstention that the Southbury Board of Selectmen, upon the recommendation of the Planning Commission and in accordance with Section 8-24 of the Connecticut General Statutes, hereby approves the request of Mark Gasso to purchase town owned property as shown on Map 19A, Block 49, Lots 23 & 46, and Lots 35 – 45, subject to the following:

1. That the deed of conveyance be acceptable to the Town Attorney and contains the notation that these lots become part of the buyer's current property as a whole and remains as one parcel, without consideration of subdivision at any time;

2. That the purchase price for these lots is the assessed value; and

3. That the buyer is responsible for any and all fees associated with the sale of this property.

Motion carries. (Selectman Naylor abstained for material reasons)

3. Discussion on potential ordinance banning weapons on town property. Selectman Rosen would like to explore an ordinance banning weapons on town property. The job of the Selectmen is to listen and fuel these conversations. In his opinion this is worthy of conversation and a town meeting. He asks that the board requests that the First Selectman to explore the legal viability of this proposed ordinance. He would like a resolution to this effect. Selectman Naylor does not feel a resolution is needed to make this happen. Selectman Buchsbaum thanked the crowd for coming this evening. He would like this researched and discussed prior to the next meeting. Perhaps speaking with the Resident Trooper would be a good next step.

Selectman Bette would be very interested in hearing from the Resident State Trooper, Brian Van Ness.

Selectman Bertram agreed that speaking with the Resident Trooper is a necessary first step.

Selectman Naylor believes that public safety is a great responsibility and that it is worthy of more research and discussion.

First Selectman Manville will follow up and this subject will be on the next agenda.

Selectman Bertram asked that the topic of fracking be put on the next agenda.

First Selectman's Report

First Selectman Manville reported that CEA has filed an injunction against the Governor/State with regard to the ECS funding cuts.

The town submitted a proposal to use the Rosen/Volpe property for the new Amazon headquarters. The proposal was considered but the property and location do not fit the parameters of what Amazon is looking for.

The Southbury Celebration was a huge success, an estimated 6000 people attended.

Reports from Liaisons

Selectman Bertram – Road Study Committee, IT Committee,
Region #15 space needs study

Selectman Bertram did not have Road Study, IT Committee, or Region 15 meetings. He has been meeting with Mr. Antilla from Planning and Hugh Sullivan to learn more about the lighting, prior to writing an RFP.

Selectman Bette – Economic Development Commission, IPOC, Energy Task Force

Selectman Bette reported that EDC is launching the shop local program in November. It has been reported that I-84 is scheduled to be widened to three lanes to Danbury. The new EDC Facebook page has seen great growth.

IPOC resolutions were passed earlier this evening.

Selectman Bertram reported that Paul Zackin of the Energy Task Force would like to resurrect the committee.

Selectman Buchsbaum – LEPC, Library

No meetings to report on.

Selectman Naylor – Senior Commission, Planning Commission, Strategic Planning Task Force

No report on Planning or Senior Commission.

Selectman Naylor reported that Strategic Planning completed a SWOT analysis that will be discussed further after the community assessment/survey is completed.

Selectman Rosen – P & R Commission, EMS, Region 15

Selectman Rosen read a prayer from a Rabbi-in light of the tragedy in Vegas.

Selectman Rosen reported that he watched the most recent Board of Ed meeting where there was a presentation on growing class sizes.

There being no further business, Selectman Naylor moved to adjourn at 8:25 pm, Selectman Buchsbaum seconded, and all were in favor. Motion carries.

Respectfully Submitted,

Betsy Rosa

Good Evening, my name is Jennifer Tokarczyk. Tonight I am making public comment as a resident of Southbury and on behalf of the Southbury Democratic Town Committee for which I am the Vice Chair.

At the DTC September 6th meeting, the committee passed a resolution that the DTC would recommend to the Board of Selectmen that they investigate the benefit and feasibility of having an ordinance to prohibit weapons to be brought to public events on town property or to carry weapons inside of town-owned buildings. This resolution is in response to the events in Charlottesville where people felt free to use weapons as a method to intimidate.

One of our members was informed by the Resident State Trooper that a police officer is not allowed to do anything regarding an attendee at an event, like a peace vigil on town property, if they see someone openly carrying a handgun or long gun. They can't even ask to show proof that the person has a valid gun permit. However, if there was a town ordinance that prohibited carrying weapons on town property and it was posted, the police could take appropriate action.

Since state gun laws were tightened in 2013, Connecticut has seen the biggest reduction in reported violent crimes of any state. But without local regulations, a registered gun owner with a permit could be handling a gun only feet from a bunch of kids playing at a town park and the police would have no grounds to question him. The same would be true if someone with a gun were to enter Town Hall.

The Board of Selectmen should direct the First Selectman to discuss this with the Resident State Trooper to confirm the current situation and work with Town Counsel to see what other towns in this area have done regarding this topic. Town Counsel should then be asked to draft an appropriate ordinance for review with the Board of Selectmen.

Other towns in Connecticut that have such an ordinance are Woodbridge, North Branford, East Haven, Naugatuck, Meriden, and Ansonia.

We can regulate where guns are carried and used in our town. This would send a strong message that we care about the safety of Southbury residents.

Thank you for the opportunity to make public comment this evening.

Ros Attachment 10/5/17