

**BOARD OF SELECTMEN MEETING
REGULAR MEETING
May 21, 2009
(Subject to Approval)**

PRESENT: First Selectman H. William Davis, Jr.
Selectman Carol Hubert
Selectman Kenneth Kerin
Selectman Barbara McLaughlin
Selectman Stuart Somers
Selectman John Turk

ALSO PRESENT: Treasurer Bill Sarosky, Assistant to the First Selectman Jennifer Naylor, Office Manager Noreen Thompson, IT Consultant Jack Rutherford, Interested Citizens, and Members of the Press.

CALL TO ORDER

First Sel. Davis called the Regular Meeting of May 21, 2009 to order at 7:32 p.m. in Room 205 of the Town Hall.

PLEDGE OF ALLEGIANCE

All joined in the Pledge of Allegiance.

PUBLIC COMMENTS

1. Robert Barnes of Lum Lot Road, a candidate for the Board of Selectmen, asked why cameras had been set up at the Transfer Station when town employees were asked to have their wages frozen except for one (who received a \$2,000 stipend) and the Transfer Station employees had their hours cut. Mr. Barnes asked who approved the cameras and what they were costing the taxpayers. First Sel. Davis answered that the cameras had been obtained second hand and free by an employee of the Transfer Station and that the employee had put them up. Mr. Davis added that the cameras were not connected and did not cost the town anything. Sel. McLaughlin pointed out that the \$2,000 stipend was given to the employee because the woman took on an additional job for the town and thus saved the town \$13,000. She further stated that First Sel. Davis was absent from the room during the discussion pertaining to this subject.

2. Bernard Kokinchak of 197 Strongtown Road asked about the State Police Trooper overtime paid by the town. First Sel. Davis said this year the town paid

the resident trooper about \$12,000 overtime. He added the additional 60% required by the state next year would be about another \$6,500 - \$7,000.

ANNOUNCEMENTS/CORRESPONDENCE

1. Copy of letter dated May 5, 2009 from the State Office of Policy and Management with the computation of the 2007 Equalized Net Grand List for Southbury.
2. Letter dated May 7, 2009 from Christine Koobatian to the First Selectman expressing her concern about the set up at the polls for the Referendum held on May 5th.
3. Letter dated May 12, 2009 from the State Department of Public Safety stating as of July 1, 2009 they will be required to recover fringe benefit costs for resident troopers when working overtime.
4. Copy of letter dated May 14, 2009 to the Planning and Zoning Commissions from the Historic District Commission regarding adding the Kingsland property to Historic District #1.
5. Copy of the Legal Notice for the Referendum to be held on June 9, 2009.
6. Fire Marshal's monthly summaries for March and April 2009.
7. Notice that Flag Day will be held on Friday, June 12, 2009.

With respect to Item #4, Sel. Kerin asked if the Board of Selectmen had to do anything about the Kingsland property at this time. After some discussion, the consensus was that Historic District No. 1 had not yet completed its process.

With respect to Item #2, Sel. Hubert said she assumed that Registrars would go back to using three tables for elections in the firehouse. First Sel. Davis said yes and that he had written Mrs. Koobatian to assure her of that fact.

MINUTES

Upon a motion by Sel. Turk, seconded by Sel. Somers, the minutes of the May 5, 2009 Special Meeting of the Board of Selectmen, the minutes of the May 6, 2009 Special Meeting of the Board of Selectmen, and the minutes of the May 7, 2009 Regular Meeting of the Board of Selectmen were unanimously approved.

CONSENT AGENDA

Upon a motion by Sel. Kerin, seconded by Sel. Turk, the following items on the Consent Agenda were unanimously approved:

1. Resignations and Appointments

RESOLVED, that the Southbury Board of Selectmen hereby acknowledges with regret the resignation of Edward Edelson as a member of the Inland Wetlands Commission, effective immediately.

RESOLVED, that the Southbury Board of Selectmen hereby appoints Eugene H. Kaplan of 492-D Heritage Village, as an alternate member of the Retirement Plan Oversight Committee (citizen representative), for a term to expire on January 31, 2009.

RESOLVED, that the Southbury Board of Selectmen, upon the recommendation of the Director of Parks and Recreation, hereby approves the hiring of the following as temporary summer employees, subject to satisfactory record checks, effective on or after May 22, 2009:

**Virginia Bette
Amy Davis
Taylor Fleming
Hillary Flynn
Will Flynn
Rachid Haoues
Taryn Layton
Kyle Layton
Samantha Maughan
Amanda Maughan
Corrissa Norton
Joe Papiro
Talia Papiro
Chris Radlicz
Shayan Riahi
Amy Robinson
Tim Schaake
Elizabeth Shand
Catherine Sharkey
Megan Silverstein
Steve Theleen
Kelly Tidgewell
Connor Widman**

Ruth Dubail

**Michael Francke
John Sharkey**

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 \$3,129.03.

3. Tax Waiver & Tax Payment Installments

A. RESOLVED, that the Southbury Board of Selectmen, in accordance with Connecticut General Statutes Section 12-144C hereby approves the waiver of tax bills on motor vehicles assessed less than \$100 on the Motor Vehicle list and the Motor Vehicle Supplemental list October 1, 2008.

B. RESOLVED, that the Southbury Board of Selectmen, in accordance with Section 602E of the Town Charter and Section 12-142 of the Connecticut General Statutes, shall set the number of installment tax payments in two semi-annual installments; taxes due of not more than One Hundred (\$100.00) Dollars and motor vehicle taxes are due and payable on July 1, 2009.

STAFF REPORTS

Treasurer Bill Sarosky presented his monthly written report of Revenue & Expense Estimates. As of 4/30/09 a surplus of \$281,726 is estimated for FY08/09. In answer to a question from Sel. Hubert, Mr. Sarosky said that about \$150,000 of that has not been allocated yet. Mr. Sarosky said tax collections were picking up.

Sel. Kerin asked if the town had gotten any of federal stimulus funds yet. Both Treasurer Sarosky and First Sel. Davis answered no. Sel. Somers said he was meeting with Public Works Director Tom Crowe next week to reset priorities. Projects for which stimulus funds had been applied for would be set back in hope that the funds would come.

TRANSFERS

Sel. Kerin said he did not understand Transfer 09-22 (\$3,000 from Contingency to Refunds). Treasurer Sarosky explained that the auditors had determined that

some seniors in the circuit breaker system had paid too much tax and were due a refund.

1. Upon a motion by First Sel. Davis, seconded by Sel. Turk, it was unanimously

RESOLVED, that the Southbury Board of Selectmen hereby approves and refers the following Transfer to the Board of Finance:

| | | | |
|---------------|--------------------|---|-----------------|
| #09-24 | DEPARTMENT: | Highway – Town Properties – Landfill | |
| | FROM: | Labor Related | \$23,211 |
| | TO: | Salaries – Highway | \$23,211 |

BE IT FURTHER RESOLVED, that the Board of Selectmen hereby schedules a Town Meeting to be held on Thursday, June 18, 2009 at 7:30 p.m. in Room 205 of the Town Hall to act on the above Transfer.

2. Upon a motion by First Sel. Davis, seconded by Sel. Turk, it was unanimously

RESOLVED, that the Southbury Board of Selectmen hereby approves and refers the following Transfers to the Board of Finance:

| | | | | |
|-----------|--------------|--------------------|--------------------|----------------|
| A. | 09-22 | DEPARTMENT: | Refunds | |
| | | FROM: | Contingency | \$3,000 |
| | | TO: | Refunds | \$3,000 |

To fund for refunds due to audit.

| | | | | |
|-----------|--------------|--------------------|------------------------------|----------------|
| B. | 09-23 | DEPARTMENT: | Seniors | |
| | | FROM: | Salaries – Dept. Head | \$1,750 |
| | | TO: | Vehicle Operating | \$1,750 |

To cover higher usage and unanticipated repairs.

| | | | | |
|-----------|--------------|--------------------|--------------------|-----------------|
| C. | 09-25 | DEPARTMENT: | Various | |
| | | FROM: | Contingency | \$15,126 |

| | | | |
|---|--------------|---------------------------------------|-----------------|
| | TO: | Salaries - Various | \$15,126 |
| To fund for extra days in fiscal year. | | | |
| D. | 09-26 | DEPARTMENT: Highway | |
| | FROM: | Material – Drainage | \$500 |
| | | Rental Equipment | \$4,500 |
| | TO: | Salaries Overtime | \$5,000 |
| E. | 09-27 | DEPARTMENT: Outside Properties | |
| | FROM: | Salaries – Full time | \$3,000 |
| | TO: | Salaries – Overtime | \$3,000 |
| F. | 09-28 | DEPARTMENT: Labor Related | |
| | FROM: | Contingency | \$7,500 |
| | | Social Security | \$14,000 |
| | TO: | Medical Insurance | \$21,500 |

To fund for higher than budgeted costs.

In answer to a question from Sel. Hubert, Treasurer Sarosky said there was now about \$30,000 left in the contingency fund.

UNFINISHED BUSINESS

1. Charter Revision – Public Hearing

Sel. McLaughlin asked about the responsibility of the Board of Selectmen with respect to the Charter Revision – for instance, could the Board members ask questions at the public hearing. The consensus was yes, and the Board of Selectmen will discuss the Charter Revision after the public hearing. Sel. Kerin pointed out that the Board of Selectmen would only be commenting and recommending. Changes would have to be made by the Charter Revision Commission. Sel. Turk pointed out, though, that the Board of Selectmen set the number of questions for the Referendum.

Upon a motion by Sel. McLaughlin, seconded by Sel. Kerin, it was unanimously

RESOLVED, that the Southbury Board of Selectmen hereby sets the date of June 4, 2009 at 7:00 p.m. in Room 205 of the Town Hall to hold a Public Hearing on the Proposed Changes to Southbury's Charter.

NEW BUSINESS

1. Grace Meadows

The Rev. Fredrick McGee, President of Southbury Elderly Housing, Inc./Pomperaug Senior Housing, Inc. came before the Board to express their interest in leasing land from the Town of Southbury in order to construct additional housing for very low-income seniors. Rev. McGee said they currently have 88 senior housing units – built over a period of time in groups of 24, 24, 22, and 18. He said 80% of the residents had some connection with Southbury. Rev. McGee said more units are needed because of the current hard times and the aging of the baby boomers. He said there are 150 people on the waiting list (a four year wait).

Three or four acres would be needed for another group of 24 units. The Shortt property across the street from the current units was mentioned. Sel. Somers noted that the Shortt property had water and sewer. Rev. McGee said they were not specifically asking for a particular parcel at this time. The ability to pursue leasing land from the Town would allow them to apply for Federal funding to construct the housing.

Sel. Somers made a motion that the Board of Selectmen allow Southbury Elderly Housing, Inc./Pomperaug Senior Housing, Inc. to investigate the Shortt property with the understanding that if things work out the Town of Southbury would be amenable to leasing a portion of it for elderly housing. Sel. McLaughlin seconded the motion.

Sel. Hubert amended the motion to allow Southbury Elderly Housing, Inc./Pomperaug Senior Housing, Inc. to investigate any available parcels of Town of Southbury owned property.

The motion as amended was approved unanimously.

2. Clarification of Road Names

First Sel. Davis read a letter from Edward Gore, Chairman of the Planning Commission, recommending that the shortest sections of three disconnected roads (Bullet Hill Road, Peter Road, and Sanford Road) be renamed Bullet Hill Road North, Peter Road South, and Sanford Roads East and West.

First Sel. Davis said there was a list of entities, including the post office and the State, to be informed of the name changes. In answer to a question from Sel. Hubert, he said he assumed that GPS designers would get their information from such entities.

Upon a motion by Sel. Hubert, seconded by Sel. McLaughlin, the Board of Selectman unanimously approved the Planning Commission's recommendation to change the road names.

UPDATES

1. Peace Pole Request

First Sel. Davis reported that the Audubon Society has agreed to let the Girl Scouts put a Peace Pole on their property at Bent of River.

2. Senior Center Usage

First Sel. Davis presented a memo from Laurence Wagner, the grant application writer, setting out the history of the Senior Center grant. Evidently the use restriction (over age 62) was originally 5 years, but increased to 10 years at the Town's request. The minutes of the Public Hearing in 2005 on the grant application do not show any mention of a use restriction.

Sel. Hubert asked what the Town's recourse was now. First Sel. Davis said Town could ask the Connecticut Department of Economic & Community Development if the grant could be modified, or the Town could pay the money back.

Sel. Hubert said that if all else failed the Town should at least ask for clear guidelines as to what the Town can and cannot do with the Senior Center. She noted that before finding out about the restrictions other town groups had been using the Senior Center for meetings, not just Parks & Recreation.

Sel. Somers suggested asking Parks & Recreation to figure the value of the use of the Senior Center part of the building to them because, maybe that value would be greater than the grant money that would have to be returned.

Sel. McLaughlin (a member of the Renovation Committee for the Senior Center/Parks & Rec. Building) said the space in the building had been allocated based in part upon a dual use of the Senior Center space.

REPORTS FROM SELECTMEN SERVING AS LIAISONS

Sel. Hubert reported on the Retirement Fund Oversight Committee. She passed out copies of a report from The Beirne Group, the pension advisor. She said The Beirne Group had recommended putting more money into emerging markets and into natural resources. Accordingly, the Committee recommended changing the asset allocation range for emerging markets from 1%-5% to 0%-10%.

Sel. Kerin said the IT Steering Committee agenda will be changing to consider issues in three areas: 1. rules, guidelines, and policies regarding employee access to the internet and e-mail; 2. the ability to print town information and documents off the internet and the affect that ability will have on income earned

by town departments in providing said information and documents; and 3. the need for continuous tech support for the staff and for website upkeep. Sel. Kerin said he will be coming back with recommendations to the Board of Selectmen. Sel. Somers asked about the issue of e-mail and FOI rules. Sel. Kerin replied that they will be talking with other towns about what they do. First Sel. Davis said the town would also save money by the public being able to access town information from the website – he pointed out that the Town had just paid \$1,500 to print the Parks & Recreation Summer Schedule in the newspaper. IT Consultant Jack Rutherford said that the new town website was getting close to preview.

Sel. McLaughlin moved, seconded by Sel. Turk, to adjourn the meeting at 8:50 p.m. All were in favor.

Respectfully submitted,

Jocelyn Bagger