

**BOARD OF SELECTMEN  
REGULAR MEETING  
August 20, 2009  
(Subject to Approval)**

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

**NOT PRESENT:** Selectman Barbara McLaughlin

**ALSO PRESENT:** Town Clerk Ginger Salisbury, Southbury Police Corporal Jim Houle, Assistant to the First Selectman Jennifer Naylor, Office Manager Noreen Thompson, Interested Citizens, and Members of the Press.

**CALL TO ORDER**

First Sel. Davis called the Regular Meeting of August 20, 2009 to order at 7:31 p.m. in Room 205 of the Town Hall.

**PLEDGE OF ALLEGIANCE**

All joined in the Pledge of Allegiance.

**PUBLIC COMMENTS**

Robert Barnes, Chairman of the Lake Zoar Authority, announced that there would be a second special meeting of the Lake Zoar Authority on Wednesday, August 26, 2009 in Room 205 of the Southbury Town Hall at 7:30 p.m. to discuss the 6 mph nighttime speed limit on Lake Zoar proposed by Mr. Carlson, the Monroe commissioner. In answer to questions from Sel. Hubert, Mr. Barnes said that the Town of Monroe has only filled the one of its three allotted slots on the Lake Zoar Authority and Monroe has only paid \$20,000 of its \$25,425 quarter share of this year's Lake Zoar Authority budget.

**ANNOUNCEMENTS/CORRESPONDENCE**

1. Note of acknowledgement from the White House on Southbury's designation as a Preserve America Community;
2. Copy of a letter from Lake Zoar Authority on reducing the night speed limit on Lake Zoar as proposed by Commissioner Carlson;

3. Town Clerk's Annual Report, year ending June 30, 2009;
4. Fire Marshal's Monthly Report;
5. Municipal Animal Control Officer's Report;
6. Memorandum from Planning Commission withdrawing prior recommendation of sale of Map 29B, Block 72, Lot 27 – Flood Bridge; and
7. Letter from Daughters of the American Revolution requesting proclamation.

With respect to Item #1, First Sel. Davis read First Lady Michelle Obama's July 29, 2009 letter to the Citizens of Southbury. Mr. Davis then presented the framed original of the letter and photograph of Mrs. Obama to Benjamin Stiles, Anne Westerman, and Jean Hummel as the representatives of the Historic District Commission. Mrs. Westerman mentioned that Diantha Schull was also instrumental in obtaining Southbury's designation as a Preserve America Community.

With respect to Item #3, First Sel. Davis handed out to the selectmen a sheet comparing the FY09 figures with the FY08 figures. (The total amount collected for the Town was down from \$630,953 in FY08 to \$509,620 in FY09.) Sel. Hubert asked that the figures be compared to the 08/09 budget figures and Sel. Turk asked that the figures also be compared to the 09/10 budget figures.

#### **MINUTES**

**Upon a motion by Sel. Turk, seconded by Sel. Somers, the minutes of the August 6, 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. Appointment**

**RESOLVED, that the Southbury Board of Selectmen, upon the recommendation of the Head Librarian, hereby approves the hiring of Janice Swoditch of Naugatuck as a substitute reference librarian on an as-needed basis, effective August 24, 2009.**

##### **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 \$12,814.65.**

### **3. Referral from Land Use**

**RESOLVED**, that the Southbury Board of Selectmen, upon the recommendation of the Land Use Inspector, hereby releases the following Inland Wetland bond in the amount of \$1,000:

**PRINCIPAL:** TRC Incorporated  
**SURETY:** Wachovia Bank  
**PROPERTY:** 68 Perkins Road, Lot 10  
(Town File 08-20)

### **NEW BUSINESS**

#### **1. Tuition Reimbursement Request**

Police Officer Kevin Burns is asking to be reimbursed for two fall semester courses: Integrating General Studies (Civil Rights) and Social Anthropology. Sel. Hubert asked what the standard operating procedure was for deciding if a course was work related or not. First Sel. Davis said that the Board of Selectmen made the final decision as to whether a course was work related or not. Sel. Hubert indicated she felt that the Board needed more information to decide if the courses were work related. Sel. Turk asked what the notations "\$2644 est" and "\$2644 est total" on Officer Burns' Applications for Tuition Aid Reimbursement meant.

**Upon a motion by Sel. Hubert, seconded by Sel. Turk, it was unanimously agreed to table Officer Burn's request for tuition reimbursement.**

#### **2. CT Local Pass-Through Grant Program**

Pursuant to a memo from Assistant to the First Selectman Jennifer Naylor, this is a Justice Assistance Grant (JAG) funded by the American Recovery and Reinvestment Act of 2009. Southbury's allocated amount will be \$9,100. The police have in their budget enough money to supplement the \$9,100 in order to purchase the mug shot camera. In answer to a question from Sel. Kerin, Police Corporal Houle said that the electronic finger printing machine is now up and running.

**Upon a motion by Sel. Somers, seconded by Sel. Turk, it was unanimously**

**RESOLVED**, that the Southbury Board of Selectmen hereby authorizes the First Selectman and his office to apply for funding under the CT JAG Local Pass-Through Grant program for a mug shot camera and software to work in conjunction with the town's electronic finger printing machine.

**3. DAR request to proclaim the week of Sept. 17-23 Constitution Week**

First Sel. Davis read a proclamation whereby he proclaimed the week of September 17 through 23 as Constitution Week.

**Upon a motion by Sel. Somers, seconded by Sel. Turk, it was unanimously**

**RESOLVED, that the Southbury Board of Selectmen hereby approves the attached Proclamation for Constitution Week.**

**UNFINISHED BUSINESS****1. Charter Revision**

**Upon a motion by Sel. Hubert, seconded by Sel. Turk, it was unanimously decided to table the Charter Revision until the Special Meeting of the Board of Selectman on Friday, August 21, 2009, at 4:00 p.m.**

**2. Historic District: Kingsland**

**Upon a motion by Sel. Hubert, seconded by Sel. Turk, it was unanimously**

**RESOLVED, that the Southbury Board of Selectmen hereby approves the attached Amendment to the Southbury Ordinances, Article III. Historic Districts, Division 2. Historic District No. 1, Section 10-46 Established.**

Sel. Kerin commended Historic District No. 1 for going through all the hoops necessary to make the appropriate inclusion of the Kingsland in the Historic District.

**3. Southbury Business Association request to close road**

**Upon a motion by Sel. Turk, seconded by Sel. Hubert, it was unanimously**

**RESOLVED, that the Southbury Board of Selectmen hereby approves the request of the Southbury Business Association to close the length of Community House Road from Pepper Tree Hill Road to the Route 67 intersection at the tennis courts to thru traffic during the hours of 9:00 a.m. to 1:00 p.m. on September 27, 2009 for their annual 10K Road Race.**

**IT IS FURTHER UNDERSTOOD, that police, medical and ambulance coverage will be the responsibility of the sponsor.**

First Sel. Davis noted that nearby residents will still be able to get to their homes and emergency vehicles will still be able to get in and out.

**REPORTS FROM SELECTMEN SERVING AS LIAISONS**

Sel. Hubert reported on the quarterly meeting of the Retirement Plan Oversight Committee. She said the pension fund performance was moving along in the right direction and passed out copies of The Beirne Group's performance review. First Sel. Davis noted that The Beirne Group had recommended increasing the investment in emerging markets.

Sel. Somers reported, in connection with the Inland wetlands commission, that the proposed second Medical Building at Route 67 and Old Waterbury Road withdrew their application because it was incomplete.

Sel. Kerin reported on the IT Committee. He said a contract had been signed to update the financial accounting software and it should be done by the end of October.

**Sel. Turk moved, seconded by Sel. Somers, to adjourn the meeting at 8:01 p.m. All were in favor.**

Respectfully submitted,

Jocelyn Bagger