

**BOARD OF SELECTMEN
REGULAR MEETING
July 16, 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: Public Works Director Tom Crowe, Police Corporal Brian Hughes, State Police Sergeant Rob Desmarais, 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 July 16, 2009 to order at 7:30 p.m. in Room 205 of the Town Hall.

PLEDGE OF ALLEGIANCE

All joined in the Pledge of Allegiance.

PUBLIC COMMENTS

1. Jon Norris of 145 Hornet Nest Road said he thinks the Board should explore the possibility of hiring retired police officers. He said the town should look for the most bang for its public safety buck. First Sel. Davis said hiring retired police officers was on the agenda later if he wanted to hold his comments. Mr. Norris said OK.

2. Bernard Kokinchak of 197 Strongtown Road was concerned about the fiscal impact on the town of the State's not having passed its budget. He was especially concerned about the State selling part of the land at the Southbury Training School. First Sel. Davis said that he was going to a signing of a Bill the next day that would encumber a great part of the land at the Training School for agricultural purposes. Mr. Davis also noted that Southbury was not waiting for any State money at present.

ANNOUNCEMENTS

First Selectman Davis introduced State Police Sergeant Rob Desmarais, the temporary new State Police Sergeant in charge of the Southbury Police.

CORRESPONDENCE

1. Letter dated June 12, 2009 to First Selectman Davis from Fran Owen, President HVMA/HVF and Kevin W. Hellriegel, Village Manager regarding transfer station hours.
2. E-mail dated July 6, 2009 to Office Manager Noreen Thompson from Carol Renza regarding Section 602 of the town Charter.
3. Building Department report for June 2009.
4. Fire Marshal's report for May 2009, June 2009, and FY08/09.
5. Animal Control report for June 2009.

With respect to Item #1, Sel. McLaughlin said that as a resident of Heritage Village she could attest that the letter was 100% accurate. She said she had only agreed to close the transfer station on Mondays because she was told that Heritage Village had no problem with it. She said there is definitely a problem with the garbage. First Sel. Davis said that there was going to be a meeting the next day to discuss the problem with himself, Director of Public Works Tom Crowe, Sel. Turk, representatives from Heritage Village, Bob Dunbar of Copes, and others in attendance. Sel. Turk said he had pictures showing the trash overflow problem.

With respect to Item #2, Sel. Hubert said that she thought Mrs. Renza might have misunderstood what she meant. She meant, if Southbury was no longer a trooper town, the First Selectman would not be able to be Chief of Police without the proper certification.

MINUTES

Upon a motion by Sel. Turk, seconded by Sel. Somers, the minutes of the June 16, 2009 Public Hearing were approved with five votes in favor and Sel. McLaughlin abstaining.

Upon a motion by Sel. Hubert, seconded by Sel. Turk, the minutes of the June 16, 2009 Regular Meeting of the Board of Selectmen were approved with five votes in favor and Sel. McLaughlin abstaining.

Upon a motion by Sel. Kerin, seconded by Sel. McLaughlin, the minutes of the June 19, 2009 Special Meeting of the Board of Selectmen were unanimously approved.

Upon a motion by Sel. Kerin, seconded by Sel. Somers, the minutes of the June 25, 2009 Special Meeting of the Board of Selectmen were unanimously approved.

CONSENT AGENDA

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

1. Referral from Land Use

RESOLVED, that the Southbury Board of Selectmen, upon the recommendation of the Planning Commission hereby releases the following bonding:

PRINCIPAL: Triangulum Associates, Heritage Development Gp., Inc.
SURETY: People's Bank
PROPERTY: PDD #17 Subdivision Heritage Center – 450 Heritage Rd.

	<u>FROM</u>	<u>TO</u>
Monuments & Pins Bond (Town File 03-34)	\$2,500	\$0

2. Driveway Bonds

RESOLVED, that the Southbury Board of Selectmen, upon the recommendation of the Highway Department, hereby releases the following driveway bonds in the amount of \$1,500, the work having been satisfactorily completed:

PERMIT NO.	PRINCIPAL	SURETY
688	Rae H. Brier 173 Eagles View Road	Newtown Savings Band Town File 08-16
627	Thomas Hannibal 210 Westenhook Terr.	Peoples Bank Town File 06-109
626	Placelift Renovations LLC 232 Westenhook Terrace	Bank of America Town File 06-108

3. Leave of Absence

RESOLVED, that the Southbury Board of Selectmen hereby approves the request of June Knapp for a medical leave of absence extension, starting on July 17, 2009 through October 17, 2009 (approximately).

STAFF REPORTS

None

BIDS**1. Dump Truck**

Upon a motion by Sel. Somers, seconded by Sel. Turk, the Southbury Board of Selectmen unanimously approved the purchase of a dump truck from Hine Brothers International, Inc. utilizing State Contract 07PSX0182 for the net purchase price of \$149,770.80.

It was pointed out that this dump truck was budgeted for at this price on the town's regular vehicle replacement schedule.

2. Construction Equipment Rental

At Sel. Turk's request, Director of Public Works Tom Crowe, explained certain figures on his equipment rental spread sheets. Sel. Hubert checked that she was correct in thinking that the spread sheets were just a list of the contractor's to be used to meet the town's needs at the low bid available.

Upon a motion by Sel. Somers, seconded by Sel. Hubert, the Southbury Board of Selectmen unanimously authorized the rental of equipment for various Town projects as is determined to be in the best interest of the Town and in accordance with the rates established on the "2009-2010 Equipment Rental Bid Results" spread sheets.

3. Lower Purchase Brook Road Tree Removal

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

RESOLVED, that the Southbury Board of Selectmen hereby awards the bid for tree removal services for lower Purchase Brook Road to Lenahan Landclearing and Grinding, Inc. of Southbury, CT, for a base bid price of \$2,200.

4. Painted Pavement Marking

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

RESOLVED, that the Southbury Board of Selectmen hereby awards the bid for pavement marking (line striping) to Atlantic Pavement Marking, Inc. of Prospect, Connecticut, in the amount of \$13,076.48.

5. Reclaiming, Milling, and Paving

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

RESOLVED, that the Southbury Board of Selectmen upon the recommendation of the Town's Public Works Director, hereby awards the bids for reclaiming, milling and paving as follows:

1.	Reclaiming/sq. yd. S & S Paving	\$1.16
2.	Asphalt paving per ton S & S Paving	\$10.66
3.	Asphalt Overlay per ton S & S Paving	\$10.66
4.	Asphalt Curbing per linear ft. Cocchiola Paving	\$2.05
5.	Replace Driveways per sq. ft. S & S Paving	\$1.59
6.	Milling sq. yd. Cocchiola Paving	\$1.25
7.	Credits for Milling sq. yd. Cocchiola Paving	\$0.40
8.	Adjust Drainage Inlets S & S Paving	\$429 per inlet

AND FURTHER RESOLVED, that the Public Works Director is hereby authorized to assign/select either or all of the above listed companies to perform the necessary road work as needed and funded according to availability and in the best interest of the town.

In answer to a question from Sel. Hubert, Public Works Director Crowe gave the Board a brief update on the status of current road projects (milling & repaving). Sel. Kerin asked about the status of the Federal Stimulus project, repaving Main Street South. Mr. Crowe said that was scheduled for early Fall and the amount of stimulus money would be about \$475,000.

NEW BUSINESS

1. Hiring of Retired Police Officers

Former Selectman Carol Renza suggested, in an e-mail dated June 29, 2009 sent to First Selectman Davis, the possibility of Southbury saving on police training expenses by hiring retired police officers. First Sel. Davis noted that the town currently has no police vacancies, but when there are vacancies anyone can apply including retired police officers. Sel. Kerin felt that the town should look into this approach. Mr. Kerin said the town should talk to the towns that do hire retired police officers and talk to Southbury's own police department. He asked if the retired officers would be hired at an entry level or at a higher rank.

Sel. McLaughlin was concerned with the legality of limiting the application pool to retired police officers. She was also concerned about how experienced retired officers would fit into the Southbury department. First Sel. Davis said that in the last recruitment pool two retired police officers applied and after a background check they found out why the officers were retired. Carol Renza pointed out that the State of Connecticut has an employment website and on that site 20 out of the 30 towns looking for police officers were seeking already certified police officers. Police Corporal Brian Hughes said that Southbury, as part of its hiring process, advertises on the State website and in local newspapers for certified or non-certified officers.

2. Tuition Reimbursement Request

Upon a motion by Sel. Turk, seconded by Sel. Somers, it was with five Aye votes and Sel. McLaughlin voting Nay,

RESOLVED, that the Southbury Board of Selectmen hereby approves the request of Officer Donald Nevins for tuition aid reimbursement for six credit hours for the semester starting August 2009 and running through December, 2009, subject to successful completion with a 2.67 grade point average or better, and also subject to him still being employed by the Town of Southbury upon completion of the courses.

Sel. Hubert assured herself that Officers Nevins' request had been approved by Sgt. Kramer as relating to his work. First Sel. Davis said that Officer Nevins had one more semester of law school after this.

3. Berkshire Estates, Map 20B, Block 3, Lot 2

First Sel. Davis read a letter to the Board from Town Assessor Michael Moriarty explaining that since the piece of land involved was not in fact a building lot, its assessment had been reduced from \$150,000 to \$5,100. Sel. Kerin noted that the letter is only for the Board's information since the Board has already approved the sale to an adjoining property owner at the Lot's assessed value and as not being a building lot.

REPORTS FROM SELECCTMEN SERVING AS LIAISONS

Sel. Turk reported that: the Economic Development Commission will not meet until September; the Charter Revision Commission will meet on July 30 to wrap up the final changes; and the Senior Services Strategic Planning Committee will meet next Wednesday to finalize its report to the Board of Selectmen. In answer to a question from Sel. McLaughlin, Sel. Turk said that the Charter, after it goes back to the Town Clerk, comes back to the Board of Selectmen for their OK and referral to the voters. He said when they give it back to the Board they will comment on their reason for every action they took on the Board's suggestions. First Sel. Davis noted that the Board decides the wording and the number of questions for the voters.

Sel. Somers reported that the Zoning Commission has amended the PPD at the corner of Old Waterbury Road and Main Street North to allow for the potential of a second medical building on that site. In answer to a question from Sel. Hubert, Sel. Somers said that the question of drainage had still to be worked out.

Sel. Kerin reported that use of the new town website continues to build and the site is staying current and the staff is doing a good job of staying on top of that. Sel. Kerin passed out a sheet with two charts showing participation in Southbury's 2008-2009 "circuit Breaker Match" Program. He said that a 23% increase over the previous year was due to promotion of the program. Mr. Kerin feels that the town should continue to promote the program. Sel. Kerin said he will not be seeking reelection in the Fall. First Sel. Davis said he would try and talk Mr. Kerin out of that decision.

Sel. Hubert mentioned the great success of the Farmers Market so far this year.

ANY OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE MEETING

Upon a motion by Sel. Somers, seconded by Sel. Hubert, the issue of a Resolution authorizing the First Selectman to enter into contracts with the Connecticut Department of Environmental Protection was unanimously added to the agenda.

First Selectman Davis explained that the contracts were to get grant money for the restoration of the river bank in Ballentine Park. After discussion the consensus was to put off action on this issue until the Board has more information.

Upon a motion by Sel. Somers, seconded by Sel. Hubert, the Resolution authorizing the First Selectman to sign the DEP contracts was unanimously tabled until the next meeting.

Upon a motion by Sel. Hubert, seconded by Sel. Turk, it was unanimously agreed that the Southbury Board of Selectmen move into Executive Session at 8:15 p.m. to discuss the State Police Contract.

EXECUTIVE SESSION

The Executive Session was called for the purpose of discussion the State Police contract.

Selectmen Present

First Selectman H. William Davis, Jr.
Selectman Carol Hubert
Selectman Kenneth Kerin
Selectman Barbara McLaughlin

Also Present

Jennifer Naylor, Asst. to First Sel.
State Police Sgt. Rob Desmarais
Police Cpl. Brian Hughes

Selectman Stuart Somers
Selectman John Turk

First Selectman Davis declared the Executive Session closed at 8:33 p.m. and the Regular Meeting continued.

Sel. Turk moved, seconded by Sel. Somers, to adjourn the meeting at 8:34 p.m. All were in favor.

Respectfully submitted,

Jocelyn Bagger