

**BOARD OF SELECTMEN MEETING
REGULAR MEETING
March 19, 2009
(Subject to Approval)**

PRESENT: Selectman Carol Hubert
Selectman Kenneth Kerin
Selectman Barbara McLaughlin
Selectman Stuart Somers
Selectman John Turk

NOT PRESENT: First Selectman H. William Davis, Jr.

ALSO PRESENT: Public Works Director Tom Crowe, Emergency Services Director George Slaiby, Assistant to the First Selectman Jennifer Naylor, Office Manager Noreen Thompson, Interested Citizens, and Members of the Press.

CALL TO ORDER

Selectman Hubert called the Regular Meeting of March 19, 2009 to order at 7:35 p.m. in Room 205 of the Town Hall.

PLEDGE OF ALLEGIANCE

All joined in the Pledge of Allegiance.

PUBLIC COMMENTS

Carol Winship of Main Street South said she would like to see the dog pound moved closer to town.

George Roswell of 767 East Flat Hill Road thanked the Board of Selectmen for accepting the petition urging the denial of the proposal of a model airplane park on town owned property. He said he had found that most of the model airplane community in Southbury are happy where they are at Mitchell Farm.

Todd Thompson of 270 Peach Orchard Road, proposer of the model airplane park, said the model airplane club had voted that it would be a good idea to move.

Mike Magini of 110 Peach Orchard Road did not think public land should be turned over to a private group such as the model airplane club.

ANNOUNCEMENTS/CORRESPONDENCE

1. Letter from the Historic Tree Restoration Committee dated March 4, 2009 to the Board regarding the request to expand Historic District to include the Kingsland site.
2. Copy of memo dated March 6, 2009 from the First Selectman to the Historic District #1 listing the process required to include the Kingsland into the Historic District.
3. Memo from the Board of Finance inviting the Board of Selectmen to the Board of Finance meeting on April 13, 2009.
4. Notice of Board of Finance Public Meeting continued from March 9th to April 14, 2009.
5. Information on the State's Department of Transportation long range transportation plan.
6. Animal Control Officer's report for February 2009.
7. Fire Marshal's report for February 2009.

Sel. McLaughlin asked if she was correct in thinking that Item 1 implied that the Historic Tree Restoration Committee did not want the Kingsland site to be a part of Historic District #1 and that Item 2 said that it would be up to Historic District #1 to pursue the process for including the Kingsland in the Historic District. Sel. Hubert said that would be her take on it too.

MINUTES OF THE REGULAR MEETING ON MARCH 5, 2009
Upon a motion by Sel. McLaughlin, seconded by Sel. Kerin, the minutes of the March 5, 2009 Regular Meeting of the Board of Selectmen were unanimously approved.

CONSENT AGENDA

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

1. 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 \$3,000, the work having been satisfactorily completed:

PERMIT NO.	PRINCIPAL	SURETY
516	Edson Development LLC	Newtown Savings Bank
	729 Fish Rock Road, Lot 3EC	(File #05-61)

- | | | |
|------------|------------------------------------|-----------------------------|
| 517 | Edson Development LLC | Newtown Savings Bank |
| | 701 Fish Rock Road, Lot 2T | (File #05-62) |
| 518 | Edson Development LLC | Newtown Savings Bank |
| | 725 Fish Rock Road, Lot 1EC | (File #05-63) |
| 519 | Edson Development LLC | Newtown Savings Bank |
| | 727 Fish Rock Road, Lot 2EC | (File #05-64) |

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 \$5,575.48.

3. DOT Resolution

RESOLVED, that the Southbury Board of Selectmen hereby authorizes First Selectman H. William Davis, Jr. to make, execute and approve, on behalf of the Town of Southbury, any and all agreements, contracts or amendments with the Department of Transportation of the State of Connecticut for the Dial-A-Ride Grant and to affix the corporate seal.

STAFF REPORTS

1. Treasurer Bill Sarosky submitted a written report. As of 2/28/09 he was estimating a net shortfall for FY08/09 of \$312,496. Treasurer Sarosky was brought in from another meeting to answer questions of the Board. Treasurer Sarosky said a \$55,970 increase in revenues from the State was due to Payment in Lieu of Taxes (PILOT) money being higher than budgeted. The \$10,959 increase in estimated Other revenues was due to the increased Transfer Station rates. Sel. Kerin asked about the new-found property tax money from AT&T. Treasurer Sarosky said that the AT&T property tax figure had not been firmed up but should be about \$100,000 in addition to the \$58,300 budgeted. Sel. Kerin also asked about the fact that Board of Finance Chairman John Michaels had said there would be no deficit for FY08/09. Treasurer Sarosky said that at the end of the year the Board of Selectmen could cover any deficit with unspent road program funds which in normal years are moved to the capital account.

2. Public Works Director Tom Crowe had nothing to report.

UNFINISHED BUSINESS**1. Natural Hazard Pre-Disaster Mitigation Plan**

The consensus was the public should have a longer time to inspect the proposed Plan. Copies of the Plan are available in the First Selectman's Office and online at the Council of Governments Central Naugatuck Valley site.

Upon a motion by Sel. Somers, seconded by Sel. Turk, it was unanimously agreed to table consideration of the Natural Hazard Pre-Disaster Mitigation Plan until the April 2, 2009 regular meeting of the Board of Selectmen.

2. Proposal for Southbury Model Air Park

Sel. Somers stepped down from the table and recused himself from the following discussion.

Sel. McLaughlin asked if the town could legally allow a model airplane park on that land. Assistant to the First Selectman Jennifer Naylor replied that the land had been bonded for, so there were no restrictions.

Todd Thompson had presented for this meeting a short budget and some letters of support. He said that his proposal is for a multi-use designation of the property (7 acres) instead of an agricultural designation. He said specific approval of the model airplane park would be sought later.

With respect to Mr. Thompson's budget, Sel. McLaughlin asked where the figure of \$27 per acre rent to the town came from. Mr. Thompson said that is what the farmer (who currently rents all 130 acres to grow corn on) said he thinks he pays. In answer to another question from Sel. McLaughlin, Mr. Thompson said that the farmer did not care if 7 acres was used for a model airplane park.

Sel. Kerin pointed out that Mr. Thompson had budgeted to make a road of about ½ mile to get to the proposed site and to then create a gravel parking area. He asked Mr. Thompson about remaining at Mitchell Farm. Mr. Thompson said the current model airplane space was about ¾ acre and they can not afford to rent more land where they are.

George Roswell said there were still unanswered questions, specifically about finance. He pointed out that even scaled down to 7 acres they were still talking about building a road with no financing and cutting down trees. Also, he said, the proposal would put a small special interest group in charge of a large parcel of town land. Mr.

Roswell felt that if the land was going to be used as a multi-use park it should be planned from the beginning, not just designated multi-use and then willy-nilly planned along the way.

Sel. Kerin said he had a lot of questions about the issue which he did not think were the kind of questions the Board of Selectmen was good at wrestling with. He instanced the legal issues of volunteers going in and cutting down trees. He suggested that other groups in town were better with land use issues, such as the Parks & Recreation and Planning Commissions.

Sel. McLaughlin said she was about 80% in favor of the proposal. She pointed out that Parks & Recreation activities tend to be youth sports and very little are for adults. She pointed out that the proposed model airplane park would cover a wider age group of the population. She suggested that Parks & Recreation and Planning (or Zoning) should look at the property and come to the Board with a specific recommendation to designate it multiple-use or leave it agricultural and give their reasons why. She suggested that the hours of the air park could be limited in the lease.

Sel. Turk moved that the Board of Selectmen refer the Proposal for Southbury Model Air Park to the Planning Commission and the Parks & Recreation Commission for appropriate direction. Sel. Kerin seconded the motion. The motion was carried unanimously.

In response to a couple of women in the audience, Sel. Hubert said that it was not a done deal and not their last chance to speak. The Planning and Parks & Recreation Commissions would be reporting back to the Board of Selectmen. Sel. Hubert pointed out that Planning and Parks & Recreation would also want to hear from all sides.

3. Town Building Committees

Regarding the proposal to disband the Town Building Committees and return unused funds (about \$800,000) to the General Fund, Sel. McLaughlin said she had served on the *Renovation* Committees for the Senior Center/Parks & Recreation Building, the Probate Court, and the Town Hall Annex and she felt that this proposal was gross rudeness to the members of the Renovation Committees. This is because, Sel. McLaughlin said, the Committees can be trusted with the money and the purpose of the Committees has neither been accomplished nor abandoned [Ref. Charter Sec. 604D.] since some minor things have not been completed yet and checks were written as recently as August, 2008 and January, 2009.

Sel. Hubert and Sel. Kerin noted that the Library Building Committee had decided as a committee that the project was complete and had itself recommended that the Committee be dissolved and that the Town take back the funds. Sel. Kerin said this should be the process. The consensus of the Board was in agreement with him.

NEW BUSINESS

1. Pet Sheltering – Emergency Operations Plan

Sel. Kerin said that this plan was a result of Katrina when people would not evacuate without their pets. Emergency Services Director George Slaiby said that FEMA required this plan and it will not cost the town anything. He said people would be required to bring a three-day supply of food for their pets. The plan is that pets would be in cages in a bay of the town garage.

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

RESOLVED, that the Southbury Board of Selectmen hereby authorizes First Selectman H. William Davis, Jr. to sign the Pet Sheltering Annex for the Southbury Emergency Operations Plan.

REPORTS FROM SELECTMEN SERVING AS LIAISONS

Sel. Turk reported the Senior Center Strategic Planning Committee will be starting meetings again on Wednesday, March 25. They will wrap-up the surveys that were done. Economic Development is helping someone who wants to consolidate and move their offices from Hartford and Fairfield to Southbury. The first draft of the revised Charter will be reviewed at the meeting next Thursday, March 26. The Public Hearing on the Charter revisions is down for May 14th, but they would like to make it earlier. Sel. McLaughlin asked about an outreach person at the Senior Center. Sel. Turk said an outreach person is still on the table, especially in these hard times.

Sel. Kerin reported that the Library had received a \$100,000 check from the Brinker Fund through the Jewish Federation. He added that all the pledges from the 2004 Library fund raising have been paid (about \$1,400,000). Sel. Kerin said the IT Committee is working on the accounting application. They are talking with other towns which use the current version of Southbury's system and talking with the auditors. Sel. Kerin reported that the staff are excited about the new town web site which will be launched fairly soon. Unfortunately, there

is some trouble with the GIS system. Sel. Kerin said some things (some wetlands and as-built houses for example) which were thought to be on the GIS system are not there. The part-time IT consultants are working on the problem with the provider.

ANY OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE MEETING

Sel. Hubert reported that there are three candidates for the vacant Board of Education position.

Sel. Kerin moved, seconded by Sel. McLaughlin, to adjourn the meeting at 8:40 p.m. All were in favor.

Respectfully submitted,

Jocelyn Bagger