

**BOARD OF SELECTMEN MEETING
REGULAR MEETING
April 2, 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, Interested Citizens, and Members of the Press.

CALL TO ORDER

First Selectman Davis called the Regular Meeting of April 2, 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

Carol Winship of Main Street South asked the town to remind Maggie McFly's Restaurant that their special permit is only from May to October.

ANNOUNCEMENTS/CORRESPONDENCE

1. Letter dated March 23, 2009 to Board of Selectmen from Reverend McGee as President of Southbury Elderly Housing, Inc./Grace Meadows.
2. Copy of letter to Chairman of Board of Finance from Pomperaug District Department of Health dated March 13, 2009 regarding proposed 2009-2010 Budget.
3. Copy of Memo from First Selectman Davis to Planning, Zoning and Parks & Recreation Commission dated March 20, 2009 regarding Model Airpark and potential use for Map 12, Block 92, Lot 1.
4. Town of Southbury Meeting Calendar for Town Hall for Month of April.

With respect to Item #1, First Sel. Davis said Rev. McGee is referring to the Shortt property across Poverty Road from Grace Meadows. Sel. Somers noted that Mr. Shortt has a life interest in the property. It was suggested that Grace Meadows probably only planned on expanding a little at a time and so would not need the whole of the Shortt property in the near future. The consensus was to invite Rev. McGee to the next Board of Selectmen meeting

and to involve Land Use Administrator Deloris Curtis. Sel. Hubert was concerned that Grace Meadows residents would have to cross a busy road, but there is no other direction for Grace Meadows to expand.

With respect to Item #2, First Sel. Davis said Neil Lustig is making his case with the Board of Finance. First Sel. Davis also noted that the Democrat proposed state budget called for the state to give the health district \$1.83 per capita.

With respect to Item #3, Sel. McLaughlin thanked First Sel. Davis for sending the memo. Sel. Hubert reported that the minutes from both the Parks & Recreation Subcommittee and the Parks & Recreation Commission meetings last week indicated that both groups decided that this was not their thing because it was neither Parks & Rec. land nor a park. Sel. McLaughlin asked if Parks & Recreation was charged with things that took place on town land or was it charged with recreation for the town of Southbury? Other selectmen also suggested that Parks & Recreation was supposed to be concerned with the recreational needs of the town.

MINUTES

Upon a motion by Sel. Turk, seconded by Sel. McLaughlin, the minutes of the March 19, 2009 Public Hearing, the minutes of the March 19, 2009 Regular Meeting of the Board of Selectmen, and the minutes of the March 23, 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. Resignations/Appointments

RESOLVED, that the Southbury Board of Selectmen, upon the recommendation of the Registrars of Voters, hereby approves the hiring of Danielle Anglace of Southbury, for the position of Registrar Clerk, 7 hours per week at a salary of \$9.00 per hour, effective April 3, 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 \$1,328.42.

Sel. Hubert asked that the Registrars let the Board know who eventually takes the job.

TRANSFERS

Sel. McLaughlin requested separate motions for each transfer.

Upon a motion by Sel. Turk, seconded by Sel. Hubert, it was, with five selectmen voting aye and Sel. McLaughlin voting nay, RESOLVED, that the Southbury Board of Selectmen hereby approves and refers the following Transfer to the Board of Finance:

A. 09-14 DEPARTMENT: Labor Related Expenses

FROM:	Contingency	\$9,545
TO:	Training/Tuition	\$9,545

To fund for courses approved for two police officers.

Sel. McLaughlin would like the record to show that she voted against the transfer because she does not think the money ever should have been awarded.

Upon a motion by Sel. Turk, seconded by Sel. Hubert, it was unanimously RESOLVED, that the Southbury Board of Selectmen hereby approves and refers the following Transfer to the Board of Finance:

B. 09-15 DEPARTMENT: Insurance & Bonds

FROM:	Contingency	\$17,467
TO:	Workers Compensation	\$17,467

To cover workers compensation audit for 07-08.

Sel. Hubert asked for an explanation of this transfer. Treasurer Sarosky said it was an annual thing. The town makes an estimate and then after the audit the town either pays or gets money back. Treasurer Sarosky said there was \$65,000 (out of \$200,000 originally) left in the contingency fund.

Upon a motion by Sel. Somers, seconded by Sel. Kerin, it was unanimously RESOLVED, that the Southbury Board of Selectmen hereby approves and refers the following Transfer to the Board of Finance:

C. 09-16 DEPARTMENT: Social Services

FROM:	Fund Balance	\$235.00
TO:	Operating	\$235.00

To transfer funds received in memory of a Southbury resident to the Needy Fund.

STAFF REPORTS

Treasurer Bill Sarosky reported that the auditor had requested a motion authorizing the return of unspent money from the Library Building Fund. The Library Building Committee has been closed. Sel. Kerin said he felt comfortable with the money going back to the General Fund. He said anything that might be outstanding was really maintenance. Sel. Hubert said that the Library Building Committee had done a great job on the Library. There was general agreement with Sel. Hubert. Sel. Kerin said the children's librarian had told him usage had gone up 100% since the move to the new library. Sel. McLaughlin asked how much money was involved. Treasurer Sarosky said \$238,800. He said it was part of the \$1,100,000 from all the building funds already picked up in the budget.

Upon a motion by Sel. Kerin, seconded by Sel. Somers, it was unanimously RESOLVED, that the Southbury Board of Selectmen hereby authorizes the return of any unspent money remaining in the Library Building Fund to the General Fund.

UNFINISHED BUSINESS

Natural Hazard Pre-Disaster Mitigation Plan

First Sel. Davis assured Carol Winship of Main Street South that town plans and regulations would not be amended in accordance with the Natural Hazard Pre-Disaster Mitigation Plan without public hearings. Mrs. Winship was also concerned about the danger of earthquake liquefaction as described in the Plan. Sel. Somers said that most of Southbury was shallow to bedrock reducing the danger of liquefaction. Mrs. Winship was also concerned that a map in the Plan and also a town zoning map had her property labeled incorrectly. First Sel. Davis made a note to ask Zoning to take a look at it.

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

RESOLVED, that the Southbury Board of Selectmen hereby approves the Town of Southbury Natural Hazard Pre-Disaster Mitigation Plan as presented on March 19, 2009.

NEW BUSINESS

1. Resignations and Appointments

The Sub-committee recommended Catherine L. Yancy for the Board of Education vacancy. Sel. Hubert said they had had four great candidates. She

said Catherine Yancy had a strong background in finance and in negotiating contracts.

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

RESOLVED, that the Southbury Board of Selectmen hereby approves the appointment of Catherine L. Yancy of 11 Beacon Hill Drive, Southbury, to fill the vacant position of the Regional District #15 Board of Education, for a term to expire on December 1, 2009.

2. Bank Resolution

Treasurer Sarosky explained that a town deposit in Naugatuck Savings Bank would be secured and at a good interest rate. He said the resolution was a requirement of the Bank.

Upon a motion of Sel. Somers, seconded by Sel. Hubert, the attached Bank Resolution was unanimously approved.

3. Budget Questions

First Question:

Sel. McLaughlin moved a referendum on the budget on Wednesday, May 6, 2009. Sel. Turk seconded her motion.

Sel. Hubert moved the addition of hours, "from 6 a.m. to 8 p.m." to Sel. McLaughlin's motion. Sel. McLaughlin seconded Sel. Hubert's motion. The hours were added by unanimous vote.

It was then unanimously

RESOLVED, that the Southbury Board of Selectmen, in accordance with Section 7.7 of the Connecticut General Statutes, agrees to remove the vote on the Town Budget from the Agenda of the Annual Town Meeting scheduled for May 4, 2009, and agrees that such vote be taken by referendum to be held at the Southbury Firehouse, Main Street South, Southbury, on Wednesday, May 6, 2009 from 6 a.m. to 8 p.m.

Second Question:

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

RESOLVED, that the Southbury Board of Selectmen hereby recommends that the question for the municipal budget for the 2009 – 2010 Fiscal Year, in an amount to be determined at the Board of Finance meeting on April 14, 2009, be placed as the first question on the ballot for the Referendum to be held on Wednesday, May 6, 2009.

4. COPS Grant

Upon a motion by Sel. Turk, seconded by Sel. Somers, it was unanimously agreed to add a discussion of application for a COPS Hiring Recovery Program (CHRP) federal grant to the Agenda.

First Sel. Davis read a description of the grant which would pay for an entry level police officer who would otherwise be laid off. The grant would pay for the officer for 36 months and after that the town would have to employ the officer for a fourth year. The grant must be applied for by April 14, 2009.

Sel. Turk moved to authorize First Sel. Davis to apply for a COPS Hiring Recovery Program (CHRP) federal grant on behalf of the Town of Southbury. Sel. Kerin seconded his motion.

In answer to a question from Sel. McLaughlin, First Sel. Davis said there were budgetary reasons for laying off an entry level police officer. He said the budget maintains the salary line for the police at its current level. Therefore, since by contract the police are due a raise, one officer would have to be laid off to meet the budget. Sel. McLaughlin said that none of the budget is set in concrete and the police officer could be kept by making a reduction somewhere else. She added that the Board of Selectmen has not voted to lay off an officer to hold the budget line.

Sel. Hubert said it seemed the Board was putting the cart before the horse here. She thought the Town might be misrepresenting its situation to the federal government. She said the Board has not decided to lay off anyone.

Sel. Kerin said he did not see it as a misrepresentation. He said the town has a budget line which is not enough to retain all the police officers it has, given the contract which calls for a raise. He agrees the budget could have been put together in other ways but, he said, that was how it was done.

Sel. McLaughlin mentioned that in the past some towns had accepted grants to pay for police only to be left with a force they had trouble maintaining once the grants ran out.

Sel. Turk wondered what would happen if after the town got the grant it was discovered the town did not need it. He also brought up the question of restrictions the federal government might put on the town if it accepts the grant.

Sel. Turk moved to table the motion to authorize First Sel. Davis to apply for a COPS Hiring Recovery Program (CHRP) federal grant. Sel. Hubert

seconded the motion to table. The motion to table was carried with five selectmen voting aye and Sel. Kerin voting nay.

REPORTS FROM SELECTMEN SERVING AS LIAISONS

Sel. Turk said there had been a very good meeting on the charter revisions last night sponsored by the League of Women Voters. He said they turned the draft charter revisions in to the town attorney for review this morning and another public hearing is coming up. Regarding the strategic planning for elderly services, over 360 surveys have been completed and the focus groups are all finished. The surveys now need to be evaluated. Sel. Turk reported that the Economic Development Commission would be considering supporting an antiques trail from Southbury through Woodbury to Watertown. The EDC will also be investigating an idea for area maps and visitor centers.

Sel. Hubert reminded the Board that Monday night is the public hearing on the Region 15 budget. She noted that every union except the teacher's union has given back. She also noted that the Region 15 1.1% increase budget would translate to a \$110,583 decrease to Southbury.

Sel. McLaughlin reported that the multiple building renovation committees met this morning and will meet again next Thursday. They will get the estimated costs for what is left to do. Then they will decide what funds can be returned to the town general fund. She noted that some funds yet to be returned have already been included as returned in the FY 09/10 budget.

Sel. Kerin reported that the IT Committee is working heavily on the accounting package. He said they will probably stay with Munis. Next year's budget, he said, will be more uniform and less creative. Also, Sel. Kerin said, with the software update the town departments will be able to manage their budgets on an ongoing basis instead of having to wait for fiscal's monthly reports. Sel. Kerin reported that there was website training for the heavy duty users last week. And there will be training for more people on April 27th. They are planning for a grand opening of the website the second week in June. Sel. Kerin noted that the two part-time IT consultants' assignment will be up at the end of June. He said they have been asked to put together a work plan and their findings to help the town with what lies ahead.

Upon a motion by Sel. Hubert, seconded by Sel. McLaughlin, it was unanimously agreed that the Southbury Board of Selectmen move into Executive Session at 8:40 p.m. to discuss the State Police Contract.

EXECUTIVE SESSION

The Executive Session was called for the purpose of discussing the State Police Contract.

Selectmen Present

First Selectman Davis
Selectman Carol Hubert
Selectman Kenneth Kerin
Selectman Barbara McLaughlin
Selectman Stuart Somers
Selectman John Turk

Also Present

Bill Sarosky, Treasurer
Jennifer Naylor, Asst. to First Sel.

First Selectman Davis declared the Executive Session closed at 9:50 p.m. and the regular meeting continued.

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

RESOLVED, that the Southbury Board of Selectmen hereby authorizes the First Selectman H. William Davis, Jr. to enter into a contract with the State Police for a period not to exceed six (6) months with the stipulation that the Town of Southbury will maintain its current Hunt System as well as a dual entry into the NexGen System.

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

RESOLVED, that the Southbury Board of Selectmen hereby moves to establish a date for a referendum on the issue of hiring a chief of police. Such referendum shall occur prior to the end of September 2009.

Sel. Turk moved, seconded by Sel. Somers, to adjourn the meeting at 10:02 p.m. All were in favor.

Respectfully submitted,

Jocelyn Bagger