

**BOARD OF SELECTMEN
SPECIAL MEETING
April 8, 2009
(Subject to Approval)**

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

ALSO PRESENT: Treasurer Bill Sarosky, Assistant to the First Selectman Jennifer Naylor, State Police Sergeant Ken Kramer, and Southbury Police Corporal Jim Houle.

CALL TO ORDER

First Selectman Davis called the Special Meeting of April 8, 2009 to order at 3:02 p.m. in Room 208 of the Town Hall.

INDEPENDENT POLICE DEPARTMENT CONTINUED DISCUSSION

First Sel. Davis gave a recap of where things stand with the State Police. State Police Col. Malloy has offered the same contract (that Southbury has not signed) through June 30, 2009 and then another two year contract (a draft of which is not yet available). Col. Malloy said they do not make changes in their standard contracts. Attorney Bill Ryan reviewed the contract and made three suggestions: reinforcement that Southbury can terminate the contract on 30 days notice; dual entry into both the Hunt System and the NexGen System; and one resident trooper (the Sergeant) and another trooper only if requested. First Sel. Davis said the Board authorized him to sign a six month extension and he did not think what Col Malloy offered was a six month extension.

Sel. Kerin said he will not vote for a two year contract. He wants a deadline – a sense of urgency.

It was noted that a date had been set sometime "prior to the end of September 2009" for a referendum on the question of hiring a police chief.

Sel. Hubert pointed out that if nothing is done Sgt. Kramer will be gone April 22, 2009.

Sel. Turk brought up a parliamentary point. He did not think the Board can sign a contract that has NexGen in it since the Board has already voted not to have NexGen. He thought the votes against NexGen would have to be reversed first. (The contract was checked and it did not appear to refer to NexGen by name.)

Sel. Somers did not think signing a two year contract could hurt since there is the 30 day termination clause.

First Sel. Davis said he thought they should sign the contract until June 30th and then go from there.

Corporal Houle said that if the town sends the contract back with a request for changes to the contract, Sergeant Kramer will be gone April 22nd. Sgt. Kramer said the State Police would not even say no because they have said that all along.

First Sel. Davis said he was not willing to play chicken with the State Police.

Sel. Somers said that if Sgt. Kramer is pulled out on April 22nd, Southbury's police department will no longer function as a police department. He said the state police will take over and our police will be only constables.

There was an extensive discussion about putting the dual records system and any other changes to the contract in an addendum to the contract such as a letter of understanding or memorandum of agreement.

Sel. Kerin suggested maybe a neighboring town's police could supervise Southbury's police if Sgt. Kramer is pulled. Sel. Somers said he felt that would be circumventing the Town Charter. He said that the quicker the Board gets the question of hiring a police chief to a town-wide referendum the better.

There was a discussion of when to schedule the referendum on hiring a police chief. Treasurer Sarosky reminded the Board that a referendum required 30 days notice. First Sel. Davis said the Town Clerk said that 15% voter participation would not be required.

Upon a motion by Sel. Somers, seconded by Sel. Hubert, it was, by a vote of four to two (Selectmen Somers, Hubert, Turk, and Davis voting Aye and Selectmen McLaughlin and Kerin voting Nay),

RESOLVED, that the Southbury Board of Selectmen hereby authorizes First Selectman H. William Davis, Jr., on behalf of the Town of Southbury, to sign both the current State Police Contract (to be in effect through June 30, 2009) and a Letter of Understanding under which the Southbury Police will make dual entries into both the NexGen System and the Hunt System and Southbury will have only one State Police Trooper (a Sergeant) unless it requests another Trooper.

Sel. Kerin said the Board should look at having the referendum in June. First Sel. Davis agreed, saying to have it while it has been in the newspapers. Sel. Kerin remarked that the Board would have to put together a good information program. Sel. Hubert said the Board would need the answers to questions about such things as taking possession of narcotics. First Sel. Davis said that there is no shortage of knowledgeable people to help.

COPS GRANTS

First Sel. Davis reminded the Board that there is an April 14th deadline to apply for a COPS Hiring Recovery Program (CHRP) federal grant and it takes up to 3 days to apply. First Sel. Davis reminded the Board that, when the budget was passed, the salary line for everyone including the police was frozen. The police union contract calls for a 3.5% increase. So if the police refuse to have their salaries frozen one officer would have to be laid off. The COPS grant would prevent that from happening by paying for an officer for three years. First Sel. Davis said he would like to apply for the COPS grant because the deadline is approaching and the town could opt out of the application if it should turn out the town does not need the grant.

First Sel. Davis read from the grant description that it applied to an officer who at the time of the application is scheduled to be laid off at a future date as a result of budget cuts. Sel. McLaughlin felt that "scheduled" means something more specific than "may be" laid off.

Sel. Somers said to let the Federal Government make the decision – either Southbury meets the requirements for the grant or it doesn't.

Sel. Hubert was concerned about when the police union would be talked to about the pay freeze. First Sel. Davis said he planned to talk with the union on Monday.

Upon a motion by Sel. Somers, seconded by Sel. Kerin, it was, by a vote of four to two (Selectmen Somers, Kerin, Turk, and Davis voting Aye and Selectmen McLaughlin and Hubert voting Nay),

RESOLVED, that the Southbury Board of Selectmen hereby authorizes First Selectman H. William Davis, Jr., on behalf of the Town of Southbury, to apply for the COPS Hiring Recovery Program (CHRP) federal grant.

Sel. Somers moved, seconded by Sel. Turk, to adjourn the meeting at 4:25 p.m. All were in favor.

Respectfully submitted,

Jocelyn Bagger