

**BOARD OF SELECTMEN MEETING
REGULAR MEETING
May 7, 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: Town Clerk Virginia Salisbury, Treasurer Bill Sarosky, Parks & Recreation Commission Chairman Charles Rosa, 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 Selectman Davis called the Regular Meeting of May 7, 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

None

ANNOUNCEMENTS/CORRESPONDENCE

1. Letter from the Junior Girl Scouts to the First Selectman regarding the placement of a "peace pole" in Town.
2. Letter dated April 23, 2009 from the State Department of Agriculture to the First Selectman stating that Southbury may begin the Agriculture Viability Grant Project.
3. Notice to the First Selectman from the Zephyr Cycling Team stating that this year's race will be held on June 21, 2009.
4. Copy of letter dated April 22, 2009 from Ken Korsu to the Voices regarding the establishment of an independent police department.
5. Letter dated April 28, 2009 thanking the Town for all the help with the Faith Walk.
6. Animal Control Officer's report for April 2009.
7. Building Department report for April 2009.
8. Meeting schedule for the month of May 2009.

In answer to a question, First Sel. Davis said Item 2 had to do with the Farmer's Market.

MINUTES

Upon a motion by Sel. Turk, seconded by First Sel. Davis, the minutes of the April 8, 2009 Special Meeting of the Board of Selectmen were unanimously approved.

In answer to a question from Sel. McLaughlin, it was Jennifer Naylor who submitted the minutes of the April 15, 2009 Special Meeting.

Upon a motion by Sel. Turk, seconded by Sel. Hubert, the minutes of the April 15, 2009 Special Meeting of the Board of Selectmen were unanimously approved.

Upon a motion by Sel. Turk, seconded by Sel. Kerin, the minutes of the April 16, 2009 Regular Meeting of the Board of Selectmen were unanimously approved.

Upon a motion by Sel. McLaughlin, seconded by Sel. Hubert, the minutes of the April 28, 2009 Special Meeting of the Board of Selectmen were approved with four votes in favor and Sel. Somers and Sel. Turk abstaining.

CONSENT AGENDA

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

1. Resignations and Appointments

RESOLVED, that the Southbury Board of Selectmen hereby acknowledges with regret the resignation of Gerald E. Klein as a member of the Board of Finance, effective May 15, 2009; and

BE IT FURTHER RESOLVED, that the Board of Selectmen hereby acknowledges with regret the resignation of Vincent Saggese as an alternate member of the Board of Finance, effective immediately.

RESOLVED, that the Southbury Board of Selectmen hereby acknowledges with regret the resignation of Carole Thomas as a Library Assistant, effective June 28, 2009.

RESOLVED, that the Southbury Board of Selectmen, upon the recommendation of the Director of Public Works, hereby approves the hiring of the following as temporary summer employees for the Outside Properties Department, effective on or after May 11, 2009:

1. Andrew Beard
2. John Curry
3. Daniel Gaipa
4. Timothy Gaipa
5. Michael Rood

2. 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 \$750:

PRINCIPAL: Howard Sears, Jr.
SURETY: People's Bank
PROPERTY: 213 Horse Fence Hill Road
(Town File 05-46)

3. 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 \$1,155.14.

4. Memorial Day Parade Road Closing

RESOLVED, that the Southbury Board of Selectmen, hereby approves the closing of Main Street South from Pomperaug Office Park to the Southbury Memorial Park for the Memorial Day Parade on May 25, 2009, between the hours of 10:45 a.m. and 12:15 p.m. for the Memorial Day Parade.

STAFF REPORTS

None

UNFINISHED BUSINESS

1. State Police Resolution

Upon a motion by Sel. Somers, seconded by Sel. Turk, it was, with four votes in favor, Sel. McLaughlin voting nay, and Sel. Kerin abstaining,

RESOLVED, that H. William Davis, Jr., First Selectman, be and herewith authorized to execute a contract on behalf of the Town of Southbury with the Connecticut Department of Public Safety, Division of State Police for the services of one Resident State Trooper Sergeant for the period of July 1, 2007 to June 30, 2009.

NEW BUSINESS

1. Junior Girl Scout request

Girl Scout Troop leaders Jeanne-Marie Hudson and Genie Bisch presented their request to construct a Peace Pole someplace on town land. They already have permission to construct a Peace Pole at Pomperaug Elementary School, but would like to have another one in Southbury. Each Peace Pole will have "May Peace Prevail on Earth" printed on it in English, French, Italian, and Gaelic. Sel. McLaughlin asked about a hidden or political agenda behind the world wide movement setting up Peace Poles. Mrs. Hudson and Mrs. Bisch said they did not know of any hidden or political agenda. First Sel. Davis said he thought the problem might be that the installation on public property might be setting a precedent. Parks & Recreation Commission Chairman Rosa said he thought the first step should be a formal plan and drawing. The consensus was to refer the request to Public Works Director Tom Crowe to see if he could come up with a site and a plan for a Peace Pole after consulting with the troop leaders.

2. Road Closure – Wood Lot Lane

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

RESOLVED, that the Southbury Board of Selectmen, hereby approves the request to partially close Wood Lot Lane (from 48 Wood Lot Lane to the intersection with Hunters Ridge Road) for a neighborhood block party on Saturday, May 23, 2009 from 3:00 p.m. to 9:00 p.m.

3. Parks & Recreation Request

Parks & Recreation Commission Chairman Charlie Rosa wished to discuss the problem presented by the Senior Center grant restriction where by the Senior Center part of the Senior Center/Parks & Recreation building can only

be used by persons age 62 or older. In particular, the Senior Center is unused most evenings when Parks & Recreation activities need more space.

Mr. Rosa said that he felt the building committee (which he was on) and the taxpayers of Southbury were misled into thinking the whole building would be available to the rest of the town when the seniors were not using their part. Mr. Rosa said that only after a year did the town find out that the Senior Center could not be used by anyone under age 62. Sel. Kerin said he did not think anyone was aware of the restriction at the time. Sel. McLaughlin (also a member of the building committee) agreed that the building committee did not know about the age restriction. She said the building committee thought the whole building could be used by everyone. She said the committee planned that Parks & Recreation could use that space. Sel. Hubert said that that was clearly how the project was sold – that the larger areas were to be used by both the seniors and Parks & Recreation.

Sel. Somers said it was silly not to be able to use the building during off hours. He said he thinks it should be looked into. First Sel. Davis has spoken about the problem to someone at the State. Jennifer Naylor said she has spoken with the grant writer at L. Wagner.

Sel. Hubert said that at some point you have to look at the building project and say this does not work. But, Sel. McLaughlin said, we never got that opportunity because we were never informed that the restriction was a part of the grant. Mr. Rosa said that if the town had known about the restriction maybe they would not have taken the grant.

Sel. Hubert and Sel. Turk said the matter should be looked into. First Sel. Davis said he would look into it and see what could be figured out.

4. Tuition Request/Transfer

Upon a motion by Sel. Turk, seconded by Sel. Kerin, it was (with 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 May 2009 and running through July 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 course.

Sel. Kerin said the tuition reimbursement program should be looked at and maybe capped. Sel. McLaughlin said tuition reimbursement was in the police union contract. She felt the tuition reimbursement clause needed work. She does not feel that it was intended to reimburse for advanced degrees.

Upon a motion by Sel. Turk, seconded by Sel. Kerin, it was (with Sel. McLaughlin voting nay)

RESOLVED, that the Southbury Board of Selectmen hereby approves and refers the following Transfer to the Board of Finance:

09-21	DEPARTMENT:	Labor Related Expenses	
	FROM:	Contingency	\$8,500
	TO:	Training/Tuition	\$8,500

To fund for courses approved for a police officer.

In answer to a question from Sel. Hubert, Treasurer Sarosky said there was \$52,000 left in the Contingency Fund after this transfer.

REPORTS FROM SELECTMEN SERVING AS LIAISONS

Sel. Turk reported that the revised town charter has been turned over to the Town Clerk. Sel. Turk also reported that the Southbury Corporate Park is part of a Council of Governments strategic plan for economic development which will help Southbury get government grants.

Sel. Hubert reported that the Insurance Committee met and there will only be a 7% premium increase (instead of 8% as expected), so about \$10,000 is saved.

Sel. Kerin reported that town staff is working on populating the new town website.

First Sel. Davis thanked the voters for passing both the Town budget and the Region 15 budget for FY 09/10. He also thanked the members of the town boards and commissions and department heads for slashing their budgets down to the bone. He reported that the new mil rate will be 20.9, a .2 reduction.

ANY OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE MEETING

Upon a motion by Sel. Turk, seconded by Sel. McLaughlin, it was unanimously voted to add to the agenda a discussion of the proposed Independent Police Department.

The discussion of the packet to be handed out at the informational meetings on the establishment of an independent police department, started at the May 6, 2009 special meeting of the Board of Selectmen, continued.

First Sel. Davis handed out a two year timeline of correspondence between the State Police and the town.

It was decided to put the informational packet up on the town website. Sel. Somers suggested notifying the newspapers that the information was on the town website.

Sel. McLaughlin moved, seconded by Sel. Turk, to adjourn the meeting at 9:55 p.m. All were in favor.

Respectfully submitted,

Jocelyn Bagger