

**ROXBURY BOARD OF SELECTMEN
REGULAR MEETING**

**October 5, 2009
MINUTES**

CALL TO ORDER

Barbara Henry, First Selectman, called the meeting to order at 7:28 p.m.
Present: Barbara Henry, First Selectman; Robert Lowe and Russell Dirienzo, Selectmen; Dennis McDonald, Member of the Public; and Tammy McVey-Camilleri of Voices; Jack Coraggion, Litchfield County Times.

APPROVAL OF MINUTES

Motion by Russell Dirienzo to approve the minutes of the Regular Meeting held September 9, 2009 as presented. The motion was seconded by Robert Lowe and carried unanimously.

TAX REFUNDS

Motion by Russell Dirienzo to approve the tax refunds of:

- Robert & Cynthia Hopkins - \$1,788.86
- Paul Garguilo - \$10.00
- Marie Swanson - \$9.73
- Toyota Motor Credit Corp. - \$26.76
- Financial Serv Veh Trust - \$186.60
- David Cheever - \$10.30
- Vadim Gregorian - \$47.85
- John McCluskey - \$33.87

The motion was seconded by Robert Lowe and carried unanimously.

COMMUNICATIONS FROM THE PUBLIC

Barbara Henry confirmed there were no communications from the public.

COMMISSIONS AND BOARDS APPOINTMENTS

Russell Dirienzo recused himself.

Inland-Wetlands Commission, Alt. – 09/01/02009 - 08/31/2012

Barbara Henry explained that there is a gentleman interested in this position who is a contractor. She will follow up with him and report back at the next meeting.

Motion by Barbara Henry to table the appointment of Inland-Wetlands Commission, Alt. – 09/01/02009 - 08/31/2012. The motion was seconded by Robert Lowe and carried unanimously.

Russell Dirienzo was reelected.

Special Park Constables

Barbara Henry suggested that the Board outline the purpose and description of a Special Park Constable.

Motion by Russell Dirienzo that Special Park Constables are appointed by the Board of Selectmen to assure that all town park rules, parking and permits are enforced for a term of two years. They shall have the authority to issue tickets to those who do not have a parking sticker or who are parked illegally within the park boundaries. The motion was seconded by Robert Lowe and carried unanimously.

BUSINESS

Resident Relief Fund – 3 signers

Barbara Henry reported that she has made arrangements to increase the number of people authorized to sign Resident Relief Fund checks from two to three people. The Probate Judge has agreed to be the additional signer and she could continue on as a signer after her retirement.

Motion by Russell Dirienzo to increase the number of those authorized to sign the checks for the Resident Relief Fund from two to three people, which includes the First Selectman, Treasurer and the current Probate Judge. The motion was seconded by Robert Lowe and carried unanimously.

Referendum question re: Zoning

Barbara Henry reported that the exact wording of the question that will be on the ballot on November 3rd is: “Shall the Town of Roxbury change the way the Zoning Commission members are selected from an appointed position to an elected position.”

Barbara Henry noted that she believes the Selectmen are unanimous in the decision to have elections; however, in this case she does not like the underlying motives and believes they are directed at an individual on the Zoning Commission, therefore she will vote no. She feels this is more personal than constructive. The Town has always prided itself on not having dirty politics and feels this issue has dipped into that area. She wished that this question could have waited because she feels there will be a low turnout due to the lack of contested offices. Also, there has not been enough information out to the public regarding the issue.

Robert Lowe agreed and noted that it has been his opinion that if it is not broke don't fix it. However, this should be decided by the public's vote and the BOS all agreed upon this.

Russell Dirienzo explained that he made the motion because he feels it is an important question that the town should decide; however, he is opposed to the change and will vote no. He noted that he likes the Zoning Commission the way it is and supports Chairman Falconer. He feels that the BOS have done a good job appointing the members and the public really is not totally aware of the complex nature of land use and how much time is devoted to these positions. He urges a big turn out for this election because it is an important issue which could change the future of the Town and a large number of people should make this decision. As an elected position Zoning will become political and decisions will be made based upon repercussions rather than Regulations. He suspects it will become even more difficult to find members. Russell Dirienzo suggested that the BOS, as the leaders of this Town, should state that we feel that people should come out to vote on this important issue and note that it is our opinion that they should vote no.

Motion by Russell Dirienzo that the BOS unanimously agree that the people in Town should (a) come out to vote and (b) the system for appointing Zoning is in place, it works and

should not be changed; therefore, the BOS agree that the vote should be no. The motion was seconded by Robert Lowe.

Discussion: Barbara Henry noted that she also hopes there is a large turnout. She fears that the vote will go through to elect Zoning when very few people are aware that there is even the question on the ballot. This subject is not on the radar screen for many people. She doesn't want to see a very small group of people manipulating the complexion of the Zoning Commission to what they would like to see. She noted that they did have time to discuss this question further and educate the public because there is not another municipal election for two years.

The motion was carried unanimously.

POCD Draft - Comments

The Board agreed that they would like to be able to finish reviewing the POCD in its entirety before making comments. They agreed to have comments at the next BOS meeting and that they would be in attendance for the November 12th Planning meeting.

Motion by Barbara Henry to table the POCD Draft comments. The motion was seconded by Russell Dirienzo and carried unanimously.

STEAP Grant – Firehouse

Barbara Henry reported that she received approval for the STEAP grant she wrote for the Firehouse in the amount of \$200,000. An additional \$100,000 will probably be needed to finish the project, which the Board agreed should come from Fire Department fundraising.

South Street Drainage and Paving

Barbara Henry reported that Brian Neff has completed the drainage plan for South Street which the Public Works crew is completing and the paving is now out to bid.

South Street – Move Flag Swamp Intersection 100'

Barbara Henry explained that there has been a suggestion to move the Flag Swamp intersection to make it safer. The Board agreed that this was a good idea and is something that should be looked into. Russell Dirienzo suggested that as an alternative the bank could be cut back and a retaining wall added. Barbara Henry will work on it.

Battleswamp Road – Change to One Way

The Board agreed that the suggestion to change Battleswamp Road to a one way (in from Rt. 67 up to the first driveway so the homeowners on the road could access their homes from either direction on Battleswamp) to make it safer is a good one. It was agreed that they would need to speak with the residents of the road about the suggestion. Barbara Henry will work on it.

Public Hearing – Cell Tower Transylvania Road

Barbara Henry reported on the Public Hearing regarding the cell tower proposal by AT&T. She noted that the proposed application will need to go before the Inland-Wetlands Commission before it is submitted to the State Siting Council. AT&T was asked to float a balloon again in late October or early November, when the leaves are down, because they did not notify her office the last time it was done, as agreed. She will let everyone know the date as soon as it is available. The Siting Council has been asked to also hold their meeting at the Roxbury Town Hall. The application is on hold right now. AT&T's Technical Report is available online on the Town's website.

Barbara Henry explained that they have received many complaints regarding the lack of cell service and noted that this tower would be giving bad service to more people. She questioned why they do not upgrade the tower they are already on at the Transfer Station. This new tower will service the Route 67 area into the Southbury.

TowerCo. Proposal

Barbara Henry reported that she received a call from TowerCo. who wants to purchase the rights to the tower. She noted that the Town does not own the tower, but does own the land that it is on. The Board agreed that they should listen to their proposal.

Probate Court Update

Barbara Henry reported that one of the Probate Court Districts that has been created will consist of Roxbury, Southbury, Washington, Oxford, Bethlehem and Woodbury. She noted that they have not decided in what town the physical court will be located but she is voicing our opinion for Southbury and will follow it along with Probate Judge Puglio.

Volunteer Recognition Picnic

Barbara Henry reported that the Volunteer Recognition Picnic was well attended. Some of the people that they honored that day were Margot and Jerry Judge, Hugh Rawson, Bill Steers, Mark Lowe, Randy Ketchum and Ralph Wescott.

Ranney Hill Road Culvert Replacement

Barbara Henry reported that the Ranney Hill Road culvert replacement project is almost complete. She explained that they ran into another headwall in the center. She noted that FSM is doing a great job.

Environmental Coordinator

Barbara Henry reported that Alexandra Gross, the Environmental Coordinator, submitted an update regarding the #5 recycling program "Gimme 5." It is scheduled to launch the last Saturday of October. Ms. Gross is working with the school to get a list of student volunteers and on getting the information regarding the program out to the public. She is working with the Energy Task Force to apply for a grant for this program. The Board complimented Alexandra Gross for all her efforts with this program.

Fire Marshal's Report - August

Motion by Barbara Henry to add September's Fire Marshal's Report to the agenda. The motion was seconded by Robert Lowe and carried unanimously.

Barbara Henry reviewed the reports with the Board and noted there were 10 calls in August and 8 calls in September.

Other Business

Russell Dirienzo made a motion to add discussion regarding CRRA and a resolution for the Historic Document Preservation Program to the agenda. The motion was seconded by Barbara Henry and carried unanimously.

CRRA

Barbara Henry reported that CRRA's proposed landfill project in Franklin fell through. CROG is pulling together all the options available to the area and are asking for a contribution of \$500 from the towns.

Motion by Russell Dirienzo to authorize the First Selectman to contribute \$500 to CROG to consider all options available upon the expiration of the contract with CRRA in 2012. The motion was seconded by Robert Lowe and carried unanimously.

Historic Document Preservation Program Resolution

The Town Clerk has asked for a resolution from the BOS to receive \$5,000 from this program.

Motion by Russell Dirienzo to adopt the following Resolution:

"Barbara Henry, First Selectman, is empowered to execute and deliver in the name of and on behalf of this municipality a contract with the Connecticut State Library for a Historic Document Preservation Grant."

The motion was seconded by Robert Lowe and carried unanimously.

Executive Session - personnel

Motion by Barbara Henry to convene in Executive Session at 8:07 p.m. The motion was seconded by Russell Dirienzo and carried unanimously.

Motion by Russell Dirienzo to come out of Executive Session at 8:20 p.m. The motion was seconded by Robert Lowe and carried unanimously.

Motion by Russell Dirienzo to adjourn at 8:21 p.m. The motion was seconded by Robert Lowe and carried unanimously.

Respectfully submitted,

Tai Kern

Tai Kern,
Secretary

These minutes are not considered official until approved at the next Regular Meeting of the Roxbury Board of Selectmen.