

**ROXBURY BOARD OF SELECTMEN
REGULAR MEETING**

**April 6, 2009
MINUTES**

CALL TO ORDER

Barbara Henry, First Selectman, called the meeting to order at 7:30 p.m.
Present: Barbara Henry, First Selectman; Robert Lowe and Russell Dirienzo Selectmen;
Gary Lord, Board of Finance; Fran Hodges, RRR Sanitation

Barbara Henry explained that she received a request from the Roxbury Historical Society that she would like to add to the agenda.

Motion by Russell Dirienzo to add the Roxbury Historical Society's request to the agenda. The motion was seconded by Robert Lowe and carried.

APPROVAL OF MINUTES

Motion by Russell Dirienzo to approve the minutes of the Special Meeting held March 4, 2009 as presented. The motion was seconded by Robert Lowe and carried.

Motion by Barbara Henry to approve the minutes of the Special Meeting held March 17, 2009 as presented. The motion was seconded by Robert Lowe and carried.

TAX REFUNDS

Motion by Russell Dirienzo to approve the following tax refunds:

- Abby L. Levine - \$1,697.58 – excess payment
- Countrywide Tax Services Corp. - \$200.57 – excess payment
- Douglas S. Cramer, Trustee - \$6,644.52 – excess payment
- Douglas S. Cramer, Trustee - \$614.12 – excess payment
- Douglas S. Cramer, Trustee - \$130.68 – excess payment
- Douglas S. Cramer, Trustee - \$101.16 – excess payment
- Douglas S. Cramer, Trustee - \$497.04 – excess payment

The motion was seconded by Robert Lowe and carried.

COMMUNICATIONS FROM THE PUBLIC

Barbara Henry reported that there were no communications from the public this month.

COMMISSIONS AND BOARDS APPOINTMENTS

Deputy Fire Marshal, Janet Morgan - Woodbury

Motion by Russell Dirienzo to appoint Janet Morgan as Deputy Fire Marshal. The motion was seconded by Robert Lowe and carried.

Historic District Commission – vacancy expiring 12/31/2011

Babara Henry reported that Peter Wooster has decided to stay on with the Commission.

Motion by Russell Dirienzo to remove the Historic District Commission vacancy. The motion was seconded by Robert Lowe and carried.

Inland-Wetlands Commission. Alt. – vacancy expiring 08/31/2011

Motion to table the appointment of an Inland-Wetlands Commission Alt. by Barbara Henry. The motion was seconded by Russell Dirienzo and carried.

ZBA, Alt. – 01/01/2009 – 12/31/2013 – Correction to Appt made January 09

Barbara Henry explained that Jean O'Reilly was incorrectly appointed in January 09 and this should have been Margaret Minor.

Motion by Russell Dirienzo to reappoint Margaret Minor as ZBA Alt. 01/01/2009 – 12/31/2013. The motion was seconded by Robert Lowe and carried.

NW Regional Housing Authority Member

Motion by Barbara Henry to table the appointment of the NW Regional Housing Authority Member. The motion was seconded by Robert Lowe and carried.

BUSINESS

Transfer Station

Russell Dirienzo explained that they received a call from Washington to inform them that a load of trash was turned away on Saturday. When bags were opened at the Roxbury Transfer Station it was found that this load of Washington garbage came to Roxbury. As a result RRR had been banned from using the transfer station until this meeting.

Albert Pokrywka, Transfer Station Operator, has requested that commercial haulers not be permitted to dump on Saturday, that all commercial haulers' trucks be labeled with business and address, and to limit the amount to three trucks from RRR to be permitted to use the Transfer Station. It was noted that uncovered pick up trucks from RRR continue to dump at the Transfer Station despite the DEP Regulation forbidding this practice. It was explained that Saturday is a busy day at the Transfer Station and it makes it difficult to manage the commercial haulers dumping that day.

Fran Hodges of RRR explained that the error that occurred on Saturday was unintended and that the employee responsible has been terminated. Mr. Hodges noted that he takes responsibility for this error. Barbara Henry noted that this is not the first time such an error has occurred. Additionally, it was reiterated that commercial solid waste is not to be dumped at the Transfer Station, however, cardboard from the Market continues to show up. Mr. Hodges agreed not to use the Transfer Station on Saturdays.

Russell Dirienzo suggested that the ban on RRR's use of the Transfer Station be lifted. He noted that they should be given 30 days to paint their truck doors with their name and address. Mr. Hodges explained that his doors already contain this information.

Barbara Henry noted that there have been many conversations where Mr. Hodges has agreed to follow the ordinance; however, his employees are not following through. She explained that there have been several verbal warnings as well as written warnings. Robert Lowe agreed that this problem reoccurs every 6-8 months. He suggested that the problem could be resolved if Mr. Hodges spoke with his employees and implemented consequences if the guidelines are not followed. It was agreed that none of the Selectmen want to shut down RRR but insist the rules be followed.

Motion by Russell Dirienzo to lift the ban on RRR who can resume use of the Transfer Station effective Tuesday, April 7th @ 8:00 a.m. Commercial haulers are not to be allowed use of the Transfer Station on Saturdays. All commercial haulers must have

their trucks labeled and all loads must be covered. Any violation will result in a ban for that day. The motion was seconded by Robert Lowe.

Barbara Henry discussed that she felt a one day ban was not enough. Russell Dirienzo noted that the ordinance allows for this to avoid an undue hardship. However, written notice can be given and a hearing scheduled where further consequences can be determined. Russell Dirienzo suggested that a BOS Special Meeting be called to address such a situation. The motion carried.

The Board discussed that per the ordinance violations accumulate over the course of one year and that there is a \$50 fine after three violations. Barbara Henry noted that she felt this amount was not enough. Russell Dirienzo confirmed that out of town garbage is not permitted per the ordinance. Additionally, he confirmed that all 7 of RRR's trucks with permits can use the Transfer Station; however, they must be covered and the rules for recycling followed.

Fran Hodges apologized to the Board for the error on Saturday.

Squire Road Repairs Update

Barbara Henry and Russell Dirienzo reported that they went out to the site to view issues raised by Doug DiVesta. Barbara Henry distributed photos of the problems. She reported that \$11,000 is owed to Mark Lowe and he has requested one-half of the amount due at this time. Russell Dirienzo noted that the road must be fixed prior to payment or they will have to pull the bond to have the work done.

Russell Dirienzo noted that the basins must be cleaned as agreed. The break ups on the sides of the road are because the sides of the road need to be built up. The problem with the settling of the catch basins is due to poor compaction. It was noted that the pipes have not been cut due to the weather; however, the Board did not see the purpose in waiting to do this. Barbara Henry explained that it has been recommended to chip seal the road because it has a tendency to become slick. She noted that this will not be considered until the road is complete.

K-5 Maintenance & Repair Project Meeting with Dr. Storm

Barbara Henry noted that after the meeting with Dr. Storm and the Committee with regard to the disrepair of the school she felt it might not be in their best interest to sign the leases. Robert Lowe noted that he was not in favor of signing until problems are fixed. Barbara Henry explained that not signing the lease creates a liability issue. Russell Dirienzo questioned why they would not sign the lease in an effort to cover the Town's liability. It was noted that the problems with the school are not renovation problems they are day to day maintenance issues. Barbara Henry noted that safety and cleanliness issues need to be addressed immediately.

Barbara Henry reported that the three First Selectmen met and decided to send a letter to Dr. Storm. It was questioned why they would want a referendum for 3 million dollars when the schools are not being maintained. Barbara Henry explained that in the past the request of the Town to upkeep the school was refused. The Board agreed that they would like to take the building back and charge rent. It was noted that the BOE has been irresponsible with spending as well as with the care of the building. Robert Lowe noted that it is the Town's building and the Town's kids and the public is unaware of the situation.

Booth Free School Lease Update

Motion by Russell Dirienzo to charge \$3,300 per month in rent if the lease is not signed by June 30th. The funds collected will go to maintaining the school. The motion was seconded by Robert Lowe and carried.

Budget Approval & STEAP Grants Transfer of Funds

Barbara Henry reported that they received approval to use remaining funds in the amount of \$113,753 from the previously awarded STEAP grant for the Minor Bridge Rehabilitation.

Barbara Henry distributed and reviewed a copy of the draft proposed 09/10 Budget. She explained that this has been one of the most difficult budgets. She reported that the Public Works Union voted to defer their increase this year; therefore, there will not be any town employees receiving an increase this year. Additionally, several employees have had their hours cut effective March 15th.

Barbara Henry explained that there are two Town budget scenarios. The first scenario allows for a 5.17% overall Town Budget decrease. The second scenario eliminates the majority of capital improvements which further decreases the to a 7.39% decrease.

Motion by Robert Lowe to support the proposed 7.39% decrease in budget, which is \$257,597 less than last year. The motion was seconded by Russell Dirienzo and carried.

Friends of Roxbury Senior Center Requests

Barbara Henry reported that the Friends of the Roxbury Senior Center have submitted requests for the use of the barn for a Roxbury House Tour Reception, Festival of Holiday Trees and Country Christmas Traditions, and Fall Country Fair. The Board agreed to this use with Fire Marshal's approval.

Motion by Russell Dirienzo to approve the use of the barn for the Friends of the Roxbury Senior Center's request for the Roxbury House Tour Reception, Festival of Holiday Trees and Country Christmas Traditions, and Fall Country Fair with final approval from the Fire Marshal. The motion was seconded by Robert Lowe and carried.

Bounced Check Fee – Increase from \$25 to \$30

Motion by Russell Dirienzo to increase the bounced check fee from \$25 to \$30. The motion was seconded by Robert Lowe and carried.

Shepaug River Update

Barbara Henry noted that Randy Bernard reported that the Shepaug River Dam project is underway and also at the Wigwam reservoir. The project is on schedule for completion by June 30th of this year.

Invites to Conservation Commission & Energy Task Force

The Board agreed that the Conservation Commission and the Energy Task Force should be invited to a BOS meeting to update the Board on their progress.

Public Works Building for old Ambulance parking in FD Bay

Barbara Henry reported that the Fire Department voted to allow the old ambulance to park in Fire Department bay at the PW garage.

Motion by Russell Dirienzo to permit the Ambulance Association to park the old ambulance in the Fire Department Bay in the PW garage as per the Fire Department's vote. The motion was seconded by Robert Lowe and carried.

Senior Center Coordinator

Barbara Henry explained that Linda Wahlers' position is referred to in the ordinance as the Senior Center Director.

Motion by Russell Dirienzo to change the position title of the Senior Center Coordinator to Senior Center Director. The motion was seconded by Robert Lowe and carried.

Historic District Commission Grant for Barn Survey

Barbara Henry explained that she would like permission to sign the contract for the Barn Survey for which they received a \$30,000 grant.

Motion by Russell Dirienzo to sign the contract for the barn survey. The motion was seconded by Robert Lowe and carried.

Affirmative Action Policy Statement

Motion by Russell Dirienzo to re-adopt the Affirmative Action Policy Statement. The motion was seconded by Robert Lowe and carried.

Fair Housing Policy Statement Re-adoption

Motion by Russell Dirienzo to re-adopt the Fair Housing Policy Statement. The motion was seconded by Robert Lowe and carried.

Fair Housing Resolution Re-adoption

Motion by Russell Dirienzo to re-adopt the Fair Housing Resolution. The motion was seconded by Robert Lowe and carried.

Title VI Equal Opportunity Statement

Motion by Russell Dirienzo to re-adopt the Title VI Equal Opportunity Statement. The motion was seconded by Robert Lowe and carried.

Town Historical Society Barn – Future Use

Motion by Barbara Henry to table discussion regard the future use of the Town Historical Society Barn. The motion was seconded by Russell Dirienzo and carried.

Silver Star Banner Day Proclamation

Barbara Henry explained that the Silver Star Banner Day Proclamation is in support of wounded Veterans.

Motion by Barbara Henry to sign Silver Star Banner Day Proclamation. The motion was seconded by Russell Dirienzo and carried.

Roxbury Station

Barbara Henry reported that she met with an interested party and a realtor regarding the Roxbury Station possibilities. She noted that it is a historical site worth saving.

Fire Marshal's Report – February

Motion by Barbara Henry to add February's Fire Marshal's Report to the agenda. The motion was seconded by Russell Dirienzo and carried.

Barbara Henry reviewed February's Fire Marshal Report with the Board. She noted that there were 12 calls in February.

Fire Marshal's Report – March

Barbara Henry reviewed March's Fire Marshal Report with the Board. She noted that there were 13 calls in March.

Other Business

Stimulus Package

Barbara Henry spoke with Congressman Chris Murphy regarding the Stimulus Package. She has asked his help with getting South Street added to the list as a collector road as well as adding Minor Bridge as a qualifying bridge. She explained that she would like to get some of this money for Roxbury.

Policy for Filming Guide

Motion by Barbara Henry to table discussion regard the Policy for Filming Guide. The motion was seconded by Russell Dirienzo and carried.

E-Recycling Event

A motion was made by Barbara Henry to add the e-recycling event to the agenda. The motion was seconded by Russell Dirienzo and carried.

Barbara Henry reported that they will be collecting electronics, as well as old sneakers, for recycling April 25th at the Transfer Station. She noted that specifics will be posted in the paper and around town.

Historical Society Request

The Historical Society would like to collect antique tools, furniture and equipment pertaining to the Smith Meat Market building. They would like to open the Meat Market Museum. The Historical Society would like to work inside the building to make it look as it did many years ago. Barbara Henry explained that the Meat Market is a Town Building; however, the Historical Society is not a government group. She reminded the Board that when the building was sold to the Town the Historical Society received a \$50,000 trust, which has been used by the Historical Society for other projects.

Barbara Henry noted that the building was not being used for anything and did not see a problem with this; however, the Board was concerned with the upkeep of the building and who would be responsible. The Board agreed that they would need to find out what the membership vote was regarding this project and who would be responsible for implementing and maintaining this project.

Condemned Barn on Route 67

A motion was made by Russell Dirienzo to add discussion regarding the condemned barn on Route 67. The motion was seconded by Robert Lowe and carried.

Russell Dirienzo explained that the Building Department condemned this barn long ago and it is the BOS's responsibility to act. He suggested that they try to work with the owner to assist in taking it down. Barbara Henry reported that she spoke with the owner who is working on getting equipment out of the barn. She agreed to invite the owner to a BOS meeting.

School Budget

A motion was made by Russell Dirienzo to add discussion regarding the proposed 09/10 school budget to the agenda. The motion was seconded by Robert Lowe and carried.

Gary Lord reported that the proposed school budget was supported 6-5 without cuts. He noted that school maintenance was discussed at the meeting. Barbara Henry reported that the Building Department, Health Department and Fire Marshal visited the school and didn't find anything that could not be fixed and all agreed that there were still housekeeping issues that needed to be addressed.

Executive Session – Property Appraisal

The Board convened to executive session at 9:10 p.m.

The Board came out of executive session at 9:20 p.m.

Motion by Russell Dirienzo to give Barbara Henry approval to begin negotiations on the Nasturwich properties. The motion was seconded by Robert Lowe and carried.

Motion by Russell Dirienzo to adjourn at 9:21 pm. The motion was seconded by Robert Lowe and carried.

Respectfully submitted,

Jai Kern

Tai Kern,
Secretary

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