

**ROXBURY BOARD OF SELECTMEN
REGULAR MEETING**

**November 3, 2008
MINUTES**

CALL TO ORDER

Barbara Henry, First Selectman, called the meeting to order at 7:30 PM.

Present: Barbara Henry, First Selectman; Robert Lowe and Russell Dirienzo, Selectmen;
Members of the Public

APPROVAL OF MINUTES

Motion by Russell Dirienzo to approve the minutes of the Regular Meeting held October 6, 2008 as presented. The motion was seconded by Robert Lowe and carried.

Motion by Robert Lowe to approve the minutes of the Special Meeting held October 21, 2008 as presented. The motion was seconded by Russell Dirienzo and carried.

TAX REFUNDS

Motion by Russell Dirienzo to approve the tax refund of Baker, James or Sandrine - \$209.21 – excess payment. The motion was seconded by Robert Lowe and carried.

COMMUNICATIONS FROM THE PUBLIC

N/A

COMMISSIONS AND BOARDS APPOINTMENTS

NW Regional Housing Authority Member

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

Tree Warden – 1 yr term – 12/01/2008 – 11/30/2009

Motion by Russell Dirienzo to appoint David Gardener as Tree Warden – 1 yr term – 12/01/2008 – 11/30/2009. The motion was seconded by Robert Lowe and carried.

Asst. Tree Warden – 1 yr term – 12/01/2008 – 11/30/2009

Motion by Russell Dirienzo to appoint Butch Finch as Asst. Tree Warden – 1 yr term – 12/01/2008 – 11/30/2009. The motion was seconded by Robert Lowe and carried.

BUSINESS

Probate Court Discussion

Judge Jeannette Puglio of the Roxbury Probate Court read a statement proposing that Roxbury's Probate Court merge with Southbury's Probate Court in January of 2011. Her statement explained that probate funds have been exhausted and that the merging of the smaller probate courts will be inevitable. She noted that it was her opinion that Southbury can best suit the needs of Roxbury residents.

Barbara Henry explained that she went with Judge Puglio to visit the Southbury Probate Court, Judge and staff. She is glad that Judge Puglio feels comfortable with this merger and respects her opinion. She noted that this has been an ongoing threatening situation that they will be faced with and feels it is better to take this opportunity to choose who they will merge with.

Robert Lowe questioned whether there will be any additional cost to the Town once merged. Judge Puglio explained that the cost to the Town would be based upon the Grand List proportionately to Southbury's budget. She noted that fees collected by the court cover salaries.

Robert Lowe questioned whether an additional move would be forced upon the Court in the future. Judge Puglio explained that she could not be 100 percent certain that there would be no future change. However, this merge puts the two courts in a better position to avoid future consolidation.

Judge Thomas Sudnik of the Southbury Probate Court agreed that in the future there will be more regional probate courts. He met with State Rep. Arthur O'Neill who explained that the Statutes allow for town consolidation by legislative body. It was Arthur O'Neill's opinion that would be in town meeting.

Motion by Russell Dirienzo to schedule a town meeting to vote on a resolution to merge the Roxbury Probate Court with the Southbury Probate Court by 2011. The motion was seconded by Robert Lowe and carried.

The Board agreed to set the Town Meeting date for December 9, 2008 at 7:30.

Booth Free School Lease Update

Russell Dirienzo reported that he received an e-mail inquiring why they have not signed the lease. Barbara Henry explained that it had been discussed among the First Selectmen of the three region towns that they could use the last lease from 1987 and extend it until June 30 of this school year. The only change would be an addition that the Selectmen are to be kept informed regarding repairs.

Russell Dirienzo inquired as to why they are waiting on signing the current lease. Barbara Henry explained that Washington is still evaluating the cost of their required repairs. Their costs to renovate will be more than originally anticipated. Washington's costs will dilute the amount available for Roxbury.

The Board agreed that a lease should be signed to alleviate liability.

Motion by Robert Lowe to resurrect the existing lease until June 2009 with the addition that the Selectmen will be kept apprised of repairs. The motion was seconded by Russell Dirienzo and carried.

Judds Bridge Update

Barbara Henry reported that Judds Bridge will be closed the second week of November through December.

Minor's Bridge Update

Motion by Barbara Henry to table the discussion regarding Minor's Bridge. The motion was seconded by Russell Dirienzo and carried.

Smart Development Study Committee

Barbara Henry reported that the Smart Development Committee is moving forward. The Board agreed that this topic should be removed from the agenda until the Smart Committee returns with their advice for discussion.

Squire Road Update

Barbara Henry explained that they are in receipt of the bill from the contractor and it is more than they had planned. She asked Gene Parsons to review and it was found that they billed for the additions made to the project as requested, but had not removed the billing for what had been replaced by these additions. She noted that the asphalt was the biggest expense which in areas was wider than the 19 feet that they agreed upon due to the widened corners because of safety concerns. Additionally, the price of gravel was not in the contract; therefore, this will need to be determined.

Russell Dirienzo questioned whether the project was confirmed complete by the engineer. Barbara Henry explained that Mr. Parsons confirmed that the project was complete and now that all the information regarding the changes has been gathered they will ask the engineer to confirm its completion to specs. Russell Dirienzo expressed his concern to confirm that the plunge pool was done to the specific design agreed upon.

Barbara Henry discussed the \$200 per day late penalty. She calculated 40 days past agreed upon completion date allotting for extra work and rain days. The Board agreed that they need to enforce this portion of the contract. The Board noted that they did a nice job and that the road looks good.

Emergency Management MOU

Barbara Henry explained that they must sign this memorandum to receive Federal funds for fiscal year 2007.

Motion by Russell Dirienzo to execute the Homeland Security Grant Memorandum dated October 15, 2008. The motion was seconded by Robert Lowe and carried.

Transfer Station Stickers for Volunteers

Barbara Henry explained that the cost of a resident's first Transfer Station sticker is \$25; however, volunteers receive theirs for free. The cost of a second Transfer Station sticker for residents is \$10; however, volunteers currently pay \$25. She noted that there have been complaints regarding the logic of the current pay schedule; although, the Tax Collector is in agreement with it. The Board agreed that the pay schedule should be changed.

Motion by Russell Dirienzo to rescind the current pay schedule. Volunteers are to receive their first Transfer Station Sticker free and any additional stickers will be \$10; non-volunteers will pay \$25 for their first sticker and \$10 for any additional. Seconded by Robert Lowe and carried.

Town Historical Society Barn – Future Use

Barbara Henry reported that the Town Historical Society Barn is now empty. Russell Dirienzo suggested that those interested in using it should submit their request to the Town in writing. The Board agreed that the Town should evaluate their needs first then determine how best it will suit the needs of others.

Policy for Filming Guide

Motion by Barbara Henry to table the discussion regarding the Policy for Filming Guide. The motion was seconded by Robert Lowe and carried.

Fire Marshal’s Report – September

Barbara Henry reviewed the Fire Marshal’s Report with the Board and noted that there were 15 calls in September.

Fire Marshal’s Report – October

Motion by Russell Dirienzo to add to the agenda the review of October’s Fire Marshal’s Report. Seconded by Robert Lowe and carried.

Barbara Henry reviewed October’s Fire Marshal’s Report with the Board and noted that there were 4 calls in October.

Other Business

N/A

Motion by Russell Dirienzo to adjourn at 8:20 PM. The motion was seconded by Robert Lowe and carried.

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.