

**ROXBURY BOARD OF SELECTMEN  
REGULAR MEETING**

**August 3, 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;  
Greg Cava, Kelly Lott and Andy Engel, Members of the Board of Education; Dennis  
McDonald, Member of the Public.

Barbara Henry congratulated her fellow board members. All three members of the Board of Selectmen were endorsed by both political parties at their respective caucuses. She publically thanked both caucuses for their confidence in the board. The board agreed with Barbara Henry's idea to send a note thanking the parties to be published in the newspaper.

**APPROVAL OF MINUTES**

Motion by Robert Lowe to approve the minutes of the Regular Meeting held July 6, 2009 as presented. The motion was seconded by Russell Dirienzo and carried unanimously.

**TAX REFUNDS**

Motion by Russell Dirienzo to approve the tax refunds of:  
Country Lawn & Land LLC - \$27.26 – excess payment  
Rose L. or Harry M. Ong - \$15.69 – excess payment  
Rose L. or Harry M. Ong - \$17.61 – excess payment  
Donald Barber, Jr. - \$24.24 – excess payment  
George Seibel - \$15.58 – excess payment  
DCFS - \$109.14 – excess payment  
Gerald Lord - \$122.30 – excess payment  
The motion was seconded by Robert Lowe and carried unanimously.

**COMMUNICATIONS FROM THE PUBLIC**

Barbara Henry confirmed that there were no communications from the public.

## **COMMISSIONS AND BOARDS APPOINTMENTS**

Russell Dirienzo recused himself.

### **Inland Wetlands Commission – 3 yr term 9/1/2009 – 8/31/2012**

Barbara Henry reported that Randy Ketchum's term has expired and he has chosen to step down after 12 years of service to the IWC. The Board thanked Randy for his service.

Motion by Barbara Henry to appoint Alternate Suzanne Fitch to the Inland Wetlands Commission as a Regular member – 3 yr term 9/1/2009 – 8/31/2012. The motion was seconded by Robert Lowe and carried unanimously.

### **Inland Wetlands Commission – 3 yr term 9/1/2009 – 8/31/2012**

Motion by Barbara Henry to reappoint Robert Horrigan to the Inland Wetlands Commission – 3 yr term 9/1/2009 – 8/31/2012. The motion was seconded by Robert Lowe and carried unanimously.

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

Motion by Barbara Henry to appoint Julie Steers to the Inland-Wetlands Commission, Alt. – vacancy expiring 08/31/2011. The motion was seconded by Robert Lowe and carried unanimously.

### **Inland-Wetlands Commission, Alt. - vacancy expiring 08/31/2011**

Barbara Henry reported that this position is still open. It was noted that Frank Lasky is interested in serving on the IWC and the commission members think that a contractor would be a good choice to fill the vacancy. Barbara Henry will wait to hear from Mr. Lasky.

Motion by Barbara Henry to table the appointment of Inland-Wetlands Commission, Alt. - vacancy expiring 08/31/2011. The motion was seconded by Robert Lowe and carried unanimously.

Russell Dirienzo was reelected.

### **Recreation Commission – 3 yr term – 07/01/2009 – 06/30/2012**

Motion by Russell Dirienzo to appoint Kathleen Garofalo to the Recreation Commission – 3 yr term – 07/01/2009 – 06/30/2012. The motion was seconded by Robert Lowe and carried unanimously.

### **Zoning Commission – vacancy expiring 12/31/2010**

Motion by Russell Dirienzo to appoint Alternate Mary Elizabeth Peck to the Zoning Commission as a Regular member – vacancy expiring 12/31/2010. The motion was seconded by Robert Lowe and carried unanimously.

### **NW Regional Tourism District – 3 yr term 09/01/2009 – 8/30/2012**

Motion by Robert Lowe to appoint Stephen Justice to the NW Regional Tourism District – 3 yr term 09/01/2009 – 8/30/2012. The motion was seconded by Russell Dirienzo and carried unanimously.

### **Board of Finance – vacancy expiring 11/22/2011** info only

Barbara Henry explained that the Board of Finance fills its own vacancies. They have decided that Donald Greenstein will fill the vacancy. He will be running in the November election.

## **BUSINESS**

### **Presentation for Stan Mongin**

Barbara Henry explained that she has a plate to present to Stan Mongin's wife, Meg, commemorating his years of service to the town and will try to meet up with Meg at another time.

## **Roxbury BOE Members**

The BOS thanked Greg Cava, Andy Engel and Kelly Lott, Roxbury's representatives to the Board of Education for coming. They explained that they invited them to discuss their expectations for the new year. Although the BOS voted to begin charging rent to the BOE because the school lease has not been signed, they are willing to give the new board a chance to move along with the lease and repairs. Barbara Henry confirmed that they did receive a certificate of insurance for the building from the Region.

Barbara Henry reported that she attended a meeting with the architect for the new roof and was sorry the Region and towns were not going to recoup the available reimbursement money because there are no leases in place. Andy Engel noted that there is a possibility of retroactive state reimbursement; however, they are funding this from the Capital Improvement Fund with money saved from budget surpluses. Barbara Henry noted that she was glad that the bid for the roof came in \$100,000 less than anticipated. It was noted that professional estimates for the rest of the repairs on the list should be available by September 14<sup>th</sup>.

The board agreed that there should be a referendum for November's ballot vote regarding changing the plan to consolidate or to move forward with all three schools. Russell Dirienzo noted that this needs to come to an end and the leases need to be signed. His hope is that with the new board and new Chairman they can begin to act as a Region and care about each town equally to work towards the same cause.

Robert Lowe noted their frustration in the past with stalls for answers of question asked by the BOS. Greg Cava explained that the new atmosphere is hopeful and believes there will be improvement in that respect. He noted that they are off to a good start and that officers were elected unanimously. He reported that as Leasing Chairman it is his top priority to get the leases signed. Additionally, he is on the Facilities Committee and noted their major priority on that committee is to get the roofs done.

Robert Lowe noted that the BOS has been willing to sign the lease for months. Andy Engel explained that the BOE's concern was with regard to the upkeep of the buildings which had not been assigned a cost. The receipt of estimates for the repairs should alleviate this issue.

Barbara Henry suggested that they hold the letter requesting \$3,300 per month rent. The BOS is willing to work with the BOE to move forward. She explained that no matter how the leases are written, she expects to sign the repairs and lease documents simultaneously.

Motion by Russell Dirienzo to suspend rental fee to BOE with the hope to move forward in a better light with the lease and repairs. The motion was seconded by Robert Lowe and carried unanimously.

Barbara Henry expressed her appreciation to the BOE for the endless and, many times, thankless hours devoted by them. Russell Dirienzo noted that Booth is a great school with excellent teachers, which gets hidden by these issues. Barbara Henry added how impressive the students of this Region are and that she is always proud at graduation.

Andy Engel noted his concern as a citizen that Washington is only willing to sign a five year lease when the other two towns will commit to a 20 year lease. He explained that this is not fair to taxpayers monetarily because it affects the state reimbursement eligibility. The BOS explained that Mark Lyon is good to work with and they will discuss this with him.

The members were thanked again for coming to the meeting.

### **ARRA Stimulus Money**

#### **Resolution – JAG Grant \$9,000**

Barbara Henry suggested that they use this money to get a camera for the Public Works area that could be moved around to problem areas in town, as well as road safety signs. The board agreed that this was a good use of the money.

Motion by Russell Dirienzo for the First Selectman to sign a resolution authorizing her to be the signatory for the JAG grant. The motion was seconded by Robert Lowe and carried unanimously.

#### **Energy \$31,715**

Barbara Henry explained that they would like to use these funds to make upgrades for energy efficiency at Town Hall. They have had a contractor outline some energy saving changes such as the regulation of the air-conditioning, programmable thermostats, boiler control and an on demand hot water system. She noted her appreciation of the Task Force for all their help on this.

Motion by Russell Dirienzo to move forward to use the funds for the energy plan as outlined by the contractor. The motion was seconded by Robert Lowe and carried unanimously.

#### **Judds Bridge \$143,000**

These funds will be used to replace the trusses and beams on Judds Bridge.

#### **CRRA End of Year Report**

Barbara Henry noted that the contract with CRRA is up in 2012. She reported that they are moving forward with the Franklin ash landfill due to the Governor's veto of the ban. The BOS agreed that single stream recycling would not be cost effective for Roxbury since it would require the purchase of larger bins.

#### **Cell Tower – Transylvania Road**

Barbara Henry reported that the proposal for a cell tower on Transylvania Road has not gone through an environmental review yet. The board agreed that they request the Conservation Commission review the proposal, stay informed and comment on it as it moves along. She noted that the Siting Council has sole authority with regard to cell towers; however, the BOS is interested in having a meeting regarding the proposal.

#### **Zoning Commission - Elected**

Barbara Henry reported that the Planning Commission has included an amendment in the Plan of Conservation and Development to combine the Planning and Zoning Commission and those positions on this commission be elected. The town attorney advised this change can be made by making a change to the ordinance.

Barbara Henry suggested that they invite the Planning, Zoning and Conservation Commissions to meet with the BOS to share their position and points with regard to this change. Russell Dirienzo agreed that he would like to hear from the volunteers on these commissions with regard to this change.

Russell Dirienzo noted that although he is open to the idea, it is not easy to get volunteers and fears making positions elected would discourage volunteers. Additionally, this would make it especially difficult for the several Independents serving as volunteers. He explained that he understands the request and agrees that Zoning is a very important commission. He believes a merger of the commissions would make the permit process simpler for the public.

Dennis McDonald questioned why the BOS does not just let the people make this choice in November. Russell Dirienzo explained that out of respect for the volunteers they would like to listen to what their thoughts are. Barbara Henry agreed that they would

like to move forward with the proposal in steps. They agreed that they would schedule a meeting with the commissions the week of August 10<sup>th</sup> or 17<sup>th</sup>.

#### **Probate Court Update**

Barbara Henry reported that there is a planned public meeting regarding the consolidation plan of the Probate Courts. She noted that she will either attend or send a note explaining that Roxbury would still like to be consolidated with the Southbury group as long as the Probate Court remains in Southbury. The Board agreed.

#### **Fire Marshal's Report - June**

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

Barbara Henry reviewed the Fire Marshal reports and noted there were 9 calls in June and 8 calls in July.

#### **"Freedom Lawn"**

Barbara Henry distributed pamphlets regarding Milford's "Freedom Lawn" program. She explained that it is a voluntary non-use of pesticides and chemical fertilizers on lawns for the protection of our environment, health and safety. She noted that she believes that the over use of chemicals contribute to many health issues. Robert Lowe and Russell Dirienzo agreed that they should ask the Conservation Commission to educate the public regarding this matter.

Motion by Robert Lowe to request citizens and the Town of Roxbury to support the Freedom Lawn program in Roxbury. The motion was seconded by Russell Dirienzo and carried unanimously.

#### **Bid Awards**

##### **Town Hall Roof**

Barbara Henry reported that Andy's Roofing met all the requested requirements. She noted that although they were the middle bidder, the Historic Commission reviewed the samples he provided and agreed that this was the best choice.

Motion by Russell Dirienzo to award Andy's Roofing the bid for the Town Hall roof. The motion was seconded by Barbara Henry and carried unanimously.

##### **Pickett Road**

Barbara Henry reported that they reviewed the bid of FSM of Roxbury for the repair of Pickett Road. Doug Divesta agreed that this low bid met the requirements.

Motion by Russell Dirienzo to award FSM the bid for Pickett Road. The motion was seconded by Robert Lowe and carried unanimously.

##### **Senior Center Painting**

Barbara Henry reported that the bids for painting the Senior Center came in between \$15,700 and \$39,000. She is scheduled to meet with the low bidder to review his plan.

Motion by Barbara Henry to table the bid award for the Senior Center Painting. The motion was seconded by Russell Dirienzo and passed unanimously.

#### **Other Business**

##### **Roads:**

Robert Lowe reported that due to the excessive rain we have been experiencing he has noticed that many of the roads are in need of attention. He noted specifically that the intersection of Apple Lane and Squire Road are in need of clean up. Barbara Henry agreed with regard to the condition of some roads and noted that they were working on Grassy Hill today. Robert Lowe explained that he is concerned that the material being used is not holding up. Barbara Henry explained that due to the rain they cannot get grass to grow on the sides of the road and in many cases rip rap is needed. Russell Dirienzo

explained that he feels that the town could make smarter repairs to the road. Barbara Henry reminded the board that they have limited money this year and they have two large drainage repairs this year – Pickett and Ranney Hill roads. She agreed to call a meeting with the Public Works Department to address the repair of the roads.

**Executive Session – Housing Rehab Subordination**

The BOS convened in executive session at 9:00 p.m.

A motion was made by Russell Dirienzo to come out of executive session at 9:05 p.m. The motion was seconded by Robert Lowe and carried unanimously.

A motion was made by Russell Dirienzo to, upon the owner's request, subordinate the Town's position with reference to the DECD Housing Rehab grant's Small Cities Promissory Note between the Town of Roxbury and recipient to her first Mortgagee once the information from the owner is received and the First Selectman is satisfied with the information. The motion was seconded by Robert Lowe and carried unanimously.

Motion by Russell Dirienzo to adjourn at 9:10 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.*