

**ROXBURY BOARD OF SELECTMEN
REGULAR MEETING
MARCH 3, 2008
MINUTES**

CALL TO ORDER

Barbara Henry, First Selectman, determined a quorum and 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

The minutes of the Regular Meeting held February 4, 2008 were reviewed.

Motion by Russell Dirienzo to approve the minutes of the Regular Meeting held February 4, 2008 as presented. The motion was seconded by Barbara Henry and carried. Robert Lowe abstained since he was not present at the meeting.

The minutes of the Special Meeting held February 7, 2008 were reviewed.

Motion by Russell Dirienzo to approve the minutes of the Special Meeting held February 7, 2008 as presented. The motion was seconded by Barbara Henry and carried. Robert Lowe abstained since he was not present at the meeting.

The minutes of the Special Meeting held February 11, 2008 were reviewed.

Motion by Robert Lowe to approve the minutes of the Special Meeting held February 11, 2008 as presented. The motion was seconded by Barbara Henry and carried. Russell Dirienzo abstained since he was not present at the meeting.

TAX REFUNDS

Motion by Russell Dirienzo to approve the following tax refund:

Victoria Shaw Cohen - \$27.00 – excess payment

The motion was seconded by Robert Lowe and carried unanimously.

COMMUNICATIONS FROM THE PUBLIC

Ed Tierney said that he wanted to make the Board aware that the value for open space in the recent revaluation increased by 400% and that unimproved land was increased by 120% – 150%. Barbara Henry advised that Vision Appraisal was on the agenda later in the meeting and the process for an appeal to the Board of Assessment Appeals is in place. Barbara Henry thanked him for the information.

Jay Kronfeld said that he wanted to speak on the subject of SLAM. He requested that the Board of Selectmen write to the Board of Education to ask the district not to enter into any further contractual agreement with SLAM. He also requested that the Board of

Selectmen put together a study committee for Roxbury to withdraw from the Regional School District at the elementary level. Barbara Henry said that both those subjects would be considered later on the agenda.

Dennis McDonald told the Board that he felt that the process for the revaluation was flawed. He questioned the validity of the unqualified land sales not being considered by the revaluation company. Barbara Henry said that the subject of Vision Appraisal would be discussed later on the agenda.

Paul Herbert said that he didn't want people to be penalized for having excess land. He felt that an arbitrary number is picked by the assessor with regard to the value of open space and unimproved land.

Geoffrey Purdy questioned the competency level of Vision Appraisal. He gave the example that he came to the January hearings and made Vision aware of an error: his property was listed on a paved road and it is actually on a dirt road. No adjustment was made in his assessment. Barbara Henry again responded that Vision Appraisal was listed on the agenda for later in the meeting.

Dennis McDonald said that he is also not confident of the competency level of Vision Appraisal.

COMMISSIONS AND BOARDS APPOINTMENTS

NW Regional Housing Authority

Appointment was tabled.

ZBA, Alt. – 5 year term – 01/01/2008 – 12/31/2009

Appointment was tabled

Roxbury Museum – vacancy expiring 11/30/2009

Motion by Barbara Henry to appoint Kim Pokrywka to the position. The motion was seconded by Robert Lowe and carried unanimously.

BUSINESS

Philo Hodge Recognition

The Board of Selectmen recognized Philo Hodge for his seventeen years of service to the Zoning Board of Appeals. Barbara Henry also noted that was a member of the Volunteer Fire Department, joining in 1968 and served on the Zoning Commission for ten years. He received an engraved plate and gift and was thanked for his service to the Town.

Library Budget

Cynthia Newby, Treasurer for the Library Board of Directors, presented the proposed Library's budget for 2008-2009. She explained that three items, utilities, salary and insurance for the Calder stable, were responsible for the increase in the budget. The budget reflects an increased contribution from the endowment of \$10,000. The request for \$102,286 reflects an increase of \$8100 over last year.

Vision Appraisal

Barbara Henry told the Board that she has prepared a report to the Board regarding several questions which were raised at the February Board of Selectmen's Meeting. Mr. McDonald was called by Barbara Henry with the responses so that he would not have to wait a month for information.

- Vision contract not available in the Assessor's Office.

Answer: It was and is in the Assessor's Office, she told Mr. McDonald that she could not put her hands on it at that moment. (Under FOI, a person has four business days to respond to a FOI request.) Mr. McDonald proceeded to my office that day and requested a copy of the contract. It was copied for him that same day. (it should be noted at no charge, which we are allowed to charge 25 cents a page) so I don't see that there was any damage done by my office giving him the copy versus the Assessor.

- Contract states the informal hearings shall be completed by December 17, 2007 and were not held until January 7,8&9 resulting in a rush job. Contract was not completed in a timely fashion.

Answer: Mr. McDonald was told that the parties to the contract agreed to change the date because all the information was not ready to have the hearings by December 17th. I'd like to reiterate that Mrs. McDonald, who is listed as the party of record for the properties he is referring to, nor himself, who is not listed, are not parties to the contract, not privy to it. The contract is between the Town and Vision Appraisal, and we, not he, has the right to agree to the changes. The contract does not run to him. It should also be noted that the Grand List was filed on time, by the end of January, and no extension was required.

- Mr. McDonald said he got a rush job at the hearings.

Answer: 15 minutes were allotted for each parcel – Mr. McDonald didn't request three appointments.

- Contract states the contractor will provide forms and no forms were available.

Answer: The forms were at the hearings and the contractor wrote the people's concerns on them. They are called informal hearings for a reason-they're informal. They are meant to possibly save time at the Board of Assessment Appeals hearings. I read the remarks on the Weller's Bridge property to Mr. McDonald and he agreed those were his remarks. The forms are attached to the field cards in the Assessor's Office, however, if he'd like a form to take to the Board of Assessment Appeals I will get him one or three. And I hope he has a letter stating he is representing his wife. After the informal hearing I understand that two of the property assessments in question were decreased. One of those properties is on the market for more than the new assessment, albeit with less acreage. It should be noted that the assessment included eight acres. I don't see any points of contention. I also don't know if he requested a reinspection, but he should know that the Board of Assessment Appeals can go out and reinspect the property.

- All sales information was not used.

Answer: The Assessor is responsible and has full authority to declare a sale as unqualified. There are twenty eight points of determination as set by the statutes and as Mr. McDonald has stated that he is a student of statutory law, he would know that. He just doesn't like the answer.

- Process was not followed and it is the Assessor's job to make sure the process was followed.

Answer: The process was followed, maybe not to Mr. McDonald's liking but it was followed. I have full confidence in our Assessor and in the revaluation process. I stand by her integrity, her duties and authority. Our Assessor crosses the "T"s and dots the "I"s. She knows her job and she absolutely knows the process. She has no

ax to grind here in Roxbury. She resides in another town. Her independence is welcomed and is an asset. She shows no favoritism. We are fortunate to have her. And it's very unfortunate that Mr. McDonald insists on telling everyone the sky is falling when it is not.

- Mrs. Henry then said that Mr. McDonald called to request a meeting between himself, a representative from Vision and herself.

Her response was: "In one of the returned phone calls I told him that I had decided against it. This process is to be without prejudice. To set up a special meeting would be giving preferential treatment to one person and not the others who are appealing. I guess this was his reason for the article in the Litchfield County Times on Friday, 2/29/08. I think it is important to answer some of the allegations in that article:

- a. Mr. McDonald stated, 'I don't think Vision Appraisal had a very good handle on what they were doing' arguing that the revaluation relied too heavily on computer models and not enough on actual transactions in town. Answer: What does he think the computer model is made up of – it's actual transactions in town.
- b. Reference to Mr. Axelbank and his getting reprieve from Vision Appraisal at the informal hearing. So did Mr. McDonald and Mr. Hamilton (who were at the Board of Selectmen's meeting in February.)"

Barbara Henry reported that Mr. McDonald made a request on February 28th for all checks issued in payment for the Vision contract.

Answer: "My office faxed him copies today – one business day after the request. I think this Board has spent enough time answering Mr. McDonald. It is unfortunate that aside from going to the Assessor for a copy of the contract, he has not asked her about any of these questions. If Mr. McDonald feels that we have not answered his questions, he can write us a letter. The process is in place, it is working, he knows that his wife has a statutory right to appeal. That is why we have the Board of Assessment Appeals. They will hear valid complaints and will reinspect properties if they deem it necessary. The process is in place. Politics are out of it. Mr. McDonald is threatening and trying to intimidate so he can get his wife a better solution. I suggest that we do not go any further with this discussion. As far as the Board of Selectmen is concerned the matter is finished."

Council on Aging

The Board of Selectmen previously set up a Board of Directors for the Senior Center. At this time the Council on Aging is requesting to have an Advisory Committee to the Senior Center which would be a less formal arrangement. The Board of Selectmen agreed to the formation of an Advisory Committee for the Senior Center.

Eagle Scout Project

Barbara Henry reported that Chris Josefson is going to build a bin for the sand that residents can use at the Public Works lot behind Town Hall. He has requested \$750 for materials to complete the project. He will try to get donations to cover some of the expenses. The Selectmen agreed to support the project.

Senior Project Car Show – Field Rental

Brandon McGuinn would like to rent the field on North Street for a car show as part of his Senior Project. Roxbury Market will be providing food so that will not be an issue. The Selectmen approved of the rental of the field provided that he supplies the required certificate of insurance.

Route 67/Botsford Hill Road/Bridgewater Curves Update

Barbara Henry reported that a letter has been received from the DOT regarding the project. As a result of the negative feedback from the public on the project received at the hearing in August, 2007, the Board of Selectmen has requested that the project be downsized. The DOT has said that they could improve the sight lines without improving the intersection of Route 67 and Botsford Hill Road. The maintaining of the location of Botsford Hill Road at its current location was found to be feasible. The DOT could downsize the project although they felt this would be a temporary fix. The other improvements will be put on hold. They will not repair the bridge. Barbara Henry to respond to the DOT for the Board of Selectmen to go ahead with the downsized plan.

Tax Exempt Lease Proposal Approval & Town Meeting March 11

Barbara Henry described capital improvement projects including Judds Bridge which may or may not be covered by grant funds. The STEAP grants have not been awarded yet but one has been applied for. Gary Lord, Board of Finance Chairman and Barbara Henry have met with area banks on possible bonding or lease sources of funding. The Board of Finance agreed that a tax exempt lease proposal, proposed by First National Leasing would be a solution for funding for repairs to Judds Bridge or Squire Road. The lease will correspond to the value of four pieces of Town equipment with an interest rate of 4%. The lease agreement will be for a period of five years. The lease agreement was signed on February 22nd contingent on BOS and Town Meeting approval.

Motion by Robert Lowe to accept the lease agreement with 1st Litchfield Leasing Corporation, a subsidiary of the 1st National Bank of Litchfield, in the amount of \$431,249 for the reasons and terms mentioned and set a Town Meeting for March 11, 2008. The motion was seconded by Russell Dirienzo and carried unanimously.

Judds Bridge Update and Informational Meeting

Barbara Henry met residents to review the plans for Judds Bridge repairs and discuss the time frame. The project is estimated to take three months. There really is no “good time” to do the work taking the farm into consideration. The time frame has also been adjusted because a permit is needed from DEP.

Motion by Robert Lowe to send an 8-24 Municipal Referral to the Planning Commission. The motion was seconded by Russell Dirienzo and carried unanimously.

SLAM Collaborative

Barbara Henry reported that she has been approached by several people to write a letter to the Board of Education requesting that they not continue the agreement with SLAM due to the recent publicity regarding their involvement with the UCONN law library. Russell Dirienzo pointed out that SLAM was involved in the UCONN project because they took over the job from another company.

Russell Dirienzo said, however, that Roxbury should write a letter to go on record to ask the Board of Education not to enter into any agreement with SLAM because they have not fully researched whether all of the permits needed could be acquired. He felt they were not qualified to analyze the runoff or water.

Motion by Robert Lowe that the Board of Selectmen should write a letter stating that Roxbury was opposed to continuing with any contract with SLAM. The motion was seconded by Russell Dirienzo and carried unanimously.

Booth Free School Lease Update/Request for Study Group for Deregionalization

Barbara Henry reported that the Booth Free School lease agreement did not take place by the end of February. She reported that the towns put in a great deal of effort and did not receive the level of cooperation needed from the Board of Education to complete the agreement.

A request has been received for a study group for the deregionalization of the elementary school. After discussion the Board of Selectmen agreed that they were not interested in endorsing a study group at this time.

Motion by Barbara Henry to move the Ambulance Association Request up to be considered next on the agenda. The motion was seconded by Russell Dirienzo and carried unanimously.

Ambulance Association Request

The Ambulance Association Chief has sent a letter asking the Board of Selectmen to add the additional monies needed in this budget to give the ambulance \$100,000 to help purchase a \$200,000 ambulance. The Town to date has \$62,500 set aside and was going to add \$12,500 this coming fiscal year. If we were to give them the \$100,000 it would mean a \$37,500 addition to the 08-09 budget for a new ambulance. The Board of Selectmen responded that they would consider the request in preparing their budget. When asked what they could get for a trade-in, members representing the RAA stated that they were intending to keep it as a spare.

Squire Road Update – Wetlands Public Hearing March 25

Barbara Henry reported that she and Doug DiVesta inspected Squire Road to review questions raised by the Inland/Wetlands Commission. A public hearing will be held by the Inland/Wetland Commission on March 25th to address concerns.

A motion was made by Barbara Henry to send an 8-24 referral to the Planning Commission on Squire Road. The motion was seconded by Russell Dirienzo and carried unanimously.

Wellers Bridge Scour Evaluation

Barbara Henry reported that after the many recent heavy rains, Milone and MacBroom was hired to perform a scour evaluation of Wellers Bridge. A visual evaluation was made which reported that there is no indication that the structure is in danger of immediate failure as a result of scour. They recommended that a full evaluation be done to determine the potential for future degradation and develop remedial measures. The cost of a full report would be \$22,000.

RVFD Dinner – March 15 – 60th Anniversary

Barbara Henry reported that the Roxbury Volunteer Fire Department was celebrating its 60th Anniversary this year, as is the RVFD Women's Auxiliary. A dinner will be held and Barbara Henry will attend and make a presentation on behalf of the Town.

Transfer Station/CRRA/E-Recycling

Barbara Henry reported that the Board has not received the information which was requested from hauler RRR by March 3rd. Russell Dirienzo said that he would inform them that they are not allowed to use the transfer station.

CRRA tips fees are going up from \$61/ton to \$76/ton. CRRA will pass along a \$15 charge for mattresses along with other fees. The charge may be passed along to residents.

The Selectman's Office is looking at finding a company to take electronics in observance of Earth Day and for the permanent e-recycling mandate effective January 2009. The Town would like to be proactive and begin this by Earth Day. Russell Dirienzo suggested charging \$10 for televisions.

Resolution for Girl Scout Week

Motion by Russell Dirienzo to adopt the resolution for a proclamation designating March 9 to March 19 as Girl Scout Week. The motion was seconded by Robert Lowe and carried unanimously.

Budget Meetings

The Board of Selectmen will schedule a budget meeting for March 13 or March 14.

Fire Marshal's Report

Motion by Barbara Henry to add the February, 2008 Fire Marshal's Report to the agenda. The motion was seconded by Russell Dirienzo and carried unanimously.

The Fire Marshall's Report for January, 2008 and February, 2008 were read.

Motion by Russell Dirienzo to adjourn at 9:20 PM. The motion was seconded by Robert Lowe and carried unanimously.

Respectfully submitted,

Christine M. Giordano,
Secretary
(from notes provided by Barbara Henry)

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