

**ROXBURY BOARD OF SELECTMEN
REGULAR MEETING**

**December 7, 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; Mark Lowe, Member of the Public; Tammy McVey-Camilleri of Voices and Jack Corragio of the Litchfield County Times.

APPROVAL OF MINUTES

Motion by Robert Lowe to approve the minutes of the Regular Meeting held November 2, 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:

VW Credit Leasing Ltd - \$144.83

Financial Services Veh Trust - \$124.64

The motion was seconded by Robert Lowe and carried unanimously.

COMMUNICATIONS FROM THE PUBLIC

Mark Lowe explained that he received a message from Barbara Henry yesterday stating that the Town would not need his services to snowplow as often. He noted that he has been snowplowing for the Town of Roxbury since the early 1980s and this is not a good way to treat a long term contractor who has had no complaints. He explained that if they had informed him earlier he could have put his truck up for State plowing and would have been paid more. At this late date there will be no way to recoup his lost income. He noted that the Town knew they had another truck last year and they could have informed him sooner.

Robert Lowe apologized for the late notice and explained that throughout the budget process there had been cutbacks everywhere. Robert Lowe explained that they have even cutback on the plowing in the cemetery in an effort to cut costs. Mark Lowe noted that he understood the cutbacks, but not the late notice.

Barbara Henry confirmed for Russell Dirienzo that Mark Lowe is the only contractor the Town uses with his own equipment. She explained that Mark Lowe's services will still be used as needed. Barbara Henry apologized for the late notice and agreed to sit down with Mark Lowe over the next couple days to work out something.

COMMISSIONS AND BOARDS APPOINTMENTS

Inland-Wetlands Commission, Alt. – 09/01/2009 - 08/31/2012

Russell Direinzo stepped down.

Motion by Barbara Henry to table to appointment of Inland-Wetlands Commission, Alt. – 09/01/2009 - 08/31/2012. The motion was seconded by Robert Lowe and carried unanimously.

Russell Dirienzo was reelected.

Town Constable AC89 – 12/01/2009 – 11/30/2013

Motion by Barbara Henry to appoint Mike Rice as Town Constable AC89 – 12/01/2009 – 11/30/2013. The motion was seconded by Russell Dirienzo and carried unanimously.

Council on Aging – 01/01/2010 – 12/31/2012

Motion by Russell Dirienzo to appoint Susan Stauffacher to the Council on Aging – 01/01/2010 – 12/31/2012. The motion was seconded by Robert Lowe and carried unanimously.

Council on Aging – 01/01/2010 – 12/31/2012

Motion by Barbara Henry to table the appointment to the Council on Aging – 01/01/2010 – 12/31/2012. The motion was seconded by Russell Dirienzo and carried unanimously.

Emergency Preparedness Director – 12/01/09-11/30/2013

Motion by Barbara Henry to appoint Bernie Meehan as the Emergency Preparedness Director – 12/01/09-11/30/2013. The motion was seconded by Russell Dirienzo and carried unanimously.

Historic District Commission – 01/01/2010 – 12/31/2014

Motion by Russell Dirienzo to appoint Charles Haver to the Historic District Commission – 01/01/2010 – 12/31/2014. The motion was seconded by Robert Lowe and carried unanimously.

Historic District Commission – 01/01/2010 – 12/31/2014

Motion by Russell Dirienzo to appoint Deborah Sergeant to the Historic District Commission – 01/01/2010 – 12/31/2014. The motion was seconded by Robert Lowe and carried unanimously.

Historic District Commission – 01/01/2010 – 12/31/2014

Motion by Russell Dirienzo to appoint Lincoln Turner to the Historic District Commission – 01/01/2010 – 12/31/2014. The motion was seconded by Robert Lowe and carried unanimously.

Municipal Agent for Elderly Persons – 12/01/2009 – 11/30/2013

Motion by Barbara Henry to table the appointment of Municipal Agent for Elderly Persons – 12/01/2009 – 11/30/2013. The motion was seconded by Russell Dirienzo and carried unanimously.

Newtown Board of Health – 01/01/2010 – 12/31/2011

Motion by Barbara Henry to appoint Bernie Meehan to the Newtown Board of Health – 01/01/2010 – 12/31/2011. The motion was seconded by Robert Lowe and carried unanimously.

Newtown Board of Health – 01/01/2010 – 12/31/2011

Motion by Barbara Henry to appoint Rev. David Peters to the Newtown Board of Health – 01/01/2010 – 12/31/2011. The motion was seconded by Robert Lowe and carried unanimously.

NW Public Safety Commission – 12/01/2009 – 11/30/2011

Motion by Barbara Henry to appoint Bernie Meehan to the NW Public Safety Commission – 12/01/2009 – 11/30/2011. The motion was seconded by Russell Dirienzo and carried unanimously.

Western Tourism District – 12/01/2009 – 11/30/2012

Motion by Barbara Henry to appoint Steven Justice to the Western Tourism District – 12/01/2009 – 11/30/2012. The motion was seconded by Russell Dirienzo and carried unanimously.

Roxbury Museum Commission – 12/01/2009 – 11/30/2015

Motion by Russell Dirienzo to appoint Kim Pokrywka to the Roxbury Museum Commission – 12/01/2009 – 11/30/2015. The motion was seconded by Robert Lowe and carried unanimously.

Roxbury Tree Warden – 12/01/2009 – 11/30/2010

Motion by Russell Dirienzo to appoint David Gardner as Roxbury Tree Warden – 12/01/2009 – 11/30/2010. The motion was seconded by Robert Lowe and carried unanimously.

Roxbury Tree Warden, Asst. – 12/01/2009 – 11/30/2010

Motion by Barbara Henry to appoint Butch Finch as Roxbury Tree Warden, Asst. – 12/01/2009 – 11/30/2010. The motion was seconded by Robert Lowe and carried unanimously.

Town Counsel – 01/01/2010 – 12/31/2013

Motion by Barbara Henry to appoint Gail McTaggart of Secor, Cassidy & McPartland, P.C. as Town Counsel – 01/01/2010 – 12/31/2013. The motion was seconded by Russell Dirienzo and carried unanimously.

Zoning Commission – 01/01/2010 – 12/31/2012

Motion by Russell Dirienzo to appoint Elaine Urban to the Zoning Commission – 01/01/2010 – 12/31/2012. The motion was seconded by Robert Lowe and carried unanimously.

Zoning Commission – 01/01/2010 – 12/31/2012

Motion by Russell Dirienzo to appoint Gary Coburn to the Zoning Commission – 01/01/2010 – 12/31/2012. The motion was seconded by Robert Lowe and carried unanimously.

Zoning Board of Appeals – 01/01/2010 – 12/31/2014

Motion by Russell Dirienzo to appoint Jean O'Reilly to the Zoning Board of Appeals – 01/01/2010 – 12/31/2014. The motion was seconded by Robert Lowe and carried unanimously.

Zoning Board of Appeals – 01/01/2010 – 12/31/2014

Motion by Russell Dirienzo to appoint Tom Zaleta to the Zoning Board of Appeals – 01/01/2010 – 12/31/2014. The motion was seconded by Robert Lowe and carried unanimously.

Special Constable – 12/01/2009 – 11/30/2010

Motion by Barbara Henry to appoint Mo Clark as Special Constable – 12/01/2009 – 11/30/2010. The motion was seconded by Russell Dirienzo and carried unanimously.

BUSINESS

Award Minor Bridge Rehabilitation Bid

Barbara Henry reported that they received four bids for the Minor Bridge Rehabilitation project. Doug DiVesta reviewed the bids, of which only 2 provided estimated engineering costs as requested. Mr. DiVesta recommended Milone and MacBroom.

Motion by Russell Dirienzo to award the Minor Bridge Rehabilitation Bid to Milone and MacBroom. The motion was seconded by Robert Lowe and carried unanimously.

South Street Update

Barbara Henry reported that 1.6 miles of South Street have been reclaimed, graded and repaved. The work on South Street is now complete for the winter. Town Aid Roads Grants from the State may not be provided as previously thought. All future work is on hold until the next fiscal year.

Judds Bridge Update

Barbara Henry reported that they are on track for spring repairs with the Judds Bridge project. She reminded the Board that this is being done with ARRA Stimulus funds, which require specific deadlines. Milone and MacBroom are working with the DOT on the plans.

Building Department Fee Schedule

Barbara Henry explained that in the process of reviewing revenue for the Town they have looked at the fees charged by the 9 northwest towns. She noted that Roxbury is at the high end of the range with regard to permit fees. However, Roxbury does not charge post facto building fees. The Board agreed that an after the fact building fee of \$300 should be charged. Barbara Henry reported that many towns charge an additional file close out fee to cover all the office time involved in providing a Certificate of Occupancy. The Board agreed that a file close out fee of \$100 should be charged. The new fees will go into affect January 1, 2010. Existing open files must be closed out by June 30, 2010 to avoid the \$100 fee. If the existing open files that still are waiting for CO's are not completed by June 30, 2010, they will be charged the \$100 fee.

Motion by Russell Dirienzo to send the new provisions of the Building Department Fee Schedule to Town Meeting - a \$100 fee for a Certificate of Occupancy to begin January 1, 2010. Permits already in the system, but not yet closed out will have until June 30, 2010 to be closed to avoid the \$100 fee. Additionally, a \$300 after the fact permit fee will be imposed upon anyone who does obtain a permit for work for which a permit is required. The motion was seconded by Robert Lowe and carried unanimously.

Set Town Meeting - South Street Paving Funds/ARRA Funds/Building Fee Schedule

Barbara Henry explained that they will need to set a Town Meeting date regarding moving the South Street Bridge funds approved for the culverts to the South Street paving project. She noted that the cost for the repair of the culverts was much less than anticipated. An ARRA Resolution and the new Building fees will also need to be brought to Town Meeting.

Motion by Russell Dirienzo to schedule a Town Meeting for December 21, 2009 at 7:30 p.m. for South Street paving funds, ARRA funds, and Building fees. The motion was seconded by Robert Lowe and carried unanimously.

Probate Court Update

Barbara Henry reported that she set up and attended a meeting in November with the leaders of the other towns within the newly formed probate district. She explained that at this meeting Woodbury proposed locating the court in the Town of Woodbury. Barbara Henry explained that she was opposed to this because the building is old and has two floors without an elevator. She had concerns with the possible contributions Roxbury would need to make for the renovation of the building. Southbury's building is new, large and their Probate Court already has half of the workload of the district. The towns took a vote resulting in the Southbury location. The towns agreed to call the newly formed Probate Court the Connecticut Probate District #22.

Flag Swamp Intersection

Barbara Henry reported that she requested an evaluation of the feasibility of cutting back the bank at the intersection with South Street to provide a better line of sight. Doug DiVesta submitted a report and the project was done along with some drainage upgrades. She noted that some people are pleased; however, some are upset about the way that the rip rap looks.

Russell Dirienzo noted that he feels that if given time the area will grow in. If the rip rap is removed it will destabilize the slope. He suggested that they wait until spring to allow some time for the area to grow in. Robert Lowe agreed.

Resident State Trooper

Barbara Henry reminded the Board that their current Resident State Trooper was assigned temporarily. She is scheduled to meet this week with a prospective candidate to fill the position permanently.

Website Update

Barbara Henry reported that Catherine Vickstrom, who updates the Bridgewater website, will be working on cleaning up Roxbury's website. Russell Dirienzo suggested that the new flood zone map be posted on the website.

Proposed Cell Tower Transylvania Road

Barbara Henry reported that she attended a meeting that Ron and Sharon Faanes hosted in their home regarding the proposed cell tower. She explained that not everyone is opposed to the cell tower. She noted that the Ambulance Chief is in favor of the tower and as an EMT she can understand this.

Barbara Henry explained that she is not opposed to cell towers; however, questions the need for one on Route 67 when there is currently continuous service there. Additionally, she does not like the idea of the tower in one of the most heavily populated areas in town on a one lane dirt road. She wonders if AT&T have exhausted all of their options. She reported that she has contacted the Attorney General's office regarding her concerns and the Special Counsel has contacted her and will be writing a letter to AT&T on our behalf.

The proposal is scheduled to go before the Inland Wetlands Commission on December 15, 2009; however, nothing has been submitted to the Land Use Department to date. Russell Dirienzo explained that at this meeting AT&T will have the opportunity to present their plan. The Commission will want to do a site walk and then they will set a Public Hearing date where the public will have an opportunity to speak.

Barbara Henry asked the Selectmen for their opinions of how the Town should proceed. Russell Dirienzo explained that the Siting Council needs to use common sense. He feels that this tower will ruin people's property values. He supports Barbara Henry's efforts in raising questions. Robert Lowe noted that he is not in favor of this tower. He feels that this is the start of a grid and would like to know what the long range plan for the State is with regard to cell towers. B. Henry noted that she has asked for that answer from AT&T because she feels that towers will be placed wherever the carrier can get a lease. Robert Lowe inquired whether something could be added to the current tower to achieve their goal in improving service. Barbara Henry stated that that was brought up but then a light would have to be on top and the tower reinforced. People did not want a light on the present tower when it was brought before the Town in 1997.

Energy Commitment 20% by 2010

Barbara Henry explained that the Energy Task Force came before the BOS before and proposed joining with the CT Clean Energy Campaign of 20% by 2010. Barbara Henry explained that she had been reluctant because there was no plan to achieve this goal. She reported that she received pricing for green power from Constellation Energy today (the Town's electricity supplier.) Constellation will automatically source 7% of Roxbury's electricity needs with renewable energy and additional clean energy purchases of 13% of our energy needs can be made for an additional \$350 per year.

Motion by Russell Dirienzo to join the 20% by 2010 Clean Energy Campaign and to purchase the renewable energy certificates from Constellation Energy as of January 2010. The motion was seconded by Robert Lowe and carried unanimously.

FY 2010-2011 Budget

Barbara Henry explained that they are already feeling that it is not going to be an easy budget year. Investment interest is down and the State funding is not coming through. The Board

agreed that Barbara Henry should send out a budget request to the boards and commissions with a note directing them to hold the line.

Terms - Boards & Commissions

Barbara Henry explained that currently all boards' and commissions' terms run between 1 and 6 years. She questioned whether the BOS would agree to see them changed to 4-year terms to be consistent with the Selectmen's terms.

Motion by Russell Dirienzo to bring to Town Meeting the proposed change in terms to 4 years for both elected and appointed boards and commissions. The motion was seconded by Robert Lowe and carried unanimously. Barbara Henry agreed to review the proposal with the Town Attorney.

Transfer Station – Electronics Collection & Permits for 2010

Barbara Henry questioned whether they should change how electronics are collected. The Board agreed that they should continue to collect electronics as they have; however, it might be a good idea to add a third collection day throughout the year aside from April and August. Russell Dirienzo suggested the month of January.

Barbara Henry reported that Transfer Station permits will be the same cost as last year.

FAA Flight Path Update

Barbara Henry reported that the Attorney General is still working on the fight regarding the proposed flight path.

COST Annual Meeting January 20

Russell Dirienzo reported that he will be attending the COST Annual Meeting.

BOS Meeting Schedule 2010

Barbara Henry reviewed the BOS Meeting Schedule for 2010 with the Board. She noted that meetings are held the first Monday of the month with the exception of July and September, which will be held Tuesday due to the holidays.

Motion by Russell Dirienzo to accept the BOS Meeting Schedule for 2010. The motion was seconded Robert Lowe and carried unanimously.

Holiday Schedule 2010

Barbara Henry reviewed the Holiday Schedule for 2010. She noted that there are 13 holidays on the schedule.

Motion by Russell Dirienzo to accept the 2010 Holiday Schedule. The motion was seconded by Robert Lowe and carried unanimously.

Fire Marshal's Report - November

Barbara Henry confirmed her receipt of the Fire Marshal Report for November.

Other Business

Motion by Barbara Henry to add to the agenda discussion regarding CRRA and the Plan of Conservation and Development. The motion was seconded by Robert Lowe and carried unanimously.

CRRA

Barbara Henry reminded the Board that they agreed to put \$500 toward CRCOG along with several other towns to keep our future trash disposal options open after our contract with CRRA expires in 2012. She reported that this group of towns are trying to form a new trash authority – Central CT Solid Waste Authority. She explained that she was not prepared to move so quickly with this. She proposed that the Board extend an invitation to CRRA for the January BOS meeting so CRRA can cite reasons why Roxbury should not join in with this new authority. Barbara Henry shared that she likes CRRA and would like to stay with them.

Plan of Conservation and Development

Barbara Henry explained that she didn't feel the recommendation of electing the Zoning Commission should be in the new POCD. This is statutory and is a Town Meeting/Referendum decision, which we just had on this very subject and the Town voted it down. She asked the Board's permission to write to the Planning Commission asking to remove this from the Plan of Conservation and Development.

Motion by Russell Dirienzo to send a letter to the Planning Commission asking for the removal of the recommendation for election of the Zoning Commission from the Plan of Conservation and Development. The motion was seconded by Robert Lowe and carried unanimously.

Motion by Russell Dirienzo to adjourn at 8:50 p.m. The motion was seconded by Robert Lowe and carried unanimously.

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.