

**ROXBURY BOARD OF SELECTMEN  
REGULAR MEETING**

**February 1, 2010  
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;  
Tammy McVey-Camilleri of Voices, Joe Quaranta, Stacey Kennedy, Lisa Roush, members of  
the public and members of UTRAC.

**APPROVAL OF MINUTES**

Motion by Robert Lowe to approve the minutes of the Regular Meeting held January 4,  
2010. The motion was seconded by Barbara Henry and carried unanimously.

**TAX REFUNDS**

Motion by Russell Dirienzo to approve the tax refunds of:

DCFS Trust - \$44.86  
Ford Motor Credit Co. - \$96.87  
DCFS Trust - \$247.48  
Barbara Ungeheuer - \$13.29  
Mathew or Lisa Roush - \$99.14  
Lisa or David Easter - \$1,897.80

The motion was seconded by Robert Lowe and carried unanimously.

**COMMUNICATIONS FROM THE PUBLIC**

Barbara Henry looked for communications from the public.

**COMMISSIONS AND BOARDS APPOINTMENTS**

Russell Dirienzo stepped down and noted that Joe Quaranta has volunteered to serve on  
any commission. He discussed Mr. Quaranta with the IWC with regard to the alternate position  
that has been open and they approve of him as a new member.

Inland-Wetlands Commission, Alt. – 09/01/02009 - 08/31/2012

Motion by Barbara Henry to appoint Joe Quaranta as Inland-Wetlands Commission, Alt.  
– 09/01/02009 - 08/31/2012. The motion was seconded by Robert Lowe and carried 2-0-1.  
Russell Dirienzo abstained.

Russell Dirienzo was reseated.

**Conservation Commission, Alt. – vacancy exp. 06/30/2010**

Motion by Barbara Henry to table appointment of Conservation Commission, Alt. –  
vacancy exp. 06/30/2010. The motion was seconded by Russell Dirienzo and carried  
unanimously.

**Historic District Commission, Alt. – 5 year term 01/01/2010 – 12/31/2014**

Motion by Barbara Henry to appoint Charles Raymond to the Historic District Commission, Alt. – 5 year term 01/01/2010 – 12/31/2014. The motion was seconded by Robert Lowe and carried unanimously.

**BUSINESS**

**Cub Scout Pack 465**

Motion by Barbara Henry to table Cub Scout Pack 465. The motion was seconded by Russell Dirienzo and carried unanimously.

Barbara Henry reported that the Cub Scouts will be at the next BOS meeting to observe how their local government works.

**Booth Free School Playground**

Stacey Kennedy, Secretary of the PTO, and Lisa Roush, Co-president of the PTO, explained that they are proposing the replacement of the playscape at Booth Free School. The current playscape, installed in 1988, is made with pressure treated wood with arsenic. The wood is rotting and nails are exposed. It is condemnable and they could be made to forcibly remove it. They are hoping the BOE, PTO, and town will fund this project.

Ms. Kennedy and Ms. Roush are currently asking the BOS to approve their proposal to place the new playscape in a different area on the property since the property is owned by the town. They explained that the portable classrooms were installed after the current playscape was already in place. Code dictates that the playscapes should be 9 feet from structures.

Barbara Henry noted that she is in agreement with this change as long as the principal approves, there are no issues with septic and all permits are in place. She reported that she spoke with Principal Cathy Colella who is in favor of the proposal. Ms. Roush noted that the Health Department has advised that the septic is not an issue. They are scheduled to meet with Mary Barton regarding any additional permits required. Barbara Henry reminded them that the Health Department will need to sign off during the process even though the septic is not an issue.

Motion by Russell Dirienzo that the BOS is in agreement with the new location for the playscape at Booth Free School with the conditions that the Principal approves, septic is signed off on and permits are in place. The motion was seconded by Robert Lowe and carried unanimously.

**Resolution for DECD – Firehouse STEAP Grant**

Barbara Henry explained that this is a Resolution for the Department of Economic and Community Development that gives her permission to sign documents for the Firehouse STEAP Grant. She has permission from the Annual Town Meeting to sign grants but likes to pass them by the BOS as they come about.

Motion by Russell Dirienzo to accept the Resolution for the DECD- Firehouse STEAP Grant. The motion was seconded by Robert Lowe and carried unanimously.

**Judds Bridge Update – Letter of Interest for Inspector**

Barbara Henry reported that two responses to the ad that was placed for an inspector during the construction project scheduled for Judds Bridge were received and both included qualifications of each firm. The Town has worked with both firms and both are well liked. She suggested that since Milone and MacBroom is doing the design, they would be a good choice to do the inspection to confirm construction was done as designed.

Motion by Russell Dirienzo to use Milone and MacBroom as Construction Inspection and Administrative Services for the rehabilitation of Judds Bridge in Roxbury, CT. The motion was seconded by Robert Lowe and carried unanimously.

### **Letter of Support for Stream Flow Regs**

Barbara Henry reported that members of the Conservation Commission attended a meeting regarding new legislation for stream flow regulations. The Conservation Commission is asking for the Selectmen's support in a letter of support of this legislation based upon what they experienced with the Shepaug River.

Motion by Russell Dirienzo to support the Conservation Commission in their letter of support for Stream Flow Regulations. The motion was seconded by Robert Lowe and carried unanimously. B. Henry will get the letter out.

### **Contract for Minor Bridge – Milone & MacBroom**

Barbara Henry requested the authority to sign the contract for engineering services between the Town and Milone and MacBroom, Inc. who won the bid during the bid process.

Motion by Russell Dirienzo to the First Selectman the authority to sign the contract for engineering services between the Town and Milone and MacBroom, Inc. The motion was seconded by Robert Lowe and carried unanimously.

### **Roxbury Responds to Haiti**

Barbara Henry reported that people have been sending donations to Roxbury Responds for Haiti. There was \$945 in the fund and they have collected an additional \$1,000+. She would like to get the funds out to the organizations.

Motion by Russell Dirienzo to split funds collected for Roxbury Responds equally to the Red Cross, Save the Children and Doctors without Borders for Haiti. The motion was seconded by Robert Lowe and carried unanimously.

Barbara Henry noted that some of the money came from people from out of town and it is very much appreciated.

### **Cell Phones for Soldiers**

Barbara Henry reported that Roxbury has signed up to be a collection point for cell phones to be recycled for a program, *Cell Phones for Soldiers*, that gives one hour phone cards to soldiers serving in Iraq or Afghanistan for each phone collected. She noted that this is a tax-deductable gift.

### **Freedom Lawn – Saturday, April 10, 1-3 p.m.**

The Conservation Commission has been working on the Freedom Lawn initiative. There will be information about the Freedom Lawn in the upcoming newsletter. Additionally, the Conservation Commission will hold an informational meeting April 10th at the Town Hall about this. Barbara Henry congratulated the Conservation Commission for moving forward with this requested initiative by the Board of Selectmen.

### **Energy Meeting – 20% by 2010 Clean Energy Campaign - Friday, April 9**

The Energy Task Force will hold an energy informational meeting on April 9th at 6:30 p.m. at the Town Hall. More information will be in the upcoming newsletter.

### **Paperless Town Hall**

Barbara Henry reported that the minutes and agendas for the town's commissions and boards are posted on the website. She will be asking the clerks to no longer mail this information out to the boards and commissions, instead to distribute it via e-mail. She hopes this will positively affect the budget with less paper purchases and postage. The Selectmen agreed it was a good idea.

### **Proposed Cell Tower Transylvania Road Update**

Barbara Henry reviewed the process and what has transpired with regard to the proposed cell tower on Transylvania Road. She noted that she has spoken with the owner of the host property who feels she is doing a good thing. The IWC has reviewed the proposal presented to them by AT&T and will write a letter to AT&T noting their issues with the proposal relating directly to wetlands.

Russell Dirienzo noted that the BOS is not opposed to cell towers; only the proposed location for this one. He explained that the Siting Council needs to realize that now that urban towers are in place they are moving into rural areas where property values are directly related to rural character.

Barbara Henry clarified that the BOS supports those opposed to this proposal. She explained that there is a supposed plan for seven towers in this community and she has requested this plan; however, has not received it. She would like to find out why Verizon has outstanding service with the existing tower, but AT&T does not. Additionally, she would like to know what the guarantee is that services will be available to Route 67 with this proposed tower. She reported that AT&T is looking at other sites in Roxbury and have been given permission to do surveys.

Barbara Henry reported that she has contacted our Congressman, Chris Murphy; our State Senator, Rob Kane; and our Representative Arthur O'Neill to ask for their help. Congressman Murphy's office has committed to supporting the BOS in a letter to the Siting Council, Senator Kane has a call into AT&T and Rep. O'Neill forwarded some information that she now has to distribute. The Conservation Commission has been proactive about gathering information and asking questions.

Tom Reagan of 12 Acorn Hill asked that the BOS recognize UTRAC as a citizens group. He feels that the work that they do as the first group opposed to cell towers will benefit all future groups in town. Barbara Henry explained that the group has been recognized since they met in December. She did not realize there was any issue. She reported that she has been sending all the information she gathers via e-mail to the group; however, has not received information that the sub-committee has done.

Beatrice Conway of 281 Southbury Road questioned whether a new soil report could be done in the spring. Russell Dirienzo advised that the group could have their own report done if they choose; however, the IWC has noted that they disagree with the soil scientist's report conclusion. The placement of the driveway was discussed and Mr. Dirienzo noted that the IWC recommends that the driveway is placed on the south side. He explained that calculations have been done by the engineer based upon assumptions, which the IWC will address in their letter.

Mr. Reagan discussed the proposed driveway grade, which will not be accessible for fire engines. Barbara Henry explained that the non-conforming grade issues will be addressed when AT&T applies for a driveway permit.

Russell Dirienzo suggested that the issue that should be focused upon is that this is not the appropriate location for a tower. The decrease in the value of homes was discussed. Barbara Henry noted that when in front of the Siting Council those opposed cannot just say they do not want the tower; reasons for the opposition must be provided.

Beatrice Conway suggested that they contact the ACLU. Additionally, it was questioned whether the group could use the town attorney for legal advice. Barbara Henry explained that they could not use the town attorney because there are many people in town who are in favor of the tower. The use of an independent professional to analyze service was suggested. Russell Dirienzo explained that this could not be done in this budget. Barbara Henry offered to follow up with the resident who was going to look into that and will also try to get that information.

Barbara Henry explained that the town will have the right to appeal once an application is filed with the Siting Council. She asked that any questions or ideas be forwarded to her via e-mail and noted that she will share any information she receives. The group noted that any extension of time with this proposal would be helpful to the group.

#### **Town Tag Sale – May 8 – Use of Field**

Barbara Henry reported that the Recreation Commission is holding a town-wide tag sale on May 8<sup>th</sup> with the rain date being May 15<sup>th</sup>. They will collect \$5 from individuals who wish to

have their tag sales at their residences and they will be included on a map. Additionally, they would like to rent tables for people to set up their tag sales in the town's field.

A motion was made by Robert Lowe to permit the Recreation Commission to use the town field for the town tag sale on May 8<sup>th</sup>. The motion was seconded by Russell Dirienzo and carried unanimously.

#### **Transfer Station Stickers**

Barbara Henry reported that 812 transfer station stickers have been sold as of January 26<sup>th</sup>. Over 1000 transfer station stickers were sold last year; however, cars registered in town are down and some people purchased a fewer number than last year.

#### **FAA Flight Path Update**

Barbara Henry reported that the AG was told that the FAA is not changing its plans with regard to the flight path. This subject will be removed from future agendas.

#### **FY2010-2011 Budget Meetings**

Barbara Henry agreed to provide the Selectmen with copies of the proposed budget to review before the budget meetings.

#### **Fire Marshal's Report – December**

Barbara Henry reviewed the Fire Marshal's report, which included 12 calls. She noted that chimney fires are up this year.

#### **Other Business**

A motion was made by Barbara Henry to add Mrs. Diebold's birthday, CL&P Pole Attachment Agreement, and Wear Red Day to the agenda. The motion was seconded by Russell Dirienzo and carried unanimously.

#### **Mrs. Dorothy Diebold's 105<sup>th</sup> Birthday**

Barbara Henry noted that sent a birthday card to Mrs. Diebold on behalf of the community for her 105<sup>th</sup> birthday coming up on February 3<sup>rd</sup>. She wanted to publicly acknowledge and congratulate Mrs. Diebold, a terrific friend, resident, and benefactor of the town. The Board concurred.

#### **CL&P Pole Attachment Agreement**

The town attorney has advised the BOS to not execute the standard form Pole Attachment Agreement until the DPUC authorizes it and an apparent conflict with the Statute is resolved.

Motion by Russell Dirienzo not to execute the CL&P Pole Attachment Agreement. The motion was seconded by Robert Lowe and carried unanimously.

#### **Wear Red Day**

In support of the American Heart Association's Go Red Day employees can donate \$5 to the ARC and wear red and jeans on Friday.

Barbara Henry distributed information regarding parliamentary procedure, which she has sent to all the commissions.

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.*