

Minutes  
Board of Selectmen Regular Meeting  
Thursday, May 13, 2010  
7:30 P.M.  
Shove Building Conference Room

Present: Gerald Stomski, First Selectman  
Barbara K. Perkinson, Selectman  
George Hale III, Selectman

Also Present: Vincent Tomkalski; Parks and Recreation Commission Chairman, Tom Arras,  
Janet Sweeping and Kevin Lohmann, Jamie Cura, VOICES and about eleven  
townspeople.

**1. Call to Order**

Selectman Stomski called the regular meeting to order at 7:31 P.M. in the Shove Building Conference Room.

**2. Pledge of Allegiance**

**3. Privilege of the Floor**

Janet Sweeping, representing her drain cleaning company from Southington, Janet Sweeping and Property Care, introduced herself and her partner Kevin Lohmann.

Tom Arras read his letter, dated May 13, 2010, pertaining to the Pezzo property and cited Section 704.D of the Woodbury Charter. He referenced the cost to the Town of \$68,000 for which he believes the Town has now lost. He felt the Town should now proceed to recover these monies from those responsible for violating the Charter as the taxpayers should not be responsible for paying this violation.

**4. Approval of Minutes**

• **April 22, 2010 Regular Meeting**

**MOTION:** Selectman Perkinson moved and Selectman Hale seconded to approve the minutes of the regular meeting of April 22, 2010 with the following corrections:

Page 3, middle of first paragraph, 6<sup>th</sup> sentence, change 2 ½% to **2%**.

Page 3, end of 1<sup>st</sup> paragraph, the following should be added:

**“MOTION: Selectman Hale moved to have operational budgets reduced by 2% with department heads deciding where the 2% should be. The motion was not seconded.”**

Page 5, 2<sup>nd</sup> paragraph, should read “At a future...program on personal property for new businesses. **We currently tax buildings on a percentage of completion basis.** Selectman Hale will...setup.

**UNANIMOUSLY APPROVED.**

• **April 30, 2010 Special Meeting**

**MOTION:** Selectman Perkinson moved and Selectman Hale seconded to approve the minutes of the special meeting of April 30, 2010 with the following correction:

Page 1, last sentence, should read "Sgt Rafferty...small stipend **range of between \$500 to \$1,000** for each..."

**UNANIMOUSLY APPROVED.**

**MOTION:** Selectman Perkinson moved and Selectman Hale seconded to add Acceptance of Donation to the agenda. **UNANIMOUSLY APPROVED.**

**5. Acceptance of Donation**

**MOTION:** Selectman Perkinson moved and Selectman Hale seconded to accept a donation of \$250 from Woodbury Insurance Agency to be used for Parks and Recreation's Summer Concert Series. **UNANIMOUSLY APPROVED.**

**6. Appointments / Resignations**

• **Economic Business Development Committee**

**MOTION:** Selectman Perkinson moved and Selectman Hale seconded the following citizens to be appointed to the Economic Business Development Committee: Mike Cunningham, William Hildreth, Ray Manzi, Joe Donato, Bill Monti, Catherine Adsitt, Walter Dierks and T.J. Brennan. They shall serve a term of one year starting as of tonight, May 13, 2010. **UNANIMOUSLY APPROVED.**

**MOTION:** Selectman Perkinson moved and Selectman Hale seconded to add to the agenda the appointment of the Town Assessor. **UNANIMOUSLY APPROVED.**

Selectman Stomski informed the Board that an appointment had fallen through the cracks, that of Sylvia Keiser as Town Assessor.

**MOTION:** Selectman Perkinson moved and Selectman Hale seconded to appoint Sylvia Keiser as Assessor, retroactively from January 24, 2010 through to January 4, 2012. **UNANIMOUSLY APPROVED.**

**7. Bids / Contracts**

There were none to discuss at this time.

**8. Old Business**

Discussion of Private Duty Officers

Selectman Stomski noted that currently \$53.23 is assessed for the work these officers do. The officer receives \$43.22 per hour; the extra \$10.00 per hour goes toward the police vehicle. There is a 10% administrative fee added to the total bill. Through a referral from Sgt. Rafferty

an increase to \$60 per hour is suggested. This amount is consistent to what other towns pay. The new fee would allow the vehicle portion of the bill to increase to \$15 per hour. The officers receive an hourly increase of 3.25% as of July 1, 2010. The hourly rate for the officer would then be \$44.63 per hour.

**MOTION:** Selectman Perkinson moved and Selectman Hale seconded to increase the hourly rate for private duty officers from \$43.22 to \$44.63 per hour plus \$15.00 per hour toward the police vehicle and a 10% “administrative fee” added to the total bill, to be effective immediately for new projects. **UNANIMOUSLY APPROVED.**

#### Fire Marshal’s Office

Fire Marshal Janet Morgan reported to Selectman Stomski about some problems she has had enforcing the Fire Lane Ordinance and fines for these violations. She requests an increase to \$75 to the fine against those who park in the fire lanes as a deterrent. She also requests the ability to issue fire lane tickets. Other items on the ticket, according to Sgt. Rafferty should be increased as well. The \$5 fine should be increased to \$50, the \$10 tickets also increased to \$50 and the handicapped tickets to go from \$25 to \$100. The special fine, for plowing and sanding, should be increased to \$50. Although she has had the most problem enforcing the Fire Lane Ordinance at the school, the changes would be town wide. Selectman Perkinson noted that students at the high school need to be made aware of this change, maybe through a press release. It was also noted that new tickets need to be printed, effective within the next two months.

**MOTION:** Selectman Perkinson moved and Selectman Hale seconded to accept the referral from the Fire Marshal pertaining to the Fire Lane Ordinance and changes in the fine amounts, with the condition that the new fees would be effective July 13, 2010 and the Selectmen will issue a press release. **UNANIMOUSLY APPROVED.**

#### Corporal Rank

The Board received a referral from Sgt. Rafferty about the rank of corporal. He noted the rank in no way replaces the duties and responsibilities of the resident trooper supervisor. Sgt. Rafferty proposed the Town promote two corporals to answer to the Resident State Trooper supervisor. They will act as liaison between the officers and the State Trooper and oversee the officers. They will also notify the State Trooper of events that occur on nights and weekends. Selectman Perkinson said she had no problem with the proposal. Selectman Hale asked if the stipend could be postponed, but he had no problem with the proposal; a one year grace period would allow the financial situation to be better assessed. Selectman Stomski noted that the Police have a union and it might be in the Town’s better interest to have Town Counsel review this first for legal ramifications and also determine how the proposal might affect the union contract. Selectmen decided to table decision on this proposal until legal could look at it first.

#### Tax Abatement

The tax abatement, which allows for a two year tax exemption on personal property owned by a new business, was kicked around by the previous economic committee and Bill Monti, Selectman Hale told Selectmen Stomski and Perkinson. A dialog should be opened with

Senator Kane. Selectman Stomski suggested Selectman Hale should follow up on this, look into COG and CCM to see what information is available. Mr. Monti could keep members abreast. This topic will be kept on the agenda, to get a direction.

Planning Commission Referral

The Board of Selectmen received a referral from the Planning Commission about the acceptance of a driveway at 9 Timber Lane.

**MOTION:** Selectman Hale moved and Selectman Perkinson seconded to approve the driveway at 9 Timber Lane as presented. **UNANIMOUSLY APPROVED.**

Pomperaug Water Coalition

Selectmen received a draft of the Resolution from the Pomperaug Water Coalition regarding the Water Allocation Planning. Because of some problems getting Bethlehem on board, a request has been made to table action on the resolution. Selectmen agreed.

Field Maintenance Fee

The Parks and Recreation Commission has made a motion to recommend to the Board of Selectmen that a field/maintenance donation be made; \$10 per adult, \$5 per child, per season. The monies would be collected July 1<sup>st</sup>, October 1<sup>st</sup> and May 1<sup>st</sup>. These fees would be collected from Woodbury Sports organizations and would be used for a special purpose.

**MOTION:** Selectman Perkinson moved and Selectman Hale seconded to approve the recommendation made by the Parks and Recreation Commission to recommend a field/maintenance donation as stated. **UNANIMOUSLY APPROVED.**

Julie Crawford Property

Selectman Stomski stated the administration of Dick Crane began looking into the conveyance of property to the Crawfords. The previous administration made an agreement for a fee, that would be paid by them. After review it was discovered that the Crawfords actually already owned the property. There's a problem with the embankment, a site line issue. Selectman Hale reported he met with Mr. Hinckley and Mr. Bartlett regarding this. A survey was done after Town approval because money might be spent unnecessarily if the transfer was not approved was the Selectmen's thought at the time. Selectman Stomski said that was why the property should have been surveyed first. There was the concern as to whether the State had actually turned the property over to the Town initially. The deed could not be found, commented Selectman Hale. Selectman Hale said this Board needs to establish the rightful ownership first; we need to do our homework.

**9. New Business**

Pezzo Property

Selectman Stomski gave the historical background to this property. Whether the property was assessed properly is a question. Back taxes were owed to the Town in the amount of

\$68,000. There was a counter suit. The legal advice given to the Town was to settle. The problem is the monetary amount to settle the suit and the conveyance of title which was done against the Town Charter. The call of the Town Meeting was made and at the Town Meeting the motion was defeated, creating a conundrum. Town Counsel advised, at the recent Board of Finance meeting, that in the process a financial analysis should have been done and submitted to the Board of Finance for review. It was not done. At the recommendation of Counsel to the current administration a financial analysis should still be done and the process should be started over. Selectman Stomski's question was what legal authority does the Selectmen have to go back to the Town Meeting body to make a decision. Do we have the legal authority and the right to do that? Section 704.D of the Town Charter was then reviewed. Part of the problem was the wording of the Town Meeting, "to accept conveyance of property" should have been worded differently. As an action let's have current legal counsel do a written brief as to what has happened and what to do. The prior administration accepted title to the property, but the legislative body did not accept it. There is a possibility that more legal costs may be incurred. It seems the end result was the right choice but how do we get there? Selectmen Perkinson and Hale agreed with Selectman Stomski.

#### Town Hall Annex

Selectman Hale asked for an informal scenario about the Annex from the Public Building Commission, a comment.

#### Charter Revision Commission

Selectmen Stomski stated that the Commission needs legal representation other than Town Counsel. Bids were received from Carmody and Torrance and Attorney N. Warren Hess, III. He recommended awarding the contract to Attorney Hess, his fees were less.

**MOTION:** Selectman Perkinson moved and Selectman Hale seconded to award the contract to Attorney N. Warren Hess, III.

Discussion: The amount is significantly less, but does he know what he is doing?

Selectman Stomski said he was referred by the Town's attorney.

**UNANIMOUSLY APPROVED.**

#### Referral from Charter Revision Commission

The Charter Revision Commission is asking for suggestions from Selectmen. The Commission meets every first and third Thursday. Selectman Stomski asked Selectmen to review the Charter and see if they have any suggestions for the Commission. Selectman Hale nominated Selectman Perkinson to be the representative to the Commission from the Board of Selectmen.

#### Referral from Traffic Authority

Parks and Recreation Commission and the State Trooper made a referral to the Board about changes to Hollow Road, driveway to the Senior / Community Center and parking, by the North Green. The suggestion includes making part of Hollow Road a one way road. The driveway leading to the Senior Center needs a different exit, possibly by the Police Station. An

ariel photo was reviewed by Selectmen showing suggested changes to the North Green. Selectman Hale will discuss the Senior Center exit with Mr. Bartlett; it seems there may be a good reason why the change was made there. Catherine Adsitt, Town Planner, also made some written comments. She suggested neighborhood outreach. Selectman Hale said he was in favor of exploring all three options. The topic will be kept on the agenda.

Referral from Parks and Recreation Commission regarding field usage

Parks and Recreation Director Jennifer Miller suggested a fee donation per event for usage of the fields. The range could be between \$50 to \$850 per event, at the discretion of the Parks and Recreation Director. Selectman Stomski stated he had a problem with this. Some non-profits use the pavilion, would they pay a fee, like the Lions Club. "All groups" and "suggestion donation" are in question. There could be a problem with discretionary consideration. It is in our best interest to define "all groups." The discretionary element should be taken out. Selectman Hale agreed this was a "broad brush." They probably have events in mind. Does this refer to just the athletic fields? If the fields are used for additional seating, would a fee be incurred? Selectman Stomski thought the fees needed to be fine tuned. Selectman Hale suggested sending this back to the Commission with our concerns. Selectman Perkinson thought there was too much in the proposal that could go wrong. Also to consider, the carnival has a lot of compression on the field, noted Selectman Hale. Selectman Stomski thought some fee should be paid to use the fields, some fee for damage. Even non-profits should be considered. Selectman Stomski asked that Chairman Vincent Tomkalski bring these concerns back to the Commission for further discussion.

**10. Correspondence**

There was none.

**11. Adjournment**

**MOTION:** Selectman Hale moved and Selectman Perkinson seconded to adjourn the meeting at 8:45 PM. **UNANIMOUSLY APPROVED.**

FILED SUBJECT TO BOARD APPROVAL

Respectfully submitted,

Linda Leigh  
Clerk ProTem