



# TOWN OF WOODBURY

Selectmen's Office  
281 Main Street South  
Woodbury, Connecticut 06798

TELEPHONE: (203) 263-2141  
FAX: (203) 263-4755

## BOARD OF SELECTMEN REGULAR MEETING MINUTES

Thursday, August 28, 2014  
Shove Building Conference Room  
7:30 p.m.

PRESENT: First Selectman William J. Butterly, Jr., Selectman Martin Overton, Selectman Barbara Perkinson, Town Attorney Kaelin, Library Director Lunn, approximately twelve residents, two reporters

1. Call to order – First Selectman Butterly called the meeting to order at 7:30 p.m.
2. Pledge of Allegiance
3. First Selectman's Report – First Selectman Butterly reported the following:
  - a. School House- Preservation of the 96 year old, one room Transylvania District Schoolhouse underway, still owned by the Ludorf Family—hoping for private donations to secure it.
  - b. Nutmeg Grant update – Expecting grant money, \$19,900., by October 1 new telecommunications in place.
  - c. Encouraged all to attend the weekend Carnival.
4. Privilege of the Floor – Mr. George Madsen, Library Board Chairman – Mr. Madsen inquired if the Selectmen had received copies of the materials used in his presentation of 8/21.
5. Minutes – Regular Meeting August 14, 2014; Special Meeting August 21, 2014 – MOTION: Selectman Overton moved to approve the Special Meeting of August 21, 2014 minutes as presented. SECOND: Selectman Perkinson. MOTION PASSED UNANIMOUSLY. MOTION: Selectman Perkinson moved to approve the Regular Meeting of August 14, 2014 minutes with the following amendment: page 3, line 7 of second paragraph, delete "agreed", insert "did not agree". SECOND: Selectman Overton. MOTION PASSED UNANIMOUSLY.
6. Bid Awards – none.
7. Donations – First Selectman Butterly spoke of a generous donation from TD Bank. MOTION: Selectman Overton moved to accept a donation of \$1000.00 from TD Bank, N.A. for the Woodbury Summer Concert Series. SECOND: Selectman Perkinson. MOTION PASSED UNANIMOUSLY.
8. Appointments/Resignations – none.
9. Old Business
  - a. Discuss and take action regarding proposed ordinance for Woodbury Arts and Culture Commission – First Selectman Butterly invited Town Attorney Kaelin to the table for the review of proposed ordinance language and distributed to the Selectmen draft copies of Attorney Kaelin's recommendations:

PROPOSED	TOWN ATTORNEY RECOMENDATIONS
There shall be an Arts and Culture Commission consisting of seven (7) members appointed as set forth in Appendix B as terms of incumbent members expire.	In referencing "Appendix B" to the Charter, this language needs to be changed as this commission is not charter created and Appendix B does not mention this commission.
Terms of membership will be three (3) years.	Instead, in the ordinance itself you will want to provide how you want the initial appointments and then the appointment cycle. For example you could provide the term is three years except that for the initial appointment that will have 2 members appointed to a 1 year term, 2 members for a 2 year term and 3 members for a 3 year term. You would need to do the same for the alternates.
There shall be two (2) alternate members appointed as set forth in Appendix B as terms of incumbent alternates expire.	I do not see any requirement in the charter for rotating or staggered terms for appointed commissions, but that is how it is done for the charter appointed commissions.
The Woodbury Arts and Culture Commission shall be responsible for identifying and developing new opportunities, venues and audiences for arts and cultural programing in the Town of Woodbury and advise and make recommendations to the Board of Selectmen on these topics.	
The Woodbury Arts and Culture Commission will also <u>give</u> input into the development of public venues for their possible use for performing and fine arts usage and for a full range of cultural programming.	One minor change on the last paragraph I would change ". . . will also give input . . ." to will also <u>provide</u> input . . . "
Draft for 8/28/14 BOS Meeting revision b.	

Discussion highlighted a proposed policy to appoint the members (staggered terms) by picking submitted appointee names randomly out of a hat. MOTION: Selectman Overton moved to approve the draft as proposed and amended by Attorney Kaelin for terms and cycle of members and substitute "provide" for "give" in the final paragraph. SECOND: Selectman Perkinson. MOTION PASSED UNANIMOUSLY.

- b. Discuss and take action regarding technology services at town facilities and Region 14 – First Selectman Butterly summarized the 8/21 discussions of possibly sharing IT services, while not diminishing the Technology Services/Reference Librarian job, noted that there should be enough money in the Telecommunications Project to hire a consultant to analyze the town's IT services, reiterated that Region 14 would help formulate specifications for the RFP for IT Services Study. Selectman Overton supported the proposed RFP based on several facts, especially the present lack of time Scott has by only working one day a week, when his time is consumed with employee software problems/server breakdowns, for IT maintenance. Selectman Perkinson asked when would the project's final figures be known—First Selectman Butterly replied in a week. MOTION: Selectman Overton moved to authorize capital funding for the technical services program to hire a consultant to help the town to determine the immediate needs for the future. SECOND: Selectman Perkinson. MOTION PASSED UNANIMOUSLY.

- c. Discuss and take action to approve job description for Technology Services/Reference Librarian – MOTION: Selectman Perkinson moved to take from table “discuss and take action to approve job description for Technology Services/Reference Librarian”. SECOND: Selectman Overton. MOTION PASSED UNANIMOUSLY. MOTION: Selectman Perkinson moved to approve job description for Technology Services/Reference Librarian as presented. SECOND: First Selectman Butterly. Selectman Overton indicated that, in his opinion, he was not in favor of approving this job description, based on not knowing possible recommendations from an IT study, and his belief of possible mission creep. Selectman Perkinson read aloud the following statement: “First I wish to thank all those who gave information on this issue to me over the last two weeks. Those include Pat Lunn and the library staff at the Special BOS meeting on August 21, and Sarah Wirtes, at the Selectmen’s office. A big thanks to Sarah! I had asked for some very in-depth and detailed information, which I received to review prior to this meeting. I am sure all of us on the BOS have received remarks from the public regarding this position—constructive criticism as I would call it. There are those of you who praise the library and its staff, but understand there are those who question the staffing and functions of the library. I have had both types of individuals approach me. Hence, my decision to table this position until I could acquire the information I needed to support this position. By the oath of office I took when I was elected to this position, my responsibility is to the total town population. I feel that this requires me to ask questions and gather information in order to make a decision with the best interests of the town in the forefront. As I discovered in my research, this is a union position and therefore, cannot be eliminated; otherwise, the town would be facing a union contractual issue. We can however, and in this era of new and ever-changing technology, make changes to the job description. This we have the authority to do with this position as well as other job descriptions as Woodbury moves forward with changes to be fiscally responsible. Job descriptions for this department are outdated dating back to 1989. I think that the director should begin updating these descriptions and bring them to the BOS for review and approval as soon as possible. Change is difficult and inevitable and it will be hard to face, but adjust we must. I base my decision on facts based upon the factual information which I received. I am in favor of changing the job description scope of the Technology Services/Reference Librarian, as well as the posting and filling the vacancy of this position. Please be aware, the town, is undergoing a complete telecommunications overall, and will need its own technology specialist more than the one day a week we presently have. We must look at a total picture of the town’s needs.” MOTION PASSED.

#### 10. New Business

- MOTION: First Selectman Butterly moved to add item e. to New Business “Discuss diesel fuel allotment issue for fiscal year 13/14”. SECOND: Selectman Perkinson. MOTION PASSED UNANIMOUSLY.
- a. Discuss and take action to authorize use of town roads for Sunshine Kids Motorcycle Ride – First Selectman Butterly noted the upcoming Sunshine Kids Motorcycle Ride. MOTION: Selectman Perkinson moved to authorize use of town roads for the Sunshine Kids Motorcycle Ride on Saturday, October 4, 2014, from 9 a.m. to 3 p.m. SECOND: Selectman Overton. MOTION PASSED UNANIMOUSLY.
- b. Discuss and take action regarding “No Thru Trucks” sign at the intersection of Rt. 6 and Park Road – First Selectman Butterly stated that Selectman Perkinson had requested that discussion of this intersection be on agenda. Selectman Perkinson indicated that a resident, on Park Road, had approached her about the lack of a “No Thru Trucks” sign on Park Road from Rt. 6. She had reviewed the area with Sgt. Roden in his vehicle and reported their findings. A few residents present expressed their concerns about the truck traffic on

Park Road and Selectman Overton detailed consequences of zoning permit violations for that area. MOTION: Selectman Perkinson moved to instruct the First Selectman to research zoning requirements regarding Park Road access. SECOND: Selectman Overton. MOTION PASSED UNANIMOUSLY.

- c. Discuss and take action regarding Annual Report for Board of Selectmen – First Selectman Butterly noted that the Selectmen’s Annual Report was due. Selectman Overton asked that the amount of new businesses/exiting businesses in town be included in the report.
- d. Discuss and take action regarding proposed ordinance for Community and Economic Development Commission – First Selectman Butterly passed out draft ordinance copies. MOTION: Selectman Overton moved to accept the proposed ordinance for Community and Economic Development Commission and requested that it be part of the next agenda. SECOND: Selectman Perkinson. MOTION PASSED UNANIMOUSLY.
- e. Discuss diesel fuel allotment issue for fiscal year 13/14 – First Selectman Butterly explained: Earlier in the day his office, with Town Attorney Kaelin, spent considerable time researching the town’s diesel fuel supplier’s, (East River Energy), claim that the town would have to pay not to have diesel fuel delivered to the town. Consideration had been given to go into Executive Session to discuss this matter this evening in order to avoid embarrassing anyone. But that effort came to a halt when a newspaper reporter called him to say that Sean Murphy called him to “report” that he (First Selectman Butterly) had sent the Resident Trooper to the house of the former First Selectman. At that point he consulted Town Attorney in order to conduct the entire issue in open session. Although he did not technically “send” Sgt. Roden to the former First Selectman’s house, he did consult Sgt. Roden, whom, as a Police Officer had police confidentially, and neither Sgt. Roden nor he had told anyone. So the information came from the former First Selectman. The diesel fuel issue concerned why the Cooperative Oil Purchasing Consortium (contract) amounts were increased for fiscal year 2013-2014 from 22,500 gallons to 39,500 and decreased from 2500 gallons to 1000 gallons for the ESB diesel fuel. Consequently, East River Energy contacted the town to reiterate that since all contracted amounts of diesel fuel were not utilized before contract expiration, there would be penalties such as paying approximately \$20,000 for not taking delivery of the overage in diesel fuel. The Selectmen discussed legal and safe ways to avoid paying the \$20,000 if delivered, a reasonable explanation of the increase that appears to have nearly doubled the quantity contracted the year before, and the advantages and disadvantages of the town being part of the consortium. MOTION: First Selectman Butterly moved to recommend to the Board of Finance an appropriation for \$20,220 to pay for the diesel fuel overage for East River Energy. SECOND: Selectman Perkinson. MOTION PASSED UNANIMOUSLY.
- f. Discuss and take action to approve job description for Town Planner – First Selectman Butterly asked that the Town Planner job description be considered with the following changes as noted: Summary Job Description: next to last, and last lines: delete “Building Official” since the Town Planner has never overseen the Building Department, and also on page 1, Essential Functions: section, bullet #2, delete “Manage, oversee, and conduct performance evaluation of the Building Official and staff.” MOTION: Selectman Overton moved to approve Town Planner job description, as presented, with the following amendments: page 2, add to Specific knowledge and skills required: “Knowledge of Planning Statutes and regulatory developments as these may effect Land Use Agencies.”; add to Duties and Responsibilities: third bullet, line two, insert “,with the authority of the Zoning Commission” after “Zoning” and before “Inland”; also on page 2, last line, delete “preferred” and insert “required”. SECOND: First Selectman Butterly. MOTION PASSED UNANIMOUSLY.

MOTION: Selectman Overton moved to go into Executive Session for pending litigation regarding the agency's consideration of action to enforce or implement legal relief or a legal right, at 9:07 p.m. and invite in Town Attorney Kaelin and Mrs. Krampitz. SECOND: Selectman Perkinson. MOTION PASSED UNANIMOUSLY. OUT OF EXECUTIVE SESSION AT 9:32 p.m. NO ACTION TAKEN.

11. Correspondence – none.

12. Adjournment – MOTION: Selectman Overton moved to adjourn at 9:33 p.m. SECOND: Selectman Perkinson. MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

Jan Krampitz, Secretary to the Board of Selectmen

RECEIVED & FILED  
IN WOODBURY, CT  
This 2nd day of Sept 2014  
at 8.10 o'clock A M  
Suzanne Cooper  
Town Clerk