

Board of Selectman Meeting
September 3, 2013

Present: First Selectman Gayle Weinstein; Selectman David Muller; Selectman Dennis Tracey by phone; Town Administrator Tom Landry; Administrative Assistant Judy DeVito; Residents.

This meeting was recorded and videotaped. Copies are available in the Selectmen's office. The meetings are available for viewing online via the Town's website.

Ms. Weinstein called the meeting to order at 7:30pm

Pledge of Allegiance-

Public comment-Potential move of the Senior Center from Hurlbutt Elementary School to Emmanuel Church-

Bob Turner- Spoke in favor of the potential move to Emmanuel Church. He feels that it is important to the balance of the community that we have more activities located on that side of town.

Roberta Morelli- She loves Emmanuel and she thinks that it should be a one stop shop. She would love to have one place for the Senior Center. She said at Emmanuel we would have a five year lease and at the school we only have a one year lease.

Mark Harper- He asked what the Directors of the Senior Center thought about the move.

Wendy Petty- She said they have given it a lot of thought and gone over the pros and cons. They have had many meetings and talked to many people and they are very excited about growing the Senior Center. One of her biggest frustrations is the 13 parking places that they have. The backroom is beautiful but it's not air conditioned so they can't use it in the summer time. It's a longer drive to Emmanuel and they are trying to make it more convenient so they are thinking about a shuttle back and forth. They are in favor of the move.

Vonnie Spies- She asked if they are able to use all of the facilities. Ms. Weinstein said that the two classrooms would be Senior Center property. The seniors would have sole use of the parish hall between the hours 9am to 3pm Monday through Thursday which are the same hours that the center is currently open. There may be an exception if there is a funeral which hasn't happened in a few years. They can use the kitchen for prep and set-up. If they decide to hold senior lunches they can use the ovens to warm-up. There is a kitchenette that will be solely for their use which does have a convection oven, refrigerator and microwave. Upstairs they would have use of the loft during the hours that the center is open. There are two private rooms and the conference room would be shared space depending if the church needs it or if the seniors need it. That would be worked out with the Senior Center Director and Church secretary.

Mary Doyle- She asked about cell phones and if there was a problem with that. Ms. Weinstein said she didn't know but they would make sure that there would be phone, internet and cable so they would have everything in case there was an emergency.

Meta Schroder- She has lived in Weston 42 years. She has spent a quarter of those years with the seniors. She is Weston's representative to SWCAA which is made up of 14 Towns and Cities. It's a group that come together and share issues, situations and news about the aging senior population. She is in favor of Emmanuel because she could expand her hours because they would have the room for her so that she can help people with choices of Medicare. She also liked that they have better parking. It offers them the chance to put everything under one roof.

Ms. Weinstein said that she wanted to make it clear that the school district is very happy to have the seniors there. She did speak to the principal of Hurlbutt who is sad that they are considering the move because she saw perhaps a chance for greater direction between the students and the seniors. The Superintendent has gone out of her way many times to tell them that she likes having them and they are more than welcome to stay.

Nina Daniel- Said she really enjoys the work that the "Friends of the Senior Activity Center" does. She is on the School Board and she wants to thank Gayle for making it clear that the school district is very happy to have the seniors in the district. They are in the position where they have two entities that would love to have them located on their property.

Carolyn Scribner- Has lived in Weston her whole life. She went to the Weston Schools and she loves going there and having the children close by. She feels Lyons Plain Road is isolated and is not sure she feels safe going over there. She thinks that the people who go to the Senior Center should have a vote to see how many people are for moving to Emmanuel and how many are against it.

Jim Schaper- Has lived in Town since 1959. The Senior Center should be part of the school and Town campus. Do not ship it to purgatory. The facility at Emmanuel is cold, stark, too big and there is no ambience. The parking where they are now, if they could move some of the administrators somewhere else we could move spaces for the Board of Education. If they want use of the little gym all they have to do is tell us when they want it. It needs to part of where things are happening in the Town.

Paul Scribner- Has lived in Town since 1962. He is in favor of what Mr. Schaper said.

Discussion/decision regarding the reappointment of James Jamieson to the Beautification Committee for a term to expire June 30, 2017- Mr. Muller moved to reappoint Jim Jamieson to the Beautification Committee for a term to expire June 30, 2017. Mr. Tracey seconded and the motion passed unanimously.

Discussion/decision regarding controlled deer hunt- Mark Harper- Mr. Harper said he was recommending that we no longer hunt at the Fromsen/Strassler property. He

recommends that they continue to hunt at the landfill. They had some vandalism and interference with the hunters that were on the property. This year he has contacted DEP to make sure this doesn't happen this year because it is illegal to harass hunters who are legally pursuing game on property.

As he surveys existing Town properties he may come back and ask for specific pieces if he finds an over population of deer. In areas where hunting is occurring the numbers are down but in areas where there is no access to get to the deer they are still flourishing and in larger numbers than we should have.

Mr. Muller moved to authorize the Animal Control Officer to conduct a controlled deer hunt at the Weston Transfer Station during the approved deer hunting season. Such hunt shall be bow and arrow only. No more than three hunters at a time will be allowed at the Weston Transfer Station property. Adjacent property owners will be notified in writing at least 5 days in advance. The First Selectman will meet all hunters in person prior to signing any permits. The Animal Control Officer will report back to the Board of Selectmen on the status and results of the hunt halfway through the hunting season. Mr. Tracey seconded and the motion passed unanimously.

Discussion/decision regarding a resolution to give blanket control for hiring of non-Director level positions to the First Selectman. Ms. Weinstein that the Charter was changed so that every new hire needs to go before the full Board. The previous Charter said that only the Director level positions needed to go before the Board of Selectman for approval which is something that she agrees with. Asking for the Board of Selectman to review every potential new hire would be onerous. The Town Administrator and Land Use Director do all the interviewing for the jobs and she really doesn't see a need to bring it to the Selectman. She can understand that in future years, there may be a situation where perhaps the Board did not necessarily trust the recommendation of the Town Administrator or the First Selectman, and may in fact want to make all of the hiring decisions.

She put a caveat in the resolution that anytime there is a change in membership in the Board of Selectmen that the process is automatically reviewed. Mr. Muller said he has no issue with this. However he is concerned about the words "Blanket Control" and he would take out the word "blanket". Ms. Weinstein she was fine taking "blanket" out.

She did go to the Charter Revision Committee and asked them to change this back and they declined to do so. Mr. Tracey said he agreed that the Selectmen do not need to review each non-director level hire. The First Selectman, the executive of the Town should have primary responsibility for that. However, the Selectmen should be able to require Board of Selectmen review at any time.

Mr. Muller said they are assigning the First Selectman the role as outlined however the Board can affirmatively decide to review an individual contract should they so choose.

Mr. Muller moved to approve the resolution:

WHEREAS Section 5.1 (c) of The Town of Weston Town Charter, as amended and restated as of November 7, 2012, states that the First Selectmen shall have the responsibility to hire or dismiss, with the prior concurrence of the Board of Selectmen, and subject to the General Statutes, paid employees other than Officers, heads of departments or employees who do not report, directly or indirectly to the Board of Selectmen; and

WHEREAS the Board of Selectmen believes it is important to remain involved in the employment of Director level positions but not positions below that level; and

WHEREAS the Board of Selectman believes that hiring decisions are best made by the Department Directors, direct supervisors and the Town Administrator; and

WHEREAS the Board of Selectmen retains the right to review this policy at any time;

THEREFORE the Board of Selectmen authorizes the First Selectman to make employment decisions below the Director level. This policy shall automatically be reviewed within 30 days of a change in Board of Selectmen membership and may be revised or revoke at any time.

Mr. Tracey seconded and the motion passed unanimously.

Discussion/decision regarding repairs to the Lachat farmhouse- Mr. Landry said that Mr. Hatch did a series of specifications and drawing to do various items of work at the Lachat property. They were put out to bid and the bids were opened last week. There were four responses and one was significantly less than the others so they wanted to make sure that the contractor really saw the project in the way that the specification envisioned. They had the architect check it out and he said that he has identified some things that are not covered in the contractor bid proposal. The additional cost would be \$3,000 to \$4,000 to do that work. They would still be the low bidder with this addition.

Mr. Landry went through the different choices that the Selectmen had which included rejecting the bid as nonresponsive and not allow an alteration in the price or award the bid anyway. The company was Salem Preservation Inc. who did the Onion Barn last year. We were happy with the quality of the repairs but it did take a very long time.

Ms. Weinstein said even adding the extra money onto the bid he is still less than the other bidders. He is someone that Mr. Hatch has confidence in so she is comfortable going back to him and asking him to add that. She can ask him why the roof numbers came in a little higher than the other bidders.

Ms. Weinstein said when we started the whole process they had said to the Friends of Lachat they had to come up with all of the money to complete the project. Their fund raising has been a little slow and they have not come up with all the money to complete the project.

We have not spent money from the maintenance fund that had been put there for this purpose so she asked the Board to tap into that fund which has approximately \$116,000 to pay for the roof (approximately \$30,000) and “Friends of Lachat” would cover the additional \$70,000 which they have agreed to do. Mr. Tracey said he supports the use of the maintenance fund for the roof.

Mr. Muller moved that the Board authorize the First Selectman to negotiate the bid with Salem Preservation and enter into a contract for repairs on the Lachat farmhouse. The Town shall be responsible for the costs associated with the repairs to the roof with the remainder of the costs being borne by the “the Friends of Lachat”. Mr. Tracey seconded and the motion passed unanimously.

Discussion/decision regarding the report from the Legal Review Committee. – Kevin Korsh and Jeff Eglash. Ms. Weinstein thanked the Legal Review Committee for all the hard work that they had done. Mr. Korsh said they had terrific cooperation from everyone that the committee reached out to. He said next time we might define the mission a little more surgically. Also, he would recommend having a member on the current committee serve on the next committee so there is a little bit of transition.

Most of the recommendations dealt with embedding in regular routines more of the risk management. They believe it’s being done informally but it should be set up on the regular calendar schedule, a couple of times a year.

Mr. Korsh said risk management is the difference between always being in a reactive mode and being proactive to fend off future litigation. We should be reviewing our own cases as well as from other towns. Calling a time out once or twice a year and comparing notes should be done and it can be done without violating privilege.

There was discussion on larger contracts and whether or not another attorney should look at them. Mr. Korsh said Pat Sullivan would still be the Town attorney but with contracts of a certain size, someone else from Cohen and Wolf with a stronger contracts background should be the person to look at it.

Mr. Muller said the recommendation all seems to lead to the same point which is do what we are doing now, continue the process a little more rigorously. Mr. Korsh added a touch more formality and happening more regularly. A copy of the final report is attached to the minutes.

Discussion/decision regarding changing the date of the September 19th meeting to September 25th at 6:00pm. Mr. Muller moved to approve the change in the September 19th meeting to September 25th at 6:00pm in the Middle School Library. Ms. Weinstein seconded and the motion carried.

Request for property tax refund:

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| Honda Financial Services | \$498.75 |
| U.S Bank-Tax Servicing | \$435.28 |
| Mercedes Benz Financial Services | \$347.53 |
| Chase Auto Finance | \$234.76 |
| Katherine T. Sullivan | \$234.87 |
| Toyota Motor Credit Corp | \$142.96 |
| Miroslawa Surowiec | \$69.87 |
| Lindsey Rosen | <u>\$13.93</u> |
| Total | \$1,977.95 |

Mr. Muller moved to approve property tax refunds in the amount of \$1,977.95 as listed on the September 3, 2013 Board of Selectmen's agenda. Ms. Weinstein seconded and the motion carried.

Open Items

Updates

First Selectman updates-Ms. Weinstein said that we might be getting some money back from the mutual aid that we provided to Newtown in December. She believes we will get between \$13,000 and \$15,000 which will go back to the general fund to repay some of the supplement that we forwarded to their budget.

The MPO of the Southwestern Region met last week and they unanimously approved a resolution to ask the SWRPA Board to look into a potential merge with Housatonic Valley Council of Elected Official which is our neighbors to the north. They feel it makes sense given the Route 7 corridor, demographics, land use policies and the fact that they have worked well together. According to David LeVassuer from OPM, if the merger happened they would be considered safe from a forced merge. They will double check that.

SWRPA/MPO formed a sub-committee which Ms. Weinstein is serving on along with First Selectman Jayme Stephenson from Darien, and Bob Burns and Paul Settlemyer who are the SWRPA appointees from Greenwich. They met today to start the process. The deadline is January 1st so they are looking to make some kind of merge happen. Housatonic is going through their process as well.

Any other business to come properly before the meeting- None

Approval of the minutes of the July 8th and August 15th, 2013 Board of Selectmen's Meeting.

Mr. Muller moved to approve the minutes of the July 8, 2013 Board of Selectmen's meeting as submitted. Ms. Weinstein seconded and the motion carried.

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The August 15th minutes will be on the next agenda.

At 9:13pm Mr. Muller moved to adjourn the meeting. Ms. Weinstein seconded and the motion carried.

Respectfully submitted

Judy M. DeVito
Administrative Assistant
Approved 9/25/13