

Board of Selectmen's Meeting

July 9, 2009

Present: First Selectman Woody Bliss; Selectman W. Glenn Major; Selectwoman Gayle Weinstein; Town Administrator Tom Landry; Administrative Assistant Judy DeVito and members of the public.

This meeting was recorded and video taped and the tapes are available in the Selectmen's office.

Mr. Bliss called the meeting to order at 8:32pm

Discussion/decision regarding the appointment of Marilyn Parker to fill the vacancy (Bruce Angeli) on the Library Board for a term to expire December 31, 2009.

Marilyn Parker said that she has lived in Weston for fifteen years. She has a graduate degree and is a realtor and an interior designer. She feels the library is a vital institution that is not used as well as it could be.

Ms. Weinstein made a motion to appoint Marilyn Parker to fill the vacancy of Bruce Angeli on the Library Board for a term to expire December 31, 2009. Mr. Major seconded and the motion passed unanimously.

Discussion/decision regarding the appointment of Robert Turner to fill the vacancy (Cory Attra) on the Conservation Commission for a term to expire December 10, 2009. Robert Turner said that he has long worked with Planning and Zoning which has carryover skills that work with the Conservation Commission. As Code Enforcement Officer he has worked with the Conservation Planner and Commission.

Mr. Major made a motion to appoint Robert Turner to fill the vacancy of Cory Attra on the Conservation Commission for a term to expire December 10, 2009. Ms. Weinstein seconded and the motion passed unanimously.

Discussion/interview with Juri Tatsuuma- Garone for the Board of Ethics.

Juri Tatsuuma-Garone said she just moved to Weston a couple of months ago. She is a former television journalist for News12 Westchester and is currently a freelancer within the News12 network. She left her job so she could be home with her children.

She believes in transparency and mostly in checks and balances. In her job she has covered many municipalities and board meetings. She said she would be a fresh set of eyes and ears, because she has not lived in Weston for long and only knows a few people that live in Weston.

Ms. Weinstein asked what her party affiliation was. Ms. Tatsuuma-Garone said that she was not a registered voter, because as a journalist she does not vote. Mr. Bliss said we

would check the charter to see if there was a party affiliation requirement. He said we will defer action until we get answers to the question.

Discussion/decision regarding response to potential loss of Dial –A- Ride grant in FY09-10 of \$16,000- Lois Miller, Commission on Aging. Ernie Albin said that their concern is that they might be losing their \$16,000 state grant. That money is used for the fifth day of the Dial-a-Ride program which has been very successful. They are proposing that if they lose the \$16,000 state grant this year they take the \$16,000 from the Morehouse Heady Elderly Assistance account. This item fits the criteria for using the fund and has been approved by the trustees of the fund.

Mr. Major made a motion to authorize the use of up to \$16,000 from the Morehouse Elderly Assistance account for purposes of covering any shortfall which may occur in the \$16,000 state grant used by Weston Dial-a-Ride. Ms. Weinstein seconded and the motion passed unanimously.

Public Information meeting regarding Old Hyde Paving Project- Tom Landry
Mr. Landry said that they have applied for a stimulus grant to repave Old Hyde Road. One of the requirements for this project among many is that we advertise an informational hearing to tell the community that we are going to pave the road with someone else's money.

We send notices to all the abutters on the road and we notify about fifty state and federal officials telling them that we are paving with someone else's money. We have to do many things that we would not normally do in the course of paving a road in order to meet the requirements, so we can access the \$270,000 of shovel ready stimulus money. They will not give us the approval to spend until December and we will not be able to pave until next summer.

Mr. Landry said that there were five roads that the money could be spent on. Weston has both rural collector roads and urban collector roads. We can only spend the money on urban collector roads. Both 57 and 53 are state roads and Lyons Plain and Good Hill were both done a couple of years ago so that left Old Hyde. We are only doing Old Hyde not the extension, because it does not meet the federal requirements of safety.

There are other requirements. There has to be an engineer on site at all times. After the road is finished we have to do core borings on the asphalt and send it to be tested to be sure it is what they required us to have. They require we use super asphalt and we have to send someone to the plant to get samples at the site. There are reporting requirements and the state takes 7 1/2% off the top for administrative fees.

Mr. Landry said that that is why we have advertised the hearing, the purpose is for people to offer comments if they wish to do so they will be noted in the minutes and sent to the department of transportation.

Amy Sanborn, Old Hyde extension, said she wanted to congratulate everyone for doing all this work to get the money because she is aware that a neighboring Town decided it was too much work. She wanted to know if there were any things that we had to do or change as a Town by accepting this money. Ms. Weinstein said no, there are no additional requirements once the road is built for us to change the way the Town does business.

Discussion/decision regarding required resolution for Old Hyde paving project funding application- Tom Landry

Mr. Major made a motion to authorize Woody Bliss as the First Selectman to execute the resolution entitled Weston Board of Selectman, Old Hyde Road Stimulus Act, Paving Project as submitted. Ms. Weinstein seconded and the motion passed unanimously.

Discussion/decision regarding a supplemental appropriation request in the amount of \$92,011 for the purpose of pre-payment of a fire truck- Larry Roberts/John Pokorny.

Mr. Landry said two years ago in the Capital Budget the community appropriated \$275,000 towards the cost of the fire truck and it was estimated at that time the truck would cost \$500,000. This year they requested a second Capital appropriation of \$250,000 and ended up approving \$150,000 more. We have \$425,000 available to us.

On Tuesday, Larry Roberts and Mr. Landry met with the low bidder and he gave them the final prices for the truck. The truck will take eight and one half months to deliver from the time it is ordered and if you pay for the truck when it shows up the cost is \$547,000. If you want to prepay the truck it is \$517,000, because they will give us a \$30,000 discount. That means that we will need a supplemental appropriation.

If we decide to prepay for the truck they have to give us a separate bond so in case they go out of business after we have given the money, we are not left empty handed. If we are concerned about drawing down the general fund balance too much, in the next budget we would do a capital item for the amount of the supplemental appropriation and it would go to repay the general fund.

Mr. Major asked what we should anticipate that we are going to have to do by way of supplemental appropriations. Mr. Landry said they could do 1.2 million and they have on the horizon, not counting this request, closer to \$800,000.

The Board of Finance has approved the supplemental appropriation of \$92,011 earlier this evening.

Ms. Weinstein made a motion to approve a supplemental appropriation request in the amount of \$92,011 for the purpose of pre-payment of a fire truck. Mr. Major seconded.

Mr. Major made a motion to amend the motion to include a provision with a recommendation that the next Board of Selectmen recoup the expenditure as a Capital item in the 2010-2011 fiscal year. Ms. Weinstein seconded and the motion to the amendment passed unanimously. The main motion as amended passed unanimously.

Discussion/decision regarding a gift acceptance of \$1,000 from Lone Pine Foundation, Inc. to the Weston Public Library.

Mr. Major made a motion to accept a gift from the Lone Pine Foundation, Inc. to the Weston Public Library in the sum of \$1,000. Ms. Weinstein seconded and the motion passed unanimously.

Discussion/decision regarding the Carbon Monoxide Ordinance-

Mr. Major made a motion to enact the ordinance involving Carbon Monoxide Detectors Ordinance with an effective date of September 1, 2009. Ms. Weinstein seconded and the motion passed unanimously.

Discussion/decision regarding the Emergency and Disaster Planning Ordinance.

Mr. Major made a motion to adopt the Emergency and Disaster Planning Ordinance to take effect September 1, 2009. Ms. Weinstein seconded and the motion passed unanimously.

Discussion/decision regarding a request for \$6,230 for the Warm-Up fund- Dawn Egan/Andy Langlois. Dawn Egan said that they wanted to thank all the community members and the Town of Weston for their continuous generosity and support of the Weston Warm-Up Fund.

The Weston Warm-Up Fund was created to help families in need. They provide fuel assistance to 54 families this past year and the amount dispersed was \$106,000. She said this is a record for Weston Warm-Up Fund. Their overhead expenses were only 2.75% of their total funds raised.

Ms. Egan went over the criteria to be a recipient of the Warm-Up Fund and who their clients were. She said that the average income of the 54 recipients was \$29,490 and 29 recipient households have at least 1 individual over 65 years of age. Of those 29 recipients 3 are below \$50,000 in annual income, 17 are below \$35,000 in annual income and 9 are below \$20,000 in annual income.

Andy Langlois gave a financial overview of Fiscal Year 2009 and an estimate of Fiscal Year 2010. Based on estimates for Fiscal Year 2010, they will have a shortfall of approximately \$23,000. They have worked with social services to assist clients with application for grants and obtaining emergency heat and have been trying very hard to think out of the box when it comes to fund raising.

Mr. Major said that he thought that they had missed a fiscal year. Ms. Egan said that they just received a check two weeks ago for \$6,230.00. Mr. Landry said that he looked at the account and that the payment they received two weeks ago was the only payment they received in that fiscal year. After some discussion it was decided that they will come back next year in April for their request for fiscal year 2009-2010.

Discussion/decision regarding the Lachat Homestead Committee- Robert Uzenoff, David Coprio and Paul Deysenroth gave a report. Mr. Uzenoff said that they had met a couple of times recently. The charge that they have is to take a look at the homestead house. They are to look at two options: 1. Stabilize and preserve the house much as was done with Minerva Heady's house; and, option 2. Modify the house so that it could be used for habitation as a residence.

The foundation is leaning in on the west side of the house and the roof is leaking. To modify the house to put in shape where it could be rented would cost approximately \$350,000 which is a guesstimate.

Mr. Deysenroth asked if there were any deed restrictions placed on the house or other dwellings that are there. Mr. Major said the deed restrictions were use of the property and he did not remember that there were any specific prohibitions from anything as it related to the structures.

Ms. Weinstein asked if we spent \$100,000 to \$150,000 on option 1, were the repairs structural in nature so that if we decided to completely renovate the house so that someone could move in, we would not be spending that money again. Mr. Deysenroth said no. Mr. Coprio said that historically the house is gone, because it was used as a boarding house.

Mr. Major asked Mr. Patton what funds were in the trust since some of this gets paid out of the fund that was set up. Mr. Patton said there was roughly about \$35,000 in a reserve account for this past fiscal year. Next fiscal year there will be about \$25,000 added to that to bring it to \$60,000.

Mr. Deysenroth said that the barn and the garage are both in good shape. Mr. Major asked how much it would cost to put a new roof on. Mr. Coprio said approximately \$8,000. Mr. Major asked if we could get the new roof done, the foundation repaired and the front porch properly secured. Mr. Coprio said probably.

Mr. Major asked that they get estimates for the roof, the foundation, the well, the porch and painting the house. He said in September we can have a public hearing and tell the Towns people this is what it is and does it make sense to spend the money and end up with another shell.

Discussion/decision regarding approval of grant application for Valley Forge Bridge construction- Tom Landry

Mr. Landry said that the State intent is to approve this August 26th with all the projects. If it is not with them on August 26, we will stay on the list for next year. As of now there is no money for next year, but if there is we will be back on the list and we can go.

Mr. Major made a motion to authorize the First Selectman to sign the grant proposal for the Valley Forge Bridge construction upon receipt of a positive 8-24 report from

Planning and Zoning. After some discussion the Board decided to table the item and confer with Town Counsel to confirm that there is no prohibition and there are no misrepresentations in the document. This item will be on the July 23, 2009 agenda.

Discussion/decision regarding a supplemental request in the amount of \$3,300 to retain Diane Hartman for consulting/educational services through September 30.-

Tom Landry. Mr. Landry said that Mr. Darling has been doing the treasurer duties and at this point where he is closing out the books for the last year, he is finding it a little burdensome. He has told Mr. Landry that it would be helpful if he had Ms. Hartman to lean on for two months and he would like to do that. Ms. Weinstein asked if this was a sign of a bigger problem where the responsibilities would be too great for him to handle both positions. Mr. Landry said that this is the busiest time for this. He said the duties that he is of loading to the other person in his department he has to now train them in those functions.

Mr. Major said that he was not happy with doing a supplemental appropriation. Everyone knew what the deal was and what the timing was. Ms. Hartman had told us for about a year she was leaving and Mr. Darling had ample time to get up to speed. He said that this was done to save money and they now want to spend more money. He felt that this should have been built into the budget. Ms. Weinstein said that they should have a conversation with Mr. Darling as to whether he will be able to handle the responsibilities. She asked if this was going to be an ongoing issue or just something to get him over the hump. Mr. Landry said he just needs something to get him over the hump.

Mr. Landry said that department is not overstaffed. Mr. Major said that the Finance Director and Treasurer jobs are both busiest at the same time. This is a disaster waiting to happen and there is a reason that the two jobs are two jobs.

Mr. Bliss suggested that the selectmen support this and monitor it and see if it works. Mr. Major said that he did not disagree, but that should have been anticipated when they put the budget together. He said as a Board they committed to not increase the budget and we are back-dooring it. Mr. Major said it should be taken out of contractual services. Ms. Weinstein said she felt it should have come before the Board before Ms. Hartman was rehired to do this.

This will come out of contractual services and will be put on the open items list to keep track of.

Discussion/decision regarding stipend for the Finance Director for FY09-10 for services as Treasurer-Tom Landry

Ms. Weinstein made a motion to approve the stipend for the Finance Director for FY09-10 for services as Treasurer in the amount \$2,000. Mr. Major seconded and the motion passed unanimously

Update on the Tax Relief programs- Mr. Bliss said that we had a budget of \$600,000 for tax relief for everything except WVFD volunteers. The net of what happened this year

was that senior tax relief plus WVFD volunteers came in at \$599,000. The vast majority is abatements and some of it was deferments. Mr. Bliss said that the numbers are very similar to last year.

**Open Items-
Ongoing update**

Food Pantry Lease- Awaiting PBA reply- Woody Bliss- Not done.

FAA- Woody Bliss- Attorney General Blumenthal has prepared the briefing for the rehearing and is proceeding with that.

Grants- Gayle Weinstein- The grant for the firehouse construction project was filed today along with all three letters of support. Ms. Weinstein said that she believes that we were able to apply for \$1.5 million. Since the Town did not pay for this in total and the firemen had to go into their benevolent funds to help fund it, it actually pushes us ahead as a priority because they are looking at it as the Town does not have funds to build a the firehouse.

Tickler file, discuss as updated

Municipal Amnesty (SB1200)-

Recycling- Tom Landry

Reimbursement from State for school projects- Tom Landry

Discussion/approval of the Board of Selectmen's minutes of June 4, 2009, Executive Session minutes of June 4, 2009, Public Hearing, June 18, 2009, Carbon Monoxide Ordinance, Public Hearing, June 18, 2009, Emergency and Disaster Planning Ordinance and Board of Selectmen's minutes of the June 18, 2009 meeting.

Mr. Major made a motion to approve all of the minutes as set forth in the agenda item 19. Ms. Weinstein seconded and the motion passed unanimously.

At 10:30pm Ms. Weinstein made a motion to enter into executive session. Mr. Major seconded and the motion passed unanimously.

**Executive Session – Update on DPW Contract Negotiations
C&H Settlement Agreement
Town Administrator Contract Agreement**

ATTENDANCE: Chairman Bliss convened the executive session at 10:31pm in the First Selectmen's Office with Selectmen Weinstein and Major in attendance. Town Administrator Landry was also in attendance.

DISCUSSION: The Board reviewed the proposed C and H Electric settlement agreement and discussed recent labor contract talks with the DPW bargaining unit.

ADJOURN EXECUTIVE SESSION: At 10:42 pm, a motion (Ms. Weinstein, Mr. Major second) to adjourn executive session and reconvene in open session passed by unanimous vote.

The Board convened in open session in the First Selectman's Office at 10:43 pm.

C and H ELECTRIC: A motion (Mr. Major, Ms. Weinstein) to accept and approve the proposed settlement in the C and H Electric lawsuit in the school construction project, and authorize the First Selectman to sign the agreement passed by unanimous vote.

EXECUTIVE SESSION: At 10:44 pm, a motion (Mr. Major, Ms. Weinstein second) to enter executive session for the purpose of discussing an employment contract between the Town and Town Administrator passed by unanimous vote. Mr. Landry did not attend this session.

ADJOURN EXECUTIVE SESSION: At 11:02 pm, a motion (Ms. Weinstein, Mr. Major second) to adjourn executive session and reconvene in open session passed by unanimous vote

ADJOURN: At 11:04 pm, a motion to adjourn the meeting (Mr. Major, Ms. Weinstein second) passed by unanimous vote.

Respectfully submitted

Judy M. DeVito
Approved 9/03/09