

## **Board of Selectmen's Meeting**

**October 15, 2009**

Present: First Selectman Woody Bliss; Selectman W. Glenn Major; Selectwoman Gayle Weinstein; Town Administrator Tom Landry; Administrative Assistant Judy DeVito, Press 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 7:34pm

**Pledge of Allegiance-** Paul Deysenroth lead the meeting with the Pledge of Allegiance.

**Accept the resignation of Susan Briggs from the Library Board effective October 1, 2009-** Ms. Weinstein made a motion to accept the resignation of Susan Briggs from the Library Board effective October 1, 2009. Mr. Major seconded and the motion passed unanimously.

**Discussion/decision regarding the appointment of Jeff Drobner to fill the vacancy (Dr. Charles Morgan) on the Commission for Children and Youth for a term to expire December 31, 2012.** Mr. Drobner said that he has been a Weston resident for five years and has a 5<sup>th</sup> grader in the intermediate school. He is a psychotherapist in private practice in Westport and Manhattan. He has been working with families and individuals for the last 15 years on a variety of issues related to mental health.

He is interested in the Commission because he has been looking for an opportunity to serve the community. Given his skill set and background he felt that this was a good fit for him. Mr. Major asked if he thought his private practice would create a conflict. Mr. Drobner said no, he did not foresee any. His goal for working on the commission is to help in a much broader scope.

Mr. Major made a motion to appoint Jeff Drobner to fill the vacancy on the Commission for Children and Youth for a term to expire December 31, 2012. Ms. Weinstein seconded and the motion passed unanimously.

**Discussion/ decision regarding Janney Montgomery Scott LLC as a depository for the Town of Weston.- Carolyn Frzop-**

Mike O'Brien chairman on the Board of Finance said that they began their hunt for improving our investment outlook for the year. Currently they have been investing in STIF funds and some other assets. The investment portfolio has not been living up to its expectations. They looked at a few alternatives to what they were doing. We have a \$400,000 interest budget item and we will not reach it the way the portfolio is now.

They looked at various options and one that was very attractive was the securities instruments that Carolyn Frzop from Janney Montgomery Scott LLC came up with. Carolyn said that the instruments that they are talking about are Aaa US Government bonds issued by Fannie Mae, Freddie Mac, Jennie Mae. They are looking at the average life of the mortgage backed bonds under four years at 3.75% in today's market. The bonds are very liquid and there is a market everyday.

Ms. Weinstein asked what percentage of the total portfolio they were going to invest. Mr. O'Brien said that right after tax collection there is about \$35 million and in the low end of the scale we are at about \$15 million. The Board of Finance took a conservative view and decided that the low end number is the number that they would work with on a percentage basis. The total amount they would be investing is about \$4 million maximum. David Muller said that they looked at taking a range with the expectation between 15% and 30% and this amount would fluctuate between 10% and 25% of the overall invest able fund.

Mr. Major asked if this was a deviation from what we had done in the past. "Yes it is." Mr. Darling said. There really was not a need before, because one year STIF was earning 4% and has since trickled down to 0.4% as of this morning. Mr. Muller said we are getting the incremental yield, because this is a different risk profile than if you left it in STIF. The instruments that they are looking at are either issued by a government guaranteed or an implicitly guaranteed entity. They also looked at buying debentures issued by Fannie Mae, Freddie Mac, and Jennie Mae. The difference is Jennie Mae can borrow in its own name and it can also package mortgages.

Mr. Major asked who would monitor this investment. Mr. O'Brien said that Mr. Darling will get a monthly report and Board of Finance will get a report for each of their meetings. Mr. Darling also has access to the account on a daily bases. Mr. O'Brien said that this investment instrument was also within the Town's policy guidelines.

This item has already gone to the Board of Finance and has been voted on. The vote was 5 to 1. Mr. Atkinson did not vote for it. Mr. Major said that he was really uncomfortable with this, and he did not think our roll was playing in the market. Carol Frzop said it was her role as the broker to be able to give us information. Mr. Muller said that we were taking incremental risk, and this was a small increment verses other options that are out there.

Mr. Major said that it would be very prudent if the Board of Finance put together a written policy going forward, so that there is a way to reflect back and see why we did what we did.

Ms. Weinstein made a motion to approve Janney Montgomery Scott as depository and authorize broker dealer for the Town of Weston and to direct the Board of Finance to amend the town's investment policy to ensure that amounts invested in instruments other than STIF and Money Market funds remain within stated policy limits of 10% - 25% of the available General Fund balance, with a maximum of \$4 million principal amount.

Further, to authorize the First Selectman to execute the Janney Account Agreement and related documents by December 31<sup>st</sup>. Mr. Major seconded and the motion passed unanimously.

Ms. Weinstein made a motion to request the Board of Finance to add as a monthly agenda item discussion/decision regarding monitoring and opining on the general fund investment portfolio. Mr. Major seconded and the motion passed unanimously

**Discussion/decision regarding Lachat- Lachat committee-**Bob Uzenoff said that the last time they met they looked at rehabilitating the house to some point where it would be habitable for some purpose. That would be somewhere on the order of about \$400,000. The objective is to stabilize the house. There is foundation and roof damage that needs to be repaired. Without having an architectural plan, very roughly, they have an estimate on the order of \$180,000 for the stabilization to occur.

Right now there is power to the house. There is a well that feeds the apartment and the structure behind the house. The house is not heated. Mr. Deysenroth said that the well part excluding the electric is \$4,000. The present well goes to the Lachat house and then underground to the apartment in the back. To go to the well to the apartment in the back is about \$4,000 plus electric.

Dave Coprio said that he contacted the electrical contractor to bring power from the road to the house in the rear. To the right of the house is a pole on the Lachat property where a line could be trenched from there to the house in the back. They will not let you connect to the apartment, because there is a fuse box, so they will want to bring 200amps and put in a new breaker box. They have not heard from the engineer yet.

Mr. Major said at some point and time we should have a Town meeting. The Town has to vote whether they want to invest the kinds of money that they are talking about to preserve the house. Mr. Coprio suggested that they get an architect to do a schematic of the house. Mr. Deysenroth said that someone needs to decide what to do with that property.

Mr. Major said that the Nature Conservancy would consider dividing the property. He said that we would have to talk to the Lachat family. Mr. Major said that the Nature Conservancy does not want any part of the farm. Ms. Weinstein said that the barn was in great shape.

Mr. Coprio said he knew one architect, Robert Hatch that would be able to do it. We have money from the investment that could be used for that. Mr. Major asked that the committee purse the architect and come back with a proposal. The committee said yes.

**Discussion/decision regarding proposal from Weston for Fiscal Responsibility**

Mr. Major said that you can count on one hand the number of budgets that had any controversy to them. He said that we would be looking at a \$5,000 price tag to do a town vote. He said we have a mechanism in place that can allow any vote to go to either paper

ballot or machine vote. To adopt a policy that has a financial cost associated with it on such a broad level when he is not sure there is a need for it every time.

Mr. Bliss said he spoke to Bill Brennan in Wilton and what they do is, Tuesday of their Annual Town Budget Meeting, they have a machine vote and they open the machine the following Saturday from 8:00am to 6:00pm. Mr. Major asked Ms. Buckley how much it would cost the Town and she said \$5,000 or more.

Mr. Shupack said the charter is very specific to what the process is, and the Board of Selectmen does not have the power to change it. Mr. Bliss said that we had gotten a legal opinion. Mr. Major read from the legal opinion which is attached to these minutes.

Lucy Bowden said it was difficult to stand beside your neighbor and vote in the opposite way. They have asked at the ATBM for a paper ballot. By the time the registrars explained the procedure, people were either nodding off or heading for the doors or saying no we are not doing that. If this could become a standard way of doing business, it would be a very valuable thing. Ms. Bowden said that it was her understanding that when the meeting is called that the meeting itself is the legislative body and it has the power to decide what it is going to do.

Mr. Bliss said that the Board of Education budget, under state law is a single item budget. He said that you can identify items on the call which can be pulled off. Ms. Buckley said that if we do paper ballots it would go into another night. Mr. Major asked Ms. Buckley to find out, on a generic budget how many people in Wilton actually vote on a given Saturday.

#### **Discussion/decision regarding the Food Pantry- Stephan Grozinger**

Mr. Grozinger said the two issues that remain were insurance and the length of the lease. Mr. Major said that he felt it was important that the Food Pantry have its own insurance, because they are a separate entity from the Town.

Mr. Grozinger said that currently there are 100 households that use the Food Pantry of which 60 have children. They are looking for a 30 year lease. They know that the Town has an interest in controlling their land even a small piece of 10 x 20. He said he has tried to build in all the contingencies where the Town might want to take the piece back. Mr. Grozinger said that they are asking the Town for a 30 year lease and to provide insurance for the Food Pantry.

Mr. Major said that we are not taking on the responsibility of taking over the Food Pantry, but if we need the space we are taking on the responsibility of finding a new place for it. After looking at the lease Mr. Major asked if the Town was responsible for the ramp to the Food Pantry and the parking area around it. The answer was yes. The Town is taking care of the outside and the Food Pantry volunteers are taking care of the inside.

Mr. Major said he was most comfortable that we make the insurance cost a line item and pay it so there are two separate policies in place. All notices should go to the First

Selectman and the Town Administrator. Notice to the lessee should go the agent for service as registered with the State of Connecticut rather than a named individual. Mr. Bliss said that he had suggested that, if there was a 30 year lease, that it could be terminated by a Town meeting. Mr. Grozinger said if they were talking about a Town meeting to terminate the contract, that he wanted to talk to Betsy Peyreigne and Teri Gaberman. Mr. Major said if we take a sense of the meeting that with the changes we talked about we are okay, we can get this done at the final meeting. Mr. Grozinger asked for a few minutes to confer with Ms. Peyreigne and Ms. Gaberman.

**Discussion/decision regarding a controlled Deer Hunt at the Weston Transfer Station- Mark Harper.** Mr. Harper said he would like to have another controlled Deer Hunt at the landfill. He also said he would like the Town to consider opening the 80 acre piece of the Fromson Strassler property as well. That property gets very little public use and there is lots of open space and deer. All the Towns around us with the exception of Westport are doing this.

Mr. Major said if we were to consider the Fromson Strassler property he would suggest that we use the large piece. Mr. Bliss said that we need to get a written agreement back from Wilton, saying they do not have a problem with this, because of where the property line is. Mr. Harper said we would start as soon as he gets permission and sent the letters out to all the adjacent property owners.

Ms. Weinstein asked what Mr. Harper hoped to accomplish. Mr. Harper said on the grass area alone there were 11 deer. Back in the woods there were probably 10 more, and he would like to cut that in half. He said there is a definitely connection between deer and lyme disease. Mr. Bliss said the objective is to get to 10 deer per square mile.

Mr. Major made a motion to authorize the Animal Control Officer to conduct a controlled Deer Hunt of the Weston Transfer Station and at the Fromson Strassler preserve in the large northerly area where the power lines cross. Such hunts shall be only with bow and arrow; no more than ten does shall be removed from either site. All neighbors are to receive written notice of the hunt at least five days prior to the hunt beginning and that the Town of Wilton will be notified and written confirmation without objection must be received from the Town of Wilton before any hunt takes place in the Fromson Strassler property. Ms. Weinstein seconded and the motion passed unanimously.

**Continuation of discussion/decision regarding the Food Pantry- Stephan Grozinger-** Mr. Grozinger said that he had spoken to Ms. Peyreigne and Ms. Gaberman and they would be amenable to adding a provision in the lease that gives the Town via a Town meeting the right to terminate the lease. Mr. Major said if Mr. Grozinger can get him a revised lease and he review it and if there are any issues they will square them away and then he will forward to the other Selectmen copies so we can put it on for the next meeting.

**Discussion/decision regarding possible amendment to the Fuel Efficient Vehicle Ordinance-** Mr. Major said that he read through it however, the ordinance is the

ordinance and we cannot change the ordinance without going through the process involved in changing the ordinance. Ms. Weinstein said even though she did not vote in favor of the ordinance, she did feel that there was an issue here and there was a bigger issue in terms of figuring out how many people are also in this situation thinking that they are going to get this tax credit when in fact they did not fill out the application.

Mr. Major said that the first thing we need to do is find out how many people are involved. Ms. Weinstein said that we needed to find out purchase dates for the six vehicles. We need to get from Charity how many people we are dealing with when the new list is out and contact Martin Strasmore to find out the source of the ordinance.

This item will be deferred to the next meeting.

**Discussion/decision regarding proposal to amend existing gift policy.**

Mr. Bliss said that in January we were notified by the State that a former resident's will had left the library \$30,000. At that time they wanted to write a check and have us sign a release. In the release there was language that said that should they not be able to cover things we may have to give the money back. Mr. Bliss at that time he refused to accept the check on those terms. We have received another letter from them that said that the period for contesting the will is closed and they have the final IRS report, but in the release they have the same terms.

Mr. Bliss said that he is proposing that we amend the existing gift policy so that we can accept the check and put it in a restrictive reserve account. When we get the final notification of the estate being closed by the probate court, then we will forward the money where it belongs. Mr. Major wrote a new section H which will be inserted in the existing gift policy. This item will be on the agenda for the next Selectman's meeting.

**Open Items-  
Ongoing update**

Food Pantry Lease- Stephan Grozinger working final details of lease agreement

FAA- Woody Bliss- Nothing new

Grants- Gayle Weinstein- Mr. Landry said we got supplemental instructions today and 44 pages of instructions to fill out.

**Tickler file, discuss as updated**

Reimbursement from State for school projects- Tom Landry

Booster Barn- Woody Bliss- Mr. Bliss said that tomorrow the whole proposal is going in front of the school facilities committee including the brick face. We are mobilizing the contractors for next Tuesday morning.

LaChat- W. Glenn Major- Was discussed earlier in the meeting

January Tax Collection- Report- Tom Landry – No new news.

**Discussion/approval of the minutes of the Board of Selectmen's meetings of August 13, September 3<sup>rd</sup>, September 30, 2009 and the Special Board of Selectmen's meeting of October 2<sup>nd</sup>, 2009.** August 13<sup>th</sup> meeting needs to reflect Mr. Major recused himself from Stonecliff discussion. Also on page 4 the \$30,000 Justice Assistance Grant needs to say that it will not cost the Town any money. Pg 7 Lachat should say no update.

Mr. Major made a motion to approve the August 13, 2009 minutes as amended. Ms. Weinstein seconded and the motion passed unanimously.

Ms. Weinstein made a motion to approve the Board of Selectmen's meeting minutes dated September 3, 2009. Mr. Major seconded and the motion passed unanimously.

Mr. Major made a motion to approve the September 30, 2009 and the October 2, 2009 Board of Selectmen's minutes as presented. Ms. Weinstein seconded and the motion passed unanimously.

**Executive Session- If necessary- None**

At 10:40pm Mr. Major made a motion to adjourn the meeting. Ms. Weinstein seconded and the motion passed unanimously.

Respectfully submitted

Judy M. DeVito  
Administrative Assistant  
Approved 11/05/09