

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

**May 5, 2011**

Present: First Selectman Gayle Weinstein; Selectman David Muller; Selectman Dan Gilbert; Town Administrator Tom Landry; Administrative Assistant Judy DeVito;

**This meeting was recorded and videotaped. The tapes are available in the Selectmen's office.**

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

**Pledge of Allegiance** – Ms. Weinstein led the meeting with the Pledge of Allegiance

**Accept the resignation of Valerie Finegan from the Commission for the Arts effective immediately.** Mr. Muller made a motion to accept the resignation of Valerie Finegan from the Commission for the Arts effective immediately. Mr. Gilbert seconded and the motion passed unanimously.

**Accept the resignation of Carlos Mello from the Parks and Recreation Commission effective immediately.** Mr. Gilbert made a motion to accept the resignation of Carlos Mello from the Parks and Recreation Commission effective immediately. Mr. Muller seconded and the motion passed unanimously.

**Accept the resignation of P.J. Dodge from the Parks and Recreation Commission effective immediately.** Mr. Muller made a motion to accept the resignation of P.J. Dodge from the Parks and Recreation Commission effective immediately. Mr. Gilbert seconded and the motion passed unanimously.

**Discussion/decision regarding the appointment of Edmund John Ferdinand III to the Parks & Recreation Commission to fill the vacancy (P.J. Dodge) for a term to expire December 31, 2013.** Mr. Ferdinand said that he is a lawyer that practices in Fairfield and specializes in intellectual property. He has lived in Weston for 12 years and he, his wife and kids are very active in Town activities. He has served on the Conservation Commission for the last four years.

Mr. Gilbert made a motion to appoint Edmund John Ferdinand III to the Parks and Recreation Commission to fill the vacancy (P.J. Dodge) for a term to expire December 31, 2013. Mr. Muller seconded and the motion passed unanimously.

**Discussion/decision regarding the appointment of Jenna Klaassen as Student Commissioner on the Commission for Children and Youth for a term to expire June 30, 2013.** Jenna is a sophomore at Weston High School. She is involved with the American Cancer Society and is a team captain for the Relay for Life. She is also involved with Literary Magazine, Unicef and Key Club. She plays various sports and

plays flute in the wind ensemble. She wants to be on the commission because she would like to be more involved in the community and feels that she can bring some great ideas to the commission.

Mr. Muller made a motion to appoint Jenna Klaassen as a Student Commissioner on the Commission for Children and Youth for a term to expire June 20, 2013. Mr. Gilbert seconded and the motion passed unanimously.

**Discussion/decision regarding the appointment of Keith Brooks to the Commission for the Arts to fill the vacancy (Christine Lomuscio) for a term to expire June 30, 2012.** Mr. Brooks said his interest is in art and music. His wife, Dr. Margaret Brooks is currently serving on the commission. He would like to see the Lachat property turned into a revenue producing operation like a cultural center.

Mr. Gilbert made a motion to appoint Keith Brooks to the Commission for the Arts to fill the vacancy (Christine Lomuscio) for a term to expire June 30, 2012. Mr. Muller seconded and the motion passed unanimously.

**Discussion/decision regarding the appointment of Brian Collins to the Parks & Recreation Commission to fill the vacancy (Carlos Mello) for a term to expire December 31, 2011.** Mr. Collins has lived in Weston for 15 years and has been involved in many youth athletic programs, soccer, basketball, baseball, and football. He is currently involved in the men's basketball league and the men's soccer program so he is an active user of the fields. Professionally, he is a real estate developer but is currently unemployed and has the time to volunteer.

Mr. Muller made a motion to appoint Brian Collins to the Parks and Recreation Commission to fill the vacancy created by Carlos Mello's resignation for a term to expire December 31, 2011. Mr. Gilbert seconded and the motion passed unanimously.

**Discussion/decision regarding the potential renovation of the Lachat house- Carol Baldwin.** Carol had been to a meeting of the Nature Center Building Committee and has a proposal as to how she may be able to raise funds privately to rebuild the house that is on the Lachat property. Ms. Weinstein said that she wanted to make it clear that what the Town will decide to do with the property has not been decided yet.

Attached to these minutes are Carol's notes which she spoke about at the meeting. She is coming to the Selectmen to ask for more time. She feels that there are private funds and grants available for the restoration of the farm house.

Ms. Baldwin asked about the endowment fund. Ms. Weinstein said that the money that is currently available for use is approximately \$73,000 to \$76,000. That money is also for the fields that need to be mowed and for other maintenance that happens on the other three buildings. She cannot guarantee that any of those funds can go towards the restoration of the house.

Ms. Weinstein said that she would like Carol to come back to the board the first meeting in June and give the board a status report. Even though she wants to give her time, she also feels that they have to make a decision on the property.

Mr. Gilbert said that he did not want to set a time limit because if she can get it done and needs more time to get it done, it would be great. In the short term we can throw a tarp on the building so that there is no more deterioration of the building.

Mr. Gilbert said that the Board may want to sit with Planning and Zoning to talk about what their insight would be via the possibility of a farm. Ms. Weinstein said we have to understand what we are proposing first, and right now we cannot propose anything because we do not own the property outright. We have to work on taking the appropriate steps to see first. Mr. Muller said that the suggestion to go to Planning and Zoning is a good one, but when we had conversations with the Commission while reviewing the Plan for Conservation and Development, the Commission said they would only talk about something when there is a concrete proposal.

Mr. Muller thought it was a good idea to come back in a month and give the Board an update. If she is finding tremendous success that's great but if she is not we need to take that as a sign as to what directions we need to take as a Board. None of them wants an outcome where this building is destroyed just because someone says "today is the day". There is flexibility from the Board to work with her and to work with anyone who thinks they can do something regarding the house.

**Discussion/decision regarding increasing the Janney managed general fund investments portfolio limit from \$4 million to \$5 million.** Rick Darling said that last week the Board of Finance approved increasing the Janney Montgomery Scott portfolio from \$4 million to \$5 million dollars. Both UBS and Flynn Financial were approved up to \$5 million dollars. Ms. Weinstein said that Bond counsel did approve the agreement with UBS, and Town Attorney Pat Sullivan was fine with the agreement.

Mr. Muller made a motion to increase the Janney Managed General Fund Investments Portfolio limit from \$4 million dollars to \$5 million dollars. Mr. Gilbert seconded and the motion passed unanimously.

**Discussion/decision regarding forming a Charter Revision Committee.** Ms. Weinstein said that now that we have gone through two budget cycles with a referendum, she thinks we really need to sort out what we are going to do in the future. The Charter gave us very little guidance as to what we should do. There are also other issues that we need to clean up in the Charter. As of now the assumption is if we open up the Charter we open up the whole Charter. Ms. Weinstein said that her hope is to have something in place this time next year prior to Town Budget so that we have something in place to give us guidance.

Mr. Muller said that we would want an odd number committee that is manageable maybe five or seven members. Ms. Weinstein said that she felt five would be a good number for

a working group. She wants to be sure the commission is balanced in terms of Democrats, Republicans and hopefully some unaffiliated voters. Mr. Gilbert felt that it should be a bigger group of maybe nine. He feels that opening up the charter would be a heroic undertaking. The committee might want to set up four or five task forces and take a segment and do a best practice study. Five people would be overwhelmed by the project.

Mr. Muller felt that if you have many more than five or seven, it gets to be unwieldy for decision making. It would be more a steering committee that will make use of input from various people in Town, not a group that on its own is going to do all the work. Ms. Weinstein said they would have to have numerous public hearings and get input from the Selectmen, much the way the Legal Review Committee worked. The League of Women Voters is also interested in this topic and is looking to do their own study.

Margaret Wirtenberg said that the previous Charter Review Committee under First Selectman Bliss was five members.

After some discussion Mr. Muller made a motion to form a Select Committee for Charter Revision consisting of seven members. The term of the Committee shall be for one year. Mr. Gilbert seconded and the motion passed unanimously.

**Discussion/decision regarding the proposed ordinance on Bulky Printed Material on Private Property.** Ms. Weinstein said that Mr. Grozinger had made a suggestion that she felt should be incorporated into the ordinance. Section 11A-3, c item 2 should be changed from “in a timely manner” to “within 30 days”. Mr. Muller said that this ordinance addresses both an environmental and public safety issue.

Mr. Muller made a motion to approve the Weston ordinance regarding Bulky Printed Material on Private property as amended. Mr. Gilbert seconded and the motion passed unanimously.

**Discussion/decision regarding the proposed amendment to the Tax Relief for the Elderly Ordinance.** The Board of Selectmen proposed amending the clause regarding the interest charge on tax deferments for the elderly. The way the Ordinance is currently written, the Selectmen needed to vote to set the interest rate every year. The amendment sets the rate at prime plus ½ percent.

Mr. Gilbert made a motion to approve the proposed amendment to the Tax Relief for the Elderly Ordinance. Mr. Muller seconded and the motion passed unanimously.

**Request for property tax refunds**

CAB East LLC	\$538.38
Nissan Infiniti LT	\$301.59
Porsche Leasing LTD	\$856.79
VW Credit, Inc.	<u>\$342.87</u>
<b>Total</b>	<b>\$2,039.63</b>

Mr. Muller made a motion to approve property tax refunds in the amount of \$2,039. 63 as listed on the May 5, 2011 agenda. Mr. Gilbert seconded and the motion passed unanimously.

## **Open Items**

### **Ongoing updates**

**Grants- Gayle Weinstein-** No new news

**Revson Field- Dave Ungar-** Dave Ungar said that the invitation to bid was published today. The proposals from prospective bidders are due back by the end of this month. The time frame specified for the work to be done is July 11<sup>th</sup> to be completed in one month's time by August 11<sup>th</sup>.

Mr. Ungar said that he has a proposal from Dr. Dest who would be willing to provide oversight in the process to help them identify the best company for the job. Dr. Dest would go through the bids, identifying the best ones, meet with the approved contractors, do sight visits during the course of the construction work and a visit at the end to check all the work and make sure everything that they have asked for they receive. This is compensated work and the funding for that is part of the project. We have approximately \$83,000 and a match from the State.

Mr. Gilbert said he talked to Dr. Dest and his sense is if the design is right and the implementation is right that the fields will drain. Having an independent third party who is an expert sitting on this will go a long way.

Mr. Clevenger said the long term success is an ongoing remediation of the field's top dressing. He asked what the Town position was on that. Ms. Weinstein said the schools are going to be taking over the maintenance of the fields and a new head grounds keeper has been hired and this is his area of expertise.

### **Ticker File, Discuss as updated**

**Reimbursement from State for school projects- Tom Landry-** No new news

**Any business to come properly before the meeting-** None

**Discussion/approval of the minutes of the April 14, 2011 Board of Selectmen's meeting-** Mr. Gilbert made a motion to approve the minutes of the April 14, 2011 Board of Selectmen's meeting. Mr. Muller seconded and the motion passed unanimously.

At 9:00pm Mr. Gilbert made a motion to enter into executive session. Mr. Muller seconded and the motion passed unanimously.

**Executive Session- 1.Discussion regarding separation agreement with the Nature Conservancy.**

ATTENDANCE: The meeting was convened at 9:01 pm in the First Selectman's Office by Chairman Weinstein, with Selectmen Muller and Gilbert present. Also in attendance were LaChat Committee member Dennis Tracey and Town Administrator Landry.

DISCUSSION: The meeting was called to inform the Selectmen of the status of negotiations with the Nature Conservancy. Mr. Tracey described the terms of the tentative agreement he has negotiated with the Conservancy, and members discussed the procedures and approvals that would be required to implement changes in the current agreement. No votes were taken.

ADJOURN EXECUTIVE SESSION: At 9:36 pm, a motion (David Muller, Dan Gilbert second) to adjourn executive session and resume in open session passed unanimously.

ADJOURN: At 9:37 pm, a motion to adjourn (Dan Gilbert, David Muller second) passed by unanimous vote.

Respectfully submitted

Judy M. DeVito  
Administrative Assistant  
Approved 05/19/11