

**Board of Selectmen's meeting
December 4, 2008**

Present: First Selectman Woody Bliss; Selectman W. Glenn Major; Selectwoman Gayle Weinstein; Town Administrator Tom Landry; Finance Director Rick Darling; Chairman Board of Finance Michael O'Brien; Treasurer Diane Hartman; Administrative Assistant Judy DeVito.

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 7:33pm.

Pledge of Allegiance- Michael O'Brien lead the meeting with the Pledge of Allegiances

Discussion/Decision regarding the appointment of Jeffrey Eglash to fill the vacancy (Richard Saltz) on the Police Commission for a term to expire November 10, 2009.

Mr. Eglash said that he is an attorney at General Electric in Fairfield and prior to that he was an attorney in private practice where he represented people in criminal and civil proceedings. He was the Inspector General for the LA Police Department where he was responsible for civilian oversight of the roughly 10,000 member LAPD.

The job involved reviewing use of force incidents, advising the police commission on policy and procedure. He monitored the department's compliance with a federal civil rights consent decree. Investigating and recommending action with respect to personnel complaints against sworn in members of the LAPD. He supervised an office of about 30 analysts, attorneys and staff. He has been a resident for three years.

Ms. Weinstein asked about his experience in budgeting and personnel and was it for the police department or his department. He said both, the larger budgeting issues for the LAPD, he would review and comment on matters of interest pertaining to the larger budget of the police department, but he was not directly responsible for budgetary oversight.

Mr. Major said that he did represent the Eglash when they purchased their home in Weston.

Mr. Major made a motion to appoint Jeffrey Eglash to fill the vacancy of Richard Saltz on the Police Commission for a term to expire November 10, 2009. Ms. Weinstein seconded and the motion passed unanimously.

Accept the resignation of Daniel Wilder as Weston's representative from SWRPA effective January 6, 2009. This item was passed over since the resignation has to be accepted by Planning and Zoning and not the Selectmen.

Discussion/decision regarding Investment Consulting Agreement for other Post Employment Benefits (OPEB) Trust Fund- Fiduciary Investment Advisors (F.I.A) Karen Paulson, Ryan Gardner –F.I.A.

Michael O'Brien said an ordinance was passed authorizing the Board of Finance to set-up a trust and there a various components to that. One is an investment advisor to work with the trustee, who is Diane Hartman, Treasurer. The Board of Finance undertook a process to go through an RFP with various investment advisory companies and they received seven returns from the RFP.

A sub-committee of the board reviewed the seven and came down to three. The three were reviewed individually and apart by the members of the sub-committee. After the process the members ended up with the same single choice which was presented to the Board of Finance. The Fiduciary Investment Advisors was the final choice and the Board of Finance reviewed their firm history which includes quite a bit of OPEB work for municipalities and towns.

Karen Paulson said that both she and Ryan Gardner are principles, owners and consultants of Fiduciary Investment Advisors. They are an independent registered investment advisory firm based out of Windsor, Connecticut. It is a 23 person firm, 100% employee owned by seven partners and they exclusively work with institutions, hence the name Fiduciary. All of their clients are either pension plans or associated ancillary plans. They have a large practice in the municipal area with many cities and towns in the State of Connecticut as clients.

They are completely independent and are not affiliated with any broker dealers or any investment management shops. They are fee only and therefore have no conflicts of interest whatsoever. Their recommendation is to begin the process using what they think is the most cost effective approach which still provides for significant diversification of the portfolio. They recommended they utilize a portfolio of institutionally priced index funds across various market segments. They have estimated that that will cost about 13 basis points.

After the investments are made, on an ongoing basis, they will report to the Committee through detail performance monitoring reports on a quarterly basis. Mike O'Brien said you would probably be looking at 75 basis points, if you were working with a broker dealer. He said that is a pretty compelling differential for us starting out. He thinks that that is a pretty effective way to do it. Rick Darling said that he had checked references and that the references were nothing short of excellent.

Mr. Bliss asked how they were doing this year. Mr. Gardener said that despite the returns of the market that they have grown very well. Mr. O'Brien said that the OPEB regulations allow us to do is to take a little bit more aggressive stands if we want to in terms of equity position. We are looking at projected return over time of about 7.4%.

Mr. Bliss asked what the rate of return was that they were experiencing this year with one of the towns in Connecticut. Mr. Gardener said that returns have not been good. The portfolio returns for the year will be an absolute negative. The discount rate will help a little in terms of the year end liability because that is tied to corporate bond rates, which has actually gone up so it has helped a little bit for some of the towns.

The 13 basis points is the custodial fee and the fee for F.I.A. is \$5,000. Mr. Gardener said the contract reads an annual fee of 25 basis points with a minimum of \$5,000 annually. That is separate from the 13 basis points, the 13 basis points is for the roster of investment managers they proposed based on the allocation that they have.

Mr. Major made a motion to authorize the chairman of the Board of Finance to enter into an agreement with Fiduciary Investment Advisors LLC in accordance with the agreement dated November 20, 2008. Ms. Weinstein seconded and the motion passed unanimously.

Discussion/decision regarding Municipal Amnesty (S1200)

Mr. Bliss said in the last session of the State Legislature, the House and Senate passed Senate Bill 1200 and the governor signed it. This enabled municipalities to do a one time amnesty program for people owing taxes, fees, fines and interest, etc. The program is for a 90 day duration and has to be adopted by December 31, 2009.

Mr. Bliss said other neighboring towns are looking at it, but none of them are inclined to do it. He said with our collection rate at 99.1% there may not be much need to do this. Mr. Major said this may be an effective tool to use depending on the timing of it as a way to help those people who find themselves in financial difficulty over the course of the next year. His thought is if you did it effective February 1, 2010 for 90 days it would give a significant period of time for people who fell behind in their taxes to be able to catch up.

After some discussion it was decided that this would go on the open items list to discuss at a date in the future.

Discussion/decision regarding AT&T-Cingular tenancy on Transfer Station Tower.

Mr. Landry said that after the contract was signed and sent they had asked that we not consider it for approval because their structural engineers had come up with some issues on the tower which they felt precluded them from attaching to the tower. After four months on investigation and conversations back and forth, they have decided that the tower is actually structurally sound for them to add their equipment to it provided that the existing vendors reposition their cables.

Sprint needs to relocate their cables on the tower and T-Mobile has to do the same thing. They are now ready to go. Mr. Landry said there was not a sense of urgency about it, but we do have a sense of urgency about getting them on the Tower for two reasons. Financially, when they do locate there they will be paying us \$50,000 and then a monthly fee of \$1,800. Secondly AT&T is the company that transmits the information over the mobile data terminal in the police cruisers so they will have better coverage.

The lease was reviewed by Monte Frank from Cohen and Wolf. Mr. Major made a motion to authorize the First Selectman to enter into the Tower Lease Agreement with Cingular Wireless PCS, LLC and to execute the agreement dated July 25, 2008, contingent on receipt of sign-off sheet from Town counsel. Ms. Weinstein seconded and the motion passed unanimously.

Ms. Weinstein asked when Mr. Landry has a conversation about moving the cable that he do it in such a way to allow Verizon and who ever else wants to get on the tower at another time so that they are not moving the cables again. Mr. Landry said okay.

Open Items

Code Red Contract- Mark Cooper Director of the Westport/Weston Health District said he is amiable to them sharing the cost. He will go back to his board and talk about it. Mr. Bliss is hopeful to have answer about this at the next meeting.

ATT Contract on Tower- Done- Take off

Cemetery Committee –Public Meeting

Ms. Weinstein suggested that we send a survey. Mr. Major said we should appoint the committee and then have the committee send out the survey. He suggested that they postpone the matter until after the first of the year and the three Selectmen look at their list of contacts and come up with people to make the cemetery committee happen.

Recycling- Kristin Brown who was hired by DEP to promote the program wants to come and make a presentation to the Selectmen.

Food Pantry Lease- Waiting for the PBA to come back with the lease. Mr. Bliss said that the emergency exit lights are on order and have not been installed. Fire Marshall Pokorny will not approve it until those are installed. The Board of Health will not approve it until everything is done.

Lyons Plain Fire Station Contract- This will be discussed tonight.

Emergency and Disaster Planning Ordinance- Waiting to get a sample ordinance from Mr. Fournier so that we can fit it to the Town of Weston. Should have it for the next meeting.

Wetlands issue between the Middle School and High School- Mr. Landry said we will see this in the Capital Budget for next year. Mr. Major asked where we were in the process. He wanted know if we had gotten a response from the Army Corp of Engineers. Mr. Landry said no that they sent a revised conceptual up to them and they are waiting a response back as to whether that is okay.

Ms. Weinstein asked if the Army Corp came back to us with what our options were. Mr. Landry said we went to them with some options and they narrowed them down. A plan was developed along the lines that they thought would be acceptable to the Corp and they are waiting for comment back on that. The line item in the budget is basis on the conceptual plan that we are waiting for them to sign off on.

Any other business to properly come before the meeting

Ms. Weinstein made a motion to add a discussion of Social Services to the agenda. Mr. Major seconded and the motion passed unanimously.

Ms. Weinstein said that Social Services was touched on at Tuesday night's meeting, but we really did not discuss. She felt that we should have a special meeting with Social Services, Youth Services, Warm-up Fund, anyone involved in social services so we can get a clear picture as to where our town is headed, what our needs may be in that area, and what we should be thinking now before budget season in case there is any adjustment that we need to make in our current thinking.

Mr. Major said his concern is that if any of these entities are looking for additional funds through the budget process that there is a very clear distribution process established. Ms. Weinstein said before we start with a distribution process we need to know what is going on. Mr. Major said we could not pull this together before January, but by then we should have some idea. It was decided that we invite Social Services to the first meeting in January.

**Executive Session- Contract Negotiations-
City Carting
Weston's Teachers Contract
Lyons Plain Fire Station
Union Negotiations**

Mr. Bliss explained that they might come out of executive session to vote on any of the items discussed in executive session depending on the discussion.

At 8:25pm Ms Weinstein made a motion to enter into executive session. Mr. Major seconded and the motion passed unanimously.

ATTENDANCE: Chairman Bliss convened the meeting at 8:31pm in the First Selectmen's Office with Selectmen Weinstein and Major in attendance. Town Administrator Landry and Public Works Director Lametta were also in attendance.

SOLID WASTE: The group reviewed the proposed contract with City Carting for transport and disposal of solid waste for the next five years. Mr. Lametta left executive session at 8:38 when this discussion concluded.

CONTRACT NEGOTIATIONS. Board members discussed terms of the proposed teacher contract settlement, and gave guidance to Mr. Landry regarding the Town's labor contracts which are all expiring on June 30, 2009.

ADJOURN EXECUTIVE SESSION: At 9:16 pm, a motion (Ms. Weinstein, Mr. Major second) to adjourn executive session and reconvene in open session passed by unanimous vote.

At 9:18pm Mr. Bliss reconvened the Selectmen's meeting.

Lyons Plain Fire Station-

Mr. Major made a motion to authorize the First Selectman to execute an agreement between the Town of Weston and the Weston Volunteer Fire Department in accordance with the agreement dated December 4, 2008. Ms. Weinstein seconded and the motion passed unanimously.

City Carting-

Mr. Major made a motion to authorize the First Selectman to enter into an agreement with City Carting in accordance with the agreement for Hauling and Disposal of Municipal Solid Waste per the agreement provided and already executed by City Carting pending receipt of the cover sheet from Town counsel. Ms. Weinstein seconded and the motion passed unanimously.

Weston's Teachers Contract-

Mr. Major said that in light of the fact that the arbitration award has come down and the arbitrated contract goes into effect 25 days after the decision unless the Board of Selectmen take action it is his suggestion that the Board take no action. Ms. Weinstein said that they are dismayed that the step increases were not considered in this arbitration as it does add significant bump up in salary in some of the teachers. Mr. Major said what was explained publicly as to the annual increases were only the general annual increases and the step increases which the majority of the teachers received makes the annual increases significantly larger than what was reported.

At 9:23pm Ms. Weinstein made a motion to adjourn the meeting. Mr. Major seconded and the motion passed unanimously.

Respectfully submitted

Judy M. DeVito
Administrative Assistant
Approved 01/22/09