

Board of Selectmen's meeting

April 2, 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 8:07pm.

Pledge of Allegiance- Rick Darling lead the meeting with the Pledge of Allegiance.

Discussion/decision regarding the renting of spare capacity on the athletic facilities such as the artificial turf fields and tennis courts- Woody Bliss

Mr. Bliss said that we have had interest from the Beachside Soccer Club to rent the lighted field at night. He wanted to discuss the concept and was it smart public policy to do that. Dave Ungar, Director of Parks & Recreation, Robert Uzenoff and Carlos Mello from the Parks & Recreation Commission and Betsy Peyreigne from Lacrosse were all present.

After much discussion it was decided that even though it would be nice to have the revenue, the Town purposes must come first and there was not enough spare capacity or time left to rent the fields.

Discussion/decision regarding setting a date for a Public Hearing for the Emergency and Disaster Planning Ordinance – Woody Bliss

Mr. Bliss said letters were sent out to several emergency managers with a response deadline by April 15th. So far we have gotten one response from Sgt. Ferullo who will get back to us with some information. We are not ready to schedule a public hearing date until we get the responses back.

Discussion/decision regarding Voting Methodology at the Annual Town Budget Meeting- Woody Bliss

Mr. Major said that he was surprised to find out that the Board of Selectmen does not have the ability to direct that a vote be taken by a paper ballot at the Annual Town Budget Meeting. Mr. Major said that there are a number of things that can be done at Town Meeting and he thought that a paper ballot was one of them. Mr. Bliss said he would check with the Town Attorney.

Mr. Bliss said that in as much as the Board of Finance seems to have hit the aims of most of the feedback that we are getting from citizens there is no point in the Board of Selectmen taking some kind of a position.

Mr. Bliss made a motion to add to the agenda an update on a plan for carbon monoxide detectors in Town. Ms. Weinstein seconded and the motion passed unanimously.

Fire Chief John Pokorny said that their plan is to have a carbon monoxide detector in every house in Weston by Thanksgiving. Lou Dempsey, Committee Chair on the project said on Thanksgiving night his wife's sister, husband and two kids were killed from carbon monoxide poisoning in a house that they had won in an auction through their school. He said the family would like to do something to prevent such deaths from occurring to other families.

In January the heads of Fire, EMS, Detective Filsinger and Mr. Bliss met with the committee. In February, Larry Roberts, Joe Abruzzi came up with the concept to outfit every house in Weston with carbon monoxide detector by Thanksgiving of this year. They have been partnering with Kidde, who is the largest manufacture of carbon monoxide detectors in the USA. They have offered to give to the Town of Weston 200 free detectors, and they will give the Town for this project the remaining detectors at a 30% discount. The committee has chosen plug-in detectors with a battery backup.

The estimated cost is \$40,000 which assumes that 30% of the homes already have one. There is a plan in place to identify those homes that currently do not have a detector and the process will run through the summer. Mr. Bliss will do a proclamation at the Town Meeting on the dangers of carbon monoxide. They will do an ordinance over the summer. They will fund from sources that they are identifying right now. The fire department will purchase the detector and the fire department and EMT personnel will distribute them.

Mr. Major asked them to get the information for the ordinance so that we can get it done before the summer.

Discussion/decision regarding the date for the April 23rd and the May 21st Selectmen's meetings. Mr. Major said that he has a hearing in Westport on April 23rd, so he will not be able to attend the meeting. Neither he nor Ms. Weinstein can make the meeting on May 21st.

Mr. Major made a motion to reschedule the Board of Selectmen's meeting which was originally scheduled for April 23rd to 7:00pm on April 21st, and the May 21st meeting be rescheduled to May 20th at 7:30pm. Ms. Weinstein seconded and the motion passed unanimously.

Discussion/decision regarding Board of Finance recommended budgets.

Ms. Weinstein said she was very impressed with how the meeting went last night. David Muller did a good job of expressing how most of them felt. They all realize that it is not going to come without a cost to the school system; however, it was a unanimous decision that every Board of Finance member felt that they needed to get to a zero percent increase with that budget. She felt the Board of Finance truly heard what people were saying.

Mr. Major said he has a concern going forward and would like to arrange a meeting with the Board of Finance, Board of Education and the Board of Selectmen sometime in May. His concern is how the Board of Education achieved getting their budget down. Many of the reductions were one time reductions that are not going to be available to them next year. He is not sure that the administration really understands what the ramifications are by taking money out of the insurance reserves to make themselves whole this year.

Mr. Major said he would like to see Dr. Keating put together an overview of next year's budget. Ms. Uzenoff said that would happen. Mr. Major said that seeing where the cuts were this year that they would have a huge budget increase next year. Ms. Uzenoff said that it was fair to say that there are things in motion for that kind of attention to detail for next year, that the Board of Selectmen are not aware of and that they, the Board of Education, are fully aware of.

Ms. Weinstein said that she had been attending curriculum sub-committee meetings and they are looking to make some serious program cuts which can affect our children. Mr. Bliss said that one of the discussions of the meeting should be not only the 2010-2011 budget, but the 2009-2010 budget and the 2011-2012 budget. He said there may be some things that they may not want to institute July of this year that will impact the year after and the year after that. Mr. Bliss said he will continue to work with Ms. Uzenoff and Mr. O'Brien.

Discussion/decision regarding setting a date for an executive session meeting with Steve Patton regarding proceeding with LaChat. Ms. DeVito said that Mr. Patton said that either the April 27th or April 29th would work for him. After some discussion it was decided that April 27th at 7:30pm and if that did not work then April 29th at 4:00pm. Ms. DeVito will check and let the Selectmen know.

Discussion/decision regarding the recommendations made by the accountants in the January 30th report – Tom Landry. Mr. Landry said that there were two recommendations. One had to do with separation of duties with payroll and the other was purchase orders.

Mr. Darling said he has instituted some changes with the new hire where he has to sign off on the payroll register. He has discussed the changes with the auditors and has gotten positive feedback and feels that this will not be on next year's management report. Mr. Major asked with the new procedure will it address the issue where overtime is being paid when it should not have been paid. Mr. Darling said that there is a first look at it by the department head and it is also reviewed by the payroll coordinator. He has a report from week to week which shows total overtime hours paid. The payroll coordinator also has a list of exempt and non exempt positions.

Mr. Major asked if there was a way in the program to put a stop so that someone who should not get overtime does not receive it. Mr. Darling said that there was a lot of capability within the system. Mr. Major asked if he told the new payroll coordinator that she was not to pay any one on the exempt list unless she cleared it with him. He said yes.

Mr. Landry said that the need for purchase orders has been cited in most of our audits and he has no intention of instituting them. The auditors have said that if you purchased something at the end of the fiscal year, you could possibly forget and pay it from the wrong year, and PO's would prevent you from doing that. Mr. Landry said that we are pretty diligent and asked if we ever had a problem. The auditor said never. Mr. Landry said to them, do you want me to institute a bureaucratic procedure to solve a problem that I do not have.

Mr. Landry asked about the back-up items that were missing. After they checked with the guy that did that part of the audit, they said that there were no instances of that. We are really talking about the purchase orders. Mr. Bliss said if you are encumbering funds you need a purchase order.

Mr. Major asked if this was a policy that we have that we are not following. Mr. Major said we should modify the policy rather than ignore it.

Open Items

Ongoing update

Food Pantry Lease- Awaiting PBA reply- Woody Bliss- No new news

Emergency and Disaster Planning Ordinance-Woody Bliss- Waiting responses from the different department heads.

FAA- Woody Bliss- No new news

Booster Barn- Woody Bliss- On hold until after the budget process

LaChat- W. Glenn Major- Scheduling a meeting with Steve Patton.

Tickler file, discuss as updated

Municipal Amnesty (SB1200)- Keep Pending

Recycling- Tom Landry

Reimbursement from FEMA for Cartbridge- Tom Landry

Reimbursement from State for school projects- Tom Landry

Building Survey Fees- Mr. Landry said that Mr. Gleason is working on an updated list. He had pointed out that if they do charge for a separate plumbing or electrical permit that would be in addition to those rates. Mr. Landry said it will come to the Board as an agenda item. Mr. Major said it needs to include where subs are and are not included so that we can do the total math.

Mr. Major asked about the accounting on the reserve accounts. Mr. Landry said that Mr. Darling is still working on that. Mr. Major said he would like to see us end up with a book somewhere in Town Hall that is readily available that says here are the funds, here is what they are for and each year there should be an update to them. Mr. Landry said they plan to send the information out to the Selectmen and they can decide where they want to go from there. Mr. Darling said they would have it for there next meeting.

Approval/discussion of the Board of Selectmen's meeting minutes of March 5, 2009 and March 19, 2009. Mr. Major made a motion to approve the minutes of March 5th as amended. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Major made a motion to approve the minutes of the March 19th minutes as submitted. Ms. Weinstein seconded and the motion passed unanimously.

Any other business to come properly before the meeting.

Mr. Major made a motion to add to the agenda changing the name of the Global Warming Committee. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Strasmore said that the committee has come up with a new name which is the Select Committee for Sustainability.

Mr. Major made a motion to change the name from the Select Committee on Global Warming to the Select Committee for Sustainability. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Major made a motion to add to the agenda a request for a supplemental appropriation from the Alternative Energy Committee. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Gary said last night the Alternative Energy Committee recommended to the full Building Committee who made a unanimous recommendation that we go forward with a feasibility study agreement with UTC power for the feasibility of installing a 400 kilowatt fuel cell somewhere between the Middle School and the High School that would service both schools.

The agreement obligates the Town to \$9,600 to do the initial services for the feasibility. In addition they will ask for \$600 to get an interval report from CL&P for our electric usage. That is for two meters at \$300 each. That will give them the right to pull that information anytime they want on an annual basis.

The committee would like to take what comes out of this study and study that and at that point, they think that it is proper for them to go forward. If they go forward with UTC the second part will be approximately \$31,000 and for that they will do a complete set of drawings and final sets of financial estimates and commitments on their part to fulfill building out this facility. He said between the two agreements they may or may not decide to have independently evaluated by an independent engineer depending on what they get out of the first agreement.

Mr. Major asked if the school has been consulted on this. Mr. Gary said that they have been kept apprised on what they were doing. Ms. Weinstein said she had a meeting with Mr. Belair and that Dan Clarke was very much in the loop on what they were talking about, but it had not been brought to the Board of Education. She said that they need to be in the loop, because it was on school property. She wants to be sure before they give the money that putting fuel cells on a school campus on a playing field is safe.

Ms. Weinstein said the other issue she had was cost and wanted to have a sense of that before moving forward. She also asked why there was an engineer that declined the job. Mr. Gary said that the engineer told Mr. Swerdlowe that he was too busy. He said we did know how much it would cost until we do the first part of the study. He said the cost of the fuel cell itself is 1.2 million. The cost of hookup and doing the infrastructure between the High School and the

Middle School they will not know until they get in and do a more definitive study as to what it is going to take to do the hookup.

Mr. Major asked how it becomes profitable. Mr. Gary said if you look at it strictly from the electricity it is marginally profitable. If you start being able to use the hot water every benefit that you get from that is an incremental benefit. Mr. Bliss said there is no opportunity for a grant if you do not have a certain percent of usage of the heat that is generated by the process.

Mr. Major asked where the Town came up with the projection that they made. Mr. Gary said that there have been three sets of projections done. One by CCAT, Fuel Cell Energy and UTC and they were all given macro information. They take the number they get put them on an excel sheet, but at this point they are not worth repeating. He said it appears that it will be a significant saving.

Mr. Bliss said that they could approve the request subject to a positive approval from the Board of Education and a positive approve of the Board of Finance. Mr. Bliss said he did not want to wait because we lost out on the photovoltaic proposal and these grants are significant and the paybacks are huge. Ms. Weinstein wants to be sure that whatever grant money that is available to us for this project we get.

Mr. Major made a motion to authorize a supplemental appropriation of \$9,600 for the feasibility study for the fuel cell and \$600 for interval reports from CL&P subject to the Board of Finance approval and subject to the Board of Education approval. Ms. Weinstein seconded and the motion passed unanimously.

Ms. Weinstein said that she wanted to make sure that in the forefront of their mind that there is grant money that we might be entitled to. She said she was looking through the CCM book and there seems to be several initiatives some of which are school related. She wants to make sure that someone follows up with all the potential grant money. Ms. Weinstein said she would be happy to be the one to follow up.

At 10:13pm Mr. Major made a motion to enter into executive session. Ms. Weinstein seconded and the motion passed unanimously.

Executive Session- Contract Negotiation for AFSCME Council 4, Weston Town Union Employees Local 866 and Police Chief's compensation.

ATTENDANCE and DISCUSSION: The meeting was convened at 10:16 PM in the Town Hall Meeting Room by Chairman Bliss, with Mr. Major and Ms. Weinstein present. Also present were Town Administrator Landry, Finance Director Rick Darling, Counsel Monte Frank of Cohen and Wolf, and Building Committee members Don Gary and Richard Wolf.

FLETCHER-THOMSON. The purpose of the executive session was to receive a report on today's mediation session with Fletcher Thomson, the architectural firm for the school construction project. Appropriate responses and strategies were discussed. No votes were taken. Mr. Gary, Mr. Wolf and Attorney Frank left the meeting at the conclusion of this discussion.

AFSCME CONTRACT. Mr. Landry and Mr. Darling reviewed the proposed contract provisions with Board members.

POLICE CHIEF PAY RAISE. Mr. Bliss reported on recent discussions with the Chief and the Police Commission Chair regarding the proposed pay raise for the Police Chief.

ADJOURN EXECUTIVE SESSION: The Board voted unanimously (Ms. Weinstein, motion; Mr. Major second) to end executive session and reconvene in open session. The time was 10:59 pm.

AFSCME CONTRACT. The Board voted unanimously to approve the following motion (Mr. Major, Ms. Weinstein second) : That the Board authorize the First Selectman to sign the proposed contracts between the Town of Weston and AFSCME Council 4, Local 866, for the periods May 25, 2005- June 30, 2009, and July 1, 2009- June 30, 2012, as presented.

POLICE CHIEF PAY RAISE. The Board voted unanimously to approve the following motion (Mr. Major motion, Ms. Weinstein second): That the Board authorizes an increase in pay rate for the Police Chief from Grade 16, Step 3 (\$95,311.67) to Grade 16, Step 4 (\$96,791.01). Further that this raise shall be retroactive to July 1, 2008, consistent with the terms of the Chief's employment contract with the Town, and that the entire \$96,791.01 amount shall be paid from the approved 2008-09 fiscal year budget, and will not come from a supplemental appropriation.

ADJOURN: At 11:03 pm, the Board voted unanimously (Ms. Weinstein motion, Mr. Major second) to adjourn the meeting.

Respectfully submitted
Judy M. DeVito
Administrative Assistant
Approved 05/07/09