

Board of Selectmen's meeting

March 5, 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 7:33pm.

Pledge of Allegiance- Donna Anastasia lead the meeting with the Pledge of Allegiance

Discussion regarding the current reassessment-Ken Whitman, Assessor

Mr. Major asked if when the assessment that was done in 2003, did they go from house to house and walk through each house. Mr. Whitman said no that he believed that the last time that was done was 1999.

Mr. Whitman said in the law right now every five years you are required to do a revaluation and at least every ten years you are required to physically inspect all the properties. He said assuming the law does not change we will not have to do a physical inspection reevaluation until 2018.

Mr. Bliss asked about houses that had no work done to them and the values either went significantly up or down. Mr. Whitman said the most obvious one was that the assessment was wrong to begin with, but there could be any number of reasons. Mr. Bliss asked how you made the judgment as to it being in a more desirable neighborhood and how do you translate that judgment into dollars.

Mr. Whitman said a reevaluation always starts with a data collection guideline manual as well as guidelines on methodology. It has instructions for all of the property listers, what to pick up, how to pick it up, pictures of grades of houses, to get an indication of quality of construction and guidelines on condition of the house. He said he specifically requested data collectors that had already worked in Wilton, Ridgefield and a couple of other high profile towns so he knew they had experience for the types of houses we have in Weston. Mr. Whitman explained the process that he and the reevaluation project manager did. They then sent out the preliminary values, but Mr. Whitman still had another six weeks worth of quality control to do.

During that six weeks period he found a number of areas that needed to be adjusted. He said nearly every property was adjusted upward or downward during the period between the preliminary and final. Now that the grand list is filed he is not allowed to change anything else at this point and time, the values are final and anyone that comes in are required to appeal to the Board of Assessment Appeals and they can make changes.

Mr. Bliss asked how he assesses land values. He said they take all the land sales that they had and take properties that have sold with buildings on it and extract the building values to come up with the land value. They grade the neighborhood and come up with a price for an average two acre lot. If the lot is smaller they establish a land curve from lots that are smaller to lots that are larger. They look at the sales and say how much really was there from the flat lot to that lot with the ledge on it. He said that most of the sales already have that factor built in.

Mr. Bliss asked with sales being down do you get enough data to establish those things. Mr. Whitman said they would have loved to have had more sales, but he basically had to use what he had and be far more judicious in the way that they make there adjustments and to be careful not to make any assumptions.

Mr. Bliss asked how you look at a piece of land that appears to be sub-dividable as opposed to a piece that does not. Mr. Whitman said if all indication are that it is sub-dividable then they put a factor on it to include that.

Ms. Weinstein said she did not think that curb appeal was supposed to play into the assessment. Mr. Whitman said that curb appeal truly is curb appeal and that anything that is not staying with the house when you sell is not part of the sale price. He said they can not use it in making a determination. Mr. Major said there was a fine line between aesthetics and the market value.

Mr. Bliss asked about pools. Mr. Whitman said the best way to value them is by the cost comparison approach. Mr. Whitman said we started of with a grand list that was four or five hundred million dollars more than we ended up with. As they worked along the market kept going down.

Ms. Weinstein asked what someone should do if there was something wrong with the data. Mr. Whitman said that he wishes he could just make those changes but the law clearly states that the assessor can not make the changes after the grand list has been signed. It has to go to the Board of Assessment Appeals. He said he can change them going forward for next year, but if they want the change for this year, they have to go through the Board of Assessment Appeals.

Mr. Major said he felt that we have done a disservice to the citizens by sending the final notices with changes after the grand list had been signed. We should not have signed off on the grand list until we gave people an opportunity to digest the final notices that got sent out. He said this now forces people to go to a hearing, to hire an appraiser and incur expenses. Mr. Whitman said that they are under a statutory guideline. He had no choice, but to file the grand list before the end of February or he would be breaking the law. Most of the changes made were adjustments to neighborhoods that when he looked at Vision values he felt the neighborhoods were to low. Mr. Major said that the form should have had an explanation as to why the amount changed.

Mr. Whitman said he wish he had that kind of time to key in an answer to each one, but it would have been functionally impossible. He said the hearings are being held on April 1st and 2nd in the evening, April 4th in the morning and April 6th in the evening. If they need to they will extend that. Mr. Bliss asked what happens if someone is away. Mr. Whitman said as long as you give someone written permission they can appear on your behalf.

Mr. Major said that one of his concerns is the concept that you have four acres, so we are going to put a factor on that, because your lot is sub-dividable. Until Planning and Zoning says it is a sub-divided lot it is not a sub-divided lot. Although the acreage may be able to sustain a sub-division, it would only be at the expense of some of the improvements that are on that property. He said you are getting doubled tax. On his own property, they had no concept that there was a better than a two acre conservation easement that prohibited any activity in the area.

Mr. Whitman said that anything that was wrong and was brought to Vision's attention was addressed. Ms. Weinstein said most of the people that she had spoken to whose issues were there was something wrong with the field card like two garages, wrong number of rooms were all taken care of right away.

Discussion/decision regarding authorization for the Town Clerk to execute a Certified Resolution and Nondiscrimination Certification for the Historic Document Preservation Grant for \$5,000.- Donna Anastasia

Donna Anastasia, Town Clerk, said that every year we receive money back from the state for recording fees collected that we collect during the year. We usually receive \$7,000, but due to the economy this year we will be getting \$5,000. The money will be used to scan old volumes 1 through 42 so all of the books will be retrievable by the computer. This will complete all of the land record books.

Mr. Major made a motion that the Town of Weston hereby adopt as its policy to support the nondiscrimination agreement and warranties required under Connecticut General Statutes § 4a-60(a)(1) and § 4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Major made a motion to authorize Woody Bliss as First Selectman to execute and deliver in the name and on behalf of the Town of Weston a contract with the Connecticut State Library for a Historic Document Preservation Grant. Ms. Weinstein seconded and the motion passed unanimously.

Discussion regarding the Economic Stimulus Package- Gayle Weinstein

Ms. Weinstein said that she had a conversation with Congressman Jim Himes about money that is coming to Connecticut and is available in the economic stimulus package that we might be able to get in Weston. The fact that we cannot bond and are sitting on 40 million dollars worth of infrastructure projects that we need to do. A lot of these are energy related which do qualify. She would rather be proactive on this rather than wait until the end.

Most of the money for Connecticut is going through the Governor's office. Most of the projects are for highway and water; however, there is money available for shovel ready projects that are related to energy. She said we have three boilers that we are replacing this year which might qualify for that money.

Mr. Himes suggested that the Board of Selectmen get together and decide on what the shovel ready projects are and talk to our State legislators and see if there is any money from Connecticut. At the same time Ms. Weinstein thought it might be a good idea for us to talk to Shanta Hanks, who is Jim Himes point person in Connecticut, to determine what kind of federal funding we can get.

Mr. Landry said that we had given a list to the State in December. Mr. Bliss said that the governor has established a committee that has approximately 20 people on it at the state level that is going to filter all of this. They received a request and have sent a list to the State, which will get filtered through this organization. The stimulus money for education comes directly to the Town.

Ms. Weinstein said that she spoke to Senator Boucher, who wants to get going on this, so she thinks it would be good if we can work on this as soon as possible. We will get the list of shovel ready projects to the Selectmen.

Open Items

CodeRED Contract- Signed and we are up and running as of March 1st. There are five individuals who will have access to the system. There will be training scheduled. Mr. Bliss asked the Selectmen to be thinking about different sub-set groups that need to be identified and get the name of the group and the members to Ms. DeVito.

Municipal Amnesty (SB1200)- Keep Pending

Recycling- Tom Landry said that he and Mr. Lametta met with City Carting. City Carting said that they pay a tipping fee to dump the garbage and the recyclables and they would be happy to pass it along to their customers. Mr. Landry said that the only way that you can look at any appreciable breakeven for the homeowner is when that hauler comes to your house and takes you bag and drops it off he does not pay. The reason he would not pay is because you already paid the tipping fee when you bought the bag.

Mr. Landry said that the second scenario is every truck you come in with only purple bags. You do not pay anything for it. He said in terms of your tax dollars you do not save anything, in terms of your waste disposal dollar you might save a buck.

Food Pantry Lease- Awaiting PBA reply

Emergency and Disaster Planning Ordinance- This will be discussed at the next Selectmen's meeting.

FAA- The reply brief is about to be submitted. Attorney General Blumenthal is leading the effort on that. The court date is May 11th in the circuit court in Washington D.C. Mr. Blumenthal is asking that all the CEO's come down because he thinks it is important that they be there. There is a new GAO report that is favorable to our position.

Reimbursement from FEMA for Cartbridge- The final reimbursement could not be done until all the bills are paid. The last bill was paid on Tuesday. Mr. Landry said that he will carbon copy the Selectmen when the letter goes in.

Reimbursement from State for school projects- Lawsuits have to be resolved.

Any other business to come properly before the meeting-

Mr. Major made a motion to add a discussion about budgets in other Towns to the agenda. Ms. Weinstein seconded and the motion passed unanimously.

Bridgeport has not yet finalized their budget. They are on a later schedule.

Brookfield, Easton, Norwalk, Shelton and Weston all have zero increase Town budgets. Wilton has a -1.4% Town budget.

Board of Education budget, Shelton has a zero percent, Brookfield is 2.1%, Easton has two pieces 2.61% in pre-k to eight grade and 3.01% in region 9, however their First Selectman does not think that either one will hold up. Fairfield is at 2.95% on the Town and 2.3% on the Board of Education. New Canaan is 2% on the Town and 1.7% on the Board of Education. Norwalk is zero on the city and 2% on Board of Education. Shelton is zero and zero. Weston is zero on the Town and Capital Budget and 2.62% in the Board of Education. Westport is 1.4% on the Town budget and 2.06% on the School budget. Wilton is -1.4% on the Town budget and 1.8% on the School Budget.

Mr. Major requested that the report we received from the building inspector showing the building fees for surrounding towns as compared to Weston and it appeared that Weston was below the average however Ridgefield, Redding and Easton were not on the list. Mr. Landry said they were revised in 2003 and what he remembered was that we also charge sub-contractor permit fees.

Mr. Major asked that the report from the accountant dated January 30th and there are some specific recommendations. He wants to make sure that we are adopting those recommendations. Mr. Bliss said at the next meeting he would get a letter with what was done with all the recommendations.

Mr. Major said he would like a listing and then a discussion about all of the reserve accounts. He wants to know what they are for and have a discussion as to why we are keeping the balance that we are keeping there. Why it was set-up and why are we still funding it, because there are dollars there that could be used for other valid reasons.

Mr. Major wants to discuss the procedure for the Town meeting. He said if we can come up with the appropriate procedure that the vote at the Town meeting should be some sort of a paper ballot. Mr. Bliss said that there are two ways to do it. There can be a petition signed by 200 eligible voters that can call for secret vote either with paper ballots or with a machine. He said it is described in section 7-7 of the state statues. The Board of Selectmen at least five days before the annual town meeting can pull any item off of the call of the meeting and require that they be voted on a secret ballot either by paper or machine.

Wilton has their town meeting, they get recommendations by topic, and they open the machines that night for voting and also on the following Saturday and you get to vote yes or no on the whole budget.

Mr. Major said we could do a paper ballot the night of the budget and use the scanners and you would vote as you walked out. Mr. Bliss asked the other selectmen to read section 7-7. Mr. Major asked if the Selectmen could establish what was on the paper ballot. Mr. Bliss said yes. He said we post a warrant for the meeting, which has all the different items on it. The Board of Selectmen under section 7-7 can pull individual items out of the warrant and have a paper vote on them. Mr. Bliss said we can also group things.

Mr. Major said if we can put something together over the course of the next two weeks that could work.

Discussion/approval of the Board of Selectmen's meeting of February 3, 2009

Ms. Weinstein made a motion to approve the minutes of the February 3rd, 2009 meeting as submitted. Mr. Major seconded and the motion passed unanimously.

Mr. Major asked that when we get a revised sheet for the budget that there be a note on the sheet as to what the revisions is.

At 9:30pm Ms. Weinstein made a motion to enter into executive session. Mr. Major seconded and the motion passed unanimously.

Executive Session- Contract Negotiations

- a. Verizon Lease Agreement for Transfer Station cell tower**
- b. AFSCME Town Hall Bargaining Unit**
- c. FAI Construction Consultants.**

ATTENDANCE and DISCUSSION: The meeting was convened at 9:33 PM in the First Selectman's office by Chairman Bliss, with Mr. Major and Ms. Weinstein present. Also present was Town Administrator Landry.

The purpose of the executive session was to receive a status report on the Town negotiations with its AFSCME collective bargaining unit, and to review a proposed Godfrey Road cell tower co-location agreement with Verizon. No votes were taken.

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 9:56pm.

VERIZON CELL TOWER LEASE: The Board voted unanimously (Mr. Major, motion; Ms. Weinstein second) to approve two motions authorizing a lease agreement allowing Verizon to locate at the 162 foot level on the Godfrey Road cell tower. The first motion was to authorize the First Selectman to enter into a lease agreement as reviewed by Cohen and Wolf, with Cellco Partnerships d/b/a Verizon Wireless, at telecommunications facilities located at 237 Godfrey Road, Weston. The second motion was to authorize the First Selectman to sign a Notice of Lease form, to be filed on the land records, noting the lease hold.

ADJOURN: At 10:01 pm, the Board voted unanimously (Ms. Weinstein motion, Mr. Major second) to adjourn the meeting.

Respectfully submitted

Judy m. DeVito
Administrative Assistant
Approved 4/2/09