

**Board of Selectmen's meeting  
November 6, 2008**

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

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

**Pledge of Allegiance-** Ms. DeVito leads the meeting with the Pledge of Allegiances

**Discussion/decision regarding interviews for the Cemetery Committee- Marina Coprio.** Marina Coprio said she has been a Weston resident for 40 years. She has worked in Westport as a paralegal for over 40 years. She feels that Weston needs a cemetery and she has been reading about for years and the project never seems to get off the ground and she would like to help it get off the ground.

**Discussion/decision regarding Youth Services Director- Kristin Ferrera**

Mr. Landry said that Charlene Hillman reviewed the resumes received in response to the advertisement. This position has been vacant for sometime. Mr. Landry, Nancy McCormick and Charlene Hillman interviewed about five or six applicants and Kristin was chosen.

Kristin said that she was born and raised in Fairfield and is familiar with the area. She attended Fordham University for her undergraduate degree and recently completed her masters in community counseling from Fairfield University.

Mr. Major asked now with Kristin on board what happens in the department. Mr. Landry said Kristin will do what Sarah Heath did and Charlene Monn will do what Sharyn Samuels did before Sharyn was the interim director. The salary is exactly what we budgeted. Nancy McCormick said they get a yearly grant from the State for \$14,000 to offset the cost of the program coordinator to be able to run the after school programs.

Ms. Weinstein asked if Kristin would be counseling. Ms. McCormick said only on a limited base, but primarily she would be doing referrals. However, if the need arose she could do counseling.

Mr. Major made a motion to authorize Tom Landry as Town Administrator to offer the position to Kristin Ferrera as contained in the draft letter dated November 7, 2008. Ms. Weinstein seconded and the motion passed unanimously.

**Discussion/decision regarding the Sterling Planet Agreement- Martin Strasmore**

Bob Wall, Director of Energy Marketing Initiatives with the CT. Clean Energy Fund was also present. Mr. Strasmore said for the commitment that we made in May we need to start to participate in this part of the program. When we do we will get our 3 kilowatts of solar array which will give us about \$500 a year in savings.

Bob Wall said that many of the Towns that have signed up have already met the 20% commitment. Ms. Weinstein asked what period was covered for the \$7,650. Mr. Strasmore said the period 2008 to 2009. Mr. Strasmore said that their Committee has a \$2,000 budget that they have not used that can go towards paying for this.

Mr. Major confirmed that the Town's obligation for 2008 was \$1,515 net. Martin said that we did not do the year 2007 so now we are going to pay 5%, 9% and 13% in terms of the percentage of the energy that we are paying the surcharge on.

They have authorized funding to provide a grant to Weston so that will allow the task force to fund projects that can raise awareness and generate more money.

Mr. Major asked if we commit to this today there are two payments that total \$6,450. The answer was yes. Mr. Bliss made a motion to ask for authorization for the First Selectman to sign the Green Certificate Sales Agreement dated October 24, 2008. Mr. Major seconded and the motion passed unanimously.

#### **Update on Solid Waste and Recycling- Woody Bliss**

Mr. Bliss said that he had entered into some more negotiation with CRRA who is our current supplier. He told them that we needed a single tipping fee that was all inclusive that included insurance, transportation, etc. They came back with a new proposal which still was piece meal and still contained the same exposures for the town which he reviewed with Ken Bernhard. He said that he concluded that CRRA is not going in the direction that we want to go. He said he will be coming back to the next meeting with the City Carting contract. A number of other Towns have gone with City Carting.

He will bring up the garbage bag plan at the next Selectmen's meeting. They have done a study and we recycle about 15% of our solid waste. There are towns in Massachusetts that use the proposed garbage bag program and they recycle about 40% to 50% of their solid waste. Mr. Major said that if we could recycle numbers other than ones and twos that we would have a lot more to recycle.

#### **Discussion/decision regarding Culvert Replacement- Gayle Weinstein**

Ms. Weinstein said she made the changes that they wanted.

Mr. Major said we either needed to change the policy to the policy on culverts or we take out things that do not relate to replacement. Ms. Weinstein said we should mention what the Town is obligated to do. She did not want this to become a personal issue with any Town individual and the Board of Selectmen and she finds that that often happens.

Mr. Major said his original concern is that Deepwood is one of eight locations that they can immediately identify. He said he has not heard anything that would suggest to him that the Town would be responsible to replace culverts. He fears that if we go this route there is an implication that under certain circumstances we would in fact replace culverts. He thought the purpose of the policy was to establish for private property owners, what their expectations from the Town should be as it pertains to culverts.

After discussion a final Town Policy on Culvert Replacement on Town Roads was established. The policy is attached to the minutes.

Mr. Major made a motion to adopt a Town Policy on Culvert Replacement on Town Roads in accordance with the draft which has been amended. Ms. Weinstein seconded. John Conti said he wanted to make a recommendation that the property owner, Ms. Fischer, agree to eliminate the pond on her property to bring the channel open to at least 10 feet and bring the channel down to where the existing channel is. He thinks this will alleviate a lot of the flooding occurrences.

If that were done you will eliminate the pond so that it will always be dry except when storms occur. He said by eliminating that you are taking out the initial flood waters before the peak flow of the waters come in. He said that would improve the efficiency of the culverts there plus the fact that the area that was not pumping then becomes a temporary storage area when the peak flows come in.

Mr. Major asked if we are on private property. Mr. Conte said yes. He said if we just put the culvert in and do not eliminate the obstruction, he said he still thought we would have back water problems.

Mr. Fischer said that the pond has been there. He described the area around them. Mr. Major read from the minutes where the Tectonic report was discussed. Mr. Lukasik the representative from Tectonic said that dwelling 1, the Fischer resident, could not be fixed under any scenario. Mrs. Fischer said what he was not taking into account is that he is looking at our basement as a floor of the house when in fact it is a crawl space. She said since the house was built in 1970 it was built with pumps inside of it to deal with any such water that would come into that floor.

Mr. Fischer said that there is a page in the report that said the culvert that was recommended would remediate it to the point of something like 60 or 70% for house 1, 80% for house 2 and 100% for houses 3 and 4 with no down stream problems. He said to at least solve it that much seemed like a reasonable approach. The culvert was built 40 years ago and is not broken, but is inadequate.

Mr. Major said our roads are built to a 25 year flood design. As things progress it is not realistic to think that we need to go back and redo everything that we have already done to the new levels. Mr. Fischer said that they have 900 plus acres of development north of them that did not exist when their house was built.

Mr. Major said that there has been no significant construction above them. The last of all of the significant construction took place in the mid 80's. Mr. Fischer asked if he was suggesting that it was not construction. Mr. Major said he is suggesting that there are a number of factors one of which is that we have had a series of very unusual storms back to back in the last few years. Mr. Fischer said that the Tectonic report said that this was a

typical storm. Mr. Conte said that FEMA found that we are going through a weather pattern change that is creating the flash floods.

Ms. Weinstein asked that the question be called and that they vote on the policy which is completely separate from the issue of Deepwood flooding.

The motion passed unanimously.

**Discussion/decision regarding a supplemental appropriation of \$66,602 for the Hurlbutt Elementary School Project No.157-036 EA/CV- Tom Landry**

Mr. Landry said that the school project received school facilities unit contribution toward some portion of the cost. Eight years after the project is completed they finally came in to do the audit for the project and they said that they have given us \$66,602 too much and they want it back. He said that they have listed a difference in the square footage.

Mr. Major said that he would like to have Town Attorney Ken Bernhard confirm that we really have to do this. Mr. Bliss said he would like a through understanding of what this audit shows. Mr. Landry said he get it back for the next meeting.

**Discussion/decision regarding the Budget Review Schedule 2009-2010**

Mr. Major said that he did not like that the Annual Town Meeting was the first day back from school vacation. He recommends that we do it on Tuesday, April 21,

Mr. Major made a motion to approve the budget review schedule for 2009-2010 as amended subject to Board of Education and Board of Finance approval of the Annual Town Meeting being held on Tuesday April 21<sup>st</sup>. Ms. Weinstein seconded and the motion passed unanimously.

**Discussion/decision regarding Holiday Schedule for 2009**

Ms. Weinstein made a motion to approve the Holiday Schedule for 2009. Mr. Major seconded and the motion passed unanimously.

**Discussion/decision regarding the Special Board of Selectmen's meeting on November 13<sup>th</sup> at 11:45 am.-Tom Landry.**

Mr. Landry said that we did not have a need for a Special Board of Selectmen's meeting. There is about 1 million dollars that they have expended and will not get from the State until the audit process is complete and we will need that to finish the auditorium. The Board of Finance has talked about what there options were to meet that money. They have informally decided not to borrow the money and pay the interest cost and issuance cost, but rather borrow it from the general fund. He said they will formally do this at their meeting next week. This will come back to the next Selectmen's meeting.

**Discussion/decision regarding a review of current fiscal year budget – Tom Landry**

Mr. Bliss said that we would try to get everyone together and talk about the current year budget and the up coming budget. Mr. Landry said that he has looked at the current budget and some accounts look good and some not so good. The energy accounts look

good. In terms of looking at budgeted equipment line items and discretionary spending there is nothing of note there.

There is one big number which is a library book and magazine line item of \$51,000 and there is \$36,000 still there. He said not spending capital money that is already appropriated will not do much. That money has been raised, people have been taxed for it and if you do not spend it this year you will spend it some other year coming up.

Mr. Major asked about the fire truck. Mr. Landry said it takes two years of appropriation to buy a fire truck. Mr. Major asked if we could have a conversation with John Pokorny to see if we can push it off a year. If we can push it off a year we can save ourselves \$275,000. He said when the economy tightens you defer and when the economy expands you spend. Mr. Major asked if the library roof \$250,000 could be deferred. Mr. Landry said he did not know what Mr. Major was trying to accomplish. He said people have been taxed for that and the money is sitting there. Mr. Landry said that if you take these items out of the budget you would have to go back to Town Meeting to undo it.

Ms. Weinstein said she did not have a problem with the fire truck, but if the roof needs to be replaced we need to replace the roof. Mr. Landry said the way he has structured the budget for next year is to appropriate another \$225,000 so we would have the money to buy the fire truck. He said we could not appropriate that amount or do it in two or three years.

Mr. Major asked about the operating budget. He asked if there were any areas where we can just say no. Mr. Landry said there was nothing of appreciable money. Mr. Major asked about the letter that they received that suggested that the payroll position be eliminated and be done with the schools. Mr. Landry said that this is a union position. Ms. Weinstein said she felt it important that all the department heads be cognizant of what is happening in the world around us and think twice before spending. Mr. Major said that the department heads have to understand that they have to work within their budgets.

Mr. Landry said we have the ten year plan, we look at capital budgets which are incremental growth of 3% a year and for the operating budget they were looking at 5% and have come to 4 ½ % and now 4%. He said to get under 4% you are looking at impact on the Capital budget or getting rid of personnel. Mr. Major said the down side with the capital is that we had done that for too many years and it came back to bite us.

**Request for property tax refunds;**

<b>BMW Financial Services</b>	<b>\$937.63</b>
<b>Volkswagon Credit</b>	<b>\$881.65</b>
<b>CAB East, LLC</b>	<b>\$824.40</b>
<b>Financial Services</b>	<b>\$786.65</b>
<b>Toyota Financial Services</b>	<b>\$654.13</b>
<b>GMAC</b>	<b>\$487.73</b>
<b>Toyota Motor Credit Corp</b>	<b>\$399.66</b>

<b>Porsche Leasing Limited</b>	<b>\$236.17</b>
<b>Scott R. Savage</b>	<b>\$220.60</b>
<b>William B. Hunt</b>	<b><u>\$79.54</u></b>
<b>Total</b>	<b>\$5,508.16</b>

Mr. Major made a motion to authorize the First Selectman after reviewing and confirming the list with the Tax Collector to make the property tax refunds as set forth in the agenda. Ms. Weinstein seconded and the motion passed unanimously.

**Discussion/approval of the Board of Selectmen's meeting minutes of August 7, 2008, public hearings August 7<sup>th</sup> on Fuel Efficient Vehicles Ordinance and Veterans Tax Relief Ordinance, Selectmen's meeting minutes September 4, 2008. September 18, 2008, October 2, 2008, public hearing October 6, 2008 and Selectmen's meeting October 16, 2008.**

Mr. Major made a motion to approve the minutes of the Board of Selectmen's meeting of August 7, 2008. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Major made a motion to approve the minutes of the public hearing of August 7, 2008 concerning the proposed amendments to the Veterans Tax Relief Ordinance. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Major made a motion to approve the minutes of the public hearing of August 7, 2008 concerning the ordinance to exempt Fuel Efficient Vehicles from local property tax assessment. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Major made a motion to approve the Board of Selectmen's minutes for September 4, 2008. Ms. Weinstein seconded. Page 2 the word "the" was missing. The motion passed unanimously.

Mr. Major made a motion to approve the minutes of the Board of Selectmen's meeting for September 18, 2008. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Major made a motion to approve the Board of Selectmen's minutes of October 2, 2008. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Major made a motion to approve the minutes of the public hearing of October 6, 2008, concerning the fire station appropriation. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Major made a motion to approve the minutes of the Selectmen's meeting of October 16, 2008. Ms. Weinstein seconded. Page 3, there should be reference that the meeting was adjourned in order to hold the Town Meeting for the Lyons Plain Fire House appropriation. The motion passed unanimously.

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

**Executive Session- Labor Negotiations and Agreement with Weston PBA with regard to the Food Pantry.** At 10:06 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 10:08pm in the First Selectmen's Office with Selectmen Weinstein and Major in attendance. Town Administrator Landry was also in attendance.

DISCUSSION: Mr. Bliss reviewed tentative contract lease terms for the Police Benevolent Association to lease and operate the Food Pantry building. The PBA bought the building, will donate it to the Town, and then lease it back at a token rate. Several contract items were reviewed.

Mr. Landry discussed with the Board, what its target labor contract settlement amounts will be for FY09-10. .

ADJOURN EXECUTIVE SESSION: At 11:02 pm, a motion (Ms. Weinstein, Mr. Major second) to adjourn executive session and reconvene in open session passed by unanimous vote.

PBA/FOOD PANTRY AGREEMENT: By unanimous vote, the Board approved the following motion (Mr. Major, Ms. Weinstein second): To authorize the First Selectman to enter into a lease agreement with the Weston PBA in accordance with noted revisions, and after confirmation that the PBA's liability insurance extends to any incidence of food borne illness contracted from food distributed from the pantry.

ADJOURN: At 11:05 pm, a motion to adjourn the meeting (Mr. Major, Ms. Weinstein second) passed by unanimous vote.

Respectfully submitted

Judy M. DeVito  
Administrative Assistant  
Approved 11/20/08