

Special Board of Selectmen's Meeting

January 26, 2010

Present: First Selectman Gayle Weinstein; Selectman David Muller; Selectman Dan Gilbert; Town Administrator Tom Landry; Administrative Assistant Judy DeVito, Press and members of the public.

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

Ms. Weinstein called the meeting to order at 8:30pm

Pledge of Allegiance- Mr. Muller lead the meeting in the Pledge of Allegiance.

Discussion/interview/decision regarding the reappointment of Raisa Kendall to the Building Committee for a term to expire June 30, 2011. Ms. Kendall said that she has spent 40 years in the engineering field. She is semi retired and teaches at the University of Bridgeport. She has been on the Building Committee for 2 years. Ms. Weinstein asked if the issue of missing meetings had been resolved. Ms. Kendall said yes, the meetings were on the same night that she had a class but now her schedule has been changed.

Mr. Muller made a motion to reappoint Raisa Kendall to the Building Committee for a term to expire June 30, 2011. Mr. Gilbert seconded and the motion passed unanimously.

Discussion/decision regarding award of contract for Valley Forge Bridge Project to Guerra Construction Co. in the amount of \$1,961,999. David R. Stock and Jeff LeMay from the Maguire Group said that Maguire Group designed the bridge. The bids were opened on November 17, by Tom Landry in the Town Hall Meeting Room. Mr. Landry said there were some contractors present. There were six bidders and Guerrera Construction was the only one under 2 million.

Mr. Gilbert questioned the wording of the letter, in particular the word "appear." He said when you write "all bids appear to be complete" there is some wiggle room there. He said he thought what we would read there is all bids are complete and correct. Why is he over reacting? Mr. Stock said that they could have said it that way, they are taught by their legal counsel to have wiggle room when they write letters. Mr. LeMay said that there is a third party, CJM who is facilitating the bridge program for the state. Maguire Group checks the bids and any supporting documents for the state and not until CJM approves all the information can they state that they are the lowest qualified bidder. Mr. Stock said they cannot absolutely guarantee that nothing was missing.

Mr. Gilbert made a motion to award the Valley Forge Road Bridge Project Contract to Guerra Construction Co. in the amount of \$1,961,999. Mr. Muller seconded and the motion passed unanimously.

Discussion/decision regarding Valley Forge Bridge grant contract revision and Resolution authorizing the correction. Ms. Weinstein said that there was an issue with how the original number was written. There was a typo and the number was off by a magnitude of zero. We need to have a resolution authorizing the correction.

Mr. Muller moved to authorize the First Selectman to initial the correction on page 10 of the agreement entitled AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF WESTON FOR CONSTRUCTION, INSPECTION AND MAINTENANCE REQUIRED IN CONJUNCTION WITH THE REPLACEMENT OF THE VALLEY FORGE ROAD BRIDGE (BRIDGE NO. 04962) OVER THE SAUGATUCK RIVER UTILIZING FEDERAL FUNDS. Mr. Gilbert seconded and the motion passed unanimously.

Discussion/decision regarding award of contract for construction inspection services for Valley Forge Bridge for the Maguire Group in the amount of \$198,180. We have a separate contract for the Maguire Group to oversee the project. We did get approval from the state. Mr. Gilbert asked if there are change orders in the project how does that happen? Mr. Stock said when they design any project they use a lot of regulations and standards, nothing is perfect and some times the owner may choose to change something.

Mr. Gilbert asked who would be able to approve that. Ms. Weinstein said usually Mr. Landry takes care of it. Mr. Landry said he took care of the change orders for Cartbridge. Mr. Stock said that there are change orders on almost every project. Mr. Gilbert asked who looked at the contract. Ms. Weinstein said that Pat Sullivan looked at the contract.

Mr. Muller made a motion to award the contract for construction inspection services to Maguire Group, Inc. in the amount pf \$198,180 for Replacement of Bridge No. 04962, Valley Forge Road over the Saugatuck River. Mr. Gilbert seconded and the motion passed unanimously.

Discussion/decision regarding the Tax relief for the Elderly Ordinance.

Ms. Weinstein said that Mr. Bliss had brought up the concept of changing the way we collect interest. He suggested that instead of simple interest we should look into compound interest. Charity Nichols researched the issue and she said according to state statutes we cannot allow interest to be compounded under Sec.12-145.

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

Request for property tax refunds

James S. Hornung	\$40,730.79
Honda Financial Services	\$515.64
Mercedes Benz Financial	\$354.65
Nissan Infiniti-LT	<u>\$334.79</u>
Total	\$41,935.87

Mr. Muller made a motion to approve the tax refunds listed on the January 26, 2010 agenda for a total amount of \$41,935.87. Mr. Gilbert seconded and the motion passed unanimously.

Open Items

Ongoing update

Grants- Gayle Weinstein- No news on any of the outstanding grants. The appropriation request did come out from our congressman. After we get through the budget we will review it to see if we have any projects that fit the bill for the appropriation.

Fuel Cell- Gayle Weinstein- No new news.

Booster Barn- Gayle Weinstein- the roof has been picked and ordered so we are moving forward with that.

Staples Guardian Fund- Gayle Weinstein – This is a fund that we are in the process of dissolving. It is a fund that we share with Easton that has been around since the 1920's. The purpose of the fund is to help needy students in school. Anne Malin and Diane Hartman who are currently the guardians will remain the guardians until the fund is dissolved. Mr. Major is handling this for us.

Tickler file, discuss as updated

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

January Tax Collection- Report- Tom Landry- Updated last meeting

FAA- Gayle Weinstein, Woody Bliss- Ms. Weinstein said that she and Mr. Bliss attended a meeting yesterday with the committee members of the Towns that are trying to fight this. Attorney General Blumenthal brought the case to the Supreme Court, who chooses which cases they will or will not hear and unfortunately the Supreme Court decided against hearing the case against the Air Space It was denied with no explanation.

Discussion/approval of the minutes of the December 3, 2009 and January 7, 2010 Board of Selectmen's meeting minutes.

Mr. Muller made a motion to approve the minutes of the December 3, 2009 as amended. Mr. Gilbert seconded and the motion passed unanimously.

Mr. Gilbert questioned what he said regarding the Fuel Efficient Vehicle Ordinance. Ms. DeVito will review the tape and the minutes will come back to the next Selectmen's meeting.

At 8:55pm Mr. Muller made a motion to enter into executive session. Mr. Gilbert seconded and the motion passed unanimously.

Executive Session- Discussion/decision regarding Palmiero Case- Scott Williams.

ATTENDANCE: The meeting was convened at 8:56 pm in the First Selectman's Office by Chairman Weinstein, with Selectmen Gilbert and Muller present. Also in attendance were attorney Scott Williams, of the firm Maher and Williams, Town Administrator Landry, former First Selectman Woody Bliss, and Police Commission members Phillips and Gralnick.

DISCUSSION: The meeting was called to discuss the status of the Palmiero heart and hypertension claim, which had a hearing today. Attorney Williams updated the Board on the status of the case, and today's developments. This discussion concluded at 9:10 pm, and Mr. Bliss and Attorney Williams left the meeting at that time.

Executive Session- Update on Police Contract Negotiations- Rick Phillips and Beth Gralnick. Commissioners Gralnick and Phillips gave the Board an update on the status of mediation efforts regarding negotiating a new Police labor contract. Outstanding issues were discussed, but no votes were taken

ADJOURN: At 9:33 pm, a motion to adjourn executive's session (Dan Gilbert, David Muller second) passed by unanimous vote.

At 9:34 pm, a motion (David Muller, Dan Gilbert second) to adjourn the meeting passed by unanimous vote.

Respectfully submitted

Judy M. DeVito
Administrative Assistant
Approved 02/04/10