

Board of Selectmen's Meeting

November 4, 2010

Present: First Selectman Gayle Weinstein; Selectman David Muller; Selectman Dan Gilbert; Town Administrator Tom Landry; Administrative Assistant Judy DeVito;

This meeting was recorded and videotaped. The tapes are available in the Selectmen's office.

Ms. Weinstein called the meeting to order at 7:30pm

Pledge of Allegiance

Selectman Gilbert requested that the discussion of the contract between the Weston Board of Education and Weston's Administrators' Association be discussed in the public session. First Selectman Weinstein felt since the contract could go to arbitration, with any public comments made prior to a hearing potentially included in such arbitration hearing, the discussion should take place in Executive Session. Selectman Muller concurred.

Executive Session- Contract between Weston Board of Education and Weston's Administrators' Association.

At 7:31pm Mr. Muller made a motion to enter into executive session. Mr. Gilbert seconded and the motion passed unanimously.

ATTENDANCE: The meeting was convened at 7:33 pm in the First Selectman's Office by Chairman Weinstein, with Selectmen Muller and Gilbert present. Also in attendance were Town Administrator Landry, Board of Education members Bochinski and Harvey, and School Human Resources Director Bray.

DISCUSSION: The meeting was called to inform the Selectmen of the changes in the proposed contract settlement agreement to the tentative agreement between the BOE and the Weston Administrator's Association. No votes were taken.

ADJOURN: At 7:56 pm, a motion (Mr. Muller, Mr. Gilbert second) to adjourn executive session and resume in open session passed unanimously.

Accept the resignation of Rev. David A Feyrer from the Veteran's Affairs Committee and the Ivy Moore Cottage Committee effective immediately.

Mr. Muller made a motion to accept the resignation of David Feyrer from the Veteran's Affairs Committee and the Ivy Moore Cottage Committee effective immediately. Mr. Gilbert seconded and the motion passed unanimously.

Discussion/decision regarding the appointment of Jane Young- Anglim to the Veteran's Committee for a term to expire December 31, 2010. Jane has been helping

Gil Sanborn with supporting the troops stationed overseas and with Weston's Community Covenant. Jane has also been very involved in Kiwanis organization.

Mr. Gilbert made a motion to appoint Jane Young- Anglim to the Veteran's Affairs Committee for a term to expire December 31, 2010. Mr. Mr. Muller seconded and the motion passed unanimously.

Discussion/interview/decision of Eric Tyson and Jon Howell for appointment to Weston's Bicycle & Pedestrian Committee for a term to expire October 31, 2012

Eric Tyson- Mr. Tyson said that this is something that he has thought about for a while so he was pleased to see the idea in the paper. He has volunteered on many things in Town including the PTO and sports groups. He has three kids in school and he makes his living is as a personal finance writer

Jon Howell- Mr. Howell has been a resident for 43 years and has been a runner and a cyclist for almost all of that time. During that time he has had some close calls both running and cycling so he is concerned about safety.

Mr. Muller made a motion to appoint Eric Tyson and Jon Howell to the Weston's Bicycle & Pedestrian Committee for a term to expire October 31, 2012. Mr. Gilbert seconded and the motion passed unanimously

Discussion/decision regarding the appointment of Clement Butt to Weston's Sustainability Committee for a term to expire June 30, 2012.

Mr. Butt said that he is an avid gardener. He worked in banking for 13 years and then found his true passion, which is landscape design. They do a variety of gardens across Fairfield County and Westchester County. He has found that there is a tremendous need for green roofs. He brings to the committee an understanding of landscaping and using landscape not only for beauty but to benefit environmental concerns. Reducing carbon footprint and reducing storm water runoff are priorities of his.

Mr. Gilbert made a motion to appoint Clement Butt to Weston's Sustainability Committee for a term to expire December 31, 2012. Mr. Muller seconded and the motion passed unanimously.

Discussion/decision regarding the appointment of John Moran to fill the vacancy (Marianne Murray) as an alternate on Zoning Board of Appeals for a term to expire November 15, 2011. Mr. Moran has been a resident of Weston for 16 years and lives here with his wife Susan and son Douglas. He retired from Madison Square Garden and Radio City Music Hall about a year and a half ago. His title was Vice President, Employee and Labor Relations and is an attorney by training.

Mr. Muller made a motion to appoint John Moran to fill the vacancy as an alternate on the Zoning Board of Appeals for a term to expire November 15, 2011. Mr. Gilbert seconded and the motion passed unanimously.

Discussion/decision regarding the Town paying the general liability insurance policy for the Food Pantry from the community grants budget line. Ms. Weinstein said that when they decided to go forward with this lease to the food pantry, they had discussed making a donation to the Food Pantry to cover the cost of the liability insurance policy. There is money in the community grants budget line and she feels it is appropriate to utilize some money for that purpose.

Mr. Gilbert made a motion to donate \$545 to the Community Food Pantry from the community grants line from the current fiscal year budget to cover the cost of their general liability insurance policy with Carlson and Carlson. Mr. Muller seconded and the motion passed unanimously.

Discussion/ decision regarding permission to hunt on Town property.

Mark Harper, Weston's Animal Control Officer, said several years ago they started hunting at the Landfill and then the Fromson Strassler Property. Things have been slow. Last year they took six deer out of the landfill and two out of Fromson Strassler. They are really looking to control the population and bring it within the carrying capacity for those pieces of property. He would like to move onto other locations.

Mr. Harper said he is not interested in trophy hunters but wants to bring in hunters that want to take out the females. The females can bring the population up in her general area within a couple of years. Because of efforts made in previous seasons, we are down to 50 or 60 deer a year that are killed by cars. Based on the numbers of deer that he has seen in a particular small patch of land on the Moore property, he would like to include that piece of property for the controlled hunt.

Ms. Weinstein said she had a bit of a moral problem with the concept of hunting, however when you look at the incidence of Lyme disease, it is something that we need to be concerned with along with the motor vehicle accidents. Mr. Harper is looking at three properties, the Transfer Station, Fromson Strassler and the Moore property. She would like to limit it to two properties and also limit the number of hunters. She will also meet the hunters before signing off on the permits. Mr. Harper said that the Town is exempt from any liability if they do not charge a fee to hunt on their property. All three selectmen voiced concerned about safety and discussed how they could proceed safely.

Mr. Harper said this is not a hunt but a management of the deer population in the Town of Weston. The hunters are on stationary stands and shoot with bow and arrow. They are shooting toward the ground and the farthest target that they shot at is 30 yards.

Mr. Gilbert made a motion to authorize the Animal Control Officer to conduct a controlled Deer hunt at the Weston Transfer Station and the Moore property as designated on the attached map. Such hunt shall be only with bow and arrow; no more than ten does shall be removed from either site. No more than two hunters at a time will be allowed on the Moore property and no more than three hunters at a time allowed at the Transfer Station. All neighbors are to receive written notice of the hunt at least five days prior to the hunt beginning. Mr. Muller seconded and the motion passed unanimously.

Discussion/decision regarding P&Z request for access to special counsel due to conflict of interest with Cohen & Wolf in a pending application from Lost Trail LLC- Tracy Kulikowski said that there is an application pending before the Planning and Zoning Commission that has been filed by Lost Trail LLC asking for a determination pursuant to the Connecticut Statutes in which they are asking for P&Z to determine whether a certain property needs to be defined as a sub-division and therefore needs sub-division approval. The counsel is for an unbiased legal interpretation of the map recording stamp and what impact that stamp has on the determination of is this a sub-division or not.

Lost Trail LLC has been involved with litigation with the Town of Weston and we are down to one last count. Cohen & Wolf is second chair in that matter. CIRMA counsel is the primary counsel on that litigation, but because Cohen and Wolf is part of that case they can not advise P&Z on this pending application.

Mr. Muller made a motion to grant P& Z’s request for access to special counsel due to a perceived conflict of interest with Cohen & Wolf in a pending application from Lost Trail LLC subject to further approval of the cost by the Board of Selectmen. Mr. Gilbert seconded and the motion passed unanimously.

Discussion/decision regarding the Budget Review Schedule-After a brief discussion the dates were amended for the schedule. The Selectmen included a date for a secret ballot referendum vote. A copy of the amended schedule is attached to the minutes.

Request for property tax refunds

Mercedes Benz Financial	\$1,177.87
V.W. Credit	\$311.01
Honda Lease Trust	\$198.63
Total	\$1,687.51

Mr. Muller made a motion to approve property tax refunds in the amount of \$1,687.51 as listed on the November 4, 2010 agenda. Mr. Gilbert seconded and the motion passed unanimously.

Open Items

Ticker File, Discuss as updated

Reimbursement from State for school projects- Tom Landry

Tracy Kulikowski said there are approximately 32 change orders where we have an issue with paper work that she does not have. They are waiting for O&G to locate the paperwork. The value of the 32 change orders is approximately \$717,000 out of \$80 million. The reimbursement rate is 17% and if every dollar was eligible, we would get \$130,000.

Ongoing updates

Valley Forge Bridge- Tom Landry- A memo is attached to the minutes from Tom Landry. Mr. Landry said that he received an email today and the fabrication of the guard rails is an issue. Opening the bridge without guard rails is not an option. They are looking to see if they can do something on a temporary basis that would satisfy safety requirements. We would still open the bridge in December and then would put the guard rails up when they get made.

Grants- Gayle Weinstein- No new news.

Any other business to come properly before the meeting. None

Discussion/approval of the Board of Selectmen's meeting minutes of October 21, 2010. Mr. Gilbert made a motion to approve the minutes of the October 21, 2010 Board of Selectmen's meeting as presented. Mr. Muller seconded and the motion passed unanimously.

At 9:35pm Mr. Muller made a motion to enter into executive session to discuss potential land acquisition, the dispatcher's contract and a prohibitive practice update. Mr. Gilbert seconded and the motion passed unanimously.

**Executive Session- Potential Land Acquisition
Dispatcher's Contract
Prohibitive Practice Update**

ATTENDANCE: The meeting was convened at 9:37 pm in the First Selectman's office with Selectmen Muller and Gilbert present. Town Administrator Landry was also present.

DISCUSSION: Mr. Landry updated the Board on the tentatively agreed contract with the Dispatchers, the newly filed prohibited practice charge from the Highway unit, the Day of Mourning grievance filed by the Highway and Dispatch units, and the Rende termination hearings. Ms. Weinstein discussed a potential Town purchase of a specific parcel for open space designation. No votes were taken.

ADJOURN EXECUTIVE SESSION: At 10:04 pm, a motion (Mr. Muller, Mr. Gilbert second) to adjourn executive session and reconvene in open session passed by unanimous vote.

DISPATCH CONTRACT: At 10:05 pm, a motion (Mr. Muller, Mr. Gilbert second) to approve the tentative agreement between the Town of Weston and Weston Town Dispatchers Local 1303-212 of Council 4 AFSCME, AFL-CIO for the period July 2010-June 2013 as presented passed by unanimous vote.

ADJOURN: At 10:06 pm, a motion to adjourn the meeting (Mr. Gilbert, Mr. Muller second) passed by unanimous vote.

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Respectfully submitted

Judy M. DeVito
Administrative Assistant
Approved 12/02/10