

Board of Selectmen's Meeting

January 7, 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 7:30pm

Pledge of Allegiance-

Accept the resignation of Steven Ezzes from the Panel of Moderators effective immediately. Mr. Gilbert made a motion to accept the resignation of Steven Ezzes from the Panel of Moderators effective immediately. Mr. Muller seconded and the motion passed unanimously.

Discussion/decision regarding the appointment of Marcia Bittner as Weston's representative to the Western Regional District Board of Directors for a term to expire January 1, 2013. Ms. Bittner said that she has been the representative for the Southwestern Regional Tourism District for about 3 ½ years. The state has removed funding from Fairfield County and is combining them with the Litchfield/Waterbury District.

The new district will be the Western Regional District. The Fairfield County District had 13 towns and now there will be 62 towns, all with equal voting. The funding has been cut about 60% so far and they are being told that it make be totally gone in July. The new district has not met so they do not know how it is going to work. They have been told that none of the staff in Fairfield County will be kept on. They have gone from their district getting \$900,000 down to \$275,000 for this year. In the past every town had one vote and the cities had two and now everyone will have one vote.

Mr. Muller asked if there is no more funding; will the organization cease to exist? Ms. Bittner answered that the organization will continue. The people from Fairfield County that have been on the Board realize the importance to drive visitors in. They are looking into forming an independent association and do not know yet how that will be funded.

Mr. Muller made a motion to appoint Marcia Bittner as Weston's representative to the Western Regional District Board of Directors for a term to expire January 1, 2013. Mr. Gilbert seconded and the motion passed unanimously.

Discussion/interview/decision regarding reappointment to the Board of Ethics for Denise Massingale-Lamb and John A Negroni for a term to expire December 31, 2011.

Ms. Massingale-Lamb- said that she has lived in Weston since 1989 and has served on the Parks and Recreation Commission and has been a member of the Democratic Town Committee. She is a non practicing lawyer and was Eastern Counsel to the Directors Guild of America. While she was there she handled all of the arbitrations for members against ABC, NBC, and other major studios. She was also in charge of the disciplinary committee. Prior to that, she was a prosecutor in Bergen County, NJ for three years.

She has been on the Ethics Commission for two terms. The commission is limited in its purview. She said that her background has been good because they are a small town and often times there are issues that should not be before the Ethics Commission. She felt that she was good at pointing out their standings and wanted to continue serving on the commission.

Juan Negroni – Mr. Negroni said that he has been on the Board of Education and the Panel of Moderators. He had been doing work for Deloitte Touche for approximately five years. He was involved in developing an ethics program and then delivering it 251 times throughout the United States and Puerto Rico. Because of the expertise that he developed he felt that his volunteer work would be best served by being on the Board of Ethics. He has enjoyed working on the Board of Ethics and would like to continue.

Mr. Gilbert made a motion to reappoint Denise Massingale-Lamb and Juan Negroni to the Board of Ethics for a term to expire December 31, 2011. Mr. Muller seconded and the motion passed unanimously

Discussion regarding Emergency Management- Mike Ferullo

Mike Ferullo said the role of emergency management in Weston is to help the Town prepare for, respond to, recover from and mitigate any type of circumstances or consequences from a man made or natural disasters. They do that through working with non governmental organizations, working with boards and municipalities and other departments within the Town. They do regionalize some of the emergency management operations.

The Board of Selectmen by statute and the First Selectman by statute serves as the head of any incident in the Town of Weston that is not relegated or delegated by statute. If Ms. Weinstein is away she has the right to pass that responsibility and the authority down.

Mr. Muller asked if that power supersedes any operating procedures that may be in place for any entity in Town like the fire department, police etc. Sgt. Ferullo said if we were involved in that type of a situation, we would be standing at the unified command. The unified command would be bringing the heads of all the organizations, emergency services, public works and they would make a unified decision. However, the final decision is the First Selectman.

Mr. Muller asked who makes the determination that it is an emergency. Sgt. Ferullo said that a local incident is triggered by him as the Emergency Management Director. Mr. Gilbert asked who would be part of the emergency response team. Sgt. Ferullo said initial response is going to come out of emergency services. The situation will determine who takes the lead. When we had the fire recently, Chief John Pokorny took the lead.

Mr. Gilbert asked if we would have a practice drill. Ms. Weinstein said we have had many practice drills and the basic structure stays the same regardless of what the incident is. The players may change but the structure stays the same.

Sgt. Ferullo suggested that they go out to the FEMA website and take ICS 100, 200, 700 and 800. They are online courses and will give you a background.

Mr. Muller asked what happens if something is a state or regional issue. Sgt. Ferullo said that would go out automatically from the Ct. Department of Emergency Management Homeland Security. Information will come out from our regional coordinator which right now is Bob Cain. If something happens we would open our Emergency Operations Center.

Sgt Ferullo said he was elected yesterday to serve as the chair for the Region 1 Emergency Planning Team.

Discussion/decision regarding award of contract for Valley Forge Bridge Project to Guerra Construction Co. in the amount of \$1,961,999. Mr. Landry said that State DOT has two approvals that they have not yet given. One is for the minority business list submitted by the contractor which was given to them on December 17, but it has not been approved. The other list was the inspectors from the McGuire Group and they have not approved that list. Mr. Landry said he has gotten an extension from the contractor and at the next Board of Selectmen's meeting the state should have the approvals in place and you will be asked to approve the contract that night.

Discussion/decision regarding a supplemental appropriation request of \$2,890 for temporary Social Services Position- Charlene Hillman.

Ms. Weinstein said that Ms. Hillman's casework has been increasing dramatically. They feel the best way to address it is for Charlene to have some temporary case work help to help her over the hump.

Ms. Hillman said that the case load had jumped dramatically since April 2008. The case load has increased in two ways. The numbers have increased and each individual case is far more complex, where they need more service. The frequency of her involvement with each case is much greater. It is time consuming and both she and her assistant are part-time and she needs more case work hours.

Mr. Muller asked if because of manpower anyone had been turned away. Ms. Hillman said no, but delayed. Mr. Muller asked how delayed. Ms. Hillman said she has four seniors currently who requested a home visit in late summer. Her busiest time starts in

September when the heating program opens up and it runs through until April when the heating programs close down. She said she has not been able to go out to see the seniors but she knows they are okay because she has spoken to them and keeps up with them.

Ms. Weinstein said that the Warm-Up fund is now requesting that all their clients take whatever state funding is available before they are processed through the Warm-Up fund. Ms. Hillman said the state has to approve of you as an intake worker. The fuel program takes a long time to get one person through. A home visit will probably take 2 ½ to 4 hours. Those 4 hours is a huge chunk of her weekly time so she needs a case worker who can visit with real expertise.

Mr. Muller made a motion to approve a supplemental appropriation of \$2,890 for the purpose of adding a temporary Social Services Position. Mr. Gilbert seconded and the motion passed unanimously.

Discussion/decision regarding the Fuel Efficient Vehicle Ordinance. Mr. Gilbert said when you think about tax relief, whenever an individual is advantaged by change another individual is disadvantaged and so providing a benefit here creates a problem. Is there a clear social benefit here? He really did not think there is. He really did not see a need for the program because it does not change behavior and when one person is advantaged by a tax policy, someone else pays for it.

Ms. Weinstein said that she voted against the ordinance when it was first presented. However, it was an ordinance that passed the Board of Selectmen and she has to support the decision that they made as a team. The purpose of rewriting the ordinance was not really to discuss the merits of whether the ordinance should or should not be passed. The problem was the minutes did not match what the ordinance said and she felt that it was unfair to people who purchased cars expecting the tax break or didn't know they were entitled, and did not get it. The change would be for people who were not able to apply and would now have the opportunity to apply.

Mr. Muller said that he would add to the comments that Ms. Weinstein made that this is a behavior changer. What we are seeing is tax policy impacting longer term decisions, not immediate decisions. We need to look at the bigger picture, the cost of the benefit. He said by taking this step we are showing the Town is supporting the goals that are at the state and national level and we are doing our part to encourage them.

Mr. Muller made a motion to approve the amended Fuel Efficient Vehicle Ordinance as discussed. Mr. Gilbert seconded and the motion passed unanimously.

Discussion/decision regarding the Tax relief for the Elderly Ordinance. Mr. Muller made a motion to approve the Tax Relief for the Elderly Ordinance. Mr. Gilbert seconded. Ms. Weinstein said that Mr. Bliss had brought up the way interest is calculated and that the change would be from simple interest to compounded interest. Mr. Gilbert said that he did see why we would want to increase the expense of the program. After

some discussion it was decided that Mr. Landry would get some examples of the two different calculations and bringing it back to the next Board of Selectmen's meeting.

Mr. Muller made a motion to table the discussion/decision for the Tax Relief for the Elderly Ordinance. Mr. Gilbert seconded and the motion passed unanimously.

Discussion/decision regarding First Selectman's authorization to sign ARRA certification relative to Old Hyde Paving Project.

This was already approved and when it was voted on, they [previous Board of Selectmen] authorized Woody Bliss instead of just the First Selectman so now we need to change the language to authorize Ms. Weinstein as the signature.

Mr. Gilbert made a motion to authorize the First Selectman to sign the Certification under section 1511 of the American Recovery and Reinvestment Act relative to the Old Hyde Road Paving Project. Mr. Muller seconded and the motion passed unanimously.

Discussion/decision regarding authorization of First Selectman to sign state contract regarding Old Hyde Road Paving Project.

Mr. Muller made a motion to authorize the First Selectman to sign the agreement between the State of Connecticut and the Town of Weston for the construction, inspection and maintenance of Old Hyde Road Paving Preservation utilizing federal funds under the American Recovery and Reinvestment Act of 2009 Public Law 111-5. Mr. Gilbert seconded and the motion passed unanimously.

Mr. Landry said the actual grant to us is \$263,600.

Discussion/decision regarding goals of the Board of Selectmen- Ms. Weinstein said she would like to have a discussion as to what it is they want to accomplish as a board. Mr. Muller said that we really want to pay close attention to how the planning development is coordinated and more importantly communicated. He said we should monitor it closely.

As we go through the next four months we need to make very clear that we are listening to what we are hearing from people in Town. He also said that he is interested in greater access for pedestrians where possible along certain thoroughfares in Town. We have a lot to do to encourage participation between different interest groups in Town. Specifically, he would like to see the elderly get more involved with their building sharing with the school campus.

Mr. Gilbert said his goals were Health and Welfare; to be sure the Emergency Management team is fully operational. Maximize the effectiveness of Weston Social Services outreach programs and work with Westport Weston Health District.

Maximize Financial Responsibility- Develop a two year plan and update the five year financial administrative, governmental and physical needs of the town plan as required by

the Town Charter. Also assure the effective delivery of town services while holding property tax increases to zero.

Energy Conservation – Work with the town’s building committee, sustainability committee and the school system’s David Lustberg to reduce our energy consumption and cost. Ms. Weinstein said that David Lustberg met with Sharon Shattuck and it was a very successful meeting. Letters will be going out to Town Hall employees sometime in the next six weeks with ways that we can reduce our energy cost, reminding employees to turn the thermostats down when they leave. Sharon has also changed the way that she backs up her computer system so that you can turn off your computers when you leave for the weekend. They are working on it so you would only leave your computers on only two nights when you leave.

Regionalization- Any move to regionalization that threatens Weston’s autonomy, mutes the impact of our voice in the region’s affairs or shifts cost from the State of Connecticut to our town must be effectively avoided. Mr. Gilbert said he also wanted to resolve the LaChat property’s maintenance issues and closure on the viability of a town cemetery.

Ms. Weinstein said that they all seem to be on the same page. A lot of her goals on a broad basis is listening to what people have to say and doing a little better in terms of communication. The Board of Selectmen must start working closer with other boards. She feels it is important for all three of them to know what is going on.

Update Selectmen on regional and statewide issues. Ms. Weinstein said that two of the meetings she went to this month were the CCM Legislative meeting and they had the Office of Policy and Management talk about the outlook for the State. The full power point presentation is on the OPM website.

Essentially what they said was that the outlook for the State is bleak. They are not looking for any sort of upturn in the State financial outlook until 2012, 2013 at the very least. Unemployment in Connecticut is still on the rise. Weston does not operate in a vacuum and we are part of a State and Federal Government and all of that impacts what happens here.

Ms. Weinstein also attended the SWRPA’s MPO meeting. Jeb Walker was voted in as chair and Gordon Joseloff as vice chair. They talked about whether the Regional Planning Agency and the MPO should combine voices and form a counsel of government. Ms. Weinstein said we will have a special meeting with Board of Selectmen and Planning and Zoning. Margaret Wirtenberg who represents the Town and Tom Failla who represents Planning and Zoning will guide a conversation to discuss pro’s and con’s.

Request for property tax refunds

CAB East LLC	\$1,612.36
CAB East LLC	\$1,494.56
CAB East LLC	\$747.57

CAB East LLC	\$574.49
GMAC	\$1,574.71
GMAC Automotive bank	\$1,126.61
GMAC	\$913.45
Saab Leasing Co.	\$869.39
BMW Financial	\$716.69
Douglas or Candace DeBarger	\$516.33
Toyota Financial	\$483.47
Nissan Infiniti	\$378.75
Mercedes Benz Financial	\$255.06
Bradley C. Stern	\$223.12
Ernest Latham	\$207.93
Barbara Babcock	<u>\$25.62</u>
Total	\$11,720.11

Mr. Muller made a motion to refund property taxes in the total amount of \$11,720.11 as listed on the January 7, 2010, agenda. Mr. Gilbert seconded and the motion passed unanimously.

Open Items

Ongoing update

Grants- Gayle Weinstein- Ms. Weinstein said that Mr. Saltzman has gotten a lot of grant money that they have been able to use to buy a lot of new equipment to give better service as far as the meetings that are shown on TV.

Fuel Cell- Gayle Weinstein- UTC did write a letter of support to the DPUC. CL&P will not write a letter of support and they will not commit to either speaking in favor of it should the DPUC ask them.

Booster Barn- Gayle Weinstein- The bricks are up and they did have to temporarily stop some work because the weather got too cold to mix the cement. The DEP application is on its way so we should be good to go with that.

Tickler file, discuss as updated

Reimbursement from State for school projects- Tom Landry- This month or next month they will be bringing the work orders for approval to the Building Committee.

January Tax Collection- Report- Tom Landry- We are actually ½ percent ahead. A lot of people came in December to pay their taxes.

Any other business to come properly before the meeting- None

Discussion/approval of the Board of Selectmen's meeting minutes for December 3rd and December 9, 2009.

After some discussion it was decided that the minutes of December 3rd would be tabled until the next Board of Selectmen's meeting so that some corrections could be made. Mr. Muller made a motion to approve the minutes of the December 9, 2009 meeting as amended. Mr. Gilbert seconded and the motion passed unanimously.

Adjournment: At 8:45pm Mr. Muller made a motion to adjourn the meeting. Mr. Gilbert seconded and motion passed unanimously.

Respectfully submitted

Judy M. DeVito
Administrative Assistant
Approved 2/04/10