

Board of Selectmen's Meeting
February 7, 2013

Present: First Selectman Gayle Weinstein; Selectman David Muller; Selectman Dennis Tracey; Town Administrator Tom Landry; Administrative Assistant Judy DeVito; Residents.

This meeting was recorded and videotaped. Copies are available in the Selectmen's office. The meetings are available for viewing online via the Town's website.

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

Pledge of Allegiance- Julia Morledge and Colleen Moore led the meeting in the Pledge of Allegiance.

Presentation of proclamation to Susan Moran- Ms. Weinstein read a proclamation to Susan Moran who is resigning as the Republican Registrar effective March 1st. Ms. Weinstein said it has been a pleasure working with her. It is a good example of how Town government works in a non-partisan way in Weston.

Presentation from Julia Morledge and Colleen Moore regarding eliminating plastic bags in Weston. Julia and Colleen said Americans throw away 1 billion plastic bags every year and only one to three percent is recycled. They kill thousands of marine animals yearly and the bags take 1000 years to disintegrate into even smaller particles that still pollute the earth. Making plastic bags uses millions of gallons of petroleum.

Their plan is to propose to Mr. Magee owner of Peters Market the idea of using cloth bags which are reusable so you wouldn't have to keep ordering them after the initial demand. They have 150 signatures from Weston citizens agreeing that plastic bags should be banned from Weston. They do not use plastic bags in Westport and will give you 5 cents back every time you use a cloth bag. San Francisco is one of the first places in America to eliminate plastic bags. They believe that everyone in America should follow suit.

Ms. Weinstein said she would put their power point presentation on the Town website. Mr. Muller asked if they had talked to anyone in Town Center. They said that Deirdre Doran had a meeting with Mr. Magee who gave her his opinion which she relayed to them. Mr. Muller said when you're looking at putting a law into place it has to be done fairly and is there any other business in Weston that would be affected in a similar fashion. He suggested that they talk to all the store owners in Town center. He commended the girls for what they had done.

Mr. Tracey said that he was amazed at what a clear cogent presentation they gave and thanked the girls for it. Mr. Tracey asked if they have come across any communities that have encouraged the use of paper and cloth bags rather than plastic as a voluntary method. The girls said that there is a city in California where they charge 10 cents for paper bags and they think that might be a good idea in Weston as well because the owners of stores could use the money to buy more paper or cloth bags.

Ms. Weinstein said she would be happy to facilitate a conversation with Julia, Colleen, Sustainability Committee and all of the store owners that are in Weston Center and see if we can find some kind of compromise between what is being proposed and what is best for them. After that we will bring back to the board with the findings.

Discussion/decision regarding the reappointment of Julie Sidhu to the Pedestrian and Bicycle Committee for a term to expire December 31, 2014. Julie Sidhu said she has lived in Weston for over 25 years and has raised three children here and plans to stay in Town. She thinks it's a beautiful place to run, walk, and bike but she doesn't think that it is as safe as it can be. She has worked with many people in the community and they want to make this a better place for Westonites of all ages. Mr. Tracey moved to reappoint Julie Sidhu to Weston's Bicycle and Pedestrian Committee for a term to expire December 31, 2014. Mr. Muller seconded and the motion passed unanimously.

Discussion/decision regarding the reappointment of Betsy Peyreigne; Rev. Wilson; Jane Anglim Young and Cathryn Saldinger to the Veterans Affairs Committee for term to expire December 31, 2014. Mr. Muller moved to reappoint Betsy Peyreigne, Rev. Bernard Wilson, Jane Anglim Young and Cathryn Saldinger to the Veteran's Affairs Committee for a term to expire December 31, 2014. Mr. Tracey seconded and the motion passed unanimously.

Discussion/Decision regarding extending the term of the Legal Review Committee
Ms. Weinstein said that the Legal Review Committee has not finished their mission. Their term expired on January 31, 2013 and the Committee has asked for an extension. Mr. Tracey moved to extend the term of the Legal Review Committee to May 16, 2013. Mr. Muller seconded and the motion passed unanimously.

Discussion/decision regarding the appointment of Laura Davidson as Weston's representative to serve on Western Connecticut Convention & Visitors Bureau Board of Directors for a term to expire December 31, 2015. Laura Davidson said she has a Public Relations firm in New York City called Laura Davidson Public Relations and she specializes in travel and tourism. She has been doing this for over 25 years and understands tourism and would like to represent Weston. As part of the Board, she would like to help influence some of what they are doing on the marketing communications side. Mr. Tracey moved to appoint Laura Davidson as Weston's representative to serve on Western Connecticut Convention & Visitors Bureau Board of Directors for a term to expire December 31, 2015. Mr. Muller seconded and the motion passed unanimously.

Discussion/Decision regarding the purchase of 48 Norfield Rd, by the Town of Weston. Ms. Weinstein said the property is on the corner of Norfield Road and was formally George Guidera's law office. She has been having conversations with the bank that currently owns the property and she wants to bring it to the public to see if the residents in the Town of Weston are interested in purchasing the property. The bank is

looking to sell it to the Town of Weston for \$750,000 which she feels is a fair price and would complete the corner of the property that we have here.

Mr. Muller said there were components in the plan of development where they talked about with P&Z about the need to ensure access and availability years down the road. Allowing that property to come to the Town would be a solid way of ensuring access for future generations to a contiguous property that would serve for Town Government and other purposes.

Mr. Tracey said he agreed with Mr. Muller's sentiment in general. If we are going to think about how the Town should look, and how it should work, having that piece of property would fill in a gap. This is an opportunity that we have to pursue, but at the same time, in times of tight budgets and decreases in population in the schools and excess capacity, we really have to think carefully about an overall plan for the use of our town properties and to make sure that we are using them in the most efficient way and the least expensive way possible. He's in favor of pursuing this, but he is more interested in developing properties that can be used for the benefit of the entire community like Lachat. He wanted it on the record that from his standpoint this agreement does not bind us to purchase the property and if it does not go through the various approvals we have no liability to the seller.

Ms. Weinstein said that the Town Attorney recommended the Memorandum of Agreement because she didn't want that we go through our process and then the bank sells it out from under us. Ms. Weinstein went through the process that would have to take place before we could purchase the property. At the first meeting in March the first item on the agenda would be public comment on the purchase because she feels it's really important that we get input from the public regarding if we should proceed with the 8-24 and the purchase of the property.

The Board of Education announced that because of the Newtown tragedy they were taking off the table giving the Town space at North House. The employees at the annex have been there for 13 years and the useful life of the building is 10 years. We have to think about what we are going to do with those employees and if we can find a way to bring land use back to this side of the campus, it would make sense to do so. The property is in a historic district and we will be obligated to go to the Historic District Commission.

The topic of selling the Jarvis property and use the proceeds to help fund the purchase of the Guidera property. Right now, Parks and Recreation is in the Jarvis house, but it is really not appropriate for office space use. We should bring to the Town two questions 1. Do the residents of the Town favor purchasing the Guidera property. 2. Do the residents of the Town favor the sale of the Jarvis property? And if so, should the purchase of Guidera property be contingent on the sale of the Jarvis property.

Mr. Saltzman said what troubles him is that they haven't done their engineering study. He has heard there is no insulation in the walls. It needs a lot of pre fixing. You need to find out what it's going to cost you besides the \$750,000 to move a body into the building

Julie Sidhu said she things this is an opportunity where the time has come and she hope with due diligence we purchase it. Mark Harper said that many of locals feel that it's the only piece of property that would complete the entire 90 acres that the Town owns on this side of the road and it would connect everything together. He is not too happy about selling the Jarvis property but is in favor of buying the Guidera property. Lucy Bowden congratulated Ms. Weinstein on what she had done in getting us this far.

Ms. Weinstein said she would like to start publicizing this. We will have this as the first item on the March 7th agenda for public comment. This will have to be a community decision so feel free to send emails to the Selectmen.

Discussion/decision regarding amendments to the current firearms ordinance.

Mr. Tracey said in looking through the 1990 ordinance, they have identified some areas which needed updating. Some of the definitions used were out of date, some were inconsistent with Connecticut State law so they decided to take a look at it and make sure that it is updated and relevant for today. Most are not very significant and really are technical. It essentially retains the structure and balance that it has had for the last 22 years.

The existing firearm ordinance applied to what was called all other weapons which included a variety of different things which was very broad and vague so they took that out. The definitions have been conformed to Connecticut State Law. There is a provision in the ordinance for the use of firearms for self-defense which was not consistent with Connecticut State Law so changes were proposed to that. In the ordinance there was a provision that nothing in the ordinance should be construed as being inconsistent with any state law and we added federal law as well.

Ms. Weinstein read through the proposed ordinance. Mr. Tracey passed on to the Selectmen some comments that he received from members of the public. Ms. Weinstein said that once the proposed changes are made the document would be put on the website.

Mr. Muller said we are not going to have a gun problem in Weston until we have a gun problem. He thinks that not discussing it, not considering it, not deliberating and not involving the public in that discussion would be negligent on the Boards part. Most communities that have had the terror inflicted on them didn't have a gun problem until they had one. It is incumbent on the Board of Selectmen that they do consider this.

Senator Toni Boucher said that she thought that what the Selectmen were doing was very valuable and it's important for them to listen to the community as well.

Ms. Weinstein said all three Selectmen felt very strongly about the storage requirement. It is very difficult on the municipal level to put laws in place that impact storage. After conversations with the Town Attorney, she found out that we can put a preamble in place that recommends securing firearms which would not be a legal requirement but she thinks it reflects what our community would think is important. After working on the wording it will be brought back to the next meeting.

Mr. Muller moved to schedule a public hearing on changes to the Firearms Ordinance on March 21st at 7:00pm in the Town Hall Meeting Room. Mr. Tracey seconded and the motion passed unanimously.

Request for property tax refunds:

Elizabeth Murray	\$5,686.47
Porsche Leasing LTD	\$1,935.93
Ally Financial	\$1,932.43
CAB East LLC	\$703.60
Richard Shiekman	\$181.93
Thomas Robbins	\$106.05
Chase Auto Finance	<u>\$98.24</u>
Total	\$10,644.65

Mr. Muller moved to approve property tax refunds in the amount of \$10,644.65 as listed on the February 7th Board of Selectmen's agenda. Mr. Tracey seconded and the motion passed unanimously.

Open Items

Updates

Grants- Gayle Weinstein- No new news. Ms. Weinstein said the Governor is proposing a change in the municipal motor vehicle tax. One scenario is removing the vehicle tax totaling on vehicles under \$28,500 and another proposal is to exempt the first \$20,000 of every car. If the first case scenario goes through it would decrease the revenue by 1,977,614.

Personnel Handbook- This item will be discussed at the next Board of Selectmen's meeting.

Any other business to come properly before the meeting. None

Discussion/approval of the Board of Selectmen's meeting minutes of January 17, 2013. Mr. Tracey moved to approve the minutes of the January 17, 2013 Board of Selectmen's meeting as presented. Mr. Muller seconded and the motion passed unanimously

Executive Session- Proposed settlements to the DPW filed grievance and prohibited practice charges related to Kevin Lane.

At 9:17 Mr. Muller moved to enter into executive session to discuss the proposed settlement to the DPW filed grievance and prohibited practice charges related to Kevin Lane. Ms. Weinstein said they would come out of executive session to vote. Mr. Tracey seconded and the motion passed unanimously.

EXECUTIVE SESSION:

ATTENDANCE: The meeting was convened at 9:19 pm in the First Selectman's Office by Chairman Weinstein, with Selectmen Muller and Tracey present. Also in attendance was Town Administrator Landry.

DISCUSSION: Mr. Landry explained the terms of the tentative agreement negotiated with the highway union to settle both the filed grievance (2013-MA-0117) and the prohibited practice charge (MPP-28859) filed for actions relative to the assignment and compensation of DPW employee Kevin Lane. No votes were taken.

ADJOURN: At 9:38 pm, a motion (David Muller, Dennis Tracey second) to adjourn executive session and resume in open session passed unanimously.

DPW AGREEMENT: At 9:39 pm, the Board voted unanimously (Dennis Tracey motion, David Muller second) to approve a negotiated grievance and unfair labor practice settlement agreement (attached) between the Town and the Weston Highway Employees Union dated January 30, 2013.

ADJOURN: At 9:40 pm, a motion (David Muller, Dennis Tracey second) to adjourn the meeting passed by unanimous vote.

Respectfully submitted

Judy M. DeVito
Administrative Assistant
Approved 3/21/13