

Board of Selectmen's Meeting

September 15, 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 7:31pm

Pledge of Allegiance-Hal Mathews led the meeting with the Pledge of Allegiance

Discussion/decision regarding the appointment of Eileen Kaufman to the Weston Sustainability Committee for a term to expire June 30, 2012. Ms. Kaufman is very interested in environmental issues. Her second degree is in environmental economics. She worked for the NYC Department for Environmental Protection and was involved with water supply and sewerage treatment issues.

Mr. Gilbert made a motion to appoint Eileen Kaufman to the Weston Sustainability Committee for a term to expire June 30, 2012. Mr. Muller seconded and the motion passed unanimously.

Discussion/decision regarding the reappointment of Mike Falbo to SW CT EMS Council for a term to expire December 31, 2011. Mr. Falbo said the committee discusses procedures and policies that they would recommend to each EMS organization. There are at least ½ dozen Towns represented and they meet once a month.

Mr. Muller made a motion to reappoint Mike Falbo to the SW CT EMS Council for a term to expire December 31, 2011. Mr. Gilbert seconded and the motion passed unanimously.

Discussion/decision regarding forming an informal committee to assess the Town's administrative space needs. Ms. Weinstein said that one of the issues she would have liked to see addressed in the Town Plan was a strategic plan for our administrative space needs. She feels we need to make some decisions about the Communications Center and the Police Department. The annex which houses the Land Use Department is getting up there in age. She feels that we need to get a handle on what some of our administrative space needs will be in the future.

Ms. Weinstein suggested we bring in some experts that have been involved in the community for a long time who really could help us frame the questions, so we can bring it to the next step which would be forming a town wide strategic planning committee to assess our needs. She spoke with Glenn Major, Hal Shupack and Joe Fitzpatrick who have all agreed to do this.

Ms. Weinstein is proposing forming an informal committee made up of Mr. Major, Mr. Shupack and Mr. Fitzpatrick to assess the Town's administrative space needs. "Informal" meaning that we are not ready to open it up to the community until we can frame the questions that we want asked.

Mr. Gilbert made a motion to form an informal committee composed of W. Glenn Major, Hal Shupack and Joseph Fitzpatrick to assess the Town's administrative space needs. Mr. Muller seconded and the motion passed unanimously.

Open Items

Ongoing updates

Grants- Gayle Weinstein- No new news

Booster Barn- Gayle Weinstein- We received the Certificate of Occupancy today after we passed the water quality test.

Tickler File, Discuss as updated

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

Request for property tax refunds:

Eric A. & Beth M. Foertsch	\$3,059.86
James V. & Christine R. Schnurr	\$2,845.00
Edward & Eileen Subotich	<u>\$521.34</u>
Total	\$6,426.20

Mr. Muller made a motion to approve property tax refunds in the amount of \$6,426.20 as listed on the September 15, 2010 agenda. Mr. Gilbert seconded and the motion passed unanimously.

Discussion/decision regarding a resolution on Fiscal Year 2011 salary increases for the Board of Education administrators. After much debate and a second vote, the increases approved by the Board of Education for the Superintendent, the Assistant Superintendent of Curriculum and Instruction and the Director of Finance and Operations will remain. Mr. Gilbert feels that it would be good if the Board of Selectmen could agree on what they truly believe are reasonable increases.

Mr. Gilbert feels the best thing the Selectmen could do would be to come to closure on what he truly believes is a reasonable increase for the superintendent. His sense was 4%. 2% from the previous year was an obligation and we had to accept that. The Board of Education believes that the Superintendent deserved an equity adjustment so Mr. Gilbert said 1% for that and another 1% increase for this year. We could say that his general increase for this year is 1% and that is a good position to be in for a lot of reasons.

If we did that, we would have to look at the increase for the Assistant Superintendent and the Director of Finance. Mr. Gilbert felt 3% was the right number there. 2% deferred from last year, which is part of a former agreement and 1% for this year. Our position would be that the three key people in the district all receive 1% for this year. The Board of Selectmen could discuss it and then come to closure on what they felt would be viable.

If we do not do that, the probability is that while a lot of well intended objective constructive criticism was exchanged with the Board of Education, those increases become history and we would have lost an opportunity to change that, and make a very positive statement for the Town in terms of what the increases should look like.

Ms. Weinstein pointed out that the contracts were already signed.

Mr. Muller said Mr. Gilbert's comments were well intentioned. However, the proposal itself shows a lack of understanding of the structure of municipal government and the responsibilities of the established boards. The proposal directly contradicts Connecticut General Statutes; specifically sections 10-153 b, 10-220, 10-222 and the most relevant section 10-157 which directly addresses the Board of Educations responsibility to hire, evaluate and set the salary of the Superintendent.

The proposal also directly contradicts the Town of Weston charter specifically sections 3.2 (j) and section 8.3 which delineate what responsibility the Board of Education has and what responsibility the Board of Selectmen has. The proposal ignores the reality that there is a signed contract in force and he does not take lightly the concept of breaching that contract no matter how much he disagrees with the terms. The proposal shows a lack of understanding of the role of the Board of Selectmen and the Board of Finance and statements made by members of both boards as well as the published opinion of our First Selectman and our three former First Selectmen.

Plucking a number of 4% from the air as a new suggested salary increases is out of touch with reality and that it accepts the concept of "deferral" of last year's increase, instead of what we were all led to believe, which was that they agreed to " forgo" that amount. There is no analysis of why that number is more appropriate. I think it is just an attempt to pacify the public by proposing a number that is lower than the one that promulgated so much outrage.

The parties involved had an opportunity from day one to respond to the outcry both in this forum, in other forums, and in The Forum. Any change to the contract must come from the parties involved. Mr. Muller referred to an article where the Superintendent in two districts in the area, New Milford and Danbury, both voluntarily agreed, after their contract were signed to rescind their approval. There is nothing that this board needs to do to require that, that opportunity has existed and still exists.

Ms. Weinstein said that Mr. Muller summed up what she was thinking. She gave Mr. Gilbert some of the pertinent statutes that state the Board of Education's responsibility to

fix the Superintendent's salary as well as the fact that the Board of Selectmen has very little control over what the Board of Education does by State Mandate. Our job is not to tell other boards and commissions what to do, but to facilitate dialogue so that those other boards and commissions understand what people in this Town are thinking and feeling. We need to now move forward.

Mr. Gilbert said that both Mr. Muller and Ms. Weinstein abrogated their responsibility. Mr. Muller called the question. Ms. Weinstein seconded the motion. Ms. Weinstein and Mr. Muller voted in favor of calling the question. Mr. Gilbert against.

Discussion/approval of the minutes of the September 2, 2010, Board of Selectmen's meeting. Mr. Muller made a motion to approve the minutes of the September 2, 2010 Board of Selectmen's meeting. Mr. Gilbert seconded and the motion passed unanimously.

At 8:10 Mr. Gilbert made a motion to enter into executive session. Mr. Muller seconded and the motion passed unanimously.

Executive Session- Contract Negotiations

ATTENDANCE: The meeting was convened at 8:13 pm in the First Selectman's Office by Chairman Weinstein, with Selectmen Muller and Gilbert present. Also in attendance was Town Administrator Landry.

DISCUSSION: The meeting was called to provide a general update to Board members on the status of labor negotiations with the Dispatch, and Highway units, and to specifically review a tentatively reached agreement with the Dispatch unit for fiscal years 2010-11 through 2012-13. No votes were taken.

ADJOURN: At 8:39 pm, a motion (David Muller, Dan Gilbert second) to adjourn executive session and resume in open session passed unanimously.

ADJOURN: At 8:40 pm, a motion to adjourn the meeting (Dan Gilbert, David Muller second) passed by unanimous vote.

Respectfully submitted

Judy M. DeVito
Administrative Assistant
Approved 10/07/10