

## **Board of Selectmen's Meeting**

**November 5, 2009**

Present: First Selectman Woody Bliss; Selectman W. Glenn Major; Selectwoman Gayle Weinstein; 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.**

Mr. Bliss called the meeting to order at 7:34pm

**Pledge of Allegiance-** Mr. Bliss lead the meeting with the Pledge of Allegiance.

Mr. Bliss presented Selectman W. Glenn Major with a proclamation and proclaimed November 5<sup>th</sup> as Glenn Major day.

**Discussion/decision regarding the appointment of Andi Luciano Fine to fill the vacancy (Christine Fulton) on the Commission for the Arts for a term to expire June 30, 2010.**

Andi Luciano Fine said she moved to Weston about five years ago and wants to serve on the Arts Commission to give back to the community. She is an Artist doing work at Silvermine.

Ms. Weinstein made a motion to appoint Andi Luciano Fine to fill the vacancy of Christine Fulton on the Commission for the Arts for a term to expire June 30, 2010. Mr. Major seconded and the motion passed unanimously.

**Discussion/decision regarding the reappointment of Nancy McCormick to the Westport/Weston Health District for a term to expire December 31, 2012.** Mr. Major made a motion to reappoint Nancy McCormick to the Westport/Weston Health District for a term to expire December 31, 2012. Ms. Weinstein seconded and the motion passed unanimously.

**Discussion/decision regarding moving Roland Poirier as an alternate on the Historic District Commission to fill the vacancy of ( Pat Powers) for a term to expire December 31, 2010.** Mr. Poirier said that he has been a resident for 16 years. One of his passions has always been history and the Historical Society is one of the things that he really likes. He has been serving as on alternate on the commission for a couple of years.

Ms. Weinstein made a motion to remove Roland Poirier as an alternate on the Historic District Commission to fill the vacancy of Pat Powers for a term to expire December 31, 2010. Mr. Major seconded and the motion passed unanimously.

**Mr. Major made a motion to add to the agenda discussion/decision regarding the appointment of Lisa Brodlie as Weston's representative to Trout Brook Valley Land**

**Management for a term to expire December 31, 2011. Ms. Weinstein seconded and the motion passed unanimously.** Ms. Brodlie said that she has been a Weston resident for 41 years. She is a registered nurse and worked as the school nurse. Her children all went through the Weston School System. She was the co-founder of the Norfield Children Center, Treasurer of the Westport Community Band and Vice President of the Aspetuck Land Trust.

The Trout Brook Valley Land Management is co-managed by the State, Aquarion, and the Aspetuck Land Trust, who is responsible for actually physically managing it. It must have a Weston resident on it, and since she was at the meeting and there was no Weston resident, they asked if she would do this and she said, "Yes".

Mr. Major made a motion to appoint Lisa Brodlie as Weston's representative to Trout Brook Valley Land Management for a term to expire December 31, 2011. Ms. Weinstein seconded and the motion passed unanimously.

**Discussion/decision regarding the reappointment of Dave Ungar, Ernie Albin, Paula Pendleton, Mark A R Cooper, Broderick Corey Attra, Sally Harold and Brian Thompson to the Water Quality Management Committee for a term to expire June 30, 2011.** Mr. Major made a motion to reappoint Dave Ungar, Ernie Albin, Mark Cooper and Sally Harold to the Water Quality Management Committee for a term to expire June 30, 2011. Ms. Weinstein seconded and the motion passed unanimously.

**Discussion regarding Fuel Cell- Don Gary-** Don Gary said that they were informed the end of last week that the Connecticut Clean Energy Fund (CCEF) has finalized its review of the pre-application for the Weston Schools fuel cell project and the project will be eligible for the maximum CCEF grant of \$1,000,000 and they have invited us to make a formal application.

We are working with the UTC which has given us a draft of their energy services agreement which is being reviewed by Kenneth Bernhard and they have agreed in principal to the following:

They will put the fuel cell in at their cost and they will then lease it to us as part of their energy services management agreement. They will not only install the project, but service it and maintain it including stack replacement, if necessary, during the entire fifteen- year contract.

The 400 kw fuel cell will provide about 95% of the electricity needed for both the High School and the Middle School, all of the heat needed for the pool and the Middle School, a significant amount of the heat and hot water for the Middle School during the winter months, and all of the air conditioning for the Middle School in the summer. The cell will eliminate about 900 tons of CO<sub>2</sub> per year.

Mr. Gary said that there is one item left and that is why they cannot come to the Board of Selectmen with the specific on what they think the cost savings are going to be. The one

item involves electrical metering and CL&P. He said about a month ago they had asked the board for \$9,200 to initiate a study by CL&P. They have not spent the money yet and, if things go as they expect them to, they will not spend the money.

The issue is two meters versus one meter. Right now the practice at CL&P is they will only allow one meter to deal with the excess electricity that is put back into the grid. We currently have separate meters at the Middle School and the High School. We expect to have periods of time during the day and periods of time during the year, when the fuel cell would generate more electricity than we could use. There are other times we would use more than we are generating. We need a back and forth flow between both the High School and the Middle School.

Mr. Bliss and Mr. Gary met with the CL&P Regional Director to see if there was an electrical reason that they could not simply accumulate the usage of two meters from an accounting point of view as opposed to actually having to connect them. It was determined that they did not an engineering issue. It was basically a regulatory issue. They then went to the DPUC where they met with the Vice Chairman of the DPUC and an engineering person and presented the case. What we propose to do is simply totalize two meters and not have to physically connect them.

Mr. Bliss and Mr. Gary requested a ruling so that we could then proceed. They were told that if they put a written request together the DPUC would expedite it. They have put together a request for a ruling and gave it to the DPUC at the being of last week. Mr. Gary said out of a total cost of about 3.5 million this is about a \$900,000 issue. If we can reduce the cost of construction and implementation from 3.5 million to 2.6 million we still get the million dollar grant, and we will substantially lower the monthly energy services charges that we get from UTC.

We are looking at a rough estimate of no cost to the Town and probably somewhere in the neighborhood of \$1.5 to \$3 million worth of energy savings over the next 15 years. As soon as they are able to put the last piece together, they will come to the Board of Selectmen, Board of Finance and Board of Education for final approval, so that we can move ahead with the installation.

The Selectmen thanked Mr. Gary for all the work he has done with this.

**Discussion/decision regarding the Staples Guardian Fund- Ann Malin-** Tabled to the next Board of Selectmen's meeting

**Discussion/decision regarding year end transfers for fiscal year 2008-2009.-Rick Darling-** Mr. Darling said in June they had gone to the Board of Finance for a supplemental appropriation in anticipation that they would run into a deficit on the operating budget. The Board approved a supplemental appropriation of up to \$140,000 to cover a potential deficit in operating account. Since then they have had some favorable experiences particularly in the legal line item.

Mr. Darling said that in general administration there was a deficit of \$30,000, and in the pension line item of \$78,000, because we did the pension settlement with four employees. The legal budget was over by \$81,000 which is less than what we have transferred in prior years. Public works had a deficit of close to \$50,000, that was previously reported, because of the snow removal cost. Solid Waste Disposal incurred a deficit and \$50,000 of it was covered from the general fund even though the deficit was about twice that amount.

There were positive balances in health insurance. Mr. Major said with regard to the police department overtime, while he understands the need, there is a frustration there, because we had an extra police officer for the course of the year. He said even though we were short staff for a period of time, it was disconcerting to see that the police department ran a deficit of \$9,100. Mr. Landry said with the officer here for September and October the overtime is still about \$46,000.

Ms. Weinstein made a motion to transfer \$62,615.26 from the general fund to cover year end transfers for fiscal year 2008-2009. Mr. Major seconded and the motion passed unanimously.

**Discussion/decision regarding the Food Pantry- Stephan Grozinger and Glenn Major.** Mr. Major explained the changes in the draft lease agreement. A big addition was that it would take a Town Meeting to terminate the lease. Mr. Major said that since this is a lease, it will have to go to a Town Meeting for approval.

Ms. Weinstein said that Ken Bernhard sent her some comments. One of his concerns was an 8-24, which we did already get. Mr. Bernhard was still worried about the 30 year lease, but Mr. Major said given the caveats that we put in the lease it was okay. We do need a schedule A attached to the lease. Mr. Major said he would send Mr. Bernhard's suggestions to Mr. Grozinger so he could make the changes.

Mr. Major made a motion that the Board of Selectmen authorize its then First Selectman to enter into the lease agreement as presented subject to putting it into proper form as suggested in the Town Attorneys email of November 5<sup>th</sup> at 11.16am, subject to a Town Meeting. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Major made a motion to set a Town Meeting for November 19<sup>th</sup> at 7:00pm in the Town Meeting Room for purposes of holding a Town Meeting to approve the lease agreement between the Town of Weston and the Weston Food Pantry LLC. Ms. Weinstein seconded and the motion passed unanimously.

**Discussion/decision regarding an amendment to the Fuel Efficient Vehicle Ordinance- Martin Strasmore.** Tabled to the next Board of Selectmen's meeting

**Discussion/decision regarding and amendment to the Tax Relief for the Elderly Ordinance.** Tabled to the next Board of Selectmen's meeting

**Discussion/decision regarding proposal to amend the existing gift policy-Woody Bliss.** Mr. Bliss said that this is to formalize the change to language in the policy as to what happens to the money that comes from an estate which has a proviso in it that they can recall the money.

Mr. Major made a motion to adopt the modified gift policy as per the print out dated 11/2/ 2009. Ms. Weinstein seconded and the motion passed unanimously.

**Discussion/decision regarding EECBG grant application authorization-Tom Landry**

Mr. Landry said that they need to authorize the First Selectman to sign application and then accept a grant of award when it comes. Mr. Landry said he wants to replace our old condenser air conditioner units. A tentative equipment list is attached to the minutes. The application is due November 19, 2009.

Mr. Major made a motion to authorize the First Selectman to sign the grant applications for EECBG grant money in accordance with the tentative equipment list as presented and further to sign any grant awards which may be received. Ms. Weinstein seconded and the motion passed unanimously.

**Request for property tax refunds**

<b>BMW Financial</b>	<b>\$2,547.13</b>
<b>BMW Financial Services</b>	<b>\$1,781.52</b>
<b>CAB East LLC</b>	<b>\$1,233.59</b>
<b>Mercedes Benz Financial</b>	<b>\$949.56</b>
<b>Toyota Financial Services</b>	<b>\$742.67</b>
<b>Volkswagon Credit</b>	<b>\$704.68</b>
<b>Albert Hallac</b>	<b>\$688.05</b>
<b>Saab Leasing Co.</b>	<b>\$373.02</b>
<b>Chase Auto Finance</b>	<b>\$346.36</b>
<b>Jane L Broder</b>	<b>\$51.47</b>
<b>Honda Financial Services</b>	<b>\$26.57</b>
<b>Chrysler Financial Services</b>	<b><u>\$25.76</u></b>
<b>Total</b>	<b>\$9,470.38</b>

Mr. Major made a motion to authorize the First Selectman to make property tax refunds in accordance with the agenda items for a total of \$9,470.38. Ms. Weinstein seconded and the motion passed unanimously.

**Open Items**

**Ongoing update**

Food Pantry Lease- Woody Bliss- Going to a Town Meeting on November 19<sup>th</sup>.

FAA- Woody Bliss- Attorney General Richard Blumenthal is working on this.

Grants- Gayle Weinstein- No new news

Fuel Cell- Woody Bliss- Update given earlier by Don Gary.

Tax Relief- High Mileage Automobiles- This item will be discussed at the next Board of Selectmen's meeting.

**Tickler file, discuss as updated**

Reimbursement from State for school projects- Tom Landry- Mr. Landry said we received a box with about 80 change orders yesterday. It is the vast majority of everything that is outstanding.

Booster Barn- Woody Bliss- Foundation was poured and the mason is scheduled to get started as soon as the floor is poured. Mr. Landry said that DEP has yet to determine whether the Booster Barn was included on the map submitted to them when the Zenon plant was permitted. The map that we have shows it on there, so they are going through their stuff. If, in fact, it is not part of that it is unclear whether we would have to make a formal application to revise the permit to allow the booster barn to be hooked into the Zenon plant..

Lachat- W. Glenn Major

January Tax Collection- Report- Tom Landry

Fund Balances- Mr. Landry said that we have backup for everything, but one. The next step is to go through and determine what a reasonable carrying amount will be for all of those accounts. Mr. Major asked who is going to do the assessment of what is needed to carry forward and what can be used otherwise. Mr. Landry said that will have to be done through the budget process.

Mr. Bliss made a motion to add to the agenda discussion of the suit involving the Bridgeport project. CRRA processing center. Mr. Major seconded and the motion passed unanimously.

Mr. Bliss said he received a letter from Tom Kirk, CRRA President, and we got a check for over \$20,000 as part of our joint settlement. Mayor Mark Lauretti from Shelton has indicated that there may be some more money coming.

**Any other business to come properly before the meeting- None**

**Discussion/approval of the Board of Selectmen's minutes of October 15, 2009.**

Mr. Major made a motion to approve the Board of Selectmen minutes from the October 15, 2009 meeting as amended. Ms. Weinstein seconded and the motion passed unanimously.

Mr. Major thanked Mr. Bliss for his eight years of service as First Selectman and two years of service as Selectman. You have really taken the Town through a lot of issues. He said that the Town has been very fortunate to have you. Ms. Weinstein said she wanted to thank both Mr. Bliss and Mr. Major and it had been a pleasure working with the two of them. Mr. Bliss thanked Mr. Major for his many contributions and for the privilege of working with him over the last eight years.

At 8:30pm Mr. Major made a motion to adjourn the meeting. Ms. Weinstein seconded and motion passed unanimously.

Respectfully submitted,

Judy M. DeVito  
Administrative Assistant  
Approved 11/19/09