

OFFICE OF THE
FIRST SELECTMAN

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William F. Brennan
First Selectman

Harold E. Clark
Second Selectman

Alice L. Ayers

Richard F. Creeth

Susan A. Bruschi

TOWN HALL
238 Danbury Road
Wilton, CT 06897

BOARD OF SELECTMEN'S REGULAR MEETING
May 21, 2007

MINUTES

Present: William F. Brennan, Harold E. Clark, Alice L. Ayers, Richard F. Creeth, Susan A. Bruschi

Others: Pat Sesto, Director of Environmental Affairs; Tom Thurkettle, Director of Public Works; Bob Root, Building Inspector; Joe Dolan, Chief Financial Officer; Sarah Taffel, Director of Human Resources, Labor Relations & Administrative Services;

Guests: Carol Russell, Marian Wulffleff, Jonathan Foltz, Jerre Dawson, Kevin Quinlan, Tierney O'Hearn, Scotty Taylor, Historic District Commission; Charlie Flynn, Wilton Land Trust; Karen Birck, Board of Education; Gary Richards, Superintendent of Schools; Steve Hudspeth, Judy Zucker, John Ingersoll, Roger Valkenburgh, Peter Kaskell, Independent Committee on Ethics; Ruth-Ann Flynn, Colleen Fawcett, Paul Burnham, residents; Jerrod Newman, The Villager; Brian Shea, The Bulletin

First Selectman Brennan called the meeting to order at 7:24 p.m.

A. Consent Agenda

A MOTION was made by Mr. Brennan, seconded by Mr. Creeth and unanimously carried to approve the consent agenda as follows:

Gifts

- One thousand dollars (\$1,000.00) from WJH Productions, LLC to the Parks and Recreation Department.
- One thousand dollars (\$1,000.00) from Kiwanis to CERT for radio equipment and high visibility lighting.

B. Discussion and/or Action

1. Consideration of approving the revision to the Historic District ordinance to include Historic District #6.

A MOTION was made by Mr. Creeth, seconded by Mr. Clark and unanimously carried to approve the revision to the Historic District ordinance to include Historic District #6.

2. Consideration of reducing the number of members on the Deer Committee from nine to seven as explained in Pat Sesto's memorandum dated May 8, 2007.

Ms. Sesto explained that the workload of the committee is declining and that as it is now with nine members, it is difficult to make a quorum.

Ms. Ayers congratulated the committee for implementing successful deer reducing programs.

A MOTION was made by Mr. Brennan, seconded by Ms. Bruschi and unanimously carried to reduce the number of members on the Deer Committee from nine to seven as explained in Pat Sesto's memorandum dated May 8, 2007.

3. Consideration of approving fee increases for Police and Fire private duty, transfer station tipping fee and various building department fees as outlined in the attached memoranda.

Police and Fire Private Duty

Mr. Brennan explained that the request is to change the fee from a set dollar amount to a percentage, which is consistent with surrounding towns.

Mr. Dolan noted a correction in his memorandum (fourth paragraph, second line – replace “plus” with “including”). He stated that the 5% fee would apply to only the officer's time, not social security and Medicare. Mr. Dolan added that the FY08 budget assumes a 5% fee.

A MOTION was made by Ms. Bruschi, seconded by Ms. Ayers and unanimously carried to approve the administrative fee change for police and fire private duty as outlined in Joe Dolan's memorandum dated May 14, 2006.

Transfer Station Tipping Fee

Mr. Thurkettle stated that the increase would be only to the collector's fee increasing it by \$3 to \$88/ton.

A MOTION was made by Mr. Clark, seconded by Ms. Ayers and unanimously carried to approve the collector's transfer station tipping fee increase from \$85/ton to \$88/ton effective July 1, 2007.

Post meeting note: Mr. Thurkettle's May 15th memorandum should have read “effective July 1, 2007”, not “July 1, 2008”.

Building Department Various Fees

Mr. Root commented that the proposed increases are comparable to other towns.

A MOTION was made by Mr. Brennan, seconded by Ms. Ayers and unanimously carried to approve the schedule of building permit fees effective July 1, 2007 as outlined in the summary.

4. Report from the Wilton Land Trust on the Schenck's Island restoration activity and future plans.

Mr. Beebe read an opening statement giving the background of the project.

Ms. Sesto explained that the Conservation Commission and the Land Trust co-manage the project and have an excellent working relationship.

Mr. Flynn distributed a document outlining the sequence of work on Schenck's Island over the last three years and two maps showing the various stages. He announced that the Land Trust was recently notified that the project is eligible for a WHIP grant through NRCS.

Ms. Mucci reviewed the restoration work and reasoning behind the phasing.

Mr. Brennan asked if the plans include adding specific species of trees. Ms. Sesto stated that the intent is to open the area up and reduce the number of trees.

Mr. Brennan questioned if the river will be visible from the sidewalk. Mr. Flynn responded that selective trimming will be done to open up "windows" to the river.

Mr. Clark asked about the future plans for reducing deer ticks and poison ivy. Mr. Flynn stated that the overall tick population has been reduced because of the clearing. Ms. Sesto commented that to completely eliminate the ticks, the area would have to be converted to lawn and pesticides would have to be used. Ms. Mucci added that the poison ivy will be reduced when trails are established.

Ms. Mucci stated that the plans for the next two years will be to continue removing invasive species and the mowing of the meadow.

5. Review and discussion of the draft proposal from the Independent Committee on Ethics.

Mr. Hudspeth introduced the members of the Independent Committee on Ethics and thanked Ms. Taffel for her invaluable input throughout the process. He distributed and reviewed the summary of the proposed code of ethics (attached).

Mr. Clark questioned how the Committee defined a "de minimus financial interest." Mr. Hudspeth replied one which would have a small impact and would not have an influence on a decision. Mr. Valkenburgh added that it would give the Council some discretion.

Mr. Creeth commended the committee on the readability of the document.

Mr. Brennan referred to page 4, the disclosure and recusal section and asked who the person would disclose the conflict of interest with. Mr. Hudspeth replied to either the Board/Commission or if an employee, his superior. He agreed to clarify the avenues of disclosure in the document.

Mr. Clark questioned time guidelines for a complaint. Mr. Hudspeth stated that some time limits are in the code, but stated that the Committee did not want to create a situation where the Council would be under the gun to make a decision.

Mr. Hudspeth stressed the importance that the Council members must be at all hearings in order to vote on the complaint. Ms. Ayers commented that such a rule is essential because of the huge responsibility of the Council.

Ms. Bruschi referred to page 7, the issuance of advisory opinion section and asked for clarification on the last sentence (Advisory opinions shall be available to the public except as prohibited by law). Mr. Hudspeth explained that some information cannot be disclosed because of Freedom of Information.

Mr. Clark questioned the procedure in the event of a Council member's term expiring in the middle of a pending matter. Mr. Hudspeth stated that the Council member would continue to serve until a determination is made.

Mr. Clark asked if an elected officer is found to have violated the code, would the Board of Selectmen have the right to remove the officer from office. Mr. Hudspeth responded most likely not, but that the Selectmen can sanction the officer other ways.

Mr. Burnham stated, as he has experienced, the Council would not want to prolong the process. He asked for clarification on some sections of the proposed code.

Mr. Brennan outlined the future process as follows:

- discuss proposed code at next Board of Selectmen's meeting (June 4) and schedule a public hearing
 - public hearing with members of the Independent Committee on Ethics in attendance
 - Selectmen and Independent Committee on Ethics meet to discuss comments at public hearing and make revisions if necessary
 - Selectmen review final draft
 - Selectmen vote to adopt new code
 - notify all officials and employees of new code and have signed acknowledgement
6. Consideration of reappointing Captain Robert Crosby to the Southwestern Regional Communications Board of Directors for a one year term ending May 30, 2008.

A MOTION was made by Ms. Bruschi, seconded by Mr. Brennan and unanimously carried to reappoint Captain Robert Crosby to the Southwestern Regional Communications Board of Directors for a one year term ending May 30, 2008.

C. Public Comment

No public comment.

D. Reports

1. First Selectman's Report

Upcoming schedule

June 4	BOS regular meeting	Elderly Tax Relief report
June 18	BOS regular meeting	Comstock Building Project
July 2	BOS regular meeting	League of Women Voters Town Government Report
July 16	BOS regular meeting	
August 6	BOS regular meeting	Library Trustees
August 20	CANCELLED	
Sept. 4	CANCELLED (rescheduled to September 5)	
Sept. 5	BOS special meeting	
Sept. 17	BOS regular meeting	

Library meetings:

August 6, 2007 - BOS meeting
November 7, 2007 - subcommittee, at library
February 4, 2008 - BOS meeting
May 12, 2008 - subcommittee, at library
August 4, 2008 – BOS meeting
November 5, 2008 - subcommittee, at library

A MOTION was made by Mr. Brennan, seconded Ms. Ayers and unanimously carried to add one item to the agenda pertaining to the Comstock Building Committee.

Mr. Brennan explained that the Comstock Building Committee was formed over 1 ½ years ago, has been inactive and never met. He suggested that the committee be reformulated to include members with certain skills and expertise. Mr. Brennan reported that the names of the new committee would be discussed at the next meeting, but commented that Chris Pagliaro and David Stern have agreed to be co-chairs. A vote to form the new Comstock Community Center Building Committee will be taken at the June 4th Board of Selectmen meeting.

A MOTION was made by Mr. Brennan, seconded by Mr. Clark and unanimously carried to dissolve the Comstock Building Committee.

2. Selectman's Report

Press Conference

Mr. Clark discussed the press conference that was held on Tuesday, May 15.

A MOTION was made by Mr. Brennan, seconded by Ms. Bruschi and unanimously carried to adjourn to executive session at 9:43 pm.

Mr. Brennan reconvened to open session at 9:50 pm.

A MOTION was made by Mr. Brennan, seconded by Mr. Clark and unanimously carried to request a \$150,000 supplemental appropriation from the Board of Finance Charter Authority to cover costs associated with an uninsured legal claim.

F. Adjournment

A MOTION was made by Mr. Creeth, seconded by Ms. Bruschi and unanimously carried to adjourn the meeting at 9:51 pm.

Respectfully submitted,

Sandra Lund
Recording Secretary