

OFFICE OF THE
FIRST SELECTMAN

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William F. Brennan
First Selectman

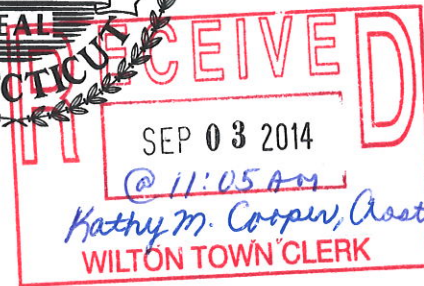
Harold E. Clark
Second Selectman

Ted W. Hoffstatter

Richard J. Dubow

James A. Saxe

TOWN HALL
238 Danbury Road
Wilton, CT 06897



**BOARD OF SELECTMEN REGULAR MEETING
MONDAY, AUGUST 18, 2014
MEETING ROOM B, WILTON TOWN HALL**

PRESENT: **BOARD OF SELECTMEN** – First Selectman Bill Brennan, Ted Hoffstatter, Richard Dubow, Hal Clark

ABSENT: James Saxe

GUESTS: Chief Ron Kanterman, Deputy Chief Mark Amatrudo, FF Michael Blatchley and members of the Fire Department and Fire Commission, Chief Michael Lombardo, Deputy Chief Robert Crosby and members of the Police Commission, Brian McDermott, Sandy Dennies, Jacqueline Rochester

OTHERS: Members of the Press, Members of the Public

Mr. Brennan called the meeting to order at 7:30 p.m.

A. Consent Agenda

Upon motion by Mr. Clark, seconded by Mr. Dubow, the consent agenda was approved as follows:

Minutes

- Board of Selectmen Meeting – July 21, 2014

Gifts

- Mary Ann Ragland for Wilton Senior Center - \$100.00
- Anonymous Donation for Wilton Senior Center - \$1000.00
- Orem's Diner of Wilton for K-9 Unit - \$500.00

Mr. Brennan thanked the above for their generous contributions.

B. Discussion and/or Action

1. Firefighter Recognition Ceremony of FF Michael Blatchley
Chief Kanterman gave an overview of events that led to FF Michael Blatchley quick action in saving the life of CERT member Brian McDermott during an incident that took place on July 12, 2014 at the Wilton Town Fair. FF Blatchley was commended for his heroic efforts.
2. Consideration of request for funding of Police Department lead exposure clean-up to resolve existing OSHA violation
Chief Lombardo gave a brief review of the request for funding to hire a consultant firm for help with the clean-up of lead exposure found at the Police Department. Three companies gave proposals for getting the work done and upon recommendation from Barry Bogle, our Health Director and Sarah Taffel, have chosen the company HYGENIX, Inc. Both Mr. Bogle and Ms. Taffel are familiar with, and have worked with HYGENIX, Inc. in the past. The Police Department is looking for approval from the Board of Selectmen to hire HYGENIX Inc. for their proposed services with regard to the lead exposure clean-up. Motion made by Hal Clark to authorize First Selectman Brennan to sign the work authorization for HYGENIX, Inc. to perform the services outlined in their proposal. Motion seconded by Ted Hoffstater, unanimously passed.
3. Lease – Board of Education Computer Equipment – Webster Bank
Sandy Dennies gave a review for the three year Lease/Purchase Agreement and Schedule of Property for Computer Equipment for the Board of Education. The Lease/Purchase Agreement and Schedule is with Webster Capital Finance. The agreement and schedule has been reviewed by Town Counsel. Motion made by Bill Brennan to approve the Master Equipment Lease/Purchase Agreement and Schedule of Property dated August 7, 2014. Motion seconded by Dick Dubow, unanimously passed.
4. Town of Wilton Financial Report – S. Dennies
Sandy Dennies gave a status report on the FY14 Budget (memo attached). Ms. Dennies is confident the year will end in the black.
5. Ken Bernhard's – Response to Mrs. Lowthert Complaint dated June 15, 2014
First Selectman Brennan read a statement (attached) from Town Counsel Ken Bernhard in response to Mrs. Lowthert Complaint dated June 15, 2014. Board expressed confidence in Town Counsel and his statement. No further action required.
6. Resolution – Yankee Gas Easement Agreement and An Assignment of Easement Rights
Mr. Brennan reviewed summary to take action to authorize First Selectman Brennan to sign a Gas Easement Agreement and An Assignment of Easement Rights on behalf of the Town of Wilton and to authorize First Selectman Brennan to sign the revised Yankee Gas Service Agreement for the Comstock Center. Motion made by Hal Clark to have the Board of Selectman approve both a Gas Easement Agreement and An Assignment of Easement Rights as

proposed and set out in the Project Development Agreement dated July 22, 2014 between the Town of Wilton and Yankee Gas Services Agreement and that the Board of Selectmen authorizes the First Selectman to execute said easement agreement and said Assignment of Easement Rights on behalf of the Town of Wilton.

Motion seconded by Dick Dubow, unanimously passed. Motion made by Hal Clark to have the Board of Selectmen approve a revised Yankee Gas Service Agreement for Comstock Center as recommended by legal counsel and the Board of Selectmen authorizes the First Selectman to execute said revised agreement on behalf of the Town of Wilton. Motion seconded by Dick Dubow, unanimously passed.

7. Status of Capital Projects

- Yankee Gas – Installation going very well. Very pleased with results to date. Installation complete on Kristine Lilley Way. Biggest concern was having completion of installation in the school areas before school started. Installation is also done in the business area. Yankee Gas is waiting on permit approval from DOT to be able to continue installation from Catalpa Road up to the High School. Follow up meeting will be taking place with Yankee Gas as soon as feasible.
- Comstock – Waiting on building designs from architects. PCB's survey reports have been completed. Boiler conversion process has been outlined.
- Miller Driscoll – Brochures being distributed regarding communication sessions with the community to take place before presentation at Special Town Meeting. Community outreach to take place in early September.

8. Appointments/Reappointments

Mr. Brennan moved to appoint Keith Rodgerson to a two-year term as a representative on the Economic Development Commission. Motioned seconded by Mr. Dubow, unanimously carried.

9. Miscellaneous Other Business

Yankee Gas – Regular posting of construction area updates on The Town Website as well as in the Press. Yankee Gas has sent updates every week as planned. Have only received one complaint on the whole process to date.

Yankee Gas was very successful in getting individuals and businesses to sign up to be connected to the main line (70% to date). Will be encouraging Yankee Gas at next meeting to get laterals installed to limit potential for digging up Town roads in the future. Incentive to get laterals installed now. Currently considering a moratorium after road has been repaved, which would mean no more laterals could be installed after a certain date in order to maintain the integrity of the road for at least 2-3 years.

Route 33 Maintenance – Caution on delays taking place on Route 33 in Westport, Norwalk and Wilton due to nighttime milling and resurfacing project taking place now through September 13, 2014.

Danbury Branch of New Haven Commuter Line – Work this coming weekend and the weekend of August 28 on the Danbury Branch of the New Haven Commuter Line. Information can be found on the Town Website.

C. Public Comment – None.

D. Reports

First Selectman Report

Economic Development Commission is on the agenda for September 2, 2014 Board of Selectmen meeting.

Selectmen Reports:

Mr. Dubow – None

Mr. Clark – One major security improvement has been completed at the schools.

Mr. Hoffstatter – None.

E. Adjournment – Having no further business, the meeting was adjourned at 8:35 p.m.



Jacqueline Rochester, Recording Secretary

FINANCE DEPARTMENT

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TOWN HALL
238 Danbury Road
Wilton, Connecticut 06897

August 14, 2014

To: Board of Finance

From: Sandra L. Dennies, CFO

Re: FY 14 Budget Status Report – Not Final

Attached please find the August 14, 2014 status report of the FY 14 budget. The Town has until August 30, 2014 to close the books on the fiscal year ended June 30. The auditor then has the opportunity to make correcting Journal Entries and they complete their audit later in the fall. At this time, there remains additional entries to make for the FY 14 fiscal year.

Revenues:

Taxes are on target with 100.95% having been collected for the end of the fiscal year. The breakdown shows that current taxes have been collected at a 100.22% rate with motor vehicle supplemental tax collections (139.49%) and back tax collections (233.87%). Interest and Lien fees also reflect a 176.13% collection. This heightened return is due to a number of deferrals being repaid this year.

Education Intergovernmental revenue collections are at 137.87% as the majority of educational intergovernmental revenues were collected late in the second half of the fiscal year. School construction principal collections at 224.71% and interest at 113.51% are greater than budgeted due to the closing of three 2002 school construction grants. The grant projects are being audited by the State so that some of the revenues that have come to the Town may need to be recognized as payables to the State based upon their audit findings.

Town Intergovernmental revenues also reflect that stronger State collections occur in the second half of the fiscal year with 113.46% collected. This reflects all revenues greater than originally budgeted except the Pequot Pilot funds for which a final grant payment was less than anticipated by \$787.36.

Licenses, Permits & Fees are better than anticipated with 135.24% collected to date. The Town's greatest collections have been in Conveyance Tax (\$738,049.02) with the collections from a \$19.2 million commercial sale at 372 Danbury Road and another \$39.7 commercial sale at 5 River Road, a \$84,752 penalty paid on farm land that was sold within the 10 year period defined

in the statutes, and on the sale of two large homes in Wilton. In the Other Town Clerk Fees categories Sport Licenses are slightly down by \$27.00 or 77.50% as they are available to purchase online from the State, Recording Fees are down (\$18,096.00 or 86.08%) as most refinancing has been completed, and Farm fees are also down (\$1825.00 or 81.75%) as they are tied to the recording fees paid.

Planning and Zoning revenues have already surpassed budget by approximately \$1,332. The Finance Department's Alarm Registration (new higher fee and the cleanup of outstanding violations has brought in approximately \$26,755 more than the \$12,000 originally budgeted. Dial-A-Ride is up by \$870.00 or collections at 117.40% as is Application Fees for Environmental Affairs. They are seeing 146.81% collections, however, they estimate that that is based on the new fee structure as the number of applications is low compared to prior years. The Environmental Health Permits/Fees total \$36,958.50 or a collection rate of 215.50%: Health Department issues those permits and it has seen the increase due to the new increased fees effective July 1, 2013 and the fact that Wilton has added a number of new food service establishments over the past several months. This coupled with increased plan reviews and a more timely method of fee collections has the Health Department bringing in additional revenues.

Other Revenues – The category of Other Revenues as a whole reflects a 91.28% collection. Having had the Finance Department book a prior year's \$5860 return from CIRMA, the Worker's Comp carrier, along with an unbudgeted \$9,739 State Grant for Police time spent in Sandy Hook bring Miscellaneous Revenues to collections beyond their original budget. Also, a significant number of Police Permits have been issued bringing that to \$2,405 above the \$2,600 budget and the \$8,000 budgeted Athletic Fees have come at \$14,131.66 making those categories collections greater than budget as well.

Given the better than anticipated interest income of \$217,816.94 and the enhanced collections, revenues are showing good collections at the end of June at 102.03% overall.

Expenditures:

At the near year completion mark, expenditures to date total 97.21%. There remains several expenditures that are yet to be recorded to the FY 14 year as the year ends August 31.

Debt Service has experienced 99.26% completion at the fiscal year end. A total of \$9,082,492.54 was paid out for debt on bonds and for the issuance costs of bonds sold in February.

Board of Education reflects expenditure levels with 99.41% expended to date. The Finance Department has worked well with the Board of Education to address the end of year.

Board of Selectman Operating is approximately 96.11% expended. We monitor use of funds in the last months of the fiscal year to ensure that charges are being made to the appropriate year. There are a few departments/divisions for which budget cost estimates have been too low and several other departments are on the cusp of becoming over budget by the true end

of the fiscal year. All of the departments and the amounts of the over spending by each division will be better known once all of the entries are made for the year. Prime expenditures in the divisions where there is an overage are as follows:

Comstock – Heating System Repairs

Other Town Properties – Heating and air conditioning repairs

WVAC – Increased cost of worker's comp insurance

Paramedic – Cost of Medical Supplies slightly exceeded estimates

Georgetown Fire District – Increased tax for the district

Highways – Teamster's Employee Contribution to 401A and truck repairs

Tennis – Court repairs – High School and Middlebrook Courts

Parks & Grounds – Maintenance expenses (we still need to review charges for part time salary and movement of charges to the appropriate account)

Environmental Affairs – Unbudgeted legal costs for Kaiser land acquisition

Health – release of prior director and the first year of new director

Insurance – Underestimation of claims to be paid

Board of Selectman Capital -

At 70.59% expended, progress has been made in expenditures through the end of June, however, additional payments are yet to be paid. Many items have been delivered, however, the bills have yet to be paid for the month end.

Of the capital projects included in the budget, carryover of funds will occur in the Assessment/Appraisal Service, the Information Systems, Police Vehicles Use, Public Works for Sanders, Parks and Recreation Landscaping Improvements, and Board of Education Professional Services, Engineering and Architectural. There are additional payments due for payment in June, but the balance of the capital projects will allow an estimated \$25,000 to be returned to the general fund.

Charter Authority has not been drawn down to date.

MEMORANDUM

TO: The Wilton Board of Selectmen

FROM: G. Kenneth Bernhard, Wilton Town Attorney

RE: Response to Ms. Lowthert's complaint dated June 16, 2014

DATE: July 23, 2014

In her complaint, Ms. Lowthert states that I "made repeated, false, and publicly televised statements" about her and her family and their experience with the Wilton Public School Special Services experience. She then goes on to recite a series of facts about me and others, most of which I don't recognize or acknowledge as being accurate.

The best I can do to understand the basis for her complaint is that it connected with a minor, but very understandable, misunderstanding involving her demand for an investigation into the negotiations between BOE counsel and her counsel. From her public comments, I was under the impression that she was prepared to waive her attorney-client privilege in order to facilitate the investigation she was demanding. When I wrote to her counsel suggesting that she intended to waive her privilege, he replied that she would not waive the privilege. I reported this to the BOF.