

BOARD OF SELECTMEN

REGULAR MEETING

July 18, 2006

MEMBERS PRESENT: Judy Neville, First Selectman; Paul Giusti and Johnny Potts, Selectmen.

ALSO PRESENT: George Maranis, Administrative Officer; Gary Conrad, Chief Financial Officer; Cheryl Jones, Personnel Director; Tiger Mann, Senior Engineer; John Howe, Parks Superintendent; Chris Jarboe, Town Attorney, Lovejoy & Rimer; Michael Bologna, Attorney, Fitzpatrick, Fray & Bologna; Fire Chief David Jonker; Firefighter Captain Michael Socci plus eight or nine members of the New Canaan Fire Department (and guests); Police Commissioner James Cole; John Kovach, New Canaan Advertiser; John Mordecai, New Canaan News-Review.

Judy Neville called the meeting to order at 10:03 am and took the roll, noting the presence of all the Selectmen. She asked that the minutes of the Special Meeting of June 14, 2006, the Regular Meeting of June 20, 2006, and the Special Meeting of June 28, 2006 be approved. On the motion of Mr. Potts and the second of Mr. Giusti, the minutes of June 14 and June 20 were approved unanimously. On the motion of Mr. Giusti and the second of Ms. Neville, the minutes of June 28 were approved, Mr. Potts abstaining because of absence.

Mr. Mann then presented a request from the Department of Public Works to award contracts in the amounts of (1) \$178,832.50 to Deering Construction, the low bidder, for the paving of Strawberry Hill Road and Garibaldi Lane and (2) \$140,500.00 to Lani Construction, the low bidder, for the installation of drainage on Harrison Avenue. Mr. Mann described the increase in asphalt prices from \$50.50/ton last year to \$68.65/ton at present and, after some further limited discussion, the Selectmen, on the motion of Mr. Giusti and the second of Mr. Potts, unanimously approved the contract with Deering Construction. Noting the pricing of the Lani Construction contract, Mr. Giusti asked Mr. Mann to describe the nature of the drainage work on Harrison Avenue, and Mr. Mann explained in greater detail the trench work, the shoulder work, and other procedures. He also disclosed that there were no plans to repave Harrison Avenue at this time. On the motion of Mr. Potts and the second of Mr. Giusti, the Selectmen unanimously approved the contract with Lani Construction.

Mr. Howe next presented a request from the Parks Department to purchase a Toro Z-Master 28 hp mower with 60" deck from Schmidt and Serafine for \$7,434.61 under a State contract, indicating that \$8,000 had been budgeted for this item. He explained that the new mower would replace an existing one and that the Parks Department was undertaking a plan to sell some of its older and obsolete mowers on E-Bay. On the motion of Mr. Giusti and the second of Mr. Potts, the Selectmen unanimously approved the request.

The Selectmen then, on the motion of Mr. Potts and the second of Mr. Giusti, unanimously approved the appointment of J. Michael Farrell, Laszlo Papp, Harvey Kaufman, Susan Bishop, and Lucia Zachowski to the Historical Review Committee.

Next, on the motion of Mr. Giusti and the second of Mr. Potts, the Selectmen unanimously approved the appointment of Elizabeth Livingston to the Parks & Recreation Commission to fill the additional position created by the Charter Revision. The Selectmen voted to appoint Ms. Livingston to an interim term, from August 1, 2006 to December 1, 2006, with the instruction that she be reappointed at that time (so that her term would be consistent with those of the other members.)

Attorney Jarboe then presented a request that the Selectmen accept Summersweet Lane as a Town Road. He explained that all the necessary documentation had been executed, and that the Planning & Zoning Commission, at its meeting of June 27, 2006, had voted to grant the request that Summersweet Lane be accepted as a Town road, that all bond funds be released, and that the Town not pursue reimbursement of certain legal fees. On the motion of Mr. Potts and the second of Mr. Giusti, the Selectmen voted unanimously to accept Summersweet Lane as a Town road.

The proposal to sell a parcel of Town-owned land on Lukes Wood Road to Truesdale Associates was deferred to a future meeting, with Mr. Giusti expressing a desire to first inspect the property and cautioning the setting of a precedent by selling Town property of this nature. The absence of a representative of Truesdale Associates was also noted.

No discussion was held or action taken on the next item on the Agenda, "Discussion of the proposed agreement between the Town of New Canaan and Local 3224 International of Firefighters for the three-year period ending June 30, 2009. Mr. Maranis explained that he had misinterpreted certain discussions over contractual matters between the Town and the Firefighters, and had erroneously placed the item on the Agenda.

Fire Chief David Jonker then asked that the Selectmen approve an Addendum to the Agreement between the Town of New Canaan and Local 3224 International Association of Firefighters for the three-year period ended June 30, 2006. The Addendum to the Agreement, which also must be approved by the Town Council, increases the staffing level to six and modifies the sections of the Agreement dealing with callbacks and overtime. Approval of the Addendum is a prerequisite to the hiring of four firefighters to accomplish the six man staffing. Discussion ensued on the callback provisions of the Addendum, with Chief Jonker explaining the conditions under which callbacks could now be effectuated. Reference was also made to an earlier proposed Addendum to the Agreement and what distinguished that document from the present one. Attorney Jarboe indicated that an Amendment, Addendum or Change to a Collective Bargaining Agreement did require the approval of the Board of Selectmen and the Town Council and that the present Amendment (authorizing "6/6" staffing) clearly fell into that category. He opined, however, that the contents of the earlier "Amendment" (e.g., increasing staffing from "5/4" to "5/5") did not require the approval of the Board of Selectmen or the Town Council and he explained why it did not qualify as a true Amendment to the Agreement. Mr. Giusti then inquired into the impact on the budget of six man staffing, and Chief Jonker responded that, although he expected a 50% reduction in callbacks, there would be a net increase in the budget attributable to salary costs. Mr. Giusti then pointed to the annual increase in the Fire Department budget of approximately 10% from 1999 to 2007 (budgeted) and asked if "we were done" with this magnitude of increase. Chief Jonker replied that while certain events affecting the budget were unpredictable (frequency and

seriousness of fires, injuries to firefighters, etc.), that “yes” we were done. He added that the increased staffing would allow for a more predictable and manageable budget. Further discussion was held on false alarms and Insurance Services Office (ISO) ratings. Finally, Mr. Giusti asked if the hiring of the four additional firefighters could be deferred until a new agreement is reached between the Town and the Union (i.e., for the three years ending June 30, 2009), but Chief Jonker explained that all the candidates had been vetted, four had been selected, and to delay at this time would jeopardize the hiring of four very qualified candidates. Both Chief Jonker and Captain Socci stressed the safety aspect of the additional hires, pointing out the critical importance of the new personnel to the well-being of all the firefighters who daily place their lives in danger. At this point, Ms. Jones disclosed that both Dave Ryan, the Town’s labor consultant and negotiator, and Chris Hodgson, the Town’s labor attorney, had raised no objections to the proposed Addendum. Mr. Giusti then expressed his appreciation of the Firefighters and their work for the Town and, on the motion of Mr. Potts and the second Of Mr. Giusti, the Addendum was approved unanimously.

After some brief discussion, legal bills were approved unanimously, on the motion of Mr. Potts and the second of Mr. Giusti.

At this point, 11:36 am, the Selectmen voted unanimously to go into Executive Session to discuss personnel matters. Upon returning to Regular Session at 12:43 pm, the Selectmen, on the motion of Mr. Potts and the second of Mr. Giusti, voted unanimously to approve (1) the classification of David Peters of the Public Works Department as a Groundsman III (from Laborer), (2) the attendance of Parks Superintendent John Howe at an American Parks Association convention in September at a cost of \$476, and (3) the removal of Stacy Miltenberg and Sal Delucia from probationary status.

There being no further business, the Selectmen voted unanimously to adjourn at 12:46 pm.

Respectfully submitted,

George M. Maranis, Secretary