

**Board of Selectmen  
Meeting Agenda  
May 4, 2023 at 7:30 pm  
Meeting held via Zoom**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83981345707>

Webinar ID: 839 8134 5707

Join by Phone: 646 558 8656

1. Call to Order
2. Pledge of Allegiance
3. Discussion / Decision to adjust, postpone, or cancel the Board of Ethics Public Hearing
4. Discussion / Decision to refer to the Planning and Zoning Commission a Section 8-24 request for an emergency only access to Wood Hill Road, along with conditions as set forth in a memo from the Board of Selectmen to the Planning and Zoning Commission dated May 4, 2023, attached hereto
5. Discussion / Decision to approve a one year extension of all the terms set forth in the Memorandum of Understanding and Medical Insurance Incentive Plan dated December 31, 2020 between the Town of Weston and Town of Weston Volunteer Fire Department (MOU)
6. First Selectwoman's Update: Weston Center Intersection and Pedestrian Safety Improvements Project PIM
7. Selectmen Jenner Update: Senior Center Regionalization and Western New England Greenway Bicycle Route
8. Approval of Minutes from the March 24, 2023, April 3, 2023, and April 5, 2023 Special Meetings, as presented
9. Adjournment

# Item 3



## LEGAL MEMORANDUM

To: Town of Weston Board of Selectmen  
From: Ira W. Bloom, Esq.  
Nicholas R. Bamonte, Esq.  
Date: April 26, 2023  
Re: Board of Ethics – Removal  
Attach: Email from R. Israely to Board of Selectmen, 4/24/23

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On April 24, 2023, we were cc'ed on email correspondence from Ruth Israely, active member and Secretary of the Weston Board of Ethics, to the Board of Selectmen. A copy of said email is attached.

In her email, Ms. Israely makes two requests to the Board of Selectmen: (1) for a written statement of the violations that are alleged against the remaining active Board of Ethics members giving rise to the public hearing related to potential removal schedule for May 18, 2023, and (2) for a 90-day continuance of the hearing to retain counsel and prepare for the hearing. We believe the Board of Selectmen should act favorably upon both requests.

While not expressly set forth in the Charter or Code of Ethics, in Connecticut there is an established common-law right to “fundamental fairness” in municipal administrative proceedings, oftentimes referred to as a right to “procedural due process.” This right is similar, but distinct from the specific federal right to “due process of law” under the 14<sup>th</sup> Amendment to the United States Constitution.

Connecticut courts have summarized the right to fundamental fairness as follows:

During a public hearing, no one may be deprived of the right to present relevant evidence, or to cross examine witnesses produced by an adversary. In order to meet the fundamental fairness standard, all parties must have an opportunity to know the facts on which the [Board] is forced to act, and to offer rebuttal evidence. *Wahlberg v. Zoning Commission*, 2022 WL 1658097, \*6 (Conn. Super. Ct. 2022); citing *R & R Pool & Patio, Inc. v. Zoning Board of Appeals*, 257 Conn. 456, 460 (2001); *Megin v. Zoning Board of Appeals*, 106 Conn. App. 602, 608-09 (2008).

Applying those concepts of fundamental fairness to the present circumstances, all remaining members of the Board of Ethics subject to the public hearing scheduled for May 18, 2023 must be provided with notice of the violation(s) alleged against them individually, any relevant documents and/or facts upon which the Board of Selectmen may base any decision rendered regarding removal, and adequate time in order to prepare for the hearing and potentially offer rebuttal evidence.

With regard to Ms. Israely's request for a written statement of the alleged violations, we strongly advise that the Board of Selectmen articulate its grounds for considering removal "upon a finding of good and sufficient cause" under Charter Sections 7.7 and 8.5, and provide those grounds to each Board of Ethics member in writing.

In addition, we believe that Ms. Israely's second request for an extension of time is reasonable under the circumstances and would be supported by a Court. Therefore, to satisfy fundamental fairness, we similarly advise the Board of Selectmen to postpone the date of the May 18, 2023 hearing so that the current Board of Ethics members subject to the hearing have an opportunity to retain counsel, if they choose, and fully prepare.

We are happy to discuss these issues in further detail at the upcoming Board of Selectmen meeting on May 4, 2023.

**From:** Ruth Israely  
**To:** Samantha Nestor; Martin Mohabeer; Amy Jenner  
**Cc:** Ira Bloom; Nicholas R. Bamonte  
**Subject:** Requests  
**Date:** Monday, April 24, 2023 4:09:27 PM

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To the Board of Selectmen:

I write with two requests:

- (1) for a written statement of the alleged violations against the members of the Board of Ethics that would give rise to the question of whether we should be removed;
- (2) for a 90 day continuance of the May 18th hearing on the Board of Ethics so that I may have the opportunity to seek counsel and gather evidence in advance of the hearing; and
- (3) for an assurance that Ms. Jenner and Mr. Mohabeer will recuse herself from the May 18th hearing because I believe they are biased against at least me, and probably all three remaining members of the Board of Ethics

To address the first issue, given the wide-ranging comments that have been made on this topic in public meetings of the Board of Selectmen, it is not clear to me what specific violations are being alleged against myself, Ms. Grigerick, and Ms. Stripp as individuals that will form the basis for our potential removal. To remedy that unclarity, I would ask that the Board of Selectmen provide a written statement setting forth the statute, regulation, rule, or requirement was violated, a description of the specific conduct that formed such violation(s), and an identification of the individuals who engaged in that conduct, so that my fellow townspeople, Board members, and I have a clear understanding of what the subject of the upcoming hearing on removal will be.

Second, I have been informed by Town Counsel that they are not able to provide legal advice to the members of the Board of Ethics relating to the upcoming May 18, 2023 hearing because that hearing is against each member in their individual capacity. Without the above information, it is hard for me to know whether that is in fact the case, but either way, I need legal advice - and I would assume that the other targets of this proposed hearing might wish to obtain such advice as well.

Both paying for and devoting time to preparing for this hearing will pose a substantial burden on me, both financially and in terms of other resources like time. I work a full-time job that requires more than 40 hours per week as well as being a mother of two young children, limiting my spare time to devote my attention to this matter.

Therefore I would like to request that the May 18th hearing on the Board of Ethics be continued by 90 days. This continuance would give the Board of Selectmen and Town Counsel time to prepare the statement I have requested above, and also time for me (and the other members if they wish) to obtain private counsel, and for that counsel to get up to speed on this matter and prepare us for our comments, and advise us on the strength of the allegations against us. Unlike the Board of Selectmen, we have not been getting counsel at the Town's expense on this matter for a period of many months. If we are going to be burdened with paying for private counsel, we should at least be provided with the opportunity to find our own legal advice without taking time away from our jobs (which in my case will be unpaid if it must be taken) to prepare.

My search will be complicated further because the number of attorneys and firms regularly practicing municipal law are not numerous, and many may be conflicted out because of prior or existing relationships with either the Town or the parties in this matter. Therefore, part of the length of time I am requesting has to do with the fact that I will likely have to look outside of Fairfield county for counsel.

I believe that forcing volunteers into a position where they need to expend funds on private counsel and be subjected to severe consequences like removal from a Board (which may have personal consequences for the individuals removed) is likely to give others pause about volunteering in the future.

The stakes are not just high for the individual members. This hearing has the potential to cause great harm to the Town by chilling volunteerism, and as far as I am aware, there is no requirement that this hearing take place at all or that anyone be removed or otherwise penalized. A clear alternative was provided to you. Attorney Bloom made a balanced recommendation that the entire Board undergo FOIA training. The wisdom of Attorney Bloom's recommendation was borne out by your own public discussion just a few days ago at your April 19th meeting, held just minutes before voting to hold this May 18th hearing. In that discussion, all three Selectmen observed that FOIA training remains necessary for all Town officials and appointees because of how widely misunderstood FOIA is.

Nevertheless, despite Ms. Jenner's statements to me at the meeting earlier this year that the Town is being forced to expend time and legal resources "defending" the Board of Ethics, it appears to me that two members of the Board of Selectmen have decided that they wish to expend time and resources on *attacking* the Board of Ethics despite the clear and fair alternative suggested by Attorney Bloom. The insistence that this hearing should take place instead of that training appears motivated to me by something other than the best interests of the Town.

The question of the motivation for taking such extreme measures brings me to my third request: that Ms. Jenner and Mr. Mohabeer recuse themselves in the upcoming hearing as they are biased against us. Ms. Jenner stated on April 19th that she felt comfortable not recusing from the vote on whether to hold a hearing on May 18th because the targets of that hearing would not be adjudicating the pending grievance against her. However, Ms. Jenner already made public statements to me on the record at a Board of Selectmen meeting earlier this year that she is "angry" about how a grievance against her was handled. To the extent that any FOIA violation is alleged, Ms. Jenner has filed a Freedom of Information complaint against us (that the Town will presumably also have to expend resources to defend against), and is now asking us to be subjected to multiple public proceedings. It is hard for me to understand her rationale unless the explanation is her ongoing feelings of anger and her bias against us.

Similarly, Mr. Mohabeer made statements in a meeting on April 19th that he feels this hearing is necessary to send a message to the Board of Ethics that they should "dare I say, stay out of the dark side of politics." Setting aside how disturbing it was to have such a serious insinuation made about me with no explanation of his meaning, it seems to me that Mr. Mohabeer has already pre-judged this matter, ascribed a nefarious motive to us absent any evidence that I am aware of, and is biased against us.

My perception of bias and retaliation were significantly heightened when Ms. Jenner and Mr. Mohabeer approached me within moments of one another after I made public comment at an

unrelated Board of Education meeting on April 18th. This unwelcome contact came in the back of the Weston Middle School library immediately following the conclusion of that meeting as I stood with my two young elementary-aged children chatting with a friend of mine who also had a child with her. I was surprised that either of them would be speaking with me as we had never spoken in person outside of a Board of Selectmen's meeting, and until this incident I cannot actually ever recall meeting either one of them. Additionally, since the agenda for the 4/19 meeting had been posted by that time, we were all aware that they would be voting on the question of whether there would be a hearing on removal of the entire Board of Ethics just one day later.

Having both of them approach me one after the other felt intimidating. Ms. Jenner simply greeted me. Mr. Mohabeer, on the other hand, made the inexplicable statement that it was "brave" of me "to take that position in a room like this." Despite using the word "brave," his tone was not complimentary and any contact with either of them was unwelcome to me given the posture of this matter -- as well as the pending FIC Complaint that Ms. Jenner has filed against the Board of Ethics members in her individual capacity.

In conclusion, I view the upcoming hearing as retaliatory and ill-considered, particularly given Attorney Bloom's December recommendation that the remedy simply be FOIA training. But in the absence of your taking Attorney Bloom's measured and thoughtful recommendation, I feel I will be materially disadvantaged without representation if I (and my colleagues) are forced into the crucible of a public hearing on this topic without being given notice of what specifically we are defending against, and time enough to seek counsel and to prepare that defense. And because of the way this may harm the Town, I think it is best that there be no question that the process does *not* disadvantage the members of the Board of Ethics by not affording us the time to prepare, or by having the hearing be conducted by individuals who are biased against us.

I look forward to your prompt response so that we can all prevent irreparable harm from occurring for which there is no remedy other than a continuance of the date of this hearing. Please confirm you have received this and please let me know when I can expect a response.

Respectfully,

Ruth Israely

William Weiss

April 6, 2023

Board of Selectmen of Weston, CT  
56 Norfield Rd, Weston, CT 06883  
First Selectman Samantha Nestor  
Selectman Amy Jenner  
Selectman Martin Mohabeer

***RE: Resignation from the Weston Board of Ethics***

Dear Selectmen:

As a result of my 2 procedural errors regarding the Weston Code of Ethics and in noting the context of subsequent Selectmen meetings on this unfortunate matter, I anticipate I am likely not considered to be a trustworthy volunteer by the Selectmen.

I resign from the Weston Board of Ethics.

Sincerely,

A handwritten signature in black ink that reads "William Weiss". The signature is written in a cursive style with a long horizontal line extending to the right.

William Weiss



William Weiss  
99 11 O Clock Rd Weston, CT

April 2, 2023

Board of Selectmen of Weston, CT  
56 Norfield Rd, Weston, CT 06883  
First Selectman Samantha Nestor  
Selectman Amy Jenner  
Selectman Martin Mohabeer

***RE: The potential removal of current members of the Weston Board of Ethics***

Dear Selectmen:

I made a singularly stupid mistake. In my haste to deliver our Ethics Board's advisory opinion on the matter of Mark Harper's ethics complaint against Selectman Jenner, I unintentionally overlooked two important details of our Weston Code of Ethics. My Board had nothing to do with these two violations - it was my error alone.

Firstly, upon receipt of Mr. Harper's complaint, I should have notified Ms Jenner of that filing and secondly, I did not give her an opportunity to meet with and respond to the complaint with the Board prior to our determination. I'm the one who pressed "send" - the Board did not know I was going to do it. I am very sorry for this breach and apologize to Ms Jenner for the denial of her rights. I hope the Selectmen conclude that the rest of the Board were entirely innocent in this affair. It would be very wrong if pejoration is passed on them purely by association with me and my error. In all of this, there was no 'Willful malfeasance, willful neglect of duty, inability to serve, conviction of a felony, abandonment of office'. I can see, however, that it could be considered on my part only, a 'material violation of Article 10 or the Town's Code of Ethics'.

My error came not from any unethical, political or personal bias, but from 40 years as a business owner with 50 employees, where I acted swiftly on all manner of issues with the wisdom of Solomon. Now retired and a private citizen volunteering in the public sector, that former management muscle memory affected my judgment and had me acting too quickly without reviewing those two key procedural details of the Weston Code. The Board's opinion was derived and delivered improperly because of my inattention to those details.

In our politically contentious climate, some folks may be enraptured with the prospect of uncovering imaginary plots and intrigues here, but there was no hidden agenda, involvements, collusions, or political subterfuge. One can go back to September 2020 when I came on this Board and see the meeting videos<sup>1</sup> to judge my (and the Board's) comportment and character. I have never cared about, hosted, or participated in any political event. I have never met, nor do I know much of anything about Selectman Jenner, other than I must surely have caused her much unintended angst. I regret this deeply and am truly sorry for this and whatever additional turmoil it has caused the Town. It was simply my own misjudgement in wanting to get the task of rendering an opinion done quickly and what I thought to be, efficiently.

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<sup>1</sup> (<https://vimeo.com/shttps://vimeo.com/search?q=weston%20board%20of%20ethicsearch?q=weston%20board%20of%20ethics>)

William Weiss  
99 11 O Clock Rd Weston, CT

As a volunteer Board, we were appointed by and serve at the pleasure of the Selectmen. If they conclude we have no chance of redemption for my error, then I fully accept it is within their ken to terminate my service, but not that of the rest of the Board. Politically correct optics may be the driving impetus to dismiss me, but to do so would be the diminution of the spirit of community service. I wish to 'retrain' and continue my service to the Town.

In the Weston of today, is there no precedent or chance for redemption?

Sincerely,

A handwritten signature in black ink that reads "William Weiss" with a long, sweeping horizontal line extending to the right.

William Weiss  
Chair Weston Board of Ethics

## Chapter C. Town Charter

### Article 7. ELECTIONS

#### Section 7.7. Removal

An elected Official may be removed from office by the Board of Selectmen upon its finding of good and sufficient cause for such removal. The Official affected by such removal process shall be given notice thereof and an opportunity to appear and be heard at a public hearing before the Board of Selectmen. Willful malfeasance, willful neglect of duty, inability to serve, conviction of a felony, abandonment of office or material violation of Article 10 or the Town's Code of Ethics, as well as any circumstance described in Section 9.10(f), shall constitute cause for removal.

## Chapter C. Town Charter

### Article 8. APPOINTED OFFICERS, BOARDS AND COMMISSIONS

#### Section 8.5. Vacancies and Removals

- (a) Vacancies in appointed Officers, Boards or Commissions shall be filled for the unexpired term by vote of the Board of Selectmen, unless otherwise provided in the statutes, ordinance or resolution creating the same. The Board of Selectmen shall give Public Notice of any such vacancy.
- (b) Any appointed Official may be removed for (i) any of the reasons set forth in Section 7.7, or (ii) failure to attend three consecutively scheduled meetings of the Official's Board or Commission without having given the Chairman or Vice-Chairman of such entity prior notice of such absence with reasons therefor, so long as in either case the process for such removal mandated by Section 7.7 is adhered to. In addition, except as otherwise provided by law, any appointed Official (other than the Town Attorney (but see Section 8.6(a)(i), below)) may be removed from office or from membership on such Board, Commission or committee for any reason by the Board of Selectmen; provided that, if the individual is affiliated with a political party, an affirmative vote to remove such individual is cast by at least one Selectman who is of the same party as the person so removed.

# Item 4



To: Members of the Planning & Zoning Commission  
From: Samantha Nestor, First Selectwoman **DRAFT**  
Subject: Wood Hill Road Emergency Access way  
Date: May 4, 2023

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On behalf of the Board of Selectmen, I am requesting that you review and issue a positive report for the following substantial improvement to Town property located between the dead end of Wood Hill Road and School Road pursuant to Section 8-24 of the General Statutes.

The project calls for emergency access across Town property at the end of Wood Hill Road in the event of a catastrophic event on the school/municipal campus.

This access is intended to for emergency vehicle use only. The emergency access is shown on the attached site plan by McChord Engineering.

We would propose the following conditions for the emergency access:

1. The emergency access shall be constructed as set forth in the plans attached hereto.
2. The emergency access shall be permitted for thirty (30) years, subject to renewal for additional periods by the Board of Selectmen.
3. No commercial vehicles shall be permitted to use the access except for emergency reasons as approved by the Board of Selectmen.
4. The Town of Weston shall be responsible for maintenance and snow plowing of the emergency access.
5. Additional landscaping will be set forth in the plans attached hereto.
6. This proposal resolves any and all issues brought forth by the home owners abutting the aforesaid property.

We believe that this will significantly add to the safety of the students and staff on the school and municipal campus.



**McChord Engineering Associates, Inc.**

Civil Engineers and Land Planners

1 Grumman Hill Road  
Wilton, CT 06897  
(203) 834-0569

May 1, 2023

Samantha Nestor, First Selectwoman  
Town of Weston  
56 Norfield Road  
Weston, CT 06883

Re: Engineering Summary  
Proposed Emergency Access Road  
Wood Hill Road and School Road  
Weston, CT

Dear Ms. Nestor:

This office has been commissioned by the Town of Weston to prepare an engineering summary for the proposed site development associated with a new emergency access road between Wood Hill Road and School Road. The following is an engineering summary of the existing conditions and proposed development.

The emergency access road is proposed on town property. The project area currently includes a stone wall, sparse woodland, and lawn. There is a walking path that provides a pedestrian connection from Wood Hill Road to School Road. Topography on the site consists of gradual slopes that drain north. There are no existing stormwater management systems in the project area.

The proposed site development includes the construction of a new emergency access road that will connect Wood Hill Road and School Road. A portion of the existing stone wall and approximately three-to-five trees will be removed to facilitate the construction of the road. The proposed access road will be 14-ft wide and approximately 75-ft long. The road will be constructed with an NDS permeable paver system which will allow the road to have a grass surface while also having the strength to support emergency vehicles. Stones that are removed from the existing stonewall will be used to delineate the access road. The existing walking path will be relocated and removed from an abutting neighbor's property. A 14-ft wide double-swing gate with a breakaway locking mechanism will be installed in-line with the stonewall at the end of Wood Hill Road to prohibit use of the emergency access road from the public. A variety of trees (approximately eight) and shrubs are proposed to screen the access road and mitigate any disturbances caused during construction. Refer to the Planting Plan prepared by Karin's Garden Design LLC for additional information.

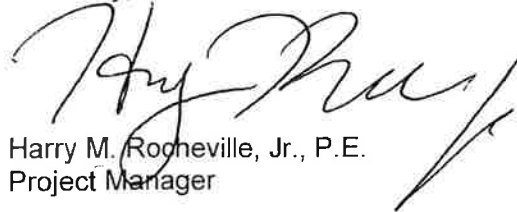
The proposed site development associated with the emergency access road maintains existing drainage patterns on site. No stormwater detention measures are required as there is no increase in impervious area since the access road is designed to have a grass surface. A gravel base below the road is designed to store and discharge runoff to a 4" perforated PVC underdrain pipe. The 4" PVC pipe will discharge to a riprap outlet north of the access road. Discharge from this outlet will follow the existing drainage patterns to the north. A sketch showing the drainage path from the project area is

attached. Prior to installation of the access road the contractor shall notify this office to inspect the underlying soil conditions. If the soils are suitable for infiltration the 4" PVC underdrain and discharge pipe may be removed. Refer to the "Emergency Road Plan" prepared by this office dated January 19, 2023, last revised April 27, 2023, for additional information.

Soil and erosion controls, including silt fence, will be employed to protect any downgradient properties and drainage systems during construction. These controls will remain in place until the site is stabilized and permanent vegetative cover has been established. Any excess material excavated from the property will be trucked away in order to minimize the amount of stockpiled material on-site.

It is the opinion of this office that the proposed site development associated with the emergency access road will have no adverse impacts to adjacent property owners or any downstream drainage systems.

Sincerely,

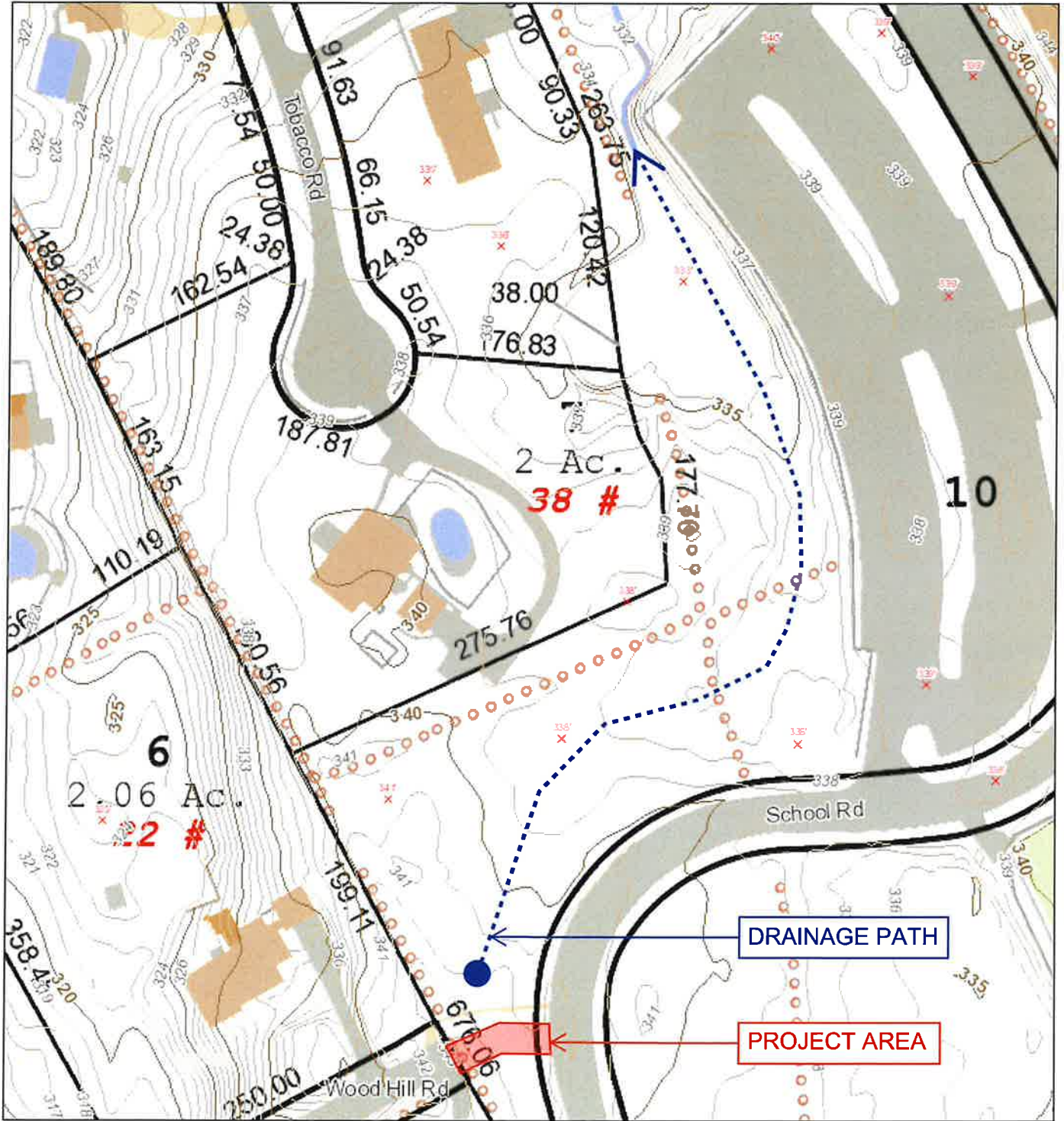


Harry M. Rocheville, Jr., P.E.  
Project Manager

Attachments

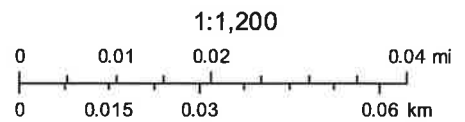


# Town of Weston, CT

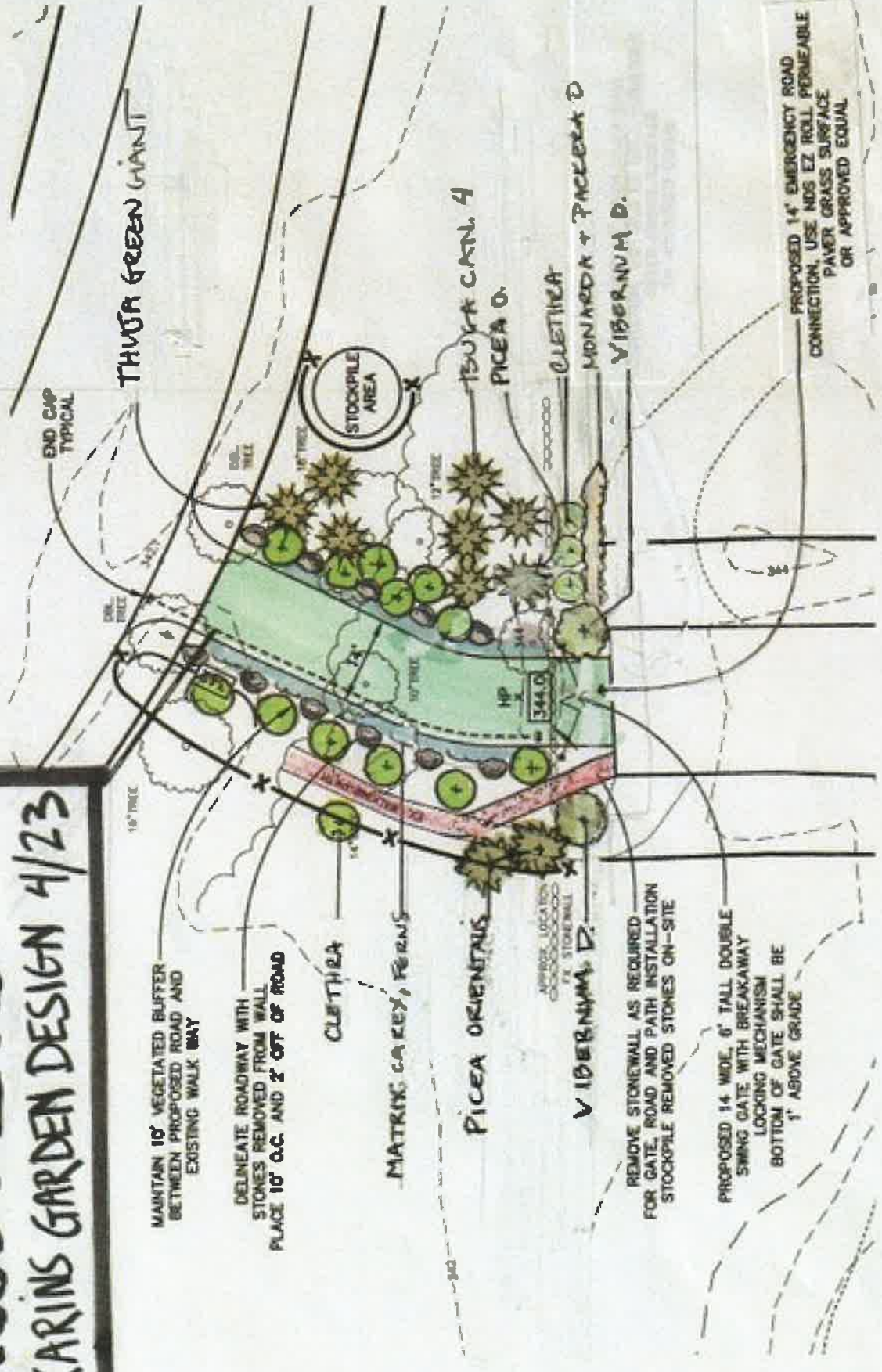


May 1, 2023

**EMERGENCY ACCESS ROAD PLAN**  
**WOOD HILL ROAD AND SCHOOL ROAD**  
**DRAINAGE PATH SKETCH**



# PLANTING PLAN WOOD HILL RD. KARINS GARDEN DESIGN 4/23



THUJA GREEN GIANT

END CAP TYPICAL

MAINTAIN 10' VEGETATED BUFFER BETWEEN PROPOSED ROAD AND EXISTING WALK WAY

CLETHRA

MATRIX CAKE, FERNS

PICEA ORIENTALIS

APPROX. LOCATION OF EXISTING 12' STONEWALL

VIBERNUM D.

REMOVE STONEWALL AS REQUIRED FOR GATE, ROAD AND PATH INSTALLATION STOCKPILE REMOVED STONES ON-SITE

PROPOSED 14' WIDE, 6' TALL DOUBLE SWING GATE WITH BREAKAWAY LOCKING MECHANISM BOTTOM OF GATE SHALL BE 1' ABOVE GRADE

BUCK CANL. 4

PICEA O.

CLETHRA

MONARDA + PACEA D.

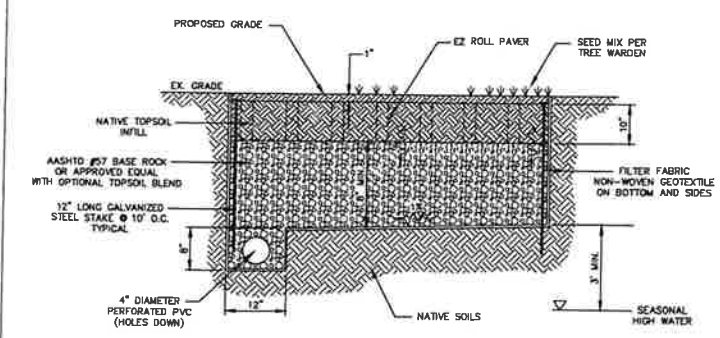
VIBERNUM D.

PROPOSED 14' EMERGENCY ROAD CONNECTION, USE NDS EZ ROLL PERMEABLE PAVER GRASS SURFACE OR APPROVED EQUAL

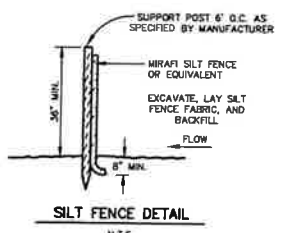


**Plant List Woodhill rd. School rd access**  
**4/29/23 (Revised)**

Scientific Name	Common Name	Quant	Remarks
<b>Trees:</b>			
<i>Picea orientalis</i>	Oriental Spruce	3	5-6'
<i>Thuja plicata</i> 'Green Giant'	Western Arborvitae	3	5-6'
<i>Tsuga canadensis</i>	Eastern Hemlock	4	6-7'
<b>Shrubs:</b>			
<i>Clethra alnifolia</i>	Summersweet	13	6 g
<i>Viburnum dent.</i> 'Chicago Luster'	Viburnum	2	3-4'
<b>Perennials:</b>			
<i>Monarda</i>	Bee Balm	14	2 varieties: Bradburiana and Marshalls Delight
<i>Packera obovate</i>	Golden groundsel	64	2 trays of plugs
	Golden Alexander	64	2 trays of plugs
<b>Grasses:</b>			
<i>Carex woodii</i>	Pretty Sedge	192	6 trays of plugs
<b>Ferns:</b>			
<i>Dryopteris marginalis</i>	Wood Fern	40	
<i>Polystichum acrostichoides</i>	Christmas Fern	40	
*Use plants native to Ct where possible. *Weekly watering as needed through 3 first seasons			



NOTE: INSTALL PER MANUFACTURERS SPECIFICATIONS.  
**EZ ROLL PERMEABLE PAVER GRASS SURFACE DETAIL**  
 N.T.S.

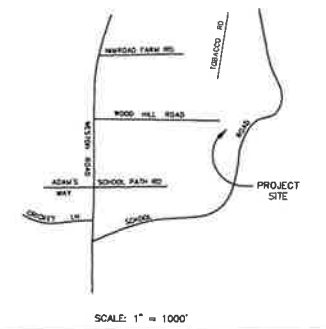
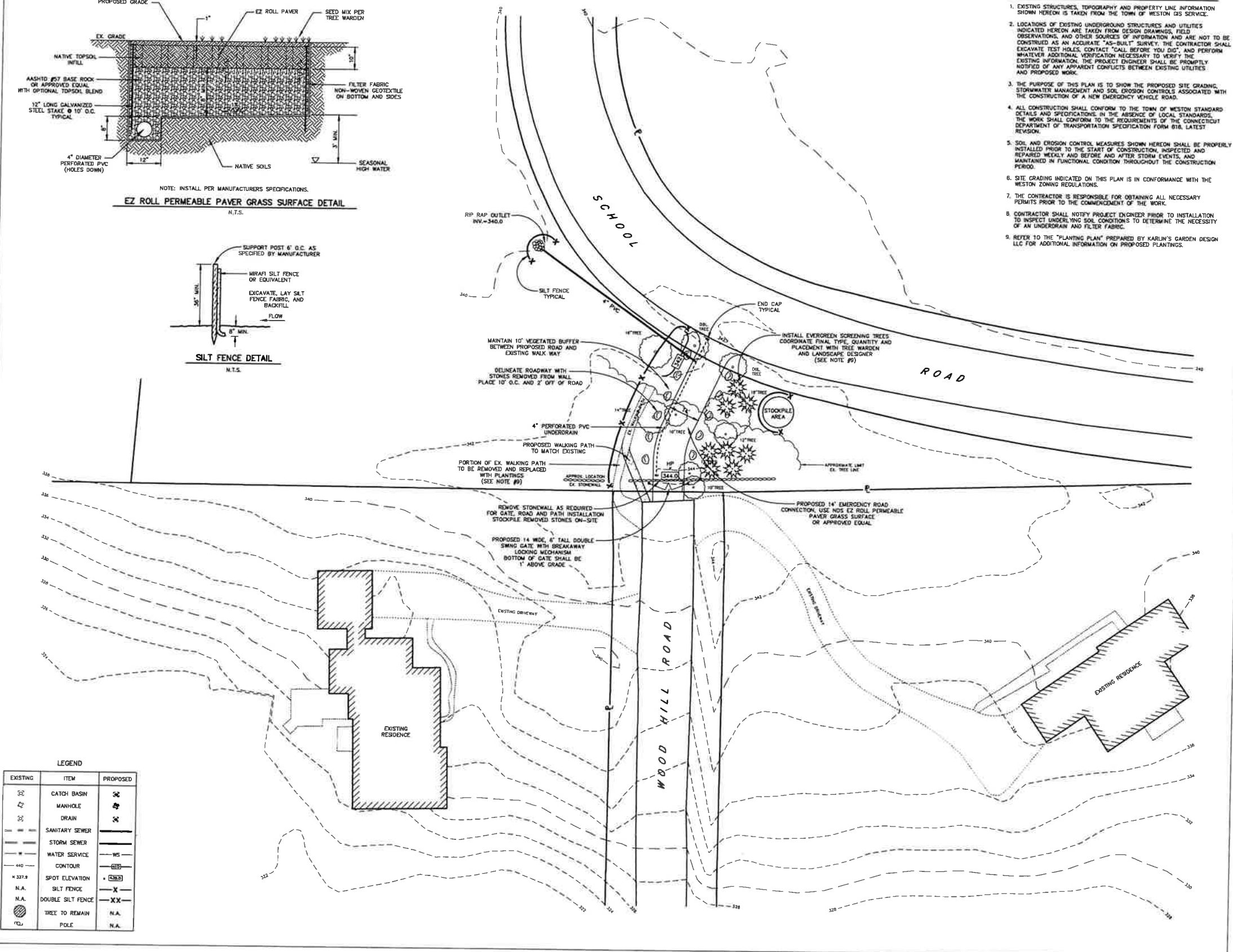


**SILT FENCE DETAIL**  
 N.T.S.

- NOTES:**
- EXISTING STRUCTURES, TOPOGRAPHY AND PROPERTY LINE INFORMATION SHOWN HEREON IS TAKEN FROM THE TOWN OF WESTON GIS SERVICE.
  - LOCATIONS OF EXISTING UNDERGROUND STRUCTURES AND UTILITIES INDICATED HEREON ARE TAKEN FROM DESIGN DRAWINGS, FIELD OBSERVATIONS, AND OTHER SOURCES OF INFORMATION AND ARE NOT TO BE CONSIDERED AS AN ACCURATE "AS-BUILT" SURVEY. THE CONTRACTOR SHALL EXCAVATE TEST HOLES, CONTACT "CALL BEFORE YOU DIG", AND PERFORM WHATEVER ADDITIONAL VERIFICATION NECESSARY TO VERIFY THE EXISTING INFORMATION. THE PROJECT ENGINEER SHALL BE PROMPTLY NOTIFIED OF ANY APPARENT CONFLICTS BETWEEN EXISTING UTILITIES AND PROPOSED WORK.
  - THE PURPOSE OF THIS PLAN IS TO SHOW THE PROPOSED SITE GRADING, STORMWATER MANAGEMENT AND SOIL EROSION CONTROLS ASSOCIATED WITH THE CONSTRUCTION OF A NEW EMERGENCY VEHICLE ROAD.
  - ALL CONSTRUCTION SHALL CONFORM TO THE TOWN OF WESTON STANDARD DETAILS AND SPECIFICATIONS. IN THE ABSENCE OF LOCAL STANDARDS, THE WORK SHALL CONFORM TO THE REQUIREMENTS OF THE CONNECTICUT DEPARTMENT OF TRANSPORTATION SPECIFICATION FORM 618, LATEST REVISION.
  - SOIL AND EROSION CONTROL MEASURES SHOWN HEREON SHALL BE PROPERLY INSTALLED PRIOR TO THE START OF CONSTRUCTION, INSPECTED AND REPAIRED WEEKLY AND BEFORE AND AFTER STORM EVENTS, AND MAINTAINED IN FUNCTIONAL CONDITION THROUGHOUT THE CONSTRUCTION PERIOD.
  - SITE GRADING INDICATED ON THIS PLAN IS IN CONFORMANCE WITH THE WESTON ZONING REGULATIONS.
  - THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS PRIOR TO THE COMMENCEMENT OF THE WORK.
  - CONTRACTOR SHALL NOTIFY PROJECT ENGINEER PRIOR TO INSTALLATION TO INSPECT UNDERLYING SOIL CONDITIONS TO DETERMINE THE NECESSITY OF AN UNDERDRAIN AND FILTER FABRIC.
  - REFER TO THE "PLANTING PLAN" PREPARED BY KARLIN'S GARDEN DESIGN LLC FOR ADDITIONAL INFORMATION ON PROPOSED PLANTINGS.

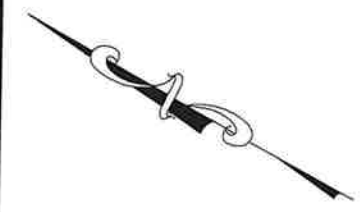
**LEGEND**

EXISTING	ITEM	PROPOSED
	CATCH BASIN	
	MANHOLE	
	DRAIN	
	SANITARY SEWER	
	STORM SEWER	
	WATER SERVICE	
	CONTOUR	
	SPOT ELEVATION	
N.A.	SILT FENCE	
N.A.	DOUBLE SILT FENCE	
	TREE TO REMAIN	N.A.
	POLE	N.A.



**Orientation**

No.	Date	Revisions or Submissions
2	4-27-23	REVISED AND ISSUED TO THE CLIENT
1	3-8-23	ISSUED TO THE CLIENT



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**McChord Engineering Associates, Inc.**  
 Civil Engineers and Land Planners  
 1 Grumman Hill Road  
 Wilton, CT 06897 (203) 834-0569

PLAN PREPARED FOR  
 TOWN OF WESTON  
 WESTON, CONNECTICUT

EMERGENCY ROAD PLAN  
 WOOD HILL ROAD AND SCHOOL ROAD  
 WESTON, CONNECTICUT

JOB NO.: 2272A-1 DATE: JANUARY 19, 2023  
 DRAWN BY: DRS CHECKED BY: TSN, HMR  
 SCALE: 1" = 20'



SIGNATURE: \_\_\_\_\_ DRAWING NO.:

SE1

# Item 5

TOWN OF WESTON, CONNECTICUT



Incorporated 1787

Weston Volunteer Fire Dept.

April 27, 2023

Samantha Nestor, First Selectperson  
Town of Weston  
56 Norfield Road  
Weston, CT 06883

Re: Extension of Memorandum of Understanding Until June 30, 2024

Dear Honorable First Selectperson:

Kindly consider this letter on behalf of the Weston Volunteer Fire Department Inc. agreeing to extend the "December 31, 2020 Memorandum of Understanding between the Town of Weston and the Weston Volunteer Fire Department Inc. dated December 31, 2020, by an additional year until June 30, 2024.

Respectfully,

A handwritten signature in black ink, appearing to read "Craig E. Cohen", is written over the word "Respectfully,".

Craig E. Cohen, President  
Weston Volunteer Fire Department, Inc.

DECEMBER 31, 2020 MEMORANDUM OF UNDERSTANDING BETWEEN  
THE TOWN OF WESTON AND THE WESTON VOLUNTEER FIRE DEPARTMENT, INC.

**WHEREAS**, the Weston Volunteer Fire Department (the "WVFD") and the Weston Volunteer Emergency Medical Services (the "WEMS") (collectively, the "Department") are the sole providers of fire-rescue and emergency medical services to the residents of the Town of Weston, Connecticut ("Town"); and

**WHEREAS**, the Department is interested in maintaining and enhancing the services it provides to the Town; and

**WHEREAS**, for the WVFD to maintain and enhance the fire services it provides, requires securing and upgrading equipment used to provide fire services and retaining and recruiting qualified personnel; and

**WHEREAS**, the Town has an interest in assisting the WVFD in providing fire services; and

**WHEREAS**, the Department and the Town (collectively "Parties") are interested in entering into a Memorandum of Understanding ("MOU") setting forth the proposed terms and conditions of their agreement.

**NOW THEREFORE**, the Parties agree as follows:

1. The Town agrees to cover the cost of repair for capital items and major equipment for the WVFD if the costs exceed the budgeted amount for equipment repair in the WVFD's annual budget allocation.
2. The WVFD will submit three years of actual expenses incurred from its Town budget for each line item in their budget at the requested time during the budget process. There will be no change in the process of operating budget review.
3. The Town agrees to provide health insurance to qualifying members of the Department as described in the document "Weston Volunteer Fire Department Medical Insurance Incentive Plan" dated December 31, 2020.
4. Effective July 1, 2017, the Town will no longer maintain a reserve account for unspent, budgeted health insurance dollars for the Department. The Town will retain any excess funds.
5. The Department agrees to cover the cost for repair, maintenance, or capital projects associated with Station 2 Fire House located on Lyons Plain Rd.

The undersigned have read and agree to with this MOU.  
On behalf of their respective parties.

TOWN OF WESTON



By Christopher Spaulding, First Selectman

duly authorized  
4/23/2021

WESTON VOLUNTEER FIRE DEPARTMENT, INC,



by Craig Cohen, President

duly authorized  
4/23/2021

**DECEMBER 31, 2020 WESTON VOLUNTEER FIRE DEPARTMENT  
MEDICAL INSURANCE INCENTIVE PLAN**

- 1. Preamble.** The purpose of this document is to set down the specific requirements for members of the Weston Volunteer Fire Department Inc. (the "Department") who wish to participate in the Medical Insurance Incentive Plan (the "Plan") subsidized by the Town of Weston. The Plan is made available as an incentive for members to participate as fully as possible, and to attract additional qualified individuals to provide the Town with continuing emergency services.

The premium contribution of each individual participating in the Plan (each a "Plan Participant") will be determined by calculating the amount of time and effort given to the Town of Weston through the Department as determined by the formula. This Plan has been designed to reward service equitably, whether provided by a firefighter, emergency medical technician, fire police officer, or medical response technician, to acknowledge the valuable contributions made by members, and to recognize that members can contribute to both the Town of Weston and the Department in a wide variety of ways.

The Town agrees that the scope of the health insurance coverage it offers to qualifying Department members and their families will be the same as is provided to the Weston Police Department except to the extent of any Plan Deductible or Premium Contribution Rate members may have to pay. In the event that the Town changes or modifies the health insurance plan provided to the Weston Police Department, so that it is no longer "substantially similar" to the plan presently offered, (except to the extent of any Plan Deductible or Premium Contribution Rate members may have to pay) the Town will apprise the Department of such changes, and will consult with the Department prior to the effective date of such change. At any time, and for whatever reason, the Department may elect to have the Town provide an equivalent amount of funding to the Department, so that it may purchase health insurance separate from that offered by the Town.

**2. Definitions.** As used in this Plan:

- A) "Active" and "Good Standing" shall mean (A) full and active membership in the Department in accordance with its bylaws, and (B) possessing the appropriate certification to provide emergency services in accordance with the Department's bylaws and any applicable state and federal law, and C) a current Annual Physical certifying fitness. The term "Active" shall specifically exclude any members of the department who are deemed probationary in accordance with the Department's by-laws.
- B) "Good Standing" shall mean D) for EMS, 20 calls, 400 on-duty hours, 7 monthly drills, 7 monthly meetings, and E) for FD 15 calls, 7 monthly drills, 7 weekly drills, and 7 monthly meetings
- C) "Determination Date" shall mean January 1<sup>st</sup> of each year.
- D) "Premium Contribution Rate" refers to a Plan Participant's percentage share of the total premium that would otherwise be due under the Town of Weston's health insurance program.
- E) "Tax Abatement Ordinance" shall mean that certain tax abatement ordinance of the Town of Weston made effective December 30, 2020 as may be amended from time to time.
- F) "Total Points" shall have the meaning and shall be calculated in the manner set forth in the Tax Abatement Ordinance.
- G) "Total Points from Calls" shall have the meaning and shall be calculated in the manner set forth in the Tax Abatement Ordinance.



- H) "Plan Deductible" refers to the annual amount a Plan Participant must payout-of-pocket for the health care expenses incurred before insurance covers any portion of health care expenses.
- I) "Slots" shall be quantified as follows: One slot equals a Plan Participant with no dependents covered under the Plan. Two slots equals a Plan Participant with one dependent covered under the Plan. Three slots equal a Plan Participant with two or more dependents covered under the Plan.

**3. New Members and Participants.** Active members qualifying for and requesting participation shall be admitted, subject to the limitation of 105 total Slots per year. The extent to which members are able to receive the town contribution rates listed in section (e) is dependent on the total number of enrollees in the Plan.

All members and spouses who can purchase subsidized Medical Insurance coverage at their place of work will not be permitted to enroll in the Town Program. Current enrollees will be grandfathered in and will not be subject to this limitation.

**4. Points.** Each Plan Participant will earn "Activity Points" and "Call Points" for participating in the activities of the Department during the calendar year, as defined in the Tax Abatement Ordinance. These activities include attending drills, meetings, and classes, responding to calls, and providing other Fire/EMS related community services. Annually, these points will be totaled and each Plan Participant will be placed into one of four levels for the next calendar year. This Level will determine the premium payable by the Plan Participant for the following year.

Level	Minimum Total Points	Minimum Total Call Points
1	125	75
2	94	50
3	63	25

**5. Determination of Contribution Rate.** The Premium Contributions are as follows:

Level	Town's Premium Contribution	Plan Participant's Premium Contribution
1	65% of annual premium, plus \$1,625 for Singles, \$3,250 for Doubles, and \$3,250 for Families.	35% of annual premium, minus \$1,625 for Singles, \$3,250 for Doubles, and \$3,250 for Families.
2	56.5% of annual premium, plus \$1,412.50 for Singles, \$2,825 for Doubles, and \$2,825 for Families.	43.5% of annual premium, minus \$1,412.50 for Singles, \$2,825 for Doubles, and \$2,825 for Families.
3	44% of annual premium, plus \$1,100 for Singles, \$2,200 for Doubles, and \$2,200 for Families.	56% of annual premium, minus \$1,100 for Singles, \$2,200 for Doubles, and \$2,200 for Families.

The listed percentage may be open for negotiation if mutually agreed to by the Parties for catastrophic increases in contracted annual premium costs to the Town, defined as a 15 percent increase or greater.

6. **Plan Deductibles.** The Plan Deductibles are as follows:

Coverage	Annual Deductible
Single	\$2,500
Double (2)	\$5,000
Family (3 or more)	\$5,000

7. **Plan Extension Option.** Any Plan Participant who has achieved at least the minimum requirements of Level 4 in the previous year, but who, in the year immediately following, either (i) fails to meet the minimum requirements of Level 4 or (ii) resigns from the Department, shall be allowed to purchase health insurance at 100% of the premium consistent with the regulations of the Consolidated Omnibus Benefits Reconciliation Act (COBRA) then in effect.
8. **Line of Duty Injury.** In the event a Department member who is participating in the Plan is injured in the line of duty, the Board of Selectmen may alter the Plan participation requirements for the member upon a recommendation by the Department's Executive Committee. Such alteration is at the sole discretion of the Board, which may consider any facts or evidence that it deems appropriate in evaluating the request. The Board may decide not to hear the request, to deny the request after hearing, or to make modifications to the request as it deems appropriate. The Board retains the authority to make temporary alterations, and to rescind or modify previously granted alterations, waivers, or exemptions.
9. **Extended Medical Leave.** An Active Member in Good Standing who is on Medical leave for a minimum of 6 months in a calendar year, will be allowed to maintain their Town Medical Insurance participation in the following year, at the next lower category from the current year, as defined in the Tax Abatement Ordinance.
10. **Medical Insurance Compliance Officer.** The Department shall appoint a member to serve as its Medical Insurance Compliance Officer ("MICO"), and shall notify the First Selectman of such appointment.
11. **Annual Review.** The classification of each Plan Participant will be reviewed at the end of each calendar year to determine the following year's Level and Premium Contribution Rate.
12. **Review Process.**
- A) The MICO will review all information from the then current calendar year pertinent to the classification of Plan Participants including, but not limited to: attendance records for monthly and weekly drills, attendance records for monthly meetings, run forms, and state certifications.

- B) Before January 1, the MICO will issue a written report of his or her findings for each Plan Participant to such Plan Participant, the Town Administrator, the President of the Department and the Board of Selectmen.
- C) If requested by the Town Administrator or any Selectman, documentation of the MICO's findings will be provided. The MICO will meet with the Board of Selectmen as requested by the Selectmen to discuss and explain his or her findings.

**13. Payment.** Plan Participants shall make all premium payments at such times and in such manner as the Town of Weston may direct. Failure by any Plan Participant to make timely payment of premiums shall result in termination from the plan after 60 days in arrears, and may result in the loss of future opportunities to participate in the Plan.

**14. Public Health Emergency.** Due to the COVID 19 Pandemic, the BOS granted EMS and FD a waiver on Good Standing, Call Points, and Total Points as required both by the Tax Abatement Ordinance and the Town Medical Insurance Program. For 2020 and 2021, premium levels (categories) for Medical Insurance Benefits will be replaced for each individual at the same level as 2019, or higher, based upon their response to calls. Each department will have a temporary Good Standing Policy during COVID 19 to insure the required participation in Training and Department Activities.

**15. Modification/Revocation.** The Memorandum of Understanding between the Town and the Department dated December 31, 2020, expressly commits the Town to provide a medical insurance benefit incentive plan to qualified members of the Department through June 30, 2023. Through that time, the Plan will be modified only as provided in this policy or under the terms of the Memorandum of Understanding. While the Town does not expect to discontinue Plan coverage to qualified members of the Department, the Town reserves its right to revoke, amend, or modify the Plan by action of its Board of Selectmen. However, no such changes may be effective prior to July 1, 2023.

**16. Effective Date.** This Plan shall take effect as of January 1, 2021 and shall amend and replace that certain Weston Volunteer Fire Department Medical Insurance Incentive Plan approved by the Board of Selectmen effective May 17<sup>th</sup>, 2017.

# Item 6



April 21, 2023

**Public Information Meeting  
Weston Center Intersection and Pedestrian Safety Improvements  
(LOTICIP Project L157-001)**

The Town of Weston (the Town) will conduct a Virtual Public Information Meeting regarding the upcoming Weston Center Intersection and Pedestrian Safety Improvements project on **Tuesday, May 9, 2023 at 6:00 PM**. The project has been selected to receive state funding from the Connecticut Department of Transportation's Local Transportation Capital Improvement Program and is identified as Project L157-001.

The purpose of this project is to provide a safe and inviting pedestrian environment in and around the Weston Town Center, which includes Town Schools, Municipal Buildings, the Town Library and other destinations. The project will help to improve pedestrian (especially student) safety in areas with narrow shoulders and no sidewalks and heavy pedestrian traffic. The project will include the following improvements:

- Intersection improvements at the intersection of Weston Road (Route 57) and School Road including the addition of an exclusive northbound right turn lane on Weston Road (Route 57) for vehicles turning onto School Road.
- The addition of approximately 2,000 linear feet of 5-foot wide sidewalk extending from School Road around Revson Field and connecting to Lords Highway. The sidewalk extends from the driveway to Revson field along the south side of Lords Highway to Old Hyde Road.
- The addition of approximately 600 linear feet of 5-foot wide sidewalk along the northern side of Norfield Road connecting the Town Hall Complex and library to the abutting properties and other planned sidewalk improvement projects.

Construction is anticipated to begin in spring of 2024. The public informational meeting is being held to provide the public and local community the opportunity to offer comments or ask questions regarding the proposed project.

The virtual meeting may be accessed via Zoom: <https://us02web.zoom.us/j/87660879337>.



More Information and the Zoom meeting link ation can also be found on the Town website: [www.westonct.gov](http://www.westonct.gov).

Individuals not able to access the meeting may also send questions regarding the project via e-mail to Victoria Houle at [wickedhoule@gmail.com](mailto:wickedhoule@gmail.com)

# Item 7



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546

September 23, 2015

Gayle Weinstein, First Selectman  
PO Box 1007  
Weston, CT 06883

Dear Ms. Weinstein:

For 12 years, the American Association of State Highway and Transportation Officials (AASHTO) and Adventure Cycling have been spearheading development of the United States Bicycle Route System, a system of interstate bicycle routes. To date, more than 8,000 miles of US Bicycle Routes have been designated around the country. The State of Connecticut Department of Transportation (CTDOT) would like to participate in this opportunity and seeks Weston's permission for USBR 7, the Western New England Greenway, to pass through your municipality. This effort poses an opportunity to increase recreational and tourist use within your town. Please see the attached materials regarding the USBRS and the proposed route through your municipality.

The Western New England Greenway (WNEG) connects the East Coast Greenway in southern Connecticut with the Route Verte in Quebec Province, Canada. The proposed WNEG route makes use of lightly traveled roads and bike paths. It avoids, to the extent possible, the use of Route 7 and other more heavily traveled roads.

The designation of the route by AASHTO requires concurrence by the stakeholders; CTDOT for state roads and the Town Local Traffic Authorities (LTA) for municipal roads for each municipality. **Permission to use local roads does not obligate the municipality to spend municipal funds nor does it increase the municipality's liability for anything that occurs along the municipal roads.** While the initial designation of the USBR 7 does not include physical signage at this time, way-finding may be added at a later date. If in the future, it is desirable to change the route designation (due to trail or facility construction or other factors) the pertinent stakeholders would confirm their concurrence prior to submission to the AASHTO subcommittee.

The CTDOT will present the route for designation to the AASHTO subcommittee at an upcoming meeting for approval when we have endorsement from all of the town stakeholders (LTAs) and commissioner approval.

To see the current routing of the Western New England Greenway, please visit their web page, [www.wnegreenway.org](http://www.wnegreenway.org). Other websites that you might find useful are:

Adventure Cycling – USBR: [www.adventurecycling.org](http://www.adventurecycling.org)  
Route Verte - [www.routeverte.com](http://www.routeverte.com)



East Coast Greenway – [www.greenway.org](http://www.greenway.org)

If you have questions about the routing of the Western New England Greenway, please contact Dan McGuinness at 860-482-3634.


A representative of the Western New England Greenway will contact you to discuss this further and to request your endorsement of the USBR in your municipality.

Very truly yours,



Katherine D. Rattan  
Non-Motorized Transportation Coordinator  
Bureau of Policy and Planning

By signing below, you confirm that the municipality has reviewed and approved the routing and designation of a U.S. Bike Route through the municipality. The municipality also approves of the CTDOT seeking official designation for the U.S. Bike Route by AASHTO.

  
Approved Signature

10/8/15  
Date

Gayle Weinstein, Art Selectman  
Print Name

Weston, CT  
Town



Samantha Nestor &lt;snestor@westonct.gov&gt;

**[EXTERNAL] Western New England Greenway Bike Path**

2 messages

**Douglas LoMonte** <dloMonte@berchemmoses.com>

Fri, Mar 10, 2023 at 10:48 AM

To: "ajenner@westonct.gov" &lt;ajenner@westonct.gov&gt;

Cc: Samantha Nestor &lt;snestor@westonct.gov&gt;, Ira Bloom &lt;ibloom@berchemmoses.com&gt;

Amy:

I reviewed the 2015 Department of Transportation letter agreement and considered the liability question. I downloaded a screenshot showing the path of the WNEG as it passes through Weston. See the attachment. The path is exclusively on Newtown Turnpike in Weston. Newtown Turnpike is a "town road" for only the first approximately one mile from the Wilton Town line to the intersection with Georgetown Road (Route 57). From that point up to the Redding town line (at the Saugatuck Reservoir), Newtown Turnpike is a "State road" (Route 53). Accordingly, road repair and conditions of the WNEG will be the Town's responsibility for only the first mile. From the Georgetown Road (Route 57) intersection up to the Redding town line, road repair and conditions are the State's responsibility.

A municipality can, in fact, be held liable for personal injuries sustained as a result of defective conditions of roads that the municipality is responsible for maintaining (under CGS Section 13a-149). So, if a cyclist sustains an injury due to a defective condition on the one-mile stretch of Newtown Turnpike that is a "town road", the Town could face a claim or lawsuit and exposure to an award for the personal injuries. It strikes me that that liability exists on all town roads, regardless of the WNEG and regardless of whether or not "WNEG bike path" signs are installed. In fact, the installation of "WNEG bike path" signs may actually decrease the Town's risk under the theory that the signs put motorists on notice that cyclists may be ahead. With that said, I do think that it would be a good idea to have someone from DPW inspect the one-mile stretch to see if there are any conditions that are particularly dangerous for a cyclist, a large pothole at the edge of the road or missing section shoulder, for example.

I would say that, if a visual inspection reveals that the one-mile stretch really isn't suitable (i. e., too dangerous) for cyclists, then consideration should be given to improving the road conditions. I don't think it's an option to close the road or prohibit cyclists.

I hope that the above is helpful.

:: Doug.

**From:** Amy Jenner <ajenner@westonct.gov>**Sent:** Wednesday, March 8, 2023 11:08 AM**To:** Ira Bloom <ibloom@berchemmoses.com>**Subject:** Western NE Greenway Roadway

hi Ira.

It was suggested I contact you for an opinion.

Last night, Sam updated us on a project ongoing since 2015 in collaboration with the Western NE Greenway Roadway to create a biking trail from LI to Canada. The organization will be shortly installing signs on some of our roads, which also connect with Westport and Redding who are already participating.

Do we have to be concerned about any liability issues? Our roads are not in perfect shape, but is that on the cyclist? Here is a link to their website.

The organization deemed these roads 'suitable roads' but not sure what that means.

Amy

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 **SCREENSHOT OF WESTERN NEW ENGLAND GREENWAY PATH THROUGH WESTON**  
**(01716738xADB93).docx**  
7496K

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**Douglas LoMonte** <dloMonte@berchemmoses.com>

Thu, Apr 27, 2023 at 5:14 PM

To: Amy Jenner <ajenner@westonct.gov>

Cc: Samantha Nestor <snestor@westonct.gov>

Amy:

Thank you for the new information. My overall opinion doesn't change. As I see it, more miles of Town roads being part of the WNEG doesn't change the fact that the Town has liability risk for personal injuries and property damage caused by defective road conditions. Of course, an increase from one to, say, two or three miles probably means a higher statistical probability of an accident involving a bicyclist. But the risk exists regardless of the number of miles. I hope that this explanation is helpful.

:: Doug.



**Douglas E. LoMonte**  
Berchem Moses PC  
1221 Post Road East  
  
Suite 301  
Westport, CT 06880



Tel: (203) 571-1714  
Fax: (203) 227-2443  
dlomonte@berchemmoses.com  
www.berchemmoses.com  
My Profile

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**From:** Amy Jenner <ajenner@westonct.gov>  
**Sent:** Monday, April 24, 2023 1:46 PM  
**To:** Douglas LoMonte <dlomonte@berchemmoses.com>  
**Subject:** Re: [EXTERNAL] RE: [EXTERNAL] Western New England Greenway Bike Path

Thank you!

On Mon, Apr 24, 2023 at 11:28 AM Douglas LoMonte <dlomonte@berchemmoses.com> wrote:

Amy:

I'll review and get back to you.

:: Doug.



**Douglas E. LoMonte**  
Berchem Moses PC  
1221 Post Road East  
  
Suite 301  
Westport, CT 06880



Tel: (203) 571-1714  
Fax: (203) 227-2443  
dlomonte@berchemmoses.com  
www.berchemmoses.com  
My Profile

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**From:** Amy Jenner <ajenner@westonct.gov>  
**Sent:** Friday, April 21, 2023 5:48 PM  
**To:** Douglas LoMonte <dlomonte@berchemmoses.com>  
**Subject:** Re: [EXTERNAL] Western New England Greenway Bike Path

Hi Doug,

Thank you for your opinion. WNEG has since put up their signs and they are not exclusively on Newtown Tpke; and since we were in contact I have gotten feedback that the routes are indeed on some difficult roads. I have attached the route. Note ~6-16.6.

Lyons Plains is going to be repaved this summer, from stem to stern, and in many cases, is going down to dirt. I also know that there is extensive paving work being done on Valley Forge. I'm not sure about the shoulders.

Does your opinion change in light of this new information?

Amy

[Quoted text hidden]

[Quoted text hidden]

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**Board of Selectmen  
Regular Meeting Minutes  
January 5, 2023 at 7:30 pm  
Meeting held via Zoom**

1. **Call to Order:** First Selectwoman Samantha Nestor called the meeting to order at 7:31 pm. Also in attendance were Selectman Mohabeer, Selectwoman Jenner, and Town Administrator Jonathan Luiz, and members of the public.
2. **Pledge of Allegiance:** The Board of Selectmen led in the recitation of the Pledge of Allegiance.
3. **Discussion/Decision to revise the Job Description for Senior Center Assistant Program & Communications Coordinator:** Selectman Mohabeer made a motion to revise the job description for Senior Center Director, as presented. Selectwoman Jenner seconded the motion. Motion passed unanimously.
4. **Discussion/Decision to revise the Job Description for Senior Center Director:** Discussion took place regarding the Senior Center job description. Selectwoman Jenner and Mr. Luiz recommended prioritizing the essential functions section and correcting grammatical errors. Selectman Mohabeer made a motion to revise the job description for Senior Center Director, with changes suggested by Selectwoman Jenner and Jonathan Luiz. Selectwoman Jenner seconded the motion. Motion passed unanimously.

Selectwoman Jenner made a motion to add an item to the agenda to discuss regionalization of the Senior Center. Selectman Mohabeer seconded the motion. Motion passed unanimously. Discussion regarding regionalization of the Senior Center took place. Selectwoman Jenner will meet with the Commission on Aging to discuss this matter.

5. **Discussion/Decision to authorize a supplemental appropriation of \$3,000 for overtime for the Assistant to the Assessor for Fiscal Year 2023-23:** Discussion took place. Selectwoman Jenner made a motion to authorize a supplemental appropriation of \$3,000 for overtime for the Assistant to the Assessor for fiscal year 2023. Selectman Mohabeer seconded the motion. Motion passed unanimously.
6. **Discussion/Decision to appoint Andy Bill from an alternate to a full position on the Sustainable Weston Committee for a term expiring December 31, 2024:** Selectwoman Jenner made a motion to appoint Andy Bill from an alternate to a full position on the Sustainable Weston Committee for a term expiring December 31, 2024. Selectman Mohabeer seconded the motion. Motion passed unanimously.
7. **Discussion/Decision to reappoint Cyprian Toczek to the Library Board for a term expiring December 31, 2026:** Selectman Mohabeer made a motion to reappoint Cyprian Toczek to the Library Board for a term expiring December 31, 2026. Selectwoman Jenner seconded the motion. Motion passed unanimously.

Selectwoman Jenner made a motion to add an item to the agenda to discuss the water committee charge. First Selectwoman Nestor seconded. Motion passed unanimously.

Selectwoman Jenner made a motion to add to the agenda, for discussion purposes only, the public hearing schedule for next week on January 11 about the trees on the Moore Property. First Selectwoman Nestor seconded the motion. Motion passed unanimously.

Discussion regarding the water committee charge took place. First Selectwoman said the water committee charge will be on the agenda for the first BOS meeting in February. Joe Stromwall and Jeff Farr will be invited to attend. Selectwoman Jenner will provide the draft committee charge to Jonathan Luiz for distribution.

Discussion took place regarding the public hearing that will take place on January 11, 2023 concerning the trees on the Moore Property.

Selectman Mohabeer made a motion for a discussion/decision to establish a personnel committee for the Town Administrator. First Selectwoman Nestor seconded the motion. Discussion took place. Motion passed unanimously.

Selectman Mohabeer made a motion to establish a personnel search committee for the position of Town Administrator that includes the Board of Selectmen and Jonathan Luiz. Selectwoman Jenner seconded the motion. Discussion took place. Motion passed unanimously.

- 8. Approval of Minutes from the December 1, 2022 Board of Selectmen Meeting:** Selectwoman Jenner made a motion to approve the unapproved minutes from the December 1, 2022 Board of Selectmen Meeting, as presented. Selectman Mohabeer seconded the motion. Motion passed unanimously.
- 9. Adjournment:** Selectman Mohabeer a motion to adjourn. Selectwoman Jenner seconded the motion. Motion passed unanimously. Meeting adjourned at 8:25 pm.

Minutes submitted by Darcy Barrera-Hawes, Executive Administrative Assistant

**Location:**

ELDERLY; FEDERAL ASSISTANCE PROGRAMS; REGIONAL PLANNING;

**Scope:**

Background;



January 11, 2011

2010-R-0500

Revised

**REGIONAL SENIOR CENTERS**

By: Robin K. Cohen, Principal Analyst

You want to know the number of regional senior centers in the state, the services they provide, and their budgets and revenue sources. You also want to know (1) if federal funds would be available for constructing a regional center and (2) whether it would cost less to build one center to serve several towns rather than a center in each town.

**SUMMARY**

According to the Department of Social Services (DSS), three regional senior centers operate in the state. These centers provide an array of services, ranging from congregate meals and health screens to trips and support groups. McSweeney Regional Senior Center serves residents in 11 towns in the Windham area and operates on an annual budget of just under \$200,000. Estuary, located in Old Saybrook, serves nine towns and has an annual budget of \$1.25 million. Quinnebaug Valley Senior Citizens Center serves 10 towns in the state's northeast corner and has an annual \$80,000 budget.

The centers get most of their revenue from member towns' contributions and federal Older Americans Act (OAA) funds. The rest of their funding is from miscellaneous contributions and user fees. The centers do not receive any ongoing operating revenue from the state, although an occasional grant may be available.



grantees, two of which will use the funds for senior centers.

### ***Other Bonding***

Towns may also ask the General Assembly to authorize general obligation bonds. The Bond Commission would grant such requests.

### **POTENTIAL ISSUES WITH REGIONAL CENTERS**

A single, regional center offering services to several towns' seniors would seem to make sense in terms of efficiencies, but towns may reject the idea because most already have their own stand-alone centers. According to DSS, 161 stand-alone senior centers operate in the state. The state's larger cities have multiple centers. Attachment 1 lists these centers.

Another potential issue would be getting all of the member towns to pay their fair share of the costs of both building and operating the center. The officials with whom we spoke at the existing regional centers indicated that not all of their member towns were paying their fair share of the cost. The centers appeal each year to the member towns for their contributions, but the amounts that they receive are not necessarily commensurate with the services provided to these towns' residents.

The Commission on Aging's Debra Polun suggests that there might be more support to regionalize certain functions or services. For example, a town in a geographic region that has a strong health screening component could provide that function for all seniors in that region, while another town in the same region could use its center to provide transportation services.

RC:df/EK

**Tomorrow's Senior Centers: Starting the Conversation**

**A Profile of Senior Centers in Connecticut**



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[www.cascp.org](http://www.cascp.org)

February 2011

### Key Findings

Several themes emerged in the analysis of the data that bear further discussion.

- The purpose of the Senior Center Profile was to get a picture of Senior Centers today, and it is clear that more information is needed. We do not have a picture of staffing patterns. We still do not have information about 40% of the Centers. We have not talked to participants about their experiences nor have we talked to other providers in the aging services network.
- Collecting information about Connecticut's Senior Centers is complicated. Too many Centers do not collect meaningful information about who they serve or what they do. At a time when we should be moving toward demonstrating the impact of our services (outcomes) not all Centers are able to produce basic numbers of programs or participants. There is no uniformity to the collection of data between Centers.
- Facility construction, expansion and repair are major issues for Centers. While health and fitness are identified as very important, only 31.8% have a fitness facility and only 55.7% a dedicated area for health services.
- Qualified leadership and staff are critical to success but there are no guidelines for qualifications or staffing levels. There is a significant need for training for Senior Center staff that is simply not funded. Almost half of the survey participants have no training budget at all.
- Senior Centers provide meaningful opportunities for and often rely upon volunteers. In most Centers, volunteer management falls to the Center Director by default. Effective volunteer management increases the recruitment and retention of skilled volunteers. Based on their inability to report the number of volunteer hours, it would seem that many Centers could strengthen their volunteer programs.
- Across all Senior Centers, 80% of funding comes from municipalities. Significantly, for 40% of respondents, all of their funding was municipal. They do not have diversified funding streams.
- Senior Centers are delivering core Older American's Act services including nutrition, health and wellness and supportive services in the community including information and referral, application assistance, and CHOICES counseling. One fifth of the Centers had implemented evidence based

programs (including those provided through the State). Many Senior Centers also provide case management services.

- Senior Centers are responsible for accessible transportation programs available in the community.
- Senior Centers are providing a diverse array of programs and activities that include recreation, fitness, wellness, social activity, arts, crafts, intergenerational programs, life long learning programs etc. There is no forum for the identification and sharing of best practices or guidelines regarding the types and frequencies of programs that should be offered.
- In an environment of results-based accountability and outcome-based evaluation, Senior Centers are largely relying on informal discussion and word of mouth to evaluate programs. Less than 40% reported using post-program evaluations and less than a quarter uses any type of assessment to measure the physical or mental health of participants.
- While Senior Centers promote their programs, more than three quarters of Senior Centers do not engage in any purposeful marketing that would build their capacity.
- The closest collaborations that Senior Centers have are with other municipal agencies. There is opportunity to increase the level of collaboration with other aging service providers.
- Two thirds of the participating Centers indicated that they were members of CASCP (the statewide professional association) and just over half were members of NCOA (the National Council on Aging). Almost a third of the Senior Centers were not connected to any professional association.
- The Self-Assessment and Accreditation Program established by the National Institute of Senior Centers (NISC) provides the only national standards for excellence in Senior Center operation. To date, nine Senior Centers in Connecticut have completed the process. More than 41% of Centers indicated that they were either in the process or considering it. There was a reported need for information about the process and its benefits and there was concern about staffing and funding to complete the process.

### Continuing the Conversation

Senior Centers are providing meaningful programs and services to older adults in their communities. All aging services will be challenged over the next 20 years as the boomers, in their transformative ways, reach 60. Quality programs and services, delivered locally, will be increasingly important and we are resolved to continue to offer them in the community at Senior Centers. But, we recognize that we need to transform our Centers to ensure that they remain relevant and effective. We need a blueprint for the future.

The Senior Center Profile is a starting point. We have identified themes that we think are important and that need to be explored. These themes will lead to recommendations that will build upon the strengths of today's Senior Centers to create the Senior Centers of tomorrow. This cannot be accomplished by individual Senior Centers or CASCAP alone. We invite our partners in the Aging Services network, including the State of Connecticut, the Aging Services Division, the Commission on Aging, the Area Agencies on Aging, the Connecticut General Assembly and our National partners to join us in this conversation.

# Item 8

**Board of Selectmen  
Special Meeting Minutes  
March 24, 2023 10:00 AM  
Meeting held via Zoom**

1. **Call to Order:** First Selectwoman Samantha Nestor called the meeting to order at 10:00 am. Also present were Selectman Martin Mohabeer, Selectwoman Amy Jenner, and Town Administrator Jonathan Luiz.
2. **Pledge of Allegiance:** The Pledge of Allegiance was recited.
3. **Discussion/decision to authorize the First Selectwoman to apply for and accept on behalf of the Town, a State Grant from the Neglected Cemetery Account; and to authorize her to enter into and execute any and all agreements, contracts, and documents and necessary to obtain said grant. Mr. Luiz provide background information on the state grant. Selectwoman Jenner moved to authorize the First Selectwoman to apply for and accept on behalf of the Town, a State Grant from the Neglected Cemetery Account; and to authorize her to enter into and execute any and all agreements, contracts, and documents and necessary to obtain said grant. The motion was seconded by Selectman Mohabeer. The motion passed unanimously.**
4. **Discussion and potential vote regarding matter of *Town of Weston vs. Gregg and Jennifer Haythorn, Freedom of Information Commission*: Selectman Mohabeer made a motion to have the Board of Selectmen sign a letter to Gregg and Jennifer Haythorn, as presented. Selectwoman Jenner seconded the motion. Discussion took place. Selectman Mohabeer and Selectwoman Jenner voted in favor, First Selectwoman Nestor was opposed, no absentions. Motion passed 2 in favor, 1 opposed.**
5. **Executive Session to discussion collective bargaining strategy:** This item was removed from the agenda.
6. **Adjournment:** Selectman Mohabeer moved to adjourn. Selectwoman Jenner seconded. The motion passed unanimously. Meeting adjourned at 10:12 am.

**Board of Selectmen  
Special Meeting Minutes  
April 3, 2023 7:30 pm  
Meeting held via Zoom**

1. **Call to Order:** First Selectwoman Samantha Nestor called the meeting to order at 7:30 pm. Also in attendance were Selectman Martin Mohabeer, Selectwoman Amy Jenner, Parks and Recreation Director Dave Ungar, Harry Rocheville of McChord Engineering and members of the public.
2. **Pledge of Allegiance:** Dave Ungar led in the Pledge of Allegiance
3. **Discussion / Decision to refer the pickleball courts to the: 1) the Planning & Zoning Commission for a report pursuant to Connecticut General Statute Section 8-24; and 2) the Historic District Commission for Certificate of Appropriateness subsequent to approval of CGS 8-24:** Dave Ungar gave a presentation on the proposed pickleball courts, including pickleball popularity and funding, the Onion Barn location, and a description of the pickleball courts. Harry Rocheville of McChord Engineering reviewed the site development plan for the pickleball courts. Mr. Ungar and Mr. Rocheville answered questions from the Board of Selectmen. Selectman Mohabeer made a motion to refer the pickleball courts to the: 1) the Planning & Zoning Commission for a report pursuant to Connecticut General Statute Section 8-24; and 2) the Historic District Commission for Certificate of Appropriateness subsequent to approval of CGS 8-2. Selectwoman Jenner seconded the motion. Motion passed unanimously.
4. **Acceptance of the resignation of Irene Nohavec, Assistant Tax Collector:** Selectwoman Jenner moved to accept the resignation of Irene Nohavec, Assistant Tax Collector, effective March 31, 2023. Selectman Mohabeer seconded the motion. Discussion took place. Motion passed unanimously.
5. **Discussion / Decision to approve a supplemental appropriation of \$5,000 for Wendy Petty:** **Discussion took place:** Selectman Mohabeer made a motion to approve a supplemental appropriation of \$5,000 for Wendy Petty's sick leave. Selectwoman Jenner seconded the motion. First Selectwoman Nestor and Selectman Mohabeer voted in favor, none were opposed, Selectwoman Jenner abstained. Motion passed 2 in favor, 0 opposed, 1 abstention.
6. **Discussion regarding scheduling of public hearing pursuant to Section 8.5 and 7.7 of the Town Charter for purposes of potential removal of current members of the Board of Ethics:** Selectwoman Jenner recused herself from the discussion. Discussion between First Selectwoman Nestor and Selectman Mohabeer took place. Scheduling of the public hearing will be discussed at the next Board of Selectmen meeting
7. **Approval of minutes from the March 16, 2023 Regular Board of Selectmen Meeting and March 21, 2023 Special Board of Selectmen Meeting, as presented:** Selectwoman Jenner made a motion to approve the minutes from the March 16, 2023 Regular Board of Selectmen Meeting and March 21, 2023 Special Board of Selectmen Meeting, as presented. Selectman Mohabeer seconded the motion. Motion passed unanimously.
8. **Adjournment:** Selectman Mohabeer move to adjourn. Selectwoman Jenner seconded the motion. Motion passed unanimously. Meeting adjourned at 8:45 pm



**Board of Selectmen  
Special Meeting Minutes  
April 5, 2023 12:00 pm  
Meeting held via Zoom**

1. **Call to Order:** First Selectwoman Samantha Nestor called the meeting to order at 12:00 pm. Also in attendance were Selectman Martin Mohabeer and Selectwoman Amy Jenner.
2. **Pledge of Allegiance:** The Board of Selectmen led in the Pledge of Allegiance.
3. **Discussion/Decision regarding whether to schedule a public hearing pursuant to Section 8.5 and 7.7 of the Town Charter for purposes of potential removal of current members of the Board of Ethics:** This item was tabled.
4. **Discussion/Decision to select and approve a date for public hearing pursuant to Section 8.5 and 7.7 of the Town Charter for purposes of potential removal of current members of the Board of Ethics:** This item was tabled
5. **Executive Session regarding pending litigation CGS § 1-200:** Selectwoman Jenner made a motion to enter into executive session regarding pending litigation pursuant to CGS § 1-200. Town Attorney Ira Bloom was invited to attend. Selectman Mohabeer seconded the motion. Motion passed unanimously. Executive session commenced at 12:03 pm and ended at 1:08 pm.
6. **Adjournment:** Selectman Mohabeer made a motion to adjourn. Selectwoman Jenner seconded the motion. Motion passed unanimously. First Selectwoman Nestor was not present for the motion to adjourn. Meeting adjourned at 1:08 pm