

OFFICE OF THE
FIRST SELECTMAN

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Lynne A. Vanderslice
First Selectwoman

Joshua S. Cole
Second Selectman

Kimberley Healy
Selectwoman

Basam Nabulsi
Selectman

Ross H. Tartell
Selectman

TOWN HALL
238 Danbury Road
Wilton, CT 06897

BOARD OF SELECTMEN REGULAR MEETING
Tuesday July 19, 2022
Held Electronically

PRESENT: First Selectwoman Lynne Vanderslice, Joshua Cole, Basam Nabulsi, Ross Tartell

ABSENT: Kimberley Healy (excused)

GUESTS: Director Public Works/Town Engineer Frank Smeriglio, Captain/Executive Officer Tom Conlan, Director Human Resources, Labor Relations & Administrative Services Sarah Taffel, CFO Dawn Norton

A. Call to Order

Ms. Vanderslice called the meeting to order at 7:03pm.

B. Public Comment

Comments requesting a Pride Proclamation to support the LGBTQIA+ community were received from:

- Vanessa Elias of Middlebrook Farm Rd
- Donna Peterson of Rockhouse Rd
- Nicole Wilson Spiro of Comstock Lane

C. Consent Agenda

Motion made by Mr. Tartell seconded by Mr. Nabulsi and carried 4-0 to approve the Consent Agenda as follows:

- Minutes
 - Board of Selectmen Regular Meeting – June 21, 2022
 - Board of Selectmen Special Meeting Minutes – June 27, 2022

D. Discussion and/or Action

1. 128 Mather Street/Verizon/Second Amendment (Bill of Sale & License Agreement) – Tom Conlan

Captain Tom Conlan shared the Town was seeking to take ownership of an old shelter, owned previously by Verizon located on property at 128 Mather St leased to Crown Castle for a cell tower. He requested approval of the purchase for \$10 and authorization for the first selectwoman to execute an amendment to the Crown Castle Second Amendment to the Lease Agreement and a Bill of Sale

for \$10.00. After detailed review and discussion with the board, motion to allow the First Selectmen to execute the Bill of Sale and Second Amendment Agreement moved by Mr. Cole. Motion seconded by Mr. Tartell and carried 4-0.

2. 2022 Controlled Hunt Plan – Mike Conklin
Director of Environmental Mike Conklin reviewed the 2022 Controlled Hunt Plan (see attached) with the board. After further review and discussion, motion moved by Mr. Tartell, seconded by Mr. Cole to adopt the 2022 Controlled Hunt Plan. Motion carried 4-0.
3. Tree Update – Mike Conklin
Mr. Conklin noted beech leaf disease is infecting a number of trees across Connecticut, including within Wilton. The disease, along with emerald ash borer will result in a significant loss of trees in Wilton. He will share the information with the public, noting the importance of diverse tree plantings.
4. Community Gardens
Ms. Vanderslice reviewed with the board a notice received from the state indicating illegal encroachment of some community gardens on state-owned property (information located in the attached memo). Discussions are ongoing as to how and where community gardening can continue.
5. Proposed Amendment to American Paving Contract – Frank Smeriglio
Frank Smeriglio reviewed the Proposed Amendment to the American Paving Contract. Information available in the attached memo. Detailed discussion with Mr. Smeriglio and the board. After discussion and review, motion to extend the contract with American Paving through December 31, 2022 not to exceed \$1.7M and to add an escalation clause effective July 1, 2022. Motion moved by Mr. Nabulsi, seconded by Mr. Tartell. After further discussion, motion carried 4-0.
6. Proposed Amendment to Verizon Lease of Land at the Bus Barn
Ms. Vanderslice reviewed the Proposed Amendment to the Verizon Lease of Land at the Bus Barn (see attached memo and presentation) noting Verizon requested a slight location change of approximately 30ft. After discussion, motion to authorize First Selectwoman to execute the First Amendment to the land lease with Verizon. Motion moved by Mr. Cole, seconded by Mr. Tartell and carried 4-0.
7. Discussion with Board of Finance
Ms. Vanderslice updated the BOS on the Discussion she had with the BOF at their July 12, 2022 meeting.
8. Possible Economic Relief for Small Businesses
Ms. Vanderslice shared she had discussions with a number of businesses and shared the summer months are difficult for restaurants and retail as many residents are away from Wilton. She noted the CT statute only allow municipalities to provide economic incentives to the property owner, not the tenants. She noted the Board of Selectmen is responsible for fees and questioned if the members would be receptive to a proposal for fee reductions/rebates for small businesses. She provided the license renewal fee for restaurants as an example. The members expressed a willingness to consider a proposal at a future meeting.

9. Possible COLA for Retirees

Ms. Vanderslice noted the Board was required to consider COLA increases for retirees at least once within a 4-year period. She noted the last time the board discussed and approved an increase was in 2020. She suggested due to high inflation, the Board should consider another discussion. Sarah Taffel, Director Human Resources provided input to the board on the subject. Members requested additional information and a discussion at the next meeting

10. Reissuance of Civility, Respect and Understanding Proclamation

Ms. Vanderslice noted the current proclamation was issued in 2017. She suggested the proclamation be reaffirmed and reissued with each change of the BOS membership. Following discussion, the Board agreed to discuss all the proclamations at the first meeting in January 2023.

11. Discussions with Housing Committee

Ms. Vanderslice noted she attended the July 11th Housing Committee meeting to present the ideas discussed at the last BOS meeting. The members were enthusiastic about the proposed additional responsibilities.

12. Change/Name Change for Economic Development Commission

Board decided to continue to discuss the Commission at a future meeting.

13. Possible Uses for Opioid Settlement Funds

Ms. Vanderslice began the discussion on the Possible Uses for Opioid Settlement Funds noting that the town will be receiving over \$10,000 in opioid settlement funds and discussed the items below with regard to usage for the funds:

- Education/Awareness on Opioids, Particularly Fentanyl
- Education/Awareness on THC Levels in Cannabis
- Support for a Recovery Day Event

E. Selectmen's Reports

1. First Selectman

- Ms. Vanderslice noted WestCOG engaged a broadband. Information available at www.connectwestcog.com
- Ms. Vanderslice noted a lightning detection system has been installed at Merwin Meadows and at playing fields, except Post, Miller Driscoll and Gilbert and Bennett. Will be activated on Friday, July 22nd.
- Ms. Vanderslice noted recent theft of unlocked cars and encouraged residents to lock their vehicles.
- Master Planning for Amenities Committee – – noted the Chair of the Planning & Zoning Commission misspoke when he stated at a P&Z meeting he would be appointing all subcommittee members. Proposed members, that are not members of the P&Z Commission must be appointed by the BOS. Board will ensure the membership complies with requirements and has a diverse representation of the population
- Ms. Vanderslice noted that she and Planning and Zoning Director Michael were interviewed by a Dutch newspaper regarding ASML in Wilton.

2. Selectmen

Mr. Cole

Mr. Cole noted that the upcoming Wilton Chamber of Commerce annual Sidewalk Street and recognized the First Selectman's office and Parks and Recreation for the summer concert series.

Mr. Tartell

Mr. Tartell noted his work with Sustainable CT. He recognized the Girl Scouts for their Pride event, noting attendance of board members.

Mr. Nabulsi

None.

F. Public Comment

- Sara Curtis of Cannon Rd commented on the need for a diverse membership on the Amenities Committee. She also commented on the community gardens

Continued comment on Pride Proclamation from:

- Farah Masani of Hubbard Rd
- Vanessa Elias of Middlebrook Farm Rd
- Donna Peterson of Rockhouse Rd
- Nicole Wilson Spiro of Comstock Lane

Discussion in the future for an agenda item for to discuss criteria for proclamations

G. Expected Executive Session to Discuss a Proposed Employment Agreement or a Town Administrator

Ms. Vanderslice asked for a motion to enter into Executive Session at 9:24pm to Discuss a Proposed Employment Agreement or a Town Administrator and addition to discuss a lease with the state of CT. Motion moved by Mr. Tartell, seconded by Mr. Cole and carried 4-0.

Out of Executive Session and back in Regular Session at 9:53pm.

H. Adjournment

Having no further business, Ms. Vanderslice asked for a motion to adjourn at 9:53pm. Motion moved by Ms. Healy, seconded by Mr. Cole and carried 4-0.

Jacqueline Rochester

Recording Secretary

Taken from Video

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TOWN HALL
238 Danbury Road
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To: Board of Selectmen

From: Lynne A Vanderslice

Date: July 15, 2022

RE: Additional information for July 19th BOS Agenda Items

The following is additional information in advance of the meeting:

- **Community Gardens:** For many years, residents have been gardening on town and state-owned property at Allen's through a Parks and Recreation Community Gardens program. We recently received notice from CT DOT that gardening is not allowed under the State's lease with the Town. This prohibition is not unique to Wilton. They have agreed to work with us as we develop an alternative location for the gardens, but shared a concern about the continued use of pesticides.
Fortunately, we have other town-owned land, which can house the gardens. We are working on a proposal for a future meeting. In the meantime, we have informed the current gardeners they are no longer able to use pesticides. Recognizing this is a change in approach for some, we waived this year's \$45 fee. The fee offsets water usage. Allen's has been a good home to the gardens, but we expect ultimately a less congested property without the sports related traffic and activity is ultimately a better and more attractive site for the community gardens.
- **Proposed Amendment to American Paving Contract:** The current contract with American Paving began on March 31, 2021 and is for an estimated tonnage of asphalt at a cost based on a fixed cost for Bituminous Concrete installation of \$115 per ton. Our process in awarding the contract has been to consider vender proposals from the State's bid list and American Paving's bid. American Paving has historically been under the state bid price. Our experience with American Paving has been very favorable, including the fact that they both mill and pave.
The state bid contracts include +/- escalation clauses. Our contract with American Paving does not. As Frank will discuss and in the materials provided, American Paving is requesting a +/- escalation clause for all work remaining on the open contract and for any new contract. The escalation formula would be the same as the state bid contracts. American Paving is requesting a price of \$135 per ton with +/- escalation. The state bid price is \$153 +/- for July 1.
- **Proposed Amendment to Verizon Lease:** Verizon is finalizing their application to the CT Siting Council and has requested a slight location change, approximately 30 ft, for the location of the tower.
- **Discussions with the Board of Finance:** I attended Tuesday's Board of Finance meeting to encourage them to provide targets for the FY2024 budget and to remind them, as

discussed with them during their April 24th meeting, that debt service would be increasing over the next couple of years.

Over the last several years the Board of Finance has targeted mill rate increases of +/- 1.5%. During those same years, debt service has been decreasing helping the BOF to achieve those targets. One goal is reminding them was so they consider the impact of no longer having that favorability.

Debt service decreased because 1-new debt was borrowed at a lower interest rate than retired debt and 2-and more impactfully, the dollar amount of retired debt exceeded new debt as we managed down debt in anticipation of the police headquarters project and others. Over the last 5 years, outstanding debt has decreased by \$11.6 million from \$81.9 million as of June 30, 2017 to \$70.3 million as of June 30, 2022. Unfortunately, some members didn't remember this. It led to remarks, reported in news coverage, implying that debt over the next couple of years would be unusually high. I plan to clarify this at Tuesday's meeting.

- **Possible Economic Relief for Small Businesses:** With rising costs and our desire to attract and maintain our small business retail and restaurants, I'd like to discuss the idea of possible fee waivers. If amendable, I will prepare a proposal for a future meeting.
- **Possible COLA for Retires:** Under the Town's retirement plan consideration of a COLA must be discussed at least once within a four-year period. This was last discussed in 2020. With high inflation, it seems appropriate to discuss now.
- **Reissuance of CRU Proclamation:** Proposing the proclamation be reaffirmed and reissued with each change of Board of Selectmen membership.
- **Discussions with Housing Committee:** I attended this Tuesday's Housing Committee to present the ideas discussed at our last meeting. The ideas were enthusiastically received by the members. Further details on Tuesday.

Have a good weekend.

Wilton Deer Committee - 2022 Controlled Hunt Plan

| Town | Beginning of Hunting | End of Hunting | Days of No Hunting | Other | Changes from 2021 Request |
|---------------|----------------------|----------------|---|----------|---------------------------|
| Vista | September 15 | January 31 | November 24 & 25 and December 24 & 25 | | |
| Belknap | November 1 | January 31 | November 24, 25, 26 & 27 and December 24 & 25 | | |
| Sackett | November 1 | December 23 | November 24, 25 & 26 and Sundays | | |
| Wrens Thicket | September 15 | January 31 | | Bow Only | |

WLT

| | | | | | |
|---------------------------------|--------------|-------------|--|----------|--|
| Vista surrounding properties | September 15 | January 31 | November 24 & 25 and December 24 & 25 | Bow Only | |
| Gregg | November 1 | January 31 | November 24, 25, 26 & 27 and December 24 & 25 | | |
| Van Haelewyn-Richards (Sackett) | November 1 | December 23 | November 24, 25 & 26 and Sundays | | |
| Slaughter Field | November 1 | January 31 | November 24, 25, 26 & 27 and December 24 & 25 (Hiking Trails Remain Open During Hunting Season) | Bow Only | Hiking Trails Remain Open During Hunting Season |
| Culhane | September 15 | January 31 | | Bow Only | |
| Chessor Lane parcel | September 15 | January 31 | | Bow Only | |
| St. Johns / Chicken St. parcel | September 15 | January 31 | | Bow Only | |
| Seeley Road/Pen Central Parcel | September 15 | January 31 | | Bow Only | |
| Middlebrook Farm Parcel | September 15 | January 31 | | Bow Only | |
| Thayer Pond Parcel | September 15 | January 31 | | Bow Only | |

SNEW

| | | | | | |
|------------------|--------------|------------|--|--|--|
| City Lake | September 15 | January 31 | | | |
| Popes Pond | September 15 | January 31 | | | |
| Crystal Lake | September 15 | January 31 | | | |
| Diversion Parcel | September 15 | January 31 | | | |
| Comstock | September 15 | January 31 | | | |

Verizon Application to the CT Siting Council

- **Timeline for an application for a Certificate of Environmental Compatibility and Public Need:**
 - *CT Siting Council (CSC) has 180 days from the date of submission to make a decision, though with the applicants consent an extension of no more than 180 days may be given.*
 - Example: New Canaan's application for a tower on Ponus Ridge Road-see slides 6 and 7.
 - *A public hearing must be scheduled within 30 to 150 days from the date of submission.*
 - *Applicants seek to address any possible issue in advance of submission so as not to push up against the deadline.*
- **Application information is available on the CSC webpage, see *Pending Matters*.**
https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Pending-Matters
 - *Application Packet.*
 - Example, Westport's pending application has a 47 page executive summary with 20 attachments.
 - Packet will include a current coverage map. See slides 8 and 9 for New Canaan's
 - *Any documents and filings received by CSC*
 - *CSC schedule, CSC generated documents, notices and meeting minutes.*

Verizon Application to the CT Siting Council

Wilton Energy and Utilities Commission survey supports the need for improved cell service:

- *699 residents responded to the December 2021 online survey.*
- *64% dissatisfied.*
- *23% satisfied.*

| Satisfaction with Cell Service | | |
|------------------------------------|-----|------|
| Very dissatisfied | 190 | 27% |
| Dissatisfied | 258 | 37% |
| | 448 | 64% |
| | | |
| Satisfied | 134 | 19% |
| very satisfied | 28 | 4% |
| | 162 | 23% |
| | | |
| Neither satisfied nor dissatisfied | 89 | 13% |
| | | |
| Total Respondents | 699 | 100% |

Verizon Application to the CT Siting Council

Wilton Energy and Utilities Commission survey supports the need for a tower at this location:

- *Of the 258 who identified as dissatisfied, 178 identified specific problem locations.*
- *The most frequently mentioned are expected to be addressed by this location for Verizon customers and others co-locating.*

| Dissatisfied Responds who ID'd Specific Locations | 178 | |
|---|-----------|------------|
| | | |
| Wilton Center | 64 | 36% |
| Ridgefield Road | 56 | 31% |
| Nod Hill/Olmstead Hill | 47 | 26% |
| WHS/MB/CM/MBR Rd/School Rd | 45 | 25% |
| Drum Hill/Belden Hill | 26 | 15% |
| Cannondale/Hurlbutt | 15 | 8% |
| Chessespring/Thayer Pond Area | 15 | 8% |
| Westport Road | 10 | 6% |
| South Wilton | 6 | 3% |

Verizon Application to the CT Siting Council

Wilton Energy and Utilities Commission survey supports the need for a tower at this location, cont.:

- *Of the 190 who identified as very dissatisfied, 134 identified specific problem locations.*
- *Again, the most frequently mentioned are expected to be addressed for Verizon customers and others co-locating.*

| Very Dissatisfied who ID's Specific Locations | 134 | |
|---|-----------|------------|
| | | |
| Wilton Center | 59 | 44% |
| Ridgefield Road | 52 | 39% |
| WHS/MB/CM/MBR Rd/School Rd | 50 | 37% |
| Nod Hill/Olmstead Hill | 32 | 24% |
| Drum Hill/Belden Hill | 30 | 22% |
| Chessespring/Thayer Pond Area | 19 | 14% |
| Cannondale/Hurlbutt | 15 | 11% |
| South Wilton | 14 | 10% |
| Mountain Road Area | 8 | 6% |
| Westport Road Area | 4 | 3% |

Possible CT Siting Council Schedule

Example: Current Siting Council Schedule for Westport Greens Farm Tower

| | |
|---|-----------------|
| Application received | 05/26/22 |
| Completeness review | 06/23/22 |
| Council Interrogatories •☐ Set-One Filed •☐ Set-One responses due | TBD TBD |
| Pre-hearing conference via Zoom - 11:00 a.m | 07/13/22 |
| Final Exchange of Interrogatories between Parties and Intervenor | 07/26/22 |
| Deadline for Pre-filed Testimony and Responses to Interrogatories | 08/02/22 |
| Deadline to request Party/Intervenor status | 08/02/22 |
| Public Hearing 2:00 p.m. evidentiary session and 6:30 p.m. public comment session via Zoom conferencing <i>(refer to Hearing Information section on Docket 510 project webpage for Zoom conferencing log in/call in)</i> | 08/09/22 |
| Continued Evidentiary Session(s) | TBD |
| Close of Evidentiary Record | 08/09/22 |
| Close of Public Comment Period | 09/08/22 |
| Draft Findings of Fact | 09/15/22 |
| Draft Findings of Fact, Opinion & Decision & Order | 09/29/22 |
| Deadline for Decision | 10/23/22 |

Possible CT Siting Council Schedule

Example: Siting Council *Initial* Schedule for New Canaan Ponus Ridge Tower

| | |
|--|----------|
| Application received | 04/13/22 |
| Completeness review | 05/12/22 |
| Council Interrogatories •☐ Set-One Filed •☐ Set-One responses due | TBD TBD |
| Pre-hearing via Zoom - 11:00 a.m. | 06/08/22 |
| Final Exchange of Interrogatories between Parties and Intervenors | 06/14/22 |
| Deadline for Pre-filed Testimony and Responses to Interrogatories | 06/21/22 |
| Deadline to request Party/Intervenor status | 06/21/22 |
| Public Hearing 2:00 p.m. evidentiary session and 6:30 p.m. public comment session via Zoom conferencing (refer to Hearing Information section on Docket 509 project webpage for Zoom conferencing log in/call in) | 06/28/22 |
| Continued Evidentiary Session(s) | TBD |
| Close of Evidentiary Record | 06/28/22 |
| Close of Public Comment Period | 07/28/22 |
| Draft Findings of Fact | 08/04/22 |
| Draft Findings of Fact, Opinion & Decision & Order | 08/18/22 |
| Deadline for Decision | 09/10/22 |

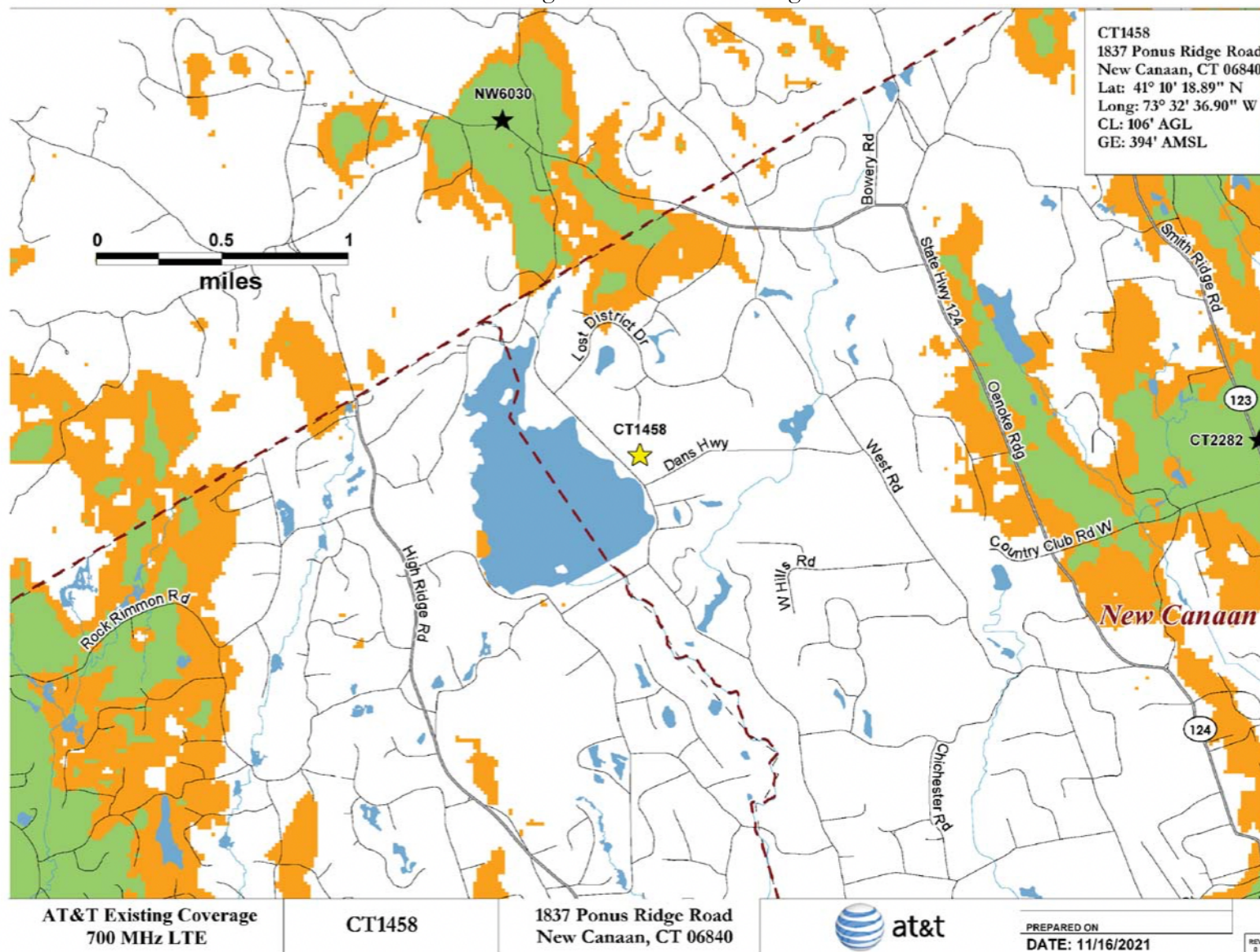
Possible CT Siting Council Schedule

Example: Siting Council *Current Expected* Schedule for New Canaan Ponus Ridge

| | |
|--|-------------------|
| Application received | 04/13/22 |
| Completeness review | 05/12/22 |
| Council Interrogatories • Set-One Filed • Set-One responses due | 05/13/22 06/03/22 |
| Pre-hearing conference via Zoom- 11:00 a.m. | 06/08/22 |
| Exchange of Interrogatories between Parties and Intervenor | 06/14/22 |
| Deadline for Pre-filed Testimony and Responses to Interrogatories | 06/21/22 |
| Deadline to request Party/Intervenor status | 06/21/22 |
| Public Hearing 2:00 p.m. evidentiary session and 6:30 p.m. public comment session via Zoom conferencing | 06/28/22 |
| Deadline for submission of Late Filed Exhibits | 07/07/22 |
| Continued Evidentiary Session | 07/14/22 |
| Final Exchange of Interrogatories between Parties and Intervenor | 08/02/22 |
| Final Deadline for Responses to Interrogatories and Late-Filed Exhibits | 08/09/22 |
| Continued Evidentiary Session using Zoom conferencing – 2:00 p.m. <i>(refer to Hearing Information section on Docket 509 project webpage for Zoom conferencing log in/call in)</i> | 08/16/22 |
| Close of Evidentiary Record | 08/16/22 |
| Close of Public Comment Period | 09/15/22 |
| Draft Findings of Fact | 09/29/22 |
| Draft Findings of Fact, Opinion & Decision & Order | 10/13/22 |
| Deadline for Decision | 09/10/22 |
| Deadline for Decision with Applicants' consent to extension | 12/30/22 |

Example of Coverage Map Provided with CT Siting Council Application

Attachment 3: CT1458 - Existing 700 MHz LTE Coverage" for the Current AT&T Network



Example of Coverage Map Provided with CT Siting Council Application

