

OFFICE OF THE
FIRST SELECTMAN

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Lynne A. Vanderslice
First Selectwoman

David K. Clune
Second Selectman

Lori A. Bufano
Selectwoman

Joshua S. Cole
Selectman

Deborah McFadden
Selectwoman

TOWN HALL
238 Danbury Road
Wilton, CT 06897

BOARD OF SELECTMEN MEETING
Monday September 9, 2019
Meeting Room B, Town Hall

PRESENT: First Selectwoman Lynne Vanderslice, David Clune (arrived at 7:35), Lori Bufano, Joshua Cole, Deborah McFadden

GUESTS: Chris Burney, Frank Smeriglio

OTHERS: Members of the Press and Members of the Public

A. Call to Order

Ms. Vanderslice called the meeting to order at 7:30pm.

B. Executive Session

Ms. Vanderslice asked for a motion to go into Executive Session at 7:31pm to interview Joe Burke on his interest in serving on the Parks & Recreation Commission and Michael Whitted on his interest in serving on the Inland Wetlands Commission. Motion moved by Mr. Cole, seconded by Ms. McFadden and carried 4-0.

C. Public Comment

None

D. Consent Agenda

Motion made by Ms. McFadden seconded by Ms. Bufano and carried 5-0 to approve the Consent Agenda as follows with amendment to BoS Special Meeting Minutes of August 12, 2019 to correct Coles to Cole's under the Consent Agenda:

Minutes

- Board of Selectmen Public Hearing – August 12, 2019
- Board of Selectmen Special Meeting – August 12, 2019
- Board of Selectmen Special Meeting – August 30, 2019

Refunds

- As per Tax Collector's memo dated September 5, 2019

Gifts

- Mary T. Robertshaw – K9 Gift Fund - \$20.00

Ms. Vanderslice thanked Ms. Robertshaw for her donation.

E. Discussion and/or Action

1. **Street Scanning Results – Chris Burney and Frank Smeriglio**
Ms. Vanderslice gave a brief overview noting the town engaged the company StreetScan to scan all town-owned roads to better understand road conditions and to assist with the prioritization of road paving. Scanning results provide the Town with an objective, engineering assessment. Chris Burney and Frank Smeriglio of the Department of Public Works provided a presentation of the scanning results (see attached) and how the town will use and access the information. Mr. Smeriglio recommended rescanning in approximately 6 years.
2. **Town-wide Bridge Evaluation – Chris Burney and Frank Smeriglio**
Mr. Burney reviewed the two bridges that were discussed at a previous BoS Meeting and noted that grants were approved by DOT. He will be recommending the hiring of a consultant to take a look at the balance of the town's bridges. He noted an RFQ, reviewed by town counsel, had received two responses. Mr. Burney is asking the board to allow the First Selectwoman to approve the selected vendor, WMC Consulting, contract pending Town Counsel review. The dollar value of the contract is \$32,920. After review, motion made by Ms. McFadden to authorize the First Selectwoman to execute the contract with WMC Consulting for engineering services for up to \$37,000 pending review from Town Counsel. Motion seconded by Mr. Clune and carried 5-0.
3. **Solar Update and Energy Savings Report – Chris Burney**
Mr. Burney noted the panels on Miller Driscoll and Middlebrook, operational since April of 2018, have generated approximately 511,000 kilowatt hours each. Due to the small scale of the proposed WHS solar installation, Mr. Burney requested the BoS not renew the ZREC for the high school. After review, Ms. Vanderslice asked for a motion to not file for an extension and pay additional funds to extend the ZREC for the High School. Motion moved by Mr. Clune, seconded by Ms. Bufano and carried 5-0.
4. **Political Signs on Town Property**
Ms. Vanderslice shared the attached memo from Town Counsel regarding political signs on town property.
5. **Correction of June 17th minutes - COLA**
Ms. Vanderslice updated the board on a correction to be made to the June 17, 2019 BoS minutes regarding COLA. Ms. Vanderslice noted that the minutes incorrectly reflected the effective date as July 1, 2019 and should have read January 1, 2019. After review, Ms. Vanderslice asked for a motion to amend the June 17, 2019 BoS meeting minutes to reflect the change. Motion moved by Ms. McFadden, seconded by Mr. Clune and carried 5-0.
6. **CFO Report – Anne Kelly-Lenz**
Ms. Vanderslice noted that CFO Anne Kelly-Lenz was unable to attend the meeting. Ms. Vanderslice updated the board on a few items the CFO wanted mentioned. She noted that as of July 1, 2019 the BoE is now sharing financial software (New World) with the town. Ms. Vanderslice thanked Pete Lucia of the Town Finance department for his assistance to the BOE. She also noted Pete is assisting with the work to allow the BOS to share the Town's payroll software as of January, 1. Work has begun on online permitting beginning with Temporary Event permits. Prep work for the audit to begin next week.

7. Litigation Overview

Ms. Vanderslice provided an overview of all outstanding litigation.

8. Appointments

- Robert Zsunkan – Board of Assessment Appeals

Ms. Vanderslice noted that the BoS appointed Mr. Zsunkan at the BoS Special Meeting on August 12, 2019 but noted that the appointment was added after the Agenda was filed, so the appointment should not have taken place.

Motion made by Ms. McFadden to appoint Robert Zsunkan as a Board of Assessment Appeals Alternate for the month of September, seconded by Ms. Bufano and carried 5-0.

- Gary Battaglia – Area Nine Cable

Motion made by Mr. Cole to reappoint Gary Battaglia to the Area 9 Cable Council, seconded by Mr. Clune and carried 5-0.

- Margret Greene & Rob Sanders – Wilton Library Board

Motion made by Mr. Clune to reappoint Margret Greene and Rob Sanders to the Wilton Library Board, seconded by Ms. McFadden and carried 5-0.

F. Selectmen's Reports

1. First Selectwoman

- Ms. Vanderslice noted there have been a number of break-ins of unlocked cars with keys left inside and urged all to lock their cars.
- Ms. Vanderslice thanked Andy DiLoreto and Ray Bryant for the second annual Family Day Concert and noted their group, CT Friends of the Performing Arts, is seeking to assist with bringing music to Schencks Island.
- Ms. Vanderslice noted the in river work being done by Trout Unlimited River Restoration at Schencks Island is complete and the next phase, which is restoration, will take place over the next two months. She also made note that the Environmental Affairs department will be cleaning up old brush and filling potholes in the parking lot at the same time.
- Ms. Vanderslice noted the Wilton Bulletin ran an article with complimentary comments about Assessor Sarah Scacco. Ms. Vanderslice gave thanks to Ms. Scacco for doing a good job.
- Reminded all the 9/11 Ceremony is on Wednesday morning at 10:00am at Fire Headquarters.
- September 10, 2019 at Noon is the next Walk with Lynne, meet at Merwin Meadows.
- SeeClickFix has reached 1000 issues resolved with the significant majority resolved by the DPW department. Police and Parks & Recreation rounded out the top three.
- Sarah Scacco will be at the September 23, 2019 BoS meeting to discuss Senior Tax Relief. Chris Burney and Frank Smeriglio to discuss guard rails.

2. Selectmen

Ms. McFadden

Ms. McFadden gave thanks to those who aided with the Sustainable CT application. She also noted events that took place (Trackside – Food Truck Festival and Cannon Grange Fair). She noted that local businesses have an opportunity to donate funds to local non-profits, previously approved by the BOS and receive a tax credit under state's neighborhood program.

Mr. Cole

Mr. Cole noted he and Ms. Bufano attended the ribbon cutting for Our Lady of Fatima Academy. He noted that the Chamber of Commerce will be hosting its annual gala on Friday October 4, 2019 at Rolling Hills Country Club and will be celebrating its 30th Anniversary.

Mr. Clune

None

Ms. Bufano

Ms. Bufano thanked all who came out for the CT United Ride that took place on Sunday September 8, 2019, in honor of the victims of 9-11. Town was very well represented.

Ms. Vanderslice asked for a motion to change the agenda to move public comment to before the Executive Session. No second.

G. Executive Session

Ms. Vanderslice asked for a motion to go into Executive Session at 9:15pm to discuss outstanding litigation. Motion moved by Mr. Cole, seconded by Ms. McFadden and carried 5-0.

Out of Executive Session at 10:04pm.

H. Public Comment

None

I. Adjournment

Having no further business, Ms. Vanderslice asked for a motion to adjourn. Motion made by Mr. Clune to adjourn meeting at 10:04pm. Motion was seconded by Ms. Bufano and carried 5-0.

Next Meeting – September 23, 2019



Jacqueline Rochester
Recording Secretary
Taken from Video

STREETSCAN

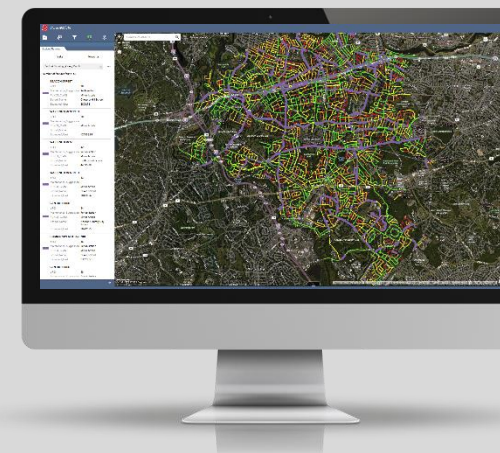
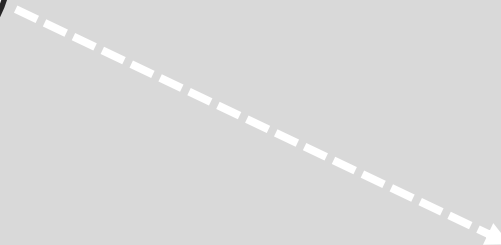
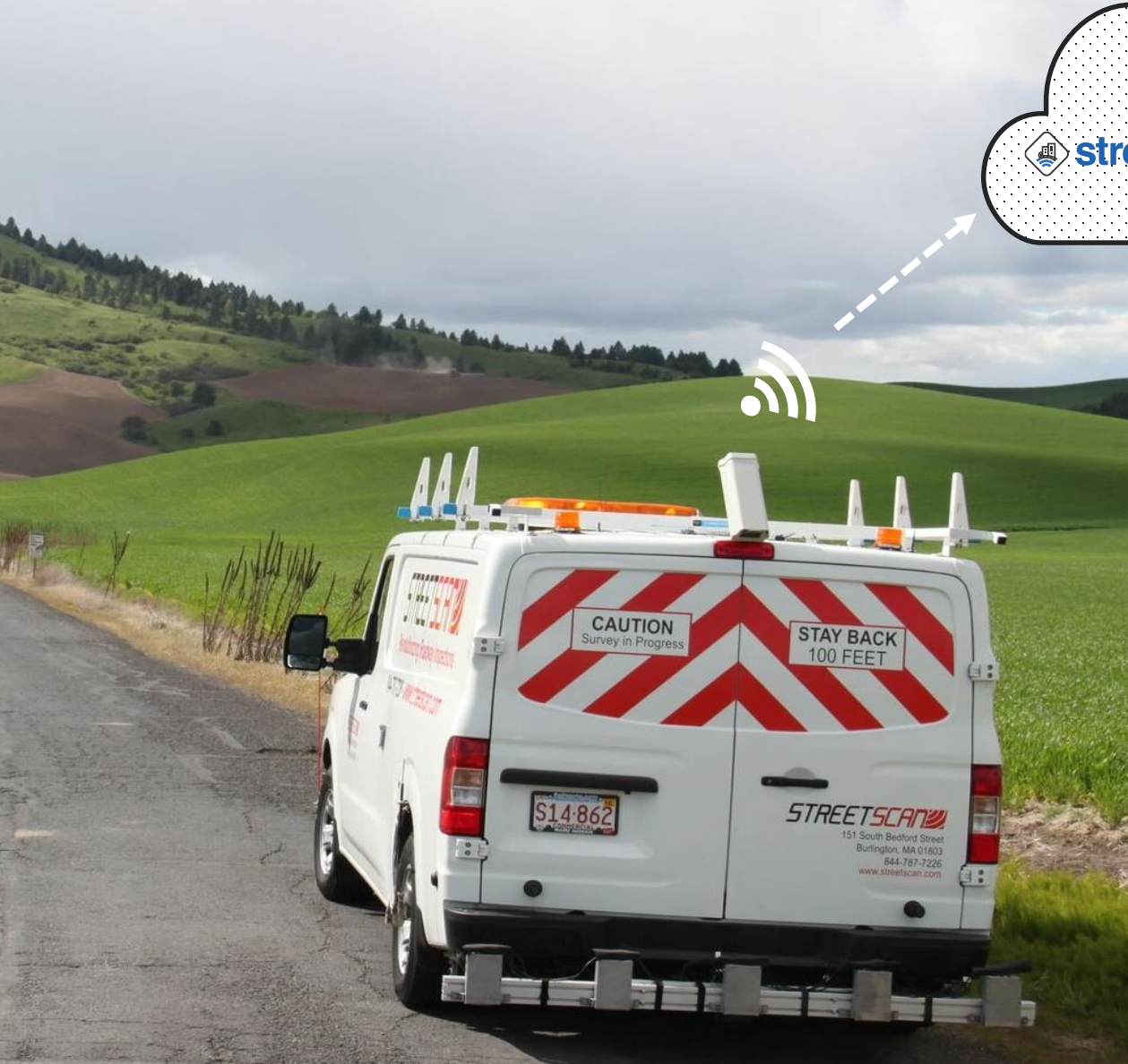


August 2019

Agenda

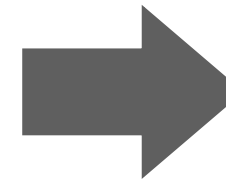
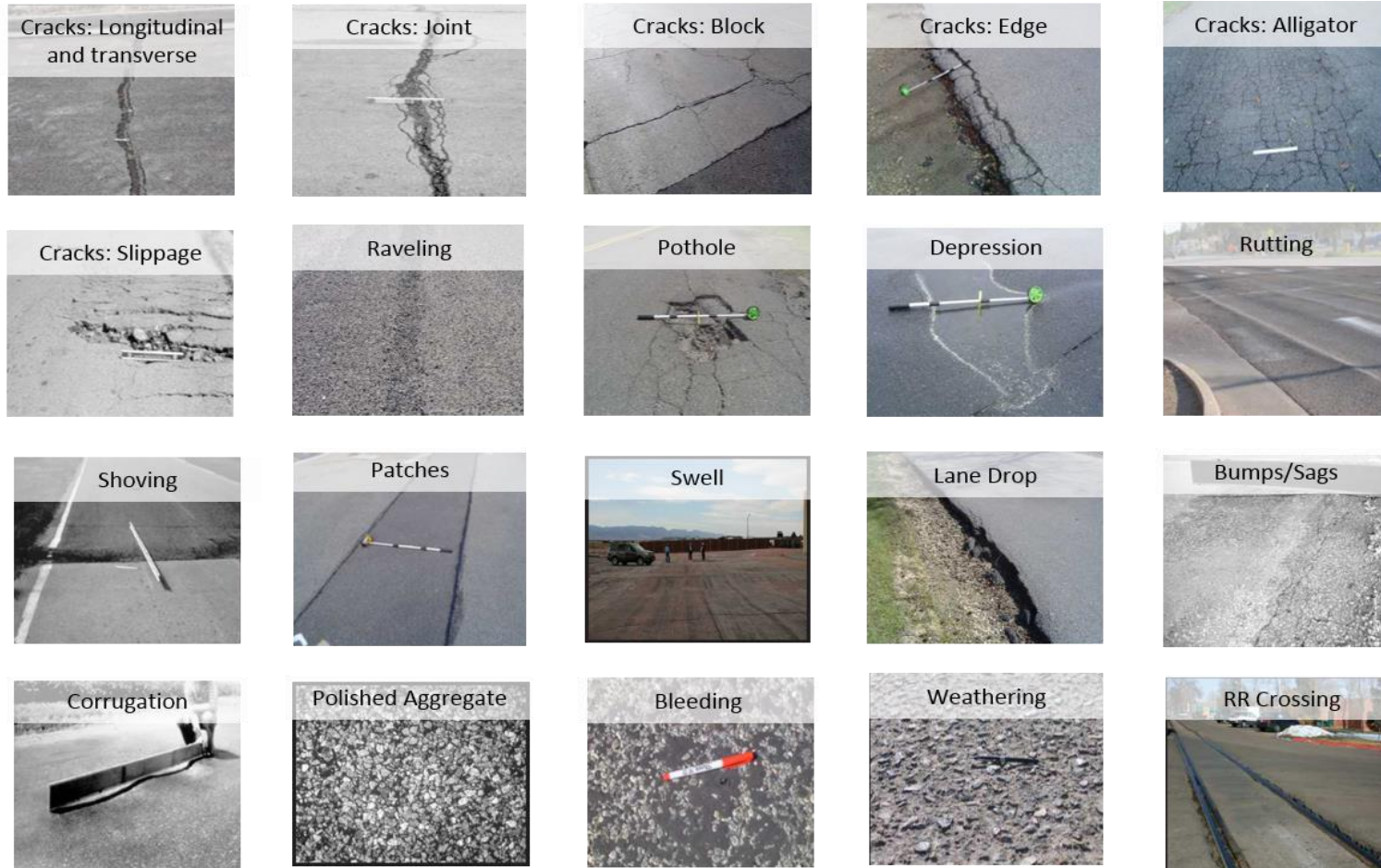
- StreetScan Solution in Wilton
- Roads Condition Statistics
- Roads Management Plan/Projections
- Streetlogix Portal Demonstration

Questions at anytime!



Computer Vision • Machine Learning • Data Science • Sensing Expertise

ASTM Standard Road Distresses



Standard PCI Rating Scale	
100	Good
85	Satisfactory
70	Fair
55	Poor
40	Very Poor
25	Serious
10	Failed
0	



Sample excellent road – (86-100)
(Dark Green)



Sample good road – (71-85)
(Light Green)



Sample fair road – (56-70)
(Yellow)



Sample poor road – (41-55)
(Orange)



Sample very poor road – (26-40)
(Red)



Sample serious/failed road – (0-25)
(Dark Red & Gray)

Pavement Condition Statistics

Pavement Condition Index (PCI)

As of June 1, 2019

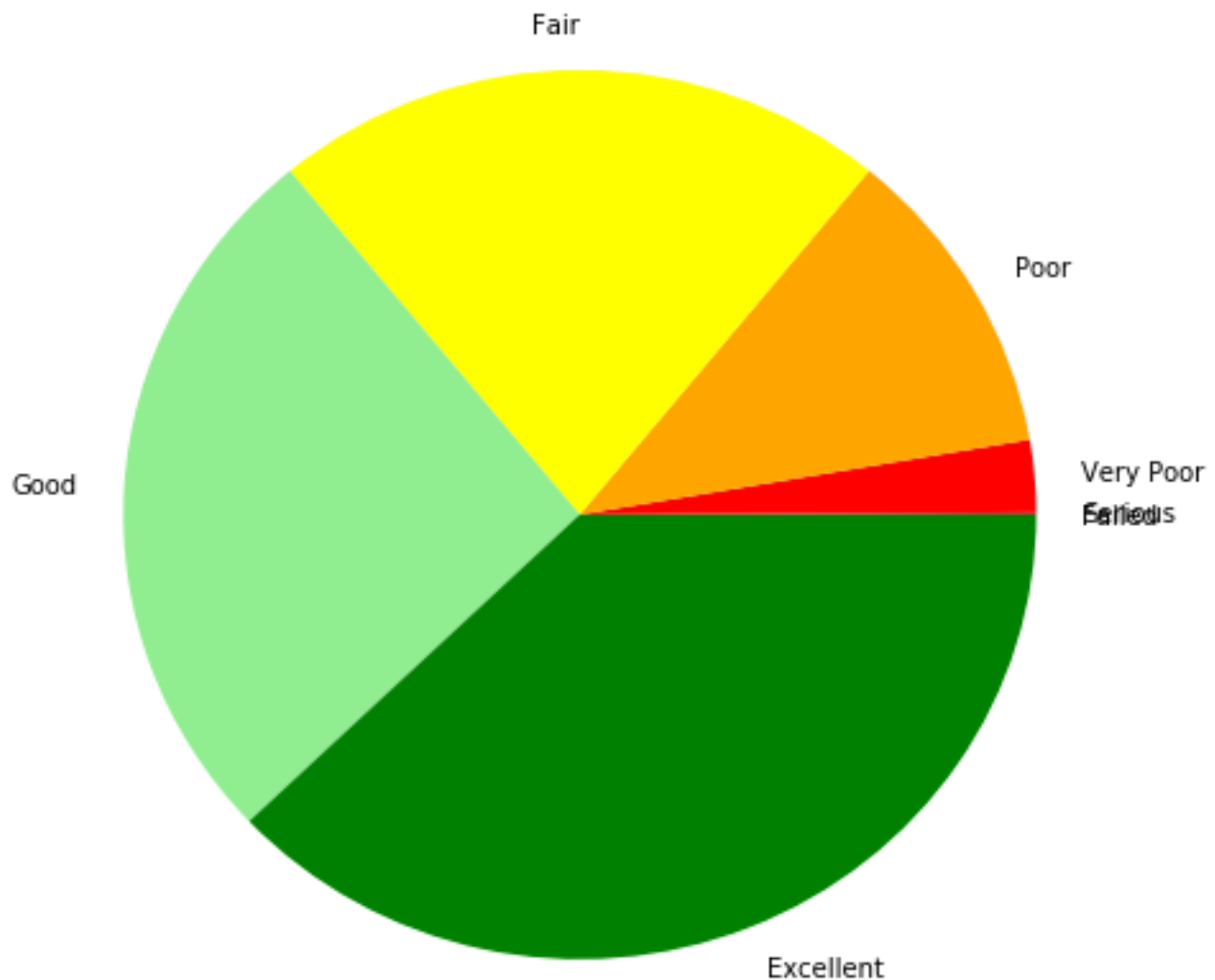


Roads Condition Statistics

Average Condition	77.0
% below Critical Condition (55)	14.1%
% above Critical Condition (55)	85.9%

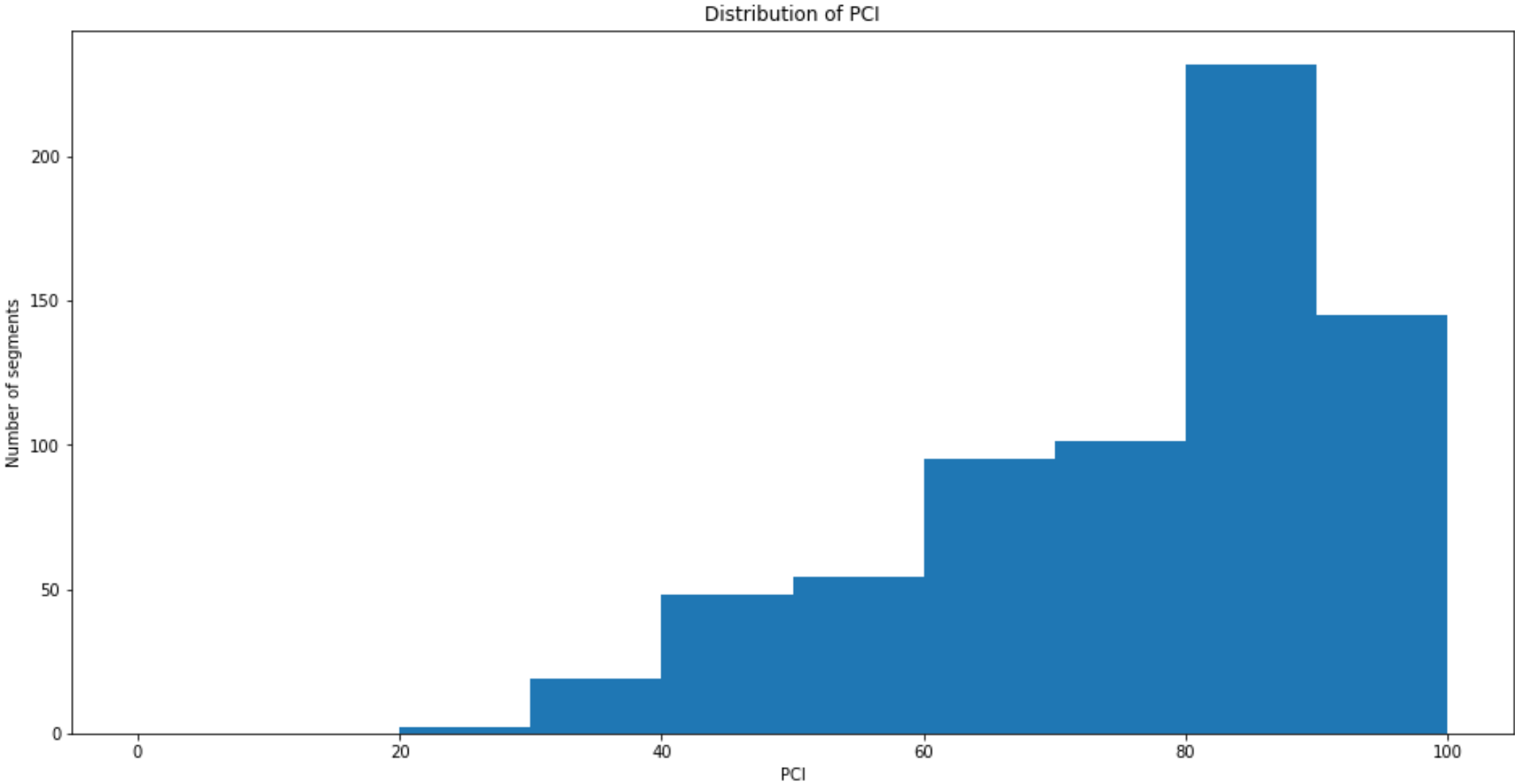
As of June 1, 2019

PCI Distribution by category



Distribution of Pavement Condition Index

As of June 1, 2019



Breakdown by Miles and Number of Segments

As of June 1, 2019

PCI Range	0 – 10 (Gray)	11 – 25 (Dark Red)	26 – 40 (Red)	41 – 55 (Orange)	56 – 70 (Yellow)	71 – 85 (Green)	86 – 100 (Dark Green)	TOTAL
Centerline Miles	0	0.1	3.4	14.8	28.5	34.1	49.4	130.3
Segments	0	1	20	70	127	185	293	696
Percentage	0%	0.1%	2.6%	11.4%	21.9%	26.2%	37.9%	100%

Roads completed after June 1, 2019: 1.64 miles 2.51 miles 0.95 miles

Summary of Findings

As of June 1, 2019

- Average PCI for City-owned road is **77.0**
- The estimated maintenance backlog is **\$13,433,112**. This value represents the cost to repair the entire road network at once to an average PCI of 85.

Cost Estimates Used

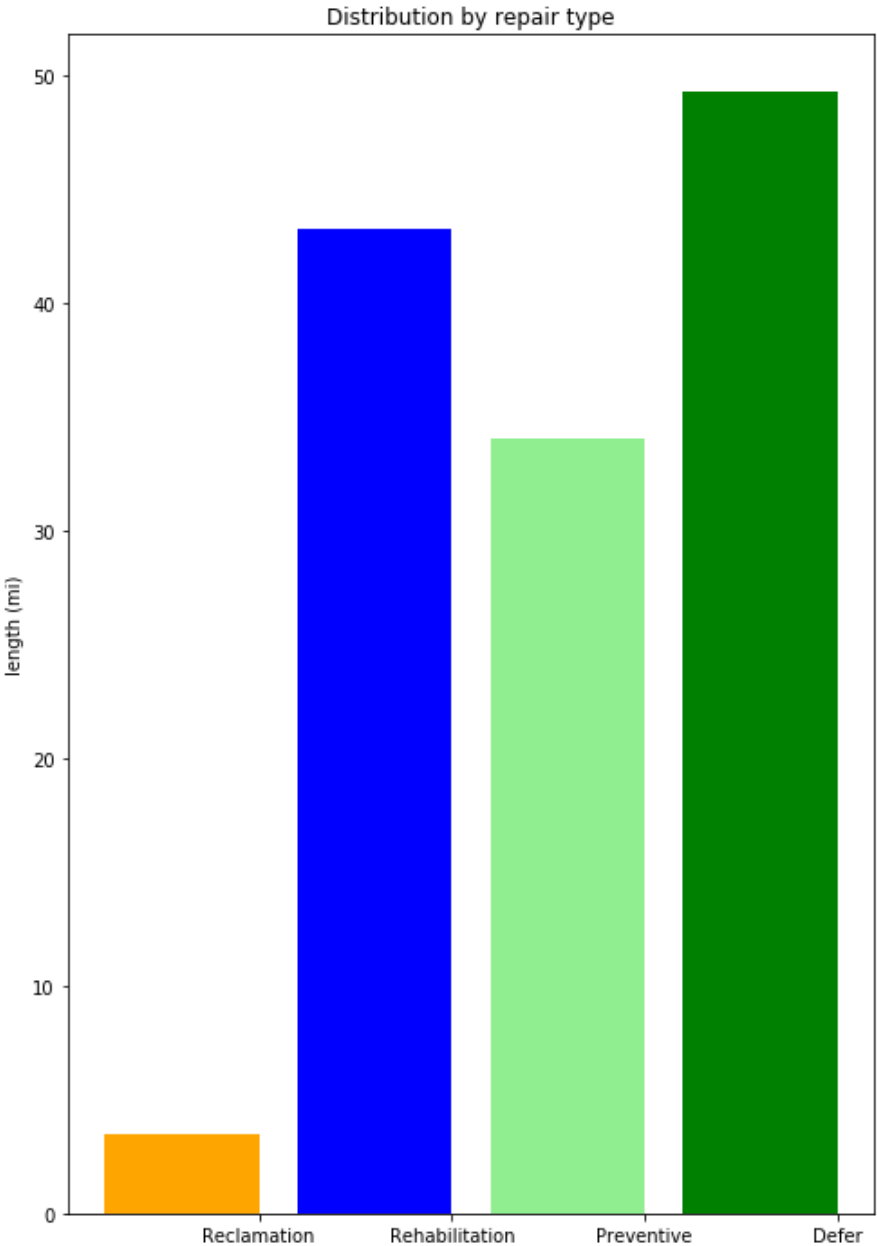
- Preventive (Crack Seal): \$1/SY
- Rehabilitation (Mill & 2" Overlay): \$20/SY
- Reclamation (Full-Depth w/ 4" Overlay): \$40/SY

Pavement Maintenance and Repair



Maintenance and Repair Statistics

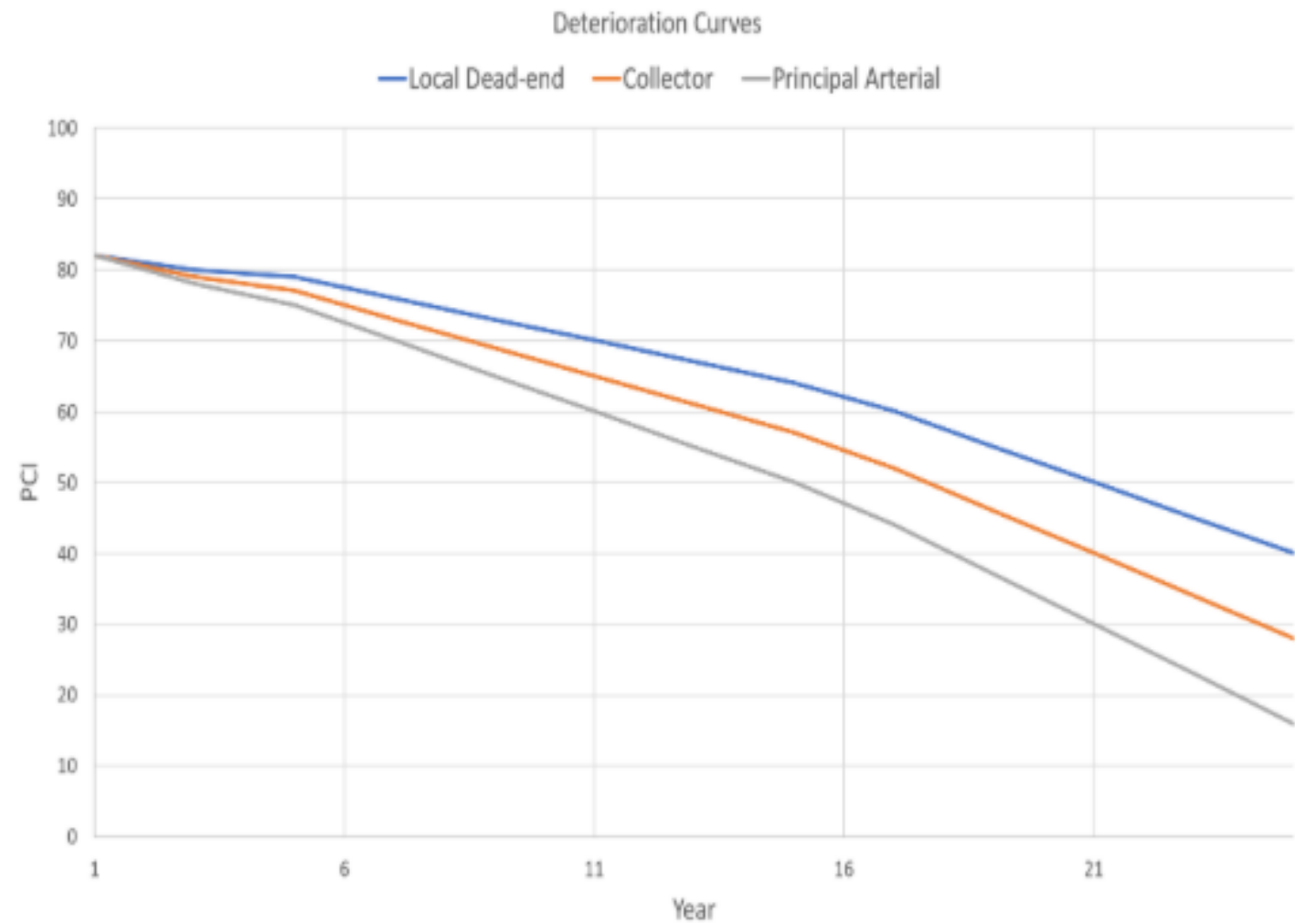
PCI Range	Category	Description	Examples
< 40	Reconstruction	Significant structural damage	Reclamation, Major Mill and Overlay > 4"
40 – 70	Rehabilitation	Resurfacing required to mitigate the effects of rutting, cracking and other distresses	Hot-mix overlay, Mill & Overlay, Hot-in-place Recycling
70 – 85	Preventive Repair	Minor distresses in early stages of pavements' life-cycle	Crack Seal, Microsurfacing, Chip Seal
> 85	Defer Maintenance	Pavement in a great condition	NA



Prioritization Factors

- Functional Class
- Condition
 - PCI
- Benefit (condition change, life extension) to Cost (repair Cost) Ratio
- Available Budget

Deterioration Models





streetlogix

WEB-BASED APP



ADVANCED
ANALYTICS



UNLIMITED USERS



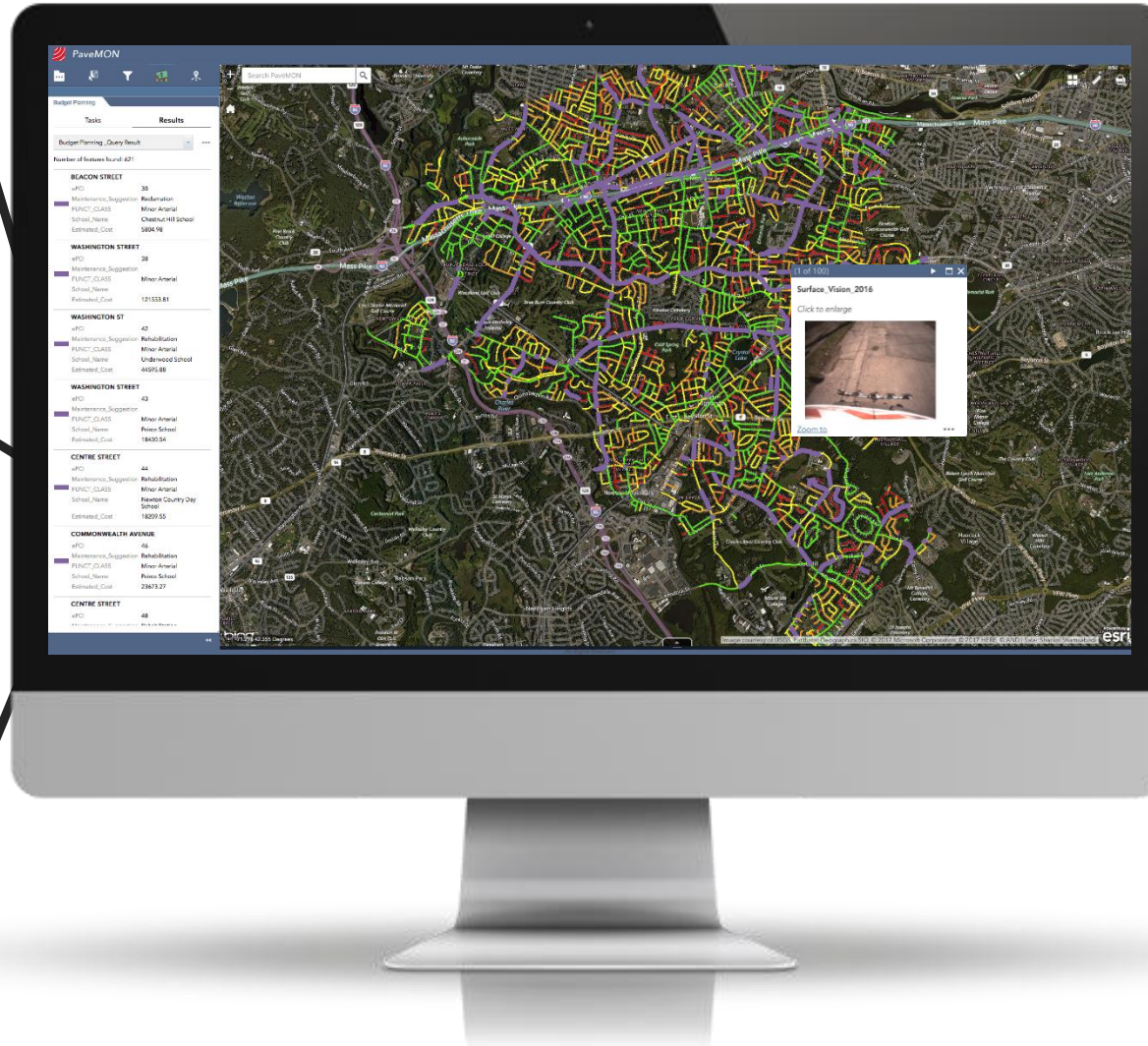
USER FRIENDLY
DASHBOARD



CLOUD HOSTED DATA



ESRI BASED





Get In Touch



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Milford, CT 06460
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Westport, CT 06880
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BERCHEM MOSES.COM

**PLEASE REPLY TO
WESTPORT OFFICE**

Robert L. Berchem
Marsha Belman Moses
Stephen W. Studer ▶
Richard J. Buturla
Floyd J. Dugas
Rolan Joni Young
Ira W. Bloom
Jonathan D. Berchem ◉
Michelle C. Laubin ♦
Gregory S. Kimmel
Christopher M. Hodgson
Christine Owens Morgan

Members, Board of Selectmen
Town of Wilton
Wilton Town Hall
238 Danbury Road
Wilton, CT 06897

Dear Selectmen:

September 5, 2019

Unfortunately, due to a longstanding commitment, I am unable to attend your September 9, 2019 meeting to discuss campaign signs on municipal property. However, for your discussion purposes, I wanted to give you some general guidelines and an option to consider:

Mario F. Coppola
Meredith G. Diette
Ryan P. Driscoll ♦
Bryan L. LeClerc ♦
Brian A. Lema
Douglas E. LoMonte
Brian W. Smith
Christine A. Sullivan

Paula N. Anthony ♦
Alfred P. Bruno
Jacob P. Bryniczka
Eileen Lavigne Flug
Peter V. Gelderman ◊
Warren L. Holcomb
Eugene M. Kimmel

Nicholas R. Bamonte
Eric Barba ■
Richard C. Buturla
Carolyn Mazanec Dugas
Matthew D. Glennon
Rebecca E. Goldberg
John Y. Khalil
Justin Stanko
Matthew L. Studer

■ - Also Admitted in CA
◊ - Also Admitted in IL
▶ - Also Admitted in MA
- - Also Admitted in NJ
♦ - Also Admitted in NY
* - Also Admitted in PA

1. Any discussion of sign regulation has become particularly complicated in recent years, especially in view of the United States Supreme Court decision, *Reed v. Town of Gilbert, Arizona*¹, and the more recent Connecticut Supreme Court decision of *Kuchta v. Arisian*². There have been numerous articles and seminars devoted to this topic. It is now quite clear that any local efforts to regulate the content of a sign—so-called “content-based” regulations—are not likely to be constitutionally allowed. Signs are a form of speech protected by the First Amendment to the United States Constitution, which forbids municipalities from regulating speech in ways that favor some viewpoints over others. If one must read a sign in order to determine whether it complies with a regulation, the regulation is content-based, and the regulation is unlikely to be upheld unless it is necessary to serve a *compelling* municipal interest and is narrowly drawn to achieve that end.
2. Wilton cannot adopt by ordinance or zoning regulation limitations applying *only* to campaign signs, since this would be a “content-based” regulation.
3. On the other hand, there is some support in the law for a prohibition of *all* signs on municipal property.³ Such a prohibition would not be content-based but applicable to all signs, including signs for the high school play and charitable events. Such a complete ban might be undesirable to many residents.

¹ 135 S. Ct. 2218 (2015)

² 329 Conn. 530 (2018)

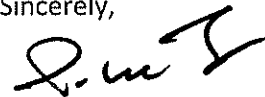
³ Even such a complete ban may not apply to areas traditionally used for public expression such as certain parks or streets or sidewalks.

4. The above general principles apply to town properties. Residents remain free to display campaign signs on their own private property, as long as such signs do not create a traffic safety or line of sight problem.

Given the complexity of the issue and the importance of fully protecting First Amendment rights, my recommendation is that no formal ordinance or regulation be adopted. However, it is certainly possible and perhaps useful for the political parties and candidates to agree on a set of informal understandings as to the placement of campaign signs. Such understandings could be adopted by the Board of Selectman as an informal policy, without any sanctions or enforcement mechanism, simply relying upon the good faith cooperation of Wilton residents.

I would be pleased to attend your September 23, 2019 meeting to discuss this further.

Sincerely,

A handwritten signature in black ink, appearing to read "Ira W. Bloom". The signature is stylized with a large, sweeping "I" and a cursive "B".

Ira W. Bloom
Town Counsel