

THESE MINUTES ARE SUBJECT TO APPROVAL AT THE NEXT BOARD OF SELECTMEN MEETING

WESTBROOK BOARD OF SELECTMEN
Special Meeting
Thursday, March 12, 2015
Mulvey Municipal Center
Multi-Media Room

CALL TO ORDER

First Selectman Bishop called the meeting to order at 4:00 p.m. Those in attendance included: First Selectman Bishop, Selectman Hall, Selectman Ehlert, Andrew Urban, Director of Finance, Paul Connelly, BOF Chairman, Dennis Hallahan, Chairman Riggio Building Committee, Meg Parulis, Planner, Kim Riggio, Tax Collector, Elizabeth Carpenter, Social Services Coordinator, Heidi Wallace, Inland Wetland Official, Deb DeCristoforo, Asst. Town Clerk, Joan Angelini, Town Clerk and Jill Brainerd, HR.

PAYMENT TO DICK LEIGHTON – RE: RIGGIO BUILDING PROJECT

The special meeting was called to discuss “Payment to Dick Leighton – re: Riggio Building Project”. Information was distributed at the meeting and included a breakdown to date of funds expended on the Riggio Building project, a communication dated 3/10/15 to Mr. Leighton regarding the status of his reimbursement and a copy of the BOS motion made on 1/22/15 as follows:

“Mr. Ehlert made a motion to approve a contingency transfer request in the amount of \$30,000 for the installation of a fire alarm system and panic bars at the Riggio Building, to waive the requirements of the Town Bid Ordinance and to forward the request for funds to the BOF for further action. Mr. Hall seconded the motion. The motion passed unanimously.”

The BOS discussed the protocol for payment to Mr. Leighton. Mr. Leighton submitted an invoice in the month of January for work performed at the Riggio Building. Mr. Rehberg, Fire Marshal, approved the invoice and the invoice was paid from the \$30,000 appropriation. Mr. Leighton has submitted an invoice for the month of February. This invoice will not be paid until clarification is received from our Labor Counsel.

Discussion continued regarding the stipend for the Deputy Fire Marshal. Should this stipend include the additional costs submitted by Mr. Leighton for the Riggio project?

Mr. Urban reported that the Finance Department processed an invoice that was signed by the Fire Marshal. Mr. Leighton was paid through the payroll system. Since Mr. Leighton was paid through the payroll system, it was not reflected in the weekly “check runs” that are signed by the First Selectman, Treasurer and another Selectman. Mr. Bishop discussed the matter with Mr. Urban and cautioned him about using funds from the \$30,000 appropriation to the Riggio Building project for payment to Mr. Leighton pending clarification. Mr. Urban responded that Mr. Leighton would be paid from the payroll account as a Deputy Fire Marshal and that no checks will appear in the weekly “check run”.

Mr. Ehlert made a motion “that Mr. Leighton is not entitled to any other funds other than the Deputy Fire Marshal stipend”.

The motion was not seconded.

Mr. Bishop commented that the Town has an obligation to pay any individual who does work for the Town. Mr. Hall suggested that a legal opinion on the situation, including any possible conflict of interest, would be appropriate and requested that Attorney Jiran, Labor Counsel, review the matter and provide a written opinion.

Mr. Bratz, Tax Collector, expressed concern that the Deputy Fire Marshal is being paid in addition to his stipend.

Mr. Hall reported that any payment to the Deputy Fire Marshal should come from the Fire Marshal’s budget. If there are not ample funds in that budget, the Fire Marshal should come to the BOS and BOF and request an appropriation.

Mr. Hallahan, Riggio Building Committee Chairman, reported that the Committee would like Mr. Leighton to continue on the project, including the possible installation of a sprinkler system.

Mr. Ehlert responded that if Mr. Leighton continues to work on the Riggio Building project as a Deputy Fire Marshal, he should not be paid any money in addition to the stipend.

Mr. Hall made a motion "that no further payment should be made to Mr. Leighton until written clarification is received from Attorney Jiran regarding any conflict of interest and payment to Mr. Leighton". Mr. Bishop seconded the motion. Discussion followed:

Mr. Ehlert commented that even if there is no conflict of interest, Mr. Leighton is not entitled to any additional funds for overseeing the project other than the stipend as Deputy Fire Marshal.

Mr. Hall reported that there is no contract authorizing Mr. Leighton to oversee the project at the Riggio Building.

Mr. Urban reported that the consensus of the Committee that met on 12/30/14 to discuss the project at the Riggio Building was that Mr. Rehberg and Mr. Leighton would oversee the project.

Ms. Parulis suggested that perhaps the State Fire Marshal may be of assistance.

The above motion made by Mr. Hall passed unanimously.

ADJOURNMENT

Mr. Bishop made a motion to adjourn the meeting at 4:41 p.m. Mr. Hall seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Attest,

Suzanne Helchowski
Administrative Assistant

Noel Bishop
First Selectman