

Executive Summary

Date: August 20, 2019
To: Seth Morton, Moderator, Representative Town Meeting
From: Kate Clarke Buch, Town Administrator
RE: False Alarm Ordinance

At the August 5, 2019 and the August 19, 2019 meetings of the Board of Selectmen, the Selectmen discussed false fire alarms, particularly repeat violations. After discussion, the Board of Selectmen passed a motion recommending that the RTM consider an amendment to the False Alarm Ordinance that would implement a new fine schedule for repeat violations. The recommendation of the Board is as follows:

Implement a graduated fine structure for repeat offenses within one year as follows:

- a. First False Alarm \$100
- b. Second False Alarm within a year \$150
- c. Third False Alarm or more within a year \$250

Per Town Counsel, \$250 is the highest fine that can be imposed under State Statute. Also, the Selectmen wanted to be clear that by "within a year" they are referring to within 365 days of the first offense, not a calendar year or fiscal year.

Section 5-8
Appendix D

Report & Recommendation on False Alarm Fines

The following are questions posed by BOS on 8/5/19 regarding the False Alarm Ordinance along with the answers.

1. Is there a limit on the amount the fine can be?
 - a. Yes, per state statute, the maximum is \$250
2. Do we currently give a warning for the first offense?
 - a. No, the fine is imposed on the first offense.
3. Do we need a better system for collecting the fines?
 - a. The Fire Marshal's Department has been using the MUNIS billing system for a number of years and it is working fine for them .
4. Can we leverage payment of the false alarm fines against other types of fees/permits?
 - a. No. Per Town Counsel we can fine violators, but we cannot refuse them other services.
5. What is our collection rate?

Year	Collection Rate	Number of invoices
FY 15	100.00%	205
FY 16	99.11%	181
FY 17	99.33%	222
FY 18	99.46%	254
FY 19	92.66%	309

a.

Based on the information and responses provided by Town Counsel and the Fire Marshal, I recommend that the Board of Selectmen ask the RTM to consider the following change to the false alarm ordinance as it pertains to false fire alarms.

- Implement a graduated fine structure for repeat offenses within one year as follows:
 - a. First False Alarm \$100
 - b. Second False Alarm within a year \$150
 - c. Third False Alarm with an year \$250

Executive Summary

Date: September 24, 2019
To: Seth Morton, RTM Moderator
From: Kate Clarke Buch, Town Administrator
RE: Police Grant

The Police Department has been offered the opportunity to assist in the development, testing and deployment of software which will provide an interface between the department's records management system and the State Court's judicial system. To do so, we will need to accept a grant totaling \$451,000. The attached resolution has been approved by the Board of Selectmen. We ask that the Representative Town Meeting approve the grant and appropriate same.

**RESOLUTION OF THE BOARD OF SELECTMEN OF THE TOWN OF DARIEN
ACCEPTING A GRANT FROM THE STATE OF CONNECTICUT AND
APPROPRIATING FUNDING FOR A RECORDS MANAGEMENT SYSTEM
FOR THE DARIEN POLICE DEPARTMENT**

WHEREAS, the Town of Darien through its Police Department is responsible for the protection of life and property, the preservation of public peace as well as the prevention and detection of crime; and

WHEREAS, the Darien Police Department has always been progressive with technology and has local IT support within its own department; and

WHEREAS, the Governing Board of the Criminal Justice Information System has recognized the Darien Police Department for its work; and

WHEREAS, the State of Connecticut, in coordination with the Governing Board of the Criminal Justice Information System, will provide a grant to the Darien Police Department that will fund the development, testing and final deployment of a program which will allow the Darien Police Department to interface between the department's Records Management System and the court's judicial system; and

WHEREAS, this program will allow the Darien Police Department to communicate and transfer case information without the need for paper reports being printed and without the need for an individual from the Darien Police Department to hand deliver the documents to the court;

NOW, THEREFORE BE IT RESOLVED that the Board of Selectmen accepts the grant totaling approximately Four Hundred Fifty Thousand Dollars (\$451,000.00) from the State of Connecticut and appropriates said sum for the development, testing and final deployment of said Records Management System.

Executive Summary

Date: September 24, 2019
To: Seth Morton, Moderator, Representative Town Meeting
From: Jennifer Charneski, Finance Director
RE: Amendment to Town Hall Generator Appropriation and bond Authorization

At the June 12, 2017 meeting the RTM approved a resolution authorizing \$250,000 for the purchase and installation of a generator at Town Hall. An additional \$75,000 is being requested for a total project budget of \$325,000. The Department of Public Works (DPW) requested \$50,000 in the FY2020 budget. The Board of Finance removed the request from the budget with the intention of amending the existing bond authorization. The amendment was not presented at the time of the FY2020 budget vote due to uncertainty about the final project cost. The project has now been bid and a solid estimate is available.

The Town Hall has in the past been used as an emergency work area during a power outage but only a portion of the building is tied to the existing generator. The installation of (1) 350 Kw Diesel Generator is designed to provide power to the entire Town Hall/Mather Center facility during an outage. The new generator and the natural gas cooking, hot water and heating systems will allow the Town to provide its residents additional shelter/refuge area during emergencies that last for extended periods of time. The new generator to service the entire Town Hall facility will be located along the south side of the existing building which is in close proximity to the intersection of Renshaw Road and Park Place.

To date, \$11,749 has been spent on design services. The additional funding is requested as additional construction work to the building is required to house the transfer switches and metering equipment. Also, the decision has been made to use a diesel generator, which is less expensive than natural gas but will require additional site work to help conceal as much of the unit below grade as possible. Finally, we will be upgrading the electrical service to town Hall to eliminate the multiple transformers in the building with the cooperation and funding of Eversource.

DPW will be executing some of the work to reduce costs, but the current estimate is \$325,000. The estimate includes 10% contingency and 10% general conditions and bid alternatives. The construction schedule has work beginning in October and finishing in January, weather permitting. The schedule will be extended to April if the weather is uncooperative.

**RESOLUTION TO AMEND THE RESOLUTION ADOPTED ON JUNE 12, 2017
AUTHORIZING THE ISSUANCE OF BONDS AND NOTES
IN THE AMOUNT OF \$250,000 TO FINANCE THE COST OF THE TOWN HALL
GENERATOR PROJECT, TO INCREASE THE APPROPRIATION AND BOND
AUTHORIZATION BY \$75,000 TO \$325,000**

WHEREAS, on May 8, 2017, the Representative Town Meeting (“RTM”) adopted an appropriation for the July 1, 2017 to June 30, 2018 budget for the Reserve Fund for Capital and Non-Recurring Expenditures in the amount of \$6,710,656 (the “Initial Appropriation”); and

WHEREAS, an appropriation for the cost of purchasing and installing a generator at the Town Hall in the Town of Darien (the “Town”) including all alterations, repairs and improvements in connection therewith as well as engineering, architectural and administrative, printing, legal and financing costs related thereto (the “Project”), was included in the Initial Appropriation (the “Generator Appropriation”); and

WHEREAS, it was determined that the cost of the Project be financed with the issuance of bonds by the Town; and

WHEREAS, on June 12, 2017, the RTM adopted a resolution authorizing the issuance of bonds and notes in the amount of \$250,000 to finance the cost of the Project (the “Resolution”); and

WHEREAS, due to the cost of additional construction, site work and electrical upgrades, the estimated cost of the project increased by \$75,000; and

NOW, THEREFORE, BE IT RESOLVED, that the Resolution is hereby amended to increase the Generator Appropriation and bond authorization by \$75,000 to read as follows:

RESOLVED:

Section 1. The additional sum of \$75,000 is appropriated, for a total appropriation of \$325,000, for the costs of purchasing and installing a generator at the Town Hall in the Town of Darien (the “Town”) including all alterations, repairs and improvements in connection therewith as well as engineering, architectural and administrative, printing, legal and financing costs related thereto (the “Project”), said appropriation to be inclusive of any and all state and federal grants-in-aid thereof.

Section 2. To finance said Project, and in lieu of a tax therefor, bonds of the Town in the additional amount of \$75,000 for a total amount of \$325,000 or so much thereof as shall be

necessary for such purpose, may be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the Board of Finance, or any Town official designated by the Board of Finance, and the amount of bonds of each series to be issued shall be fixed by the Board of Finance, or any Town official designated by the Board of Finance, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of the state and federal grants-in-aid on the Project, and the anticipated times of the receipt of the proceeds thereof. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Town Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Pullman & Comley, LLC of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town is pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent, and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Board of Finance, or any Town official designated by the Board of Finance, in accordance with the General Statutes of the State of Connecticut, as amended (the "General Statutes").

Section 3. Said bonds shall be sold by the Board of Finance, or any Town official designated by the Board of Finance, and the Town Treasurer, or any Town official designated by the Town Treasurer in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest true interest cost to the Town. If the bonds are sold by negotiation, provisions of the purchase agreement shall be subject to the approval of the Board of Finance, or any Town official designated by the Board of Finance.

Section 4. The Board of Finance, or any Town official designated by the Board of Finance, is authorized to issue and sell temporary notes in anticipation of the receipt of the proceeds of any series of said bonds and to determine the amount, date, date of maturity, interest rate, form and other details of such notes pursuant to the General Statutes. Notes evidencing such borrowings shall be signed by the First Selectman and the Town Treasurer, have the seal of the Town affixed, be payable at a bank or trust company designated by the Board of Finance, or any Town official designated by the Board of Finance, be approved as to their legality by Pullman & Comley, LLC of Hartford, Connecticut and be certified by a bank or trust company designated by the Board of Finance, or any Town official designated by the Board of Finance. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town is pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The Town hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount authorized hereby and for the Project defined herein with the proceeds of bonds, notes, or other obligations authorized to be issued by the Town. Such bonds, notes or other obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Board of Finance, or any Town official designated by the Board of Finance, is authorized to pay Project expenses in accordance herewith pending the issuance of reimbursement bonds and to amend this declaration.

Section 6. The First Selectman, Town Treasurer and Finance Officer or any one of them are hereby authorized, on behalf of the Town, to enter into any agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution and to perform all acts which are necessary or appropriate to issue and deliver the bonds or notes. If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the First Selectman, the Town Treasurer and the Finance Officer, or any one of them, are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes, including covenants to pay rebates of investment earnings to the United States in future years. Should such bonds or notes issues in anticipation of such bonds be issued in such form and manner that the interest on such bonds or notes is includable in the gross income of the holders thereof under the Internal Revenue Code of 1986, as amended, then it is hereby determined that the issuance of such taxable bonds or notes is in the public interest.