

**TOWN OF DARIEN
BOARD OF SELECTMEN
OCTOBER 21, 2013**

ATTENDANCE: First Selectman Jayme Stevenson; David Bayne, David Campbell,
John Lundeen, Gerald Nielsen.

STAFF: Karl Kilduff, Administrative Officer.

CALL TO ORDER

First Selectman Stevenson called the meeting to order at 7:45 p.m.

REPORT from Darien Boat Club

Rear Commodore Jerry Kutz introduced Commodore David Devers, who distributed his report to the Selectmen. He gave an overview of the history of the Boat Club and outlined the damages following Storm Sandy including photos before and after the storm. He reviewed the new building and described the higher standards with which the deck and pilings will be installed and stated that they will use the Atlantic City Boardwalk construction methods which withstood the recent storms. He highlighted the projected costs involved with the repairs and reviewed the request to the Darien ZBA to allow them to restore their facility to pre-storm conditions.

Questions from the Selectmen were fielded regarding raising the building and extending the docks. Mr. Devers noted that the application is being reviewed by the Army Corps of Engineers and will then be vetted on to the DEEP. There was also discussion of dredging and capping material and new procedures with the boat slip waiting list.

Commodore Kutz stated that Dock Master Jim Baker will be retiring and his replacement has been announced. First Selectman Stevenson extended best wishes to Mr. Baker on his retirement and thanked him for his service.

REPORT from Sewer Commission:

Chairman Robert Riith provided a verbal update on the Sewer Commission. He reported that after on-going negotiations, they have signed an agreement with the City of Stamford and a settlement with Westmere, pending easements on common sewers. He stated that the Commission has authorized that there will be no rate increase for the year.

First Selectman Stevenson thanked Mr. Riith and the Sewer Commission for all their hard work with the WPCA negotiations, and noted the importance of the Commission's role in the Town.

PUBLIC COMMENT - None

FIRST SELECTMAN'S REPORT

First Selectman Stevenson read her report as follows:

- Received notice that DOT wishes to meet with town representatives to discuss the rail station lease agreements.
- Test Docking of Sea Streak Ferry: Representatives of Sea Streak are working with the Darien Boat Club and Harbor Master to find a mutually agreeable date.
- CPR Video — Stamford Hospital Cardiologist, Dr. Tom Nero and members of Post 53 are scripting a short informational video on hands-only CPR which, when finished, will be posted on the Town web site. If you wish more advanced CPR training, you may call Post 53 to join a class.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Kilduff provided the following draft of the proposed lease terms for the DJST:

Darien Junior Sailing - Proposed Terms for Lease Agreement with the Town of Darien
Purpose: Premises shall be used for the purpose of conducting sailing instruction and waterfront activities, providing storage and classroom space for such.

Darien Junior Sailing proposes the following terms based primarily on the partnership and understanding it has experienced with the Town of Darien for the past 41 years:

Lease term -50 year lease with an option for another 50 years

Rental term - \$1 per year

Boundaries — space from existing gate in driveway down to and including the paved property bordering Noroton Bay Property. Launch area to include beachfront starting in front of former sailing building structure and extending to the rock jetty between Town property and Noroton Bay Beach.

Town obligation continues as in past:

Supply water sewer and electric; Maintain and care for sources of water and utilities

Maintain the exterior of the premises including structural (roof, stairs, ramps)

Maintain the driveway entrance to and property surrounding the structure

Groom beach area daily during season; Clear sand/debris from grounds before season/ post storms

Launch and remove seasonal docks; Process payroll for instructors on reimbursement basis

Provide insurance for property and maintain DJST as additional insured

Provide security in the form of gates around access points on the property

Include area in routine police patrols of the beach

Mr. Kilduff stated that this mirrors other agreements such as that with the Little League and The Depot, and it serves as a framework for continued dialogue with the DJST for the project. Mr. Bayne asked where the location is designated, and Mr. Kilduff noted that the general area is based on setbacks and building requirements. First Selectman Stevenson noted that any changes or alterations would have to come back to the Board. Mr. Kilduff noted that he would look at the template for other agreements and have relevant elements included on the next draft.

Mr. Kilduff stated that the other item in his report was the bidding process for the Noroton Heights Fire Department epoxy coating and he reviewed the outcome of the bid. He noted that they are asking to go over the low bidder and to use another company that is very close, but \$500 over the low bidder.

He explained that another town has had to replace the epoxy after only three years and the company references were not in the Fire Department area, which also puts the second next price company more qualified bidder. There was discussion over how the specifications were provided in the bid, and First Selectman Stevenson added that she would like to see the terms of the warranty agreement.

NEW BUSINESS

Discuss and Take Action on Placement of Cameras in Darien Harbor

Harbormaster Bell came forward and was asked if there was anything further added, and he replied that the request is as submitted. First Selectman Stevenson stated all feedback received from the public has been negative, she is not convinced of the public safety benefit, and she cannot support the request. She asked for input from the Board, and Mr. Bayne asked about the outcome of feedback and decision from the Noroton Bay Boat Club. Harbormaster Bell reported that there is no support from the Noroton Boat Club, and as a result they have withdrawn the request.

The item was withdrawn from the requested approval action.

Discuss and Take Action on License Agreement with News 12 Connecticut LLC to Place a Camera on the Police Communications Tower.

Mr. Kilduff referred to the lease agreement as contained in the agenda packet and noted that final approval has not yet been received from the News 12 Counsel. Mr. Bayne noted that the public should be made aware that the camera position cannot be focused on cars or individuals and it is solely positioned for the purposes intended of traffic and weather.

First Selectman Stevenson noted that the agreement is much more extensive and thorough than merely a letter of request and satisfies concerns of liability and protection of the Town Tower.

**** MR. BAYNE MOVED TO APPROVE THE LICENSE AGREEMENT WITH
NEWS 12 CONNECTICUT LLC TO PLACE A CAMERA ON THE POLICE
COMMUNICATIONS TOWER.**

**** MR. LUNDEEN SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY**

Discuss and Take Action on Composition and Membership of the Darien Affordable Housing Trust Fund Commission

First Selectman Stevenson reported that it was pointed out to her that she should not appoint herself and it was suggested that there be a member of the Human Services Commission and have the First Selectman Stevenson as an ex-officio member. Mr. Bayne asked about the absence of an affordable housing expert on the commission and suggested there be a member of the Darien Housing authority.

There was discussion on a potential conflict of interest if funds could be designated from the Trust Fund to projects approved through the Housing Authority. A discussion ensued on party affiliation and balanced party representation. First Selectman Stevenson noted that the intention is to focus on the position not the person with the composition of members.

First Selectman Stevenson suggested that the membership be comprised of the Chair (or their designee) of the following Boards/Commissions: Planning & Zoning, Board of Finance, Human Services, Darien Housing and the First Selectman as an Ex-Officio Member.

Mr. Kilduff suggested that the Town's attorney be consulted for an opinion and table action on this item until the next meeting.

Discuss the Darien Affordable Housing Advisory Committee Charge

First Selectman Stevenson referred to the draft charge in the agenda packet and presented the following revised draft:

The Darien Board of Selectmen remains committed to providing and supporting the development of affordable housing in the Town of Darien to fill a need that exists within the town and the region. The Darien Affordable Housing Advisory Commission (DAHAC) delivered recommendations to the Board of Selectmen through the Town of Darien Affordable Housing Plan (AHP) adopted by the Board of Selectmen on August 24, 2009.

The Board of Selectmen wishes to convene the Darien Affordable Housing Plan Advisory Commission to review and revise the 2009 Town of Darien Affordable Housing Plan. The Darien Affordable Housing Plan Advisory Commission will be comprised of no more than 7 members. The Advisory Commission membership should comply with majority/minority representation, and to the extent possible, include members with a skill set complementary to the charge.

The Commission will:

- Update the AHP to include AH that has been developed since 2009
- Meet with community stakeholders
- Revise site recommendations for future AH development
- Work with the newly created State of CT Department of Housing to determine available state support for AH in the Town of Darien

There was discussion over holding a summit, the inclusion of an education function, or the role to monitor status of Hartford movement on policy and legislation action. Mr. Kilduff noted that this not a lobbyist role that would provide testimony so the wording would have to clearly be differentiated. First Selectman Stevenson asked for input as to whether this would be a single purpose advisory committee or one that would go on to perpetuity. Mr. Lundeen asked if there was an urgency to have this approved by a certain time, and it was agreed that the item would be tabled until the next Board is in place.

Discuss Mandatory Referral Reports from Planning & Zoning Commission

First Selectman Stevenson referred to the referral reports from Darien Planning and Zoning Commission regarding a request from the Board of Selectmen to purchase the following:

- 32 Hoyt Street property, which is now surrounded by and accessed through the Holmes School property.
- Property at 4 Short Lane, adjacent to Weed Beach

It was noted that both reports were approved by a vote of 6-0 and found to be consistent with the 2006 Town Plan of conservation and Development and Town policies. Mr. Bayne asked what happens next with the normal procedure. Mr. Kilduff noted that this is the first step in the approval process and there are statutory requirement hurdles yet to clear

Agenda Review

Meeting of September 30, 2013

Page 4: change info-mercial to public service announcement. Paragraph 4: last sentence, after together, add “by the committee”, after charge add “for the Board of Selectman to consider.”

Page 5: Hinnant >Hannett; pack > park. Page

Page 6: paragraph 4: nee > need. After project, add “on Route 106, change lighting to safety, change followed by to acknowledge that , change “for the” to “would happen during the”.

9 Paragraph 4: change Board of Selectmen to First Selectman. Paragraph 6: after transition add from metered to an annual permit lot. Mr. Bayne suggested using the new license plate reader technology to sell annual permits in the daily voucher lots instead of re-designating specific geographical areas in the daily lots for annual permits. Mr. Kilduff responded that might lead to more overcrowding in the daily lots and that it might be better to re-designate areas for annual parking to keep better control on the lots. Page 9: Paragraph 5: after see, “paid for by the committees parking fund. In the next sentence end after monthly, insert “parking.”

Page 10: paragraph 3, after over add sidewalk projects identified during the Board of Education’s discussion of Page 11, under Agenda Review. At the end of the sentence, after projections, add from the Board of Education.

**** MR. NIELSEN MOVED TO APPROVE THE MINUTES OF THE MEETING OF SEPTEMBER 30, 2013 AS AMENDED WITH CORRECTIONS NOTED.**

**** MR. LUNDEEN SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY**

Meeting of October 7, 2013

Spelling corrections: Leona >Leone, CoGs, (Council of Government) SWERPA> SWRPA

Page 2: Paragraph 2, change up 8% to over 20% and unemployment at 8%. Paragraph 2: after acknowledge add” the importance of a comprehensive Clean Energy policy, which Connecticut never had before. There was a discussion of energy and environmental policy in Connecticut. (Delete the rest of the paragraph.)

Paragraph 5: change legislator to Governor’s and after nature add with Metro North. Before the last paragraph, add: Mr. Campbell asked about CT’s unfunded pension liabilities. At the end of the last sentence, after strides, add “to begin catching up with the state’s pension liabilities, but more needs to be done (delete as a good start...)

Page3, Paragraph 2: end the sentence after highways. Paragraph 3: add “proposed” before changes and change” proposed changes” to “said that all we hear about is these changes when viewed from”... Replace why with “if we could hear a positive statement about why”...

Paragraph 5: First Selectman Stevenson requested the following to replace paragraph 5:

First Selectman Stevenson stated that she is part of the SWRPA sub-committee on the regional merger and explained that there is a preliminary agreement with the Housatonic Valley CEO to merge. She added that some towns in the newly formed region seem to have little in common and that there has been no public explanation from the state's Office of Policy and Management regarding the rationale for forcing regional consolidation.

The intention of HB 13-247 is to create a regional government structure that can coordinate planning and delivery of state and local services as well as facilitate receipt and distribution of federal transportation dollars. She stated that the legislation creates a financial disincentive should regions not voluntarily merge. The legislation also requires that each new region become a Council of Governments (COG) by 2015. All 8 Chief Elected Officials of SWRPA member towns are concerned about preserving local control and the potential for the implementation of a regional tax to support regional services.

First Selectman Stevenson requested that Senators Leone and Duff support in the upcoming legislative session, sustained funding beyond the 2 years of funding approved in HB 13-247. She also suggested that, given the states desire for regional service delivery, the mandates of CT Statute 8-30g should also be considered on a regional basis rather than town by town.

Page 4: Paragraph 1: after agrees that, insert "town's need to be vigilant that the new legislation does not take away the authority of towns to manage their own affairs. Mr. Bayne asked about the new"... delete efforts and add about the new comprehensive energy strategy developed by the department.

- ** **MR. NIELSEN MOVED TO APPROVE THE MINUTES OF THE MEETING OF OCTOBER 7, 2013 AS AMENDED WITH CORRECTIONS NOTED.**
- ** **MR. LUNDEEN SECONDED THE MOTION.**
- ** **MOTION PASSED UNANIMOUSLY**

OTHER BUSINESS - NONE

FORTHCOMING MEETINGS

October 22, 2013	Board of Education Regular Meeting at 7:30 p.m.
October 22, 2013	Planning & Zoning Commission Public Hearing at 8:00 p.m.
November 4, 2013	Board of Selectmen Regular Meeting at 7:45 p.m.

Adjournment

- ** **MR. LUNDEEN MOVED TO ADJOURN.**
- ** **MR. NIELSEN SECONDED.**
- ** **MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,
Marilyn Knox
Telesco Secretarial Services