

**TOWN OF DARIEN
BOARD OF SELECTMEN
REGULAR MEETING
MARCH 26, 2012**

ATTENDANCE: 1st Selectman Stevenson; David Campbell; Gerald Nielsen;
David Bayne; John Lundeen

STAFF: Karl Kilduff, Administrative Officer

OTHER: Norm Guimond, Chairman, Board of Ed Central Office/
Mather Community Center Building Committee;
Santo Golino, Tony Farin, Darien Little League

CALL TO ORDER

1st Selectman Stevenson called the meeting to order at 7:55 p.m.

REPORT FROM ADVISORY EMS REVIEW COMMITTEE

1st Selectman Stevenson said this will be on the agenda for an upcoming meeting.

**REPORT FROM BOARD OF EDUCATION CENTRAL OFFICE/
MATHER COMMUNITY CENTER BUILDING COMMITTEE**

Mr. Norm Guimond read the following project update report into the record:

“Good evening. I’m Norm Guimond, Chairman of the BOE Central Office/Mather Center Building Committee. Tonight, I would like to update the Board of Selectmen on the progress of our project. I am delighted to report that we are on schedule.

We had completed 50% of the design documentation phase prior to the approval of the project. Since then, we have been working with our architects and construction advisor on completing that phase. We expect completion of the final detailed construction documents for the entire project by late April. We will then go to bid in mid-May.

Let me review progress on Leroy. We presented to the Architectural Review Board and received their approval. EPC approval is not required since any changes are beyond 50 feet of the wetlands. This portion of the project will be presented to the P&Z Commission public meeting on Tuesday, March 27th. Construction for 35 Leroy is scheduled to start in early July with completion by mid November. Moving and occupancy by the Board of Education will be completed by the end of the year.

Regarding the Mather Center, we have presented to the Architectural Review Board and are awaiting final notification. We will present to both the EPC and the P&Z Commission in April. After the Board of Education occupies 35 Leroy, we will begin renovation of the Town Hall Annex for the Mather Center. A schedule for this portion of the project will be established later.”

Mr. Guimond answered questions for the Selectmen and discussed the different phases of the project. It was asked if the building could be used for emergency purposes. It was confirmed that it would not qualify as a Red Cross station based on FEMA standards. It could possibly be considered for use as a “Comfort Center”, offering shelter in the event of extreme heat or extreme cold. It was also mentioned that Whole Foods has agreed to let them use the parking lot when in need, and the Red Cross building next door has agreed to let them use their property in the event of an evacuation.

1st Selectman Stevenson thanked Mr. Guimond and his wife for all their volunteer contributions to the town, and she wished them both well in their upcoming move and retirement. Mr. Guimond thanked everyone for the cooperation he has received from the town.

FIRST SELECTMAN’S REPORT

1st Selectman Stevenson thanked the Darien Times for their recent article on the upcoming 4th of July parade. She said they have already received word from a resident wishing to volunteer.

She said she recently attended a Symposium on Shared Services.

She then mentioned the proposed multi-use trail study along the Merritt Parkway. The proposal calls for it to run from Greenwich to Stratford. There will be a public meeting on Tuesday, April 3rd, 2012 in New Canaan at 6:00 p.m. at the Outback Center.

She said the town will now move to single stream recycling. She said the town could see benefits from the new recycling plan. She thanked Mr. Bob Steeger, Public Works Director, and Ms. Dot Kelly for their efforts in getting this plan implemented. The information will be on the town website.

She said the CT DOT has not responded to her yet regarding the Hoyt Street sidewalk issue.

She mentioned the town recently held a successful bond sale on March 1, 2012, making a sizable debt service savings in the amount of \$14M. It is the lowest rate that the town has ever gotten for a bond sale.

1st Selectman Stevenson mentioned that 4 residents recently earned the title of Eagle Scout.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Kilduff said the budget is now at the Board of Finance. During the course of their review process, they have the opportunity to go out and look at a few individual sites and talk to departments and agencies. They recently had a meeting with the Noroton Heights Fire Department, and that conversation brought up some issues at their facility. The loading on the apparatus bay is their primary concern, as some additional work might have to be done there. Some members of the Board of Finance felt this was a project that should move forward, either this year or in the budget, which is in their hands. The engineering work will be done at the expense of the Heights. There was not a ballpark estimate available. It was mentioned that the Selectmen should have been notified sooner.

PUBLIC COMMENT

There was no public comment.

NEW BUSINESS

a) Discuss and Take Action on Granting Permission to the Darien Chamber of Commerce to Hold Darien Sidewalk Sale & Family Fun Days from July 12 through July 14, 2012

**** MR. LUNDEEN MOVED TO APPROVE THAT THE BOARD OF SELECTMEN OF THE TOWN OF DARIEN HEREBY GRANTS PERMISSION TO THE DARIEN CHAMBER OF COMMERCE TO HOLD THE DARIEN SIDEWALK SALE & FAMILY FUN DAYS FROM JULY 12 THROUGH JULY 14, 2012, SUBJECT TO THE REQUIREMENTS OF THE DARIEN PLANNING & ZONING DEPARTMENT AND POLICE DEPARTMENT.**

**** MR. CAMPBELL SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

b) Discuss and Take Action on a Resolution Authorizing the Acceptance of a Gift of the Renovation of Gallagher Field in Cherry Lawn Park from the Darien Little League

Ms. Swiatek, Director of Parks & Recreation, introduced Mr. Santo Golino and Mr. Tony Farin, of the Darien Little League, and presented their proposal of the renovation of Gallagher Field in Cherry Lawn Park. She said the number one issue for this renovation is safety, as the field sits close to Brookside Road. The project

involves regrading the field, relocating the field 20 feet away from the street, and installing backstop fencing and safety fencing.

1st Selectwoman Stevenson asked if moving the field 20 feet would encroach on the community gardens or the parking lot. Ms. Swiatek said no, as the field would not be used by adults, only by the Little League players. She also mentioned that this is the last activity center in Cherry Lawn Park to be addressed.

1st Selectwoman Stevenson thanked the Little League for their very generous contribution to the town.

**** MR. BAYNE MOVED TO APPROVE THE RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GIFT OF THE RENOVATION OF GALLAGHER FIELD IN CHERRY LAWN PARK FROM THE DARIEN LITTLE LEAGUE. WHEREAS, PURSUANT TO SECTION 2-33 OF THE CODE OF THE TOWN OF DARIEN, THE BOARD OF SELECTMEN IS EMPOWERED ON BEHALF OF THE TOWN OF DARIEN TO ACCEPT GIFTS, PROVIDED GIFTS DO NOT HAVE A VALUE IN EXCESS OF TEN THOUSAND AND 00/100 DOLLAS (\$10,000.00); AND WHEREAS, PURSUANT TO SECTION 2-33A OF THE CODE OF THE TOWN OF DARIEN, SAID GIFTS IN EXCESS OF TEN THOUSAND AND 00/100 DOLLAS (\$10,000.00) MAY BE ACCEPTED WITH ACTION BY THE REPRESENTATIVE TOWN MEETING OF THE TOWN OF DARIEN; AND WHEREAS, THE DARIEN LITTLE LEAGUE DESIRES TO MAKE IMPROVEMENTS TO GALLAGHER FIELD IN CHERRY LAWN PARK WHICH HAS AN ESTIMATED VALUE OF \$208,000 THAT HAS ALREADY BEEN SECURED THROUGH DONATIONS; AND WHEREAS, THE PARK & RECREATION COMMISSION UNANIMOUSLY RECOMMENDED THE ACCEPTANCE OF THE RENOVATIONS TO GALLAGHER FIELD IN CHERRY LAWN PAK, DURING ITS REGULAR MEETING OF MARCH 21, 2012; AND WHEREAS, THE BOARD OF SELECTMEN WISHES TO HAVE THIS GIFT ACCEPTED TO SUPPORT THE IMPROVEMENTS OF AN IMPORTANT RECREATION AMENITY. NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF SELECTMEN OF THE TOWN OF DARIEN HEREBY AUTHORIZES THE ACCEPTANCE OF THIS GIFT AND DIRECTS THAT THIS RESOLUTION BE FORWARDED TO THE REPRESENTATIVE TOWN MEETING FOR ITS CONSIDERATION AND APPROVAL.**

**** MR. NIELSEN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

c) Discuss and Take Action on a Resolution Accepting a Sanitary Sewer Easement for 333 West Avenue

It was explained that common practice has been for the builder to develop the project, and then have the town grant the easements to the homeowner.

**** MR. NIELSEN MOVED TO APPROVE THE RESOLUTION AUTHORIZING ACCEPTANCE OF A SEWER EASEMENT FOR 333 WEST AVENUE. WHEREAS, PURSUANT TO SECTION 2-32 OF THE CODIFIED ORDINANCES OF THE TOWN OF DARIEN, THE BOARD OF SELECTMEN IS EMPOWERED ON BEHALF OF THE TOWN OF DARIEN TO ACCEPT EASEMENTS FOR PUBLIC SANITARY SEWER LINES; AND WHEREAS, A PUBLIC SANITARY SEWER EASEMENT HAS BEEN GRANTED TO THE TOWN AND SIGNED BY 333 WEST AVENUE ASSOCIATES, LLC; AND WHEREAS, THE BOARD OF SELECTMEN WISHES TO ACCEPT THE EASEMENT TO REPAIR, REPLACE, OPERATE AND MAINTAIN A PUBLIC SANITARY SEWER LINE. NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN OF DARIEN BOARD OF SELECTMEN HEREBY ACCEPTS THE PUBLIC SANITARY SEWER EASEMENT AS DESCRIBED IN THE EASEMENT DOCUMENTS. BE IT FURTHER RESOLVED THAT THE FIRST SELECTMAN IS HEREBY AUTHORIZED AND DIRECTED TO EXECUTE THE PUBLIC SANITARY SEWER EASEMENT ON BEHALF OF THE TOWN OF DARIEN WITH SUCH EASEMENT BEING RECORDED ON THE LAND RECORDS OF THE TOWN OF DARIEN.**

**** MR. BAYNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

d) Discuss and Take Action on Assessment Appeal Settlement

Mr. Bayne was opposed to this assessment appeal settlement, saying that it was relatively rich in terms of what the town was giving up.

**** MR. CAMPBELL MOVED TO APPROVE THE SETTLEMENT OF THE CASE OF OX RIDGE HUNT CLUB, INC. V. TOWN OF DARIEN, FST-CV-10- 6005048-S TO AMEND THE FAIR MARKET VALUE FOR THE PROPERTY TO \$12,000,000 FROM \$19,018,500. THE AMENDED FAIR MARKET VALUE OF \$12,000,000 WILL APPLY TO THE GRAND LIST OF OCTOBER 1, 2009, THE GRAND LIST OF OCTOBER 1, 2010, THE GRAND LIST OF OCTOBER 1, 2011 AND THE GRAND LIST OF OCTOBER 1, 2012 IN ACCORDANCE WITH A STIPULATION FOR JUDGMENT, AND ACCEPTANCE OF A DECLARATION OF OPEN SPACE, DEED RESTRICTION AND RIGHT OF FIRST REFUSAL.**

**** MR. NIELSEN SECONDED.**

**** MOTION PASSED UNANIMOUSLY WITH FOUR (4) VOTES IN FAVOR (CAMPBELL, LUNDEEN, NIELSEN, STEVENSON) AND ONE (1) VOTE OPPOSED (BAYNE).**

e) Discuss and Take Action on Possible Revision to Board of Education Central Office/Mather Community Center Building Charge

1st Selectman Stevenson suggested that Mr. David Campbell replace Mr. Norm Guimond on the Mather Center Building Committee. Some discussion took place regarding having three members on the Committee with extensive building experience.

**** MR. NIELSEN MOVED TO APPROVE THE REVISION TO THE BOARD OF EDUCATION CENTRAL OFFICE/MATHER COMMUNITY CENTER BUILDING CHARGE, APPOINTING MR. DAVID CAMPBELL TO THE MATHER CENTER BUILDING COMMITTEE, AS OF MARCH 28, 2012.**

**** MR. BAYNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

f) Transfers

Public Works

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

From:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
10402144-81002	Salary – P.T.	\$ 4,355
	TOTAL	\$ 4,355

To:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
1001011-81003	Seasonal & Temp	\$ 4,355
	TOTAL	\$ 4,355

**** MR. LUNDEEN MOVED TO APPROVE THE TRANSFER OF \$4,355 FROM THE SALARY P.T. ACCOUNT TO THE SEASONAL & TEMP ACCOUNT.**

**** MR. NIELSEN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

From:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
10405154-82013	Solid Waste Disposal	\$ 1,900
	TOTAL	\$ 1,900

To:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
10405154-81004	Overtime	\$ 1,900
	TOTAL	\$ 1,900

- ** MR. BAYNE MOVED TO APPROVE THE TRANSFER OF \$1,900 FROM THE SOLID WASTE DISPOSAL ACCOUNT TO THE OVERTIME ACCOUNT.**
- ** MR. NIELSEN SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

ADMINISTRATIVE OFFICER – SUPPORT SERVICES

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

From:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
10704000-86001	Contingency	\$ 7,000
	TOTAL	\$ 7,000

To:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
10102021-81003	Seasonal Temporary	\$ 7,000
	TOTAL	\$ 7,000

- ** MR. BAYNE MOVED TO APPROVE THE TRANSFER OF \$7,000 FROM THE CONTINGENCY ACCOUNT TO THE SEASONAL TEMPORARY ACCOUNT.**
- ** MR. CAMPBELL SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

AGENDA REVIEW

1st Selectman Stevenson said that they will have the EMS Review Committee on an upcoming agenda; the CT DOT and Hoyt Street sidewalk survey issue will be on an upcoming agenda; the Noroton Heights Fire Department will be on an agenda by April 10; and the public works tipping fees and the police station building committee will be on an upcoming agenda.

APPOINTMENTS/RE-APPOINTMENTS

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Consider and take action on the following **re-appointment**:

a) Wayne Fox to serve as Town Attorney for a 2-year term.

**** MR. LUNDEEN MOVED TO APPROVE THE RE-APPOINTMENT OF WAYNE FOX TO TOWN ATTORNEY FOR A 2-YEAR TERM.**

**** MR. BAYNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

b) Joe Pankowski to the Commission on Aging for a 3-year term beginning on April 1, 2012 and expiring on March 31, 2015.

**** MR. NIELSEN MOVED TO APPROVE THE RE-APPOINTMENT OF JOE PANKOWSKI TO THE COMMISSION ON AGING FOR A 3-YEAR TERM BEGINNING ON APRIL 1, 2012 AND EXPIRING ON MARCH 31, 2015.**

**** MR. CAMPBELL SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

Consider and take action on the following **appointment**:

a) Pending vacancy on the Board of Education Central Office/Mather Community Center Building Committee – This was voted on earlier in the meeting.

b) Phyllis Hawkins to the Beautification Commission for a 3-year term beginning on December 1, 2010 and expiring on November 30, 2013.

**** MR. CAMPBELL MOVED TO APPROVE THE APPOINTMENT OF PHYLLIS HAWKINS TO THE BEAUTIFICATION COMMISSION FOR A 3-YEAR TERM BEGINNING ON DECEMBER 1, 2010 AND EXPIRING ON NOVEMBER 30, 2013.**

**** MR. NIELSEN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Regular Meeting of March 12, 2012

The changes to the Regular Meeting of March 12, 2012 are as follows:

On page 1, under REPORT FROM CHAMBER OF COMMERCE, 4th bullet point, change “AP Economy Class” to “AP Economics Class”.

On page 2, under REPORT FOM REGISTRARS OF VOTERS, the 3rd sentence should read: “The changes occurring in State House Districts 141 and 147”.

On page 2, under REPORT FROM REGISTRARS OF VOTERS, the 5th sentence should read: “In order to get equality in some of the districts and keep the voting at the same places, the RTM Districts 1-6 will be as follows”.

On page 3, 2nd paragraph, the first four paragraphs should read as follows: “1st Selectman Stevenson said she was unable to attend the recent League of Women Voters Elected Officials luncheon due to illness, but Mr. Lundeen attended. The concept of “Council of Governments” was raised by P&Z Chairman Fred Conze. The idea refers to a ‘regional’ form of government for planning and development. Although 1st Selectman Stevenson couldn’t attend, she highlighted the following four points:”.

On page 3, 3rd paragraph, 2nd sentence, change “4/0/12” to “4/22/12”.

On page 6, under Administrative Officer’s Report, 1st sentence, change “FEB” to “F&B”.

- ** MR. BAYNE MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MARCH 12, 2012 AS AMENDED.**
- ** MR. LUNDEEN SECONDED.**
- ** MOTION PASSED WITH FOUR (4) VOTES IN FAVOR (BAYNE, LUNDEEN, NIELSEN, STEVENSON) AND ONE (1) VOTE ABSTAINED (CAMPBELL).**

FORTHCOMING MEETINGS

March 13, 2012	Board of Finance Budget Public Hearing at 7:30 p.m.
March 13, 2012	Planning & Zoning Commission General Meeting at 8:00 p.m.
March 14, 2012	Board of Education Regular Meeting at 7:30 p.m.
March 19, 2012	Representative Town Meeting Regular Meeting at 8:00 p.m.
March 21, 2012	Parks & Recreation Commission Regular Meeting at 7:30 p.m.
March 20, 2012	Board of Finance Regular Meeting at 7:30 p.m.
March 26, 2012	Board of Selectmen Regular Meeting at 7:45 p.m.

OTHER BUSINESS (Any items added to the agenda require a two-thirds vote.)

ADJOURNMENT

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

The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Carolyn Marr
Telesco Secretarial Services