

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
REGULAR MEETING  
MONDAY, OCTOBER 3, 2011**

**ATTENDANCE:** 1<sup>st</sup> Selectman David Campbell; David Bayne;  
Gerald Nielsen; Jayme Stevenson; Callie Sullivan

**STAFF:** Karl Kilduff, Administrative Officer

**OTHERS:** Deborah Hertz, Edgerton Homes Committee; Jim McElry;  
Mary Lou Cleary; Gerry Genovese; Marge Harrington; Bob Foley;  
Vickie Riccardo; Lisa Terrane; Walter Casey; David Genovese;  
Tighe Sullivan; Susan Marks; Holly Schultz; Linda Santarella; Joe  
Pankowski; Bob Steeger

**CALL TO ORDER**

1st Selectman Campbell called the meeting to order at 7:45 p.m.

**FIRST SELECTMAN'S REPORT**

1st Selectman Campbell said he attended a SWRPA Housing Forum in Norwalk. He then attended the groundbreaking at Weed Beach. He said there is nothing left of the old building; the parking lot work has begun; and work on the paddle tennis courts has begun. He addressed the RTM on facilities along with the Building Committee. He hosted a flag raising event and a question and answer session for 26 cub scouts. A ribbon cutting ceremony was held for a new fitness facility in Noroton Heights, and Amanda Smith Caterers on Tokeneke Road. He greeted the visiting Chinese students at Darien High School. As part of Domestic Violence Awareness Month in October, he attended the Domestic Violence Awareness event hosted by the Darien Nature Center, where they released monarch butterflies. He signed two contracts for Tighe & Bond for \$75,000 for drainage engineering for Abby Road and Intervale Road; and with LKB Engineering for West Avenue. The contract is for the Kelsey Moore drainage area and is in the amount of \$97,000. Next week he will sign the contract for \$7,200 for surveying the Hoyt Street area for sidewalks.

**ADMINISTRATIVE OFFICER'S REPORT**

Mr. Kilduff said the reverse auction for the procurement of electricity will take place, so hopefully there won't be a weather event that would affect the natural gas pricing. The electric pricing would go into effect in January 2012. The natural gas connection for Town Hall is still in process with Yankee Gas. They will be making a presentation to EPC for the crossing of the brook. They will then provide documentation to the Planning & Zoning

Department. They hope to have the connection in before November, which is the end of the construction season.

### **REPORT FROM EDGERTON HOMES COMMITTEE**

Ms. Deborah Hertz presented information on the Edgerton Homes. She said other members of the group include Bob Calvi, Carolyn Murray, Joe Pankowski, and Jenny Streeter. She said they have been looking at how the Town of Darien can develop housing alternatives that allow seniors with fixed incomes can stay in Darien. She said they are a very bi-partisan group, and they all support the proposed facilities plan. They have been considering how to best use the land that the Senior Center is on. They believe that the Edgerton Street property is an excellent location for senior housing. The property is on 3.6 usable acres and is close to Noroton Heights shopping and transportation. She said they don't have all the answers; however, they do have a viable and exciting opportunity to diversify the housing options in town. Members of the group visited similar projects in the State and met with architects and engineers. In addition, Mr. Calvi has brought his considerable construction expertise to the table. She said they hope to have architectural drawings to show the next time they present to the Board. They are holding off on going further until it's clear that the proposed Facilities Plan is moving forward.

Ms. Hertz said they are looking at a public/private venture. The public part would have the Town of Darien providing a long-term land lease so that additional housing could be built on the Edgerton Street property. In 2009 the Cottage opened which provides housing to 6 adults with disabilities. That is also a public/private partnership. The private part would be a 20 unit, moderate-income, owner-occupied condominium development. Each unit would have two bedrooms and approximately 900 square feet. Residents would purchase units at below market prices, which they estimate to be under \$150,000. It would be a private condominium association, similar to the Clock Hill Homes, and it would be a deed-restricted community, based on age, income, and the sale price of the unit. The project would be open to individuals and couples who qualify as moderate income. She couldn't cite the exact income requirements; she said the Town of Darien currently has 134 seniors who qualify for State tax abatements. State tax abatements are given to property owners who are 65 years old, and whose annual incomes do not exceed \$32,300 for singles, and \$39,500 for married couples. They consider that to be their target audience.

In terms of sale price, the units would appreciate at a fixed annual rate based on purchase price. There are two phases of financing: pre-construction, and construction. They are looking at two options for pre-construction financing: one is that the financing would come from private donations; and the second option presented itself recently. She said Mr. David Genovese has spoken with the Planning & Zoning Commission about giving the town a fee in lieu of an affordable housing unit in a proposed development. That fee could fund the pre-construction costs on Edgerton Street. The construction costs would

be financed through loans with local banks. The loans would be repaid through the sale of the units. Construction would begin after the relocation of the current Senior Center and after the necessary town approvals have been received. A private developer would build the units, and it's estimated that site work and construction would take approximately 12 months to complete. She said they agree with the Board of Selectmen's 2009 affordable housing plan, and it's two stated objectives, which are to maintain local control of high density development, and to add to affordable housing so as to keep the senior population in Darien. They believe the property on Edgerton Street offers the town the opportunity to both maintain control and build housing that addresses a critical, unmet need and is an asset to our community.

Ms. Hertz confirmed that the housing would not be restricted to Darien residents only, and that a wait list has not been started. The cost of the building demolition will be part of the construction costs. She said that when they come back with architectural drawings, there is a good chance they could consider cluster housing.

### **PUBLIC COMMENT**

Mr. Jim McElry, of 4 Bishop's Gate, spoke of the Shuffle and the parking situation at the train station. He has been a resident of Darien for 10 years, and he waited 5 years to get a parking space at the train station. He is opposed to the Shuffle, primarily due to the cost, and the rising price tag since the inception of the plan. He questioned why the Board of Education needed so much square footage. He noted the assertion that 35 Leroy is a "sunk cost", when in fact it is not. He felt that the cost of the property should be included in the total project cost. He questioned why focus groups were conducted for a Senior Center, when now the project seems to be for a Community Center. Focus groups were not conducted for the remaining percentage of residents who are not seniors.

Ms. Mary Lou Cleary, 7 Patricia Lane, said she is a member of the RTM. At last week's RTM meeting, she asked for a copy of the operating budget for the proposed Mather Center. She was referred to the website, but it was not there. She felt that Darien taxpayers have a right to know and understand the ongoing cost of this project before they are committed to paying for it. She questioned costs, usage, and management of the Center. She said it would be irresponsible to approve a \$7M taxpayer financed project without a careful consideration of all the costs involved.

Ms. Gerry Genovese attends the Senior Center daily with her mother, who has been going there for the past 6 years. She said they have fabulous programs and offerings. She noted that Beth Paris is doing a fantastic job in improving the quality of life for the seniors who go to the Center. She feels that the Center is an asset to Darien, and she approves of the Shuffle.

Ms. Marge Harrington, 29 Dale Lane, gave some information and history on the Senior Center, when she and Carolyn Murray were given the task of setting up a Senior Center

back in the 1970's. She doesn't want to see the Senior Center and all of its programs go away, and she feels that the Shuffle is a brilliant idea. She urged the Selectmen to keep the Senior Center in Darien.

Mr. Bob Foley read the following prepared statement: "Good evening. My name is Bob Foley. I am an 18 year resident of Darien, and my family and I reside at 5 Tulip Tree Lane. Thank you for this opportunity to comment on the proposed Shuffle. I support the development of a new, properly-sized and located Senior Center in Darien. It's badly needed, and long overdue. I oppose the Shuffle. Here's why:

1. Each component of the three-pronged Shuffle must stand on its own merits, using well-established principles of business and investment analysis. The evidence I've heard at recent meetings of the Board of Selectmen and RTM, my review of the Shuffle presentation materials, my review of the Town's financial statements and recent bond offering documents, and of US census data for Darien, make it clear the Shuffle hasn't been subjected to the usual analytical rigor that any business of Darien's size would apply.
2. The Shuffle appears to be a grand solution in search of multiple problems. At first glance, the Shuffle appears like it might be cost-effective, but only because it is based on incomplete analysis. Specifically, the assumption that the building and land at 3 Leroy is "free" to the Town. It's not. The cost of the Shuffle is understated by at least \$4.2 million because the \$4.2 million purchase price of 35 Leroy Avenue is improperly excluded from current cost estimate. The total cost, based on what the BOS has shared to date, is actually \$11.5M, or \$267 psf. This excludes any cost, or square footage, for proposed senior affordable housing at Edgerton Street.
  - a. At last week's RTM meeting, there was confusion about whether \$4.2 million purchase price for Leroy is or is not a sunk cost. What is the definition of a sunk cost? The most widely accepted definition in corporate and municipal finance of a sunk cost is a past expenditure that cannot be recovered.
  - b. The purchase of 35 Leroy is clearly a past Town expenditure. But, its cost can be recovered. How? By selling it to a private party for any commercial or residential uses for which 35 Leroy is zoned. It is currently a B-R 1 zoning designation, which permits either commercial or residential use.
  - c. Nothing about the \$12 million bond offering from the March 2011 used to fund \$3.06 million of the 35 Leroy purchase prohibits the sale of 35 Leroy to a private purchaser. Neither the indenture, nor IRS law, regulation or private letter ruling, flatly prohibit the sale of 35 Leroy. The property can be sold and, in accordance with a particular section of the IRS code, the Town can re-deploy the cash proceeds into other municipal projects such as a Senior Center while preserving the tax-exempt nature of the bonds. The total amount of bonds outstanding related to 35 Leroy is \$3.935 million.
3. Public or private capital projects are typically supported by demonstrated need. What demonstrated need has been substantiated for each Shuffle component?
  - i. For the Senior Center, the existing facility is widely agreed to be obsolete, of poor design, and suffering from years of neglect and deferred maintenance by

the Town. Unanswered yet is what current and future demand exists for it, and how large it should be. The project architect has recommended a 23,000 square foot center to serve all in our community, not just seniors. But at a recent RTM meeting, he was unable to specifically document unmet demand for activity space not already met by Darien's many schools, churches, the Depot, the YMCA, the DCA, or other facilities. Estimates for current demand range from 7 users per day, to more than 400 recurring users over an unspecified period. Still unanswered is how many users are actually Darien residents.

- ii. The Town's architect has designed a Community Center intended to serve a projected population in 2030 of active adults aged 55+ totaling 7,818, or 33.9% of Darien's population. He presumes a population growth rate of 5% for each decade between 2000 and 2030. I have reviewed Darien's US Census data since 1960, and it supports nothing of the sort. Since 1960, Darien's average growth rate each decade was only 2.37%, or less than half of what the architect assumed. Darien's population in 1960 was 18,437; in 2010 it was 20,732. During that period, it rose and fell within that range. More importantly, the proportion of active adults aged 55+ never exceeded 2.8% (that was in 1990), and was 21.74% in 2010. Let me be clear: I strongly support a new Senior Center, but it should be sized to serve expected demand based on empirical evidence.
  - b. The need for new office space for our Board of Education is unproven. A cosmetic renovation of the BOE's existing space at Town Hall may be the most cost effective path, and the BOE's continued co-location with Town employees may create further opportunities to reduce duplicative administrative costs and make more funds available for Darien classrooms.
  - c. For affordable housing, the need is clear but the costs are not. We await detail on feasibility, cost, financial arrangement with developer, the identity of the partner or developer, whether sufficient funding exists for the project, and what other affordable housing initiatives, public or private, are underway to help our Town meet its legal requirements when the moratorium expires.
4. Siting: the proposed uses for Edgerton and Leroy are questionable based on their location, value and zoning.
    - a. 35 Leroy is a valuable, 1.98 acre parcel zoned for commercial or residential use, immediately adjacent to Darien's central business district, within walking distance of the Darien Train Station, with immediate access to public bus service and nearby Exit 11 of Interstate 9. These attributes are reflected in the site's value, and argue for a more intensive, higher density use than 19,000 sf of office space occupied by approximately 36 BOE employees. The ratio of square feet per employee is 527 square feet, which is more than double the ratio seen in the private sector.
  5. Edgerton Street: what is the real plan here? This is the third leg of the Shuffle stool, but until this evening, we've learned little from the BOS other than general statements about a possible public/private partnership. We deserve to understand the plan and

associated costs. At a minimum, the Shuffle needs to include the costs to the Town of demolishing Edgerton and re-using it in some other way, or leaving it fallow.

6. In my opinion, the Shuffle proposal before the Board of Selectmen tonight makes an incomplete economic argument in support of an \$11.1 million investment. There is no demonstrated need for new Board of Education space at 33 Leroy. I see no demographic support for a 23,000 square foot Senior center, and no evident of unmet demand for a community center. I see no clarity about the cost of the concept of senior affordable housing at Edgerton. And, I see the need to re-evaluate the proposal to put a low-density use on the high-value 35 Leroy Avenue site immediately adjacent to our now-thriving Central Business District.
7. I suggest the Board of Selectmen defer this vote for 90 days to give itself, its consultants, and Town staff sufficient time to build a stronger case, which will improve the odds that some proposal will garner sufficient support from the Board of Finance, the RTM, and Darien voters. In my view, the most urgent priority is for a properly-sized, well-located Senior Center than can be delivered in short order. Thank you.”

Ms. Vickie Riccardo, 3 Red Rose Circle, read the following prepared statement:

“October 3, 2011

To: Darien Board of Selectmen

SUBJECT: Shuffle Appropriation

I stand here tonight to urge you **not** to vote to appropriate \$6.979 million dollars for the Shuffle. This price is too high, and the interwoven projects too complicated, to solve the problem of our deteriorating Senior Center, and to deal with what has become a related issue: identifying a use for 35 Leroy.

This rushed vote seems to be a response to what I call “Persistent Senior Center Fatigue”. Finding a cure has been plaguing Darien for 12 years, and commanded this Board’s attention for nearly two years. It is neither right nor responsible to accept a remedy that carries a price tag that exceeds the feasibility estimate by more than 100% just because you want to be done, and well, this is the plan you have. When you fall into a deep hole, you don’t get out by digging deeper.

If you vote to appropriate \$6.979 million for the Shuffle, you will be abdicating your responsibility, and shifting it to the Board of Finance and RTM. We must all hope that those government bodies will do their duty for Darien’s taxpayers. To start, they should demand more than the slick slide shows they saw last Monday and last October as the sole basis for any funding decision. With the yawning credibility gap shown by this appropriation request, it’s reasonable to question the demographic and user assumptions, and cost and timing information that has been provided to justify the Shuffle.

As a member of the Planning & Zoning Commission, I want to know when the Town will file its Special Permit applications for the sites. Back in October 2010, the Commission voted to require “a full needs and use assessment of the spaces” as part of each application. Public hearings are part of the Special Permit process, and the Town has a number of other affirmative obligations under the Zoning Regulations to provide information before Special Permits can be issued. The RTM’s Planning Zoning & Housing Committee, and thus the full RTM, cannot complete their work before knowing the outcome of the Special Permit applications. Hence, they should not be voting on a Shuffle appropriation before the election, as was suggested in the Darien Times on September 29<sup>th</sup>.

Everyone agrees that we need to replace the Senior Center. After 12 years and despite uncertain economic times, there is the will to do that now. **For the right price and on the right site.** We have staged on-site building projects with every school renovation or replacement. A new, right-sized, fully accessible senior center, with a flexible floor plan, could be built at Edgerton within a reasonable time frame and with little disruption to the program.

For the good of Darien’s taxpayers, particularly those who are seniors and living on fixed incomes, you should **not** vote to appropriate \$6.979 million dollars for a Senior Center “solution” that is expensive and complicated. You **should have**, and now **should be**, considering alternatives. Here’s one: Keep it simple and build new, using modular construction techniques, at Edgerton.

Please include this statement in the records for your October, 2011 meeting.

Thank you.”

Ms. Lisa Terrane, 1 Outlook Drive, is the President of the Darien Arts Center, wanted to clarify that there were focus groups conducted in the community. She said that the Darien Arts Center serves 900 people in the community, and they gave good ideas at the focus groups. She felt that the architects heard them. She felt that having the proposed Senior Center/Community Center at Town Hall is a good thing. She confirmed the Darien Arts Center does pay rent to use the space at Town Hall, and they use space at the current Senior Center, which is in bad shape. The students are shuffled back and forth between the Senior Center and Town Hall.

Mr. Walter Casey, 8 Webster Valley Road, said he is ambivalent. They have to keep affordable housing in town. The Senior Center could take a few years to build. Regarding the “sunk costs”, the alternative should be added in. He said he is concerned with the overall economic financial situation. He felt that the economy could get bad again, and he is uncomfortable with the direction the project is going.

Mr. David Genovese, 15 Baywater Drive, said he was on the Task Force for the Senior Center. He said they looked at all the options, including building a new center on the existing property. He is a real estate developer in town, and he has presented plans for 745 Post Road to the Planning & Zoning Commission. This is the first new development proposed under Darien's Inclusionary Zoning Regulations. The Inclusionary Zoning Regulations went into effect in January 2009 and state that any developer who builds more than 5 units of housing at any site in Darien, 12% of the units must be affordable. There is also the opportunity for density bonuses if the developer commits to additional affordable housing beyond the 12%. The Inclusionary Zoning Regulations say that the requirements and obligations on the part of the developer or owner can be satisfied by creating units on-site, off-site, or they could make a payment in lieu of creating additional housing. The payments/monies can go to a housing trust fund, or they can be held by the Planning & Zoning Commission and directed by them to a project approved by the Town to be carried out by a non-profit developer. He feels that extra consideration should be given to the Board of Education's request for more space, as he feels it is not needed. He does support the concept of the Shuffle.

Mr. Tighe Sullivan, 118 Five Mile River Road, said he moved here in 1995, has three children, and is a registered Republican. He said the Shuffle conversation revolves around affordable housing, which is State mandated affordable housing. The reason why the Shuffle has occurred is because they had a building that they didn't do anything with, and here is a way to get rid of using it for affordable housing. This is a building which was purchased with that exact purpose in mind, with the unanimous decision of the Board of Selectmen to use it for affordable housing, and now they are not going to do it. They must now find a way to fill the building. He feels that Darien is a smart town, and they can come up with a smarter plan. The cost basis of the property is ridiculous. He is in favor of a Senior Center, but not in favor of a Senior Center that costs \$12M. He said a new Senior Center is needed, but he feels that it would be smarter to sell 35 Leroy Avenue and rebuild a new Senior Center on the existing site, which has plenty of land. He doesn't understand why the Board of Education needs more space. He wants to know the operating costs of the Senior Center. He doesn't understand why Darien is proposing a Senior Center that is two times the size of New Canaan's. He doesn't understand why an appraisal hasn't been done on 35 Leroy Avenue. He feels they should go back to the drawing board and start over. The project is going to cost the taxpayers a lot more in taxes. He asked for the Board and the entire town to reconsider this proposal.

Ms. Susan Marks, 39 Fairfield Avenue, said she heard a lot of information this evening, in addition to hearing from the professionals last week, and was unsure who to believe. She feels badly for the Seniors, as they are constantly being shuffled around. There is wasted space at the Town Hall building, and the Senior Center building is a mess. She disputes some facts stated earlier regarding the cost of the Senior Center. She feels that the experts know what they are talking about.

Ms. Holly Schultz, 543 Hoyt Street, RTM member, said she is furious after seeing the Senior Center proposal last week at the RTM meeting. As a Licensed Architect, she was appalled that they are as far into the project as they are without feeling like the architects have been given the authority to evaluate multiple options. They were given the authority to work out the design development of the Shuffle project, and were given the task of fitting the space. They did the best they could with it. She had questions about the layout of the plan. She said they should have used the professionals from the beginning. She questioned how so much money has already been spent on this project, yet they are only at 50% design development. She feels that they should be more size and cost conscious and efficient in tough economic times. She said she is a huge proponent of the Senior Center and is sad to hear that it is in such bad shape. She finds it extremely disappointing, and a huge waste of the professionals' time and the Town's money, that they are not closer to being able to make the right choices and to make the best decision.

Ms. Linda Santarella, a former member of the Board of Selectmen, said the neglect of the Senior Center is disturbing. She was a former member of the Senior Center Task Force and the Downtown Task Force. She said that no work orders had been filed for the 20 or 21 items that were in need of attention. The work orders were then put out within a month of the Senior Center liaison position taking effect. The Senior Center was not just for Seniors, but for all Darien residents. She said she needed to defend the reasons why the Senior Center is so deteriorated. It's no different than the Board of Education letting their buildings deteriorate for financial reasons, and having the taxpayers pay the fiddler.

Mr. Joe Pankowski, said there is some misinformation about what has happened in the past. The administration of former 1<sup>st</sup> Selectwoman Evonne Klein tried to address this issue. There were a lot of "starts and stops". As a Democrat in town, he was for the affordable housing at 35 Leroy Avenue. He mentioned some points brought up throughout the evening regarding affordable housing and the costs associated with facilities. He would like to see 20 units of affordable housing at Edgerton Street. He said the opportunity for three new wonderful projects at the cost of \$7M, not the bigger numbers, because the \$4.2M is there and would have been used for affordable housing. He is hopeful that the current Board of Selectmen will have the vision to move forward with this project, even though it is a leap of faith. He said it is a long-term project and not for today. The real benefit of the economy is that the bonding rates will never be lower than they are right now.

### **NEW BUSINESS**

- a) Discuss and Take Action on a Resolution Appropriating \$6,979,000 for the Renovation of 35 Leroy Avenue and 2 Renshaw Road and Authorizing the Issuance of Bonds and Notes in the Amount of \$6,979,000 to Meet Said Appropriation

Mr. Nielsen said that the Senior Center is old and tired, the basement is scary, and the Board of Ed building is old and tired also. It's under-utilized. The square footage numbers did not include the Board of Ed storage space. The Seniors have waited too long. He said they have to take a look at long range planning and building usage. He said he would be voting in favor of moving this item.

Mr. Bayne asked if the demolition costs were included in the bonding costs. 1<sup>st</sup> Selectman Campbell said they should be included in the cost.

Ms. Sullivan thanked everyone who was involved in this project. She said she will be voting against it, as she felt that the town didn't need to have three projects. She feels they only need two, the Senior Center and affordable housing.

Ms. Stevenson thanked the Board of Ed for being a thoughtful partner. She felt that they don't need to move to 35 Leroy Avenue. She said Darien is committed to providing a vibrant senior program, and she strongly supports Darien's commitment to a vibrant Senior Center. She reached out to Selectmen Bayne and Selectmen Sullivan to move this project forward.

Mr. Bayne read from his prepared statement, a copy of which is attached.

Ms. Sullivan said that the "no" vote should not be interpreted as a no vote for a Senior Center.

Ms. Stevenson clarified that they have explored the right size for a Senior Center, and that is why they hired the professionals. They evaluated the programmatic needs of the current Senior Center, and determined the space requirements. They looked at both 35 Leroy and the Town Hall annex. The architect agreed that the best fit is the Town Hall annex. It is the right size for the program that they have today. A new stand alone Senior Center would cost over \$8M.

1<sup>st</sup> Selectman Campbell reviewed the information and history of the project, saying that the Town has been working on this for the past 12 years. A study was done by Perkins & Eastman in November of 2007. He cited some figures, with a total cost of \$8M back then, without soft costs. The facility was for a stand-alone Senior Center at Edgerton Street with 15,000 sq ft, a 3,000 sq ft basement, and a future addition of 4,500 sq ft. This estimate was provided by the same company that is doing the estimate right now. The study cost \$35,000.

More discussion took place among the Selectmen regarding the proposed Shuffle plan, size and space requirements, facilities, and costs.

**\*\* MS. STEVENSON MOVED TO APPROVE THE RESOLUTION  
APPROPRIATING \$6,979,000 FOR THE RENOVATION OF 35 LEROY**

**AVENUE AND 2 RENSHAW ROAD AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE AMOUNT OF \$6,979,000 TO MEET SAID APPROPRIATION.**

**\*\* MR. NIELSEN SECONDED.**

**\*\* MOTION PASSED WITH THREE (3) VOTES IN FAVOR (CAMPBELL, NIELSEN, STEVENSON) AND TWO (2) VOTES OPPOSED (BAYNE, SULLIVAN).**

**\*\* MS. SULLIVAN MOVED TO APPROVE REVIEWING THE TRANSFERS (ITEM D) BEFORE DISCUSSING TRAIN STATION PARKING (ITEM B).**

**\*\* MR. NIELSEN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

b) Transfers

**Public Works Department**

**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>
10401011-82007	Professional Services	\$ 10,000
10402144-81001	F.T. Salary	\$ 6,000
10402144-82041	Fac. Repairs & Maint	\$ 2,000
10402144-83014	Tires	\$ 1,000
10405154-82021	Haz Waste Disposal	\$ 2,000
10405154-83004	Motor Fuel & Lub	\$ 2,100
10405154-83012	Public Info Materials	\$ 1,000
10407011-82019	Security Services	\$ 1,500
	<b>TOTAL</b>	<b>\$ 25,600</b>

**To:**

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
10402144-82023	Paving Services	\$ 25,600
	<b>TOTAL</b>	<b>\$ 25,600</b>

1<sup>st</sup> Selectman Campbell asked Mr. Steeger to explain why this was over by \$25,600. Mr. Steeger explained that it was over by more than that, but they allocated a certain amount of funding for the possibility of an overage. For the first three days of paving, they were running close to their estimates, within 3.5%. On the last three days, they had overages totaling 348 tons. There were 131 tons on Lighthouse Way

and 217 tons on Old Kings Highway North that needed to be added. The total amount for paving is \$686,000.

- \*\* MS. SULLIVAN MOVED TO APPROVE THE TRANSFER OF \$25,600 FROM THE PROF SERVICES ACCT, THE F.T. SALARY ACCT, THE FAC REPAIRS & MAINT ACCT, THE TIRES ACCT, THE HAZ WASTE DISPOSAL ACCT, THE MOTOR FUEL & LUB ACCT, THE PUBLIC INFO MATERIALS ACCT, AND THE SECURITY SERVICES ACCT TO THE PAVING SERVICES ACCT.**
- \*\* 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>
10402144-81001	Full Time Salary	\$ 5,205
	<b>TOTAL</b>	<b>\$ 5,205</b>

**To:**

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
10402144-81003	Seasonal & Temporary	\$ 5,205
	<b>TOTAL</b>	<b>\$ 5,205</b>

- \*\* MR. NIELSEN MOVED TO APPROVE THE TRANSFER OF \$5,205 FROM THE FULL TIME SALARY ACCT TO THE SEASONAL & TEMPORARY ACCT.**
- \*\* MS. SULLIVAN SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

c) Discuss Train Station Parking

It was mentioned that the permit parking spaces are vacant on average between 50-65 spaces per day, and it was suggested that the Board consider releasing for sale some additional permit parking spaces. Some discussion took place regarding the manpower involved in managing and monitoring the wait lists, correspondence, etc. A decision was made to hold a Public Hearing to raise the voucher parking price from \$3.00 to \$5.00.

d) Discuss and Take Action on Settlement of Assessment Appeal

- \*\* MS. SULLIVAN MOVED TO APPROVE THAT THE BOARD OF SELECTMEN HEREBY APPROVE SETTLEMENT OF THE CASE OF DARIEN STATION ASSOCIATES LLC V. TOWN OF DARIEN, FST-CV-09-4016670-S TO AMEND THE FAIR MARKET VALUE FOR THE PROPERTY TO \$4,852,663 FROM \$5,873,000. THE AMENDDD FAIR MARKET VALUE OF \$4,852,63 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.**
- \*\* MS. STEVENSON SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

**AGENDA REVIEW**

1<sup>st</sup> Selectman Campbell said he will try to get the DHA and Ms. Jenny Streeter on the agenda for the next meeting.

**APPOINTMENTS/RE-APPOINTMENTS**

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

- a) Jeff Williams to the Zoning Board of Appeals for a 3-year term beginning on July 1, 2010 and expiring on June 20, 2013.
- b) Susan Lawrence to the Architectural Review Board for a 4-year term beginning on July 1, 2011 and expiring on June 30, 2015.
- c) Jim Cameron to the Area Nine Cable Council for a 2-year term beginning on July 1, 2011 and expiring on June 30, 2013.
- d) David Dever to the Area Nine Cable Council for a 2-year term beginning on July 1, 2011 and expiring on June 30, 2013.

- \*\* MR. BAYNE MOVED TO APPROVE THE RE-APPOINTMENT OF JEFF WILLIAMS TO THE ZONING BOARD OF APPEALS FOR A 3-YEAR TERM BEGINNING ON JULY 1, 2010 AND EXPIRING ON JUNE 20, 2013; SUSAN LAWRENCE TO THE ARCHITECTURAL REVIEW BOARD FOR A 4-YEAR TERM BEGINNING ON JULY 1, 2011 AND EXPIRING ON JUNE 30, 2015; JIM CAMERON TO THE AREA NINE CABLE COUNCIL FOR A 2-YEAR TERM BEGINNING ON JULY 1, 2011 AND EXPIRING ON JUNE 30, 2013; AND DAVID DEVER TO THE AREA NINE CABLE COUNCIL FOR A 2-YEAR TERM BEGINNING ON JULY 1, 2011 AND EXPIRING ON JUNE 30, 2013.**
- \*\* MS. SULLIVAN SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

## APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Regular Meeting of September 19, 2011

The corrections to the regular meeting of September 19, 2011 are as follows:

On page 3, 2<sup>nd</sup> paragraph, 2<sup>nd</sup> sentence, change “He said that the emergency generator is a requirement; however, it can be satisfied with the 100 kilowatt generator currently at the Police Station.” To “He said that the emergency generator is a requirement; however, it can be satisfied with the 150 kilowatt generator currently at the Police Station, which is scheduled to be replaced.”

On page 3, 2<sup>nd</sup> paragraph, 3<sup>rd</sup> sentence, change “moved” to “removed”.

On page 3, under PUBLIC COMMENT, change “John Seeney” to “John Sini”.

On page 4, 1<sup>st</sup> paragraph, change “Jenny Street” to “Jenny Streeter”.

**\*\* MS. SULLIVAN MOVED TO APPROVE THE MINUTES OF THE  
REGULAR MEETING OF SEPTEMBER 19, 2011 AS AMENDED.**

**\*\* MR. BAYNE SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

## FORTHCOMING MEETINGS

<b>October 4, 2011</b>	<b>Joint Town Department Heads Meeting at 8:30 a.m.</b>
October 4, 2011	Planning & Zoning Commission Planning Meeting at 8:00 p.m.
October 11, 2011	Board of Education Regular Meeting at 7:30 p.m.
October 11, 2011	Planning & Zoning Commission General Meeting at 8:00 p.m.
October 17, 2011	Board of Selectmen Regular Meeting at 7:45 p.m.
October 18, 2011	Board of Finance Regular Meeting at 7:30 p.m.

## OTHER BUSINESS

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

## ADJOURNMENT

**\*\* MS. STEVENSON MOVED TO ADJOURN.**

**\*\* MR. BAYNE SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 10:30 p.m.

Respectfully submitted,

Carolyn Marr  
Telesco Secretarial Services