

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
REGULAR MEETING  
JUNE 7, 2010**

**ATTENDANCE:** David Campbell, First Selectman; Callie Sullivan, Jayme Stevenson, Gerald Nielsen, David Bayne

**STAFF:** Karl Kilduff, Administrative Officer

**CALL TO ORDER**

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

**PUBLIC COMMENT**

Ms. Althea Perley of Seagate Road, came forward and said that the YMCA had applied to build a new addition on their facility. She said that there had been a statement on the YMCA application about the Town looking to put another pool in town. She then asked if this was accurate. First Selectman Campbell said that there had been no discussion of this. Ms. Sullivan asked if there had been a discussion with Pat Morrissey about this at the meeting about the YMCA. Ms. Perley said that at that meeting, there had been a statement that the lap pool was not being included in the project because the Board of Selectmen would be discussing this and intended to put in a pool. Mr. Bayne said that there had been no real discussion, but the idea of putting a pool in Town Hall had been mentioned before in the past.

**NEW BUSINESS**

**Discuss and take Action on Approval of 3rd Annual JR Forever Memorial Walk on October 10, 2010**

Ms. Sullivan said that she had participated in the memorial walk last year and it was fun.

Ms. Kimberly Servas, the chair of the JR Forever, came forward and said that this was in memory of J.R. Schoen, a child who had died of brain cancer in 2008. The costs are covered by corporate sponsors. Ms. Servas then said that there were now two organization under the umbrella of the main organization. She then gave a quick overview and said that one of the goals was to provide transportation to those who are impacted by serious illness.

Mr. Bayne asked if there had been any negative feedback from the neighbors. Ms. Service said that she had not heard anything from the neighbors, but said that it was a fairly small group. She added that the event was scheduled about two weeks after the Darien Road Race and that they had not had any difficulties.

**\*\* MS. SULLIVAN MOVED TO APPROVE THE 3RD ANNUAL JR FOREVER MEMORIAL WALK ON OCTOBER 10, 2010**

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

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

First Selectman Campbell then requested that the Board consider Other Business and informed them that there was a resolution regarding Weed Beach that needed the Board's approval.

**OTHER BUSINESS**

(Any item added to the agenda requires a two-thirds vote)

**\*\* MR. BAYNE MOVED TO CONSIDER OTHER BUSINESS AND THE RESOLUTION RELEASING ADDITIONAL FUNDING TO COMPLETE APPROVED WORK AT WEED BEACH.**

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

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

**\*\* MS. STEVENSON MOVED THE FOLLOWING RESOLUTION:**

**RESOLUTION RELEASING ADDITIONAL FUNDING TO COMPLETE APPROVED WORK AT WEED BEACH**

**WHEREAS, A BEACH RENOVATION PROJECT WAS APPROVED BY THE TOWN OF DARIEN FOR WEED BEACH WITH AN APPROPRIATION OF \$3.6 MILLION; AND**

**WHEREAS, FULL FUNDING FOR THE APPROVED APPROPRIATION HAS NOT BEEN RESOLVED BY THE BOARD OF FINANCE WITH THE EXCEPTION OF PROVIDING SOME OF THE REQUESTED FUNDING FROM THE UNDESIGNATED, UNAPPROPRIATED FUND BALANCE; AND**

**WHEREAS, THE BOARD OF SELECTMEN DETERMINED IN OCTOBER 2008 TO HALT ALL MAJOR CAPITAL IMPROVEMENT PROJECTS TO REDUCE THE IMPACTS OF CAPITAL SPENDING IN RESPONSE TO THE GENERAL ECONOMIC CONDITIONS; AND**

**WHEREAS, THE BOARD OF SELECTMEN SUBSEQUENTLY APPROVED THE RELEASE OF FUNDING TO ALLOW FOR THE COMPLETION OF WORK RELATED TO THE INSTALLATION OF A DONATED PLAYGROUND STRUCTURE; AND**

**WHEREAS, AT PRESENT, THE PROJECT NEEDS FUNDING TO BE READY FOR CONSTRUCTION OF THE REMAINING ELEMENTS OF THE PROJECT; AND**

**WHEREAS, THE REQUIRED WORK INCLUDES UPDATING ARCHITECTURALLY DRAWINGS AND SPECIFICATIONS AS WELL AS FINAL SITE ENGINEERING WORK, WHICH WILL HAVE THE WEED BEACH PROJECT READY FOR BIDDING WHEN THE PROJECT IS RELEASED BY THE BOARD OF SELECTMEN; AND**

**WHEREAS, THE BOARD OF SELECTMEN WISHES TO PROVIDE SUFFICIENT FUNDING TO HAVE THE WEED BEACH PROJECT READY TO BE BID WHEN THE DECISION IS MADE TO RELEASE THE PROJECT.**

**NOW, THEREFORE, BE IT RESOLVED THAT, THE DARIEN BOARD OF SELECTMEN HEREBY RELEASES ADDITIONAL FUNDING OF \$18,300 TO ALLOW FOR THE COMPLETION OF REQUIRED DRAWINGS AND SPECIFICATIONS FOR THE WEED BEACH PROJECT.**

**\*\* MR. BAYNE SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

### **TRANSFERS**

#### **Parks and Recreation:**

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance.**

**The sum of \$1,518 from Contingency (Account # 10704000-86600) to Overtime (Account # 10603001-81004)**

**\*\* MR. NIELSEN MOVED TO APPROVE THE FOLLOWING PARKS AND RECREATION TRANSFER:**

**THE SUM OF \$1,518 FROM CONTINGENCY (ACCOUNT # 10704000-86600) TO OVERTIME (ACCOUNT # 10603001-81004)**

**\*\* MR. BAYNE SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance.**

**The sum of \$6,004 from Security Services (Account # 10602001-82019) to Seasonal & Temporary (Account # 10603001-81003)**

**\*\* MS. SULLIVAN MOVED TO APPROVE THE FOLLOWING PARKS AND**

**RECREATION TRANSFER:**

**THE SUM OF \$6,004 FROM SECURITY SERVICES (ACCOUNT # 10602001-82019) TO SEASONAL & TEMPORARY (ACCOUNT # 10603001-81003)**

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

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

**Fire Commission:**

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance.**

**The sum of \$2,000 from Dry Fire Hydrant (Account #10303441-82037) and the sum of \$500 from Equip Rep & Maint. (Account #10303441-82040) to Potable Water (Account #10303441-82053)**

**\*\* MS. STEVENSON MOVED TO APPROVE THE FOLLOWING FIRE COMMISSION TRANSFERS:**

**THE SUM OF \$2,000 FROM DRY FIRE HYDRANT (ACCOUNT #10303441-82037) AND THE SUM OF \$500 FROM EQUIP REP & MAINT. (ACCOUNT #10303441-82040) TO POTABLE WATER (ACCOUNT #10303441-82053)**

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

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

**Senior Center:**

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance.**

**The sum of \$1,525 from Program Expense (Account #10502201-82033) to Facility (Account #10502201-82041)**

**\*\* MR. NIELSEN MOVED TO APPROVE THE FOLLOWING SENIOR CENTER TRANSFER:**

**THE SUM OF \$1,525 FROM PROGRAM EXPENSE (ACCOUNT #10502201-82033) TO FACILITY (ACCOUNT #10502201-82041).**

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

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

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance.**

**The sum of \$325 from Program Expense (Account #10502201-82033) to Telecommunications (Account # 10502201-82050)**

**And the sum of \$420 from Program Expense (Account #10502201-82033) to Gas (Account #10502201-82052)**

**For a transfer total of \$745.**

**\*\* MS. SULLIVAN MOVED TO APPROVE THE FOLLOWING SENIOR CENTER TRANSFERS:**

**THE SUM OF \$325 FROM PROGRAM EXPENSE (ACCOUNT #10502201-82033) TO TELECOMMUNICATIONS (ACCOUNT # 10502201-82050)**

**AND THE SUM OF \$420 FROM PROGRAM EXPENSE (ACCOUNT #10502201-82033) TO GAS (ACCOUNT #10502201-82052)**

**FOR A TRANSFER TOTAL OF \$745 FROM PROGRAM EXPENSE (ACCOUNT #10502201-82033).**

**\*\* MS. STEVENSON SECONDED.**

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

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance.**

**The sum of \$1,270 from Program Expense (Account #10502201-82033) to Electricity (Account # 10502201-82051)**

**\*\* MR. BAYNE MOVED TO APPROVE THE FOLLOWING SENIOR CENTER TRANSFER:**

**THE SUM OF \$1,270 FROM PROGRAM EXPENSE (ACCOUNT #10502201-82033) TO ELECTRICITY (ACCOUNT # 10502201-82051).**

**\*\* MS. SULLIVAN SECONDED.**

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

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance.**

**The sum of \$5,122 fro Program Expense (Account #10502201-82033) to Part-time Salary (Account #10502201-81002)**

**\*\* MR. BAYNE MOVED TO APPROVE THE FOLLOWING SENIOR CENTER TRANSFER:**

**THE SUM OF \$5,122 FRO PROGRAM EXPENSE (ACCOUNT #10502201-82033) TO PART-TIME SALARY (ACCOUNT #10502201-81002)**

There was a question about the time lag involved in this transfer. Mr. Kilduff reviewed the details of the issue with the Board members.

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

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

**Public Works:**

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance**

**The sum of \$3,000 from Solid Waste Svcs (Account # 10405154-82013) to Seasonal & Temp (Account #10401011-81003)**

**\*\* MR. BAYNE MOVED TO APPROVE THE FOLLOWING PUBLIC WORKS TRANSFER:**

**THE SUM OF \$3,000 FROM SOLID WASTE SVCS (ACCOUNT # 10405154-82013) TO SEASONAL & TEMP (ACCOUNT #10401011-81003)**

**\*\* MS. STEVENSON SECONDED.**

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

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance**

**The sum of \$4,000 from Solid Waste Svcs (Account # 10405154-82013) to Overtime (Account # 10405154-83007)**

**\*\* MS. SULLIVAN MOVED TO APPROVE THE FOLLOWING PUBLIC WORKS TRANSFER:**

**THE SUM OF \$4,000 FROM SOLID WASTE SVCS (ACCOUNT # 10405154-82013) TO OVERTIME (ACCOUNT # 10405154-83007).**

**\*\* MR. BAYNE SECONDED.**  
**\*\* THE MOTION PASSED UNANIMOUSLY.**

**Social Services Department:**

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance**

**The sum of \$6,300 from Prof. Services (Account # 10501011-82007) to Part-Time Salary (Account #10501011-81002)**

**\*\* MS. STEVENSON MOVED TO APPROVE THE FOLLOWING SOCIAL SERVICES DEPARTMENT TRANSFER:**

**THE SUM OF \$6,300 FROM PROF. SERVICES (ACCOUNT # 10501011-82007) TO PART-TIME SALARY (ACCOUNT #10501011-81002).**

**\*\* MS. SULLIVAN SECONDED.**  
**\*\* THE MOTION PASSED UNANIMOUSLY.**

**Administrative Officer:**

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance**

**The sum of \$2,258 from Contingency (Account # 10704000-86600) to Advertising (Account # 10102021-82009).**

**\*\* MR. NIELSEN MOVED TO APPROVE THE FOLLOWING ADMINISTRATIVE OFFICER TRANSFER:**

**THE SUM OF \$2,258 FROM CONTINGENCY (ACCOUNT # 10704000-86600) TO ADVERTISING (ACCOUNT # 10102021-82009).**

**\*\* MR. BAYNE SECONDED.**  
**\*\* THE MOTION PASSED UNANIMOUSLY.**

**Board of Finance:**

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance**

**The sum of \$1,057 from Contingency (Account # 10704000-86600) to Independent**

**Audit (Account #10104061-82007).**

**\*\* MS. STEVENSON MOVED TO APPROVE THE FOLLOWING BOARD OF FINANCE TRANSFER:**

**THE SUM OF \$1,057 FROM CONTINGENCY (ACCOUNT # 10704000-86600) TO INDEPENDENT AUDIT (ACCOUNT #10104061-82007).**

**\*\* MS. SULLIVAN SECONDED.**

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

**Contingency:**

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance**

**The sum of \$16,185 from School Board Interest (Account #10810011-88820) to Contingency (Account # 10704000-86600); and**

**The sum of \$106,494 from Gen. Purpose Bonds Interest (Account #10811011-88821) to Contingency (Account # 10704000-86600)**

**for a total transfer of \$122,679 into Contingency (Account # 10704000-86600).**

**\*\* MR. BAYNE MOVED TO APPROVE THE FOLLOWING CONTINGENCY TRANSFERS:**

**THE SUM OF \$16,185 FROM SCHOOL BOARD INTEREST (ACCOUNT #10810011-88820) INTO CONTINGENCY (ACCOUNT # 10704000-86600) AND**

**THE SUM OF \$106,494 FROM GEN. PURPOSE BONDS INTEREST (ACCOUNT #10811011-88821) INTO CONTINGENCY (ACCOUNT # 10704000-86600)**

**FOR A TOTAL TRANSFER OF \$122,679 INTO CONTINGENCY (ACCOUNT # 10704000-86600).**

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

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

**Legal Counsel:**

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance**

**The sum of \$9,500 from Reg. Counsel – Other (Account #10105091-82124) to Regular Counsel – EPC (Account # 10105091-82120); and**

**The sum of \$8,000 from Reg. Counsel – ZBA (Account #10105091-82122) to Regular Counsel – ZBA (Account # 10105091-82105).**

**\*\* MS. SULLIVAN MOVED TO APPROVE THE FOLLOWING LEGAL COUNSEL TRANSFERS:**

**THE SUM OF \$9,500 FROM REG. COUNSEL – OTHER (ACCOUNT #10105091-82124) TO REGULAR COUNSEL – EPC (ACCOUNT # 10105091-82120); AND**

**THE SUM OF \$8,000 FROM REG. COUNSEL – ZBA (ACCOUNT #10105091-82122) TO REGULAR COUNSEL – ZBA (ACCOUNT # 10105091-82105).**

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

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

**Risk Management:**

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance**

**The sum of \$3,308 from General Property (Account # 10803611-82521); and  
The sum of \$8,560 from Worker’s Comp (Account # 10703611-82525)  
for a total transfer of \$11,868 into the following accounts:**

**The sum of \$6,430 into General Liability (Account #10703611-82526); and  
The sum of \$530 into Auto Insurance (Account #10703611-82527); and  
The sum of \$1,472 into Umbrella Liability (Account #10703611-82528); and  
The sum of \$3,436 into Public Office Liability (Account #10703611-82529).**

**\*\* MR. NIELSEN MOVED TO APPROVE THE FOLLOWING RISK MANAGEMENT TRANSFERS:**

**THE SUM OF \$3,308 FROM GENERAL PROPERTY (ACCOUNT # 10803611-82521);  
AND THE SUM OF \$8,560 FROM WORKER’S COMP (ACCOUNT # 10703611-82525)  
FOR A TOTAL TRANSFER OF \$11,868 INTO THE FOLLOWING ACCOUNTS:**

**THE SUM OF \$6,430 INTO GENERAL LIABILITY (ACCOUNT #10703611-82526);  
AND THE SUM OF \$530 INTO AUTO INSURANCE (ACCOUNT #10703611-82527);**

**AND THE SUM OF \$1,472 INTO UMBRELLA LIABILITY (ACCOUNT #10703611-82528); AND THE SUM OF \$3,436 INTO PUBLIC OFFCLE LIABILITY (ACCOUNT #10703611-82529).**

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

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

### **Information Technology**

**RESOLVED: that the following transfer of the appropriations is approved for referral to the Board of Finance**

**The sum of \$1,450 from Telecomm (Account #10108011-82050) to Info Systems Operations (Account # 10108011-82070)**

**\*\* MR. BAYNE MOVED TO APPROVE THE FOLLOWING INFORMATION TECHNOLOGY TRANSFER:**

**THE SUM OF \$1,450 FROM TELECOMM (ACCOUNT #10108011-82050) TO INFO SYSTEMS OPERATIONS (ACCOUNT # 10108011-82070).**

**\*\* MS. SULLIVAN SECONDED.**

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

### **FIRST SELECTMAN'S REPORT**

First Selectman Campbell said that he had nothing to report.

Mr. Bayne asked about the state of the town. He then asked about what the status was on Tom Golden's Stop and Shop proposal. First Selectman Campbell said that he was meeting with Mr. Golden soon. Mr. Bayne then asked about the affordable housing that Ms. Streeter had mentioned. First Selectman Campbell said that he had not heard back from Ms. Streeter.

Ms. Sullivan said that she was pleased to see that Weed Beach project was moving forward. She then asked if there was a prioritizing of the projects. Discussion followed about the 35 Leroy Avenue timeline and the Capital budget.

Mr. Bayne asked about expanding the Police Building Committee. First Selectman Campbell said that someone who had been interested in filling a replacement had not responded, so there had not been any changes. Mr. Bayne said that it seemed that there would be a lot of activity going on with Capital projects during the summer. He then asked about the Phase II Task Force. Mr. Kilduff said that no one has been appointed to the Task Force as of this time and then proceeded to review the process with the Board. A walk through of the Board of Ed space is

needed at this time.

Mr. Bayne asked about the status of the moratorium legislation. Mr. Kilduff then gave a brief update on the next steps of this process that will follow a public hearing.

Ms. Sullivan asked about the flood mitigation issues. She asked if there was a time when the Board of Selectmen would be reviewing the issues. First Selectman Campbell said that Greg Flarthey would be giving a presentation next week.

### **ADMINISTRATIVE OFFICER'S REPORT**

Mr. Kilduff reported that the performance evaluations of the non union staff is underway.

CL&P rebates have come in and are about \$31,000.

The FEMA reimbursement process is moving forward. There have been local meeting with FEMA representatives. Mr. Kilduff said that the FEMA representatives would like to have the project wrapped up by August.

### **AGENDA REVIEW**

There was nothing to discuss.

### **APPOINTMENTS/REAPPOINTMENTS**

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

- a) Ed Sweeney to the Environmental Protection Commission for a 3 year term beginning on July 1, 2007 and expiring on June 30, 2010.**

Mr. Sweeney was not able to attend. Mr. Bayne said that he felt that it was important for the Board to interview the candidates. It was pointed out that Mr. Sweeney's current term will end on June 30, 2010. This will allow the Board time to interview him before re-appointing him to a three year term.

**\*\* MR. NIELSEN MOVED TO APPOINT ED SWEENEY TO THE ENVIRONMENTAL PROTECTION COMMISSION FOR A 3 YEAR TERM BEGINNING ON JULY 1, 2007 AND EXPIRING ON JUNE 30, 2010.**

**\*\* MS. STEVENSON SECONDED.**

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

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

**Karen Brennan to the Youth Commission for a 3-year term beginning on April 1, 2010 and expiring on March 31, 2013.**

**Meghan Moore to the Youth Commission for a 3-year term beginning on April 1, 2010 and expiring on March 31, 2013.**

**Christine Wood to the Youth Commission for a 3-year term beginning on April 1, 2010 and expiring on March 31, 2013.**

**\*\* MR. BAYNE MOVED TO APPROVE THE FOLLOWING REAPPOINTMENTS:**

**KAREN BRENNAN TO THE YOUTH COMMISSION FOR A 3-YEAR TERM BEGINNING ON APRIL 1, 2010 AND EXPIRING ON MARCH 31, 2013.**

**MEGHAN MOORE TO THE YOUTH COMMISSION FOR A 3-YEAR TERM BEGINNING ON APRIL 1, 2010 AND EXPIRING ON MARCH 31, 2013.**

**CHRISTINE WOOD TO THE YOUTH COMMISSION FOR A 3-YEAR TERM BEGINNING ON APRIL 1, 2010 AND EXPIRING ON MARCH 31, 2013.**

**\*\* MS. STEVENSON SECONDED.**

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

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS:**

**April 5, 2010**

The following corrections and additions were noted:

Page 1, under Public Comment, paragraph 3' last sentence, please change the following from”  
“but said that Mr. Adelman said he was speaking in the capacity as a member of the  
Committee but not on behalf of PZ&H.”

to but said that Mr. Vanderkief said he was speaking in the capacity as a member of the  
public and not on behalf of PZ&H.”

Page 3, paragraph 1, line 1, please change the following from: “The area is about 122 acres” to  
"the overall area is about 22 acres."

Page 4, please add the following text following “In conclusion, the redevelopment of this area  
could ultimately obviate the need for a flood control project”:

Mr. Leonard Jackson, having presented alternative flood mitigation proposals, answered the following questions:

1. Mrs. Sullivan asked: Would the increased development of the new project along West Avenue cause the water to flow off of West Avenue into unwanted areas?

Mr. Jackson replied that there would have to be large inlet areas along West Avenue to take the water sheeting off of West Avenue and bring it into the underground detention tank under Mr. Golden's development. This inlet might be 4 feet wide by 100 feet long. You would not see it unless you were looking for it.

2. Mrs. Sullivan asked if there would any positive downstream effect to flood mitigation as there was planned to be from the original project at Baker Woods.

Mr. Jackson answered that the downstream mitigation would be minimal, but not great. However flooding downstream – south of I95 should not get worse.

3. Mrs. Stevenson asked if this project would require a permit.

Mr. Jackson replied, yes. He had been told it would require a permit even though there are no wetland issues.

4. Mr. Bayne asked about building structures and parking cars above the two acre drainage structure.

Bob Steeger replied that the structure would be a two acre concrete holding tank, at least 6 feet tall, which could easily have parking above it, similar to Grand Central Station.

5. Questions were asked about Mr. Golden's ownership of the property and how much water he would be obligated to mitigate. These questions will be fully addressed during the permitting process for his project. However, Mr. Campbell stated that Mr. Golden was aware that he would be required to do significant flood mitigation on his thirteen acres.
6. Mrs. Sullivan inquired about the fact that the Baker Woods project had a 3 acre structure, where-as [sic] this project is one acre "smaller".

Mr. Jackson replied that the waster not captured under the Golden project would go to [sic] down to the Heights road and through the existing drainage

pipe.

7. Mr. Bayne asked about the timing with Mr. Golden.

Mr. Campbell replied that he is in constant contact with Mr. Golden, and that Mr. Golden's project would probably be coming in front of Planning and zoning in late June.

**\*\* MR. BAYNE MOVED TO APPROVE THE MINUTES OF APRIL 5, 2010 AS REVISED.**

**\*\* MS. SULLIVAN SECONDED.**

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

May 17, 2010

Page 1, under **Possible Tree Ordinance**, paragraph 1, line 2: please change "the number f of members" to "the number of members"

Page 1, under **Possible Tree Ordinance**, paragraph 1, last sentence" please change "remove a tree in the event of a storm without issuing a decree." To: "remove a tree in the event of an emergency without issuing a decree."

Page 9, under **First Selectman's Report**, please strike the following sentence: "First Selectman Campbell said that he had met with Mr. Flaherty about the recommendations regarding future litigation."

**\*\* MR. BAYNE MOVED TO APPROVE THE MINUTES OF MAY 17, 2010 AS CORRECTED.**

**\*\* MS. STEVENSON SECONDED.**

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

### **ADJOURN TO Executive Session**

Pursuant To CGS § 1-200(6)(B) – Pending Litigation

**\*\* MS. SULLIVAN MOVED TO ENTER INTO EXECUTIVE SESSION PURSUANT TO CGS § 1-200(6)(B) – PENDING LITIGATION**

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

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

The Board entered into Executive Session at 8:24 p.m.

*Ms. Sullivan left the meeting at 9:33 p.m.*

The Board returned to public session 9:33 p.m.

**\*\* MS. STEVENSON MOVED TO AMEND THE AGENDA TO CONSIDER THE SETTLEMENT OF TWO ASSESSMENT APPEALS.**

**\*\* MR. NIELSEN SECONDED  
THE MOTION PASSED UNANIMOUSLY.**

**\*\* MS. STEVENSON MOVED TO SETTLE THE CASE OF ROBERT P. WILLIAMS, ET AL V. TOWN OF DARIEN TO SET THE FAIR MARKET VALUE FOR THE PROPERTY TO \$3,700,000 FROM \$4,464,900.**

**\*\* MR. BAYNE SECONDED  
THE MOTION PASSED UNANIMOUSLY.**

**\*\* MR. BAYNE MOVED, TO SETTLE THE CASE OF RICHARD HOKIN, ET AL V. TOWN OF DARIEN TO SET THE FAIR MARKET VALUE FOR THE PROPERTY TO \$5,520,000 FROM \$5,920,000.**

**\*\* MS. STEVENSON SECONDED  
\*\* THE MOTION PASSED WITH THREE IN FAVOR (CAMPBELL, BAYNE, STEVENSON) AND ONE ABSTENTION (NIELSEN).**

No further business was conducted.

### **ADJOURNMENT**

**\*\*MR. BAYNE MOVED TO ADJOURN.  
\*\* MS. STEVENSON SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:36 p.m.

Respectfully submitted,

Sharon L. Soltes  
Telesco Secretarial Services