

**TOWN OF DARIEN
BOARD OF SELECTMEN
REGULAR MEETING
NOVEMBER 15, 2010**

ATTENDANCE: David M. Campbell, First Selectman; David F. Bayne
Gerald Nielsen, Jayme J. Stevenson, Callie Sullivan.

STAFF: Karl Kilduff, Administrative Officer.

CALL TO ORDER

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

FIRST SELECTMAN'S REPORT

First Selectman Campbell stated that there will be special presentation from the Veteran Corps and when they arrive he will interrupt the order of the meeting for them.

First Selectman Campbell stated that the following meetings are set for this week:

- November 17 at 10am at the Hoyt Street & Tallmadge Hill station with Terry Wood, Bob Duff and New Canaan representatives, regarding the sidewalks at the Tallmadge Hill Train Station.
- Senior Center Project meeting with Norm Guimond will be his week.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Kilduff presented his report and stated that following items have been proceeding as authorized:

- Building Committee for the Senior Center Project and the next step is meeting with the architect.
- Tree Commission – Report and proposed ordinance will be issued at tonight's meeting.
- Weed Beach – Contractor's agreement meeting to review the contract

Mr. Bayne asked if the bonding resolution documents have been issued, and First Selectman Campbell replied that he did not know and it will not be done any time soon.

PUBLIC COMMENTS

1. Gene Coyle, Darien Veterans Association introduced one of the local Darien Police officers and stated that he was with the Marine Corps, and was privileged to be a part of the “Stuff the Helmet” fundraising effort to raise money to revitalize the monument. He presented the BOS with a check for \$3,000 to the Town of Darien to bring the campaign over the top of the fundraising goal. The members accepted the donation with applause in appreciation of their efforts.

REPORT from Advisory Tree Commission

Mr. John Schlachtenhaufen presented the report as included in the Board member packet and reviewed the background, structure, and findings. Ms. Pam Bass presented the recommendations including the proposed ordinance, roles of the Tree Warden, the education process, tree inventory and Community Forest Plan, collaboration with private organizations, liaison with public agencies grants, conclusions, and BOS actions needed.

Ms. Sullivan asked about the five days listed in the proposed guidelines, and asked whether DPW can accomplish this. Mr. Schlachtenhaufen replied that this was merely a guideline that can be changed in the actual ordinance, based upon review and input by the Director of DPW. Mr. Bayne added that it is a liability issue especially in view of the \$1.7 million penalty. Mr. Kilduff interjected that this is on appeal and involved many other issues including sovereign immunity, and added that there should be a balance approach.

Ms. Sullivan asked how things are reported, and Mr. Kilduff replied that there are multiple ways, calls, e-mail, along with the q-alert response system. Ms. Bass stated that there is usually a reactionary response as a means to repair damages, whereas it is there recommendation to take a more proactive approach. Ms. Sullivan stated that she would like to see a per capita budget comparison versus other towns, as all too often this is the type of non-essential budget that is the first thing to go when budgets are cut.

Ms. Stevenson asked how this plan will work with CL&P, and Mr. Schlachtenhaufen replied that it includes planned trimming and maintenance in compliance with DOT regulated areas.

Mr. Bayne asked about the book of state statutes and how this recommendation goes beyond the laws already in place. Mr. Schlachtenhaufen replied that it goes beyond right of way issues of state versus town governed property and that the objective of the ordinance is to establish procedures to enforce the state laws and give clear direction for actions required.

Ms. Linda Goodyear stated that she represented the Green Team of Darien and they are behind this plan and she encourages support from the Board of Selectmen.

First Selectman Campbell thanked Mr. Schlachtenhaufen and Ms. Bass for all their work with this report, and said the Town appreciates the efforts involved.

NEW BUSINESS

a) Discuss Tax Abatement Agreement with Darien Housing Authority for Allen O’Neill Redevelopment Project.

Ms. Jennifer Schwartz, chairman of the Housing Authority of the Town of Darien presented the Draft Memorandum of the Tax Abatement Agreement with Darien Housing Authority for Allen O’Neill Redevelopment Project. She reviewed the memo outlining the structure and impact of the abatement and explained how the cash flow projection demonstrates how the project will sustain 1.15 or better debt service coverage.

Mr. Nielsen stated that he understands the abatement and the eleven year projection, and asked about why the cash flow projection is so long. Ms. Schwartz explained that the projection is based on 2010 application assumptions as approved by lenders and the CHFA LIHTC review process, and it can be adjusted by the Board of Finance as they recalculate the assumptions.

Ms. Sullivan asked if there was a tie in with the number of years and the tax abatement points and Ms. Schwartz replied that based upon the QAP, when finalized amounts to one point. Mr. Nielsen asked that as this is listed as an investor primary source of return on investment, where the money will go. Ms. Schwartz replied that the money goes into construction site upgrades to heighten or enhance the quality of materials, or in other words the creation of valued engineering.

Mr. Bayne stated that the construction period is vague, and he would like to see the definition of a finite period of start and completion, and Mr. Warren replied that there are rules that govern the period and it is a two year period.

Mr. Bayne asked if this will be forwarded for legal review and First Selectman Campbell stated that after review by the Legal Department it will be added to next month’s agenda for action.

b) Transfers

Parks & Recreation Department

RESOLVED:

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

From:			To:		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
10602001-81003	Seasonal & Temp.	\$400	10602001-82003	Training Services	\$400
TOTAL		\$400	TOTAL		\$400

**** MS. SULLIVAN MOTIONED TO APPROVE THE TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE OF \$400 FROM SEASONAL WAGES TO TRAINING SERVICES.**

**** MR. BAYNE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Planning & Zoning Department

RESOLVED:

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

From:			To:		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
10201011-81001	Salaries—Full Time	\$550	10201011-81003	Seasonal & Temporary	\$550
TOTAL		\$550	TOTAL		\$550

d) Transfers

Mr. Bayne asked what the person will do and Mr. Kilduff replied that Ms. Clark will assist with paperwork and general duties as required in the department.

- ** **MR. NIELSEN MOTIONED TO APPROVE THE TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE OF \$550 FROM SALARIES-FULL TIME TO SEASONAL-TEMPORARY.**
- ** **MS. SULLILVAN SECONDED.**
- ** **THE MOTION PASSED UNANIMOUSLY.**

6. AGENDA REVIEW

Ms. Sullivan asked if there was paperwork from the Department of Justice inquiry, and First Selectman Campbell replied that he will report back after the meeting. He asked Attorney Fox to come forward to address questions, and Attorney Fox stated that the questions regarding the Town's right to participate in inclusionary zoning regulations for fair housing were answered by letter. He added that Planning & Zoning would be a holding a public hearing tomorrow regarding a modified ordinance. Ms. Sullivan stated that she would like to have a copy of the original letter and Attorney Fox stated that he would provide the Selectmen copies of the complaint letter and the Town's response.

8. APPROVAL OF MINUTES: Regular Meeting: October 18, 2010

Mr. Bayne requested the following changes:
Page 5, Item 6 the end of that sentence should read.. ...report to the DECD. (strike the remainder of that sentence.

- ** **MR. BAYNE MOTIONED TO APPROVE THE MINUTES OF THE MEETING OF NOVEMBER 1, 2010 MEETING AS AMENDED WITH CORRECTION NOTED ABOVE.**
- ** **MR. NIELSEN SECONDED.**
- ** **THE MOTION PASSED WITH ALL IN FAVOR, NONE OPPOSED, AND ONE ABSTENTION (SULLIVAN).**

9. FORTHCOMING MEETINGS

- November 16, 2010 Board of Finance Regular Meeting at 7:30 p.m.
- November 16, 2010 Planning & Zoning Commission General Meeting at 8:00 p.m.
- November 17, 2010 Park & Recreation Commission Regular Meeting at 7:30 p.m.
- November 23, 2010 Board of Education Regular Meeting at 7:30 p.m.
- November 23, 2010 Planning & Zoning Commission Public Hearing at 8:00 p.m.
- December 13, 2010 Board of Selectmen Regular Meeting at 7:45 p.m.

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

There was no Other Business discussed.

ADJOURNMENT

- ** MS. SULLIVAN MOTIONED TO ADJOURN.**
- ** MR. NIELSEN SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Marilyn Knox,
Telesco Secretarial Services