

**TOWN OF DARIEN
BOARD OF SELECTMEN
REGULAR MEETING
MONDAY, MARCH 22, 2010**

ATTENDANCE: 1st Selectman David Campbell; David Bayne; Jayme Stevenson;
Gerald Nielsen, Jr.; Callie Sullivan

STAFF: Karl Kilduff, Administrative Officer

OTHERS: Jenny Schwartz, DHA; Maria Cleary; Frank Adelman;
Holly Schultz; Deb Parnon; Jane Branigan; Murray Stegelman;
Courtney Darby; Megan Moore; Walter Casey

CALL TO ORDER

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

PUBLIC COMMENT

Ms. Jenny Schwartz, Darien Housing Authority, gave the Board of Selectmen an update regarding the Allen O'Neill project. She said they are calling a special meeting on Wednesday, March 24, 2010 in Room 119 with the developer, Arthur Anderson, to submit the application to CHAFA. The due date is April 1, 2010. She said while it may be tough, they feel they have a good application and a stronger one than last year.

Ms. Maria Cleary thanked everyone for doing such an amazing job during the recent storm. She mentioned that Jim O'Brien, a volunteer fireman in Noroton, worked day and night to help the effort. She also thanked David Bayne for his role as Acting 1st Selectman. She was greatly appreciative for an admirable job done by all.

Frank Adelman spoke about the 35 Leroy Avenue issue. He said he is a member of the RTM for District 6, a member of the Planning & Zoning & Housing Commission, and was Chair of the 35 Leroy Study Group, a sub-committee of PZ&H. He said he was speaking on his own behalf this evening. He said the Study Group has now completed its draft report to the PZ&H, and it is the most complete collection of objective facts to date. He hoped that the draft report would serve as a helpful reference to the decision makers regarding 35 Leroy Avenue. The Study Group found several viable options for the use of 35 Leroy Avenue. They analyzed 13 use options in depth, and while they didn't recommend any specific uses for 35 Leroy, they observed that some of the options were clearly more feasible, financially viable, or otherwise more preferable than others. He provided copies of the draft report and said it is directly available online from the Town web site. He asked the Board of Selectman to please consider the following 3 requests as they begin to take steps to establish Phase 2: Consider including at least one

member of PZ&H; share the Study Group's draft report with the Phase 2 Task Force; and consider broadening the scope of the Phase 2 review to include all the viable options at 35 Leroy, not only a Senior Center or the Board of Education.

He wanted to draw their attention to the possible re-use of 35 Leroy as the new home of the Darien Arts Center. In closing, he wanted to specifically recognize and thank Selectwoman Jayme Stevenson for attending and contributing to all of the Study Group meetings, and he thanked Ms. Stevenson and Mr. Bayne for attending the PZ&H meeting on March 9. He thanked the Board for their time.

Ms. Holly Schultz said she spoke at a meeting last summer about the lack of sidewalks along Route 106 from the country club to the Talmadge Hill railroad station. She understood that the railroad station is not in the town of Darien, but it is one block away from her home. She is a commuter to NYC and can't walk to the train station because it is unsafe without sidewalks. She said the State was asked to install a stop sign, but they couldn't do it. The average travel speed in that area is 42 mph. There are problems with parking at the station. She requested that this issue be addressed with the use of capital expenditure funds.

Ms. Schultz also spoke about evaluating taxes for the country clubs. She felt that the country clubs' tax burden shouldn't be lowered. The country clubs don't offer any public access, cross-country skiing, etc. to the town, and it seems that there is more country club land than park land in the northwest corner of town.

NEW BUSINESS

a) Discuss Priority Setting for Major Capital Improvement Projects

1st Selectman Campbell summarized that there are two capital improvement projects that were put on hold over a year ago, the Police Department and Weed Beach. The status is the Police Department has finished their plans, the bidding is complete, and they were in the process of awarding the bid when the process was stopped. They have asked Turner Construction to look at the bid again, and the bid is approximately 15% less than it was 15 months ago.

1st Selectman Campbell said he met with the Weed Beach Building Committee, and the project is not as far along as the Police Department project. They had basic plans done at the time the project was stopped. Ms. Deb Parnon of the Weed Beach Building Committee said that the project is shovel ready, and they are ready to go out to bid. Ms. Jane Branigan said that the monies have already been approved, but there has not been any process made on the project. Ms. Sullivan said she thought the total cost of the Weed Beach project was approximately \$3.6M, but there is only a \$2M allocation in the forecast. Mr. Kilduff said that only \$2M was to be bonded.

Approximately \$1M has already been spent on architectural drawings and some aspects of the project to date.

1st Selectman Campbell said that flooding improvements, and the Senior Center project, were on the capital improvement project report for approximately \$2.1M. He said they got a grant from the State for \$750,000. The total would then be approximately \$2.5M to \$3M, and the project would be out about 3 years. He mentioned the Pear Tree Point project is farther out than 3 years, and it was mentioned that the Pear Tree Point project shouldn't be looked at until the Weed Beach project is completed. The Weed Beach project was started in 2003/2004, and \$25,000 was spent on the basic concept plan. Ms. Stevenson said that \$500,000 for the plan was on the report. Mr. Kilduff said that the \$500,000 was an old project put forward for handicapped parking, etc. at Pear Tree Point and has been on the report for a few years.

Ms. Parnon explained that money has been shifted around in 3 different accounts, but it is probably not more than \$500,000. Mr. Bayne asked 1st Selectman Campbell his thoughts on the capital improvement project priorities, and 1st Selectman Campbell responded that the projects that have been held off for some time, but are ready to go now, are the priorities. If they wait too long to move forward, then they have to be re-approved by the RTM for bonding. He felt that in the next 6 months, they should move ahead. He said building costs won't be lower than they are now, and it is a good time to do something. He was still concerned about the economy, but felt that they would wait until the summer. He said their total bonding this year would get down to about \$80M. If the Police Department project and the Weed Beach project are done, they would still stay down under the \$95M bonding level. The Senior Center project is two years away, and they would be back down to the low 80's for the bonding level.

Mr. Bayne asked if the Financial Strategy and Review Committee had met recently. 1st Selectman Campbell said that no one showed up the last time a meeting was planned, and they haven't met since January. 1st Selectman Campbell said he anticipated the Police Department project and the Weed Beach project would come in lower than anticipated.

Ms. Sullivan said she is not in disagreement with moving the already approved projects forward, but they have the flooding issue in the Town to address, as well as land acquisition. She said that both of these issues could push the bonding level over the \$95M level. It was mentioned that it is difficult to do forward planning on land acquisition unless there is a reserve fund to purchase land. A fund has been set up but there is no money in the fund.

Some discussion on the budget process took place, and it was mentioned that there is no additional money in the recently passed budget for debt service. It would be taken

out of the general fund and then replaced the following year. Some discussion took place on the flooding issue. 1st Selectman Campbell said he is waiting to find out what Mr. Golden does with his 13 acre property in the Heights area, and it was mentioned that the Board really needs to have Mr. Leonard Jackson make his presentation to them in order to move forward. Ms. Sullivan said the flooding issue is as top a priority for her as moving forward with the Police Department and Weed Beach projects. She said that they need to be mindful of the safety and flooding concerns in the Heights Road area.

Mr. Bayne agreed that the Police Department and the Weed Beach projects should stay on the capital improvement plan and be finalized, but they need to talk about how to plan for the Senior Center. It was mentioned that the Senior Center building is in bad shape, it is costing the town money, and the project is 2 or 3 years out. Some discussion took place regarding moving the Board of Education to another building, moving the Senior Center population to the Town Hall building, and the need to look at other funds for the Senior Center as well as looking at 35 Leroy Avenue for its potential use.

1st Selectman Campbell said he has felt the Weed Beach project was a luxury, that it is a nice beach, and they can make the improvements to the bathrooms, etc. He said he wants to make it a nice facility, along with the Police Department, and now is the right time to buy building materials and labor. The next item on the list is the building at 35 Edgerton Street, which is falling down and costing the Town money to take care of it. It will take about 2 or 3 years to plan to get it done, and they should start looking at it now. It takes time and planning. By 2013, their bonding will be reduced by \$12M-\$13M. He said it is a moving target each year.

Mr. Murray Stegelman said the Board of Finance had a two-prong vote on bonding. The first was the peak debt level for the Town would reach \$98M, and it should not exceed that level again. Secondly, if they start projects, they don't want to see the fiscal impact on the 2011 budget. They could start the projects in the next 12 months if they are starting up in the 2011 budget. If they start up the projects during the year, it would affect the 2012 budget year. He said they are expecting to bond \$4M for 35 Leroy Avenue. He went on to explain more details of bonding, and said that they reduce the bond level each year in excess of \$6M. Mr. Bayne asked Mr. Stegelman if they are considering another funding source for a future Senior Center and selling 35 Leroy Avenue. It was mentioned that the property next to the high school will be sold, and concern was raised about selling the property because there will soon be a rate drop. It was suggested that they increase the beach permit fees to offset the debt service amount, but they can't do that because the Weed Beach project has been on hold and there is no increase in services or amenities. Mr. Stegelman continued to discuss some bonding information.

Ms. Sullivan said she would like to discuss the concept of possible private funding for the Senior Center at Edgerton Street, and the possibility of a purpose-built Senior Center building in the parking lot of the existing property. They had received a quote of \$375 per square foot several years ago at the height of the market, and it was felt that the price was too high. It would be a two-story building that would match the cottage. Ms. Stevenson said that in Phase 1, there was discussion of making the Senior Center something more, and the new Director, Beth Paris, has some synergies involved with working with other departments at the Senior Center. More discussion took place regarding the Senior Center issue, which included the synergies, possible building suggestions and locations, and square footage amounts.

It was mentioned that the work on Weed Beach could possibly start after this beach season. Ms. Courtney Darby of the Weed Beach Building Committee, and Ms. Megan Moore of the Playground by the Sound Committee, spoke about the Weed Beach project, saying that over 800 families contributed to the funding. The playground has always been part of the Weed Beach Master Plan, and people are drawn to Darien because it is a waterfront community. They hoped that the beach and playground area would continue to receive the help that it needs.

Mr. Walter Casey said that some money should be allocated to making the playground safer. It is now in the middle of the parking lot, and kids are running in and out of the playground.

Ms. Debbie Parnon, Chairman of the Weed Beach Building Committee, said when phases of the project were being worked on, they tried to work with the buildings that were haphazardly placed and tried to fit them in with the rest of the project plans. The playground juts out to the parking lot because the bathhouse was to be moved as part of the Master Plan. She said it is not financially feasible to do the project in phases.

b) Discuss and Take Action on Revocable License Agreement to Operate a Dining Terrace at 972 Post Road

Mr. Kilduff said this is an agreement between the Town and the ultimate owner of the former Black Goose Restaurant. It is a relaunch of the new restaurant, the Goose Grill. He said they are asking for Board of Selectman approval on an outside dining area. There had been a separate licensing agreement between the Town and the-then property owners to allow activity in that part of the restaurant. The new owner wants to proceed and have a new agreement; the language is the same as the previous agreement but there are new players. He said the owner will clean up and maintain the parking lot and the alleyway. It was mentioned that it would be preferable to review on a year-to-year basis so if not in compliance, the Town has the right to revoke the license. A question was raised about the Town Comptroller in paragraph

5; Mr. Kilduff said he would look into that. A question was raised about the hours of usage for outdoor seating; Mr. Kilduff said he didn't know what the hours would be.

**** MR. BAYNE MOVED TO APPROVE THE REVOCABLE LICENSE AGREEMENT TO OPERATE A DINING TERRACE AT 972 POST ROAD.**

**** MR. NIELSEN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

c) Discuss and Take Action on Approval of Darien Sidewalk Sales & Family Fun Days to be held July 15-17, 2010

**** MS. SULLIVAN 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 SALES & FAMILY FUN DAYS TO BE HELD JULY 15-17, 2010, SUBJECT TO THE REQUIREMENTS OF THE DARIEN POLICE AND PLANNING & ZONING DEPARTMENTS.**

**** MR. STEVENSON SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

d) Discuss and Take Action on Approval of the 6th Annual ITPMAN Triathlon to be held on October 2, 2010

**** MS. STEVENSON MOVED TO APPROVE THAT THE BOARD OF SELECTMEN OF THE TOWN OF DARIEN HEREBY GRANTS PERMISSION TO THE ITP FOUNDATION TO HOLD THE 6TH ANNUAL ITPMAN TRIATHLON TO BE HELD ON OCTOBER 2, 2010, SUBJECT TO THE REQUIREMENTS OF THE DARIEN POLICE AND PARKS & RECREATION DEPARTMENTS.**

**** MR. NIELSEN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

It was mentioned that there will be a Kids Run this year, to be held in the park, and a 2 mile bike ride to the Post Road and back.

e) Transfers

Board of Selectmen

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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>
30441014-908600	BOF Contingency	\$23,500
	TOTAL	\$23,500

To:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
TBD	Feasibility Study	\$23,500
	TOTAL	\$23,500

Discussion took place regarding this transfer, with it being said that this is for professional services, and no competitive bidding was needed. 1st Selectman Campbell said that he gave Mr. Kilduff the name of the contractor. A question was raised about why Perkins Eastman was not the contractor, as they had already done work on the Senior Center. Mr. Bayne said he would vote against this, as he is reluctant to spend \$10,000 on a survey for the building. Ms. Sullivan said she was concerned about duplicating services for the Senior Center and in the community. It was mentioned that they need to get an understanding of the program, its needs and its vision before they spend money on an architect. Ms. Sullivan said she would not be in favor of approving this transfer. Ms. Paris' programmatic outline in Phase 2 will be helpful. Ms. Sullivan said she is leary of spending money when the Town doesn't have sidewalks where they are needed, and it appears the Town has infrastructure problems. She said that she wants to see exploration of other options, and she hopes the task force will use the large report in their work effort. It was mentioned that the architect is the same for both projects, and it can keep/retain the rights of the materials.

Ms. Holly Schultz, a licensed architect, said that she felt the Town shouldn't be using Auto Cad anymore, as it is a 10 year old program. She said she felt it shocking that the Town wasn't evaluating more than one architect. She felt that this was a poor decision from a design perspective, and from a production and cost perspective.

**** MS. STEVENSON MOVED TO APPROVE THE TRANSFER OF \$23,500 FROM THE BOF CONTINGENCY ACCOUNT (30441014-908600) TO ACCOUNT TBD FOR THE FEASIBILITY STUDY.**

**** MR. NIELSEN SECONDED.**

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

Administrative Office – 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>
10704000-86600	BOF Contingency	\$2,700
	TOTAL	\$2,700

To:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
TBD	Map Machine	\$2,700
	TOTAL	\$2,700

**** MR. NIELSEN MOVED TO APPROVE THE TRANSFER OF \$2,700 FROM THE BOF CONTINGENCY ACCOUNT (10704000-86600) TO ACCOUNT TBD FOR THE MAP MACHINE.**

**** MS. SULLIVAN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

RTM

RESOLVED:

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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>
10704000-86600	Contingency	\$710
	TOTAL	\$710

To:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
10103011-82008	RTM - Printing	\$710
	TOTAL	\$710

**** MS. STEVENSON MOVED TO APPROVE THE TRANSFER OF \$710 FROM THE CONTINGENCY ACCOUNT (10704000-86600) TO THE RTM PRINTING ACCOUNT (10103011-82008) FOR RTM PRINTING.**

**** MR. BAYNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

It was suggested that notification be given to Ms. Karen Armour that the information needed is available on and can be downloaded from the Town's website.

POLICE DEPARTMENT – PRISONER CUSTODY

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>
10302213-82007	Professional Svcs	\$400

TOTAL \$400

To:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
10302333-83008	Prisoner Custody	\$400

TOTAL \$400

**** MR. NIELSEN MOVED TO APPROVE THE TRANSFER OF \$400 FROM THE PROFESSIONAL SERVICES ACCOUNT (10302213-82007) TO THE PRISONER CUSTODY ACCOUNT (10302333-83008) FOR POLICE DEPARTMENT PRISONER CUSTODY.**

**** MR. BAYNE SECONDED.**

**** MOTION PASSED UANIMOUSLY.**

PLANNING & ZONING 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>
10201011-82002	Conf. & Meetings	\$450

TOTAL \$450

To:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
10201011-83004	Motor Fuel	\$450

TOTAL \$450

**** MS. SULLIVAN MOVED TO APPROVE THE TRANSFER OF \$450 FROM THE CONF. & MEETINGS ACCOUNT (10201011-82002) TO THE MOTOR FUEL ACCOUNT (10201011-83004).**

**** MS. STEVENSON SECONDED.**

**** MOTION PASSED UANIMOUSLY.**

EMPLOYEE BENEFITS

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>
10704000-86600	Contingency	\$39,183
	TOTAL	\$39,183

To:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
10701001-82107	Town Pension	\$ 2,850
10701001-82115	Police Pension	\$18,094
10701001-82116	Police Retire Medical	\$18,239
	TOTAL	\$39,183

**** MR. NIELSEN MOVED TO APPROVE THE TRANSFER OF \$39,183 FROM THE CONTINGENCY ACCOUNT (10704000-86600) TO THE TOWN PENSION ACCOUNT (10701001-82107) FOR \$2,850; TO THE POLICE PENSION ACCOUNT (10701001-82115) FOR \$18,094; AND TO THE POLICE RETIRE MEDICAL ACCOUNT (10701001-82116) FOR \$18,239, TOTALLING \$39,183.00.**

**** MR. BAYNE SECONDED.**

**** MOTION PASSED UANIMOUSLY.**

FIRST SELECTMAN'S REPORT

1st Selectman Campbell said he didn't have a report.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Kilduff said the recently received letter from a police retiree regarding their pension was asking the Board of Selectman to take action on the police pension/Cost of Living Adjustment (COLA) for police retirees. The process actually starts through collective bargaining, and it has been repeatedly mentioned that the bargaining process is an obligation to go to the Police Union. On March 4th, they held the required meeting with the Police Union to review where they are in terms of the police pension and whether it is appropriate to be suggesting a COLA. . In attendance were the Finance Director, the Human Resources Director, and Mr. Kilduff. The Board of Finance's forecast was a contributing factor with regard to the numbers they were projecting in future years for what the potential growth would be in the Town's contributions towards pension. Additionally, the Social Security Administration will not be providing a COLA for two years in a row. They reviewed the Town's return on investment based on comparing that to the 7 1/2 % which is assumed in the actuarial evaluation. Since 2001, which was the last COLA, investment performance has not been as stellar as the actuarial assumption of 7 1/2%. Any underperformance has to be made up by increasing what the taxpayer puts into the plan. The Police Pension Plan has had some of the fastest growth in terms of where the Town's contribution has to go. In a 5 year period, it has grown 318%. They took into consideration the layoffs of three employees going into the new fiscal year and the fact that the last COLA was in 2001. At this time, it is not recommended that there be any change to the pension calculations as provided and there will be no COLA to the employees, who are already retired. There were two members of the Police Department at the meeting who emphasized that it had been 8 years since the last increase. They asked if the Town had looked at a one-time lump sum vs. a fundamental recalculation of the pension system. It still has an issue of creating a pension liability for the plan, which still has to be funded by the taxpayers. Mr. Kilduff said the Police Union seemed to understand the situation.

Mr. Kilduff said they sent the report up to Hartford outlining the requested information on the cost of damages to the community. The total damage cost sent up was \$268,000. It will depend on if the FEMA threshold was met for lower Fairfield County. The total FEMA threshold number is \$2.5M for the entire Fairfield County. He said the use of Code Red during the storm chewed up their minute usage, which was a limited calling plan, and now they will switch to an unlimited calling plan. The cost to upgrade for the balance of this year is \$600 more than the costs they have already incurred.

Mr. Kilduff said that costs are being prepared to correct the radio system failure between EMS and the Fire Department last Thursday.

AGENDA REVIEW

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Mr. Bayne said that he had sent 1st Selectman Campbell an email about communications during the events of last week, and among the board, and he was waiting for a response. He suggested that it was something they need to address, whether it become an agenda item or they handle it off-line.

Mr. Bayne also proposed an Incident Review Meeting with all the personnel involved to review information about the storm and how the situation was handled, and how to improve it for the future.

Mr. Bayne asked when Mr. Leonard Jackson would be at their meeting, as he had been scheduled previously to attend. 1st Selectman Campbell said that Mr. Jackson will be at their next meeting.

Ms. Stevenson asked if they could get a hard number on the Police Department Project. Mr. Nielsen said he would try to have it for the next meeting.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Regular Meeting of February 1, 2010

It was agreed to table the minutes of the February 1, 2010 Regular Meeting.

Regular Meeting of February 16, 2010

**** MR. BAYNE MOVED TO APPROVE THE MINUTES OF THE FEBRUARY 16, 2010 REGULAR MEETING AS AMENDED.**

**** MS. SULLIVAN SECONDED.**

The changes to the minutes of the Regular Meeting of February 16, 2010 are as follows:

On page 3, 5th paragraph, **“**MOTION PASSED UNANIMOUSLY”** should read: **“**MOTION PASSED WITH FOUR (4) VOTES IN FAVOR (CAMPBELL, NIELSEN, STEVENSON, SULLIVAN) AND ONE (1) VOTE ABSTAINED (BAYNE).”**

On page 3, after the 5th paragraph, the following should be added:

“Mr. Bayne said that he wanted his abstention to be taken as a request that the Board of Finance do additional due diligence on the request by the Town Treasurer.”

On page 4, eighth paragraph, the following sentence should be added at the end:

“Certain changes to the Fiscal Year 2011-2012 and later year estimates were agreed by the Selectmen.”

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

Regular Meeting of March 1, 2010

**** MR. BAYNE MOVED TO APPROVE THE MINUTES OF THE MARCH 1, 2010 REGULAR MEETING AS AMENDED.**

**** MR. NIELSEN SECONDED.**

The changes to the minutes of the Regular Meeting of March 1, 2010 are as follows:

On page 3, 5th paragraph, the 5th sentence should read: “Mr. Bayne was disappointed that the affordable housing was not moving forward at 35 Leroy Avenue; he was looking forward to learning about the new plan.”

A copy of Mr. Bayne’s full statement, which he read that evening, is to be included in the minutes and is as follows:

35 Leroy Statement

The First Selectman has made it clear in statements to the press that the decision to abandon building affordable housing at 35 Leroy Avenue has already been made. His mind, and the minds of his majority, will not be changed. So, I am not going to waste time on debating of the merits of that decision because, as Mr. Campbell has been quoted as saying, “(t)he decision has been all but finalized.”

However, I would like to explain that my vote against the resolution to abandon affordable housing at 35 Leroy is being cast because I believe that affordable housing at 35 Leroy remains the best option for yielding the most long-term benefit to the town from that site. When the current proposal was made to move the Senior Center to the Board of Ed. Building and the Board of Ed to 35 Leroy, it was suggested that because Darien is on the cusp of obtaining a 4 year moratorium from 8-30g, the pressure was off with respect to the town using 35 Leroy as affordable housing and that we could now consider other municipals uses for the property.

I respectfully disagree with that proposition. While I won’t dispute that Darien may well achieve its first 4 year moratorium in the coming year, if that does occur, then the question becomes what happens when that moratorium expires? Will Darien again find itself again facing development proposals for multi-family housing units in single family neighborhoods?

My vote tonight against cancelling the Option reflects my belief that the Board of Selectmen have an obligation to take a long-range view of the affordable housing issue and to be preparing for “the day after” the expiration of the first moratorium, when 8-30g again presents a threat to Darien homeowners.

While the majority of my fellow Selectmen and I disagree about whether 35 Leroy should be part of that long-range strategic plan, I was heartened to learn last week that our First Selectman is now proposing to build a new affordable housing development of 20 senior residences at the Senior Center site at Edgerton Street. I was further heartened to read in the Darien Patch that our First Selectman continues to expect that 8-30g will be amended in the next four years “reducing the 10 percent requirement for highly developed towns like Darien.” (Source: Darien Patch 2/25/10)

I look forward to learning more about this new plan for building more affordable housing in Noroton Heights and how issues such as the costs, down-stream flooding on Edgerton Street and Heights Road and neighborhood congestion will be addressed.

I also look forward to learning more about the amendment to 8-30g reducing its 10% requirement that the First Selectmen believes is forthcoming from the State Legislature because when our State legislative delegation met with us last month, they were unanimous in their pessimism about whether such an amendment could be accomplished and did not even identify it as one of the options under discussion in Hartford.

So, while I am disappointed that tonight we are abandoning a plan that is feasible, fundable and realistic for 21 owner-occupied units of affordable housing in downtown Darien at the 35 Leroy site, and there by giving up a “bird in the hand” in our struggle against 8-30g, I am glad that the First Selectman and his majority on this Board recognize the need to continue working on the affordable housing issue and I look forward to working with them on this issue in the future.

David Bayne
Selectman of the Town of Darien

On page 5, 1st paragraph, 5th sentence, add “Center” after “Senior”.

**** MOTION PASSED UNANIMOUSLY.**

FORTHCOMING MEETINGS

March 23, 2010	Planning & Zoning Commission Public Hearing at 8:00 p.m.
March 23, 2010	Board of Education Regular Meeting at 7:30 p.m.
April 1, 2010	Board of Finance Budget Meeting w/BOS at 7:30 p.m.
April 5, 2010	Board of Selectmen Regular Meeting at 7:45 p.m.

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April 6, 2010

Board of Selectmen Joint Dept Heads Meeting at **8:30 a.m.**

OTHER BUSINESS

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

ADJOURNMENT

**** MR. BAYNE MOVED TO ADJOURN.**

**** MS. SULLIVAN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:40 p.m.

Respectfully submitted,

Carolyn Marr
Telesco Secretarial Services