

**TOWN OF DARIEN
BOARD OF SELECTMEN
REGULAR MEETING
AUGUST 16, 2010**

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

STAFF: Karl Kilduff, Administrative Officer

CALL TO ORDER

First Selectman Campbell called the meeting to order at 7:55 p.m.

PUBLIC COMMENT

There were no public comments.

NEW BUSINESS

First Selectman Campbell stated that as a courtesy to the guests in attendance representing agenda items, he requested to move the order of the agenda.

- ** MR. NIELSEN MOVED TO AMEND THE ORDER OF THE AGENDA TO MOVE ITEM (e) TO THE FIRST ITEM (a).**
- ** MR. BAYNE SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY**

a) Discuss and Take Action on Approval to Darien Arts Center for ArtWorks at the Grove Street Plaza and Parking Lot on September 18, 2010.

Ms. Amy Allen, Executive Director of the Darien Arts Center presented supporting documents for the program in partnership with the Darien Chamber of Commerce. She stated that it was an all-day event scheduled for September 18, 2010 from 1pm to 5pm with music, dance and visual arts in an around the fountain area within the Grove Street Plaza. She requested the designation of two handicap parking spaces be used for two twenty minute dance performances, and Ms. Stevenson suggested that they be replaced with two of the non-handicapped spaces to accommodate residents in need of handicapped parking. Ms. Allen agreed to contact the appropriate departments to ensure this is done.

- ** MR. BAYNE MOVED TO APPROVE THE DARIEN ARTS CENTER ARTWORKS PROGRAM AT THE GROVE STREET PLAZA AND PARKING LOT ON SEPTEMBER 18, 2010 AS AMENDED WITH THE HANDICAPPED PARKING DESIGNATION.**
- ** MS. STEVENSON SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

First Selectman Campbell requested another motion to move the order of the agenda.

- ** MR. NIELSEN MOVED TO AMEND THE ORDER OF THE AGENDA TO MOVE ITEM (d) TO ITEM (b).**
- ** MR. BAYNE SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

b) Discuss and Take Action on Resolution Authorizing and Directing the First Selectman to Sign an Application to FEMA for the Hazard Mitigation Grant Program to Support a House Elevation

Mr. Kilduff presented the item and stated that as previously discussed, it is at no cost to the town, and First Selectman Campbell stated that this is something that should be done for the Town.

- ** MR. NIELSEN MOVED TO APPROVE THE RESOLUTION AS SUBMITTED AUTHORIZING AND DIRECTING THE FIRST SELECTMAN TO SIGN AN APPLICATION TO FEMA FOR THE HAZARD MITIGATION GRANT PROGRAM TO SUPPORT A HOUSE ELEVATION.**

WHEREAS, AS A RESULT OF THE MAJOR FLOODING AND WIND DAMAGE WHICH OCCURRED IN MARCH, 2010, THE STATE OF CT ANTICIPATES RECEIVING APPROXIMATELY \$1.6 MILLION IN FUNDING THROUGH THE HAZARD MITIGATION GRANT PROGRAM; AND

WHEREAS, THIS PROGRAM PROVIDES FEDERAL GRANTS TO STATES AND MUNICIPALITIES FOR POST-DISASTER HAZARD MITIGATION; AND

WHEREAS, THE TOWN OF DARIEN WISHES TO APPLY FOR FEDERAL GRANT FUNDING TO HELP FINANCE THE ELEVATION OF THE FLOOD PRONE PROPERTY; AND

WHEREAS, THE GRANT PROGRAM REQUIRES A 25% LOCAL MATCH FOR APPROVED, GRANT-ELIGIBLE PROJECTS WHICH WILL BE PROVIDED BY THE PROPERTY OWNER; AND

WHEREAS, THE BOARD OF SELECTMEN WOULD LIKE TO SECURE FEDERAL FUNDING TO ASSIST A RESIDENT SEEKING FUNDING UNDER THE FEDERAL GRANT PROGRAM.

NOW, THEREFORE, BE IT RESOLVED, THAT THE TOWN OF DARIEN BOARD OF SELECTMEN HEREBY AUTHORIZE AND DIRECT DAVID M. CAMPBELL, FIRST SELECTMAN TO EXECUTE A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR HAZARD MITIGATION GRANT PROGRAM FUNDS TO ASSIST IN THE ELEVATION OF 21 LYNN COURT.

**** MS. STEVENSON SECONDED.
** THE MOTION PASSED UNANIMOUSLY**

c) Discuss Major Capital Projects

Mr. Kilduff presented an analysis of the Debt Service Projection reflecting back-loaded principal payments, and stated that the last page represents how the projects are spread out over time from 2011 through year 2030. Mr. Bayne stated that Ms. Sullivan had asked for the cost of a stand-alone Senior Center, and First Selectman Campbell replied that they were waiting for an appraisal and the full estimate is in process and he will have that as a part of the next meeting packet. Mr. Bayne stated that it was important to have an overview of the full financial implications and impact on the Town and asked if the Finance Committee would be presenting their strategic review. First Selectman Campbell replied that he would have that as part of the next meeting agenda.

Ms. Stevenson asked about the grant application, and Mr. Kilduff stated that there were several issues regarding grant rules and application criteria, based upon guidelines by the state to ensure that the grant does in fact support the seniors. He added that the revised rules have many stipulations to avoid misuse for other non-senior projects, and to agree to run the senior Center for twenty years.

Ms. Cheryl Russell asked how the grant process was determined, and Mr. Kilduff replied that there is a pre-application which requires plans be screened for eligibility, which could take eighteen months. He added that the state no longer operates on a single process for approvals, and the pre-application only determines eligibility for the grant application process, rather than a schematic for parallel track.

Ms. Stevenson clarified that the grant was for \$750,000 and there were various levels of documentations. Mr. Kilduff clarified that the stipulations included twenty year commitment for the use as a Senior Center along with definitions of open to the public and non-resident usage.

Mr. Bayne stated that the analysis assumes that all projects will proceed, and restated that it was important to have the full financial implications on the Town and that a vote by September 7 may not provide time for public comment. Ms. Stevenson added that the newspapers had been providing good coverage on the issues to keep the public informed.

d) Discuss and Take Action on Possible Ordinance to Establish a Flood and Erosion Control Board and Discontinue the Authority of the Environmental Protection Commission to Act as a Flood and Erosion Control Board.

First Selectman Campbell stated that both the FECB and EPC were important groups and it was important to have a distinction of responsibilities to avoid inherent conflicts. Ms. Stevenson asked why they were not both Boards or Commissions, and Mr. Kilduff replied that it was semantics, that the functions are the same and the roles mirror the state statutes, that a regulatory body depends on the nature of the project.

Mr. Bayne asked if any volunteers to serve on the Board have been identified, and Ms. Stevenson stated that there may be some members of other committees that would be willing to serve

**** MR. BAYNE MOVED THAT THE DARIEN BOARD OF SELECTMEN HEREBY REFER TO THE REPRESENTATIVE TOWN MEETING A PROPOSED ORDINANCE TO ESTABLISH A FLOOD AND EROSION CONTROL BOARD AND TO ANEND SEC. 22-27 OF THE DARIEN CODE OF ORDINANCES TO DISCONTINUE THE AUTHORITY OF THE ENVIRONMENTAL PROTECTION COMMISSION TO ACT AS A FLOOD AND EROSION CONTROL BOARD.**

**** MR. NIELSEN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

e) Discuss and Take Action on Authorization for the First Selectman to enter into a Railroad Station Concession Lease

Mr. Bayne asked if there was a response to his e-mail regarding the mutually agreed upon location, and Mr. Kilduff stated that he had replied with a message that explained this was less of a lease and more of a franchise license agreement. Mr. Nielsen asked how the lease payment is determined, and Mr. Kilduff replied that it was the same as was in place for many years. Ms. Stevenson asked about the insurance requirements, and Mr. Kilduff replied that it was in line with contractors who do work for us with the same limits. Mr. Bayne asked if the terms were the same and Mr. Kilduff replied that this parallels the others and it was the third or fourth consecutive lease.

**** MS. STEVENSON MOVED TO APPROVE THE AUTHORIZATION FOR THE FIRST SELECTMAN TO EXECUTE ON BEHALF OF THE TOWN OF DARIEN A RAILROAD STATION CONCESSION LEASE WITH WILTON ENTERPRISES TO EXPIRE JUNE 30, 2012.**

**** MR. BAYNE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

f) Discuss and Take Action on Resolution Approving Administrative Group and Elected Officials Pay Plan for FY2010-11

First Selectman Campbell stated that the details had been discussed during the Executive Session held prior to the meeting.

**** MR. NIELSEN MOVED TO ADOPT THE RESOLUTION APPROVING ADMINISTRATIVE GROUP AND ELECTED OFFICIALS PAY PLAN FOR FY2010-11 AS FOLLOWS:**

WHEREAS, THE TOWN OF DARIEN EVALUATES THE WORK PERFORMANCE OF ITS NON-BARGAINING UNIT ADMINISTRATORS TO DEVELOP THE ANNUAL PAY PLAN FOR THESE EMPLOYEES NOW THEREFORE BE IT RESOLVED THAT THE TOWN OF DARIEN PAY PLAN FOR ADMINISTRATIVE GROUP POSITIONS AND PART-TIME EMPLOYEES BE ADOPTED IN ACCORDANCE WITH THE ATTACHED SHEET ENTITLED ADMINISTRATIVE GROUP PAY PLAN FOR FY2010-2011.

BE IT FURTHER RESOLVED THAT THE FIRST SELECTMAN IS AUTHORIZED TO ADJUST WAGES OF INDIVIDUAL EMPLOYEES EFFECTIVE JULY 1, 2010 CONSISTENT WITH SUCH PLAN AND PERFORMANCE EVALUATIONS AS RECOMMENDED BY THE ADMINISTRATIVE OFFICER AND DISCUSSED WITH THE MEMBERS OF THE BOARD OF SELECTMEN.

**** MR. BAYNE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY**

FIRST SELECTMAN'S REPORT

First Selectman Campbell stated that the Police Station proposal to repair the air conditioning unit was approved for \$1,000. He added that this was approved to be done for the short term before the building is to be torn down and replaced, but had to be done. Ms. Stevenson added that she appreciated the willingness of the Police Department personnel to move forward on a temporary fix, which was necessary to get through the summer months.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Kilduff presented his written report and stated that there needs to be discussion and action on the Train Station Parking rate in order to print vouchers and implement any permit changes, and asked if the Board requested supportive documentation. Ms. Stevenson stated that she would like to see supporting documentation and a history of rates and increases.

Mr. Bayne stated that he would like to see a comparison of other towns, and Mr. Kilduff stated that Rowayton was used as a benchmark. He added that the State DOT and SWERPA had instituted a common daily rate to avoid bottleneck situations with adjacent communities. Mr. Kilduff stated that the supporting documents would be prepared as part of the next meeting agenda to provide time necessary to prepare forms and vouchers required.

AGENDA REVIEW

First Selectman Campbell stated that there were no additional items to add to the agenda.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Regular Meeting of August 2, 2010

The following corrections were noted:

Page 1: Under New Business, add the before three items and included in the BOS packets.

Paragraph 3: Sentence 1, add priority of capital projects and it was decided that the vote would be at the first of the September meetings. Change sentence two to read: Mr. Bayne said that he was trying to address the concern of the other Selectmen about the increase in the tax rate caused by starting the projects, and had spoken to Ms. Buch about using the Bond Anticipation Note (BAN) which would allow the Police Station project to move forward with only a 1% interest rate for up to one year. In the next sentence add at the end “to level out the increase in bonded debt.”

Page 2, Paragraph 4: change “the” to “a” in line three. In paragraph 5, sentence three, add after Edgerton property, “but was a different project than Ms. Sullivan was asking about.” Paragraph 7: In sentence 1 add: Mr. Bayne “raised the issue of the \$750,000 DECD grant and proposed Senior Center and said ...”

Page 3: Paragraph three delete in the last sentence: was moving to help the Town. And change to had never expressed dissatisfaction with its current space. Paragraph 4: Change the first sentence to read: Ms. Branigan asked if the DECD Senior Center grant had limitations such as requiring Darien to permit out-of-towners to use the Senior Center. In the last paragraph, delete “mentioned in the back-up in sentence three.

Page 5 in the last motion, change \$\$9,270,200 900 to read \$9,270,200.

Page 6: In the first sentence delete “the project could move forward” and replace with “that it was his opinion that the BOF had the power to reduce the appropriation approved for the project by refusing to spend the \$1.6 million that was going to come from the general fund.

- ** MR. BAYNE MOVED TO APPROVE THE MINUTES OF THE AUGUST 2, 2010 MEETING AS AMENDED WITH CORRECTIONS NOTED.**
- ** MS. STEVENSON SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY**

8. FORTHCOMING MEETINGS

First Selectman Campbell stated that meetings on the upcoming calendar were as follows:

- August 18, 2010 Parks & Recreation Commission Regular Meeting at 7:30 p.m.
- August 25, 2010 Board of Finance Regular Meeting at 7:30 p.m.
- August 31, 2010 Board of Education Regular Meeting at 7:30 p.m.
- September 7, 2010 Board of Selectmen Regular Meeting at 7:45 p.m.

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

There was no Other Business discussed.

ADJOURNMENT

- ** MR. BAYNE MOTIONED TO ADJOURN.**
- ** MS. STEVENSON SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:25 p.m.

Respectfully submitted,

Marilyn Knox
Telesco Secretarial Services