

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
REGULAR MEETING  
MONDAY, APRIL 13, 2009**

ATTENDANCE: Evonne Klein, First Selectwoman; David Bayne; Callie Sullivan;  
Linda Santarella

STAFF: Karl Kilduff, Administrative Officer

ABSENT: Seth Morton

OTHERS: Wayne Fox, Darien lawyer; Ed Schmidt, Darien lawyer;  
Carole Wilder-Tamme, CEO Darien Chamber of Commerce;  
Robin Woods, Commission on Aging; John Vanderkeef,  
Chairman-Planning, Zoning & Housing Committee;  
Bob Stelben. Karen Armour, Mary Guimond,  
Mary Ness (RTM members)

**CALL TO ORDER**

Ms. Klein called the meeting to order at 8:00 p.m.

**PUBLIC COMMENT**

Ms. Carole Wilder-Tamme of the Darien Chamber of Commerce had the following announcements:

- It is Restaurant Week. Some of the restaurants participating are Chucks, and The Melting Pot.
- The Chamber of Commerce is taking steps to increase networking avenues for business professionals. She said that in addition to retail, other business areas such as lawyers, plumbers, etc. will be included.
- They are planning to award three top businesses. With the struggling economy and drop in business sales and profits in Darien, the awards will give a boost to local merchants.
- Prizes will be awarded to top Darien high school kids.
- There will be business thank you banners around town. They will be placed under the Chamber of Commerce banners.

There were no questions from the Board.

## NEW BUSINESS

### a) **Discuss matters related to affordable housing**

Affordable housing has been on Darien's agenda for some time. As people have grown up and lived their lives in town, they wish to remain in Darien as an aging adult. Lower priced housing has been given much attention and consideration as to determining the location and how to manage it.

Mrs. Klein spoke about the 2009 Priorities as follows:

- Fiscal Responsibility
- Open Community Space
- Human Services
- Downtown business development
- Traffic and transportation.

#### **1. Option to lease 35 Leroy Avenue**

Much discussion followed.

Mrs. Sullivan said that the parking at 35 Leroy cannot be expanded because of the Wetlands in the back. The parking lot cannot be at the edge of the Wetlands.

Mrs. Sullivan pointed out that the parking is not good for the community center. There is 10,000 square feet and 50 parking spaces.

There is great cost (\$2 million) to retro-fit the senior center building. It is old and outdated. There is no gym either. Mrs. Klein said that structures should have multi uses to attract multi-generational programs.

Mrs. Karen Armour of District 6 asked about the gymnasium.

Mrs. Klein said there is not adequate space. It is a single use building. In order to defray costs the entire community should be able to utilize the space.

Ms. Flora Smith asked why the building cannot be expanded.

Mrs. Klein said there is no room for expansion.

Ms. Smith wanted to clarify that if there is 20,000 square feet then there should be 100 parking spaces, and if 60,000 square feet, then 300 spaces.

Mrs. Sullivan said that is correct.

Mrs. Santarella said that parking is inadequate at the new Library too. Mr. Bayne said there have been many complaints on lack of parking spaces.

She asked about the old library as the community center.

Mrs. Santarella said that access and parking are not good. She added that transportation opportunities are important for affordable housing.

Ms. Smith said the time has come to make a better home for our seniors.

Mrs. Santarella said that with new comes taxes and fiscal responsibility. Seniors do not want new taxes.

Mrs. Mary Ness inquired about acquiring the library site.

She said that the RTM asked for a Study of Best Uses. She said that their request should not have been ignored.

There was a 2007 Best Use Study done by an independent group. Mrs. Klein said that there is no knowledge of sickness from those using the building. She said the senior center is a safe, healthy and clean place.

Mrs. Klein said also there was a lengthy list of items fixed. The senior center is an old building and it needs to be a new building.

Mrs. Santarella said that the RTM is our legislative body.

The lease is dealt with by the RTM. Mrs. Klein said they either vote up or vote down.

Barbara Thorne of District 2, Board of Finance recommended purchasing the property.

Attorneys Wayne Fox and Ed Schmidt said that Option to Lease, is not a lease. It is a concept used by other communities. Fairfield used this method with success. It is contingent on RTM approval. No lease with their approval.

Mr. Schmidt said that no lender will give a commitment unless there is some control of the land.

Mr. Schmidt said that the terms of the option is two years and expires automatically. In the affordable housing market, two years goes fast. The town is to cooperate with the Applicant. The Option is not assignable. Assignment of lease is a mutual requirement.

21 Units would be the maximum. Mr. Schmidt said that the zoning approval takes about one year; then financing takes one-two years. He said that that time goes quickly. RTM has two years until they vote.

Karen Armour said that the RTM affirmed interest.  
She mentioned that Fairfield voted on the lease.

Mr. Bayne said there are tax issues, acquiring of, and disposing of property.

Mr. Schmidt said the Option allows the town to choose Mutual Housing.

Ms. Smith asked if RTM voted the lease down, what would then occur?

Mrs. Klein said then sell the property.

Mrs. Klein said there is a four-year cycle on affordable housing meetings.

Mr. Stelben asked if the Option is free.

Mr. Kilduff said No. There is a \$10,000 deposit. Mr. Stelben asked if the check was tendered. Mr. Kilduff said no.

It can be a money maker at \$7500 per unit X 21 units. Then collect \$1000 per unit for a year or \$21,000. Additionally, there is a collection of property taxes, auto taxes, and there is 8-30g. Mrs. Klein said that the Town does not purchase property to make money. There has to be a need.

John Vanderkeef, Chairman of the Planning, Zoning and Housing Committee said that an objective study not done. The committee is frustrated. A senior center would work.

Mr. Vanderkeef said the Board of Selectmen should have the study done.

In June 2007 the RTM voted on the study.

Mr. Bayne said we needed a written resolution then.

Mrs. Klein said it has been an educational process.

Mrs. Joan Davis, of District 4 recalls that meeting and felt what was presented was clear and she understood it. Mrs. Klein thanked her.

Mrs. Klein said to look at the old RTM Minutes and the voting.

Robin Woods, District 2 said the Cottage has been built. When will the senior center be built?

The project has not moved forward. A mistake has been made.

Mrs. Klein said that a new senior center will be on the agenda for future meetings to get the project back on line. It takes the support of the senior center director and the committee on aging to get the RTM vote.

Mrs. Armour said leadership is needed for Board of Selectmen. Aging somehow got out of the equation.

The discussions wrapped up for this evening and will continue at upcoming meetings.

**b) Discuss Possible Open Space Ordinance**

Attorney Wayne Fox talked about country club assessments and the manner in which they are taxed. They are taxed high compared to other towns in the State. There is a need for an Ordinance to reduce the assessment to the Darien Country Club. Currently there is no provision.

Ms. Smith asked why there was surprise that the clubs wanted tax relief since their assessment increased. Mr. Fox said it was assumed we had an Open Space Ordinance. Board of Selectmen cannot issue an order to the Assessor. The statute comes from the assessor's office.

Mr. Stelben said Darien Country Club taxes up \$375,000. He added that 99% of municipalities have an Open Space Ordinance.

Mr. Fox said this will not take long to fix.

**c) Discuss and Take Action on Approval of Darien Sidewalk Sales & Family Fun Days to be held July 9-11, 2009.**

This initiative is being organized and coordinated by the Darien Chamber of Commerce. Carol Wilder-Tamme, President/CEO requested to hang signs and banners prior to the event.

**\*\*\* MRS. SANTARELLA MOVED TO APPROVE THE DARIEN SIDEWALK SALES & FAMILY FUN DAYS ON JULY 9-11, 2009.**  
**\*\*\* MR. BAYNE SECONDED.**  
**\*\*\* MOTION PASSED UNANIMOUSLY.**

**d) Discuss and Take Action on Grant Request to Darien Technology & Community Foundation from Commission on Aging.**

Mrs. Santarella said that on Wednesday she will be attending the Commission on Aging meeting. Robin Woods said that she received a letter from Ms. Pam Dysenchuk requesting funds from the town to share in the cost of a wheelchair lift

at the Senior Center. This obligation will be shared with the Darien Technology Foundation. Mrs. Santarella mentioned that it is a lot of money for a limited amount of users. The cost is approximately \$20,434. There is a lesser expensive unit that is commonly used in home settings for \$4,044. Ms. Woods said that about 17 regular members would benefit from the lift.

Mrs. Santarella and Ms. Woods exchanged information. Mrs. Santarella said it is important to determine if the senior center will remain at the Edgerton Street location as it is an old building. Mrs. Klein added that it would be a waste of funds for both to pay for a wheelchair lift and then have the building torn down.

### **FIRST SELECTWOMAN'S REPORT**

- Met with the Commissioner of the Department of Transportation. Mrs. Klein was encouraged by this meeting.
- Parking at the railroad station remains an issue. They are oversold on permits. Annual fee is low.
- Broad Water was upheld. This is a win for Darien.
- Concerning the Commission on Aging it was noted that projects are not moving forward, i.e., senior center. A statement supposedly was made by the Moderator that the Commission on Aging was told to step aside. Mrs. Santarella said that this is not true and that it was hearsay on the Moderator's part to make that statement. She said that the seniors are happy at the center. Seniors, as a rule, do not like change. A comparison was made to the Westport Senior Center, which is too small but they are adding on to it.

Mrs. Klein said that she will follow up on

- Option to Lease
- Concerns about RTM getting information
- Karl Kilduff – study – open-ended years to complete.

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

Mr. Kilduff said that today at 11:06 a.m., he received a grant application for the Edward Burns Justice Assistance memorial.

Mr. Kilduff said that the town's website is in the final stages. Training has taken place. Additional training for those that need it can be done via webinar. There should be no interruption in 'going live' with the new system, he reported. Navigation should be easier. New services also will be available. There will be tracking tools to manage citizen's requests. This will aid in performance measurement and management.

He reported that as the fiscal year is ending, insurance coverage renewals are being worked on. He is meeting with the town's insurance agent.

### AGENDA REVIEW

Holly Lane Review meeting. There was a walking tour. Mrs. Klein noted that no neighbors called.

Mrs. Santarella requested the following be included in the Minutes as follows:

In regard to the Community Center Parking, Jeremy Ginsberg said that the following would be the appropriate standard from the Zoning Regs:

Church or other place of worship, theater, auditorium, athletic or recreational facility or other place of public assembly	1 space for each 3 seats or for each 200 square feet or for each 3 persons permitted by the Fire Marshal to occupy the building, whichever would be the greatest.
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So, a 10,000 square foot center would need 50 spaces; a 20,000 square foot center would need 100 spaces, notwithstanding the Fire Marshal limits, which could require even more parking.

### **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

Special Meeting of March 11, 2009

- \*\* CHAIRMAN KLEIN MOVED TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF MARCH 11, 2009.**
- \*\* MRS. SULLIVAN SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

Regular Meeting of March 23, 2009

The following corrections were made to the March 23, 2009 Minutes as follows:

Page 1, 1<sup>st</sup> Sentence under Section Report From Advisory Board Of Health...  
Add Mr. Kevin Cunningham, Chairman of the Advisory Board of Health  
Page 2, delete paragraph 3 and add Mr. Bayne said that he favored the broader recommendation and would be interested in pursuing a better way for the Police, Fire and EMS departments to work together. He pointed to the fact that one of the fire departments has asked for defibrillators in the last two budgets even though they are in each police car. He questioned whether there are redundancies.  
Page 2, 4<sup>th</sup> paragraph, delete sentence from ; it is clear....

Page 3, 2<sup>nd</sup> paragraph, 2<sup>nd</sup> sentence to be deleted When there is an...  
Page 4, Section C, second to last sentence, delete 'charged', substitute 'responsible'  
Page 5, Section: Agenda Review, 3<sup>rd</sup> paragraph, first line, delete 'the', add 'a future'

- \*\* CHAIRMAN KLEIN MOVED TO APPROVE THE MINUTES OF THE MARCH 23, 2009 MEETING AS CORRECTED.**
- \*\* MRS. SULLIVAN SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

### **FORTHCOMING MEETINGS**

April 14, 2009	Board of Education Regular Meeting at 7:30 p.m.
April 14, 2009	Board of Finance Budget Meeting at 7:30 p.m.
April 14, 2009	Planning & Zoning Regular Meeting at 8:00 p.m.
April 15, 2009	Parks & Recreation Regular Meeting at 7:30 p.m.
April 16, 2009	Board of Finance Budget Meeting at 7:30 p.m.
April 20, 2009	Board of Finance Regular Meeting at 7:30 p.m. (final vote on budget and set mill rate)
April 20, 2009	Board of Selectmen Regular Meeting at 8:00 p.m.
April 21, 2009	Planning & Zoning General Meeting at 8:00 p.m.
April 28, 2009	Board of Education Regular Meeting at 7:30 p.m.

### **OTHER BUSINESS**

Mrs. Klein made mention that the discussion on 35 Leroy Avenue was at times disappointing. Some of the most important information that had been reviewed, discussed, and agreed to in open forums over time seemed to have been forgotten about by some attendees at this evenings' meeting.

A better update of information will take place between the Board of Selectmen and the RTM.

### **ADJOURNMENT**

- \*\* 1<sup>ST</sup> SELECTWOMAN KLEIN MADE A MOTION TO ADJOURN THE MEETING.**
- \*\* MRS. SANTARELLA SECONDED.**
- \*\* MOTION PASSED UNANIMOUSLY.**

There was no further business and the meeting was adjourned at 11:02 p.m.

Respectfully submitted,

Anne Hohlweck, Telesco Secretarial Services

Town of Darien  
Board of Selectmen  
Regular Meeting  
April 13, 2009  
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