

**TOWN OF DARIEN
BOARD OF SELECTMEN
REGULAR MEETING
MONDAY, NOVEMBER 23, 2009**

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

STAFF: Karl Kilduff, Administrative Officer

OTHERS: Jan Raymond, DHA

CALL TO ORDER

1st Selectman Campbell called the Regular Meeting to order at 8:00 p.m.

PUBLIC COMMENT

Ms. Jan Raymond, 11 Waverly Road, said she was a member of the Darien Housing Authority and was at the meeting in place of Jenny Schwartz of the Darien Housing Authority. She asked Mr. Nielsen and Ms. Stevenson if they would be discussing the Housing Authority meeting they attended last Friday in New Canaan, because the DHA's next meeting is not until January. Mr. Nielsen and Ms. Stevenson went to see the New Canaan Housing Authority last week to see how they operate and what they do. Ms. Raymond said they were left with some interesting thoughts. Ms. Stevenson said it was an information-only meeting, and it was to allow the Housing Authority to meet with the neighboring town to share information. Ms. Sullivan and Mr. Bayne asked why all the Board of Selectmen were not involved. 1st Selectman Campbell said that he didn't tell all of the Selectmen. He said he asked Mr. Nielsen to go, and he said he asked Ms. Stevenson to talk to Ms. Schwartz about going to the meeting and understanding their finances on the Allen O'Neill project. Mr. Bayne said that while he understood the meeting that took place last week was informal, he felt that because the subject is so controversial, it would be beneficial to have all the Selectmen know about meetings and be involved. Ms. Sullivan said she felt it was fine to have people report back from meetings that were about on-going projects, but she said she was concerned about gaps forming when the project is new or not everyone knows about the meeting. Ms. Stevenson said she understood their role as Board of Selectmen was separate and distinct from the DHA and it was simply an attempt to have two bodies that do similar work have introduction to one another to share information. She said there was no information discussed by them as Selectmen and no action items were discussed at the New Canaan meeting.

Ms. Raymond brought up 4 or 5 points, saying they did research on their project prior to going to the meeting. She said that New Canaan will be building 40 units on a total of 2

acres, with a density of 20 units/acre. She said their costs are less and the construction is easier. She said the biggest difference between the two projects is that New Canaan was turned down for the 9% tax credit under CHFA, but went back and got a 4% tax credit. They have also been approved by the DECD for a grant, and are waiting to hear the outcome. She said another interesting point is that New Canaan has a Housing Development Fund, which is funded with a 1% tax for every building permit taken out. The project is \$8M, and they have taken out \$500,000 already. They may go back to get as much as an additional \$1M.

Ms. Raymond said that they are confident that Darien will get the 9% tax credit during the next process. She said that New Canaan is taking out a \$4M loan for 30 years at 5%. The \$4M loan is through a bank in New Canaan, so it's as if they are floating their own bond. It's a higher rate of interest than what Darien will have if things go according to plan with CHFA.

Mr. Bayne thanked Ms. Raymond for going to the meeting and bringing the information to their attention. He commended the DHA for keeping everything public.

Ms. Raymond offered to help the Selectmen in any way she could on this.

**REPORT FROM DAVID KNAUF, HEALTH DIRECTOR,
REGARDING BEACH WATER SAMPLING**

Mr. Knauf provided his Public Beach Water Sampling 2009 report for the Selectmen. He explained that students from town filled out water sampling surveys. They found high levels of bacteria in Gorham's Pond. He said that Darien is about to install sewers in that area. He said Darien should take a look at requiring sewer hook-ups for homes close to water sources. He said that low levels of chlorine were found in Gorham's Pond, and he said it was not clear how it got there.

Mr. Bayne asked if dredging Gorham's Pond would have an impact on the coastal water quality. Mr. Knauf said that the problem with Gorham's Pond is that it is so shallow, the water gets warm and allows the bacteria to grow. He said that dredging the pond could be helpful, but it won't be the solution.

Mr. Bayne asked why Holly Pond is so different from Gorham's Pond, with regard to bacteria. Mr. Knauf said Holly Pond is surrounded by homes that are connected to sewers.

Ms. Sullivan said she remembered a time when people were encouraged to hook up to the sewers. Mr. Kilduff clarified that the Sewer Commission had sent something out on that, not the Board of Selectmen.

A suggestion was made to contact Friends of Gorham's Pond to secure buffer grasses for Gorham's Pond, which did not have any. It was mentioned that the buffer grasses were beneficial at Holly Pond. Ms. Sullivan asked for a chart, or a graph, that would show the levels of bacteria in order to help them go forward and understand the information.

Mr. Knauf said results from the new tests indicated in the study would have a 24 hour turnaround, but he said he was not sure how soon the tests would be available.

NEW BUSINESS

- a) Discuss and Take Action on Affirmation of Board of Selectman's Continuing Desire to Purchase 33 Cherry Street with a FEMA Grant

1st Selectman Campbell said this was previously approved by the Board of Selectmen on August 16th. He said Mr. Fox asked him to confirm the motion with the Selectmen. He read the original motion for the Selectmen.

**** MR. BAYNE MOVED TO APPROVE THE DARIEN BOARD OF SELECTMEN HEREBY AFFIRMING THEIR DESIRE TO PURCHASE 33 CHERRY STREET WITH GRANT PROCEEDS FROM FEMA AND ALREADY APPROPRIATED TOWN FUNDS FOR THE PURPOSE OF REMOVING SAID HOME FROM THE FLOODPLAIN IN CONCURRENCE WITH FLOODPLAIN MANAGMENET POLICIES OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY.**

**** MR. NIELSEN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

- b) Discuss Board of Selectmen Priorities for 2010

1st Selectman Campbell provided the Selectmen with a revised copy of the Board of Selectmen Priorities for 2010. Mr. Bayne thanked him for cleaning them up. 1st Selectman Campbell and the Selectmen then made more changes to the revised copy.

Starting with FISCAL RESPONSIBILITY, bullet # 1 should read:

Continue to monitor economic climate and its effect on town budget and projects.
Continue to update the Board of Selectmen through the Finance Review and Strategy Committee

Under Bullet # 3, change "the" to "an".

Under ENVIRONMENT, the following changes were made:

- Develop and implement as ready cohesive solutions to mitigate the effects of flooding.
 - Educate private property owners
 - Replace Heights Road drainage culvert and implement downstream improvements.

- Continue efforts to improve the environment.
 - Partner with the City of Stamford to improve the health of Holly Pond
 - Partner with the Friends of Gorham’s Pond to develop plans to dredge the pond

Under HUMAN SERVICES, remove the 1st bullet.

Under DOWNTOWN AND BUSINESS DEVELOPMENT, the following changes were made:

- Encourage conceptual master plans for Downtown Darien, Noroton Heights and selected neighborhood commercial clusters (e.g. portions of the Post Road)
 - Review and ready Resource Report recommendations for consideration to be implemented in the downtown
 - Encourage the use of “smart growth” standards while planning for development
 - Develop plan to bury power and phone lines in the downtown

- Support the efforts of the Darien Chamber of Commerce

Under TRAFFIC AND TRANSPORTATION, bullet #2 should read:

Work with the Police Department and Police Commission on speeding issues and responsible driving issues within Darien.

Some discussion took place about addressing the congestion problem, commuter parking, and additional bike racks at the train stations.

Ms. Stevenson recommended moving bullet #7, Meet target goal for road paving in annual budget, to the following page, 2010 ONGOING GOVERNMENT CHARGES & RESPONSIBILITIES, under the PROTECT COMMUNITY INTERESTS heading.

Under AFFORDABLE HOUSING, add the following as bullet #3:

- Resolve Status of 35 Leroy Avenue

Mr. Bayne suggested that this topic be added to the agenda next month for the Selectmen to discuss prior to the start of the budget season.

Under COMMUNICATIONS, move the entire category to the following page, 2010 ONGOING GOVERNMENT CHARGES & RESPONSIBILITIES.

Under COMMUNICATIONS, bullet #2 should read:

Assess and publicize emergency communications tools and the interaction of interagency communications.

On the 2010 ONGOING GOVERNMENT CHARGES & RESPONSIBILITIES page, under PROTECT COMMUNITY INTERESTS, under the 3rd indentation of the bullet, it should read:

Coastal Water Quality and Shellfishing in Darien Waters

UNDER COMMUNITY INVOLVEMENT, remove bullet #3.

c) Transfers

Health 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>
10508011-82007	Prof Service	\$36,750
	TOTAL	\$36,750

To:

<u>Acct. No</u>	<u>Account</u>	<u>Amount</u>
10508011-82002	Part time salary	\$34,000
10508011-81004	Overtime	\$ 1,500

10508011-83001	Office supplies	\$ 1,250
	TOTAL	\$36,750

**** MR. BAYNE MOVED TO APPROVE THE TRANSFER OF \$36,750 FROM PROFESSIONAL SERVICE TO \$34,000 FOR PART-TIME SALARY, \$1,500 FOR OVERTIME, AND \$1,250 FOR OFFICE SUPPLIES.**

**** MS. STEVENSON SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

1st SELECTMAN'S REPORT

1st Selectman Campbell said he spent some time with Ms. Swiatek, the Director of Parks & Recreation, looking at the beach areas, as well as with Bob Steeger, looking at the sewage treatment plant. He also met with Mayor-Elect Pavia of Stamford, and Mayor Moccia of Norwalk, to discuss regional issues.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Kilduff said that he had a meeting with Chief Lovello and Mark McEwen to discuss how they communicate with the public. A copy of the flyer is included in their agenda packet. He said the Nixle Program is a way for residents to receive all the latest information regarding police activity, etc, and the link is on the Darien Police Department website, www.darienpolice.org, for residents to sign up. He said Code Red will remain in place for emergency purposes, and if it does get activated, Nixle will be activated as well.

Ms. Stevenson said she signed up for Nixle, and she found it to be very helpful. She applauded the efforts of the Police Department.

AGENDA REVIEW

Mr. Bayne said he would like to have 35 Leroy Avenue put on next month's agenda. Also, he said it would be helpful to have Bob Steeger discuss the sewer pipe under I-95, and give an update on Heights Road and Baker Field. He also mentioned the Executive Session on litigation. And lastly, he mentioned the policy of the Selectmen reporting back to the Board.

Ms. Sullivan asked if they could meet with the Board of Finance before the start of the budget season.

It was confirmed that the Board of Selectmen meetings will be on Tuesday, December 8th and Monday, December 14th.

FORTHCOMING MEETINGS

November 17, 2009 Planning & Zoning Commission General Meeting at 8:00 p.m.
November 17, 2009 Board of Finance Regular Meeting at 7:30 p.m.
November 24, 2009 Board of Education Regular Meeting at 7:30 p.m.
November 24, 2009 Planning & Zoning Commission Public Hearing at 8:00 p.m.
December 8, 2009 Board of Selectmen Regular Meeting at 8:00 p.m.
December 15, 2009 Board of Finance Regular Meeting at 7:30 p.m.

OTHER BUSINESS

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

ADJOURNMENT

**** MS. SULLIVAN MOVED TO ADJOURN.**

**** MR. BAYNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9.30 p.m.

Respectfully submitted,

Carolyn Marr
Telesco Secretarial Services