

**DRAFT**

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
REGULAR MEETING  
NOVEMBER 17, 2008**

**ATTENDANCE:** Evonne Klein, First Selectwoman, David Bayne, Seth Morton,  
Linda Santarella, Callie Sullivan

**STAFF:** Karl Kilduff, Administrator's Report

**CALL TO ORDER**

First Selectwoman Klein called the meeting to order at 8:04 p.m.

**PUBLIC COMMENT**

Ms. Smith Mao stepped forward and asked if it was possible to schedule a time to discuss the Police building with the Board. First Selectwoman Klein said that there would be an opportunity to discuss this later in the meeting.

**REPORT FROM ANTHONY HOMICKI, TAX ASSESSOR**

Mr. Homicki said that the mailing has gone out to inform the residents that a re-evaluation has been underway. All parcels have been visited and photographed last winter and again during the last three months. This was done in order to allow Mr. Homicki to sign an accurate Grand Land. The State now has performance based evaluations, which all towns must participate in to insure parity. The questionnaire response rate has been very high, between 85% and 90%.

The real estate section is the focus of the evaluation. The personal property and the vehicles have been updated yearly. The businesses have been growing. Several businesses have called pointing out that their sales have dropped but their assessments have gone up. Mr. Homicki said that the office had reviewed the sales over the last few years and that previous to 2007/08, the overall sales had shown a steady increase.

First Selectwoman Klein asked Mr. Homicki to review the process of making an appointment and making an appeal if they feel their assessment is too high, particularly since this meeting is televised. Mr. Homicki did so.

Ms. Sullivan asked if the Grand List was available online. Mr. Homicki said that it was not. First Selectwoman Klein said that this issue had been discussed with the Website

Committee and there had been a number of strong concerns about privacy. Mr. Homicki said that about 139 of the 169 towns actually have the Grand List online.

Mr. Bayne asked Mr. Homicki to explain for the residents how the evaluations were done for those who were watching at home.

### **FIRST SELECTMAN'S REPORT**

First Selectwoman Klein said that the bridge project started recently and the synchronized traffic light program has worked out and traffic is flowing. Representatives will be at the next meeting on the 21st. The Police have been monitoring this project carefully.

Another project has been delayed until 2012. Some rock ledge has been encountered and test borings have been done. One issue has been that when the project started, the Town was assured that pedestrians would be able to pass through the area safely. However pedestrians have been forced to walk in the street in the dark. SWRPA has also been involved as an advocate for the residents.

First Selectwoman Klein has been able to schedule an annual meeting with the Director of the DOT to discuss the progress of all the State projects. A public Rapid Transit meeting has also been scheduled for December 4th.

First Selectwoman Klein said that the town's shortfall was expected to be \$700,000, due to the real estate market drop.

The thirteen projects submitted to the State have been forwarded to the Federal Government for approval.

Person-to-Person has celebrated 40 years of service recently. First Selectwoman Klein also said that Brooks Brothers has opened a store downtown. By developing the downtown area and the retail, this removes the burden from the property owners.

First Selectwoman Klein said that Governor Rell has a form on the Internet for the residents to suggest ways to save money in the State budget and also to give feed back.

Ms. Sullivan then said that she was the representative for the Human Services Council. She then presented a report from "Aging in Place" and displayed a prototype of the brochure, which contains information about the services available to seniors.

The CARE Campaign is starting up and a new website "darien.care.org" has the list of the recent events. Ms. Sullivan then displayed one of the posters for the program.

## **PPADMINISTRATIVE OFFICER'S REPORT.**

Mr. Kilduff said that there were a few items that he would like to highlight. He said that SWRPA recently had its first parking peer-to-peer discussions, which apparently focused on railroad parking.

Mr. Kilduff said following the meeting where the Commission on Aging had done a presentation illustrating the problems at the Senior Center, he had arranged for the Fire Marshal to inspect the building for violations. This was done and some additional issues have been identified.

Mr. Kilduff said that last year the Town and the BOE had purchased heating oil from a purchasing co-op. The BOE has elected not to participate in the program this year. Mr. Kilduff then reviewed the options for the Town and said that the Town would have to lock in on the price from the purchasing co-ops by the end of the week. Ms. Santarella asked Mr. Kilduff why BOE was not participating. Mr. Kilduff then reviewed the reasons for their decision. Discussion about this then followed.

## **NEW BUSINESS**

**\*\* MR. BAYNE MOVED TO TAKE AGENDA OUT OF ORDER.**

**\*\* MR. MORTON SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

## **DISCUSS AND TAKE ACTION ON REQUEST FROM POLICE COMMISSION TO PROCEED WITH POLICE DEPARTMENT CONSTRUCTION PROJECT.**

Mr. George Riley came forward and indicated that Turner Construction was also present, along with the other members of the Police Commission and the Police Chief. After discussion with the First Selectwoman, the bids were opened. One of the requests to the bidders was that two start dates, the scheduled one and one six months later. Mr. Riley said that if the Town did not submit plans by a certain deadline, the plans would have to be modified to new code requirements. There are some difficulties with the building as it stands now.

Mr. Peter Truebner said that he was a Police Commissioner and said that the Board had declared a moratorium on projects at this time. He said that this particular project was very important to the Town.

Police Chief Lovello said that there would be some immediate needs and repairs to the building. He then reviewed the items, such as the rooftop air conditioner which is rotting

in place; total replacement of another air conditioner in the forensic room; the hot water heater is now classified as a boiler and must be replaced; a heater in the garage has failed and been removed; a number doors are rotting, particularly the door through which the prisoners enter and exit the business; replacement of the phone system; and various other items that were outlined in a memo dated November 5, 2008. The Department had scaled back on maintenance this year in anticipation of the new building.

Chief Lovello said that the outdoor range will be in operation, but while it is safe, it is in close proximity to the new library. The indoor range is out of operation and had storage from the garage in it.

First Selectwoman Klein had some questions about the shooting range. Chief Lovello said that the Department is required to have all 51 officers qualify twice a year, once in the spring and once in the fall. The Chief said that the noise will be startling to those in the library parking lot, but he repeated that there was no danger to anyone in the lot.

First Selectwoman Klein said that she appreciated the understand of the Department in light of the changes in the economy and that the Board would know more in February.

Ms. Smith Mao came forward and said that while the economy has taken a downturn, the residents should be aware that there would be significant fiscal costs associated with delaying the project at this time. She said that she was hoping that the Board of Finance could find some of the funding somewhere.

### **DISCUSS OUTCOME OF CHARTER REVISION VOTE AND SUBSEQUENT STEPS.**

First Selectwoman Klein said that the questions regarding the Charter revision failed at the ballot box. She then reviewed the various options and said that some residents felt that the error that was discovered was a result of sloppy work on the part of the Board. When others asked why the Charter wasn't pulled, First Selectwoman Klein said that the Town and the Board had followed the process. There was a remedy for the error if it had passed.

Mr. Morton said that if the RTM Rule Committee and the Board looked at the proposed Charter and the new formatting of the Charter. Mr. Bayne agreed and said that proposed Charter changes had failed twice in ten years, and now it was time for the RTM to look at the Charter and make some changes.

Ms. Santarella said that the results of the vote indicated that the residents were comfortable with the way that the government was working. She agreed with Mr. Morton that the language was much clearer than the previous charter. Ms. Santarella said

that a newspaper editorial the week following the vote basically said that the Charter was now in the hands of the RTM.

Ms. Sullivan said that a lot of work had been done on the Charter and it would be a shame to lose all the work that had gone into it. She then asked what the RTM would be receiving. First Selectwoman Klein said that she felt the Board would be passing on the text of the Charter to the RTM. It is ultimately up to the Rules Committee to decide what to do.

Mr. Bayne said that the Board does not have a formal way to hand this off to the RTM, but can make the suggestions to the RTM.

Concerns expressed centered around the error and whether there were other errors in the Charter. First Selectwoman Klein said that a number of people had said that there was no response from the Charter Revision Committee, but that when the various Town Departments had been contacted about this, it was discovered that the perceived lack of response was not accurate.

Mr. Plehaty said that this CRC had made the Charter sparse and moved many of the details out into the ordinances. Handling this would be labor intensive. He added that there were very high emotions during the debate and he suggested a cooling off period. First Selectwoman Klein said that she felt that the members of the CRC would be much more receptive to working with RTM on this project. She added that she would be contacting the RTM moderator about discussing the Charter and future RTM work.

**DISCUSS AND TAKE ACTION ON SIGNAGE AND MARKING  
AT BUS STOP LOCATIONS.**

First Selectwoman Klein said that she felt this was a wonderful idea and that Ms. Sangrey had done a wonderful job. Ms. Santarella said that she had followed the bus on the route down West Avenue. She said that she hoped the project would be expanded to include this route also.

Mr. Morton asked about mounting the signs on telephone poles. Mr. Kilduff said that it depended on the utility involved. First Selectwoman Klein reminded everyone that the Town had worked very hard on “designing” downtown.

**\*\* MS. SANTARELLA MOVED TO APPROVE THE PLACEMENT OF CT  
TRANSIT BUS STOP SIGNS AT THE LOCATIONS LISTED IN THE  
MEMORANDUM DATED OCTOBER 22, 2008 FROM MS. ANDREA SANGREY.**

**\*\* MS. SULLIVAN SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**DISCUSS AND TAKE ACTION ON FILMING PERMIT PROCESS.**

First Selectwoman Klein thanked Mr. Kilduff for his work on this issue. She said that there were a large numbers of choices. Mr. Kilduff said that he could draft something up for the Commission to consider. Mr. Bayne said that he liked the Greenwich form because it got the most information. First Selectwoman Klein said that she like the Connecticut Commission on Cultural and Tourism. She added that when there were problems in the past, they had been between private individuals on private property and the film company. Mr. Morton then suggested a cover letter listing all the permissions required. Ms. Santarella said that previously when a film had been done, it was a donation "in lieu of..." rather than a donation to the General Fund Revenue. She said that she wanted to have it very clear that the money should come to the Town. First Selectwoman Klein said that she would incorporate the suggestions into the goals.

### **DISCUSS BOARD OF SELECTMEN PRIORITIES FOR 2009**

First Selectwoman Klein said that she had updated the Board of Selectmen's Goals and Statement. She said that the Board would not be voting on the Statement tonight and added that a Statement was not actually necessary, but felt that it clarified the matter.

First Selectwoman Klein then directed everyone's attention to the Section of Open and Community Space on page 2. Mr. Morton said that he would like to have Flood Mitigation as a separate subject. Discussion about the inclusion of the Town Plan then followed.

The discussion then turned to the subject of traffic and transportation. The Board proceeded to discuss and make some changes in overall wording for the document.

### **DISCUSS AND TAKE ACTION ON APPROVAL OF SETTLEMENT AGREEMENT WITH CONNECTICUT RESOURCES RECOVERY AUTHORITY (CRRA).**

Mr. Bayne had some questions about a recent settlement with CRRA following a vehicle accident where Town building was damaged. Atty. Fox reminded everyone that the Board was in public session. Atty. Fox said that he had some concerns about the indemnification that was being requested by CRRA. Mr. Bayne agreed with Atty. Fox's concern. Mr. Kilduff then pointed out that this was also complicated by the fact that the Town is on the verge of changing MSW companies. These concerns will be discussed with Mr. Steeger.

### **TRANSFERS**

#### **Health Department**

**Resolved that the following transfer of appropriations is approved for referral to the Board of Finance.**

**The sum of \$122,991 from Professional Services Acct. No. 10508011-82007 to Full Time Salary Acct. No. 10508011-81001**

**\*\* MS. SANTARELLA MOVED TO APPROVE THE FOLLOWING TRANSFER:**

**RESOLVED THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE.**

**THE SUM OF \$122,991 FROM PROFESSIONAL SERVICES ACCT. NO. 10508011-82007 TO FULL TIME SALARY ACCT. NO. 10508011-81001**

**\*\* MR. BAYNE SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

### **AGENDA REVIEW**

First Selectwoman Klein then gave a quick overview of items for the upcoming December 1st Board Meeting. The Board then discussed having the Housing group come in and present an update to the Board. The next Board of Selectmen meeting is scheduled for December 1st and the State of the Town meeting is scheduled for December 8th.

### **APPOINTMENTS/REAPPOINTMENTS**

Appointment to DAHAC – Andrea Sangrey, Spencer McIlmurray, and Greg Harmer

**\*\* MR. MORTON MOVED TO APPROVE THE FOLLOWING CANDIDATES TO DAHAC: ANDREA SNAGREY, SPENCER MCILLMURRAY AND GREG HARMER.**

**\*\* MR. BAYNE SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

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

There were no minutes to approve.

### **FORTHCOMING MEETINGS**

November 18, 2008  
November 19, 2008

Board of Finance Regular Meeting at 7:30 p.m.  
Parks and Recreation Regular Meeting at 7:30 p.m.

Town of Darien  
Board of Selectmen  
Regular Meeting  
November 17, 2008  
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November 25, 2008  
November 25, 2008  
November 24, 2008

Board of Education Regular Meeting at 7:30 p.m.  
Planning and Zoning Public Hearing at 8:00 p.m.  
RTM Organizational Meeting at 8:15 p.m.

**OTHER BUSINESS**

There was no other business to conduct.

**ADJOURN TO EXECUTIVE SESSION**

**\*\* MS. SANTARELLA MOVED TO ENTER INTO EXECUTIVE SESSION  
PURSUANT TO CGS § 1-200(6)(D) REGARDING LAND NEGOTIATIONS.  
\*\* MR. BAYNE SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

The Board of Selectmen, Atty. Fox and Mr. Kilduff entered into executive session at 10:35 p.m.

**ADJOURNMENT**

**\*\* MOVED TO ADJOURN  
\*\* SECONDED.  
\*\* THE MOTION PASSED**

The meeting adjourned at

Respectfully submitted

Sharon L. Soltes  
Telesco Secretarial Services