

APPROVED MINUTES  
BOARD OF FINANCE REGULAR MEETING  
August 28, 2008  
7:30 PM- Room 206

The meeting was called to order by Vice Chairman Martha Banks in the absence of Chair Murry Stegelmann at 7:34 PM. Members of the Board of Finance present were Martha Banks, Lorene Bora, Gwen Mogenson, Tom Volpe and Peter Hovell. Kate Buch, Finance Director, was also present. Elizabeth Smith Mao was not in attendance. Police Building Committee members George Reilly, Bob Harrell and David Hawes also attended part of the meeting. The meeting was broadcast on Channel 79 and recorded.

UPDATE FROM THE POLICE BUILDING COMMITTEE

Reilly reported that proceeding with the photo voltaic system is not cost justified based on the energy that it will produce. 8 KW would not qualify for CL&P contributions. The geothermal system is on track. Bid documents have been created and all but one are ready to go. The exception is the electrical document because of the conclusion regarding the photo voltaic system. LED lighting will be incorporated into as many of the common areas as possible. It is economically and ecologically viable. The design contingencies are still in place. There are no new estimates at this time. Reilly stated that he believes construction can begin in November.

SPECIAL APPROPRIATION

The Board of Finance has been asked to consider a funding request from the Darien Land Trust for \$100,000. The funds are to aid in the acquisition of Waterbury Field, which is 1.79 acres on Hollow Tree Ridge Road across from the entrance to Wee Burn Country Club. The current owners have offered it to the Darien Land Trust for the below market price of \$1.3 million. Therefore the Land Trust's request equals approximately 8% of the purchase price. It was noted that the town had donated \$100,000 towards the Land Trust's purchase of the 9 acre Mather Meadows site. The State of Connecticut also contributed towards the \$3.9 million Mather Meadows purchase and "suggested" that the town participate.

Board members asked for clarification on town residents' ability to use Land Trust properties. Banks reported that three parcels have open access although there is no parking available. The others may only be used by permission. Hovell stated that he did not want to set precedent and if there is no public access that the town should not be participating at this scale. Mogenson stated that open land preservation is a town goal and recommended that the Board take a symbolic role. It was noted that if the acquisition of the property is accomplished that the town will give up \$11,800 in property taxes.

Volpe moved that \$25,000 be appropriated from reserve fund contingency to the Land Trust for the purpose of purchasing Waterbury Field. The funds will be contributed at the time the acquisition closes. The motion was seconded and approved 4-1 (Hovell)-0.

#### TRANSFERS OVER \$5,000

A negotiated settlement was reached to settle a lawsuit with the Town's former Human Resources Director. The Town has admitted no wrong doing, but the settlement was believed to be in the best interests of all parties.

A motion to take the full \$125,000 from the Worker's Compensation account was made by Volpe and seconded. Hovell stated for the record that in his opinion the lawsuit was the result of mismanagement by a former town employee and should not have happened. However the settlement was on advice of counsel to protect from going to trial. The motion passed 4-1 (Hovell)-0.

#### CONTINGENCY TRANSFERS

An amount of \$19,700 was requested from RFCNRE to fund the redesign of the Town of Darien website. The cost includes training. It was noted that while the current site has served the town well, that its functionality is now out of date. The new site will provide better tracking mechanisms of residents' requests and allow for polling. Department heads will be able to update their own section of the site. Volpe moved the request. It was seconded and passed 5-0-0.

A net amount of \$45,675 was requested from RFCNRE to support three new FEMA applications. In January 2008, the Board of Finance appropriated \$200,000 in association with two FEMA applications however they were not awarded. The current applications, if awarded, would result in the acquisition and demolition of two properties, providing open space to the town, and the elevation of one property. The total cost to the town would be \$245,675. Hovell move to return \$200,000 to the BOF Capital Contingency account. This was seconded and approved 5-0. Mogenson moved that the town appropriate funds, not to exceed \$245,675, from the BOF Capital Contingency account to match one third of FEMA grants which result from the current applications. The motion was seconded and approved 5-0-0.

Buch presented a list of proposed year end transfers for multiple departments to fund deficiencies (FY 2008). Where possible, transfers were made from within the same department. After Buch presented several adjustments, Volpe moved that the BOF accept the transfers as outlined in the memo, as corrected. The motion was seconded and approved 5-0-0.

The Board reviewed year end (FY 2008) transfers requests for the following accounts: Animal Control Fund, Sewer Operating Fund, Solid Waste Fund, Parking Operations Fund, and Board of Education Receipts. Hovell moved that the BOF approve the five requested transfers to close the year end. It was seconded and approved 5-0-0.

The initial cost of the Democratic Primary had been estimated at \$21,000. The estimate was subsequently lowered to \$15,192 and the actual cost was \$15,010. The BOF was asked to fund the expenditure. Hovell noted for the record that a request should have been made to the BOF at its last meeting. Money was spent by the Registrar of Voters that it did not have the authority to spend, the requirement to hold the primary notwithstanding. Mogenson moved that \$15,010 be taken from BOF Contingency to pay for the Democratic Primary. The motion was seconded and approved 5-0-0.

With the retirement of the long serving Social Services Director, the town administrative officer is recommending that the town conducts an evaluation of the Social Services Department's mission, services, workload and operations. The Social Services Commission has embraced the concept of an assessment to be conducted by an outside party, which will be able to provide an independent view of what services need to be provided by the town. The BOF was asked to fund \$6,000 for the engagement. Mogenson moved that \$6,000 be allocated from BOF Contingency. The motion was seconded and approved 5-0-0. It was noted that the town will not realize savings from the opening created by the retired director as she had accrued significant vacation and sick time.

The Gorham's Pond Tide Gate Project has been completed. There was a cost overrun of \$8,297, approximately 1.1% of the \$750,000 project cost. Hovell moved that \$8,297 be moved from BOF Infrastructure Reserve to close out the project. The motion was seconded and approved 5-0-0.

## FINANCIAL REPORT

The Board members reviewed the final set of 2008 budget reports. The Board also reviewed the RFCNRE update. There was a discussion regarding the need to clean out accounts for projects that have been completed, or have been pending for too long. It was agreed that the October 2008 meeting would be used to review the status of the projects. Buch will notify Department Heads. They will need to defend keeping accounts open for projects that are more than 2 years old. Otherwise the BOF will close the accounts.

## APPROVAL OF MINUTES

The draft minutes of the July 15, 2008 were reviewed and amended. Hovell moved to accept the amended minutes. The motion was seconded and approved 5-0-0.

## SPECIAL ASSIGNMENT UPDATES

Hovell provided an update on Weed Beach. He stated that an advertisement is running in today's paper for bids. There are ten different bid packages for various aspects of the project. Bids are due by September 17. The Weed Beach building committee will need to analyze them by September 24 so the timing is tight. A. Papajohn Co. has been selected as the construction manager. They have worked on the Genovese Building, the Tokeneke Club and three condominium buildings near the Maritime Center in Norwalk. Hovell

stated that construction is scheduled to start in October. The park will remain open to the public during construction. The campaign to raise funds for the playground is going well, with \$50,000 received from the Darien Technology and Community Fund. Various townspeople have come forward and committed to donate items such as benches and a flagpole.

#### CHAIRMAN'S REPORT

Vice Chairman Martha Banks gave the Chairman's report. She provided an update on the Charter Revision process and noted the loss of home rule for the town if any of the five questions are approved. We would move from having a Special Act Charter to a Home Rule Charter, which would require any future changes to the Charter to be made by a new Charter Revision Committee and approved by referendum.

Banks announced that two Board of Finance members will be needed to join the committee which will review Solid Waste Disposal. One or more BOF members will also be asked to participate in the review of proposals for affordable housing on the current library site.

#### OTHER BUSINESS

Mogenson moved that the Board go to new business. The motion was seconded and approved 5-0-0.

The Board reviewed a memo from the Town Treasurer regarding her recommendation to deposit \$100,000 of town funds with the Darien Rowayton Bank. After discussion, a motion to concur with the Town Treasurer's recommendation was made by Volpe. It was seconded and approved 5-0-0.

Buch requested that the Board approve a transfer for the settlement of a "heart and hypertension" claim. An amount of \$63,000 is needed from the 2009 budget and the Board was also asked to approve 18,768 to be allocated to 2008. Hovell moved to approve the transfer. The motion was seconded and approved 5-0-0.

Hovell asked that the BOF have the Town Treasurer provide it with a report on the 2008 investment results. Hovell noted that the information should be provided to the Board prior to it being reported in the newspaper. Hovell reiterated his longstanding position that the Town Treasurer should have dotted line accountability to the Board of Finance.

There being no other business, the Chairman adjourned the meeting at 9:30 PM.

Respectfully submitted,

Lorene E. Bora  
Acting Clerk

