

**MINUTES
REPRESENTATIVE TOWN MEETING
JUNE 8, 2015**

**RECEIVED
JUN 15 2015
TOWN CLERK'S OFFICE
DARIEN CT.**

CALL TO ORDER

A Regular Meeting of the Representative Town Meeting was called to order at 8:05 p.m. by Caryn Diller, Assistant Town Clerk.

The following members were present:

From District I, there were 9 members present, 6 absent.
From District II, there were 10 members present, 6 absent.
From District III, there were 8 members present, 8 absent.
From District IV, there were 14 members present, 1 absent.
From District V, there were 12 members present, 5 absent.
From District VI, there were 13 members present, 2 absent.

The absentees from District I were: Buchesky, Butler, Conze, DuPont, Dweck,
P. Kelly.

The absentees from District II were: Bacon, Finn, Hoffman, Keith, Miller, Mundt.

The absentees from District III were: Camuti, Coyle, Coyle Downs, Davis, Hageney,
Hegarty, Maroney, Morton.

The absentee from District IV was: Morrison.

The absentees from District V were: Bates, Fead, Fiveson, LeHan, McLachlin.

The absentees from District VI were: Ritchie, Young.

The Moderator, Sarah Seelye, assumed the Chair.

ACCEPTANCE OF THE AGENDA

**** THE AGENDA WAS ACCEPTED BY UNIVERSAL CONSENT.**

APPROVAL OF THE MINUTES OF THE MAY 11, 2015 BUDGET MEETING

**** THE MINUTES WERE ACCEPTED BY UNIVERSAL CONSENT.**

ANNOUNCEMENTS

The Moderator thanked everyone for attending tonight's meeting and said that a Special RTM meeting would be held on June 22nd for discussion and vote on the Town employees' contract.

The Moderator said that Susan Cameron, P&Z Chair, would provide an update on the Town Plan of Conservation and Development as the last item on the agenda.

The Moderator introduced Frank Adelman, District VI, Chairman of the Advisory Committee on Pedestrian Infrastructure, a subcommittee of Public Works, who read a report on this subcommittee (attached).

The Moderator announced that Donna Rajczewski, Town Clerk, was in Richmond, Virginia visiting her new grandchild.

15-15

CONSIDERATION AND ACTION ON ACCEPTANCE OF GIFT OF THE PAVILION AT DARIEN HIGH FOOTBALL FIELD AND TRANSFER OF SAME TO BOARD OF EDUCATION

**** LOIS SCHNEIDER, DISTRICT I, ACTING CLERK OF THE EDUCATION COMMITTEE, MOVED:**

WHEREAS, the Darien Athletic Foundation previously gifted an estimated five hundred thousand (\$500,000.00) dollars for the construction of a pavilion/concession stand at the Darien High School football field ; and

WHEREAS, the said pavilion has been constructed and a permanent certificate of occupancy has been issued; and

WHEREAS, such structure is to be owned by the municipality but is to be dedicated for use by the Darien Board of Education; and

WHEREAS, it is appropriate for the Town of Darien to accept such structure located on property owned by the Town of Darien but transferred to the Darien Board of Education for school purposes.

NOW THEREFORE BE AND IT IS HEREBY RESOLVED that the Representative Town Meeting of the Town of Darien hereby accepts with thanks the pavilion/ concession stand from the Darien Athletic Foundation and transfers said structure to the Darien Board of Education for school purposes.

**** THE MOTION WAS SECONDED FROM THE FLOOR.**

Lois Schneider, District I, Acting Clerk of the Education Committee, read the Education Committee report (attached).

James Palen, District VI, Chairman of the Finance & Budget Committee, noted F&B's support of the resolution.

**** ITEM 15-15 CARRIED ON A RISING TALLY VOTE OF 65 IN FAVOR, 0 OPPOSED, 0 ABSTENTIONS.**

The Moderator introduced and welcomed Colin Kelly, District I, the new RTM member.

15-16

CONSIDERATION AND ACTION ON CHANGE TO DARIEN'S CODE OF ORDINANCES REGARDING RESCHEDULING OF RTM MEETINGS

**** FRANK KEMP, DISTRICT IV, CHAIRMAN OF TGS&A, MOVED:**

WHEREAS, Appendix B, Part III – Sec.2 of the Darien Code of Ordinances provides for the rescheduling of RTM meetings in the event of inclement weather to the next following Monday; and

WHEREAS, The Representative Town Meeting wishes to revise Appendix B, Part III – Sec. 2 of the Darien Code of Ordinances to give the Moderator of the RTM more flexibility in rescheduling an RTM meeting to another date in the event of inclement weather or failure to obtain a quorum to times other than only “the next following Monday.”

BE AND IT IS HEREBY RESOLVED THAT Appendix B, Part III – Sec. 2 of the Town of Darien Rules of Procedure be revised in accordance with the amendment attached hereto and made part hereof.

**** THE MOTION WAS SECONDED FROM THE FLOOR.**

Frank Kemp, District IV, Chair of TGS&A, presented his Committee report (attached).

Diane Conologue, District I, asked if this revision applied to meetings other than RTM meetings. The Moderator said it did not, but that could be discussed.

James Cameron, District IV, asked if rescheduling was discretionary or mandatory; was there an obligation on the Moderator to reschedule the meeting? The Moderator said she felt she would be obligated to reschedule the meeting. Mr. Cameron said this moderator was honorable, but this resolution, the way it was worded, could be used politically in the future.

Clara Sartori, District II, said it was discretionary because of the issue of the Town contract being voted on had expired, thus negating the need for a meeting.

Holly Schulz-Amatruda, District III, said she would prefer that discretion not be allowed.

Jeffery Marston, District II, suggested allowing including the definition of when a regular meeting needs to be carried out, and then add "discretion of the moderator". The Moderator said there have been times when she has cancelled meetings because of a lack of items. There are regular meetings and there are extra meetings.

James Cameron, District IV, said he was concerned about discretion being given to moderators going forward; there should also be an obligation.

John Boulton, District V, said that Mr. Cameron's point was moot in terms of the change being proposed tonight.

Town Counsel Schmidt said this resolution allows additional flexibility.

Holly Schulz-Amatruda, District III, asked that the resolution state that the moderator has such discretion with the approval of the Rules Committee or the heads of each district.

Lloyd Plehaty, District VI, said this has been a complicated issue since 1997. It was addressed very thoroughly by the last RTC (RTM?). He proposed to TGS&A that they consider that approach. He said that the moderator cannot cancel a meeting. When there was no need for a meeting, the Town Clerk had to send out a notice that there was no need to show up. The moderator would show up and say there would be no meeting for lack of a quorum.

The Moderator said that the moderator had the discretion to cancel an RTM meeting; Mr. Plehaty disagreed. Town Counsel Schmidt said that was the practice in 1997. Now, this is done with consultation with the Rules Committee, but no one has to actually show up. He said if the RTM wants TGS&A to explore this further, that could be done.

- ** THOMAS MOORE, DISTRICT III, MOVED TO AMEND THE RESOLUTION AS FOLLOWS: "WITHIN TEN DAYS, THE MEETING WOULD HAVE TO BE CALLED, AT THE DISCRETION OF THE MODERATOR". (ITEM 15-16A).**
- ** THE AMENDMENT WAS SECONDED FROM THE FLOOR.**

Joanne Hennessey, District V, suggested the following wording: "the following Monday or earlier, at the Moderator's discretion." The Moderator said she felt this to be too constraining.

Frank Kemp, District IV, said he supported both the resolution and Mr. Moore's amendment.

- ** ITEM 15-16A (AMENDMENT) CARRIED ON A RISING TALLY VOTE OF 51 IN FAVOR, 13 OPPOSED, 0 ABSTENTIONS.**
- ** ITEM 15-16, AS AMENDED, CARRIED ON A RISING TALLY VOTE OF 61 IN FAVOR, 3 OPPOSED, 0 ABSTENTIONS.**

UPDATE ON TOWN PLAN OF CONSERVATION AND DEVELOPMENT BY P&Z
CHAIR SUSAN CAMERON

P&Z Chair Susan Cameron read her written report (attached). There were no comments or questions.

**** UPON MOTION MADE AND SECONDED FROM THE FLOOR, IT WAS UNANIMOUSLY VOTED TO ADJOURN AT 9:05 P.M.**

Respectfully submitted,

Cheryl Telesco Blois
Telesco Secretarial Services

APPENDIX

<u>DISTRICT I</u>	<u>(15-15)</u>	<u>Amendment</u> <u>(15-16A)</u>	<u>as amended</u> <u>(15-16)</u>	<u>DISTRICT IV</u>	<u>(15-15)</u>	<u>Amendment</u> <u>(15-16A)</u>	<u>as amended</u> <u>(15-16)</u>
Buchesky	absent	absent	absent	Banks	yes	yes	yes
Bumgardner	yes	yes	yes	Cameron	yes	yes	yes
Butler	absent	absent	absent	Davis, Joan	yes	yes	yes
Conologue	yes	yes	yes	Domittner	yea	yes	yes
Conze	absent	absent	absent	Fiore	yea	yes	yes
Dupont	absent	absent	absent	Haidinger	yes	yes	yes
Dweck	absent	absent	absent	Hardison	yes	yes	yes
Hayes	yes	no	yes	Hawkins	yes	yes	yes
Keane	yes	yes	yes	Kemp	yes	no	yes
Kelly, C	yes	?	yes	Miceli	yes	yes	yes
Kelly, P	absent	absent	absent	Millar	yes	yes	yes
Pattelli	yes	no	no	Morrison	absent	absent	absent
Schneider	yes	no	yes	Peters	yes	yes	yes
van der Kieft	yes	no	yes	Rayhill	yes	yes	yes
von Stuelpnagel	yes	?	yes	Savage	yes	yes	yes

<u>DISTRICT II</u>	<u>(15-15)</u>	<u>Amendment</u> <u>(15-16A)</u>	<u>as amended</u> <u>(15-16)</u>	<u>DISTRICT V</u>	<u>(15-15)</u>	<u>Amendment</u> <u>(15-16A)</u>	<u>as amended</u> <u>(15-16)</u>
Bacon	absent	absent	absent	Adiletta	yes	yes	yes
Conroy	yes	yes	yes	Bates	absent	absent	absent
Finn	absent	absent	absent	Bayne	yes	yes	yes
Hoffman	absent	absent	absent	Boulton	yes	no	no
Howe	yes	yes	yes	Duffy	yes	yes	yes
Keith	absent	absent	absent	Fead	absent	absent	absent
Marston	yes	yes	yes	Fiveson	absent	absent	absent
McIlmurray	yes	yes	yes	Hayes	yes	yes	yes
McNally	yes	yes	yes	Hennessy	yes	yes	yes
Miller	absent	absent	absent	LeHan	absent	absent	absent
Mundt	absent	absent	absent	Lublin	yes	yes	yes
Sartori	yes	yes	yes	McLachlin	absent	absent	absent
Sawitsky	yes	yes	yes	Mosher	yes	yes	yes
Seelye		DOES NOT VOTE		Patrick	yes	yes	yes
Thorne, B.	yes	yes	yes	Russell	yes	yes	yes
Thorne, M	yes	yes	yes	Stolar	yes	yes	yes
				Young, Rob	yes	no	yes

<u>DISTRICT III</u>	<u>(15-15)</u>	<u>Amendment</u> <u>(15-16A)</u>	<u>as amended</u> <u>(15-16)</u>	<u>DISTRICT VI</u>	<u>(15-15)</u>	<u>Amendment</u> <u>(15-16A)</u>	<u>as amended</u> <u>(15-16)</u>
Anderson	yes	yes	yes	Adelman	yes	yes	yes
Camuti	absent	absent	absent	Cherico	yes	no	yes
Cardone	yes	yes	yes	Grogan	yes	yes	yes
Conniff	yes	yes	yes	Hawkins	yes	yes	yes
Coyle	absent	absent	absent	Lauritzen	yes	yes	yes
Coyle Downs	absent	absent	absent	Luz	yes	yes	yes
Davis	absent	absent	absent	McDermott	yes	yes	yes
Hageney	absent	absent	absent	Palen	yes	no	yes
Hegarty	absent	?	absent	Plehaty	yes	no	yes
Hite	yes	yes	yes	Poli	yes	yes	yes
Jordan	yes	?	yes	Ritchie	absent	absent	absent
Maroney	absent	absent	absent	Swenson	yes	no	yes
Moore	yes	yes	yes	Van Loan	yes	yes	yes
Morton	absent	absent	absent	Whitehead	yes	absent	absent
Schulz-Amatruda	yes	no	no	Young, David	absent	absent	absent
Washecka	yes	yes	yes				

Frank Adelman comments to RTM re: Pedestrian Infrastructure Advisory Committee

Good evening:

My name is Frank Adelman. I'm a representative from District 6, a member of the Public Works Committee, and I have recently chaired a sub-committee of Public Works that's focused on pedestrian issues. Tonight I'm going to provide a brief update on these pedestrian issues, and I'll also ask you for your help.

From time to time, issues relating to pedestrian infrastructure have come before the Public Works Committee. However, as of last fall, Public Works felt it was advisable to form a sub-committee to address these matters directly, which I chaired.

Our sub-committee met several times last fall, and we gathered feedback from the First Selectman and the Board of Selectmen, Don Anderson of the Darien Police Department, Town Counsel, multiple departments within Town Hall including the Public Works Department, and other contributors. Based on our work, and after thorough additional discussion, in December the full Public Works Committee unanimously passed a resolution calling on the Selectmen to form an Advisory Committee on Pedestrian Infrastructure. This would be similar to prior advisory committees that were formed to address the recycling center, affordable housing, school building committees, and other issues. Public Works felt that this was the most effective way to move this issue forward.

5 weeks ago, on May 4, the Board of Selectmen did in fact establish a Pedestrian Infrastructure Advisory Committee, or PIAC. They outlined an ambitious mandate, and requested participation from RTM members on specific committees. They also asked the RTM to name the members of the PIAC. In response, our sub-committee has continued to work, collecting names of volunteers and publicizing this opportunity to serve pedestrians, bikers and the Town as a whole. We are nearing the end of this process, since we will deliberate this week and recommend a slate of PIAC members to the Selectmen at their June 15 meeting, a week from tonight.

The Selectmen's Pedestrian Infrastructure Advisory Committee has a challenging mandate, which I will not review in depth. Infrastructure here refers to the entire physical environment that enables pedestrian and biking activity, including: sidewalks, road surfaces in the absence of sidewalks, crosswalks, signage, signals, staircases, security cameras, and other objects that can make walking, running or biking a safe and attractive option. The PIAC's mandate is to broaden the outreach of the Board of Selectmen, to engage the community in discussions on potential

improvements to this infrastructure, and to help the Board of Selectmen set priorities among projects as they enter next year's budget process.

I want to take a moment to clear up two misconceptions that may be circulating about the PIAC. First, this is not an RTM Committee. It was established by the Selectmen as an Advisory Committee. The PIAC is unusual in that the Public Works Committee requested that Selectmen form it, and it's further unusual in that the Selectmen did not name its members directly but delegated that task to the RTM. Nonetheless, the PIAC is clearly a creature of the executive branch, and reports exclusively to the Selectmen.

Second, there is no funding for the PIAC's activities, because the PIAC will not be spending any money. The PIAC's mission is to review existing studies and data, to gather input from the community regarding potential projects, and to prioritize infrastructure projects as advisors to the Selectmen. The PIAC's recommendations to the Selectmen will be integrated into the existing budget-setting process.

Our hope is that the PIAC will, if renewed over time, serve as a central point of contact and coordination for the Town, enabling consistent processes and transparent priorities while serving as a repository of institutional knowledge about how the Town evaluates, prioritizes and implements pedestrian infrastructure.

I hope this has been a helpful update. Anyone with further questions or suggestions is welcome to review the documents on the Town web site, under RTM → Public Works → Pedestrian Infrastructure Sub-Committee. I'd also be glad to answer any questions personally after this meeting.

To conclude, I have a call to action: we need your help. We are still seeking volunteers who would like to serve on the PIAC. We particularly need more volunteers from the RTM, since the Selectmen have indicated a strong preference for RTM participation. However, several non-RTM volunteers have stepped forward, and more would be very welcome.

Our sub-committee will be meeting this week to evaluate all volunteers and to assemble a final slate to recommend to the Selectmen. There is still time for you to express interest in serving on this exciting committee. I invite anyone with interest and especially any relevant experience to contact me directly, especially in the next day or two. Thank you very much.

Good evening. My name is Lois Schneider from District 1 and I am acting clerk for tonight for the Education Committee.

I move Resolution 15-15 Authorizing Acceptance of the Pavilion at the Darien High School Football Field and transferring control of said Pavilion to the Board of Education.

Do I have a second?

Without objection, I waive the reading of the resolution.

With 9 of 16 members present, the RTM Education Committee met this evening and unanimously agreed to support the resolution.

The Education Committee met last week without a quorum to discuss this resolution. Members of the Board of Education and the Darien Athletic Foundation are here this evening to answer any questions.

Good evening Town officials, RTM Members, Darien Residents and Guests. My name is Frank Kemp and I am Chairman of the Town Government Structure and Administration Committee.

At this time I would like to move Item 15-16 – Consideration and action on change to Darien’s Code of Ordinances regarding rescheduling of RTM meetings.

Without objection, I move to waive the reading of the Resolution.

At a Special Meeting held earlier this evening, June 8, 2015, with 8 of 13 members present, TGS&A considered and voted unanimously to recommend this item to the RTM.

As background: you may recall that the RTM’s January 26th meeting was rescheduled to February 2nd, due to inclement weather – a ripping good snowstorm. Then, one week later, on February 2nd, we were hit by another snowstorm, and that meeting had to be cancelled. We finally met at the next regularly scheduled meeting, on February 23rd. Well, just like school-kids, we all enjoy snow-days. However, a topic on the agenda for the two snowed-out meetings was the newly negotiated contract between Darien Board of Education and the Darien Education Association. This contract had been filed with the Town Clerk on January 6, with a standard clause that required the RTM in 30 days – that is 30 days from January 6th - to: 1) approve the agreement, 2) reject the agreement, or 3) “Take no action,” which would cause the agreement to become effective and binding at the end of the 30 day period – a period that began on January 6.

According to the Rules, which we are recommending be modified this evening, the Moderator had no choice but to reschedule the first snowed-out meeting for the “following Monday.” When that second meeting was itself snowed out – a third meeting was considered. However, that third meeting was not called, since it would have been beyond the 30-day time frame for consideration of the contract. In this instance the RTM was recorded as having “Taken No Action” – which resulted in the agreement, the teachers union contract, becoming effective and binding at the end of the 30 day period.

So, the purpose of this proposed modification to the Code of Ordinances is to resolve this problem, by giving the Moderator some discretion in the selection of alternate dates for a rescheduled RTM meeting, provided that notice of such rescheduling is given in a reasonable manner.

The TGS&A Committee asks that you vote “Yes” and ratify item 15-16 for the change to the Town ordinances that will present a resolution to this matter.

Thank you.

Notes for Update to RTM – June 8, 2015

Halfway through process.
Every 10 yrs. per State statute.
Current Town Plan was signed in 2006.

P&Z began by selecting a consultant to guide us through the process.
Glenn Chalder of Planimetrics.
Began with a fun, interactive public input session which was held last October here in the Auditorium.
He also put together an online survey.

Since October we have had the POCD on our P&Z agenda pretty much once a month. We have gone over Conservation strategies which included discussion of open space, trees, protecting our coastal waters, and historic preservation. At this point we have received comments and testimony from...

Darien Land Trust
Advisory Commission on Coastal Waters
Architectural Review Board
Monuments & Ceremonies Commission
Town Historian, Marian Castell
Tree Conservancy
Beautification Commission
RTM Public Works Committee
Environmental Protection Commission

Early on we received a Vision Statement from the BOS and in March we held a joint meeting to update them and hear their comments and concerns. I think this is our second update to the RTM.

Our consultant has prepared a variety of Booklets –

Planning Primer for Darien
Conditions and Trends
Planning Issues in Darien
Conservation Strategies

All of these documents and submittals, as well as links to minutes of the meetings, are on the Town's website www.darienct.gov/townplanupdate. Some meetings were televised and are available online.

In April the Commission met to discuss development related issues. This involved a discussion of future commercial redevelopment as well as residential development. There are several redevelopment projects on the horizon here in town including David Genovese's Corbin project, Old Town Hall Senior Homes and the commercial area in Noroton Heights.

At the conclusion of the April meeting, the commission voted to fund a study to pull together a comprehensive vision for commercial redevelopment. There have been a number of studies already, most notably the Route 1 Corridor Study which was issued by SWRPA in Sept. 2013. The goal is to have a conceptual plan for each area which will present improvements to streetscape, walkability and parking to balance public improvements with the desires of private development.

Tomorrow night P&Z will start in on infrastructure related issues. This will include community facilities and services, roads and circulation (including parking), non-vehicular transportation (pedestrians, bicycles, rail, bus, dial-a-ride); and utilities (water, sewer, natural gas, drainage). The meeting in July will be July 14.