

**MINUTES
REPRESENTATIVE TOWN MEETING
REGULAR MEETING
SEPTEMBER 27, 2021**

CALL TO ORDER

A Regular Meeting of the Representative Town Meeting was called to order at 8:03 p.m. by the Moderator, Seth Morton. This was a virtual meeting

Upon Roll Call, there was a quorum present. The absentees were Andrew Millar, Jan Raymond, Sheila Sherwood, Kenneth Fiveson, Lindsay Kelly, Sue-Ellen Mitchell, Jennifer Moller, Laura Pesce-Gray and Lisa Yarnell.

ACCEPTANCE OF THE AGENDA

The Moderator said that Item 21-27 was being withdrawn.

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

APPROVAL OF THE MINUTES OF THE JUNE 21, 2021 REGULAR MEETING

**** CAROLINE MCGOEY MOVED APPROVAL.**

**** CHERYL RUSSELL SECONDED.**

Caroline McGoeY noted that all of her votes, which were in favor, had not been recorded.

**** DAVID BAYNE MOVED TO APPROVE THE MINUTES AS CORRECTED.**

**** JACK DAVIS SECONDED.**

**** MOTION PASSED BY POLL VOTE WITH ONE ABSTENTION (CASSIE MECSERY).**

ANNOUNCEMENTS

MOMENT OF SILENCE FOR MIKE HEITZ

The Moderator asked for a moment of silence in memory of Mike Heitz, who was a member of District IV and on the Finance & Budget Committee as its Clerk.

The Moderator said that, effective July 21st through April 30, 2022, there is now a requirement at virtual meetings for roll call votes if the vote is not unanimous. Anyone abstaining will be asked to raise their hand so their vote can be recorded. If the poll vote is closer than 55% to 45%, they

will have a roll call vote. In addition, public comment will be allowed. The Moderator thanked the members of the Rules Committee and Town Counsel for working on this issue.

DAVID KNAUF – DIRECTOR OF HEALTH DARIEN

UPDATE ON COVID 19 AND VACCINES

Mr. Knauf reviewed his written presentation (attached)

In response to a question, Mr. Knauf said he did not know why testing numbers were so high. He also said that the testing sites had pretty much dried up.

Sandra Savage asked if there was a lag time on the return of testing results; Mr. Knauf said there was not.

Theresa Vogt asked if people with break-through cases know where they got it from. Mr. Knauf said that is part of contact tracing. There is a lot of inter-family transmission but there is no one common source.

21-28

ACQUISITION OF 27 CRIMMINS ROAD

Jack Davis, Chairman of the Finance & Budget Committee, reviewed his report regarding \$147,862 for vehicle storm damage replacement (attached).

**** JACK DAVIS, CHAIRMAN OF THE FINANCE & BUDGET COMMITTEE,
MOVED:**

WHEREAS, the Town of Darien wishes to apply for federal grant funding to help finance the acquisition of a property in the floodplain; and

WHEREAS, the Town is required to provide a 25% local match of One Hundred Sixty Seven Thousand Two Hundred Seventy Five Dollars (\$167,275) under the FEMA Hazard Mitigation Grant program; and

WHEREAS, the Town of Darien wishes to apply for funding under the above program for the purpose of acquiring property located at 27 Crimmins Road;

WHEREAS, at the August 16, 2021 meeting of the Board of Selectmen, the Board unanimously approved a request for a Special Appropriation for the 25% local match;

WHEREAS, the Board of Finance approved said funding at its meeting on August 17, 2021;

WHEREAS, at its August 30, 2021 meeting of the Board of Selectmen, the Board passed a motion requesting that the RTM approve the acquisition of the property; and

WHEREAS, at its meeting on September 7, 2021 the Planning & Zoning Commission issued a response to the Mandatory Referral from the Board of Selectmen and issued a report that the proposal for the acquisition for 27 Crimmins Road, Darien, Connecticut is consistent with the 2016 Town Plan of Conservation & Development.

NOW, THEREFORE, BE IT RESOLVED that the Representative Town Meeting of the Town of Darien approves the request for a special appropriation of One Hundred Sixty Seven Thousand Two Hundred Seventy Five Dollars (\$167,275) as a 25% local match under the FEMA Hazard Mitigation Grant.

BE IT FURTHER RESOLVED that the Representative Town Meeting of the Town of Darien authorizes and encourages the Board of Finance to allocate the balance in the land acquisition fund of Thirty Nine Thousand Sixty Six Dollars (\$39,066) toward the total needed to provide the required 25% local match under the FEMA Hazard Mitigation Grant.

BE IT FURTHER RESOLVED that the Representative Town Meeting of the Town of Darien approves and authorizes the acquisition of 27 Crimmins Road, Darien, Connecticut and authorizes the First Selectman to take the necessary steps and execute the necessary documents to acquire said property.

**** PATTI BUMGARDNER SECONDED THE MOTION.**

Mr. Davis introduced Marc McEwan, Emergency Management Director, who reviewed his report on the acquisition application for 27 Crimmins Road (attached).

Jack Davis, Chairman of the Finance & Budget Committee, read the committee report (attached).

Amy Barsanti, Chairman of the PZ&H Committee, read the committee report (attached).

Martha Banks asked if it had been determined if there was any environmental remediation to be done. Mr. McEwan said that the oil tank has been removed, but he did not know if there was any oil contamination. Testing for asbestos or lead paint will be done prior to demolition.

Patrick Keane said he was in favor of this purchase. He asked what “open space” really means. Kate Buch said it means they cannot build on it. Mr. McEwan said FEMA has further definitions. There also could be flood mitigation efforts that could be utilized.

Clara Sartori asked if there were any other hazards on this portion of Crimmins Road, and Ms. Buch responded affirmatively. Clara Sartori asked if the Town continues to support this family until they get their check; Ms. Buch said that Mr. McEwan would be working with them.

Werner Domittner asked if the Town had any obligation to invest money if they decided not to purchase this property. Ms. Buch said she did not know the answer to that question.

Ed Washecka said the Town should not be spending any money to buy houses that are flooding, as someone who looked at flood maps before purchasing his home.

Cheryl Russell asked Mr. McEwan if FEMA requires this land to be open space; is that the same as the RTM designating it as open space? Mr. McEwan said FEMA requires that the deed state

that it must remain dedicated open space. Ms. Buch said that Federal law would supersede any local designation.

Nicholas Branca asked if the Town should be working with FEMA regarding flooding.

Jim Cameron asked Mr. McEwan what percentage of town residences and businesses have flood insurance; Mr. McEwan said he did not know.

Patrick Keane asked if this land would be under FEMA authority. Ms. Buch said the Town would purchase it. Mr. McEwan said if the Town purchases it, they would take ownership. The deed would restrict the use of the property. If they chose to use it as a flood project, that project would have to be reviewed by FEMA.

The Moderator asked if anyone from the public wished to speak.

Lisa Valentine, 27 Crimmins Road, thanked Mr. McEwan, the Board of Selectmen, the Board of Finance and various committees of the RTM. She asked that the RTM approve this. No homeowners should have to go through what they have gone through. She appreciated their support.

**** TOM MOORE CALLED THE QUESTION.**

**** ITEM 21-28 CARRIED ON A POLL VOTE WITH 4 VOTES OPPOSED (KEANE, MAROUSEK, DOMITTNER, WASHECKA) AND 3 ABSTENTIONS (RUSSELL, CONOLOGUE, HANDLER).**

21-23

APPROVE ESTABLISHMENT OF THE HINDLEY, HOLMES, ROYLE SCHOOL BUILDING COMMITTEE

**** CLARA SARTORI, CHAIRMAN OF THE EDUCATION COMMITTEE, MOVED:**

WHEREAS, the Darien Board of Education has requested that the Town create a building committee to oversee the renovation and construction at Holmes Elementary School, the Hindley Elementary School and the Royle Elementary School; and

WHEREAS, a grant application for each project must be filed with the State Department of Education in accordance with state regulations, there will be a need for separate resolution for each project to state clearly the approved charge and educational specifications for each project.

NOW, THEREFORE, BE IT RESOLVED that the Representative Town Meeting of the Town of Darien approves the establishment of one building committee, the 2021 Hindley, Holmes, Royle Schools Building Committee for the renovation and construction to be done.

**** ROLF OBIN SECONDED.**

Clara Sartori, Chairman of the Education Committee, read the committee report (attached).

21-24

**APPROVE CHARGE TO THE BUILDING COMMITTEE FOR HINDLEY
ELEMENTARY SCHOOL – HINDLEY, HOLMES, ROYLE SCHOOL BUILDING
COMMITTEE**

**** CLARA SARTORI, CHAIRMAN OF THE EDUCATION COMMITTEE,
MOVED:**

WHEREAS, the Board of Education and the Board of Selectmen for the Town of Darien have established one building committee for the Hindley, Holmes and Royle School Building projects;

WHEREAS, a grant application for each project must be filed with the State Department of Education in accordance with state regulations;

WHEREAS, the Board of Selectmen has previously approved, at its meeting of August 16, 2021, a building committee to oversee the renovation and construction of Hindley Elementary School; and

WHEREAS, such building committee, will be known henceforth as the 2021 Hindley, Holmes, Royle School Building Committee, and is authorized to renovate in accordance with the Educational Specifications for said schools, as approved by the Darien Board of Education on May 25, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Representative Town Meeting of the Town of Darien authorizes said building committee to oversee the renovations and construction for Hindley Elementary School and to accomplish this work the Hindley, Holmes, Royle School Building Committee be authorized, empowered and instructed for and on behalf of the Town of Darien to:

a) select from its membership a Chairman, Vice Chairman and Secretary; and include in its membership, one member of the Board of Selectmen, one member of the Board of Finance, and one member of the Board of Education who shall be designated jointly by the Board of Education and the Superintendent of Schools;

b) select an architect, a construction manager, and other professionals as required and negotiate satisfactory fees;

c) prepare: schematic drawings; design develop drawings; construction documents and, outline specifications and final specifications;

d) file for a grant application with the State Department of Education in accordance with state regulations, no later than June 30, 2022 to ensure occupancy by September 2025;

- e) report back to the RTM for approval of any and all of the stipulations in accepting state funding;
- f) make application to proper town authorities for appropriations to carry out the building program;
- g) supervise the construction process and the expenditure of such appropriations;
- h) carry out this charge in accordance with a schedule as expected by the Darien Board of Education that allows for occupancy at the earliest September of 2024 and at the latest, September of 2025;
- i) report on the progress of the project from time to time, upon request, or as needed by State Statutes, to the Board of Selectmen, the Board of Finance, the Board of Education and the RTM;
- j) ensure that the Hindley Elementary School has appropriate and as needed new furniture fixtures and equipment, including those related to technology;
- k) notify the Darien Board of Education of any matters that affect the use of school property and thus require the approval of said Board, given said Board’s authority under Connecticut General Statutes Section 10-220 for the “care, maintenance and operation of buildings, lands, apparatus and other property used for school purposes” and its authority under Connecticut General Statutes Section 10-240 to “maintain the control of all the public schools” within the Town of Darien; and
- l) in planning and construction, consider the implementation of industry best practices regarding security, sustainability and net zero building performance;
- m) consider the implementation of industry best practices regarding school security and sustainability in the planning and execution of the Hindley Elementary School Project.

**** MARCY MINNICK SECONDED.**

21-25

**APPROVE CHARGE TO THE BUILDING COMMITTEE FOR HOLMES
ELEMENTARY SCHOOL – HINDLEY, HOLMES, ROYLE SCHOOL BUILDING
COMMITTEE**

**** CLARA SARTORI, CHAIRMAN OF THE EDUCATION COMMITTEE,
MOVED:**

WHEREAS, the Board of Education and the Board of Selectmen for the Town of Darien have established one building committee for the Hindley, Holmes and Royle School Building projects;

WHEREAS, a grant application for each project must be filed with the State Department of Education in accordance with state regulations;

WHEREAS, the Board of Selectmen has previously approved, at its meeting of August 16, 2021, a building committee to oversee the renovation and construction of Holmes Elementary School; and

WHEREAS, such building committee, will be known henceforth as the 2021 Hindley, Holmes, Royle School Building Committee, and is authorized to renovate in accordance with the Educational Specifications for said schools, as approved by the Darien Board of Education on May 25, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Representative Town Meeting of the Town of Darien authorizes said building committee to oversee the renovations and construction for Holmes Elementary School and to accomplish this work the Hindley, Holmes, Royle School Building Committee be authorized, empowered and instructed for and on behalf of the Town of Darien to:

- a) select from its membership a Chairman, Vice Chairman and Secretary; and include in its membership, one member of the Board of Selectmen, one member of the Board of Finance, and one member of the Board of Education who shall be designated jointly by the Board of Education and the Superintendent of Schools;
- b) select an architect, a construction manager, and other professionals as required and negotiate satisfactory fees;
- c) prepare: schematic drawings; design develop drawings; construction documents and, outline specifications and final specifications;
- d) file for a grant application with the State Department of Education in accordance with state regulations, no later than June 30, 2022 to ensure occupancy by September 2025;
- e) report back to the RTM for approval of any and all of the stipulations in accepting state funding;
- f) make application to proper town authorities for appropriations to carry out the building program;
- g) supervise the construction process and the expenditure of such appropriations;
- h) carry out this charge in accordance with a schedule as expected by the Darien Board of Education that allows for occupancy at the earliest September of 2024 and at the latest, September of 2025;
- i) report on the progress of the project from time to time, upon request, or as needed by State Statutes, to the Board of Selectmen, the Board of Finance, the Board of Education and the RTM;
- j) ensure that the Holmes Elementary School has appropriate and as needed new furniture fixtures and equipment, including those related to technology;

k) notify the Darien Board of Education of any matters that affect the use of school property and thus require the approval of said Board, given said Board’s authority under Connecticut General Statutes Section 10-220 for the “care, maintenance and operation of buildings, lands, apparatus and other property used for school purposes” and its authority under Connecticut General Statutes Section 10-240 to “maintain the control of all the public schools” within the Town of Darien; and

l) in planning and construction, consider the implementation of industry best practices regarding security, sustainability and net zero building performance;

m) consider the implementation of industry best practices regarding school security and sustainability in the planning and execution of the Holmes Elementary School Project.

**** CAROLINA MCGOEY SECONDED.**

21-26

**APPROVE CHARGE TO THE BUILDING COMMITTEE FOR ROYLE
ELEMENTARY SCHOOL – HINDLEY, HOLMES, ROYLE SCHOOL BUILDING
COMMITTEE**

**** CLARA SARTORI, CHAIRMAN OF THE EDUCATION COMMITTEE,
MOVED:**

WHEREAS, the Board of Education and the Board of Selectmen for the Town of Darien have established one building committee for the Hindley, Holmes and Royle School Building projects;

WHEREAS, a grant application for each project must be filed with the State Department of Education in accordance with state regulations;

WHEREAS, the Board of Selectmen has previously approved, at its meeting of August 16, 2021, a building committee to oversee the renovation and construction of Royle Elementary School; and

WHEREAS, such building committee, will be known henceforth as the 2021 Hindley, Holmes, Royle School Building Committee, and is authorized to renovate in accordance with the Educational Specifications for said schools, as approved by the Darien Board of Education on May 25, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Representative Town Meeting of the Town of Darien authorizes said building committee to oversee the renovations and construction for Royle Elementary School and to accomplish this work the Hindley, Holmes, Royle School Building Committee be authorized, empowered and instructed for and on behalf of the Town of Darien to:

a) select from its membership a Chairman, Vice Chairman and Secretary; and include in its membership, one member of the Board of Selectmen, one member of the Board of Finance, and

one member of the Board of Education who shall be designated jointly by the Board of Education and the Superintendent of Schools;

b) select an architect, a construction manager, and other professionals as required and negotiate satisfactory fees;

c) prepare: schematic drawings; design develop drawings; construction documents and, outline specifications and final specifications;

d) file for a grant application with the State Department of Education in accordance with state regulations, no later than June 30, 2022 to ensure occupancy by September 2025;

e) report back to the RTM for approval of any and all of the stipulations in accepting state funding;

f) make application to proper town authorities for appropriations to carry out the building program;

g) supervise the construction process and the expenditure of such appropriations;

h) carry out this charge in accordance with a schedule as expected by the Darien Board of Education that allows for occupancy at the earliest September of 2024 and at the latest, September of 2025;

i) report on the progress of the project from time to time, upon request, or as needed by State Statutes, to the Board of Selectmen, the Board of Finance, the Board of Education and the RTM;

j) ensure that the Royle Elementary School has appropriate and as needed new furniture fixtures and equipment, including those related to technology;

k) notify the Darien Board of Education of any matters that affect the use of school property and thus require the approval of said Board, given said Board's authority under Connecticut General Statutes Section 10-220 for the "care, maintenance and operation of buildings, lands, apparatus and other property used for school purposes" and its authority under Connecticut General Statutes Section 10-240 to "maintain the control of all the public schools" within the Town of Darien; and

l) in planning and construction, consider the implementation of industry best practices regarding security, sustainability and net zero building performance;

m) consider the implementation of industry best practices regarding school security and sustainability in the planning and execution of the Royle Elementary School Project.

**** ELIZABETH LANE SECONDED.**

Dr. Addley, Superintendent of Schools, thanked the RTM for their support.

David Dineen, Chairman of the Board of Education, said that the Facilities Committee had done a wonderful job; this is a good investment.

**** ITEM 21-23 CARRIED UNANIMOUSLY ON A POLL VOTE.**

**** ITEM 21-24 CARRIED UNANIMOUSLY ON A POLL VOTE.**

**** ITEM 21-25 CARRIED ON A POLL VOTE WITH 2 ABSTENTIONS (SARTORI, KILCOURSE).**

**** ITEM 21-26 CARRIED UNANIMOUSLY ON A POLL VOTE.**

**** CHERYL RUSSELL MOVED TO ADJOURN.**

**** JENNY SCHWARTZ SECONDED.**

**** MOTION PASSED UNANIMOUSLY BY POLL VOTE.**

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Cheryl Telesco Blois
Telesco Secretarial Services