

**TOWN OF DARIEN
BOARD OF SELECTMEN
DECEMBER 15, 2014**

ATTENDANCE: Jayme Stevenson, First Selectman; (Jerry) Gerald Nielsen, Selectman; Susan Marks. Selectman; Kip Hall, Selectman; Reilly Tierney, Selectman.

STAFF: Karl Kilduff, Administrative Officer

OTHERS: Ed Gentile, Director of Public Works; Darren Oustafine, Assistant Director of Public works; Kathy Larkins, Tax Collector Mr. Flaherty, Chairman to the Recycling Advisory Committee; Ms. Cameron, Chairman of Zoning and Planning; Kathy Hammel, John Visi

A quorum was present.

CALL TO ORDER

First Selectman Stevenson called the Regular meeting to order at 7:02 p.m

**PRESENTATION FROM TAX COLLECTOR REGARDING ONLINE TAX
PAYMENTS**

Ms. Larkins thanked First Selectman Stevenson, and introduced the representatives from Webster Bank accompanying her: Nancy Scirocco, VP in charge of govt. and not-for-profit banking; and Orlando Cientos, VP of Treasury and Payment Solutions. Ms. Larkins talked about 2 initiatives they are taking: online tax payments, and the payment of tax history so people can access what they paid during the calendar year when paying taxes, going live in January, 2015. Ms. Larkins noted that Webster Bank is providing the Banking and Payment gateway, effective Wednesday, December 17, 2014. She mentioned that Sewer Services will not be included in this, as they are Utility fees and have to be kept separate from tax payments. Ms. Larkins said the online payment will be ACH check; accepted debit/credit cards are: Visa, Mastercard and Discover. Taxpayers who use the service will be charged \$2 convenience fee/ACH check, or 3% of total tax payments by credit or debit card. Up to 99 payments can be included on 1 ACH check. There will be no charges for taxpayers who don't use the convenience.

Mr. Tierney asked about the rates, and Ms. Larkins responded that it depends on the card-type. Mr. Tierney then asked who gets the spread. Ms. Scirocco responded the town gets it. Ms. Larkins confirmed that there is a 3% aggregate charge. Mr. Tierney then wondered what Webster

gets out of this. Ms. Scirocco said they provide the town with a discount, and get revenue - part of an overall relationship, and that those fees go into a certain fee account. Mr. Tierney then asked about the revenue. Ms. Larkins said there are other expenses that are also incurred by the town which will offset the other costs. Ms. Larkins then talked about the software used, and said that people can start payment process at darienct.gov, or on the Tax Collector's page, which then transitions to Walsh tax database. She noted that the goal is to have the convenience fees and earnings credits offset the offering so there is no net cost to the town. Ms. Larkins said that the software modules cost \$2,500 each, at a discounted rate for purchasing both. Support fees are \$1,250, and history of payment is just under \$1,200, which is under the budget. Ms. Larkins then talked about payment history aspect - taxpayer will be able to search for and print out a statement of taxes paid in a calendar year for income tax preparation purpose and that info. will be available January 15th, 2015. Ms. Larkins compared the program to that in New Canaan, which \$2,500,000 in ACH checks, and \$1,200,000 in debit/credit card transactions.

FIRST SELECTMAN'S REPORT

First Selectman Stevenson reviewed the item. She congratulated the Darien High School Football team and coaches for an outstanding season, thanked the Board of Selectmen for their hard work, and urged that people help others in need, if they are able.

TOWN ADMINISTRATOR'S REPORT

Mr. Kilduff discussed the continued demolition of Edgerton building. He noted that they are in contact with contractors, and the site has been evaluated by 3 demolition contractors who also made a materials assessment. They anticipate a quote in January, 2015, and also anticipate the project to require a prevailing wage, so they have been in touch with Public Labor. Mr. Kilduff then said that there should be a number for the demolition of the building by the first or second meeting in January, and that tests will then follow up.

PUBLIC COMMENT

Vicky talked about hiring an auditor to review the district's special education excess cost reimbursement according to state of Connecticut. Noted that November 19, 2014, Jon Zagrodzky noted that the auditor's final report isn't ready yet. She suggested they bring this up to Board of Finance, and that the board post notifications to newspaper websites, and school email blasts to keep people up to date. First Selectman Stevenson noted that she had signed the document that day, and that they are finalizing it.

**DISCUSS AND TAKE ACTION ON A RESOLUTION REFERRING THE APPROVAL
OF A MUTUAL POLICE ASSISTANCE COMPACT TO THE RTM PURSUANT TO
STATE STATUTE**

From:			To:		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
30111014-908600	BOF Contingency	\$45,243	TBD	Energy Upgrades for PD	\$20,935
			TBD	Energy Upgrades for DPW Garage	24,308
	TOTAL	\$45,243		TOTAL	\$45,243

First Selectman Stevenson reviewed the resolution, and read it aloud for the public. She said the board approves compact, and suggests that it is forwarded. She then noted that this is a routine resolution, and not an emergency preparedness resolution.

- ** **MR. NIELSEN MOVED TO APPROVE THE RESOLUTION REFERRING THE APPROVAL OF A MUTUAL POLICE ASSISTANCE COMPACT TO THE RTM PURSUANT TO STATE STATUTE**
- ** **MS. MARKS SECONDED THE APPROVAL**
- ** **VOTE PASSED UNANIMOUSLY**

TRANSFER FOR REGISTRAR OF VOTERS – ELECTIONS

Acct No.	Acct Name	Amount	Acct No.	Acct Name	Amount
			10107661	81003	Temp \$ 13,773.00
10107661	82026	rental \$ 600.00	10107661	82007	Prof Serv \$ 4,602.00
10107661	81002	Part time \$ 2,000.00	10107661	82049	equip \$ 2,800.00
			10107661	82008	printing \$ 358.00
		Contingency \$ 20,105.00	10107661	83008	food \$ 1,072.00
			10107661	82033	prog \$ 100.00
TOTALS		\$ 22,705.00			\$ 22,705.00

First Selectman Stevenson noted that they are considering a transfer from accounts related to November election, and welcomed Ms. Hammel. Ms. Hammel mentioned that they have about \$3,300 left in their accounts after elections, and that they are still negotiating fees.

- ** **MR. TIERNEY MOVED TO APPROVE THE TRANSFER FOR REGISTRAR OF VOTERS – ELECTIONS**
 - ** **MR. HALL SECONDED THE APPROVAL**
 - ** **MOTION PASSED UNANIMOUSLY**
- TRANSFER FOR SEWER FUND, STEPHANIE LANE SEWER**

Acct. Number	Account Name	Amount	Acct. Number	Account Name	Amount
	Sewer Fund Balance	98,498	TBD	TBD	98,498
	TOTAL	\$98,498		TOTAL	\$98,498

Mr. Gentile outlined the issue and discussed the payment schedule for the Stephanie Lane Sewer, and how Mr. Oustafine researched the payment history of the sewer system with property owners. He noted that people that overpaid, and also that people who made partial payments, will get their money back; their property will also hold an assessment value. There is a set fee for connection, which will go into the Sewer Fund. First Selectman Stevenson asked if it would become a town of Darien Sewer system, to which Mr. Gentile replied that it essentially already is, as they maintain and service it. Mr. Nielsen then asked if this should be cost neutral to the town. Mr. Gentile answered that that was the idea behind the payment plan. He noted that no connections have been made that they do not know about. Mr. Gentile noted that this benefits the residents as well as the town, and should be pretty straightforward.

- ** **MR. HALL MOVED TO APPROVE THE TRANSFER FOR SEWER FUND, STEPHANIE LANE SEWER**
- ** **MS. MARKS SECONDED THE APPROVAL**
- ** **MOTION PASSED UNANIMOUSLY**

TRANSFER FOR SEWER FUND, BACKUP REMEDIATION

From:			To:		
Acct. Number	Account Name	Amount	Acct. Number	Account Name	Amount
	Sewer Fund Balance	30,843	TBD	TBD	30,843
	TOTAL	\$30,843		TOTAL	\$30,843

Mr. Gentile gave a background of the situation, noting that they'd hired a 3rd party adjustor to assess the damage, and they eventually settled on a damage claim of \$30,000 + damage claim – which will come out of the Sewer Fund. First Selectman Stevenson asked how often property damage occurred every year or few years. Mr. Oustafine replied 3, to varying degrees. Mr. Kilduff asserted that there is no coverage for this. Mr. Hall then asked if this is the most severe damage Mr. Oustafine has seen, to which Mr. Oustafine replied no. He noted that the largest damage claim was in the millions. First Selectman Stevenson asked if they could insure it, to which Mr. Kilduff replied no. It must be self-insured, as 3rd party damage is not covered. First Selectman Stevenson then asked if there was any commonality or anything that we can do to avoid claims of this nature in the future. Mr. Gentile said this doesn't involve maintenance - it more likely has to do with events that no one saw coming; private contractor messing up doing repairs, etc.

Mr. Gentile said they should seek legal action to recoup money. Mr. Tierney then asked if this was subject to litigation, to which Mr. Gentile replied that the Sewer Commission did due diligence and moved forward to resolve the issue very quickly as the resident was very upset. He noted that approval of the committee's decision is due in mid to late January for this transfer, after which he can release the money. Mr. Hall then asked, if the remediation is as prompt as he had been and information is consistent, if the town could be more proactive. Mr. Gentile answered that this was compromised because the pipe was repaired - but they do keep an eye on older systems to make sure pipes are maintained. Mr. Gentile then noted that there was a liability release document that they received last week from the resident. Mr. Tierney then asked if the resident's insurance covered it at all. Mr. Oustafine replied it didn't.

- ** **MR. NIELSEN MOVED TO APPROVE THE TRANSFER FOR SEWER FUND, BACKUP REMEDIATION**
- ** **MR. TIERNEY SECONDED THE APPROVAL**
- ** **MOTION PASSED UNANIMOUSLY**

TRANSFER FOR MULTIPLE DEPARTMENTS, VARIOUS SALARY ACCOUNTS

Acct. No.	Account Name	Amount		Acct. No.	Account Name	Amount
	See attached	85,653			See attached	85,653
	TOTAL	85,653			TOTAL	85,653

First Selectman Stevenson introduced the item. Mr. Kilduff said there are two aspects to it: the first is finding funding for non bargaining unit wages reflected in the budget as approved by the payment plan this board approved; the second is additional funding in Parks and Rec. to move moneys to reflect the current status in the interim arrangement, and that there is a clerk that will provide assistance to the interim Director during the balance of this fiscal year.

- ** **MS. MARKS MOVED TO APPROVE THE TRANSFER FOR MULTIPLE DEPARTMENTS, VARIOUS SALARY ACCOUNTS**
- ** **MR. HALL SECONDED THE APPROVAL**
- ** **MOTION PASSED UNANIMOUSLY**

APPOINTMENT/RE-APPOINTMENT OF ADVISORY COMMISSIONS

First Selectman Stevenson introduced and reviewed the Commissions. She then invited Mr. Flaherty to the floor. Mr. Flaherty discussed approaches taken to increase recycling and reduce waste. He also talked about focusing on converting to single stream recycling, saying that they'd

made great strides at the Recycling Center retuning fees to be in-line with area municipalities, noting that they have also spent a lot of time clarifying and educating the town in single stream recycling, and they have done a lot of work with the Board of Education and elementary schools. Mr. Flaherty then noted that they are anxious for better data for the impact reports of reforms, and that they have also been working hand in hand with the Darien Library to help educate people regarding energy and environmental issues.

- ** MR. HALL MOVED TO APPROVE THE APPOINTMENTS AND RE-APPOINTMENTS FOR THE ADVISORY COMMISSION ON COASTAL WATERS, THE ADVISORY BOARD OF HEALTH, THE DARIEN CABLE ACCESS ADVISORY COMMITTEE, THE RECYCLING CENTER ADVISORY COMMITTEE, AND THE PARKING ADVISORY COMMITTEE
- ** MR. TIERNEY SECONDED THE MOTION
- ** MOTION PASSED UNANIMOUSLY

APPROVAL OF MINUTES FOR SPECIAL MEETING OF DECEMBER 1, 2014

- ** MR. TIERNEY MOVED TO APPROVE THE MINUTES AS PRESENTED
- ** MR. NIELSEN SECONDED THE MOTION
- ** MOTION PASSED UNANIMOUSLY

APPROVAL OF MINUTES FOR REGULAR MEETING OF DECEMBER 1, 2014

- ** MR. HALL MOVED TO APPROVE THE MINUTES AS PRESENTED
- ** MS. MARKS SECONDED THE MOTION
- ** MOTION PASSED UNANIMOUSLY

First Selectman Stevenson calls recess at 7:52

First Selectman Stevenson ended the recess and called the meeting back to order at 8:00

PUBLIC HEARING ON POTENTIAL CHANGES TO PARKING REGULATIONS AND DISTRIBUTION OF DAILY PARKING SPACES

Mr. Kilduff noted that the goal is to keep the wait-list as accurate and vital as possible; it is not intended for major revenue. He mentioned that the goal is to institute an annual wait-list maintenance fee. Mr. Kilduff asserted that the State does not have a concern with this approach as long as all parkers are treated equally. He continued, saying that the Grove St. conversion is to remove commuter parking as an amenity in its entirety from that location. Currently there are 57

spaces for permit holders after 10 o'clock. Planning and zoning raised a concern to the Board of Selectmen and Parking Authority that availability of parking downtown does have a negative impact on the development downtown. One of the intents of the conversion is to put more downtown patron parking into circulation to respond to development pressures.

He mentioned that the oversell rate is 145%, and that oversell needs to be tracked. He also mentioned that another regulation change would be to open up spaces after 10 a.m for daily parkers. He then suggested there are 12-20 spaces could be available after 10:00am. First Selectman Stevenson then noted that the goal is to address the parking needs of employees downtown, and then to provide the best possible amenities for commuters, although no particular solution will satisfy everyone. Mr. Clements said he thought there should be bigger deterrent than \$10. First Selectman Stevenson noted this wasn't a deterrent, but a proactive measure. Mr. Clements said that maybe there should be a mechanism to align the car/license plate with the person so there isn't a New Canaan resident using their parking lot. First Selectman Stevenson noted that Noroton Heights residents are allowed Darien parking permits and that daily parking must be open to everyone. Mr. Kilduff noted that renewal requires registration which will prove residence, and that to do otherwise is a violation. Mr. Tierney then asked if there is a monetary fine. Mr. Kilduff replied that there is, and that it is more than the standard \$15 parking violation. Mr. Tierney asked if they should increase fine, to which First Selectman Stevenson replied that they will revisit that.

First Selectman Stevenson clarified that the \$10 would not accrue and help pay for the permit. Mr. Kilduff noted that its original purpose was to track who has paid, but it would only be a matter of adjusting the system. Mr. Hall noted that their mission is to address the perception of 7 - 10 year list; the nominal \$10 fee is an extra act to bring people to respond. First Selectman Stevenson noted that if someone moves or no longer wants to be a part of the wait-list, then they would be refunding payments. Ms. Marks noted that the town is being extremely, and noted the importance of deadlines. If someone doesn't respond to inquiry, they will no longer be on the wait list. There is no political pressure that can be applied to work that system. Mr. Kilduff then noted that the deadline is February 1, and that the notice would go out January 1. Mr. Tierney said that it has to be paid by February 1.

Mr. Olvaney came forward and noted that there are 100 people on wait-list, and that it should be all done by email. Mr. Kilduff noted that there is no email database, and that it was part of the purge letter. He then said that there are 1400 on Darien wait-list 1300 on Noroton Heights – 2,800 total. First Selectman Stevenson then noted that people have to pay one fee per wait-list. She said it's her goal to enable people to pay online eventually, but making it public is part of the software package they just received. Mr. Clement then asked if he they could receive an update on tickets. First Selectman Stevenson replied she'd be happy to give an update in 90 days. First

Selectman Stevenson then brought up parking in Noroton Heights in the Leroy West lot, noting that 10:00 a.m. was chosen because that is when off-peak trains begins. Ms. Marks asked if they could change it to 9:30 instead of 10:00. Mr. Tierney noted that the train schedule changes, and that he thinks they just need to come up with an arbitrary time. First Selectman Stevenson then opened the floor to the public to comment on this topic.

Mr. Stiles came forward and asserted that people have different schedules. He noted that the whole model of working in an office from a 9-5 basis is disappearing, and that people's work schedules cannot be pigeonholed. He said at some point a parking garage is a necessary step. He noted that what has been discussed are short term fixes. Mr. Stiles also noted that people park in handicapped and 15 minute parking spaces, and don't get a ticket later in day, so maybe those spots should be open to daily parkers. He then mentioned that there are around 40 spaces in McGuane Park and that it could be converted to serve daily parkers from October 1st - April 1st. He mentioned they could even implement a free trial period to draw interest. First Selectman Stevenson noted that that doesn't fall under the jurisdiction of this board, but she liked the thought. Mr. Hall then asked what could be done to ameliorate this without making it unfair to the permit holder. Mr. Stiles suggested making 12:00 p.m. instead of 10:00 a.m.

First Selectman Stevenson moved on to discuss the Grove St. parking lot. Mr. Krusch came forward and talked about a survey he conducted in which he counted spaces at Center St. at 12:51 p.m, and noticed that there were 111, and at Center St. North there were 57 open spaces at 12:47 p.m. He then noted that companies like REI require employees to park off site. He suggested making an arrangement with Goodwives Shopping Center. Mr. Dolcetti highlighted the original temporary nature of the lot, noting that commuters shouldn't even be there. Ms. Cameron then took the floor, noting that personal service and retail are two different things – retail should be much smaller than personal service. She said that the Planning and Zoning Commission asked to have this returned to short-term parking. First Selectman Stevenson concurred that employees should be parking remotely. Ms. Cameron asserted that they need to make sure they are addressing everyone's needs - employees, commuters, etc.

Mr. Hutchinson said the vibrant retail is incredible, but that he doesn't think they're quite done, and that he thinks structured parking may be the next phase. He then commended the board for their hard work. Mr. Rueger then took the floor, and asked Mr. Kilduff how many permits they have been getting back per year. Mr. Kilduff responded that since they stopped sales, one or two. Mr. Rueger suggested grandfathering people in, since most of them have been waiting for a very long time, and are at the end of their career. Ms. Zemchanakkis took the floor and commended the Board for returning Grove St. to retail use. She mentioned that it is important, if they are to see business vibrancy in places other than Boston Post Road, that the retail spaces are necessary.

Mr. Palin then took the floor, noting that when trains come in from 6-7 a.m. there is a row of taxis lined up, blocking 20-30 spaces, and that most of the time drivers are not even in the taxis. He suggested the Board consider redesigning and allocating a taxi line. Mr. Cameron came forward and endorsed everything the Board had proposed. A recent appointee of the Parking Study Task Force - he noted that they are very close to choosing two consultants to survey the situation and see if they are keeping up with the rest of the country. He noted that everything over the last 10-15 years has been about managing the demand, and that they really need to talk about the supply issue. First Selectman Stevenson said that train station redevelopment will go with re-development of Noroton Heights. Mr. Cameron said he believed the studies will be done 3-4 months from when they start. Mr. Cameron also said they can't wait any longer. If the study comes back and says the endorsements of the task force are wrong, they can be amended.

Mr. Olvany took the floor and talked about extending a train platform so that a stairway would connect the lot to the northbound platform. First Selectman Stevenson thanked Mr. Olvany, and reiterated that the objective was to have Darien stations more in line with the mix of permit vs. daily in relation to the other stations in the system. She noted that 40% Permit vs. 75% Permit at other stations explains why people are using daily parking spots for daily commuting, which was not the original intention of those spots. First Selectman Stevenson then noted that 54 spaces will be relocated to Leroy West. First Selectman Stevenson noted that they oversell the spots.

**** MR. NIELSEN MOVED TO ADJOURN THE MEETING**
**** MR. TIERNEY SECONDED THE MOVEMENT**
**** MOVEMENT PASSED WITH ONE ABSTENTION (MR. HALL)**

The Regular meeting adjourned at 9:37 p.m.

Respectfully submitted,
Justin Hoffmann
Telesco Secretarial Services