

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
NOVEMBER 4, 2013**

ATTENDANCE: First Selectman Jayme Stevenson; David Bayne, David Campbell,  
John Lundeen, Gerald Nielsen.

STAFF: Karl Kilduff, Administrative Officer.

CALL TO ORDER

First Selectman Stevenson called the meeting to order at 7:45 p.m. She asked to add an item on to the agenda and called for a motion.

- \*\* **MR. BAYNE MOVED TO SUSPEND THE RULES TO ADD TO THE AGENDA A REPORT ON THE MATHER BUILDING /35 LEROY FROM MR. CAMPBELL.**
- \*\* **MR. LUNDEEN SECONDED THE MOTION.**
- \*\* **MOTION PASSED UNANIMOUSLY.**

REPORT ON THE MATHER BUILDING

Mr. Campbell stated that the 35 Leroy Building was mostly complete with the exception of handrails for handicap access and lights in the main meeting room, He reported that the generator is installed and the elevator is completed, and here at town Hall, excavating of removing old sidewalks in order to pave the lot. Catch basins and foundation work has started, and they are working on exterior walls. Inside sheetrock should be up next week, electrical is started upstairs and plumping is roughly in. He reported all is moving along with the HVAC and windows which are pending the engineering an architect approval process.

Mr. Nielsen asked about the projected completion, and Mr. Campbell replied that it is February, 2014. He added that the contractor has done a good job. Mr. Bayne asked about sub payment and Mr. Campbell replied that they are working on payment releases for sub-contractors being paid and he anticipates this to be done by next week.

REPORT from State Representative Terrie Wood

Terrie Wood stated that she is proudly serving her 3rd term as State Representative for Darien and Norwalk. She currently serves as ranking member on the Human Services committee, and also serves on the Regulations Review and Appropriations committee. She thanked all the Selectmen for their dedication and hard work and in particular Mr. Lundeen, Mr. Campbell and Mr. Bayne for their years of service to the Town.

Ms. Wood spoke about the key roles as State Representative is to develop a responsible budget and represent citizens in legislative session. She gave an overview of the outcome of the past sessions where gun violence bills were passed and the important parts being registration and efforts to address and de-stigmatize the factor of mental health. She spoke about the course offered in Darien to focus on awareness of and identifying signs of mental health issues

She listed education freeform is continuing with four new charter schools in the development stage, and U-Conn Next Generation funding of \$1.5 billion over the next ten years. She explained that there is more funding for STEM research and housing of more dorms in the satellite campuses such as Stamford, and more regionalization such as moving West Hartford campus to Hartford.

She spoke about genetically modified organisms (GMOs) and explained that last session, the Environment Committee favorably reported a bill that, among other things, would have required the labeling of certain foods that are genetically engineered, or have been produced or may have been produced by genetic engineering.

She spoke about 5724 Bill that prohibits municipal employees to serve on Boards and the inherent conflict of interest as has been displayed with dysfunctional government in Bridgeport.

She spoke about the projected budget increase of 9% per year and the fact that the state has borrowed \$750 million and has delayed payments on loans and state borrowing. She explained that the state is under the spending cap in the current year, assuming no FY 13 deficiency appropriations are made and based on current services estimates of all appropriated funds, and assume that expenditure amounts in excess of the cap are not built into the subsequent year's base for cap calculation purposes. Unfunded liabilities are bonded indebtedness, outstanding state employees' and teachers' retirement, state employees' and teachers' post-employment benefits, and the GAAP deficit. The state's unfunded liabilities increase is primarily due to a decrease in the Other Post-Employment Benefits unfunded liability and she referred to impact in Defined Contribution versus Defined Benefit Plans.

She further explained the Education Cost Sharing (ECS) program is the largest form of state aid for public education. The current state budget increased ECS funding to Connecticut's towns by \$50 million, with most of the funds going to the districts with the greatest educational need. In 2013, the legislature will consider changes to the funding formula used to distribute ECS aid.

She spoke about the work on Common School Calendar where towns will start and adhere to the same calendar which allows for more towns to attend state professional development seminars and training at the same time.

Ms. Wood explained that the Department of Energy and Environmental Protection (DEEP) to prepare a comprehensive energy strategy addressing a wide range of issues. The draft strategy proposes to use gas company ratepayer money and other funds to encourage residents and businesses who heat with oil to convert to natural gas.

Representative Wood stated that they are working on expanding funding of energy efficiency programs make residential renewable energy investments more affordable and legislative options. She outlined that the legislative task force to study and make recommendations regarding storm impacts on homeowners and businesses on Connecticut's shoreline has been in place to study the effects of climate change on efforts to preserve Connecticut's shoreline. She explained that proposals about coastal management are anticipated because of the effects of the state's most recent storm, Super Storm Sandy.

Representative Wood spoke about 8-30G and SWRPA modifications that make certain municipalities exempt from the appeal process if there is incentive housing zones. She credited the work that Senator Leone has done on this and the sentiment to proposed changes. They recently met with the Commissioner of Housing, Evonne Klein, and Speaker of the House, Brendan Sharkey to discuss proposed amendments to 8-30g. Mr. Sharkey showed support for modifications to 8-30g recommended by SWRPA.

Representative Wood referred to the establishment of the Department of Housing (DOH) as the lead agency responsible for all housing matters and an Interagency Council on Affordable Housing that was developed to advise and assist the Department's commissioner. She added that the legislature is likely to consider the council's recommendations concerning transferring programs from DECD to DOH, including a timeline for implementation and prioritizing housing resources. She spoke about the impact on density and the required investment to support the bills and the Transit Oriented Development (TOD) programs.

Representative Wood spoke about the Department of Social Services (DSS), and the Medicaid program and the number of factors that could place an even greater strain on agency resources. In addition, the agency is in the midst of converting its Medicaid program to a "medical home" model which could force the 2013 legislature to take a closer look at the department's administrative capacity.

Questions and comments were fielded regarding the Darien efforts on Affordable Housing and the implementation of the DAHAC and the Affordable Housing Plan (AHP). First Selectman Stevenson stated that she is part of the SWRPA sub-committee and the intention of HB13-247 is to create a regional government structure that can coordinate planning and delivery of state and local services as well as facilitate receipt and distribution of federal transportation dollars. She stated that Chief Elected Officials of SWRPA member towns are concerned about preserving local control and the potential for the implementation of a regional tax to support regional services. She asked for continued support in the upcoming legislative session of sustained funding beyond the 2 years of funding approved in HB 13-247 and for the mandates of 8-30g to be considered on a regional basis rather than town by town. She spoke about the impact on density and the potential required investment to support these bills including school buildings based on enrollment projections.

Representative Wood stated that other issues on the horizon include legalized medical marijuana and legislation on the right to die.

First Selectman Stevenson thanked Representative Wood for this update and for her ongoing level of service that benefits the residents of the Town of Darien.

REPORT – Beautification Commission

Ms. Suzanne Schutte presented the following:

**BEAUTIFICATION COMMISSION  
BOS UPDATE  
NOVEMBER 4, 2013**

**2012/13 ANNUAL BUDGET BREAKDOWN:**

Budget: \$26m

- Elder Santiago workman: 70 % Maintenance on hanging baskets/AAGs/berm
- Berm Expenses: 20% Cost of plants/delivery charges/watering
- Miscellaneous 10% Cemetery maintenance/cost of clean up supplies/safety vests.

**BERM RENOVATION-CENTER SECTION;**

- Center and largest section of the berm completed Fall 2013
- \$4.7m of plants/shrubs/flowers/grasses purchased in full grown or plug form
- Plugs grown out in BC members backyard over summer months to ensure full size at planting time in fall.
- Water access at Clock Hill condos provided by Penny Glassmeyer
- Spring 2014: will fill any remaining gaps and move on to far left side of berm.

**DONATIONS:**

- 2012/13 was the “Year of Donations” for the BC
- 11 individuals or groups generously donated funds or manpower to help our various projects. See attachment for breakout of donors.

**NEW PROJECTS:**

-Clean up **walled garden in Noroton Heights** along Heights Road across from Stop & Shop. involving weed and poison ivy removal, cutting back overgrown shrubs, removing dead wood, and adding new shrubs and bulb plantings. **We need the assistance of the DPW due to the large size of area and scope of the project.**

-**Redesign placement of hanging baskets** along Post Road to ensure that no baskets block No Parking signs and no tickets are issued. We suggest that the **DPW or DOT consider painting the curb yellow to make No Parking zones more obvious to drivers.**

**AVERAGE 2012/13 VOLUNTEER HOURS PER BC MEMBER:**

- 832 hours spent on BC projects (260 mtgs; 572 work projects)
- 64 hours per year per BC member = 1 full work week of time

PUBLIC COMMENT - None

FIRST SELECTMAN'S REPORT

First Selectman Stevenson reported that she recently met with the Commissioner of Housing, Evonne Klein, to discuss proposed amendments to 8-30g, and resource materials are available on the Town website.

First Selectman Stevenson encouraged all residents to come out and vote and she spoke about the importance of municipal elections and the impact on our local daily lives. She listed the polling locations by district and the same-day registration that is now in place at the schools.

First Selectman Stevenson thanked all of the Selectmen for their contribution for a very productive term and accomplishments on the Board. She stated that the dedication and hard work and in particular Mr. Lundeen, Mr. Campbell and Mr. Bayne for their years of service to the Town. She attributed many of the actions were the result of the robust discussions that occurred at Board meetings and again thanked them for actively engaging in working to address the issues that have come to the Board.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Kilduff provided his report as follows:

The oil spill at Weed Beach is progressing to the clean-up phase with on-going repairs underway through the approval process with DEEP.

Town Hall building security has been evaluated and walk-thru's at the schools are all done. He explained that versus school buildings the Town cannot shun the public so there are different emergency procedures for the Town Hall than what is recommended.

The utility purchasing process that is being finalized with adjustments based on building capacity of the High School, the Police Department and the Library. He explained that peak demand levels skew the purchasing; multi-year pricing is not likely, and a two-year lock is anticipated at approximately 8 cents per kilowatt.

NEW BUSINESS

Discuss and Take Action on Darien Boat Club Capital Expenditure Approval:

First Selectman Stevenson stated that the capital expenditures had been presented at a previous meeting and noted that this is from private donations and no Town funding is involved.

**\*\* MR. LUNDEEN MOVED TO APPROVE THE FOLLOWING:  
IN ACCORDANCE WITH ARTICLE XVII SECTION 6 OF THE DARIEN BOAT CLUB  
BY LAWS, THE BOARD OF SELECTMEN HEREBY APPROVE OF PLANNED  
REPAIRS AND IMPROVEMENTS TO THE DARIEN BOAT CLUB IN THE AMOUNT  
OF APPROXIMATELY \$250,000.**

**\*\* MR. BAYNE SECONDED THE MOTION.**

**\*\* MOTION PASSED UNANIMOUSLY**

Discuss and Take Action on Composition and Membership of the Darien Affordable Housing Trust Fund Commission

First Selectman Stevenson reported she had a discussion with Attorney Wayne Fox and has amended the recommended membership, and she presented the following:

The Affordable Housing Trust Fund Commission shall be a five (5) member commission appointed by the Board of Selectmen with its membership subject to statutory representation rules.

Appointees to the commission shall be limited to the Chairman of the Board of Finance, the Chairman of the Planning and Zoning Commission, and the Chairman of the Human Services Commission.

Further appointees shall include the Chairman of the Planning, Zoning and Housing Committee of the RTM, or their designee, and a community member who has specific expertise regarding housing. The First Selectman and a representative from the Darien Housing Authority shall be ex-officio members of the Commission.

- \*\* **MR. CAMPBELL MOVED TO APPROVE THE ABOVE MEMBERSHIP OF THE DARIEN AFFORDABLE HOUSING TRUST FUND COMMISSION**
- \*\* **MR. BAYNE SECONDED THE MOTION.**
- \*\* **MOTION PASSED UNANIMOUSLY.**

Discuss the Darien Affordable Housing Advisory Committee Charge

First Selectman Stevenson read the following and Mr. Bayne suggested additions (italicized):

The Darien Board of Selectmen remains committed to providing and supporting the development of affordable housing in the Town of Darien to fill a need that exists within the town and the region. The Darien Affordable Housing Advisory Commission (DAHAC) delivered recommendations to the Board of Selectmen through the Town of Darien Affordable Housing Plan (AHP) *which led to adoption* by the Board of Selectmen on August 24, 2009.

The Board of Selectmen wishes to convene the Darien Affordable Housing Plan Advisory Commission to review and revise *as needed* the 2009 Town of Darien Affordable Housing Plan.

The Darien Affordable Housing Plan Advisory Commission will be comprised of no more than 7 members. The Advisory Commission membership should comply with majority/minority representation, and to the extent possible, include members with a skill set complementary to the charge.

The Commission will:

- Update the AHP to include AH that has been developed since 2009
- Meet with community stakeholders
- Revise site recommendations for future AH development
- Work with the newly created State of CT Department of Housing to determine available state support for AH in the Town of Darien.

- \*\* **MR. CAMPBELL MOVED TO APPROVE THE ABOVE CHARGE OF THE DARIEN AFFORDABLE HOUSING ADVISORY COMMISSION AS AMENDED WITH ADDITIONS NOTED.**
- \*\* **MR. BAYNE SECONDED THE MOTION.**
- \*\* **MOTION PASSED UNANIMOUSLY.**

Discuss and Take Action on Settlement of Westmere Group, Inc. vs. Town of Darien.

First Selectman Stevenson stated that this item would be tabled until the new Board was in place.

Transfers:  
Information Technology

Mr. Jeff Adams presented the reports and documents in support of the transfer request and explained that funding is sought to create the needed redundancy for the Town's IT system. He outlined that the plan would be to back-up the Town Hall server network to an upgraded system at the Police Department, and the Police would also back-up to the Town Hall. He explained that recently, the lack of any redundancy in Town systems shut down the phone system, network drives and systems at Town Hall, and this type of redundancy is critical to the continuity of government operations during a disaster or other emergency. The budget carries some funding for IT hardware, and additional funding is being provided in the BOE budget as some of their systems reside on the Town's servers.

Mr. Marc McEwan came forward and further supported the Emergency Management plan as presented by Mr. Adams.

**RESOLVED:**

That the following transfer of appropriations is approved for referral to the Board of Finance:

<u>From:</u>			<u>To:</u>		
Acct. No.	Account	Amount	Acct. No.	Account	Amount
30111014-908600	BOF Contingency	\$54,000	30118004-900001	Info System Hardware	\$54,000
	<b>TOTAL</b>	<b>\$54,000</b>		<b>TOTAL</b>	<b>\$54,000</b>

- \*\* **MR. CAMPBELL MOVED TO APPROVE THE ABOVE TRANSFER REFERRAL TO THE BOARD OF FINANCE AS REQUESTED.**
- \*\* **MR. BAYNE SECONDED THE MOTION.**
- \*\* **MOTION PASSED UNANIMOUSLY**

Agenda Review - It was agreed that the new Board would set the next agenda.

APPROVAL OF MEETING MINUTES

October 21, 2013:

Page 1: Under Sewer Commission change City of to Stamford WPCA and an approved...  
Page 3: Paragraph 2: sentence 3: deleted feedback and, replace with the, change Boat to Yacht.  
In the last sentence change they have withdrawn to he is withdrawing, and in paragraph 3, before cars add specific.

Minutes of 10/21/13 - continued:

Page 4: In paragraph six replace perpetuity with indefinitely.

Page 5: Paragraph 1: Replace the last two sentences with: It was noted that no agreement had yet been reached to purchase either property.

- \*\* **MR. LUNDEEN MOVED TO APPROVE THE MINUTES OF OCTOBER 21, 2013 AS AMENDED WITH CHANGES AND CORRECTIONS NOTED.**
- \*\* **MR. BAYNE SECONDED THE MOTION.**
- \*\* **MOTION PASSED UNANIMOUSLY**

OTHER BUSINESS – NONE

FORTHCOMING MEETINGS

November 4, 2013	Board of Selectmen Regular Meeting at 7:45 p.m.
November 5, 2013	Planning & Zoning Commission Planning Meeting at 8:00 p.m.
November 12, 2013	Board of Education Regular Meeting at 7:30 p.m.
November 12, 2013	Planning & Zoning Commission General Meeting at 8:00 p.m.
November 19, 2013	Board of Finance Regular Meeting at 7:30 p.m.
November 20, 2013	Parks & Recreation Commission Regular Meeting at 7:30 p.m.
November 25, 2013	Board of Selectmen Regular Meeting at 7:45 p.m.

First Selectman Stevenson thanked all of the Selectmen for their contribution for a very productive term and accomplishments on the Board. She stated that the dedication and hard work and in particular Mr. Lundeen, Mr. Campbell, and Mr. Bayne for their years of service to the Town.

Adjournment

- \*\* **MR. LUNDEEN MOVED TO ADJOURN.**
- \*\* **MR. NIELSEN SECONDED.**
- \*\* **MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Marilyn Knox  
Telesco Secretarial Services