

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
SPECIAL MEETING  
MARCH 25, 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 7:00 p.m. and stated that the Selectmen as listed were in attendance, and there was a quorum present.

- \*\* MR. CAMPBELL MOVED TO ENTER INTO EXECUTIVE SESSION FOR PURPOSES OF CONDUCTING AN INTERVIEW, AND TO DISCUSS MATTERS OF PENDING LITIGATION INVOLVING TAX APPEAL, NEGLIGENCE CLAIM AGAINST POLICE DEPARTMENT, PENDING STUDENT CLAIM AGAINST BOARD OF EDUCATION**
- \*\* MR. NIELSEN SECONDED THE MOTION.**
- \*\* MOTION PASSED UNANIMOUSLY.**

The meeting went into Executive Session at 7:05 p.m. with the following members in attendance: First Selectman Jayme Stevenson; Selectmen: David Bayne (7:28 p.m.) David Campbell, John Lundeen, Gerald Nielsen; Wayne Fox, Town Counsel, Anthony Humicki, Tax Assessor, Duane Lovello, Police Chief and Karl Kilduff, Administrative Officer.

- \*\* MR. NIELSEN MOVED TO ADJOURN THE EXECUTIVE SESSION AND TO RECONVENE INTO PUBLIC SESSION.**
- \*\* MR. CAMPBELL SECONDED THE MOTION.**
- \*\* MOTION PASSED UNANIMOUSLY.**

The meeting was convened into public session at 8:00 p.m. There was no action taken.

Presentation on Request for Installation of Video Cameras for Darien Harbor

Tom Bell, State of CT Harbor Master, presented the following:

We would like install 5-6 Video Surveillance cameras, recording devices and UPS backup systems in Darien Harbor:

- 2-3 would be installed on the Noroton Yacht Club property;
- 2-3 would be installed on the Darien Boat Club clubhouse roof;
- We have permission from both clubs to use their facilities.

Presentation on Harbor Video Cameras – continued

The purposes would be three-fold:

- To monitor the activity in the main harbor for security purposes;
- To monitor the harbor during storms as a way to quickly identify vessels in distress or those that might have been separated from their moorings;
- To provide video access to any resident of the Town via links on the Harbor Master's webpage, and the websites of both clubs.

At least one camera at each club will be able to be controlled on the above websites for panning/zooming capabilities. Funding: Objective is to have private donations cover the cost of this project. Harbor Master Bell fielded questions and comments from the Selectman about the placement and focus range of the cameras. It was suggested to hold a public hearing for input and Mr. Kilduff clarified that an information session would be the applicable forum.

Presentation of Transfer Station Advisory Committee

TSAC update on Fluorescent Bulb and Textile Recycling

Ms. Wendy Ward and Ms. Dot Kelly presented the following report:

The Transfer Station Advisory Committee has the draft final for the single stream newspaper insert prepared. The insert must be finalized with the paper by April 4th to be in the Earth Day issue. That is the reason the Transfer Station Advisory Committee is asking for your approval to move forward on fluorescent bulb recycling and textile recycling at this time. We believe the town is wise to move forward with both proposals and we'd like to make the most of the outreach effort, which you have previously funded.

Fluorescent Light Bulbs:

- There is a state contract for fluorescent light bulb and ballast recycling which gives towns very attractive pricing compared to the commercially available price in the marketplace.
- As you know, municipally generated fluorescent light bulbs and ballasts are required by law to be recycled and not disposed of as solid waste/garbage.
- We see this additional recycling similar to the recycling of alkaline batteries which is offered at the transfer station, and where we pay a small administration fee to City Carting to manage the battery recycling process, payments, and reporting.
- NLR will give Darien-City Carting the state contract rate and are willing to bill City Carting for material picked up at the Darien Recycling Center. City Carting will charge Darien a small administration fee for this effort.
- There is no requirement for additional funds to be added to budget for this additional recycling, although there will be a cost to the town for the bulbs/ballasts that are recycled.
  - Although we predict the cost for recycling residential fluorescent bulbs and ballasts to be below \$3000 per year (Stamford's cost for recycling from this program), we anticipate the cost to be well below that.
- Please approve the addition of fluorescent bulb (including compact fluorescent bulb) recycling at the Darien Recycling Center as presented.

## TSAC update on Fluorescent Bulb and Textile Recycling – continued

### Textile Recycling:

- USAgain will pay the town \$100 per ton for usable and unusable textiles including clothes, drapes, shoes and other dry, unsoiled textiles. They have provided a Certificate of Insurance and a contract to the Selectman's Office.
- Person to Person uses USAgain and has been very pleased with their service.
- Like the SWAP shop, we encourage our residents to use the Darien Recycling Center Textile recycling as the last resort for dry, clean textiles. However, about 5% of the municipal solid waste stream is textile material and recycling the material is environmentally wise, and shifts the material from a cost to a payment stream.
- Please approve the addition of fluorescent bulb (including compact fluorescent bulb) recycling at the Darien Recycling Center.

Discussion centered on the location and safe handling of fluorescent bulbs. Mr. Steve Anderson came forward and clarified fee structure assumptions and calculations. First Selectman Stevenson suggested that modifications to the fee structure be considered to forego the 3<sup>rd</sup> permit at half price and to combine options for seniors or abatement applicants be to streamline the process. There was discussion on the assumptions put into the fee structure.

Ms. Stolar came forward to clarify the supporting information used in the determination of landscaper fees. She explained the comparisons of other towns and the process used with the disposition of leaves and brush. She explained that enforcement is a difficult issue, but the intention is to provide incentives to follow procedure and to increase recycling and other items that are part of the consumer education program on recycling. Ms. Connie Melvin referred to the pamphlet draft provided to the Selectman and explained how the language was used to simplify the amount of the information. She thanked Mr. Kilduff for his assistance with the e-mail and access to the Town website.

It was noted that the next steps are a public hearing for the proposed resident fee structure. First Selectman Stevenson thanked the committee for their on-going work with the new Darien Recycling Center program.

### FIRST SELECTMAN'S REPORT

First Selectman Stevenson read her report as follows:

- Thank you to Dave Campbell for attending the League of Women Voters Town Leaders Luncheon.
- Aquarion Water has met with our Fire Marshall and Director of Public Works to coordinate water main replacement work with our town paving schedule.
- Press Release asking for Emergency Shelter Task Force Volunteers  
Volunteers will receive training and will be called upon, when necessary to manage and staff our local emergency shelter. Please call our Emergency Operations Department at 203-656-7345 or send an email to darieneoc@darienct.gov. Training will be scheduled when we have an assembled a group of 10-15 volunteers.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Kilduff gave his report as follows:

The health care renewal indicator is confirmed at the projected 25% increase. The Board of Education heating oil and diesel fuel purchase is set with discounts that should represent additional savings. He added that he attended the CT Conference of Municipalities and it is not a positive outcome with the proposed elimination of gasoline taxes that could have a negative impact on towns and local budgets.

NEW BUSINESS

Discuss and Take Action

Resolution Authorizing Acceptance of a Sewer Easement  
Near Hoyt Street for the Development on Kensett Lane

Mr. Kilduff referred to the supporting documents and explained that a developer is installing a sewer system which will become a part of the Town of Darien sewer collection system on the property now known as Kensett Lane and formerly known as Procaccini property located on Hoyt Street near Wakemore Street. An existing sewer, which serves part of Wakemore Street, crosses beneath the railroad tracks to Hoyt Street; easement agreement will cancel the existing easement and create a new easement for a crossing beneath the railroad at another location. Easement has been approved by the Darien Sewer Commission and town counsel. Article II, Section 2- 32(2) of Town of Darien Municipal Code of Ordinance, empowers the Board of Selectmen to accept sewer easements. On behalf of the Darien Sewer Commission, please: include this memo on the BOS agenda of 3/25/13; and, authorize the First Selectman to enter into sewer easement agreement with Metro-North Commuter Railroad Company.

Mr. Bayne asked if Town Counsel has reviewed this for legal language, and Mr. Kilduff confirmed.

**\*\* MR. LUNDEEN MOVED TO ACCEPT THE RESOLUTION AS PRESENTED. WHEREAS, pursuant to Section 2-32 of the Codified Ordinances of the Town of Darien. The Board of Selectmen is empowered on behalf of the Town of Darien to accept easements for public sanitary sewer lines; and WHEREAS, a public sanitary sewer easement has been approved with the Metro-North Commuter Railroad Company to which will replace another easement to support a residential development on Kensett Lane; and WHEREAS. The Board of Selectmen wishes to accept the easement to repair, replace, operate and maintain a public sanitary sewer line. NOW, THEREFORE, BE IT RESOLVED that the Town of Darien Board of Selectmen hereby accepts the public sanitary sewer easement as described in the easement documents. BE IT FURTHER RESOLVED that the First Selectmen is hereby authorized and directed to execute the public sanitary sewer easement on behalf of the Town of Darien with such easement being recorded on the land records of the Town of Darien.**

**\*\* MR. NIELSEN SECONDED THE MOTION.**

**\*\* MOTION PASSED UNANIMOUSLY.**

Discuss and Take Action:

Settlement of the Case of George D Sullivan v. Town of Darien.

First Selectman Stevenson read the proposed resolution and requested a motion for approval:

- \*\* MR. LUNDEEN MOVED TO ACCEPT THE FOLLOWING:  
THE DARIEN BOARD OF SELECTMEN HEREBY APPROVES SETTLEMENT OF THE CASE OF GEORGE D SULLIVAN V. TOWN OF DARIEN. (FST-CV-05-4005789-S) TO AMEND THE FAIR MARKET VALUC FOR THE LAND VALUE ONLY TO S 1.550.000 FROM S2,879.200 WITH NO CHANGE TO THE BUILDING VALUE FOR THE GRAND LIST OF OCTOBER 1, 2008 THROUGH OCTOBER 1, 2012 AND A WAIVER INTEREST FOR THE GRAND LIST OF OCTOBER 1. 2002. IN ACCORDANCE WITH A STIPULATING JUDGMENT.**
- \*\* MR. NIELSEN SECONDED THE MOTION.**
- \*\* MOTION PASSED UNANIMOUSLY.**

Settlement in the suit known as Estate of Guizan v. Town

The Board of Selectmen of the Town of Darien hereby authorizes the settlement in the suit known as Estate of Guizan v. Town of the amount of \$43 7.500 to be paid by the Town's insurance carrier with no further liability or responsibility for the Town.

- \*\* MR. BAYNE MOVED TO APPROVE THE FOLLOWING:  
THE BOARD OF SELECTMEN OF THE TOWN OF DARIEN HEREBY AUTHORIZES THE SETTLEMENT IN THE SUIT KNOWN AS ESTATE OF GUIZAN V. TOWN OF THE AMOUNT OF \$43 7.500 TO BE PAID BY THE TOWN'S INSURANCE CARRIER WITH NO FURTHER LIABILITY OR RESPONSIBILITY FOR THE TOWN.**
- \*\* MR. NIELSEN SECONDED THE MOTION.**
- \*\* MOTION PASSED UNANIMOUSLY.**

Review Draft of Mather Senior/Community Center General Use Policy

The primary purpose Mather Center is to provide senior citizens a location for programs and activities sponsored by the Town of Darien to promote social interaction, community, health and wellness, education, recreation, and to encourage active lifestyles. Based on this primary use, no specific hours will be set aside for others. Requests will be accepted depending upon the schedule of the primary use, as time is available.

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

PUBLIC COMMENT – None

Budget Transfer

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

From: \_\_\_\_\_

To: \_\_\_\_\_

Acct. No.	Account	Amount	Acct. No.	Account	Amount
10811011-88811	School Debt – Interest	670,000	10811011-88810	School Debt – Principal	670,000
10812011-88822	Sewer Debt – Interest	25,000	10812011-88812	Sewer Debt – Principal	25,000
	TOTAL	\$695,000		TOTAL	\$695,000

- \*\* MR. LUNDEEN MOVED TO APPROVE THE ABOVE REQUEST FOR TRANSFER FROM SCHOOL DEBT AS PRESENTED.
- \*\* MR. NIELSEN SECONDED THE MOTION.
- \*\* MOTION PASSED UNANIMOUSLY

Agenda Review

First Selectman Stevenson stated that items placed for review at the last meeting remain as follows:

- Post 53 – Report on program and accountability as part of EMS review
- Sidewalk Issues: Updates on Hoyt Street – Installation policy review
- Legislators – Invite them in for updates on initiatives;
- Board of Education – Edgerton property review and update;
- Yankee Gas – Public discussion on infrastructure improvements and business model.
- Schedule a public information session on the Darien Recycling Center fees and program.

Appointments/Reappointments

Consider and take action on the following re-appointments:

- \*\* MR. NIELSEN MOVED TO APPROVE THE ABOVE RE-APPOINTMENTS WITH TERMS AS LISTED.
- \*\* MR. BAYNE SECONDED THE MOTION.
- \*\* MOTION PASSED UNANIMOUSLY.

Consider and take action on the following appointment:

- a) Kim Huffard to the Police Commission for a 3-year term beginning on July 1, 2012 and expiring on June 30, 2015.

- \*\* MR. NIELSEN MOVED TO APPROVE THE ABOVE APPOINTMENT WITH TERMS AS LISTED.
- \*\* MR. LUNDEEN SECONDED THE MOTION.
- \*\* MOTION PASSED UNANIMOUSLY.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Regular Meeting of March 11, 2013

The following changes were requested:

Page 1 and throughout, change Stroller to Stolar. Page 4: under First Selectman report, replace The BOF “will vote”, with “hold a public hearing”. Page 5 delete the sentence after the third paragraph “With regard...” Under Registrar of Voters, replace Casey Peck with Cathy Hammel. On page 7 move the paragraph under Budget Transfer to the next page below DPW. Page 9 correct Edgerton. Under Agenda Review, the last sentence, change generator utilization to pipeline capacity.

- \*\* **MR. BAYNE MOVED TO APPROVE THE MINUTES OF THE MEETING OF MARCH 11, 2013 AS AMENDED WITH CORRECTIONS NOTED.**
- \*\* **MR. LUNDEEN SECONDED THE MOTION.**
- \*\* **MOTION PASSED UNANIMOUSLY.**

OTHER BUSINESS – None

12. FORTHCOMING MEETINGS

March 26, 2013	Board of Education Regular Meeting at 7:30 p.m.
March 26, 2013	Planning & Zoning Commission Public Hearing at 8:00 p.m.
March 26, 2013	Board of Finance Regular Meeting at 7:30 p.m.
April 2, 2013	Planning & Zoning Commission Planning Meeting at 8:00 p.m.
April 2, 2013	Board of Finance Regular Meeting at 7:30 p.m.
April 4, 2013	Board of Finance Regular Meeting at 7:30 p.m.
April 8, 2013	Board of Selectmen Regular Meeting at 7:45 p.m.
<b>April 9, 2013</b>	<b>Joint Department Heads Meeting at 8:30 a.m.</b>

Adjournment

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

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Marilyn Knox  
Telesco Secretarial Services