

**TOWN OF DARIEN
BOARD OF SELECTMEN
REGULAR MEETING
NOVEMBER 5, 2012**

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

STAFF: Karl Kilduff, Administrative Officer

OTHER: Debra Parnon, Weed Beach Building Committee;
George Reilly, Police Dept. Building Committee

CALL TO ORDER

First Selectman Stevenson called the meeting to order at 7:45 p.m. and stated that the Selectmen as listed were in attendance, and there was a quorum present.

Report from the Weed Beach Building Committee

Ms. Parnon distributed her report and gave an overview of the project as follows:
Bath House & Paddle Warming Hut Building Project Construction: September 2011 - June 2012
Parks & Recreation Director: Sue Swiatek - Architect: Neil Hauck
Construction: Wernert Construction Management LLC
Project Manager: John Ryan, RBI Consultants/Engineer: Denise Halstead, GHD, Inc.

The historical timeline of Weed Beach Master Plan Project was presented as follows:

- May 1996 Darien Park & Recreation Open Space Master Plan (17 years ago...)
- December 2001 Parks & Recreation surveyed beach users.
- 2004/05 Funding to develop master plan granted to Parks and Recreation Commission.
- 2005 RFQ's, RFP's accepted from teams for project development.
- 2005 Parks & Recreation Commission selected Stearns & Wheler & Von Ohlsen Design.
- October 11 and October 26, 2005 Community input, suggestions solicited through public meetings run by Stearns and Wheler.
- 2006 In depth community based planning began in 2005 concluding.
- 2006 Master Plan of development submitted to Boards and Commissions.
- 2006 Rough cost estimated and design/construction document funding received.
- 2006/07 Weed Beach Building Committee formed.
- 2007 Construction & design documents begun.
- 2008 Project funding at \$3.6 million approved by Full RTM.
- February 2008 Playground by the Sound Committee formed and fundraising begun.
- May 3, 2008 Playground by the Sound fund raiser at the Grove Street Plaza.
- 2008 RFP for construction management.

Weed Beach Master Plan Project – continued

Timeline:

- 2008 ARB, ZBA, P&Z permits sought and approved.
- Cost estimates generated, came in over approved budget.
- Project designs revised, extensive value engineering performed.
- October 2008 - Town wide freeze on capital projects.
- November 8, 2008 Playground By the Sound fund raiser at the Nature Center
- August 2009 - Project delayed six more months.
- August 14, 2009 Chairman P. Hovell moves to Arizona, D. Parnon steps in
- Approvals and extensions sought for re-designed plans.
- 2009 Playground by the Sound (funded privately) installed.
- 2009 Minor utility work, sewer connection made in Darien Junior Sail area.
- January 2010 - BOS allows project to proceed.
- Funds release to allow completion of required construction drawings.
- August 8, 2011 — Hauck & Parnon approach BOS for reinstatement of stone facing, copper roof and cedar shingle siding — BOS approved stone facing and cedar siding
- Construction plans revised and design specifications finalized for bid package.
- May 5, 2012 — Bid notices made public.
- May 19, 2012 Bids are opened - Wernert Construction Management LLC wins the bid.
- August 15, 2011 - Mobilization begins (construction fencing, trailer, silt socks laid etc.)
- August 30, 2011 first construction team meeting (held every Tuesday morning until end of July 2012—40 official meetings.)
- Sept. 21, 2011 beginning of Bath house demolition.
- April 30, 2012 Fitness Trail installed.
- May 26-28, 2012 - Open Memorial Day weekend.
- June 2, 2012 - Opening Day Celebration.
- June/July 2012 irrigation system installed, punch list addressed.
- July 31, 2012 - Last Weed Beach Construction meeting.
- Project comes in under budget - account closed with \$184,100 unspent.

Ms. Parnon acknowledged the members of the committee and credited Mr. Susan Swiatek, Director of Recreation and Parks for her professionalism, her knowledge and expertise and constant involvement, dedication, diligence, and hard work above and beyond to this project.

Mr. Bayne asked for the total budget and amounts under budget and Ms. Parnon stated that the budget was \$3.3m, spent \$3.1 leaving an uncommitted balance of \$200,000.

First Selectman Stevenson thanked Ms. Parnon for the presentation and on behalf of the Town, acknowledged her for all her hard work and dedication with the project. The Selectmen concurred with this recognition and stated that they have received all positive feedback, the residents are pleased with the outcome and the Committee is to be recognized for this wonderful accomplishment for the Town of Darien.

Report from the Police Dept. Building Committee

There was no written report provided, Mr. George Reilly highlighted the following:

- In September 2006 there was a Space Needs Assessment that showed the need for nearly doubling of space for more detention cells, space for offices, training, locker, storage, vehicle maintenance, and an indoor shooting range.
- In the spring of 2008 the RTM authorized \$17,680,000 to add space and renovate existing space. By October 2008, although we went out to bid, the Board of Selectmen voted to halt all capital spending.
- Approval to resume the project was given in the fall of 2010 and construction began in February 2011.
- A summary of the size of the project is 13,000 sq. ft. was renovated and 23,000 sq. ft. was added. Project is now virtually complete all facilities have been occupied and functional since July, other than the Shooting Range.

Mr. Reilly stated that the building withstood the hurricane and is structurally sound, no leaks, fully operational and the generator handled the power demands for two days and the EOC was operating at capacity. He added that there some typical issues of temperature consistency and control, moisture control, furniture particulars, but all have been successfully managed.

The budget summary is as follows:

- Approximately \$1,050,000 that was authorized was not needed. Given the construction environment in 2010 compared to 2008 bids, actual expenditures were substantially lower, and they determined not install the geothermal HVAC system, thus the initial budget was reduced.
- The contingency was over-funded and we did not expend about ½ of it. Approximately \$900,000 from contingency or 7.75% of the construction bids, which is lower than standard expenditure.

Mr. Reilly stated that he has the highest regard for the architects, Jarvis Hawes, who were diligent and responsive; the Construction Manger, Turner was diligent, unflappable and they kept the project moving right on schedule, while the Police Department remained open 24/7. The Building Committee was very helpful and constructive throughout including rocky Genovese, Dot Kelly, David Hawes, the Board of Finance, and the entire Police Commission. Mr. Reilly gave a special mention of acknowledgement to Mr. Gerald Nielsen of the Board of Selectmen and his business for being a patient and cooperative neighbor who tolerated the parking of a trailer at his property for one year, got the easement for the gas line, disrupted the trees along his property, and said yes to every request we had to make. Mr. Reilly thanked Chief Lovello was completely immersed in the construction project and knew the language, he knew issues before others and was of great importance to the project, as he knew the needs of the department and was a great asset to all of us involved with the project. He added that there will be press release to announce the Open House scheduled for the spring.

First Selectman Stevenson thanked Mr. Reilly and the Building Committee for the report, and for all the hard work and dedication with the Police Station project.

First Selectman Stevenson credited the previous administration for their decision making and prudence with delaying the projects until the time when it was financially feasible for such capital projects of this magnitude. She added that those decisions were made in the best interests of the Town and the end results were very positive for all involved.

FIRST SELECTMAN'S REPORT

First Selectman Stevenson read her report and asked for it to be incorporated into the minutes as follows:

Hurricane Sandy made landfall as Category 1 Hurricane and the wind and coastal flooding in our town has been significant. Over 100 homes have been damaged, some so severely that they are uninhabitable. While we have been inconvenienced, for sure, unlike neighboring states and towns, Darien has not had any loss of life or injury due to the storm for which I'm very grateful.

Our new Emergency Operations Center was fully functional and was a tremendous benefit to our recovery efforts. I'm very proud of all our town personnel who put their own personal circumstances aside to support the needs of all our residents. However, now is not the appropriate time for the many thank you's that I will have because we still have over customers still without power. We will not stop working for you until you have full restoration.

For those residents who heeded my frequent and early warnings about the potential impact of Hurricane Sandy and for your patience through our recovery and restoration efforts, I thank you. To those who have been quick with your criticism of me, my staff and utility personnel, I ask you to please keep disasters of this magnitude in healthy perspective. This isn't our first and certainly won't be our last disaster and you can help our community recover more quickly by doing all you can to be prepared. I will always welcome constructive criticism and will pass your input on to anyone who can benefit from your suggestions.

If you haven't heard my most recent Code Red announcement, you need to be aware of the next storm predicted to hit our area on Wednesday afternoon continuing through Thursday morning. Our area is predicted to experience wind gusts between 40-70 mph and moderate coastal flooding and some rainfall. We do expect more power outages, so, please prepare your homes and families with food, water and generator fuel.

First Selectman Stevenson asked the public to be assured that 100% of her time and energy has been and will continue to be spent on our recover and reminded all that tomorrow is Election Day and she encouraged all to get out and do their public duty and vote.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Kilduff stated that with regard to storm-related restoration, his office is in the midst of insurance claims. He stated that they are dealing with three adjustors with insurance carriers in aspects of flood, property, facilities and they are pursuing appropriate action to secure financial resources necessary to process these claims.

Mr. Kilduff added that the Public Hearing was cancelled and as a result there will be no increase to the parking fees to this calendar year. Mr. Kilduff stated that the data base firm in New Jersey was the only firm that responded to the technology RFP, and they will be working on in-house data base management transition.

Mr. Lundeen asked if there were any options to be able to institute a change to the fees, and Mr. Kilduff replied that the required paperwork is due now in order to process change to renewal permits. He explained that deadlines have passed and the timeline of items necessary would make the changes virtually impossible to accomplish with all that has to be done at this point.

First Selectman Stevenson asked about rolling permitting, and Mr. Kilduff replied that other towns are equipped to handle this but there are administrative consequences that that the Town needs to address.

Report from the Board of Education Central Office/Mather Building Committee

First Selectman Stevenson stated that the above item is tabled until next month.

PUBLIC COMMENT

Mr. David Lane, Maywood Road, Darien stated that he was new to the process of seeking information from the Town relative to disaster preparedness and wanted to share comments and questions. He stated that this was not meant as criticism but as a concerned citizen, he had a list of comments and concerns that he wanted to address relative to the procedures of public safety and the manner in which the town's resources were utilized and managed along with. He questioned, the manner with which the utility companies responded and communications and assistance from the state. He stated that he has experience with storms in Florida with Hurricane Andrew as a learning point going forward, asked about building codes and zoning regulations. He asked about National Guard deployment for traffic control with respect to intersections and the town's rights over management of gas lines.

First Selectman Stevenson stated that she would accept the list by e-mail and would answer the questions fully, but she was in a position to address some of the issues raised tonight. She explained that the municipality owns equipment and was able to line up outside contractors to provide additional services necessary. She added that the state was quick to provide rescue resources with the National Guard and emergency assistance. She explained that it was the Town's decision that the best way to handle intersections that did not have power for traffic lights by making them 4-way stop areas and they were able to purchase additional stop signs necessary to adequately control traffic rather than the utilization of Police Officers.

First Selectman Stevenson stated that fuel needs were monitored and reserves were managed carefully through the Department of Public Works protocol and procedures.

First Selectman Stevenson stated that it is standard procedure to communicate the report of post evaluation of emergency situations.

Public Comment – continued.

Mr. Lane thanked the Selectmen for the opportunity to speak on this issue and stated that the roles of public versus private responsibility need to be better defined to ensure public safety and to address learning points for residents.

Discuss and Take Action on Funding Request from Weed Beach Building Project to Expend Unexpended Funds on Furniture and Equipment

First Selectman Stevenson requested the above item be tabled and stated that it is deemed inappropriate due to nature of timing for expenditures in view of recent storm-related outcomes.

Agenda Review

First Selectman Stevenson asked to put the following tabled item on next meeting agenda: Report from the Board of Education Central Office/Mather Building Committee, along with costs of storm remediation efforts. Mr. Lundeen asked if there will be an assessment of lessons learned, and First Selectman Stevenson replied that after-action reports following any emergency operation will be provided as usual.

First Selectman Stevenson stated that there is a Weed Beach environmental issue due to an oil spill that is not from the facilities but what had come in from the high tide. She added that there is HAZ-MAT team gathering fact-finding information and a report will be forthcoming. She added that the Junior Sailing areas have been damaged and potential changes to this program will be reported that may include a project request for repairs.

APPOINTMENTS/RE-APPOINTMENTS

First Selectman Stevenson asked to consider the following as one item:

Consider and take action on the following **appointments**:

- Terrence Gaffney to the Monuments & Ceremonies Commission for a 3-year term beginning on December 1, 2012 and expiring on November 30. 2015.
- Dawn Crouch to the Monuments & Ceremonies Commission for a 3-year term beginning on December 1, 2012 and expiring on November 30. 2015.
- Stephen Olvany to the Zoning Board of Appeals for a 3-year term beginning on July 1. 2012 and expiring on June 30. 2015.

Consider and take action on the follow **re-appointments**:

- Ron Heinbaugh to the Commission on Acing for a 3-year term beginning on April 1. 2012 and expiring on March 3, 2015

- ** MR. NIELSEN MOTIONED TO APPROVE THE APPOINTMENTS REAPPOINTMENTS FOR THE ABOVE POSITIONS AND TERMS AS LISTED.
- ** MR. BAYNE SECONDED THE MOTION.
- ** MOTION PASSED UNANIMOUSLY.

Approval of Minutes of Previous Meetings

Regular Meeting of October 15, 2012

The following corrections were requested:

Page 1, Paragraph 1 of the report from the Darien Boat Club, add the word “information” before meeting.

Page 2: Paragraph 6: add “state approvals, DEEP and ACE” after other Boards in Town.

Page 3: Last paragraph, replace the word project with “initiative”.

Page 5: paragraph 4, at the end of the first sentence, change to “increases of this magnitude may have a negative impact if they are not adequately published in advance.

Spelling corrections throughout: Ginsburg to Ginsberg, and Conti to Conze.

- ** MR. NIELSEN MOTIONED TO APPROVE THE MINUTES OF OCTOBER 15, 2012 AS AMENDED WITH CORRECTIONS NOTED.
- ** MR. LUNDEEN SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

Special Meeting of October 18, 2012

- ** MR. NIELSEN MOTIONED TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF OCTOBER 18, 2012 AS SUBMITTED BY MR. KILDUFF.
- ** MR. LUNDEEN SECONDED.
- ** MOTION PASSED UNANIMOUSLY.

10. OTHER BUSINESS

There was no other business.

Adjournment

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

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,
Marilyn Knox
Telesco Secretarial Services