

**TOWN OF DARIEN
BOARD OF SELECTMEN
REGULAR MEETING
MAY 17, 2010**

ATTENDANCE: David Campbell, First Selectman; Jayme J. Stevenson,
Callie Sullivan, Gerald Nielsen, David F. Bayne

STAFF: Karl Kilduff, Administrative Officer

CALL TO ORDER

First Selectman Campbell called the meeting to order at 7:46 p.m.

PUBLIC COMMENT

There was no one present who wished to comment.

NEW BUSINESS

a) Discuss Possible Tree Ordinance

Mr. Bayne said that he had some questions about various sections including Section 1-4, regarding the number of members appointed by the Board; Section 1-7 where the term “drip line” is used; and Section 1-10 d, where the First Selectman would issue a removal of a tree “by decree”. Mr. Bayne said that he would like the First Selectman to have the authority to remove a tree in the event of a storm without issuing a decree.

Ms. Sullivan asked about Section 1-5, which includes the phrase “from time to time” and clarification of the Street Tree Inventory and Master Street Tree Plan. Mr. Kilduff then reviewed this with the Board. Discussion followed. It was decided to change the phrase to “updated as needed”.

Ms. Stevenson asked for some history of how the Tree Ordinance came to be. Regarding Section 1-6, Ms. Stevenson then asked for clarification on the public utilities. Mr. Kilduff said that this portion links with the State Statutes and is intended for when public utilities are about to perform maintenance work rather than storm damage. Discussion followed about the amount of trimming allowed on the trees near power lines.

Under Section 1-9, Ms. Stevenson asked for clarification on the wording. She also asked who the point person was in Public Works. Mr. Kilduff reviewed the language, which is in accordance with the State Statute.

In Section 1-10 §a (2) – Ms. Stevenson asked about the 8 foot distance from the public roadways. Mr. Kilduff explained that this was the current standard for the Public Works.

The discussion then moved to the Tree Warden's authority and how the locations would be chosen. Mr. Kilduff explained that the Tree Commission had considered having the Town divided into sections and then evaluated each section.

Mr. Bayne said that he believed that with the flooding issues and development in town, there were concerns about the number of public trees being cut down. Ms. Sullivan said that there were concerns about non-conforming streets and right of ways with limited sight lines. Ms. Stevenson pointed out that some of the most heavily trafficked streets are State roads, which would not be subject to these ordinances. Ms. Sullivan pointed out that it would be important to make informed decisions on whether to trim or remove a tree. Mr. Bayne pointed out that part of the charge for the members of the Tree Commission was to become educated about the trees.

Ms. Stevenson asked if the ordinance would help or hurt the Town. Mr. Kilduff explained that currently the Town has no ordinances. He then referred an ongoing suit and gave a very brief overview of the various parties who have reviewed the ordinance, including the Town Counsel, insurance agents and others.

The discussion then moved to the staggered terms on the Commission.

Ms. Stevenson said that there was no mention of coordination between the Beautification Committee and the EPC. Mr. Kilduff said that the ordinance was focused on trees on the public right of way, and those on town property not located in a public park. This is different from the Beautification Committee's charge.

b) Discuss and Take Action on Approval of Revocable License Agreement for "The Goose".

First Selectman Campbell said that this item has been tabled before regarding insurance issues. Mr. Kilduff said that he had called a number of towns and found that that level of coverage varied. He added that the items included in the agreement were mirrored by the insurance consultant. He then gave several examples of when the insurance would be enacted for the outside dining.

**** MR. NIELSEN MOVED TO APPROVE THE REVOCABLE LICENSE AGREEMENT BETWEEN THE TOWN OF DARIEN AND GEESE LLC, A CONNECTICUT LIMITED LIABILITY COMPANY D/B/A "THE GOOSE" A RESTAURANT WITH ITS PRINCIPAL OFFICE AT 972 BOSTON POST ROAD, DARIEN.**

**** MR. BAYNE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

c) Discuss and Take Action on Approval of Revocable License Agreement for Grove Street Outdoor Dining.

Mr. Kilduff gave a brief overview of the agreement for the business. He added that he had received an insurance certificate from the Melting Pot.

**** MS. STEVENSON MOVED TO APPROVE THE REVOCABLE LICENSE AGREEMENT BETWEEN THE TOWN OF DARIEN AND THE MELTING POST , A RESTAURANT LOCATED AT 14 GROVE STREET, DARIEN FOR OUTDOOR DINING.**

**** MS. SULLIVAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

d) Discuss and Take Action on Resolution Authorizing and Directing the First Selectman to Execute a Grant Agreement with the Connecticut Department of Transportation

First Selectman Campbell then read the following into the record:

RESOLUTION AUTHORIZING AND DIRECTING THE FIRST SELECTMAN TO EXECUTE A GRANT AGREEMENT WITH THE CONNECTICUT DEPARTMENT OF TRANSPORTATION.

WHEREAS, THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION PROVIDES GRANT FUNDING TO SUPPORT THE TRANSPORTATION NEEDS OF ELDERLY PERSONS AND PERSONS WITH DISABILITIES; AND

WHEREAS, THE TOWN OF DARIEN IS ELIGIBLE FOR FUNDING UNDER THIS GRANT PROGRAM TO SUPPORT THE CAPITAL NEEDS OF THE GALLIVANT TRANSPORTATION PROGRAM; AND

WHEREAS, THE DARIEN BOARD OF SELECTMEN WISHES TO SECURE SUCH GRANT FUNDING.

NOW, THEREFORE, BE IT RESOLVED THAT, THE DARIEN BOARD OF SELECTMEN HEREBY AUTHORIZE AND DIRECT FIRST SELECTMAN DAVID CAMPBELL TO EXECUTE ALL NECESSARY AGREEMENT/CONTRACT DOCUMENTS ON BEHALF OF THE TOWN OF DARIEN FOR THE ABOVE REFERENCED GRANT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF CONNECTICUT AND TO AFFIX THE CORPORATE SEAL.

**** MS. SULLIVAN MOVED TO APPROVE THE ABOVE RESOLUTION**

**** MR. NIELSEN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

e) Discuss and Take Action on Approval of 8th Annual Big Rig Gig on October 3, 2010

First Selectman Campbell read the following the record:

THE BOARD OF SELECTMEN OF THE TOWN OF DARIEN HEREBY GRANTS PERMISSION TO OPUS FO PERSON-TO-PERONS TO HOLD THE 8TH ANNUAL BIG RIG GIG TO BE HELD SUNDAY, OCTOBER 3, 2010 AT THE DARIEN TOWN

HALL, SUBJECT TO THE REQUIREMENTS OF THE DARIEN PARKS AND RECREATION DEPARTMENT.

- ** MR. BAYNE MOVED THE ABOVE MOTION.**
- ** MS. STEVENSON SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

f) Transfers

It was noted in the transfer request that the figure of \$53,000 in the first request listed on the agenda was incorrect. The request transfer form lists the correct figure of \$68,000.

PUBLIC WORKS DEPARTMENT

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE:

THE SUM OF \$68,000 FROM ACCOUNT NUMBER 10704000-86600 CONTINGENCY TO 10402144-82036 TREE MAINTENANCE.

There was a brief discussion about the amount of work that was done on the trees and whether it was storm damage or routine trimming.

**** MS. SULLIVAN MOVED THE FOLLOWING RESOLUTION:**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE:

THE SUM OF \$68,000 FROM ACCOUNT NUMBER 10704000-86600 CONTINGENCY TO 10402144-82036 TREE MAINTENANCE.

- ** MS. STEVENSON SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

**THE SUM OF \$26,480 FROM ACCOUNT NUMBER 30445154-907407 – SCALEHOUSE
THE SUM OF \$10,000 FROM ACCOUNT NUMBER 10402144-83021- ICE CONTROL MATERIAL
THE SUM OF \$3,000 FROM ACCOUNT NUMBER 10408001-82014N- SNOW REMOVAL**

SERVICES

FOR A TOTAL OF \$39,480 TO ACCOUNT NUMBER 10402144-81004 OVERTIME.

**** MS. STEVENSON MOVED THE FOLLOWING RESOLUTION:**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$26,480 FROM ACCOUNT NUMBER 30445154-907407 – SCALEHOUSE

THE SUM OF \$10,000 FROM ACCOUNT NUMBER 10402144-83021- ICE CONTROL MATERIAL

THE SUM OF \$3,000 FROM ACCOUNT NUMBER 10408001-82014N- SNOW REMOVAL SERVICES

FOR A TOTAL OF \$39,480 TO ACCOUNT NUMBER 10402144-81004 OVERTIME.

**** MR. NIELSEN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$800 FROM ACCOUNT NUMBER 1040514-82013 – SOLID WASTE SERVICES TO ACCOUNT NUMBER 10405154-83007 – OPERATING SUPPLIES

**** MS. SULLIVAN MOVED THE FOLLOWING RESOLUTION:**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$800 FROM ACCOUNT NUMBER 1040514-82013 – SOLID WASTE SERVICES TO ACCOUNT NUMBER 10405154-83007 – OPERATING SUPPLIES

**** MS. STEVENSON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$990 FROM ACCOUNT NUMBER 24848014-82014 – SNOW REMOVAL SERVICES TO ACCOUNT NUMBER 24848014-83005 HEATING FUEL.

**** MR. NIELSEN MOVED THE FOLLOWING RESOLUTION:**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$990 FROM ACCOUNT NUMBER 24848014-82014 – SNOW REMOVAL SERVICES TO ACCOUNT NUMBER 24848014-83005 HEATING FUEL.

**** MR. BAYNE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$520 FROM ACCOUNT NUMBER 104022144-82051 ELECTRICITY TO ACCOUNT NUMBER 10402144-83005 HEATING FUEL.

**** MR. BAYNE MOVED THE FOLLOWING RESOLUTION:**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$520 FROM ACCOUNT NUMBER 104022144-82051 ELECTRICITY TO ACCOUNT NUMBER 10402144-83005 HEATING FUEL.

**** MS. SULLIVAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$556 FROM ACCOUNT NUMBER 24848014-82054 – SEWER USE CHARGES TO ACCOUNT NUMBER 24848014-83001 – OPERATING SUPPLIES.

**** MS. STEVENSON MOVED THE FOLLOWING RESOLUTION:**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$556 FROM ACCOUNT NUMBER 24848014-82054 – SEWER USE CHARGES TO ACCOUNT NUMBER 24848014-83001 – OPERATING SUPPLIES

**** MS. SULLIVAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$9,800 FROM ACCOUNT NUMBER 10407011-82051 – ELECTRICITY TO ACCOUNT NUMBER 10407011-83005 – HEATING FUEL.

**** MR. BAYNE MOVED THE FOLLOWING RESOLUTION:**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$9,800 FROM ACCOUNT NUMBER 10407011-82051 – ELECTRICITY TO ACCOUNT NUMBER 10407011-83005 – HEATING FUEL.

**** MR. NIELSEN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

PLANNING & ZONING COMMISSION

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$975 FROM ACCOUNT NUMBER 10204011-82004 EPC CLERICAL TO

ACCOUNT NUMBER 10202011-82004 P&Z CLERICAL.

**** MS. STEVENSON MOVED THE FOLLOWING RESOLUTION:**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$975 FROM ACCOUNT NUMBER 10204011-82004 EPC CLERICAL TO ACCOUNT NUMBER 10202011-82004 P&Z CLERICAL.

**** MR. BAYNE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

POLICE DEPARTMENT

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$1,500 FROM ACCOUNT NUMBER 19392313082040 – EQUIPMENT REPAIR TO ACCOUNT NUMBER 10302323-83007 – OPERATIG SUPPLIES.

**** MS. SULLIVAN MOVED THE FOLLOWING RESOLUTION:**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$1,500 FROM ACCOUNT NUMBER 19392313082040 – EQUIPMENT REPAIR TO ACCOUNT NUMBER 10302323-83007 – OPERATIG SUPPLIES.

**** MR. NIELSEN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

DARIEN FIRE DEPARTMENT

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$3,500 FROM ACCOUNT NUMBER 10303415-82018 – MEDICAL SERVICES TO ACCOUNT NUMBER 10303415-82040 – MOTORZIED EQUIPMENT REP.

**** MS. SULLIVAN MOVED THE FOLLOWING RESOLUTION:**

RESOLVED:

THAT THE FOLLOWING TRANSFER OF APPROPRIATIONS IS APPROVED FOR REFERRAL TO THE BOARD OF FINANCE

THE SUM OF \$3,500 FROM ACCOUNT NUMBER 10303415-82018 – MEDICAL SERVICES TO ACCOUNT NUMBER 10303415-82040 – MOTORZIED EQUIPMENT REP.

**** MS. STEVENSON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

FIRST SELECTMAN'S REPORT

First Selectman Campbell said that he had spoken with the Weed Beach Committee along with Parks and Recreation to get an update on the building process. The planning needs to be completed. Mr. Bayne said that the Weed Beach Building Committee had met and that the project was 99% shovel ready. There was also a vote to switch to a project manager to complete the project. The committee also discussed regarding when the funding for the project would be released by the Board.

First Selectman Campbell said that he had met with Mr. Flaherty about the recommendations regarding future litigation.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Kilduff said that the grant for the Fire Training facility is still in process. There is also a project for CL&P that is underway.

The Code Red group for the Selectmen is being assembled.

Discussion is also underway for the Safe Rides program.

AGENDA REVIEW.

There were no issues to discuss.

APPOINTMENTS/REAPPOINTMENTS

Consider and take action on the following re-appointments:

a) Robert Baker to the Beautification Commission for a 3 year term beginning on December 1, 2009 and expiring on November 30, 2012.

•• MR. BAYNE MOVED TO APPROVE THE FOLLOWING REAPPOINTMENT:

ROBERT BAKER TO THE BEAUTIFICATION COMMISSION FOR A 3 YEAR TERM BEGINNING ON DECEMBER 1, 2009 AND EXPIRING ON NOVEMBER 30, 2012.

**** MR. NIELSEN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

b) Geoffrey Ball to the Youth Commission for a 3 year term beginning on April 1, 2010 and expiring on March 31, 2010.

**** MS. STEVENSON MOVED TO APPROVE THE FOLLOWING REAPPOINTMENT:**

GEOFFREY BALL TO THE YOUTH COMMISSION FOR A 3 YEAR TERM BEGINNING ON APRIL 1, 2010 AND EXPIRING ON MARCH 31, 2010.

**** MR. NIELSEN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Regular Meeting of April 5, 2010

Ms. Sullivan said that she had not yet reviewed the video of the meeting for clarification of the discussion. The minutes will remain as tabled.

Regular Meeting of May 3, 2010

The following corrections were noted:

Page 1, under **PUBLIC COMMENT**, paragraph 3, line 3: please change “Mr. Coyne stated that due” to “Ms. Coyne stated that due”

Page 1, under **PUBLIC COMMENT**, paragraph 3, line 5: please remove the extra period following the word “circumstances”

Page 2, paragraph 1, line 4: please change the following from “ Bob at Public Works” to “Mr. Steeger at Public Works”

Page 2, under **NEW BUSINESS**, paragraph 1, line 4: please change the following from:

“but did not agree to match the funding for the replacement of the bridge yet Mayor Moccia has stated that he is in receipt of correspondence that Norwalk is expecting Darien to match the funds for the bridge replacement”

To: “but did not agree to match the funding for the replacement of the bridge. Yet Mayor Moccia has stated that he is in receipt of correspondence and that Norwalk is expecting Darien to match the funds for the bridge replacement.”

Page 2, under **NEW BUSINESS**, paragraph 2: please replace the following paragraph:

Mr. Bayne asked if we had heard back from Norwalk since Mayor Moccia put his foot in his mouth, and First Selectman Campbell replied no. Ms. Sullivan asked if there was any paperwork done, and First Selectman Campbell replied no. Mr. Bayne asked when Mayor Moccia had contacted him. First Selectman Campbell replied in March, but there was no budget or formal plan and added that Mr. Steeger had pulled it out of the budget since there was no concrete plan and in view of other more pressing capital budget needs for the Town. Mr. Nielsen stated that Hoyt Street is a more pressing issue.

With: Ms. Sullivan asked if there was any paperwork on the proposal and First Selectman Campbell replied no. Mr. Bayne asked when Mayor Moccia had contacted him. First Selectman Campbell replied in early March, but there was no budget or formal plan and added that Mr. Steeger had pulled it out of the budget since there was no concrete plan and in view of other more pressing capital budget needs for the Town. Mr. Bayne stated that Hoyt Street is a more pressing issue.

Page 2, under **NEW BUSINESS**, paragraph 3, line 1: please change the following from:

“Mr. Bayne asked if there was any public safety or health issue or any reports done from an engineer, or if Mr. Steeger had ever gone under and evaluated the conditions.”

To: “Mr. Bayne asked if there was any public safety or health issue or if Mr. Steeger had ever gone under and evaluated the conditions.”

Page 2, under **NEW BUSINESS**, paragraph 4: please replace the following:

“Mr. Bayne asked why this was not included in the March 22 meeting, and First Selectman Campbell replied that it was such a small issue that he did not feel it was critical after all these years to bring it forth, especially in the absence of a formal proposal. Mr. Bayne stated that if there was an e-mail exchange with Mayor Moccia, it should have been included in the First Selectman’s report.”

With: “Mr. Bayne asked why this was not included in the March 22 meeting discussing capital projects, and First Selectman Campbell replied that it was such a small issue that he did not feel it was critical after all these years to bring it forth, especially in the absence of a formal proposal. Mr. Bayne stated that if there was an e-mail exchange with

Mayor Moccia in which the First Selectman agreed to bond the money for the project then it should have been included in the First Selectman's report."

Page 3, paragraph 2, please replace the following:

First Selectman Campbell stated that he finds it fascinating that back in 2002 when state funds were available and not used, the issue was not resolved, and noted that back in the 1960's the City of Norwalk tried to disown the bridge.

With: First Selectman Campbell stated that he finds it fascinating that back in 2007 when state funds were available and not used, the issue was not resolved, and noted that back in the 1960's the Town of Darien tried to disown the bridge.

Page 3, under Agenda Item c, paragraph 1, line 2, please change the following from:

"notification system is in place and stated that it be noted that the concurrent system is in development."

To: notification system is in place and Mr. Kilduff stated that the system is in development."

Page 3, under Agenda Item d, paragraph 2, line 1: please change the following from:

"Mr. Bayne asked what group does this Commission report to and First Selectman Campbell stated that it exists as an advisory Board that they are accountable to the Department of Public Works and the Board of Selectmen. He added that previously there were two groups one with Dot Kelly and an impromptu group, and maybe there needs to be an ordinance to cover liability with a tree that falls and the tree warden has defined authority as independently sanctioned."

With: "The question was raised regarding which group this Commission report to and First Selectman Campbell stated that it exists as an advisory Board that they are accountable to the Department of Public Works and the Board of Selectmen. Ms. Sullivan added that previously there were two groups one with Dot Kelly and an impromptu group."

Page 4, paragraph 1, line 3: please change the following from:

"Mr. Bayne stated that they should insist on quarterly reports and a forced adherence to the outline as a discipline to their charge. He added that a tree inventory is a huge task and expensive endeavor."

To: "Mr. Bayne stated that the Board of Selectmen might insist on quarterly reports as a discipline to their charge. First Selectmen Campbell added that a tree inventory is a huge task and expensive endeavor."

Page 4, paragraph 2, please delete the following: "Mr. Kilduff added a comment to be mindful to

the scope of authority for fiscal reporting for Commissions.”

Page 5, under **FIRST SELECTMAN’S REPORT**, paragraph 2, line 3: please change “Dr. Kara” to “Dr. Cara”.

Page 5, under **FIRST SELECTMAN’S REPORT**, paragraph 3, please replace the following:

Mr. Bayne asked if there was any contact with Mr. Colder regarding underground drainage detention, and First Selectman Campbell replied that there will be a meeting with Planning and Zoning in June. Mr. Bayne asked if they are looking at including the underground drainage proposal on the agenda, and First Selectman Campbell replied that the \$55,000 has been put on hold.

With: Mr. Bayne asked if there was any contact with Mr. Golden regarding underground drainage detention since the April 5 Board of Selectmen meeting. First Selectman Campbell replied that there had not, but Mr. Golden is expected to bring an application for the redevelopment of Noroton Heights to Planning and Zoning in June. Mr. Bayne asked if in his proposal Mr. Golden is looking at including the underground drainage proposal on the agenda, and First Selectman Campbell replied that the \$55,000 has been put on hold.”

Page 6, paragraph 3, line 1: please change “Mr. Bayne stated” to “Mr. Bayne requested”

Page 6, under Administrative Officer’s Report, paragraph 4: please replace the following:

Ms. Stevenson asked if other establishments were evaluated relative to outdoor dining insurance requirements, and Mr. Kilduff replied that the Melting Pot has a common area. Mr. Bayne asked what other towns do regarding outdoor dining, and Mr. Nielsen stated that the insurance company should know about municipality practices for outdoor dining. Mr. Kilduff stated that the issue is if there is a public right of way or easement, and the city has no property interest. Mr. Bayne stated that he tends to believe that the insurance requirements address the concerns regarding liability.

With: Ms. Stevenson asked if other establishments were being evaluated relative to outdoor dining insurance requirements, and Mr. Kilduff replied that the Melting Pot has a common area that would be on a future agenda. Mr. Bayne asked what other towns do regarding outdoor dining, and Mr. Nielsen stated that Darien’s insurance agent should know about common insurance practices for outdoor dining. Mr. Kilduff stated that the issue is if there is a public right of way or easement, and the city has no property interest.

Page 7, paragraph 1, line 3: please change the following from: “know that it is insufficient” to “know if the insurance limits are insufficient”

Page 7, paragraph 2, line 2: please change “Mr. Bayne” to “First Selectman Campbell”

Page 7, under **AGENDA REVIEW**, please omit the following paragraph:

Ms. Sullivan asked if Mr. Goodyear's letter regarding Weed Beach was addressed and if it should be put on the agenda as an action item. First Selectman Campbell stated that he is not ready to do this yet as there is a meeting this week to wrap up the next steps involved with the completion of the project. He added that it will be added to the agenda soon, but not before next week.

Page 8, paragraph 1, line 1: please change the following from:

“Mr. Bayne asked if anyone on the Board has interviewed the personnel on the Tree commission”

To: “Mr. Bayne asked if anyone on the Board could interview the personnel on the Tree commission”

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

**** MS. SULLIVAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

FORTHCOMING MEETINGS

May 18, 2010	Board of Finance Regular Meeting at 7:30 p.m.
May 19, 2010	Park & Recreation Commission Regular Meeting at 7:30 p.m.
May 25, 2010	Planning and Zoning Commission Public Hearing at 8:00 p.m.
May 25, 2010	Board of Education Regular Meeting at 7:30 p.m.
June 1, 2010	Planning and Zoning Commission Planning Meeting at 8:00 p.m.
June 7, 2010	Board of Selectmen Regular Meeting at 7:45 p.m.

OTHER BUSINESS

There was no additional business to discuss at this time.

ADJOURNMENT

**** MR. BAYNE MOVED TO ADJOURN.**

**** MS. SULLIVAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

Town of Darien
Board of Selectmen
Regular Meeting
May 17, 2010
Page PAGE 1