

**TOWN OF DARIEN  
BOARD OF SELECTMEN  
MAY 16, 2016**

ATTENDANCE: First Selectman Jayme Stevenson; Robert Richard, Susan Marks, Marc Thorne, Charles Koons

STAFF: Kate Clarke Buch, Town Administrator

OTHERS: Edward Gentile, Director of Public Works, Shaun Volin, Greg Karas

CALL TO ORDER

First Selectman Stevenson called the meeting to order at 7:00 p.m. and led the assembly in the pledge of allegiance.

Public Comment – None

FIRST SELECTMAN'S REPORT

First Selectman Stevenson read her report and provided it for the record, as follows:

First Selectman's Report  
May 16, 2016

- On Friday, May 13<sup>th</sup> the CT Legislature narrowly approved adjustments to the state's biennium budget. The Town of Darien is budgeted to receive the following funds for FY 17:
  - ECS = \$775,533 (down from \$1,372,149 from FY 16)
  - MRSA = \$171,485
  - Town Aid Road = \$336,590 (level funded)
  - LoCIP = \$112,832 (level funded)
  - Pequot-Mohegan Grant = \$9,241 (down \$467)
  - Public School Transportation = 0 (down from \$252)
  - PILOT = 0 (down from \$108,952)
- Offer Congratulations to Pete Solheim who was honored on May 4<sup>th</sup> by the Home Builders and Remodelers Association of Fairfield County as Chief Building Official of the Year and to building inspector Gary Willson for receiving his Building Official license.
- Governor Malloy has proclaimed this week to be Public Works Week so I take this opportunity to thank Mr. Ed Gentile and his staff for the outstanding work they do for our community.
- Business Update

This year, 5 downtown businesses have closed with one more due to close soon due to weak sales. On the positive side, we have gained 8 new businesses this year. By shopping and dining locally when you can, you help to insure the success of our downtown.

## TOWN ADMINISTRATOR'S REPORT

Ms. Buch reported on the review of revenue items that would take place over the summer. It would be addressed with the department heads in the staff meeting tomorrow, Tuesday May 17<sup>th</sup>. Ms. Buch said she would ask the Board to discuss fee setting so that any proposed rate changes could be in place for the fiscal 2018 year.

Ms. Marks asked that when the allocation of fees were made, would they distinguish between which ones require public hearings before changing and which would not? Ms. Buch replied that it would.

### New Business

#### Discuss and Take Action on:

- a) Discuss and Take Action on Request to approve the Darien Community Fund sponsored 37<sup>th</sup> Annual Darien Road Race on September 11, 2016, subject to the requirements of the Darien Police Department.

**\*\* MR. RICHARDS MOVED TO APPROVE THE REQUEST.**  
**\*\* MR. THORNE SECONDED THE MOTION.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

Ms. Marks commented that in the past, they have seen snow in November and that would need to be taken into consideration. First Selectman Stevenson advised that the date, September 11<sup>th</sup> would be addressed and commemorated.

- b) Discuss and Take Action on Request to approve the St. Luke's Road Race on November 6<sup>th</sup>, 2016.

Barry McMaster spoke briefly to the event, stating the cause of the event would be to raise money and help support their outreach in Cuba.

**\*\* MR. THORNE MOVED TO APPROVE THE REQUEST.**  
**\*\* MR. RICHARDS SECONDED THE MOTION.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

- c) Discuss and Take Action to change name of Recycling Center Advisory Committee to the Energy and Recycling Advisory Committee.

**\*\* MR. KOONS MOVED TO APPROVE THE REQUEST.**  
**\*\* MS. MARKS SECONDED THE MOTION.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

- d) Discuss and Take Action on Request to approve settlement of the case of The Stop and Shop Supermarket Company, LLC. V. Town of Darien to amend the Fair Market Value of the property to \$10,805,300 from \$11,205,300, effective with the Grand List of October 1, 2013, in accordance with the Stipulation for Judgment.

**\*\* MR. RICHARDS MOVED TO APPROVE THE REQUEST.**  
**\*\* MS. MARKS SECONDED THE MOTION.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

- e) Discuss and Take Action on Request to approve settlement of the case of Zotos v. Town of Darien to amend the Fair Market Value of the property of \$18,393,500 from \$18,893,800, effective with the Grand List of October 1, 2015, in accordance with a Stipulation of Judgment.

**\*\* MS. MARKS MOVED TO APPROVE THE REQUEST.**  
**\*\* MR. THORNE SECONDED THE MOTION.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

- f) Discuss and Take Action to approve Appropriation and Authorization to bond for Public Works Garage Design Development phase.

First Selectman Stevenson introduced Mr. Edward Gentile, here to ask for \$230,000 to move forward with the development of construction plans, design costs, professional services and contingency, administrative and costs related to the project and outlined in the Resolution provided to the Committee.

First Selectman Stevenson asked what the proposed timing would be of the next phase along and what percentage of the \$230,000 is being set aside for contingency? Mr. Gentile advised the design would be started in June and ready to bid out by December. They plan to break ground in April and there is \$50,000 allocated to contingency in the design.

Ms. Buch commented that if The Board of Finance wanted to bond this portion of the project, this resolution must be passes. First Selectman Stevenson focused on some language in section 5 of the resolution, “not later than 18 month after the later date...” and questioned what this referred to. Ms. Buch advised this refers to the initial part of project, not the following garage portion.

First Selectman Stevenson asked if they were confident that when 230,000 was spent, that they would have a bond offering that could be moved directly into. Ms. Buch replied that, yes, should they choose to bond.

Mr. Koons asked that in the meantime do they have a note provision as part of resolution. Ms. Buch confirmed this was true.

First Selectman Stevenson directed her question to Mr. Gentile, asking that he speak in more detail about the relocation of the fuel tanks, as this was something not expressed publicly. What existed now were two 2000-gallon tanks and what size tank had the Police Department been fueling from. Mr. Gentile advised they had gone from a 10,000 gallon tank to currently, the one 2000 tank and that at times the tank needed to be refilled twice a week.

First Selectman Stevenson then brought up concerns of what happens in poor weather and there is heavy usage of Town vehicles, how often would the tanks have to be refilled? Mr. Gentile advised once per week for the diesel tank and twice for regular and during preparation for a

storm, the tanks were often topped off. He commented that the new 4000-gallon capacity would place them in a better position.

Ms. Marks asked if every vehicle; Police Department, Fire Department etc. come to fuel? Mr. Gentile advised yes, every day.

First Selectman Stevenson commented that a fuel consumption accounting system had been put in place and resulted in significance savings for the town. She thanked Mr. Gentile for this improvement.

Mr. Thorne then asked that with this scale of a project, would it be appropriate to assign a Building Committee or Project Manager? Mr. Gentile replied that absolutely and there have been talks about doing this.

Mr. Koons recommend that a Building Committee be involved in this early stage. Mr. Gentile advised they planned to put a group in place just after signing the contract and before the first meeting. He believes that knowledge from different areas will be critical to the project.

Mr. Richards asked who would be in charge of putting the Committee together. First Selectman Stevenson advised it would be they, the Board of Selectmen. Mr. Gentile asked that the selection be made my mid-June.

Mr. Koons then referred back to the budgets that were going to be worked on for next year. Would there be allocation of operating costs within the budgets. Ms. Buch asked if he was referring to the operating costs of garage. Mr. Koons confirmed. Ms. Buch advised that costs are not split between Park and Recreation and Public Works. First Selectman Stevenson advised they could speak more to that.

First Selectman Stevenson addressed any public tuning, stating that the town would be in need of expertise to serve on the Building Committee and everyone is welcome. They also have projects for a cafeteria extension at the high school and possibly a Weed Beach project, so they will be challenged for help.

Mr. Richards asked if there would be one committee, or three: one for each project. First Selectman Stevenson replied that she had concerns that a standing committee could handle three projects at once and this would need to be addressed further.

**\*\* MS. MARKS MOVED TO APPROVE THE REQUEST.**

**\*\* MR. RICHARDS SECONDED THE MOTION.**

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

g) Transfers:

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

<u>From:</u>			<u>To:</u>		
Acct. Number	Account Name	Amount	Acct. Number	Account Name	Amount
30111014-908600	BOF Contingency	\$408,282.00	30441014-916026	Street Light Acquisition	\$408,282.00
	<b>TOTAL</b>	<b>\$408,282.00</b>		<b>TOTAL</b>	<b>\$408,282.00</b>

First Selectman Stevenson asked Mr. Gentile to confirm that ultimately the Town would get back \$85,000 in rebates from utility company and when would the rebate be received? Mr. Gentile confirmed and advised the rebate would be received once the project was accepted as completed.

First Selectman Stevenson wanted to make clear that while the project sounds expensive, there would be a less than three-year payback with converting to LED lights. Mr. Gentile stressed that they need to move forward with the project now in order to benefit from the rebates the paperwork dictated. Deadlines need to be met; otherwise the price may become invalid and would increase.

Mr. Richards asked if this would cover all lights already in town. Mr. Gentile replied that this would be purchasing all lights owned by Eversource. Mr. Richards asked if an audit would be done of all existing lights to make sure they were necessary. Mr. Gentile advised this would be the first step.

Ms. Buch commented there is also an opportunity as part of the design to change lighting and some savings could come from this. Mr. Gentile explained the LED lights would minimize light pollution and would not be tinted.

Mr. Thorne commented that sodium lights are yellow; would the LED be blue or white? Mr. Gentile advised they would be choosing from a heat index, which would decide the color of the light. They plan to stay in the 4000 to 3500 range, which results in a brighter light, but not blue.

First Selectman Stevenson asked if there could be samples set so the colors could be seen before a decision is made. Mr. Gentile advised they would make every effort so the difference could be seen side by side.

Mr. Thorne remembered from a prior presentation that there was a possibility of computer control? Did we take option? Mr. Gentile advised the new fixtures have capability, but would not be put into action at this time due to cost. Technology needs to get a little better in order to take this step.

**\*\* MR. KOONS MOVED TO APPROVE THE REQUEST.**  
**\*\* MR. RICHARDS SECONDED THE MOTION.**  
**\*\* MOTION PASSED UNANIMOUSLY.**

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

From:			To:		
Acct. Number	Account Name	Amount	Acct. Number	Account Name	Amount
30111014-908600	BOF Contingency	\$15,319	30333444-916805	Repair old drill tower	\$15,319
	<b>TOTAL</b>	<b>15,319</b>		<b>TOTAL</b>	<b>15,319</b>

Shaun Volin, Chairman Board of Fire Commissioners reported on the request for additional monies to repair the drill tower. They are requesting \$15,319 for unforeseen damages.

Mr. Koons went through the original budget of \$87,000, and then it was approved to \$99,000... Ms. Buch clarified that when the project went to bid, the costs came in higher and a previous transfer had been approved, increasing the higher budget to \$99,000.

Mr. Volin advised they put in a contingency of \$3,000, and that brought it up to \$102,000, in addition they are keeping a contingency for engineering costs.

Ms. Marks was trying to recall back to the first presentation and asked how often the tower is used and do other towns use it. Mr. Volin advised they do allow other towns to use the tower, but as of 2 years ago, it was not being used at all due to the repairs needed but it could potentially be used as much as three times a week.

First Selectman Stevenson asked how often other communities used the facility. Mr. Volin replied with about five or six times a year. First Selectman Stevenson then asked if this would then be considered a regional asset. Mr. Greg Karas advised that Connecticut had pulled funding on ongoing construction and there were no other close burn buildings around.

First Selectman Stevenson noted she was open and encouraged the sharing of assets, but wants them to explore a fee that could be charged if the other towns come and use it. She would like to be conscious of the wear and tear from those who aren't Darien taxpayers.

Mr. Thorne asked how long could they expect the tower to last once it is repaired. Mr. Volin answered with, twenty-plus years.

**\*\* MR. THORNE MOVED TO APPROVE THE REQUEST.**

**\*\* MS. MARKS SECONDED THE MOTION.  
\*\* MOTION PASSED UNANIMOUSLY.**

#### APPOINTMENTS/REAPPOINTMENTS

Consider and take action on the following appointment:

a) Catherine Beckmann to the Advisory Committee on Darien Government Access TV for a 1-year term from January 1, 2016 to December 31, 2016.

Consider and take action on the following reappointment:

b) Elizabeth Geiger to the Architectural Review Board as a full member for a 4-year term beginning on July 1, 2015 and expiring on June 30, 2019.

**\*\* MR. RICHARDS MOVED TO APPROVE THE REQUEST.  
\*\* MS. MARKS SECONDED THE MOTION.  
\*\* MOTION PASSED WITH ONE ABSTENTION (MR. KOONS).**

#### AGENDA REVIEW

Mr. Thorne asked when they could expect a report for the Fire Departments' trial period with CMed for dispatch services. Ms. Buch advised it was started on May 1<sup>st</sup> so there could be a report by June 6<sup>th</sup>.

Mr. Thorne referred back to the EMS Study and asked where we stand on RFP? Ms. Buch has the samples, and could report further perhaps at the next meeting.

Mr. Thorne asked about the Hecker requisition. Ms. Buch advised there were a lot of legal hurdles. The Land Trust asked for language to be added to their Easement. It then had to be forwarded to the State, which in turn, had questions. The State will have to accept language in their conservation easement.

#### APPROVAL OF MINUTES

1. Special Meeting of April 4, 2016.

**\*\* MR. KOONS MOVED TO APPROVE THE MINUTES.  
\*\* MR. RICHARDS SECONDED THE MOTION.  
\*\* MOTION PASSED UNANIMOUSLY.**

2. Regular Meeting of April 4, 2016.

Mr. Koons noted page two, it wasn't clear on public comment what the 30.7% was referring to. Ms. Buch will go back and add it to the minutes.

**\*\* MS. MARKS MOVED TO APPROVE THE MINUTES AS AMENDED.  
\*\* MR. RICHARDS SECONDED THE MOTION.  
\*\* MOTION PASSED UNANIMOUSLY.**

3. Regular Meeting of April 18, 2016.

Mr. Richards read from page three, the last paragraph – he submitted an amendment to Ms. Buch and read aloud.

**\*\* MR. KOONS MOVED TO APPROVE THE MINUTES AS AMENDED.  
\*\* MR. RICHARDS SECONDED THE MOTION.  
\*\* MOTION PASSED UNANIMOUSLY.**

4. Regular Meeting of May 2, 2016.

Mr. Koons gave comments on page 2 and submitted and read amendment aloud.

**\*\* MR. RICHARDS MOVED TO APPROVE THE MINUTES AS AMENDMED.  
\*\* MS. MARKS SECONDED THE MOTION.  
\*\* MOTION PASSED UNANIMOUSLY.**

5. Executive Session of May 2, 2016

**\*\* MR. KOONS MOVED TO APPROVE THE MINUTES.  
\*\* MR. THORNE SECONDED THE MOTION.  
\*\* MOTION PASSED UNANIMOUSLY.**

Adjournment

**\*\* MR. THORNE MOVED TO ADJOURN THE MEETING.  
\*\* MR. RICHARDS SECONDED THE MOTION.  
\*\* MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 7:55 p.m.

Respectfully submitted,  
Leah Mink  
Telesco Secretarial Services