

**MINUTES
REPRESENTATIVE TOWN MEETING
JUNE 9, 2014**

**RECEIVED
JUN 16 2014
TOWN CLERK'S OFFICE
DARIEN CT.**

CALL TO ORDER

A Regular meeting of the Representative Town Meeting was called to order at 8:05 p.m. by Donna Rajczewski, Town Clerk.

Upon Roll Call, the following members were present:

From District I, there were 10 members present, 3 absent.
From District II, there were 15 members present, 2 absent.
From District III, there were 12 members present, 3 absent.
From District IV, there were 14 members present, 2 absent.
From District V, there were 14 members present, 3 absent.
From District VI, there were 14 members present, 3 absent.

The absentees from District I were: Buchesky, DuPont, Kelly.
The absentees from District II were: Ebrahimi, Mundt.
The absentees from District III were: Camuti, Hegarty, Larkins.
The absentees from District IV were: Morrison, Rayhill.
The absentees from District V were: Boulton, Burke, Coyne.
The absentees from District VI were: Ball, McLean, Plehaty.

The Moderator, Sarah Seelye, assumed the Chair.

ACCEPTANCE OF THE AGENDA

**** THE AGENDA WAS ACCEPTED BY UNIVERSAL CONSENT.**

APPROVAL OF THE MINUTES OF THE MAY 12, 2014 BUDGET MEETING

**** THE MINUTES WERE ACCEPTED BY UNIVERSAL CONSENT.**

ANNOUNCEMENTS

There will be a Freedom of Information conference on June 25th in Town Hall from 6 p.m. to 9 p.m.

14-14

CONSIDERATION AND ACTION ON ACCEPTANCE OF A GIFT OF \$38,095 FROM THE GARDEN CLUB OF DARIEN FOR AN ENTRY GARDEN AT CHERRY LAWN PARK

**** CHERYL RUSSELL, DISTRICT V, CHAIRMAN OF THE PARKS & RECREATION, MOVED:**

WHEREAS, pursuant to Section 2-33 of the Code of the Town of Darien, the Board of Selectman is empowered on behalf of the Town of Darien to accept gifts, provided gifts do not have a value in excess of Ten Thousand and 00/100 (\$10,000.00); and

WHEREAS, pursuant to Section 2-33a of the Code of the Town of Darien, said gifts in excess of Ten Thousand and 00/100 Dollars (\$10,000), may be accepted with action by the Representative Town Meeting of the Town of Darien; and

WHEREAS, the Darien Parks & Recreation Commission has moved to accept a gift from the Garden Club of Darien which would provide for the installation of a planted entry garden to Cherry Lawn Park; and

WHEREAS, the Board of Selectmen wishes to accept this gift;

NOW THEREFORE BE IT RESOLVED that the Representative Town Meeting of the Town of Darien approves and authorizes the acceptance, with thanks, of the gift from the Garden Club of Darien worth Thirty-eight Thousand, Ninety-five dollars and 00/100 (\$38,095.00) for an entry garden to Cherry Lawn Park.

**** THE MOTION WAS SECONDED FROM THE FLOOR.**

Cheryl Russell, District V, read the report of the Parks & Recreation Committee (attached).

James Palen, District VI, Chairman of the Finance & Budget Committee, read that committee's report (attached).

**** ITEM 14-14 CARRIED ON A STANDING TALLY VOTE OF 77 IN FAVOR, 0 OPPOSED, 1 ABSTENTION.**

14-15

CONSIDERATION AND ACTION ON ACCEPTANCE OF A GIFT OF \$4,000,000 FROM THE DARIEN ATHLETIC FOUNDATION FOR NEW TURF FIELDS AT DARIEN HIGH SCHOOL

**** DENNIS MARONEY, DISTRICT III, CHAIRMAN OF THE EDUCATION COMMITTEE, MOVED:**

WHEREAS, pursuant to Section 2-33 of the Code of Town of Darien, the Board of Selectman is empowered on behalf of the Town of Darien to accept gifts, provided gifts do not have a value in excess of Ten Thousand and 00/100 (\$10,000.00); and

WHEREAS, pursuant to Section 2-33a of the Code of the Town of Darien, said gifts in excess of Ten Thousand and 00/100 Dollars (\$10,000), may be accepted with action by the Representative Town Meeting of the Town of Darien; and

WHEREAS, the Darien Board of Education has requested acceptance of a gift from the Darien Athletic Foundation which would provide for artificial turf fields at Darien High School; and

WHEREAS, the Board of Selectmen support the acceptance of this gift.

NOW, THEREFORE BE IT RESOLVED that the Representative Town Meeting of the Town of Darien hereby authorizes, with thanks, the acceptance of this gift worth Four Million and 00/100 (\$4,000,000.00) dollars from the Darien Athletic Foundation for artificial turf fields at Darien High School.

**** THE MOTION WAS SECONDED FROM THE FLOOR.**

**** DENNIS MARONEY, DISTRICT III, MOVED TO AMEND BY ADDING "AND RELATED SITE DEVELOPMENT ACTIVITIES" IN THE LAST PARAGRAPH, AFTER "TURF FIELDS". (14-15A).**

**** THE MOTION TO AMEND WAS SECONDED FROM THE FLOOR.**

Seth Morton, District III, asked if the \$4,000,000 included the amendment, and the Moderator said it did.

**** ITEM 14-15A CARRIED ON A RISING TALLY VOTE OF 72 IN FAVOR, 0 OPPOSED, 4 ABSTENTIONS.**

Dennis Maroney, District III, read the report of the Education Committee (attached).

James Palen, District VI, Chairman of the Finance & Budget Committee, read the committee report (attached).

James Patrick, District V, Chairman of the Public Health & Safety Committee, read that committee's report (attached).

**** FREDERICK CONZE, DISTRICT I, MOVED THE FOLLOWING AMENDMENT:**

Whereas, the newly constructed Darien High School was opened in 2005 based on a site plan including buildings, athletic fields, parking and traffic flow for its use as an educational facility;

Whereas, the intensity of use of the Darien High School facility has increased dramatically since its construction due to its use as a town sports and community center; and,

Whereas, the approved 2005 site plan is no longer valid due to the increased vehicular and pedestrian traffic and various site improvements resulting from the increase in the use of the facility; and,

Whereas, no master plan for this heavily used site exists or is planned to be undertaken to address the inadequacies of this site resulting from its substantially increased use since its construction ten years ago; and

Whereas, pursuant to Section 2-33 of the Code of the Town of Darien, the Board of Selectmen is empowered on behalf of the Town of Darien to accept gifts, provided gifts do not have a value in excess of Ten Thousand and 00/100 dollars (\$10,000.00); and,

Whereas, pursuant to Section 2-33a of the Code of the Town of Darien, said gifts of Ten Thousand and 00/100 dollars (\$10,000), may be accepted with action by the Representative Town Meeting of the Town of Darien; and,

Whereas, the Darien Board of Education has requested acceptance of a gift from the Darien Athletic Foundation which would provide for artificial turf fields at the Darien High School; and,

Whereas, the Board of Selectmen support the acceptance of the gift,

Richard S. DeLuca
Acting

Now, Therefore be it resolved that the Representative Town Meeting of the Town of Darien hereby authorizes, with thanks, the acceptance of this gift worth Four Million and 00/100 (\$4,000,000) dollars from the Darien Athletic Foundation for artificial turf fields at the Darien High School, subject to the submission and approval by the Representative Town Meeting of a commitment by the Selectmen to undertake a master plan for the High School property. This commitment will include providing the financial resources to engage the requisite consultants to complete the plan as well the public hearings for its approval under the Special Use Permit provisions of the Darien Planning and Zoning Regulations. The master plan will be made part of the 2015 Darien Plan of Conservation and Development.

Now, therefore, be it also resolved the turfing of the athletic fields may be undertaken with the approval of the Planning & Zoning Commission concurrently with the development of the master plan.

** THE MOTION WAS SECONDED FROM THE FLOOR.

Mr. Conze said that in 2004-05, this was presented as a fait accompli, but usage has increased greatly since that time, and the town has liability. He suggested that the Selectmen look into all of the issues, especially from a safety viewpoint.

Joanne Hennesey, District V, asked if this could be voted on tonight because this amendment requires the Selectmen to take action first. Mr. Conze said he had no problem with amending his amendment. The Selectmen should initiate a Master Plan.

The Moderator pointed out that this amendment says "subject to a commitment by the Board of Selectmen." The RTM cannot vote on this without a vote by the Selectmen.

First Selectman Stevenson said they would not be in the position this evening to agree to that; they would have to convene a meeting of the Board of Selectmen. She said that Mr. Conze had said that the 2005 site plan was no longer valid. She asked for a ruling from Town Counsel as to precedence.

Susan LeHan, District V, asked for a definition of a site plan as opposed to traffic studies. Steve Olvany, P&Z Commission, said that a site plan is a full, detailed document.

Holly Schulz-Amatruda, District III, said she liked the idea of a master plan. It might show a better way to use the site.

Jack Davis, District III, said part of what was just asked for is already in the budget. There was \$150,000 put in to start this initiative. Requesting this in addition is doubling up on what is already in process. The Moderator clarified that this was the \$150,000 just approved in the Selectmen's budget for consulting services for the Town Plan of Conservation and Development, which could include the review of a master plan of the high school.

Joanne Hennesey, District V, said they should separate out the planning and acceptance of this gift. They should then look into a plan, so that the gift is not held up.

John Sini, P&Z Commission, said that on April 8th, P&Z adopted a resolution. When they reviewed the site, they did it as a valid site review plan. The P&Z Commission should have the say over what goes into the town plan.

Nina Miller, District II, said she was in awe of the generosity of the Darien Athletic Association, but said they are in the middle of a mental health crisis in this town. She said that the DAF should donate a percentage of the \$4,000,000 to Kids in Crisis.

Eugene Coyle, District III, said he had great respect for Mr. Conze, but he disagreed with him.

**** EUGENE COYLE, DISTRICT III, CALLED THE QUESTION.**

**** THE MOTION WAS SECONDED FROM THE FLOOR.**

**** THE MOTION PASSED BY VOICE VOTE.**

**** ITEM 14-15B (MR. CONZE'S AMENDMENT) FAILED ON A STANDING TALLY VOTE OF 20 IN FAVOR, 54 OPPOSED, 3 ABSTENTIONS.**

**** ITEM 14-15, AS AMENDED, CARRIED ON A STANDING TALLY VOTE OF 60 IN FAVOR, 15 OPPOSED, 2 ABSTENTIONS.**

**CONSIDERATION AND ACTION ON AN ORDINANCE APPROVING THE
FORMATION OF A REGIONAL COUNCIL OF GOVERNMENTS (COG)**

**** FRANK KEMP, DISTRICT IV, CHAIRMAN OF TGS&A, MOVED:**

WHEREAS, the municipalities of Fairfield County are considering the formation of the Western Connecticut Regional Council of Governments; and

WHEREAS, the Connecticut General Statutes require that any such approval be done by ordinance and adopted by the Legislative body of the municipality;

NOW THEREFORE BE IT RESOLVED that the Representative Town Meeting of the Town of Darien approves the ordinance, attached hereto and made a part hereof, authorizing the Town of Darien to join the Western Connecticut Regional Council of Governments.

**ORDINANCE AUTHORIZING TOWN OF DARIEN TO JOIN
THE WESTERN CONNECTICUT REGIONAL COUNCIL OF GOVERNMENTS**

Sec. 1. The Town of Darien hereby agrees to join the Western Connecticut Regional Council of Governments, pursuant to G.S. §4-124i through 4-124p, as amended.

Sec. 2. The Town of Darien will join the Western Connecticut Regional Council of Governments when and as such Council is duly established in accordance with said statutes. Western Connecticut Regional Council of Governments may be duly established if sixty (60%) percent of all municipalities within the new planning region vote to join the new Western Connecticut Regional Council of Governments and upon certification by the Secretary of the Office of Policy and Management that a Regional Council of Governments has been duly established.

Sec. 3. The first selectman shall represent the Town of Darien on the Western Connecticut Regional Council of Governments. In addition, the Board of Selectmen shall appoint one of its members as an alternate representative. The alternate shall serve a term of two (2) years or for the balance of the term of their elected office, whichever is less.

Sec. 4. Upon the establishment of the Western Connecticut Regional Council of Governments and the expiration of a transitional period provided for in G.S. 4-124l, the Town does hereby rescind the ordinance of January 15, 1962 and any amendments thereto, that authorized the Town's participation in the South Western Regional Planning Agency. Specifically, Chapter 54, Article III, Sec. 54-41 to 54 - 43.

**** THE MOTION WAS SECONDED FROM THE FLOOR.**

Frank Kemp, District IV, read the TGS&A report (attached).

James Patrick, District V, Chairman of the Public Health m& Safety Committee, read the committee report (attached).

Joanne Hennesy, District V, Chairman of the PZ&H Committee, said they met tonight, with 10 of 14 members present. They raised questions and concerns about opting out, the pro rata distribution of funds, the region being too large and needing more information. The Committee vote was 2 in favor, 5 opposed, 3 abstentions.

First Selectman Jayme Stevenson read her comments (attached) and introduced Dr. Floyd Lapp, Executive Director of SWRPA and Pat Settlemeyer, a 12-year member of SWRPA.

Mr. Settlemeyer, a member of the Greenwich RTM, said that on January 1, 2013, they converted to a COG by a vote of 166-8. The SWRPA dues are \$23,000 per year, but the new benefits are in the area of \$250,000. There are purchasing efficiencies. He is not aware of any taxing authority. There would be no increase in the dues assessed to Darien. You can opt out. He encouraged approval.

Dr. Lapp emphasized that there is no choice as of January 1st. This is the best way to go.

First Selectman Stevenson said Darien pays \$7,000, which is a great value. She is working on a subcommittee on the subject of merger.

Diane Conologue, District I, said that some of her questions had been answered. She asked how many of the towns in SWRPA had joined and how many had voted not to join. First Selectman Stevenson said that 5 of the 8 had joined the COG; none have voted not to join. New Canaan and Norwalk still have to vote. Mrs. Conologue asked where the money was coming from. First Selectman Stevenson said the funding comes from state government through the OPM from specific revenue sources.

Spencer McIlmurray, District II, asked, regarding financial initiatives - what do they get and what do they lose? Dr. Lapp said they currently receive \$250,000, a huge increase from \$13,500 in 2013. They will also get 50 cents per capita for the entire region - \$550,000 to \$580,000. That enables them to have substantial funding for regional planning. He cannot think of a down side.

Mr. Settlemeyer said they would not lose outstanding staff. What they will lose is an outstanding volunteer board that has run SWRPA for 15 years. Dr. Lapp said there is a provision in the bylaws for a volunteer regional planning commission.

Mr. McIlmurray said 18-24 months ago, he went to a SWRPA presentation at the Darien Library. There were changes proposed for the Post Road. In this particular structure, what recourse would they have if other members of the COG think there should be changes which Darien does not want? Dr. Lapp said meetings are collegial and bipartisan. This would not create a situation where other municipalities would overtake other towns. First Selectman Stevenson said they have that now. They discuss particular priorities. She also noted that 50 cents per capita for Darien equals \$294,000.

Clara Sartori, District II, said CES also addresses issues related to education. If there is a conflict between the two groups, how will that be resolved? First Selectman Stevenson said there are no conflicts between the different regional entities. Mrs. Sartori asked about the possibility of a

regional school calendar. First Selectman Stevenson said she didn't see a COG making educational decisions.

Robert Young, District V, said he was concerned that they would be giving up things that other communities don't have, such as the Long Island Sound, etc. Dr. Lapp said a lot has changed. They need 14 municipalities. First Selectman Stevenson said what has changed is the law. They have some differences and some commonalities.

Seth Morton, District III, said this is close to root canal for him. They are better off being at the table rather than on the sidelines. If it is untenable, they can get out of it.

Andrew Millar, District IV, asked for a list of the 18 towns. Mr. Settlemeyer listed the following:

Bethel	Norwalk	Greenwich
Stamford	Darien	Newtown
Westport	New Fairfield	New Canaan
Wilton	Sherman	Ridgefield
Bridgewater	Redding	

Dr. Lapp said that Westport, Weston, Wilton, Greenwich and Stamford have voted to adopt.

Jack Davis, District III, said it is interesting that people are objecting that small Darien has the right to object as concerned to larger cities.

**** JACK DAVIS, DISTRICT III, CALLED THE QUESTION.
** THE MOTION WAS SECONDED FROM THE FLOOR.
** MOTION CARRIED BY VOICE VOTE.**

**** ITEM 14-16 CARRIED ON A STANDING TALLY VOTE OF 71 IN FAVOR, 6
OPPOSED, 1 ABSTENTION.**

14-17

CONSIDERATION AND ACTION ON AN APPROPRIATION OF \$587,000 FOR REPLACEMENT OF DARIEN'S FIRE/EMS'POLICE RADIO SYSTEM

**** JAMES PATRICK, DISTRICT V, CHAIRMAN OF THE PUBLIC HEALTH &
SAFETY COMMITTEE, MOVED:**

WHEREAS, as part of the disaster preparedness, a recommendation has been made to capital improvement plans for upgrades to the fire/ems/police radio system and replacement of same.

WHEREAS, funds for this project have been approved by the Town of Darien Board of Selectman and Board of Finance.

NOW, THEREFORE BE IT RESOLVED that a special appropriation in the amount of Five Hundred Eighty-Seven Thousand and 00/100 Dollars (\$587,000.00) is hereby approved by the Representative Town Meeting from the General Fund fund balance to the Reserve for Non-Recurring Capital Expenditure Fund for the fire/ems/police radio system replacement.

**** THE MOTION WAS SECONDED FROM THE FLOOR.**

James Patrick, District V, read the report of the Public Health & Safety Committee (attached).

James Palen, District VI, Chairman of the Finance & Budget Committee, read that committee's report (attached).

Holly Schulz-Amatruda, District III, asked, in light of the new COG structure, if they have reached out to other COG towns to see what systems they use. She also wants to know if this is an uninterrupted power supply.

Police Chief Lovello said there is no existing infrastructure statewide re COG. This is a basic standard simulcast.

**** ITEM 14-17 CARRIED ON A STANDING TALLY VOTE OF 75 IN FAVOR, 1 OPPOSED, 0 ABSTENTIONS.**

14-18

CONSIDERATION AND ACTION ON BOARD OF EDUCATION REQUEST FOR \$807,000 TO COVER UNANTICIPATED EXPENSES RELATED TO SPECIAL EDUCATION SERVICES

**** DENNIS MARONEY, DISTRICT III, CHAIRMAN OF THE EDUCATION COMMITTEE, MOVED:**

WHEREAS, there have been unanticipated expenses incurred by the Darien Board of Education to address issues related to provisions of Special Education in Darien; and

WHEREAS, the Board of Education requests supplemental appropriations for the 2013-2014 school year to cover these expenses.

NOW, THEREFORE BE IT RESOLVED that it is hereby approved a special appropriation in the amount of Eight Hundred and Seven Thousand and 00/100 Dollars (\$807,000.00) to cover the expenses related to the costs associated with the State Complaint regarding Special Education within the Town.

**** THE MOTION WAS SECONDED FROM THE FLOOR.**

Dennis Maroney, District III, read the report of the Education Committee (attached).

James Palen, District VI, Chairman of the Finance & Budget Committee, read the committee report (attached).

**** ITEM 14-18 CARRIED ON A STANDING TALLY VOTE OF 64 IN FAVOR, 3 OPPOSED, 6 ABSTENTIONS.**

**** UPON MOTION MADE AND SECONDED FROM THE FLOOR, IT WAS UNANIMOUSLY VOTED TO ADJOURN AT 10:30 P.M.**

Respectfully submitted,

Cheryl Telesco Blois
Telesco Secretarial Services

APPENDIX

<u>DISTRICT I</u>	<u>(14-14)</u>	<u>(14-15A)</u>	<u>(14-15B)</u>	<u>(14-15)</u> <u>as amended</u>	<u>(14-16)</u>	<u>(14-17)</u>	<u>(14-18)</u>
Buchesky	absent	absent	absent	absent	absent	absent	absent
Bumgardner	yes	yes	no	yes	yes	yes	yes
Conologue	yes	yes	yes	no	no	yes	yes
Conze	yes	yes	yes	yes	yes	yes	yes
Dupont	absent	absent	absent	absent	absent	absent	absent
Dweck	yes	yes	abstain	yes	yes	yes	yes
Glassmeyer	yes	yes	yes	yes	yes	yes	yes
Hayes	yes	yes	yes	yes	yes	yes	yes
Henderson	yes	yes	no	yes	yes	yes	yes
Kelly	absent	absent	absent	absent	absent	absent	absent
Schneider	yes	yes	no	yes	yes	yes	yes
Valentino	yes	yes	abstain	yes	yes	yes	yes
van der Kieft	yes	abstain	yes	no	abstain	yes	yes
 <u>DISTRICT II</u>							
Bacon	yes	yes	no	yes	yes	yes	yes
Ebrahimi	absent	absent	absent	absent	absent	absent	absent
Finn	yes	yes	no	yes	yes	yes	yes
Hoffman	yes	yes	abstain	abstain	yes	yes	yes
Howe	yes	yes	no	yes	yes	yes	yes
Keith	yes	yes	no	yes	yes	yes	yes
Marston	yes	yes	no	yes	yes	yes	yes
Matton	yes	yes	no	yes	yes	yes	yes
McIlmurray	yes	abstain	yes	yes	yes	yes	yes
McNally	yes	yes	no	yes	yes	yes	yes
Miller	yes	yes	no	no	yes	yes	yes
Mundt	absent	absent	absent	absent	absent	absent	absent
Sartori	yes	yes	no	yes	yes	yes	abstain
Sawitsky	yes	yes	yes	no	yes	yes	abstain
Seelye		DID NOT VOTE					
Thorne, B.	yes	yes	no	yes	yes	yes	yes
Thorne, M	yes	yes	no	yes	yes	yes	yes
 <u>DISTRICT III</u>							
Anderson	yes	yes	yes	yes	no	no	yes
Camuti	absent	absent	absent	absent	absent	absent	absent
Cardone	yes	yes	no	abstain	no	yes	yes
Cepeda	yes	yes	no	yes	yes	yes	yes
Conniff	yes	yes	no	no	yes	yes	yes
Coyle	yes	yes	no	yes	yes	yes	yes
Coyle Downs	yes	yes	no	yes	yes	yes	yes
Davis	yes	yes	no	yes	yes	yes	yes
Foley	yes	yes	no	yes	yes	yes	yes
Hegarty	absent	absent	absent	absent	absent	absent	absent
Larkins	absent	absent	absent	absent	absent	absent	absent
Maroney	yes	yes	no	yes	yes	yes	yes
Moore	yes	yes	no	yes	yes	yes	yes
Morton	yes	yes	no	yes	yes	yes	yes
Schulz-Amatruda	yes	abstain	yes	no	yes	yes	yes

<u>DISTRICT IV</u>	<u>(14-14)</u>	<u>(14-15A)</u>	<u>(14-15B)</u>	<u>(14-15)</u> <u>as amended</u>	<u>(14-16)</u>	<u>(14-17)</u>	<u>(14-18)</u>
Banks	yes	yes	no	yes	yes	yes	yes
Cameron	yes	yes	no	yes	yes	yes	yes
Davis, Joan	yes	yes	no	no	yes	yes	yes
Domittner	yes	yes	no	yes	yes	yes	yes
Fiore	yes	yes	no	yes	yes	yes	no
Haidinger	yes	yes	no	yes	yes	yes	no
Hardison	yes	yes	no	yes	yes	yes	yes
Hawkins	yes	yes	yes	no	yes	yes	yes
Kemp	yes	yes	no	yes	yes	yes	yes
Miceli	yes	yes	no	yes	yes	yes	yes
Millar	yes	yes	no	yes	yes	absent	absent
Morrison	absent	absent	absent	absent	absent	absent	absent
Peters	yes	yes	no	yes	yes	yes	no
Rayhill	absent	absent	absent	absent	absent	absent	absent
Rycenga	yes	yes	no	yes	no	yes	absent
Savage	yes	yes	no	yes	yes	yes	yes

DISTRICT V

Adiletta	yes	yes	no	yes	yes	yes	absent
Bayne	yes	yes	yes	yes	yes	yes	yes
Boulton	absent	absent	absent	absent	absent	absent	absent
Burke	absent	absent	absent	absent	absent	absent	absent
Coyne	absent	absent	absent	absent	absent	absent	absent
Duffy	yes	yes	abstain	yes	no	yes	abstain
Fead	yes	yes	yes	no	yes	yes	yes
Fiveson	yes	yes	yes	yes	yes	yes	yes
Hennessy	yes	yes	no	yes	yes	yes	abstain
LeHan	yes	yes	yes	no	yes	yes	yes
Lublin	yes	yes	yes	yes	yes	yes	yes
McLachlin	yes	yes	yes	no	yes	yes	abstain
Mosher	yes	yes	no	yes	yes	yes	yes
Patrick	yes	yes	no	yes	yes	yes	yes
Russell	yes	yes	yes	no	yes	yes	abstain
Stolar	yes	yes	no	yes	yes	yes	yes
Young, Rob	yes	abstain	yes	yes	no	yes	?

DISTRICT VI

Adelman	yes	yes	?	yes	yes	yes	yes
Ball	absent	absent	absent	absent	absent	absent	absent
Broecking	yes	yes	yes	no	yes	?	?
Cherico	yes	yes	no	no	yes	yes	yes
Grogan	yes	yes	no	yes	yes	yes	yes
Hawkins	yes	yes	no	yes	yes	yes	yes
Luz	yes	yes	no	no	yes	yes	yes
McDermott	yes	?	no	yes	yes	yes	yes
McLean	absent	absent	absent	absent	absent	absent	absent
Palen	yes	yes	?	yes	yes	yes	yes
Plehaty	absent	absent	absent	absent	absent	absent	absent
Poli	yes	yes	no	yes	yes	yes	yes
Ritchie	yes	absent	no	?	yes	yes	yes
Swenson	yes	yes	no	yes	yes	yes	yes
Van Loan	yes	yes	no	yes	yes	yes	yes
Whitehead	abstain	yes	no	yes	yes	yes	yes
Young, David	yes	yes	no	yes	yes	yes	yes

June 9, 2014

RTM Resolution 14-14

The Park and Recreation Committee held a special meeting on June 9, 2014 with 12 of 12 members present to discuss and vote on the gift of \$38,095 from the Garden Club of Darien.

Mrs. Brewer the president of the Garden Club and Mrs. D'Andrea a member of the Garden Club gave us a presentation with a drawing outlining this new entry garden.

The Park and Recreation Committee voted in favor to accept this wonderful gift. We believe Cherry Lawn Park will be brought back to its original state with all these new Cherry Trees

We would also like to thank John Spector Landscape Design for the installation and maintains of this project.

We urge the RTM to vote in favor of this gift.

**Finance & Budget Committee
Report to RTM, June 9, 2014**

**(14-14) RTM RESOLUTION AUTHORIZING ACCEPTANCE OF A GIFT
WORTH \$38,095 TO THE TOWN OF DARIEN FROM THE GARDEN CLUB OF
DARIEN FOR AN ENTRY GARDEN AT CHERRY LAWN PARK**

I am James Palen, District 6 and Chair of the Finance and Budget Committee.

The F&B committee met on Monday, June 2nd with 12 of 15 members present.

This resolution authorizes the Town to accept a very generous gift valued at \$38,095 from the Garden Club of Darien to install an entry way garden that will line either side of the entrance beyond the stone pillars at Cherry Lawn Park.

This gift has already been approved by the P&R and BOS and is now at the final step with the RTM.

This being a very generous gift, which is expected to look beautiful, our committee saw no negative financial impact to the Town of Darien.

Accordingly, with 12 of 15 members present, our members voted unanimously in favor of accepting the gift.

The Committee thanked the Garden Club of Darien in advance for their work and very generous gift to the Town of Darien and it's residents.

Thank you.

James Palen
Chair, Finance & Budget Committee
June 9, 2014

Good evening, I am Dennis Maroney of district 3 and chairman of the Education committee of the RTM. I would like to move resolution 14-15 and ask for a second. Thank you. Without objection I would like to waive the reading of the resolution. Seeing none.

On June 2, 2014 a joint meeting between the RTM Education, Finance and Budget and Public Health and Safety committees was held at the Board of Education meeting room. Guests included Peter Graham, Jennifer Montanaro, Mark Maybell and Bruce Hill of the Darien Athletic foundation, members of the administration Dr Lynne Pierson, Mr Timothy Canty, Mr Christopher Manfredonia, Mr Mike Lynch and Mr Michael Feeney and members of the Board of Education including Ms. Betsy Hagerty- Ross, Ms Heather Shea and Mr Micheal Harmon.

The Darien Athletic Fondation gave a detailed presentation regarding the gift which entails turfing 3 existing multi use grass fields at Darien High School. The 3 fields are one field in the oval between the current turf field and the varsity softball field, the current JV softball field to the tennis courts and the field East of the football Stadium which currently is used by JV baseball and the track and field sports.

The foundation also is also planning on relocating the JV softball field to the lower level of the oval.

Also included is the replacement and lengthening of the center turf oval to comply with sports such as girls lacrosse which require a larger field. Also the field was built with different technology and the current fields are more advanced.

P&Z's approval allows construction to be staged over a period of up to four years. The foundation will only build a field they have cash to finish. I will let Jim Palen discuss the actual financials in his report.

The fields will also include retaining walls, built in bleachers in the oval section of the school along with netting to keep the balls in the field area.

The turfed fields will allow the the administration to keep HS athletes on campus for games and practice enhancing safety and security. Allows during inclement

weather or following weather the ability to spread the athletes across the campus as opposed to trying to share current turf fields.

Turf fields allow for use following inclement weather and actually improve drainage and run off due to catch basins and better engineering. Also traffic and safety should improve according to 2 separate studies due to spreading out field usage. Also turf fields are 15 to 20% cheaper to maintain than grass fields as there is no watering, no fertilizer, no sod replacement.

Chris Manfredonia the athletic director will oversee all field usage and scheduling. The current year over 30% of youth sports games were cancelled due to wet fields. This should help all athletics in Darien have the ability to have fields to play during wet seasons.

A few questions were raised regarding safety of the fields. Mr Lynch said there are many studies which proclaim grass or turf both being safer, however medical studies seem to indicate turf being safer for injuries due to torque than grass. Also turf seems to lower the incidence of concussions. The turf science has also improved over the past decade and the lung polluting materials are no longer an issue.

The committee with 10 members of 16 present were unanimous in the approval of the resolution and recommend the RTM to do the same.

The committee would like to thank the DAF for their generous donation and look forward to seeing the project progress

Respectfully submitted,

Dennis Maroney

**Finance & Budget Committee
Report to RTM, June 9, 2014**

**(14-15) RTM RESOLUTION AUTHORIZING ACCEPTANCE OF A GIFT
WORTH \$4,000,000 TO THE DARIEN BOARD OF EDUCATION FROM THE
DARIEN ATHLETIC FOUNDATION FOR ARTIFICIAL TURF FIELDS AT
DARIEN HIGH SCHOOL**

I am James Palen, District 6 and Chair of the Finance and Budget Committee.

The F&B committee met on Monday, June 2nd with 12 of 15 members present. Our Committee was joined by the RTM Education Committee and the RTM Public Health & Safety Committee as well as representatives of the Board of Education and the Darien Athletic Facility.

This resolution authorizes the Town to accept a very generous gift valued at \$4,000,000 from the Darien Athletic Foundation to install and upgrade artificial turf fields located at the Darien High School and to install other related items such as a retaining wall, bleachers and related equipment.

The projects include the following:

- Turf the Upper Oval which is currently grass and dirt
- Replace the Middle Oval and expand to make regulation
- Upgrade the Lower Oval to a grass softball field
- Turf the existing softball field
- Turf the existing grass field that is east of the stadium

This gift has already been approved by the BOE, P&Z, EPC and BOS and is now at the final step with the RTM.

The DAF & BOE have informed us that a typical turf field costs \$800,000 to install new and \$325,000 to replace after 10-12 years. It is expected that the cost savings associated with maintaining a the Upper Oval as a turf field are \$6,000 for two fluffings versus \$36,000 to maintain it as a grass field. The estimated \$30,000 of savings over the expected lifespan should cover the cost of a new field.

As of May 31, 2014 the DAF has raised cash and commitments totaling \$3.4 mm comprising \$1.2 mm of cash and \$2.2 mm of commitments. The DAF is confident that they will have at least \$1.8mm of donations in July 2014. The current

\$3.4mm of commitments are a combination of a large gift totaling \$500k from the Darien Technology Foundation and approximately 80 individuals and families that have gifted between \$25k to \$250k. The DAF has stated that they fully expect to collect the remaining \$600k to enable all projects to be completed and to raise additional funds to create an endowment to fund the replacement of the turf fields with such monies, when funded, being managed by the Town of Darien.

The BOE has confirmed that they will not begin any of the projects to the extent there is not sufficient cash for such any given project. The also confirmed that the order of completion of the projects will be done to insure compliance with Title IX.

This being a very generous gift, which is expected to reduce annual maintenance expenses and be accompanied by a future endowment to provide for replacement fields at the end of the useful life, our committee saw no negative financial impact to the Town of Darien.

Accordingly, with 12 of 15 members present, 10 members voted in favor of accepting the turf fields and the additional enhancements (such as retaining walls and equipment). No members voted against and 2 abstained.

The Committee thanked the Darien Athletic Foundation for their work and very generous gift to the Town of Darien and it's residents.

Thank you.

James Palen
Chair, Finance & Budget Committee
June 9, 2014

The Public Health & Safety Committee met on June 2, 2014, with 8 of 13 members present, in a joint RTM Committee meeting with Finance & Budget and Education, to discuss and report to the Full RTM on Resolution 14-15: Consideration and action on acceptance of a gift of \$4,000,000 from the Darien Athletic Foundation for new turf fields at Darien High School.

PHS heard a presentation from the Darien Athletic Foundation regarding their gift to replace certain grass fields at the High School with artificial turf. We were told that the key driver for this gift would be the better utilization of the fields during periods of rain. In essence, games and practices would be spread out rather than concentrated on the existing turf fields when grass fields would be unplayable.

This would allow greater safety for both high school and youth athletes using the fields. In addition, our Committee was told that turf fields today, being more cushioned, are much safer for athletes and non- biased studies confirm this.

Our committee expressed concern regarding pedestrian safety and discussed this with Police Chief Duane Lovello, who confirmed that Darien Police are present on the campus as needed. Our committee recommends that current crosswalks, pedestrian signage and traffic patterns be examined.

The PHS Committee voted unanimously to recommend accepting the gift and asks that the Full RTM do the same.

Respectfully submitted,

James M. Patrick, Chairman

Mme. Moderator,
My name is Frank Kerry, District 4, Chairman
of TGS+A

I would like to move that we waive the reading
of the ordinance which is included in your packet.
Thank you

The TGS+A Committee met earlier this
evening, with a quorum of 8 of 11 members
present, to discuss draft ordinance 14-16
on the agenda this evening.

Following a constructive discussion
of the issue, with input from the
First Selectman and Town Council, the
Committee voted unaminously to
recommend ^{that} the full RTM consider
the ordinance as presented
8 for approval 0 disapproval 0 abstaining
Thank you.

6-9-2014

The RTM Public Health & Safety Committee met at 7:15 pm tonight with 10 of 13 members present to discuss and report to the Full RTM on Resolution 14-16: Consideration and action on an ordinance approving the formation of a regional council of governments (COG).

Discussion revolved around the synergies and potential cost savings in bulk purchasing with regard to the Darien Public Health Department and the Darien Emergency Service Departments of Police, Fire and EMS.

The Committee discussed the pros and cons of being a member of the COG and there was noted concern of Darien's position with the state if the town "did not have a seat at the table".

The Committee voted 13 to 0 with 0 abstentions to support Resolution 14-16 and we ask the Full RTM to do the same.

Respectfully submitted,

James M. Patrick

Chairman

RTM Presentation on COG's

The Southwestern Regional Planning Agency has served our 8 member towns since 1962 in regional and transportation planning.

The work of the bi-partisan Regional Entities Sub-Committee of the M.O.R. E. Commission was convened in 2013. The mission of the committee was to find regional efficiencies in transportation planning and initiatives, human services planning and delivery, municipal procurement, cost sharing, service provision, technology and infrastructure.

The outcome of the work of this sub-committee was legislation passed under Public Act 13-247 (aka the budget implementer bill) that requires all Regional Planning Agencies and Councils of Elected Officials to become Councils of Governments by 1/1/2015. PA 13-247 also creates financial incentives to have regional planning groups voluntarily merge before 1/14 in an effort to satisfy the Office of Policy and Management's goal to reduce the number of regions (currently 14 – 8 or less is the goal). Each new region must contain at a minimum, 14 municipalities in order to receive any financial incentive payments.

The members of SWRPA and HVCEO decided it was in our collective best interest to voluntarily merge creating an 18 member COG that is now called the Western Connecticut COG. OPM formally recognized our voluntary merger on 12/6/13 which secured our eligibility to receive the agreed upon financial incentives.

SWRPA currently receives \$13,300 from the state. Our voluntary merger enabled both SWRPA and HVCEO to receive \$125,000 each for FY's 2014 and 2015. Beginning in FY 2015 WCCOG will receive an additional amount equaling 50 cents per capita.

COG

- 1 of 3 forms of Regional Planning Organizations

Difference between a COG and an RPA

- Regional Planning is done by a 22 member board of municipal volunteers-population proportional representation – volunteers are appointed by P&Z and Board of Selectmen
- Transit planning and funding decisions are done by CEO's as part of the Metropolitan Planning Organization (MPO) which is a federal designation

Pro's of a COG

- One town, one vote
- A Regional Planning Incentive Fund has been created for the purpose of funding the COG's going forward – not subject to appropriation – *funded from hotel tax and rental car tax?*
- Ability to continue to utilize volunteers on agreed upon committees
- Regional Planning Council will remain and each town will be represented by an appointee of our planning commission
- Support for legislative priorities – louder voice in Hartford, particularly with 8-30g

Importance of Participation

Seat at the regional and transportation planning/funding table

Examples of Important Regional Initiatives

- Long Term Transit Plan
- Regional Plan of Conservation and Development
- GIS mapping updates – ortho photo flyover data used to update our topographical maps
- STP Urban Grant Funding – train station planning, Route 1 Corridor improvements, sidewalks
- Pre-Disaster Mitigation Planning
- Five Mile River Watershed Study
- Army Corp. funding for region-wide flood study
- Support for improvements to the New Canaan Branch Line

Both organizations are supported by an Executive Director and staff of transportation and planning experts.

SWRPA – 8 member towns - 364,000 population (2010)

Darien – 21,000 – 13 sq miles – 3.8% poverty rate – 7,000 housing units

Greenwich – 62,000 – 48 s.m. – 3.6% - 25,000 hu

Stamford – 125,000 – 38 s.m. – 11.1% - 49,400 hu

Norwalk – 87,000 – 23 s.m. – 8.2% - 35,500 hu

New Canaan – 20,000 – 22s.m. – 2.4% - 7,100 hu
Wilton – 18,000 – 27 s.m. – 2.1% - 6,100 hu
Westport – 26,000 – 20 s.m. – 3.1% - 10,100 hu
Weston – 10,000 – 20 s.m. – 1.9% - 3,600 hu

HVCEO – 10 member towns – 225,000 population

Bethel – 19,000 – 17 s.m. – 3.9% - 7,000 hu
Brookfield – 16,000 – 20 s.m. – 2.9% - 6,300 hu
Danbury – 83,000 – 42 s.m. – 8.4% - 31,000 hu
New Fairfield – 14,000 – 20 s.m. – 1.4% - 5,400 hu
Newtown – 28,000 – 58 s.m. – 3.3% - 9,400 hu
Redding – 9,100 – 32 s.m. – 1.8% - 3,300 hu
Ridgefield – 25,000 – 34 s.m. – 2.5% - 9,200 hu
Sherman – 3,600 – 22 s.m. – 1.9% - 1,800 hu
New Milford –

“ Bridgewater
Washington) Regional School

Total SWRPA/HVCEO Population – 589,000 (3.6 million state population)

*\$294,500 =
\$64/capita*

GBR Population – 315,000

Bridgeport – 147,000 – 16 s.m. – 20.8% - 54,700 hu
Fairfield – 60,000 – 30 s.m. – 3.3% - 21,400 hu
Trumbull – 36,000 – 23 s.m. – 2.5% - 12,700 hu
Easton – 7,400 – 27 s.m. – 1.3% - 2,500 hu
Monroe – 19,500 – 26 s.m. – 3.0% - 6,800 hu
Stratford – 52,000 – 18 s.m. – 4.8% - 21,000 hu

Merger Status

Stamford, Greenwich, Westport, Wilton and Weston have all passed ordinances granting permission to join WCCOG. A sub-committee comprised of members of both SWRPA and HVCEO have been working since the fall to create the new organization – bylaws, personnel policies, administrative policies and physical location planning.

The Public Health & Safety Committee met on June 2, 2014, with 8 of 13 members present, in a joint RTM Committee meeting with Finance & Budget and Education, to discuss and report to the Full RTM on Resolution 14-17: Consideration and action on an appropriation of \$587,000 for replacement of Darien's Fire/EMS/Police Radio System.

Our committee heard a presentation from Police Chief Duane Lovello and Assistant Fire Marshall Marc McEwen to replace Darien's Emergency Radio System. We learned that Darien's current radio system was installed in 1997. Motorola will soon no longer be supporting that system and most surrounding communities have upgraded their radio systems. Dead spots in town cannot be addressed with the current system. Darien policemen have had to resort to using personal cellphones to call for backup in the dead zones. In fact, Darien High School is IN the dead zone and if not for not for a unique upgrade, radio coverage would not exist. Today's system will ensure proper clarity and improve coverage town wide. This new system should have a lifespan of approximately 16 years.

The PHS Committee voted unanimously in favor of replacing Darien's Emergency Radio System and asks the Full RTM do the same.

Respectfully submitted,

James M. Patrick, Chairman

**Finance & Budget Committee
Report to RTM, June 9, 2014**

**(14-17) RTM RESOLUTION AUTHORIZING AND APPROVING \$587,000
FOR THE REPLACEMENT OF FIRE/EMS/POLICE RADIO SYSTEM**

I am James Palen, District 6 and Chair of the Finance and Budget Committee.

The F&B committee met on Monday, June 2nd with 12 of 15 members present. Our Committee was joined by the RTM Public Health & Safety Committee as well as representatives of the Darien Emergency Services Department and the Darien Police Chief.

This resolution authorizes the Town to spend \$587,000 from its general fund for electronic and radio equipment that will upgrade the towns existing emergency services broadcast and communications equipment. The proposed upgrades would be completed in the next 3-6 months.

The current radio system was installed in 1997 and only has a couple years left before the manufacturer (Motorola) will no longer support the equipment.

There are two primary reasons for the proposed upgrade.

Coverage – The current system covers 95% of the town with the majority of deadspots along route 106 from Middlesex to Talmage Hill. The proposed equipment will include a new repeater at Sterling Farms golf course in Stamford.

Simulcast – The new system will permit signals to be transmitted from 3 separate sites simultaneously, with the sites being connected by high speed IP connections rather than the traditional phone lines.

Usage – The current system is used by fire, police, ems and Post 53 and allows over 200 first responders to communicate. This includes many of the firefighter volunteers who use pagers to receive notice of emergencies.

A portion of the \$587,000 was originally included in the proposed 2014-2015 budget but was removed to advance the investment in the radio system and is planned to be paid for by some of the \$17mm of cash currently held in our general fund which represents prior year taxes.

With 12 of 15 members present, 11 members voted in favor of the proposed upgrade to our emergency communication system and 1 member voted against. There were no abstentions.

Thank you.

James Palen
Chair, Finance & Budget Committee
June 9, 2014

Good evening, I am Dennis Maroney of district 3 and Chairman of the Education Committee of the RTM. I move resolution 14-18 the appropriation of 807 K for the Board of Education to cover unanticipated expenses due to Special Education. Do I have a second? Thank you.

Without objection I would like to waive the reading of the resolution. Seeing none.

The Education committee and the Finance and budget committee held a joint special meeting on June 2, 2014 to discuss the request of the Board of Education. Present were members of the administration; Interim superintendent Dr Lynne Pierson, Asst superintendent, Mr Timothy Canty, director of finance Mr Michael Feeney, and ombudsman Mr John Verre. Also members of the Board of Education including Ms. Betsy Hagerty Ross, Ms Heather Shea, Mr Michael Harmon, Ms Krista Mcnamara and Ms Katie Stien.

We discussed the reason for the shortfall including attorney fees, FOI requests and payment for independent and State investigations pertaining to the Special Education situation. The total expenditures exceed 2.2 million with 858 K for the investigations and 1.3 Million on RC 24 overages.

There are almost 1.4 million in offsets from the excess cost reimbursement from the state expected to be 700K and savings from fixed expenses such as fuel and electricity of 500K and district wide savings of 185K. This is following last year where the BOE returned 371 to the town.

We were presented by Ms Shea the differences between Greenwich and Darien Special Education expenses and Ms. Shea showed how there were many differences between the districts and the difficulty in trying to compare. However the differences come out to be that Darien spends approximately 18-20 million on Special Education and Greenwich spends closer to 30.2833

We asked questions regarding what would happen if we did not approve the request - The members of the BOE are ultimately on the hook, but there is insurance and the BOF has publicly stated they would honor the request to correct the special education situation.

With 10 of 16 members present comprising a quorum the committee voted unanimously to approve the request and recommend the RTM to do the same.

Respectfully submitted,

Dennis Maroney

**Finance & Budget Committee
Report to RTM, June 9, 2014**

**(14-18) RTM RESOLUTION APPROVING THE BOARD OF EDUCATION
REQUEST FOR EIGHT HUNDRED AND SEVEN THOUSAND AND 00/100
DOLLARS (\$807,000.00) TO COVER UNANTICIPATED EXPENSES
RELATED TO SPECIAL EDUCATION**

I am James Palen, District 6 and Chair of the Finance and Budget Committee.

The F&B committee met on Monday, June 2nd with 12 of 15 members present. Our Committee was joined by the RTM Education Committee as well as representatives of the Darien Board of Education and Darien School Administration.

This resolution authorizes the Town to transfer \$807,000 from its general fund to the Board of Education to pay for anticipated shortfalls to be realized in its 2013-2014 budget that will end this June. The shortfalls are primarily related to additional expenses incurred in the investigation, reorganization and correction of problems that existed in the delivery of special education within our schools.

The unanticipated costs are grouped into two categories: (1) \$1.3mm of overages related to additional services that were delivered within RC24 and (2) \$858k of legal and consultant costs related to investigating and correcting certain problems. Together these total \$2.2mm.

However, because there were a number of items that are projected to be below budget, or revenues that are expected to be above budget, the BOE is only requesting \$807k. These offsets include \$706k of additional excess cost reimbursements from the state (originally expected to be near 70%, they are coming in near 79%). Also included are \$501k of net savings derived from lower than expected fixed expenses such as fuel oil, electricity and insurance and \$185k in other district wide savings including personnel. In summary, the administration has projected every line item's surplus or deficit that will exist on June 30 by using actual expenditures through the end of May and projected June expenses. The Board of Education has informed us that if this money is not allocated to cover the remaining budget, the administration would need to immediately look for ways to reduce expense in the final weeks of the current school year and then attempt to transfer other expense to next year's budget which would require the

reduction of programs or services or increase in class sizes to make up for the shortfall.

In summary, there were some very significant issues that needed to be corrected in the special education program. They required the district to bring in legal and special education experts to put a program in place to insure that the problems would be corrected and that the proper structure would be in place going forward. The additional money has been spent and we need to pay for it. The town has the money in the general fund to pay for the expenses, which even after accounting for amounts to be used from the fund to offset tax increases in this years budget and other items such as the EMS radio equipment, will leave the fund balance above the BOF's targeted level of 10% of the budget.

With 12 of 15 members present, 11 voted in favor of the proposed transfer to the Board of Education to cover the shortfall and 1 member abstained.

Thank you.

James Palen
Chair, Finance & Budget Committee
June 9, 2014