

**MINUTES  
REPRESENTATIVE TOWN MEETING  
APRIL 18, 2016**

**CALL TO ORDER**

The Regular Meeting of the Representative Town Meeting was called to order at 8:10 p.m. by Donna Rajczewski, Town Clerk.

Upon Roll Call, the following members were present:

From District I, there were 11 members present, 5 absent.  
From District II, there were 13 members present, 0 absent.  
From District III, there were 7 members present, 8 absent.  
From District IV, there were 15 members present, 1 absent.  
From District V, there were 15 members present, 2 absent.  
From District VI, there were 15 members present, 2 absent.

The absentees from District I were: Barsanti, Buchesky, Dweck, Hayes, Keane.  
The absentees from District III were: Coyle, Coyle Downs, Hageney, Hegarty, Hite, Morton, Washecka, Yarnell.  
The absentee from District IV was: Miceli.  
The absentees from District V were: Bates, Fead  
The absentees from District VI were: Adelman, Ritchie.

**ACCEPTANCE OF THE AGENDA**

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

**APPROVAL OF THE MINUTES OF THE FEBRUARY 22, 2016 SPECIAL MEETING**

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

**ANNOUNCEMENTS**

The Moderator noted that this was a very busy night in Town Hall, with the Board of Selectmen and the Board of Finance also meeting.

The Moderator introduced and welcomed Charles Boulter and Shannon Doherty, new members from District II.

The Moderator said that Kate Buch, Town Administrator, would be making a presentation later tonight on the Shuffle Project, followed by a question & answer period. People can ask questions/make statements for two minutes.

16-9

**CONSIDERATION AND ACTION ON NOMINATION OF DIRK LEASURE TO THE FIVE MILE RIVER COMMISSION, FOR SUBMISSION TO THE GOVERNOR FOR REAPPOINTMENT**

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

**WHEREAS**, pursuant to §15-26a of the Connecticut General Statutes, the Governor may appoint two electors from each of the towns of Norwalk and Darien to the Five Mile River Commission; and

**WHEREAS**, each such member shall be appointed by the Governor from a list of nominees to be submitted by the legislative body of each such town; and

**WHEREAS**, the Board of Selectmen at its meeting of February 22, 2016, voted unanimously to recommend the nomination and re-appointment of Dirk Leasure to the Governor for membership on the Five Mile River Commission;

**BE AND IT IS HEREBY RESOLVED** that the Representative Town Meeting of the Town of Darien recommends the appointment of Dirk Leasure to the Governor for membership on the Five Mile River Commission.

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

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

**\*\* ITEM 16-9 CARRIED ON A RISING TALLY VOTE OF 74 IN FAVOR, 0 OPPOSED, 0 ABSTENTIONS.**

The Moderator announced that the Parks & Recreation Commission would be holding a Public Hearing on Wednesday night at 7:30.

16-10

**CONSIDERATION AND ACTION ON NOMINATION OF WILLIAM E. JESSUP TO THE FIVE MILE RIVER COMMISSION, FOR SUBMISSION TO THE GOVERNOR FOR REAPPOINTMENT**

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

**WHEREAS**, pursuant to § 15-26a of the Connecticut General Statutes, the Governor may appoint two electors from each of the towns of Norwalk and Darien to the Five Mile River Commission; and

**WHEREAS**, each such member shall be appointed by the Governor from a list of nominees to be submitted by the legislative body of each such town; and

**WHEREAS**, the Board of Selectmen at its meeting of April 4, 2016 voted unanimously to recommend the re-appointment of William E. Jessup to the Governor for membership on the Five Mile River Commission.

**BE AND IT IS HEREBY RESOVED** that the Representative Town Meeting of the Town of Darien recommends the appointment of William E. Jessup to the Governor for membership on the Five Mile River Commission.

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

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

**\*\* ITEM 16-10 CARRIED ON A RISING TALLY VOTE OF 74 IN FAVOR, 0 OPPOSED, 0 ABSTENTIONS.**

**BOARD OF EDUCATION CENTRAL OFFICE/MATHER CENTER BUILDING PROJECT**  
**PRESENTATION BY TOWN ADMINISTRATOR KATE BUCH WITH Q&A TO**  
**FOLLOW**

Kate Buch, Town Administrator, made a Power Point presentation (attached), reviewing unbudgeted and unanticipated costs. A \$1,100,000 appropriation will be requested, although the actual need will be \$500,000 after a State grant.

First Selectman Jayme Stevenson addressed actions to be taken so that this does not happen again, reviewing recommended building project policy changes.

Jack Davis, District III, Chairman of the Finance & Budget Committee, addressed the reasons behind various costs. Regarding the roof at 35 Leroy, he noted that it will be asphalt, not slate, saving \$135,000. All of the numbers will be evaluated, but he will not be a part of that because he does not think it is appropriate.

Fist Selectman Stevenson thanked the RTM and the Town for supporting this project and apologized for the overruns, many of which were beyond their control.

Caroline Luz, District VI, asked about ongoing lawsuits.

Fred Conze, District I, said that 35 Leroy requires paid professional management. There should be weekly meetings with the trades. The Board of Education took possession on April 13th, but the C.O. was not issued until December 1st. P&Z required an as-built survey and that the building be up to code. The Moderator said they needed to stay on point - they are discussing the finances of this project. Mr. Conze said they should discuss these issues sometime in the future.

Susan Kwun, District VI, asked if the RTM was aware of how grossly underserved this project was. Ms. Buch said it is unlikely that they would know.

Ted Hawkins, District VI, asked about funds to rehabilitate space in the basement at 35 Leroy. Ms. Buch said they have looked at this space but would have to come back to the RTM for a special appropriation. Mr. Hawkins asked if that space was going to be finished in the original plan.

Caroline Luz, District VI, asked what assurance there was that they would get the \$585,000 grant. Ms. Buch said they already have this grant.

Brad Pattelli, District I, asked for comment on the dollar amount the Town is being asked for in the lawsuits. Town Counsel Fox estimated the amount to be \$300,000 to \$400,000. If attorney fees are added, the cost could go up to \$700,000.

Clara Sartori, District II, asked why law firms other than Curtis Brinkerhoff are involved. Town Counsel Fox said that lawsuits were filed all over Connecticut, so assistance from other counsels in those areas was requested.

James Patrick, District V, asked about plans to reclaim the land on Edgerton Street previously occupied by the "old" senior center which was demolished. Mr. Patrick expressed concern over glass and debris bubbling up after recent rain storms. First Selectman Stevenson said there should not be glass and there should be seed. They will look into that. There are no plans for that parcel of land.

Joseph Hardison, District IV, said this is a political project that has been completely mismanaged. He asked if there was any chance of recovery from the bonding company and the contractor. Town Counsel Fox said there are multiple claims filed. The Town has not filed counterclaims. Any claims against Dappreio Construction, the contractor, would be useless. The subcontractors who worked for Dappreio have filed suit against the Town. Mr. Hardison asked the total number of the overage of the project; Ms. Buch said they are asking for \$1,158,000 from the Board of Finance and the RTM. If they have to pay off on lawsuits, that would be separate. \$1,158,000 would be the finite amount. He asked if building materials for this project were purchased at Rings End; the response was that they were not.

Brad Pattelli, District I, asked if they were required by statute to accept the lowest bid. Town Counsel Fox said it is not mandatory. The Moderator said that requirement had been modified by the RTM.

Frank Kemp, District IV, said that five to six years ago, an addendum was passed that allowed the Town to accept other than the lowest bid.

**\*\* UPON MOTION MADE AND SECONDED FROM THE FLOOR, IT WAS UNANIMOUSLY VOTED TO ADJOURN AT 9:15 P.M.**

Respectfully submitted,

Cheryl Telesco Blois  
Telesco Secretarial Services