

**TOWN OF DARIEN
REPRESENTATIVE TOWN MEETING
OCTOBER 24, 2016**

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CALL TO ORDER

A 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 10 members present, 7 absent.
From District II, there were 9 members present, 3 absent.
From District III, there were 9 members present, 5 absent.
From District IV, there were 14 members present, 2 absent.
From District V, there were 15 members present, 2 absent.
From District VI, there were 15 members present, 1 absent.

The absentees from District I were: Buchesky, Butler, Dweck, Hayes, Keane, Kelly, van der Kieft.

The absentees from District II were: Doherty, Finn, Howe.

The absentees from District III were: Coyle Downs, Hageney, Hegarty, Hite, Jordan.

The absentees from District IV were: Domittner, Rayhill.

The absentees from District V were: Boulton, Fead.

The absentee from District VI was : Poli.

The Acting Moderator, Seth Morton, assumed the Chair.

ACCEPTANCE OF THE AGENDA

The Moderator said there was a technical correction: in the resolution for Item 16-19, the word "hazardous" should be deleted from the second Whereas.

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

ANNOUNCEMENTS

The Acting Moderator noted the passing of two long-time RTM members - Jack Whitehead and Eugene Coyle. He said that they had both served with distinction and would be missed.

The Acting Moderator noted that Sarah Seelye, the past Moderator, was present and that tomorrow was her birthday.

Mrs. Rajczewski reviewed the glitch that had taken place in the election ballots.

APPROVAL OF THE MINUTES OF THE SEPTEMBER 26, 2016 REGULAR MEETING

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

16-18
CONSIDERATION AND ACTION ON RELEASE OF ANY TOWN INTEREST IN
HAZEL STREET

**** JOANNE HENNESSY, DISTRICT V, CHAIRMAN OF PZ&H, MOVED:**

WHEREAS, the Town has been contacted by Eversource Energy Services Company indicating a plan to replace a failing gas main on Hazel Street located within the Town of Darien, State of Connecticut; and

WHEREAS, the Eversource Energy Services Company has further indicated a desire to feed gas to abutting properties on Hazel Street; and

WHEREAS, Eversource Energy Services Company has indicated it has received conflicting opinions as to the ownership of said street; and

WHEREAS, the Town of Darien has neither accepted said road nor maintained it; and

WHEREAS, Eversource Energy Services Company has indicated it needs an easement over said private road for the work to be done;

NOW THEREFORE BE IT RESOLVED that the Representative Town Meeting hereby authorizes the First Selectman to execute a Quitclaim Deed transferring whatever interest the Town may have in Hazel Street to the abutting property owners.

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

Joanne Hennessy, District V, Chairman of PZ&H, read the committee report (attached).

**** MRS. HENNESSY MOVED THE FOLLOWING AMENDMENT: IN THE LAST PARAGRAPH OF THE RESOLUTION, DELETE EVERYTHING AFTER THE WORD "EXECUTE" AND REPLACE IT WITH "AN EASEMENT TO ALLOW EVERSOURCE TO ENTER THE PROPERTY TO MAKE CERTAIN REPAIRS AND IMPROVEMENTS."**

**** THE AMENDMENT (16-18A) WAS SECONDED FROM THE FLOOR.**

**** AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE.**

Mark Adiletta, District V, Chairman of the Public Works Committee, read the Public Works Committee report (attached).

David Bayne, District V, asked the opinion of the Board of Selectmen. First Selectman Jayme Stevenson said that they had been briefed on this by Town Counsel. The most efficient way would be to grant an easement and move forward.

**** ITEM 16-18, AS AMENDED, CARRIED ON A RISING TALLY VOTE OF 71 IN FAVOR, 0 OPPOSED, 0 ABSTENTIONS.**

16-19
CONSIDERATION AND ACTION ON AN AMENDMENT TO DARIEN'S CODE OF
ORDINANCES REGARDING BLIGHT

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

WHEREAS, The Connecticut General Statutes allows a municipality to adopt legislation dealing with the problem of housing blight;

WHEREAS, the intent of the Town is to define and regulate hazardous blight; and

WHEREAS, the Town's further objective is to protect the public's health, safety and welfare.

NOW THEREFORE BE IT RESOLVED that the Representative Town Meeting of the Town of Darien hereby adopts the proposed Blight Prevention Ordinance attached hereto and made part hereof.

BLIGHT PREVENTION ORDINANCE

The Code of the Town of Darien is hereby amended by adding thereto a new chapter, to be entitled "Blight Prevention," to read as follows:

Section 1. Purpose

This article is enacted pursuant to the authority granted to the Town of Darien under Connecticut General Statutes 7-148(c)(7)(H)(xv) and shall be considered a Blight Ordinance. The purpose of this ordinance is to define, regulate, prohibit and abate housing blight in order to protect, preserve, and promote public health, safety and welfare; and to maintain and preserve the beauty of neighborhoods and the general appearance of the Town.

This ordinance prohibits any owner(s) or occupant(s) of real property located in the Town of Darien from allowing, creating, maintaining or causing the creation or maintenance of blighted premises. This ordinance also establishes penalties for violations.

This Ordinance shall apply to all residential properties and their buildings or structures now in existence or hereafter constructed, maintained, or modified. The interests of Elderly, Low-income or Disabled Individuals will be reviewed with the Darien Department of Human Services as part of the process of issuing any Warnings or Citations under this ordinance.

Section 2. General Definitions.

Where terms are not specifically defined in this ordinance, they shall have their ordinarily accepted meaning or such meaning as the context may imply.

For the purpose of this Ordinance, the following words, terms and phrases shall have the following meaning ascribed to them in this ordinance:

Building or Structure - An edifice of any kind or any piece of work built or composed of parts joined together in some form which is built or constructed on any real property. The words "building" and "structure" shall be construed as if followed by the words "or any part thereof." Accessory buildings or structures, canopy, awnings and marquees shall be considered "buildings" or "structures" within the meaning of this definition.

Blighted Premises – Residential real property, including any Building or Structure located thereon, which is and continues to be in a state of disrepair or is becoming dilapidated.

Blight Prevention Officer(s) - The Town official(s) designated by the First Selectman to act as Blight Prevention Officer(s), who shall be responsible for investigating complaints, issuing Warnings and, at the direction of the Blight Review Board, issuing Citations.

Blight Review Board - A five (5) member board appointed by the Board of Selectmen, with its membership subject to statutory representation rules, renewable every two (2) years. Appointees to the Blight Review Board shall be limited to individuals currently serving on the:

- Planning and Zoning Commission
- Human Services Commission
- Commission on Aging
- Board of Selectmen
- Representative Town Meeting

Appointees are expressly permitted to serve on the Blight Review Board in addition to serving on any board or commission listed above.

The Blight Review Board will function as a Citation hearing body and operate in accordance with C.G.S. § 7-152c.

The First Selectman, the Planning and Zoning Director, and the Director of the Department of Human Services shall be ex-officio members of the Blight Review Board.

Written Notices - . All notices described in this ordinance (“Warnings” and “Citations”) are to be sent to the owner(s) and agent, tenant and/or person in control of the real property which is the subject of the notice. The notice may be hand delivered or mailed by certified mail, return receipt requested, to the last known address of the owner(s) and agent, tenant and/or person in control

other than the legal owner(s). Copies of all Warnings and Citations shall be sent to the Director of the Town's Department of Human Services, and the Board of Selectmen.

Disabled Individual

In the case of an owner-occupied residence, an individual who has a disability meeting the definitions for the mental or physical disability as defined under the Americans with Disabilities Act of 1990, and does not have a household member who meets the definition of a Capable Individual.

Elderly Individual

An individual over the age of 65 who does not have a household member who meets the definition of a Capable Individual.

Low-income Individual

In the case of an owner-occupied residence, an individual, or where more than one person resides in the premises, a family unit, that has an income below the highest level of qualifying income established by C.G.S. § 12-170d(a)(3).

Capable Individual

A household member of an owner-occupied residence that can be reasonably expected to perform maintenance and yard work around the property or premises. This shall include children above sixteen (16) years of age, without a physical or mental disability as defined under the Americans with Disabilities Act of 1990.

Public View

Visible from any right-of-way or the first or ground floor of any other property.

Section 3. Definition of State of Disrepair or Becoming Dilapidated

A property may be determined to be a Blighted Premises if any of the following apply:

- It is attracting illegal activity as documented by the Police Department.
- It is a fire hazard as documented by the Fire Marshal or by a local fire department.
- It is, or is becoming, dilapidated or unsafe, as determined by the Town Building Official.
- It constitutes a threat to the general health, safety or welfare as determined by the Director of Health.

A property may be also determined to be a Blighted Premises if it contains two or more of the following conditions in the Public View:

- 1) missing, broken or boarded-up windows or doors;
- 2) collapsing walls or roof;
- 3) seriously damaged, missing or loose: siding, gutters, leaders, shingles or roofing;
- 4) significant fire or water damage that has not been repaired;
- 5) persistent and excessive amounts of garbage, trash, or construction debris on the property;
- 6) inoperative or unregistered motor vehicles, boats, trailers or mechanical equipment parked, kept or stored on the premises unless garaged or appropriately covered:
- 7) vacant buildings or structures left unsecured or unguarded against unauthorized entry;
- 8) unsightly or excessive amounts of debris, fallen trees (except within six (6) months of storm damage), refuse, or excavated material unless incidental to activity pursuant to a lawful building permit;
- 9) collapsing or dilapidated structures on property;
- 10) overgrown brush and/or overgrown grass or weeds of at least one foot in height covering a significant portion of a property's front yard (excluding ornamental grass as part of a landscaped property), unless identified as Inland Wetlands;
- 11) structures that are significantly covered with invasive non-ornamental weeds and/or vines, including but not limited to poison ivy, sumac, burning bush, bittersweet, or similar invasive plants;
- 12) overrun by rodents or other pests;
- 13) any other condition which alone or in combination with another of the above substantially interferes with the reasonable and lawful use and enjoyment of other space within a building, structure, other premises or rights of way within the neighborhood.

Section 4. Prohibition

No owner, agent, tenant or person in control of real property located in the Town of Darien shall allow, maintain, or cause to be maintained, a Blighted Premises.

Section 5. Determination of Violation

Complaints may be submitted by any resident or property owner, the Building Official, the Chief of Police, the Fire Marshal, the Director of Health, or the Director of Planning and Zoning to the Blight Prevention Officer.

Prior to investigating a Complaint, the Blight Prevention Officer shall inform the Darien Department of Human Services of the address involved. If the property which is the subject of a Complaint involves a client of the Darien Department of Human Services, the Darien Department of Human Services will advise the Blight Prevention Officer so that the investigation and further enforcement activities shall include appropriate coordination and involvement with the Darien Department of Human Services.

After receiving a Complaint of a possible violation, the Blight Prevention Officer shall make an investigation of the Complaint.

Section 6. Warnings – Issued by the Blight Prevention Officer

If, after investigating a Complaint, a probable violation is found to exist, the Blight Prevention Officer shall issue a Warning, describing the nature of the probable violation, the corrective action necessary, and a timeframe adequate in the circumstances within which the probable violation is to be resolved. The Warning will be distributed following the procedures defined for Written Notices.

Special consideration shall be given to Disabled Individuals, Elderly Individuals, and/or Low-income Individuals. In such cases, the Blight Prevention Officer shall give such individuals adequate time to correct the blight issue, and, in coordination with the Darien Department of Human Services, provide information on possible resources for assistance, together with each Warning or Citation.

The Blight Prevention Officer may grant extensions to the timeframe for resolution of the probable violation as described in the Warning. Such extensions may be related to the performance of vendors, the extent of work, unusual conditions such as severe weather, insurance claims, or structural damage associated with storms or fire or the like, or other factors beyond the control of the property owner. Notice of any extension of a Warning shall be distributed following the procedures defined for Written Notices.

Section 7. Consideration by the Blight Review Board

If the probable violation is not resolved within the time frame cited in the Warning, or any extensions of the Warning, the matter will be referred to the Blight Review Board.

At its discretion, the Blight Review Board, within six (6) months of the matter's referral, may issue a notice to the recipient(s) of the Warning, stating the probable violation(s), the conditions evidencing such probable violation(s), and requiring attendance at a Hearing to determine whether the probable violation, as described in the Warning, merits the issuance of a Citation.

If, based on evidence presented at the hearing, the Blight Review Board determines that a violation has occurred, it will establish a date by which such violation shall be fully abated. The date by which such violation shall be fully abated shall not be less than thirty (30) days from the

date the written determination is mailed or served. Should the violation not be remedied by the assigned date, a Citation may be issued, as described below.

Special consideration may be given to those who require it in order to correct a violation. Specifically, the Blight Review Board may grant an owner/occupant additional time to correct a violation where the owner/occupant, or a person acting on his/her behalf, establishes good cause.

Section 8. Enforcement - Citations

If a violation remains unabated after the date established by the Blight Review Board under Section 7 (including any additional time allowed for good cause), the Blight Review Board will review the matter, establish the amount of the fine applicable until remediation of the violation, and direct the Blight Prevention Officer to issue a Citation. The final period for the uncontested payment of any Citation under this ordinance shall be 30 days after the mailing or serving of the Citation, following the procedures defined for Written Notices.

Violations of the provisions of this ordinance shall be punishable by a civil penalty that does not exceed \$100 per day, or the maximum amount allowed by C.G.S. § 7-148(c) (7)(H) (xv), as the same may be amended from time to time, for so long as a violation exists and continues beyond the date required for remediation set forth in the notice of violation, based on actual inspection of the property on each such day.

Violators may also be responsible for all costs and expenses associated with enforcement and the collection of any civil penalties, which shall include, but shall not be limited to, attorney fees, court costs, mailing costs and filing fees.

Section 9. Willful Violations - Penalties

A person who willfully violates the provisions of the ordinance may, at the recommendation of the Blight Review Board, be subject to State fines of up to \$250 per day, or the amount authorized by Connecticut General Statute 7-148o. Nothing in this ordinance shall preclude the Town of Darien from pursuing fines and penalties authorized by Connecticut General Statute 7-148o for failure to abate violations.

Section 10 - Funds received from penalty payments and lien settlements

Funds received from penalty payments and lien settlements will be deposited in the Town's General Fund.

Financial assistance may be made available to homeowners that meet certain criteria as established by the Board of Selectmen or their designate(s) on a case by case basis.

The Darien Building Official and/or the Darien Department of Human Services will have the responsibility to manage and propose financial assistance within the budgetary and financial limits established by the Town Administrator and/or the Board of Selectmen. Any amount in excess of those budgetary and financial limits will follow the Town's established budgetary and approval processes and procedures.

Section 11. Recording of Lien

Any fine imposed pursuant to the provisions of this ordinance which remains unpaid for a period of 30 days or more from the due date of the citation, shall constitute a lien upon the real estate against which the fine was imposed. Each such lien may be continued, recorded, enforced and released in the manner provided by the Connecticut General Statutes for continuing, recording, enforcing and releasing real property tax liens. Each such lien shall take precedence over all other liens and encumbrances, except taxes, and may be enforced in the same manner as property tax liens. This section shall be construed in accordance with Connecticut General Statutes 7-148aa.

Section 12. Municipal Performance

In the event any owner, agent, tenant or person in control of real property shall fail to abate or correct any violation specified in any notice, after the issuance of an enforcement Citation for such failure, which citation has become final through the failure of such owner, agent, tenant, or person in control of real property to appeal from the issuance of said citation, or by such appeal being sustained, the Town of Darien, acting through its Blight Prevention Officer, may cause or take such action as is necessary to correct such violation(s). The cost to take such action shall be a civil claim by the Town against such owner, agent, tenant, or person in control of real property and the Town may bring an action to recover all such costs and expenses incurred.

Section 13. Pending Special Permit or Site Plan Exception

Any Blighted Premises for which a special permit or site plan application for improvements to the Blighted Premises is pending, shall be exempt from the provisions of this Ordinance for a period of not more than 120 days from the date of submittal of a complete application to the Planning and Zoning Commission. If a valid special permit or site plan exception is approved, the property shall be exempt from being considered a Blighted Premises for a period of one year from that approval.

Section 14. Appeal of Penalty Assessment to Superior Court

A person against whom an assessment has been entered arising out of a violation of this Ordinance is entitled to judicial review by way of appeal in accordance with the provisions of C.G. S. Section 7-148e. Penalties as provided in Section 8 may be abated if the court determines

that the appeal was taken in good faith, with probable cause and not for purposes of delay. The penalties as of the date of any judgment of the Superior Court upholding them shall not be abatable.

Section 15. Annual Report

The Blight Prevention Officer shall submit an annual report to the Board of Selectmen as of January 1 of each year with respect to the preceding calendar year, including the number of: Complaints received, Warnings issued, Warnings forwarded to the Blight Review Board, Citations directed to be issued by the Blight Review Board, fines assessed, cases in which fines were paid, and fines collected.

Section 16. Severability

In the event that any part or portion of this Ordinance is declared invalid for any reason, all the other provisions of this Ordinance shall remain in full force and effect.

Section 17. Other Enforcement

Nothing in this chapter shall be deemed to prohibit or limit in any manner any enforcement action with respect to any zoning, building, public health, fire, inland wetlands or other statutes, code, regulation or laws relating to the use of real property.

This Ordinance is to become effective January 1, 2017.

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

Frank Kemp, District IV, Chairman of TGS&A, read that committee's report (attached).

**** FRANK KEMP MOVED THE FOLLOWING AMENDMENT (16-19A): ON PAGE 3 OF THE RESOLUTION, DELETE "THE BLIGHT REVIEW BOARD WILL FUNCTION AS A CITATION HEARING BODY AND OPERATE IN ACCORDANCE WITH C.G.S. 7-152C" AND RELACE IT WITH "THE TOWN WILL APPOINT A CITATION HEARING OFFICER(S) IN ACCORDANCE WITH C.G.S. 7-152C".**

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

Town Counsel Wayne Fox said that this was a straight-forward amendment.

Harry McLachlin, District V, said having a hearing citation officer made more sense in the case of an appeal. Town Counsel Fox said that was exactly what the amendment would take care of.

**** ITEM 16-19A CARRIED ON A RISING TALLY VOTE OF 63 IN FAVOR, 5 OPPOSED, 2 ABSTENTIONS.**

- ** FRANK KEMP, DISTRICT IV, MOVED THE FOLLOWING AMENDMENT (16-19B): ON PAGE 4 OF THE RESOLUTION, SECTION 3, ITEM 6, REMOVE THE WORDS ", BOATS, TRAILERS" AND ADD, FOLLOWING THE FINAL WORD "COVERED" THE WORDS "OR SCREENED".**
- ** THE MOTION WAS SECONDED FROM THE FLOOR.**

Andrew Millar, District IV, asked for the definitions of “appropriately” and “covered”. The Acting Moderator said this was not the forum to litigate this or take up specific instances. Mr. Millar said that this amendment was unnecessary. Mr. Kemp said this amendment only has to do with replacing these specific words. They will discuss the meaning of certain words later.

- ** ITEM 16-19B PASSED BY VOICE VOTE WITH 1 VOTE IN OPPOSITION.**

- ** FRANK KEMP, DISTRICT IV, MOVED ITEM 16-19, AS AMENDED.**
- ** THE MOTION WAS SECONDED FROM THE FLOOR.**

James Patrick, District V, Chairman of the PH&S Committee, read the committee report (attached).

Joanne Hennessy, District V, Chairman of PZ&H, read the committee report (attached).

Mark Adiletta, District V, Chairman of the Public Works Committee, read the committee report (attached).

First Selectman Jayme Stevenson thanked all of the groups who had studied this ordinance with a great level of compassion.

Jon Zagrodzky, Chairman of the Board of Finance, said that he supports this ordinance.

Susan Cameron, Chairman of the Planning & Zoning Commission, said that she supports this ordinance.

Jeremy Ginsberg, Director of Planning & Zoning, said that he had worked with Mr. Kemp, and that he would like the Blight Officer to be someone from his staff.

Olive Hauser, Human Services Director, said that she was comfortable with her department's role in this ordinance. Her Commission and her department support this ordinance.

David Knauf, Health Department, said that this ordinance is a very key part and another tool in the tool box to get things fixed that need to be fixed. In Sec. 3, #12, he would hope they would not get to the point of places being overrun by rodents or pests. He urged support of this ordinance.

Bruce Orr, Board of Finance, said the current resolution is extremely well researched and has been vetted. No legislation is perfect. He fully supports this.

Nina Miller, District II, suggested that Blight Prevention Officer be changed to Blight Resource Officer.

Young-Sup Lee, District I, said that the ordinance is broad in scope. Marginal properties will get caught. Some of the words need to be defined more specifically.

James Cameron, District IV, said he received more correspondence over this issue than any other over the past 12 years he has been on the RTM. The devil is in the details. Section 3 has ambiguous and subjective phrases. Town Counsel Fox said that he and Mr. Kemp discussed this at length, and there is a section that deals with this.

David Bayne, District V, said that Section 2 also concerned him regarding subjectiveness. He shares Mr. Cameron's concerns about the vagueness of the statute. Other areas could have objective standards. This should come back at a future date.

Lois Schneider, District I, asked how Human Services would be able to help people. Ms. Hauser said every situation is individual. They will refer to all sources of assistance, such as reverse mortgages, etc. They believe they will be able to help people.

Clara Sartori, District II, said they want people on the Blight Removal Committee to use judgment, not a check-off list. She asked if there was an obligation on the part of RTM members to share e-mails and correspondence they receive with other members of the RTM.

Jack Davis, District III, said his definition of compassion is different from what he just heard. Compassion is not trying to convince someone that they should not live in their house or that they should take a reverse mortgage. Maybe there are charities to rake leaves or provide snow removal. These expenses should be acceptable to our town. I did not hear that aspect.

Olive Hauser said that Human Services would use all of the tools available to them. Charities have limits on the amount of money they can give. They will use anything they can. They will not make people do what they don't want to do. There may be a limit to what they can do, and people have to look at their own resources.

Amy Barsanti, District I, said she is a Director on the Darien Board of Realtors. It is difficult to quantify the adverse affect on a home from a blighted property. For many people, their homes are their biggest asset. It is important that complaints should not be anonymous, but appeals hearings should be private. Fines should not be onerous.

Dennis Maroney, District III, asked if the Blue Ribbon Panel decides if a property is blighted. Frank Kemp responded that the Blight Officer inspects the property. If the blight situation is not remedied, it then goes to a panel. Mr. Maroney said that the decision of the Blue Ribbon Panel should be unanimous.

Elisabeth Bacon, District II, said there has been no conversation about the people who have to live next to blight. They need to balance the rights of the people with those of the neighbors. This proposal is reasonable and fair, and she supports the legislation.

Phyllis Hawkins, District IV, read a letter from a resident in her district who is dealing with a neighbor who is collecting abandoned cars. She said she hopes they will support this ordinance.

Laura Mosher, District V, read a letter from a constituent regarding the negative affect of blighted homes.

Andrew Millar, District IV, said this ordinance is not only desirable but extremely reasonable. He particularly likes Section 10, which makes the ordinance self-sustaining, but now the funds would go to the General Fund. He asked why this had changed.

Frank Kemp, District IV, deferred to Jack Davis, District III, who said that he and others felt the best way would be that the revenue goes into the General Fund because they expect it will generate more expenses than revenue.

Bradley Pattelli, District I, said he was not in support of the ordinance. It falls short in Section 3. These are issues of public safety. Many articles are redundant. In some instances, the town becomes the fascist police. We can do better and tighten this up. It is troubling that there is no provision for the right of confrontation. It allows complaints to be made in the shadows.

**** DENNIS MARONEY, DISTRICT III, MOVED TO AMEND BY ADDING THE WORD "UNANIMOUSLY" AFTER "BLIGHT REVIEW BOARD" IN SECTION 7, 3RD PARAGRAPH ON PAGE 6 (16-19C).**

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

Amy Barsanti, District I, asked if any Town board requires a unanimous vote; the response was that there is not.

Fred Conze, District I, said that the Town needs this kind of ordinance, and he supports this amendment.

Lucille Katowski, who said she lives in District II, said that they are a democracy. Requiring a unanimous vote would take the teeth out of this legislation.

Jack Davis, District III, said the members of the Blue Ribbon Panel will be elected officials. If they cannot get a unanimous decision, there is no reason for this ordinance. Unanimous is really the echo of their democracy.

Carol Smith, 36 Goodwives Road, said she has lived in town for 31 years. For seven years, she lived next to two abandoned houses. The Moderator pointed out that this discussion was about the amendment; Ms. Smith said she would come back to speak later.

Frank Kemp, District IV, urged everyone to vote against this amendment.

**** FRANK KEMP, DISTRICT IV, MOVED THE QUESTION.**

**** ITEM 16-19C FAILED ON A RISING TALLY VOTE OF 24 IN FAVOR, 45 OPPOSED, 0 ABSTENTIONS.**

Carol Smith, 36 Goodwives Road, again spoke of living next to two abandoned houses. One is boarded up, and one is being renovated. One of the houses is dangerous in that the roof is caving in. She supports this ordinance.

**** ITEM 16-19, AS AMENDED, CARRIED ON A RISING TALLY VOTE OF 57 IN FAVOR, 12 OPPOSED, 0 ABSTENTIONS.**

16-20

CONSIDERATION AND ACTION ON AN AMENDMENT TO DARIEN'S CODE OF ORDINANCES, APPENDIX B, REGARDING RTM SELF NOMINATION

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

WHEREAS, the Rules of Procedure of the Representative Town Meeting (RTM) are contained in Appendix B of the Darien Code; and

WHEREAS, Part II – Sec.6(a) of the Rules of Procedure provides for the nomination of a candidate to the RTM; and

WHEREAS, Part II – Sec.6(a) of the Rules of Procedure provides for the ability of a Town meeting member to nominate himself/herself; and

WHEREAS, there has been an increase in poor attendance by members at Representative Town Meetings and Committee meetings; and

WHEREAS, there is a desire to address this matter.

BE AND IT IS HEREBY RESOLVED THAT Appendix B, Part II – Sec. 6(a) of the Town of Darien Rules of Procedure entitled Nominations and Voting be and is hereby amended to read as follow:

- Part II-Sec. 6. *Nominations and voting:*
 - (a) Nomination of a candidate for a town meeting member shall be made by filing with the town clerk, between eight (8) and twelve (12) weeks prior to the election, a petition on a form provided by the town clerk, signed in ink by at least twenty-five (25) electors of the district in which the candidate resides and bearing the written acceptance of the candidate. A town meeting member who has an attendance record of 50% or more at RTM meetings, and 50% or more at their standing committee meetings during his or her current elected term may nominate himself for reelection from the same district by giving written notice to such effect to the town clerk at least ten (10) weeks before the election. Each such petition shall contain the name of only one (1) candidate.

The calculation of eligibility for self-nomination will be based on RTM and Standing Committee attendance from the beginning of member's elected term through June of the year in which that term expires, so as to allow the town Clerk to process re-nomination instructions in July.

This rule will not be applied to those appointed for less than a full elected term.

Calculation of attendance at meetings of the RTM will be based on records maintained by the Town Clerk.

Calculation of attendance at Standing Committee meetings will be prepared by the Rules Committee, based on attendance data included in Standing Committee Minutes as posted on the Town web-site.

The Moderator of the Rules Committee will submit a recommendation to the Town Clerk by July 1, identifying which RTM members are eligible to participate in the self-nomination process, based on their attendance at Standing Committee meetings.

The Chairmen of a Standing committee may establish special requirements for evaluating attendance at meetings of that committee.

**** 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 & Safety Committee, read the report of the Public Health & Safety Committee (attached).

Mark Adiletta, District V, Chairman of the Public Works Committee, read the committee report.

Jack Davis, District III, Chairman of the Finance Committee, said many of their members attend other meetings. 50% attendance at F&B meetings is not reasonable because they have attended other meetings. There needs to be flexibility.

Joanne Hennessy, District V, Chairman of PZ&H, said they don't need this; they are short RTM members as it is. Quorum problems are real.

Dennis Maroney, District III, Chairman of the Education Committee, said if people are not here to attend meetings, they are not valued members of the RTM.

Lois Schneider, District I, said they have an issue on the Education Committee with members who don't show up for meetings. Also, needing 25 signatures would not be a problem.

James Cameron, District IV, said if the goal is to get better attendance, this will not achieve that. Putting a standard of attendance will not encourage people to join the RTM. The Town Clerk should put out a list of members who don't attend and put it in the paper to shame them. He will vote against this.

Joanne Hennessy, District V, said different committees need different things. 50% attendance is not equally applied.

Adele Conniff, District III, said she did not support this.

Patti Bumgardner, District I, said she was against this. There are people who are injured or sick.

**** ITEM 16-20 FAILED ON A RISING TALLY VOTE OF 25 IN FAVOR, 41 OPPOSED 0 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

	as corrected			as amended	
<u>DISTRICT I</u>	<u>(16-18)</u>	<u>(16-19A)</u>	<u>(16-19C)</u>	<u>(16-19)</u>	<u>(16-20)</u>
Baldwin, Sarah	yes	yes	yes	yes	yes
Barsanti	yes	yes	no	yes	no
Buchesky	absent	absent	absent	absent	absent
Bumgardner	yes	yes	no	yes	no
Butler	absent	absent	absent	absent	absent
Conologue	yes	yes	yes	yes	no
Conze	yes	yes	yes	yes	no
Dweck	absent	absent	absent	absent	absent
Ezbiansky	yes	yes	no	yes	yes
Hayes, B.	absent	absent	absent	absent	absent
Keane	absent	absent	absent	absent	absent
Kelly, C.	absent	absent	absent	absent	absent
Lee	yes	yes	no	no	?
Pattelli	yes	yes	yes	no	yes
Schneider	yes	yes	no	yes	yes
van der Kieft	absent	absent	absent	absent	absent
von Stuelpnagel	yes	yes	no	yes	no

DISTRICT II

Agnew	yes	yes	yes	yes	yes
Bacon	yes	yes	no	yes	yes
Boulier	yes	yes	absent	absent	absent
Doherty	absent	absent	absent	absent	absent
Finn	absent	absent	absent	absent	absent
Howe	absent	absent	absent	absent	absent
McNally	yes	yes	no	yes	no
Miller	yes	yes	no	yes	yes
Sartori	yes	yes	no	yes	yes
Sawitsky	yes	yes	?	yes	yes
Thorne, B.	yes	yes	no	yes	yes
Wheeler	yes	yes	no	yes	no

DISTRICT III

Anderson	yes	yes	yes	no	no
Cardone	yes	yes	no	yes	no
Conniff	yes	yes	yes	yes	no
Coyle Downs	absent	absent	absent	absent	absent
Jack Davis	yes	yes	yes	yes	no
Hageney	absent	absent	absent	absent	absent
Hegarty	absent	absent	absent	absent	absent
Hite	absent	absent	absent	absent	absent
Jordan	absent	absent	absent	absent	absent
Maroney	yes	no	yes	no	yes
Moore	yes	yes	yes	yes	no
Morton	DOES NOT VOTE				
Washecka	yes	yes	no	yes	absent
Yarnell	yes	yes	yes	yes	no

	as corrected			as amended	
<u>DISTRICT IV</u>	<u>(16-18)</u>	<u>(16-19A)</u>	<u>(16-19C)</u>	<u>(16-19)</u>	<u>(16-20)</u>
Banks	yes	yes	no	yes	yes
Cameron	yes	yes	yes	no	no
Joan Davis	yes	yes	no	yes	no
Domittner	absent	absent	absent	absent	absent
Fiore	yes	yes	no	yes	yes
Haidinger	yes	yes	no	yes	no
Hardison	yes	yes	no	yes	yes
P. Hawkins	yes	yes	yes	yes	yes
Kemp	yes	yes	no	yes	yes
Miceli	yes	abstain	yes	no	no
Millar	yes	yes	no	yes	no
Montanaro	yes	yes	no	yes	no
Morrison	yes	yes	no	yes	yes
Peters	yes	yes	no	yes	no
Rayhill	absent	absent	absent	absent	absent
Savage	yes	yes	no	yes	yes

DISTRICT V

Adiletta	yes	yes	yes	no	no
Bates	yes	yes	no	yes	no
Bayne, C.	yes	yes	yes	yes	no
Bayne, D.	yes	yes	yes	no	no
Boulton	absent	absent	absent	absent	absent
Duffy	yes	yes	no	no	no
Fead	absent	absent	absent	absent	absent
Fiveson	yes	yes	no	yes	no
Haucisen	yes	?	no	yes	no
Hayes, M.	yes	no	no	no	no
Hennessy	yes	yes	no	yes	no
Lublin	yes	yes	no	yes	no
McLachlin	yes	no	yes	yes	no
Mosher	yes	yes	no	yes	no
Patrick	yes	yes	no	yes	yes
Russell	yes	no	yes	no	no
Sparkman	yes	yes	yes	yes	no

DISTRICT VI

Adelman	yes	yes	yes	yes	no
Baldwin	yes	yes	no	yes	no
Cantavero	yes	yes	absent	absent	absent
Cherico	yes	yes	no	yes	yes
Grogan	yes	yes	no	yes	no
Ted Hawkins	yes	yes	no	yes	yes
Kwun	yes	yes	no	yes	?
Lauritzen	yes	yes	?	yes	?
Luz	yes	abstain	no	yes	yes
McDermott	yes	yes	no	yes	no
Natale	yes	no	yes	no	no
Plehaty	yes	yes	yes	yes	yes
Poli	absent	absent	absent	absent	absent
Ritchie	yes	yes	no	yes	no
Swenson	yes	yes	no	yes	yes
Van Loan	yes	yes	no	yes	no

Planning, Zoning and Housing Committee

Report to the RTM

Hazel Street

October 24, 2016

The Planning, Zoning and Housing Committee met on Monday, October 24, 2016 with of members present, //comprising a quorum. We discussed the resolution to grant an easement to Eversource for them to effect repairs. The committee voted // For, OAgainst, and OAbsentions

Respectfully submitted,

Joanne Hennessy, chair PZ & H

Good evening.

My name is *Mark Adiletta* and I am Chair of the Public Works Committee to the RTM.

At this time I would like to move Item 16-18 approving the transfer of the Town's interest in Hazel Street.

Without objection I move to waive the reading of the Resolution.

At a Regular Session of the PWC held October 17th, with 10 of 11 members present, the PWC considered and voted ~~unanimously~~ 9:1 to recommend approval of this item to the full RTM.

Background:

The committee's view w/r/t this resolution was that the road in every way appears not to be Town property. In addition the PWC put a lot of weight on the view of counsel that this transfer right might be necessary given Eversource needs clarity on which parties to seek the easement from before it can commence work on replacing the gas line.

Please know the PWC, as the Primary subcommittee assigned this item, was happy to consider it. However one committee member noted it appears the PWD has not maintained this road, plowed it and apparently ^{has} considered ^{it} a private road since 1959.

Committee members did express concern at the time as to whether the BOS, F&B and the BoF had approved this transfer and would like confirmation of this or an explanation as to why it is not needed.

Thank you.

Remarks – Frank Kemp – re: Resolution 16-19

TGS&A PRIMARY
COMMITTEE REPORT

Good evening Town officials, RTM Members, Darien Residents and Guests. My name is Frank Kemp and I am Chairman of the Town Government Structure and Administration Committee - TGS&A.

At this time I would like to move Item 16-19 – Consideration and action on an amendment to Darien’s Code of Ordinances regarding blight. Do I have a Second? Thank you.

Without objection, I move to waive the reading of the Resolution.

As a point of interest, you will find the text of this ordinance, 7 pages in length, enclosed with the Agenda, or Warning, for this meeting. If anyone does not have a copy – each District Chair has a few spares. The same goes for the FAQ pages and reference materials that were distributed before the meeting began. If anyone does not have a copy of the separate package: the FAQ and the reference pages – your District Chair has a few spares for you. Thank you. When you have that material at hand – you might take a moment, now, to glance at that text. In addition – on a colored piece of paper – you will find the draft language of two Amendments that we will be discussing in a few minutes.

As background, and I am reading from the Executive Summary prepared for the October 3, 2016 meeting of the Rules Committee:

There are several long-running, “chronic,” cases of blighted properties in the Town, with periodic complaints lodged with the Town administration concerning new instances of blighted properties.

Currently, when there is a complaint about a property, the Code Compliance Officer will investigate the property circumstances. There are no Town regulations identifying unacceptable property standards. There is no violation or nuisance that can be cited. There is no available fine process. As a result, many property owners will ignore the problem or only slightly address it. The blight often drags on indefinitely without proper resolution and may only end when the property is sold.

This ordinance will provide the town with an appropriate tool to address the problem of “troubled properties,” providing relief to adjacent neighbors and improving the appearance of the general neighborhood.

The TGS&A committee started work on this draft at this time last year, with work continuing through the year and picking up its pace in the last three months. During this time, there have been meetings with colleague committees of the RTM, Commissions and Boards of interested parties in the town, visits to neighboring towns with similar ordinances on the books, and a well-attended public meeting where comments were received from the public – mostly neighbors of these troubled properties. Since Labor Day there have been seven articles in the local newspapers, more in the electronic media, and copies of the draft proposal and FAQ have been available at Town Hall and on the town’s web-site. Public interest and support of the draft has been strong.

The finished product that you have before you has been vetted by the Town’s Legal Counsel, and by the various Boards and Commissions that will be participating in the

Blue Ribbon Panel of concerned citizens that is at the center of the operation – the Blight Review Board.

You will hear from these organizations in a few moments – as there are several Town Officials waiting to speak to us after the Primary and Secondary Committee reports are received.

9 of 11 members present

The TGS&A Committee met earlier this evening, reviewed the Resolution presented ~~to us~~ as Item 16-19 and voted ~~for~~ ~~against~~ ~~abstaining~~.

UNANIMOUSLY IN FAVOR OF THIS RESOLUTION

Then, it considered the first of two Amendments that have been proposed since the Resolution was published in our Warning packet.

The first is what to the layman, a technical change, but to those familiar with municipal procedures – it is a good improvement on what would have been OK, but this is “better.”

Without further delay, then, I would like to move that (and I am reading from the handout) Replace third paragraph of definition of Blight Review Board with the new phrase: “The Town will appoint a citation hearing officer(s) in accordance with CGS 7-152c”

Earlier this evening, TGS&A considered Amendment # 1 as recommended by Town Counsel, and voted ~~for~~ ~~against~~ ~~abstaining~~.

TO INVITE TOWN COUNSEL TO ELABORATE ON THE BACKGROUND AND NECESSITY FOR THIS RESOLUTION
(Moderator obtains a second, discussion, and vote). AFTER THE VOTE - RESUME

Secondly, TGS&A considered a recommendation for an amendment to the Resolution that is also shown on the colored page hand-outs, please take a moment to glance at this change. This is Amendment #2.

The change was recommended at a joint meeting of the Planning Zoning & Housing Committee and the Public Works Committee on Monday October 17, one week ago. Briefly, as you can see, it addresses an item in Section 3 – the Definition of Blight, item number 6 – concerning inoperative or unregistered motor vehicles. The amendment removes the consideration of boats and trailers, as these topics are covered by the current zoning regulations, and modifies the term “covered” by the addition of the words: “or screened.” The joint Committee meeting of PZ&H and PW saw the inclusion of these items as an overlap with the zoning regulations and believes it is better to keep the two separate.

WITH 9 OF 11 MEMBERS PRESENT, UNANIMOUSLY TO

Earlier this evening, the TGS&A Committee considered this change as being reasonable and in order, and voted ~~for~~ ~~against~~ ~~abstaining~~ to recommend that this Amendment to the Resolution.

Accordingly I would like to offer an amendment to Resolution 16-19 to strike the words “boats, trailers” and add the words “or screened” to item #6, Section 3, of Item 16019 – as shown as Amendment #2 on the colored paper hand-out.

The RTM Public Health & Safety Committee met tonight, October 24, 2016, at 7:00 pm with 6 of 10 members present to discuss and report to the Full RTM on Resolution 16-19 Consideration and action on an amendment to Darien's Code of Ordinances regarding blight.

Our committee focused its discussion on the partial purpose of the blight ordinance which is to "protect, preserve, and promote public health, safety and welfare."

We noted that the interests of "Elderly, Low-income or Disabled Individuals will be reviewed with the Department of Human Services as part of the process of issuing any Warnings or Citations under this ordinance."

We noted the Blight Determination includes whether a property is "attracting illegal activity as documented by the Police Department."

A "fire hazard as documented by the Fire Marshall or by a local fire department."

"It is, or is becoming, dilapidated or unsafe, as determined by the Town Building Official."

"It constitutes a threat to the general health, safety or welfare as determined by the Director of Health."

We noted that "Prior to investigating a complaint, the Blight Prevention Officer shall inform the Department of Human Services of the address involved." Where appropriate, special consideration will be given to homeowners and they will be provided "information on possible resources for assistance."

The Committee voted 6 to 0 with 0 abstentions to 0 support the Blight Ordinance and we ask the Full RTM to do the same.

Respectfully submitted, James M. Patrick, Chairman

Planning, Zoning and Housing Committee

Report to the RTM

Blight Ordinance

October 24, 2016

The Planning, Zoning and Housing Committee met on Monday, October 17, 2016 with 11 of 15 members present, comprising a quorum. We discussed at length the Blight ordinance jointly with the Public Works committee and then continued deliberations on our own. This resolution is meant to address chronic property problems by providing the town with enforcement capabilities not currently available. Special consideration will be given to elderly, disabled and low-income.

Our committee made a couple of changes which may be discussed tonight. We eliminated from point 6 the words "boat, trailers" and added the word "screened". We voted 9 For and 2 Against this change. We also discussed changing the wording in the actual resolution from "housing" to "property", but this may or may not be feasible as the resolution references a State statute and uses that wording.

The motion to approve the revised resolution was 9 For and 2 Opposed. Those opposed had concerns with government overreach as well as thinking that existing regulations could cover blight.

Respectfully submitted,

Joanne Hennessy, chair PZ & H

Good evening.

My name is *Mark Adiletta* and I am Chair of the Public Works Committee to the RTM.

At the Regular Session of the PWC held October 17th, with 10 of 11 members present, the PWC considered and voted 7:1 AGAINST with 2 Abstentions recommending approval of this item to the full RTM.

Background:

At the regular PWC meeting September 19th, Frank Kemp (Chair of TGS&A) provided our committee with a working draft of this resolution and provided an extensive summary of the initiative. Comparisons to similar ordinances in other towns were presented and a Q&A followed. Among the topics discussed were:

- The primary targets of the ordinance were generally properties, often owned by Banks or developers which can fall into and remain in a chronic state of dilapidation. It was noted when a Bank repossesses a property or a developer acquires one, that property can sit empty and unmaintained while the business related to the property works its way through the legal or permitting processes. Apparently there are several of these in Town.
- PWC members questioned the subjective nature of some of the provisions of that draft, which Frank responded to.
- PWC members expressed further concern some neighbors might use this ordinance against fellow neighbors.
- PWC members also raised concerns that such an ordinance might further burden some of our Town's most vulnerable citizens. The sick, elderly, financially disadvantaged or families undergoing some other stress or hardship which may be contributing to a blight condition. On this Frank noted it is difficult to legislate compassion but safeguards ~~were~~ ^{were} to be in place to protect customers of the Department of Human Services.

As you heard ~~from Frank~~, on October 17th the PWC participated in a joint session with P&Z where the current resolution was presented again by Frank Kemp. Jeremy Ginsberg of the P&Z Department also participated. The presenters discussed the ordinance in detail and their perspectives on the existing instances of blight in Town and the related need for an ordinance.

Many members present echoed the need for such an ordinance, that one was long overdue and several cited personal experiences with what they viewed as blighted properties. Instances of accumulating garbage and rat infestations were cited in these personal accounts. That said the conversation soon pivoted to focus on some of the same concerns raised at the PWC meeting September 19th. Specifically Section 3, Item 6 covering boats and trailers drew broad and extensive objection. The widespread ownership of boats, trailers and utility trailer in Town and the challenges a resident could face complying with this ordinance made this particular provision unworkable to several members who spoke up. Before the two committees separated to deliberate on the resolution, the idea of an amendment stripping boats and trailers from Section 3.6 was discussed.

The PWC then separated from the joint session with P&Z. The PWC deliberated, there was again general acknowledgement an ordinance like this is probably needed, but the committee voted 7:1 NOT to recommend the resolution in its current form. (2 abstain)

There was enough general support from the PWC members for some sort of blight ordinance that a discussion followed regarding the possibility of introducing and voting on an amendment. In this discussion again strong support was voiced for striking boats and trailers from Section 3.6. During the amendment discussion individuals again raised additional concerns including:

- Some of the language is vague and warrants clarification. Terms like *appropriately*, “unsightly”, “excessive”, “overgrown” and “significant” when applied to debris, bushes, trees, weeds and grass on one’s property were particularly worrisome. used in 6.10
- The sheer number of restrictions in the ordinance was viewed as cumbersome and several viewed this as a broadening of the scope.
- Repeatedly members questioned whether health and safety issues belonged in a blight ordinance given there are existing regulations in place. Members were of the view that if there are holes in those regulations, those should be fixed, and let the blight ordinance focus on blight. *health & safety*
- Several members again voiced serious reservations on whether the Towns most vulnerable citizens such as the elderly, sick, those in financial or general family distress are adequately protected. The view voiced was that not all instance of family distress flow through the Department of Human services.

and the summary Mr Kemp just read

- One of the most insightful comments from a member which captured the mood was when it was noted the term “chronic” was used multiple times in the presentations to describe the type conditions where the ordinance was to apply yet the term “chronic” is not used once in the ordinance itself.

or similar description

In summary, the committee members voiced general support and acknowledged the need for a blight ordinance. It was also obvious to all members that an extensive amount of research, work, and thought has gone into this resolution as those in TGS&A attempted to meet the needs and goals of the diverse interested parties. The PWC is grateful for this. That said the view was that with a few minor modifications, and a bit more time, the ordinance could be ready for “prime time” and something many more PWC members would be able to support. This view, along with the knowledge the P&Z subcommittee had already voted on its own amendment to the resolution, the PWC voted unanimously to table further discussion relating to an amendment. The hope and expectation expressed was that a more clearly defined, focused more supportable versions might be presented in the near future.

Thank you.

Remarks – Frank Kemp – re: Resolution 16-20

TGS&A PRIMARY
COMMITTEE REPORT

Good evening Town officials, RTM Members, Darien Residents and Guests. My name is Frank Kemp and I am Chairman of the Town Government Structure and Administration Committee - TGS&A.

At this time I would like to move Item 16-20 – Consideration and action on an amendment to Darien’s Code of Ordinances, Appendix B, regarding RTM self nomination. Do I have a Second? Thank you.

Without objection, I move to waive the reading of the Resolution.

It has been noted that the number of “poor attenders” at RTM meetings, and standing committee meetings, is on the increase. Statistics for the past five years bear out the existence of this trend.

To encourage better attendance and to place a limit on the ease of ‘self-nomination’ for incumbents with poor attendance records, a modification to Appendix B is proposed.

Under the provisions of this modification to the code, members with poor attendance records, if standing for re-election, would need to secure a petition of 25 electors in order to be entered on the ballot.

As you can see from the Resolution as proposed, members with an attendance record of 50% or more at RTM meetings, and 50% or more at their standing committee meetings during their elected term, may nominate themselves for reelection.

However, if they do not meet this attendance guideline, they may of course run for re-election, but they would lose the privilege of automatic self-nomination, and would need to secure the petition signatures of at least 25 electors, as has always been the case of new candidates for the RTM.

There are certain details, which you can read on the draft ordinance that you received in the Warning package - that were worked out by the Rules Committee, and passed unanimously by the Rules Committee at their meeting on October 3, 2016.

The TGS&A Committee met earlier this evening, reviewed the Resolution presented to us as Item 16-19 and voted ~~for~~ ~~against~~ ~~abstaining~~.

WITH 9 OF 11 MEMBERS PRESENT, AND VOTED UNANIMOUS

THAT THE RTM CONSIDER AND APPROVE THIS RESOLUTION.

The RTM Public Health & Safety Committee met tonight, October 24, 2016, at 7:00 pm with 6 of 10 members present to discuss and report to the Full RTM on Resolution 16-20 Consideration and action on an amendment to Darien's Code of Ordinances , Appendix B, regarding RTM self nomination.

During discussion it was noted there are instances of RTM members with poor attendance records continuing to be re elected due to being automatically placed on the ballot.

It was noted that while perfect attendance is the goal, a few absences each year can happen, and RTM members should be able to attend over 50% of the meetings.

It was also noted that Chairmen of Standing Committees may establish special requirements for evaluating attendance at meetings of that committee.

The Committee voted 6 to 0 with 0 abstentions to support this Resolution and we ask that the Full RTM do the same.

Respectfully submitted, James M. Patrick, Chairman