

**REPRESENTATIVE TOWN MEETING
JUNE 11, 2018**

**RECEIVED
JUN 18 2018
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, who announced that there were now 100 members of the RTM. Olive Hauser is the new member of District IV.

Upon Roll Call, the following members were present:

From District I, there were 12 members present, 5 absent.
From District II, there were 12 members present, 4 absent.
From District III, there were 10 members present, 6 absent.
From District IV, there were 15 members present, 1 absent.
From District V, there were 12 members present, 6 absent.
From District VI, there were 15 members present, 2 absent.

The absentees from District I were: Barsanti, Haverstick, Lublin, Pattelli,
Schneider.

The absentees from District II were: Howe, Miller, Mix.

The absentees from District III were: Feldman, Giordano, Riordan, Sload,
Washecka, Zimmerman.

The absentee from District IV was: Hardison.

The absentees from District V were: Adiletta, Costa, Hebert, Hennessy, Martin,
Moller.

The absentees from District VI were: Cantavero, Luz.

The Moderator, Seth Morton, assumed the Chair.

ACCEPTANCE OF THE AGENDA

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

APPROVAL OF THE MINUTES OF THE MAY 14, 2018 BUDGET MEETING

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

Clara Sartori, District II, pointed out that her name had been spelled incorrectly in a report attached to the minutes.

ANNOUNCEMENTS

There were no announcements.

**PRESENTATION REGARDING THE CLOSE-OUT OF COMPLETED CAPITAL
PROJECTS**

Jennifer Charneski, Finance Director, reviewed a Power Point presentation of her memo to the Rules Committee dated May 18, 2018. Her comments attached.

18-8

**CONSIDERATION AND ACTION ON APPROPRIATING AND AUTHORIZING
BONDING OF \$585,000 FOR THE DARIEN HIGH SCHOOL TURF FIELD
(BASEBALL) REPLACEMENT**

**** ANN REED, DISTRICT V, CHAIRMAN OF THE EDUCATION COMMITTEE,
MOVED:**

RESOLVED:

Section 1. The sum of \$585,000 is appropriated for the Turf Field Replacement Project located in the Town of Darien (the "Town"), which project includes, but is not limited to, replacing the artificial turf on the varsity baseball field, including all alterations, repairs and improvements in connection therewith as well as engineering, architectural and administrative, printing, legal and financing costs related thereto (the "Project"), said appropriation to be inclusive of any and all state and federal grants-in-aid thereof.

Section 2. To meet said appropriation, and in lieu of a tax therefor, \$585,000 bonds of the Town or so much thereof as shall be necessary for such purpose, may be issued, maturing not later than the twentieth year after their date, or as legally allowed. Said bonds may be issued in one or more series as determined by the Board of Finance, or any Town official designated by the Board of Finance, and the amount of bonds of each series to be issued shall be fixed by the Board of Finance, or any Town official designated by the Board of Finance, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of the state and federal grants-in-aid on the Project, and the anticipated times of the receipt of the proceeds thereof. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Town Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Pullman & Comley, LLC of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town is pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent, and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Board of

Finance, or any Town official designated by the Board of Finance, in accordance with the General Statutes of the State of Connecticut, as amended (the "General Statutes").

Section 3. Said bonds shall be sold by the Board of Finance, or any Town official designated by the Board of Finance, and the Town Treasurer, in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest true interest cost to the Town. If the bonds are sold by negotiation, provisions of the purchase agreement shall be subject to the approval of the Board of Finance, or any Town official designated by the Board of Finance.

Section 4. The Board of Finance, or any Town official designated by the Board of Finance, is authorized to issue and sell temporary notes in anticipation of the receipt of the proceeds of any series of said bonds and to determine the amount, date, date of maturity, interest rate, form and other details of such notes pursuant to the General Statutes. Notes evidencing such borrowings shall be signed by the First Selectman and the Town Treasurer, have the seal of the Town affixed, be payable at a bank or trust company designated by the Board of Finance, or any Town official designated by the Board of Finance, be approved as to their legality by Pullman & Comley, LLC of Hartford, Connecticut and be certified by a bank or trust company designated by the Board of Finance, or any Town official designated by the Board of Finance. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town is pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The Town hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount authorized hereby and for the Project defined herein with the proceeds of bonds, notes, or other obligations authorized to be issued by the Town. Such bonds, notes or other obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Board of Finance, or any Town official designated by the Board of Finance, is authorized to pay Project expenses in accordance herewith pending the issuance of reimbursement bonds and to amend this declaration.

Section 6. The First Selectman, Town Treasurer and Finance Officer or any one of them are hereby authorized, on behalf of the Town, to enter into any agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution and to perform all acts which are necessary or

appropriate to issue and deliver the bonds or notes. If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the First Selectman, the Town Treasurer and the Finance Officer, or any one of them, are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes, including covenants to pay rebates of investment earnings to the United States in future years. Should such bonds or notes issues in anticipation of such bonds be issued in such form and manner that the interest on such bonds or notes is includable in the gross income of the holders thereof under the Internal Revenue Code of 1986, as amended, then it is hereby determined that the issuance of such taxable bonds or notes is in the public interest.

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

Ann Reed, District V, Chairman of the Education Committee, read the Committee report (attached).

Jack Davis, District III, Chairman of the Finance & Budget Committee, read the Committee report (attached).

Frank Adelman, District VI, asked when this field was last turfed. Mrs. Reed responded that the turf has a useful life of ten years, and it was turfed ten years ago.

Monica McNally, District II, asked why it was bonded for 20 years. Mr. Davis replied that they are authorizing for 20 years, but it could easily be a 6 year bond.

David Bayne, District V, said they are being asked to appropriate money from the General Fund and asked why this had not been included in the budget approved last month. Mr. Davis said if that had been included in the budget, they would have taxed for these. The resolution to bond was not ready for the last meeting. Mr. Bayne said they may not have had to tax for them; it could have come from the General Fund. Are they being asked to approve an artificially low budget? He has reservations about large Capital projects outside of the budget process. Mr. Davis said this is on the advice of Bond Counsel. They say that the funding source has to go along with the appropriation.

Martha Banks, District IV, said the debt service could have been included in the budget.

Phyllis Hawkins, District IV, asked if there has been any consideration of the danger of artificial turf. The Moderator said that was the purview of the Board of Education, not the RTM.

John Boulton, District V, a former Chairman and member of the Board of Education, said that the issue of the safety of artificial turf had been discussed by the Board of Education with the State years ago.

****ITEM 18-8 CARRIED ON A RISING TALLY VOTE OF 68 IN FAVOR, 4
OPPOSED, 3 ABSTENTIONS.**

CONSIDERATION AND ACTION ON APPROPRIATING AND AUTHORIZING BONDING OF \$1,020,000 FOR THE HOLMES ELEMENTARY SCHOOL ROOF AND SKYLIGHT REPLACEMENT PROJECT

****ANN REED, DISTRICT V, CHAIRMAN OF THE EDUCATION COMMITTEE, MOVED:**

RESOLVED:

Section 1. The sum of \$1,020,000 is appropriated for the Holmes Elementary School Roof and Skylight Replacement Project located in the Town of Darien (the "Town"), which project includes, but is not limited to, the removal of shingles, rubber roofing and skylight, replacement of rotted wood, installation of new insulating board, flashing, shingles and skylight, and including all alterations, repairs and improvements in connection therewith as well as engineering, architectural and administrative, printing, legal and financing costs related thereto (the "Project"), said appropriation to be inclusive of any and all state and federal grants-in-aid thereof.

Section 2. To meet said appropriation, and in lieu of a tax therefor, \$1,020,000 bonds of the Town or so much thereof as shall be necessary for such purpose, may be issued, maturing not later than the twentieth year after their date or as legally allowed. Said bonds may be issued in one or more series as determined by the Board of Finance, or any Town official designated by the Board of Finance, and the amount of bonds of each series to be issued shall be fixed by the Board of Finance, or any Town official designated by the Board of Finance, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of the state and federal grants-in-aid on the Project, and the anticipated times of the receipt of the proceeds thereof. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Town Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Pullman & Comley, LLC of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town is pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent, and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Board of Finance, or any Town official designated by the Board of Finance, in accordance with the General Statutes of the State of Connecticut, as amended (the "General Statutes").

Section 3. Said bonds shall be sold by the Board of Finance, or any Town official designated by the Board of Finance, and the Town Treasurer, in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest true interest cost to the Town. If the

bonds are sold by negotiation, provisions of the purchase agreement shall be subject to the approval of the Board of Finance, or any Town official designated by the Board of Finance.

Section 4. The Board of Finance, or any Town official designated by the Board of Finance, is authorized to issue and sell temporary notes in anticipation of the receipt of the proceeds of any series of said bonds and to determine the amount, date, date of maturity, interest rate, form and other details of such notes pursuant to the General Statutes. Notes evidencing such borrowings shall be signed by the First Selectman and the Town Treasurer, have the seal of the Town affixed, be payable at a bank or trust company designated by the Board of Finance, or any Town official designated by the Board of Finance, be approved as to their legality by Pullman & Comley, LLC of Hartford, Connecticut and be certified by a bank or trust company designated by the Board of Finance, or any Town official designated by the Board of Finance. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town is pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The Town hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount authorized hereby and for the Project defined herein with the proceeds of bonds, notes, or other obligations authorized to be issued by the Town. Such bonds, notes or other obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Board of Finance, or any Town official designated by the Board of Finance, is authorized to pay Project expenses in accordance herewith pending the issuance of reimbursement bonds and to amend this declaration.

Section 6. The First Selectman, Town Treasurer and Finance Officer or any one of them are hereby authorized, on behalf of the Town, to enter into any agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution and to perform all acts which are necessary or appropriate to issue and deliver the bonds or notes. If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the First Selectman, the Town Treasurer and the Finance Officer, or any one of them, are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes, including covenants to pay rebates of investment earnings to the United States in future years. Should such bonds or notes issues in anticipation of such bonds be issued in such form and manner that the

interest on such bonds or notes is includable in the gross income of the holders thereof under the Internal Revenue Code of 1986, as amended, then it is hereby determined that the issuance of such taxable bonds or notes is in the public interest.

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

Ann Reed, District V, Chairman of the Education Committee, read the Committee report (attached).

Jack Davis, District III, Chairman of the Finance & Budget Committee, read the Committee report (attached).

**** ITEM 18-9 CARRIED ON A RISING TALLY VOTE OF 73 IN FAVOR, 0 OPPOSED, 2 ABSTENTIONS.**

18-10

CONSIDERATION AND ACTION ON INCREASING THE APPROPRIATION AND BONDING FOR THE PREVIOUSLY APPROVED DHS CAFETERIA PROJECT FROM \$1,689,359 TO \$1,951,359

**** ANN REED, DISTRICT V, CHAIRMAN OF THE EDUCATION COMMITTEE, MOVED:**

WHEREAS, on May 8, 2017, the Representative Town Committee (“RTM”) adopted an appropriation for the July 1, 2017 to June 30, 2018 budget for the Reserve Fund for Capital and Non-Recurring Expenditures in the amount of \$6,710,656 (the “Initial Appropriation”); and

WHEREAS, an appropriation for the costs of the expansion, acoustical treatment, and new furnishings at the Darien High School (the “Town”) including all alterations, repairs and improvements in connection therewith as well as engineering, architectural and administrative, printing, legal and financing costs related thereto (the “Project”) was included in the Initial Appropriation; and

WHEREAS, it was been determined that the cost of the Project be financed with the issuance of bonds by the Town; and

WHEREAS, on June 12, 2017, the RTM adopted a resolution authorizing the issuance of bonds and notes in the amount of \$1,689,359 to finance the cost of the Project (the “Resolution”);

WHEREAS, due to unforeseen conditions related to the electrical lines at the Project, the estimated cost of the project increased by \$262,000;

NOW, THEREFORE, BE IT RESOLVED, that the Resolution is hereby amended to increase the Initial Appropriation by \$262,000 and to increase the total bond authorization to \$1,951,359, and to read as follows:

RESOLVED:

Section 1. The additional sum of \$262,000 is appropriated for the costs of the expansion, acoustical treatment, and new furnishings at the Darien High School (the "Town") including all alterations, repairs and improvements in connection therewith as well as engineering, architectural and administrative, printing, legal and financing costs related thereto (the "Project"), said appropriation to be inclusive of any and all state and federal grants-in-aid thereof.

Section 2. To finance said Project, and in lieu of a tax therefor, bonds in the total amount of \$1,951,359 of the Town or so much thereof as shall be necessary for such purpose, may be issued, maturing not later than the twentieth year after their date or as legally permitted. Said bonds may be issued in one or more series as determined by the Board of Finance, or any Town official designated by the Board of Finance, and the amount of bonds of each series to be issued shall be fixed by the Board of Finance, or any Town official designated by the Board of Finance, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of the state and federal grants-in-aid on the Project, and the anticipated times of the receipt of the proceeds thereof. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Town Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Pullman & Comley, LLC of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town is pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent, and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Board of Finance, or any Town official designated by the Board of Finance, in accordance with the General Statutes of the State of Connecticut, as amended (the "General Statutes").

Section 3. Said bonds shall be sold by the Board of Finance, or any Town official designated by the Board of Finance, and the Town Treasurer, or any Town official designated by the Town Treasurer in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest true interest cost to the Town. If the bonds are sold by negotiation, provisions of the purchase agreement shall be subject to the approval of the Board of Finance, or any Town official designated by the Board of Finance.

Section 4. The Board of Finance, or any Town official designated by the Board of Finance, is authorized to issue and sell temporary notes in anticipation of the receipt of the proceeds of any series of said bonds and to determine the amount, date, date of maturity, interest rate, form and other details of such notes pursuant to the General Statutes. Notes evidencing such borrowings shall be signed by the First Selectman and the Town Treasurer, have the seal of the Town affixed, be payable at a bank or trust company designated by the Board of Finance, or

any Town official designated by the Board of Finance, be approved as to their legality by Pullman & Comley, LLC of Hartford, Connecticut and be certified by a bank or trust company designated by the Board of Finance, or any Town official designated by the Board of Finance. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town is pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The Town hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount authorized hereby and for the Project defined herein with the proceeds of bonds, notes, or other obligations authorized to be issued by the Town. Such bonds, notes or other obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Board of Finance, or any Town official designated by the Board of Finance, is authorized to pay Project expenses in accordance herewith pending the issuance of reimbursement bonds and to amend this declaration.

Section 6. The First Selectman, Town Treasurer and Finance Officer or any one of them are hereby authorized, on behalf of the Town, to enter into any agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution and to perform all acts which are necessary or appropriate to issue and deliver the bonds or notes. If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the First Selectman, the Town Treasurer and the Finance Officer, or any one of them, are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes, including covenants to pay rebates of investment earnings to the United States in future years. Should such bonds or notes issues in anticipation of such bonds be issued in such form and manner that the interest on such bonds or notes is includable in the gross income of the holders thereof under the Internal Revenue Code of 1986, as amended, then it is hereby determined that the issuance of such taxable bonds or notes is in the public interest.

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

Ann Reed, District V, Chairman of the Education Committee, read the Committee report (attached).

Jack Davis, District III, Chairman of the Finance & Budget Committee, read the Committee report (attached).

**** ITEM 18-10 CARRIED ON A RISING TALLY VOTE OF 67 IN FAVOR, 5 OPPOSED, 3 ABSTENTIONS.**

18-11

CONSIDERATION AND ACTION ON AMENDMENT TO DIVISION 4, SECTION 2 OF DARIEN'S CODE OF ORDINANCES REGARDING THE BEAUTIFICATION COMMISSION

**** ADELE CONNIFF, DISTRICT III, CHAIRMAN OF THE PARKS & RECREATION COMMITTEE, MOVED:**

WHEREAS, Sections 2-201 through 2-203 of the Darien Code relate to the Beautification Commission; and

WHEREAS, it has been determined that there should be a change in the size of the Beautification Commission as there has been difficulty obtaining volunteers to serve and currently there are not enough members to constitute a quorum; and

WHEREAS, the recommendation is to reduce the size of the Beautification Commission to seven (7) members; and

WHEREAS, Sections 2-202 of the Darien code provides that the Beautification Commission may call a special meeting with two (2) days prior notice; and

WHEREAS, it is felt more appropriate to provide for notice in accordance with the Freedom of Information Act of the State of Connecticut; and

WHEREAS, there is a desire to ensure that any hiring goes through the Human Resources Department and that any and all laws and regulations surrounding employment with the Town be followed.

NOW THEREFORE, BE IT RESOLVED that the Representative Town Meeting of the Town of Darien approves modifications to Section 2-201 to provide that the commission shall consist of seven (7) members.

BE IT FURTHER RESOLVED that the Representative Town Meeting of the Town of Darien approves modification of Section 2-202 to provide that the chairman may call special meetings in accordance with the rules and regulations of the Freedom of Information Act of the State of Connecticut.

BE IT FURTHER RESOLVED that the Representative Town Meeting of the Town of Darien approves modification of Section 2-203 by deleting the authority of the Beautification Commission to hire and supervise employees.

Said changes are more particularly set out in the proposed red-lined version of the amendments attached hereto and made part hereof.

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

Frank Kemp, District IV, Chairman of TGS&A, read the Committee report for this item as well as for items 18-12 and 18-13 (attached).

**** FRANK KEMP, DISTRICT IV, CHAIRMAN OF TGS&A, MOVED ITEM 18-11 AMENDMENT:**

PROPOSED AMENDMENT TO RESOLUTION 18-11 OF THE RTM CALL FOR JUNE 11, 2018

DIVISION 4. - BEAUTIFICATION COMMISSION

Sec. 2-201. - Commission established.

The Town does hereby create a beautification commission ("Commission") which shall consist of 7 members to be appointed by the Board of Selectmen for three-year terms commencing on December 1 of the year of their appointment.

(Code 1972, § 54-1; Res. of 9-25-1990)

Sec. 2-202. - Organization and procedures.

- (a) The Commission annually shall elect a chairperson, a vice-chairperson, a treasurer and a secretary by a majority vote of its membership. Minutes of all meetings and votes of the Commission shall be kept and copies thereof filed with the Town Clerk.
- (b) The Commission shall adopt and file with the Town Clerk reasonable rules and regulations. No vote or action will be valid unless adopted by the affirmative votes of a majority of the Commission members, taken during a meeting held pursuant to its rules and regulations.
- (c) The Commission shall hold regular monthly meetings. In addition, the chairperson may call special meetings of the Commission in accordance with the Connecticut Freedom of Information Regulations Act, Conn, Gen. Stat. §§ 1-200 et seq.

(Code 1972, § 54-2; Res. of 9-25-1990)

Sec. 2-203. - Duties and powers.

- (a) The purpose of the Commission is to develop, plan, coordinate and conduct public and private actions that will maintain and improve the overall physical appearance of the Town. These duties may include but are not limited to the following:
 - (1) Promoting and encouraging actions by individuals and organizations that will enhance the Town's appearance.
 - (2) Promoting and encouraging the owners or tenants of commercial, retail and service establishments and other properties to maintain them in a neat and attractive condition as determined by the Commission.

- (b) The Commission shall consult and coordinate its activities with such other Town boards and commissions as have relevance to the furtherance of its purposes.
- (c) The Commission shall prepare and present to the Board of Selectmen an annual operating budget of planned expenses by project or activity.
- (d) The Commission shall be held responsible for operating within its approved budget, and for this purpose shall conduct a quarterly review of actual expenses and revenues. Accounting records and procedures shall be maintained in accordance with approved Town procedures. The rules and regulations of the Commission shall include procedures for approval of budget expenditures and financial commitments.
- (e) The Commission is authorized to receive, on behalf of the Town, gifts to improve the overall physical appearance of the Town, subject to the maximum amount set by the Board of Selectmen as prescribed in chapter 2, article II, section 2-33. In the event a gift exceeds the maximum amount set by the Board of Selectmen in section 2-33, the acceptance of said gift must be submitted to the Representative Town Meeting for approval.
- (f) The Commission shall submit an annual report of its activities and finances to the Board of Selectmen as well as any other reports which may be required.

(Code 1972, § 54-3; Res. of 9-25-1990; Ord. of 6-12-2007(1))

Secs. 2-204—2-220. - Reserved.

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

James Cameron, District I, asked if this amendment had been mailed to RTM members. Donna Rajczewski, Town Clerk, said that the amendments were not mailed because of time, but they were e-mailed to everyone and posted to the website.

Frank Kemp, District IV, Chairman of TGS&A, reviewed the changes to the resolution.

**** ITEM 18-11 AMENDMENT CARRIED UNANIMOUSLY BY VOICE VOTE.**

Adele Conniff, District III, Chairman of the Parks & Recreation Committee, reviewed the Committee report (attached).

**** ADELE CONNIFF, DISTRICT III, CHAIRMAN OF THE PARKS & RECREATION COMMITTEE, MOVED TO POSTPONE TO SEPTEMBER 24, 2018, THE NEXT RTM MEETING.**

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

Jack Davis, District III, said this should have been a quick and easy ordinance. Currently, this Commission is not functioning, and this amendment would allow them to function. If they vote to postpone, there are consequences. The Commission cannot spend any more Town funds. They need to deal with the devil they know vs. the one they don't know. They could possibly be moved to an advisory board. They possibly may not have any budgetary responsibility going forward. The RTM should keep this going forward so they can have beautification.

David Bayne, District V, said he had received an e-mail from the former chairman of this commission, who strongly opposed the reduction in size of the commission. They need to find new members, not reduce the membership. He said they should approve the amendment.

James Cameron, District IV, said this should be addressed by the Board of Selectmen. Susan Marks, Board of Selectmen, said the Selectmen feel that 7 members was the right number, because other functions could be accomplished by volunteers. They are not making decisions based on the opinions of current members. Marc Thorne, Board of Selectmen, said he disagreed with Mr. Bayne. The commission has the ability to take action and spend money, which an advisory commission does not have. He feels strongly that that they need to make their own decisions and take their own actions.

Town Counsel Fox clarified that they were voting on the amendment, which called for 7 members.

David Bayne, District V, said he was in favor of postponing the vote.

Phyllis Hawkins, District IV, said she strongly supported Mr. Bayne's comments. She also had served on the Beautification Commission. They should postpone and publicize the need for more commissioners.

Frank Adelman, District VI, said it is the Board of Selectmen's job to populate this commission. He supports that the right number is larger than 7.

Diane Conologue, District I, said it is her understanding that the RTC and DTC interview the applicants. She asked how many come from each party and if there has to be a certain representation from each party. The Moderator said that the Democrats outnumber the Republicans. Mrs. Conologue said they should postpone and let RTC and the DTC do their jobs.

Patti Bumgardner, District I, said there are currently 4 people on this Commission. They have done a huge number of projects and they felt that 13 or 14 was the right number. There are people waiting to be interviewed by the DTC and the RTC.

Frank Adelman, District VI, asked if there were nominations that have yet to be acted on. Selectman Susan Marks said that the Selectmen meet twice a month, but she did not know any specifics, and she said this was not the place to point fingers.

Theresa Vogt, District VI, said it is getting harder every year to find volunteers. She agreed with the idea of 7 members.

**** A MEMBER OF THE RTM CALLED THE QUESTION.**

Phyllis Hawkins, District IV, said if the vote to reduce the number, they won't be able to increase the number in time. If they reduce it, there will be projects that fall by the wayside.

Jack Davis, District III, said there will be no further expenditures if the vote to postpone - they will be killing this Commission.

**** THE MOTION TO CALL THE QUESTION PASSED BY VOICE VOTE.**

**** ITEM 18-11A (MOTION TO POSTPONE) FAILED ON A RISING TALLY VOTE OF 32 IN FAVOR, 38 OPPOSED, 4 ABSTENTIONS.**

David Bayne, District V, said he opposed the resolution because a vote against will give more time to find volunteers. The Board of Selectmen can transfer funds to other departments or commissions to do projects. This is being done too hastily - everyone should vote against it.

Jack Davis, District III, said that baskets have been hung. They should move to a number they can seat.

**** PATTI BUMGARDNER, DISTRICT I, MOVED TO AMEND THE AMENDMENT TO 9 MEMBERS (18-11B).**

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

James Cameron, District IV, said you do not have to be an appointed commissioner to do work; they have a problem with volunteers. The issue is that the RTC and the DTC are slow in appointing people; this is not a problem of the Board of Selectmen. The issue is finding people to work.

**** ITEM 18-11B CARRIED ON A RISING TALLY VOTE OF 68 IN FAVOR, 7 OPPOSED, 0 ABSTENTIONS.**

**** ITEM 18-11 AS AMENDED CARRIED ON A RISING TALLY VOTE OF 66 IN FAVOR, 9 OPPOSED, 0 ABSTENTIONS.**

18-12

CONSIDERATION AND ACTION ON AMENDMENT TO DIVISION 3, SEC. 2 OF DARIEN'S CODE OF ORDINANCES REGARDING THE COMMISSION ON AGING

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

WHEREAS, Section 2-177 and 2-178 of the Darien code of ordinances relate to the Commission on Aging; and

WHEREAS, Section 2-177 provides that the Chairman may call a special meeting with two (2) days prior notice; and

WHEREAS, there is a desire to modify that section to bring it in line with Freedom of Information Act of the State of Connecticut; and

WHEREAS, Section 2-178 provides for the Commission to prepare an annual operating budget, to be responsible for functioning within said approved budget; and

WHEREAS that language is no longer necessary now that there is a full Town department with Department Head responsible for the budget preparation; and

WHEREAS, Section 2-178 provides that the Commission may employ and supervise employees; and

WHEREAS, there is a desire to ensure that any such hiring goes through the Human Resources Department and that any and all laws and regulations surrounding employment with the Town be followed.

NOW THEREFORE, BE IT RESOLVED that the Representative Town Meeting of the Town of Darien hereby authorizes an amendment to Section 2-177 of the Darien Code providing that a special meeting will be noticed in accordance with the Freedom of Information Act of the State of Connecticut.

BE IT FURTHER RESOLVED that Section 2-178 of the Darien Code be amended by deleting Sections d, e and f as there is now a full Town department, which Department Head is responsible for budget preparation and any hiring would go through the Human Resources Department of the Town of Darien.

Said changes are more particularly set out in the proposed red-lined version of the amendments attached hereto and made part hereof.

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

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

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

**** FRANK KEMP, DISTRICT IV, CHAIRMAN OF TGS&A, MOVED THE FOLLOWING AMENDED RESOLUTION:**

PROPOSED AMENDMENT TO RESOLUTION 18-12 OF THE RTM CALL FOR JUNE 11, 2018

DIVISION 3. - COMMISSION ON AGING

Sec. 2-176. - Commission established.

- (a) The Town does hereby create a commission on aging ("Commission") which shall consist of 11 members to be appointed by the Board of Selectmen. Commission members shall serve for three-year terms commencing on April 1 of the year of their appointment.
- (b) The municipal agent for elderly persons of the Town shall be a nonvoting ex officio member of the Commission.

(Code 1972, § 53-1; Ord. of 2-1-1988)

Sec. 2-177. - Organization and procedures.

- (a) The Commission annually shall elect a chairperson, a vice-chairperson and a clerk by a majority vote of its membership. Minutes of all meetings and votes of the Commission shall be kept and copies thereof filed with the Town Clerk.
- (b) The Commission shall adopt and file with the Town Clerk reasonable rules and regulations. No vote or action will be valid unless adopted by the affirmative votes of a majority of the Commission members taken during a meeting held pursuant to its rules and regulations.
- (c) The Commission shall hold regular monthly meetings. In addition, the chairperson may call special meetings of the Commission in accordance with the Connecticut Freedom of Information Regulations Act, Conn, Gen. Stat. §§ 1-200 et seq.

(Code 1972, § 53-2; Ord. of 2-1-1988)

Sec. 2-178. - Duties and powers.

- (a) The Commission shall keep itself informed of the conditions and needs of the aging in the Town with regard to health, recreation, housing, transportation, economics, legal and financial problems, and general welfare, as well as of services and programs available to the aging through private or public resources.
- (b) The Commission shall develop, plan, coordinate and/or conduct such programs and/or activities that in its judgment address the needs and requirements of the aging of the Town. The Commission also shall disseminate information about services available through public or private resources.
- (c) The Commission shall consult and coordinate its activities with such other Town boards and commissions as have relevance to the furtherance of its purposes.
- (d) The Commission is authorized to receive, on behalf of the Town, gifts to be used for the needs of the aging in the town, subject to the maximum amount set by the Board of Selectmen as provided in chapter 2, article II, section 2-33. In the event a gift exceeds the maximum amount set by the Board of Selectmen in section 2-33, the acceptance of said gift must be submitted to the Representative Town Meeting for approval.
- (e) The Commission shall submit an annual report of its activities and finances to the Board of Selectmen as well as any other reports which may be required.

(Code 1972, § 53-3; Ord. of 2-1-1988; Ord. of 6-12-2007(1))

Secs. 2-179—2-200. - Reserved.

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

**** THE AMENDMENT CARRIED BY VOICE VOTE.**

**** ITEM 18-12, AS AMENDED, CARRIED ON A RISING TALLY VOTE OF 75 IN FAVOR, 0 OPPOSED, 0 ABSTENTIONS.**

18-13

**CONSIDERATION AND ACTION ON AMENDMENT TO APPENDIX B, PART V
SECTION IV OF DARIEN'S CODE OF ORDINANCES REGARDING THE
DISTRIBUTION OF RTM MINUTES**

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

WHEREAS, Appendix B, Part V, Section 4 of the Rules of Procedure of the Representative Town Meeting currently provides that accurate minutes of meetings shall be mailed by the Town Clerk to each member of the Representative Town Meeting with the warning of the next meeting; and

WHEREAS, this process is antiquated and costly; and

WHEREAS, it is proposed that Appendix B be amended so that the process be more cost effective and efficient.

BY IT RESOLVED that the last sentence of Appendix B, Part V, Section 4 be amended to read as follows:

“Accurate minutes of each meeting shall be prepared by the clerk and posted to the Town website. Said minutes shall be electronically distributed to each member with the warning of the next meeting or, if requested, mailed to any member.”

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

**** FRANK KEMP, DISTRICT IV, CHAIRMAN OF TGS&A, MOVED THE FOLLOWING AMENDED RESOLUTION:**

PROPOSED AMENDMENT TO RESOLUTION 18-13 OF THE RTM CALL FOR JUNE 11, 2018

Part V-Sec. 4. A stenographic record of each meeting, including a record of members present and absent, shall be kept by the Town Clerk and kept on file in the Town Clerk's office for public inspection according to applicable law. Accurate minutes of each meeting shall be prepared by the Town Clerk, posted to the Town's website, and electronically distributed or mailed to each member with the warning of the next meeting.

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

James Cameron, District IV, said he heartily endorses this, but it should apply to the agenda, resolutions, etc. Town Counsel Fox said these other items related to a different section of the Code. Town Clerk Donna Rajczewski said several years ago, because of the large mailing cost, the decision was made to distribute minutes electronically.

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

**** ITEM 18-13 CARRIED BY A RISING TALLY VOTE OF 75 IN FAVOR, 0 OPPOSED, 0 ABSTENTIONS.**

**** UPON MOTION MADE AND SECONDED FROM THE FLOOR, IT WAS UNANIMOUSLY VOTED TO ADJOURN AT 9:45 P.M.**

Respectfully submitted,

Cheryl Telesco Blois
Telesco Secretarial Services

<u>DISTRICT IV</u>	<u>(18-8)</u>	<u>(18-9)</u>	<u>(18-10)</u>	<u>(18-11A)</u>	<u>(18-11B)</u>	as amended <u>(18-11)</u>	as amended <u>(18-12)</u>	as amended <u>(18-13)</u>
Banks	no	yes	no	yes	yes	yes	yes	yes
Cameron	yes	yes	yes	no	no	yes	yes	yes
Joan Davis	yes	yes	yes	no	yes	yes	yes	yes
Fiore	yes	yes	no	yes	yes	yes	yes	yes
Hardison	absent	absent	absent	absent	absent	absent	absent	absent
Hauser	abstain	yes	abstain	no	yes	yes	yes	yes
P. Hawkins	no	yes	yes	yes	yes	yes	yes	yes
Heitz	yes	yes	yes	no	yes	yes	yes	yes
Kemp	yes	yes	yes	yes	yes	yes	yes	yes
Miceli	yes	yes	yes	no	yes	yes	yes	yes
Millar	yes	yes	no	yes	yes	yes	yes	yes
Obin	yes	yes	yes	no	yes	yes	yes	yes
Rayhill	yes	yes	yes	yes	no	yes	yes	yes
Savage	yes	yes	yes	no	yes	yes	yes	yes
Terhune	yes	yes	yes	no	yes	yes	yes	yes
Whittier	yes	yes	yes	no	yes	yes	yes	yes

DISTRICT V

Adiletta	absent	absent	absent	absent	absent	absent	absent	absent
Bayne, C.	yes	yes	yes	yes	yes	no	yes	yes
Bayne, D.	yes	yes	yes	yes	yes	no	yes	yes
Boulton	yes	yes	yes	yes	yes	yes	yes	yes
Costa	absent	absent	absent	absent	absent	absent	absent	absent
Duffy	abstain	abstain	abstain	no	yes	yes	yes	yes
Fiveson	yes	yes	yes	yes	yes	yes	yes	yes
Hebert	absent	absent	absent	absent	absent	absent	absent	absent
Hennessy	absent	absent	absent	absent	absent	absent	absent	absent
Kelly	yes	yes	yes	no	yes	yes	yes	yes
Martin	absent	absent	absent	absent	absent	absent	absent	absent
McLachlin	absent	absent	absent	absent	yes	yes	yes	yes
Moller	absent	absent	absent	absent	absent	absent	absent	absent
Mosher	yes	yes	yes	yes	yes	no	yes	yes
Parent	yes	yes	yes	no	yes	yes	yes	yes
Patrick	abstain	abstain	abstain	no	yes	yes	yes	yes
Reed	yes	yes	yes	no	yes	yes	yes	yes
Smith	yes	yes	yes	no	no	yes	yes	yes

DISTRICT VI

Adelman	yes	yes	yes	no	yes	no	yes	yes
Cantavero	absent							
Chickles	yes	yes	yes	yes	no	no	yes	yes
Grogan	yes							
Handler, M.	yes							
Ted Hawkins	yes	yes	yes	yes	yes	no	yes	yes
Lauritzen	yes							
Lewis	yes							
Luz	absent							
McDermott	yes							
Orphanos	yes	yes	yes	no	yes	yes	yes	yes
Poli	yes	yes	yes	no	yes	yes	yes	yes
Silsby	yes							
Swenson	yes	yes	yes	no	yes	yes	yes	yes
Van Loan	yes	yes	yes	yes	yes	no	yes	yes
Vogt	yes	yes	yes	no	yes	yes	yes	yes
Werner	yes	yes	yes	yes	no	no	yes	yes

Jenn's
remarks

Good evening, I am here tonight to provide you with information about the final close-out of completed capital projects. Formal close-out of these projects will allow us to remove them from the list of active construction commitments shown in the annual audit and remove them from the list of projects with authorized but unissued debt in the Official Statement.

The Board of Finance approved the close-out of these projects on April 16th. No additional approval is required. This presentation is to inform you of the cash surpluses and deficits that were identified, changes made to reporting and borrowing practices, and close-out actions that will have an impact on the FY2018 General fund budget.

Slide 2

I'd like to begin by providing an overview of the bonding process and cash flow for a project.

The process begins after the RTM approves a resolution appropriating funds and authorizing bonding. The appropriation becomes effective 10 days after approval. That is when work may begin. Bonds can be issued at any time after the resolution is effective. Depending on the size and nature of the project, bonds may be issued before work begins, throughout the project or after work is complete.

We do not issue debt very often, at most once per year. We do try to size bond issues to minimize issuance costs. We typically issue debt to reimburse project expenditures. Project expenditures incurred before bonds are issued are paid with cash from the General Fund. The General Fund is reimbursed when bonds are issued. Any difference between project revenues and project expenditures will result in a cash surplus or deficit.

Slide 3

A review of capital funds identified 12 projects that were complete but not formally closed. Bonding was the primary funding source for all projects. With the exception of an immaterial over expenditure for the Police boat, all projects were completed within their final approved budgets. However, all of these projects had differences between final revenues and final expenditures.

- 7 projects have cash surpluses totaling approximately \$422,000. The most significant is Paving and Parking Lot Improvements.
- 5 projects have cash deficits totaling \$2.15 million. Three project deficits, Darien High School, Tokeneke and Weed Beach Improvements are significant.

Slide 4

The surpluses are relatively small. The most significant is the Paving and Parking Lot improvements project. Bonds were issued at the beginning of the project. Cost saving measures and completing design work in-house resulted in the projects being completed under budget.

Cash surpluses can be transferred to an active bonded project to reduce future borrowing or be used to pay current year debt service.

A transfer of \$105,672.95 to the Intervale Drainage project was approved by the Board of Finance on April 16th. The Intervale project is complete. This transfer eliminates the need for any additional borrowing and allows the project to be closed-out in FY2018.

The remaining \$316,604 will be used to pay current year debt service. Each project with a cash surplus has an active debt issue. Debt service expenditures will be reclassified from the General Fund to the project funds. This will create a year-end surplus in the General Fund debt service line items.

Slide 5

The causes of the deficits have been identified and reporting and bonding practices have been changed to prevent future cash deficits.

The significant deficits are all due to missed bonding deadlines. Bonds can be issued to reimburse expenditures up to 18 months after a project is placed in service. However, the bonds cannot be issued more than 3 years after the original expenditure. Expenditures cannot be reimbursed with bonds after this deadline.

The deficits in the school projects are the result of the sometimes lengthy close-out process required for state reimbursement. These projects were eligible for state reimbursement, but the final reimbursement amount was not known until after the bonding deadline had passed. Bond Anticipation Notes (BANs) can be used to temporarily borrow while the final reimbursement amount remains unknown. Once the reimbursement amount is finalized, the correct amount can be permanently financed. Darien was not utilizing BANs when these projects were completed, but will begin doing so.

The cash deficit in the Weed Beach project is a result of failing to include the final amount in the July 2015 bond issue. The monthly Board of Finance report has been expanded to track each active project's budget, cash position and debt issuance dates.

Slide 6

The Town's Bond Counsel recommended that deficits be eliminated through a transfer from the General Fund. Funds can be transferred by redirecting a portion of the FY2018 budgeted contribution to the Reserve for Capital & Non-Recurring Expenditures. The budgeted contribution is \$6,319,066.

Funds are available because three projects were included in the FY2018 budget, but were later approved for bonding. The three projects are the Darien High School Cafeteria, Darien High School Shed and Town Hall Generator.

The FY2018 budget included \$2,189,359 for these projects. A transfer of \$2,151,049 is needed to eliminate the cash deficits in the bonded projects. The difference of \$38,310 will remain in the General Fund.

The contribution to the Reserve for Capital & Non-Recurring Expenditures will be \$4,129,707. This is sufficient to cover all other projects approved in the FY2018 budget.

Slide 7

This information was presented to F&B in January and discussed at a later meeting. The Board of Finance approved the required resolutions for the close-out of the completed projects. The close-out of these projects will be completed before June 30th and will be reflected in the FY2018 audit.

I am Ann Reed, District 5 and Chair of the RTM Education Committee

I move RTM Resolution (18-8) Authorizing and Approving the Consideration and action on appropriating and authorizing bonding of \$585,000 for the Darien High School turf field (baseball) replacement. Is there a second? (wait for a second)

If there are no objections, I propose to waive the reading of the Resolution.

The RTM Education Committee met on June 4th with 12 of 14 members present. The Committee acknowledges the need for the DHS Baseball Turf Field replacement and voted to approve the resolution by a unanimous vote and recommends approval of the resolution to the full RTM.

Respectfully Submitted

Ann Reed
Chair of the RTM Education Committee

**(18-8) CONSIDERATION AND ACTION ON APPROPRIATING AND
AUTHORIZING BONDING OF \$585,000 FOR THE DHS TURF BASEBALL
REPLACEMENT**

The F&B committee met on Monday, June 4th, 2018 with 11 of 15 members present. The field needs to be replaced. It will be used for both baseball and field hockey. F&B reviewed the bonding and found it consistent with BOF policies. By bonding, it smooths field replacement capital expenditures and is fairer to our taxpayers.

The F&B committee voted 9 in favor, 1 opposed and one abstention to approve the appropriation and authorize bonding of the DHS turf baseball/field hockey field and recommend the same to the full RTM. The negative vote was a concern regarding bonding for turf fields although the individual was unsure if they would have supported accruing for replacements.

Respectfully submitted

Jack Davis, Chair, RTM Finance & Budget Committee

June 11, 2018

I am Ann Reed, District 5 and Chair of the RTM Education Committee

I move RTM Resolution (18-9) Authorizing and Approving the Consideration and action on appropriating and authorizing bonding of \$1,020,000 for the Holmes Elementary School roof and skylight replacement project. Is there a second? (wait for a second)

If there are no objections, I propose to waive the reading of the Resolution.

The RTM Education Committee met on June 4th with 12 of 14 members present. The Committee acknowledged the immediate need for the Holmes Roof and Skylight replacement and voted to approve the resolution by a unanimous vote and recommends approval of the resolution to the full RTM.

Respectfully Submitted

Ann Reed
Chair of the RTM Education Committee

**(18-9) CONSIDERATION AND ACTION ON APPROPRIATING AND
AUTHORIZING BONDING OF \$1,020,000 FOR THE HOLMES
ELEMENTARY SCHOOL ROOF AND SKYLIGHT REPLACEMENT PROJECT**

The F&B committee met on Monday, June 4th, 2018 with 11 of 15 members present. The roof and skylight leak, they are old. They need to be replaced. F&B reviewed the bonding and found it consistent with BOF policies.

The F&B committee voted 10 in favor, none opposed and one abstention to approve the appropriation and authorize bonding of the Holmes School roof and skylight and recommend the same to the full RTM.

Respectfully submitted

Jack Davis, Chair, RTM Finance & Budget Committee

June 11, 2018

I am Ann Reed, District 5 and Chair of the RTM Education Committee

I move RTM Resolution (18-10) Authorizing and Approving the Consideration and action on increasing the appropriation and bonding for the previously approved DHS Cafeteria project from \$1,689,359 to \$1,951,359. Is there a second? (wait for a second)

If there are no objections, I propose to waive the reading of the Resolution.

The RTM Education Committee met on June 4th with 12 of 14 members present. Jill McCammon and Michael Burke of the DHS Cafeteria Building Committee joined the meeting for the discussion of the Trench Project. The Committee spent time discussing the chronicle of the trench, its discovery, problems caused to both the Cafeteria Expansion Project and the storage shed and how the Building Committee was granted approval to handle the trench project as part of its scope.

A few members of the Committee registered their opposition to the cafeteria expansion project and voiced frustration with how the process was handled last year. Additionally, there was discussion of how the town might pay for the project without adding to the existing DHS Cafeteria bond. One member of the Committee voiced support for the trench project independent of the cafeteria expansion because now that the trench has been exposed, it is out of code and needs to be redone and brought up to code.

The Committee voted to approve the resolution to increase the appropriation and bonding for the DHS Cafeteria Project by a vote of 8-4. The committee recommends approval of this resolution to the full RTM.

Respectfully Submitted,

Ann Reed
RTM Education Committee Chair

10
**(18-8) CONSIDERATION AND ACTION ON INCREASING THE
APPROPRIATION AND BONDING FOR THE PREVIOUSLY APPROVED
DHS CAFETERIA PROJECT FROM \$1,689,359 TO \$1,951,359**

The F&B committee met on Monday, June 4th, 2018 with 9 of 15 members present. A reminder that this is a BOS authorized project and it was their recommendation to add the trench project to the cafeteria expansion project. The BOF made several adjustments on the funding sources for this project; allocating previously approved cafeteria expansion contingency to cover some of the costs that were presented at our last RTM meeting.

The F&B committee voted 8 in favor, none opposed and one abstention to approve the increase in appropriation and bonding for the cafeteria project to cover the trench project and recommend the same to the full RTM.

Respectfully submitted

Jack Davis, Chair, RTM Finance & Budget Committee

June 11, 2018

ADELE CONNIFF

DISTRICT 3

CHAIRMAN OF THE RTM PARKS & RECREATION COMMITTEE

REPORT TO THE RTM JUNE 11, 2018

(18-11) RESOLUTION OF THE REPRESENTATIVE TOWN MEETING OF THE TOWN OF DARIEN AMENDING SECTIONS 2-201 THROUGH 2-203 OF THE DARIEN CODE

The Beautification Commission was incorporated into the town government as a full commission in 1991 for the purpose of developing, planning, coordinating and conducting public and private actions that will maintain and improve the overall physical appearance of the Town.

The Commission is comprised of 13 members (7 members constituting a quorum) which meet monthly to review current projects, plan new ones, and discuss issues related to the maintenance of the spring hanging baskets, 30+ islands along the town's roadsides, the Adopt-A-Garden program and Darien's historic graveyards.

There are currently five members of the Beautification Commission.

The RTM Parks & Recreation Committee met on June 6, 2018 with 9 of 15 members present thus constituting a quorum. We discussed the proposed code changes for the Beautification Commission. The committee felt it could support the change in the notice for calling a special meeting from 48 hours to one being in accordance with the Freedom of Information Act of the State of Connecticut (which is 24 hours). The Parks & Recreation Committee also felt it could support the removal of the ability to hire employees as the Beautification Commission would still be able to contract for services. (example: hiring a watering service for hanging baskets)

The committee had a long discussion on the reduction of the size of the commission from 13 members to 7 members. One of our members had previously served on the Beautification Commission. This committee member felt that the large number of commissioners was useful with all of the projects the commission managed. Another committee member had been in contact with 4 of the 5 current Beautification Commission members and that those commissioners supported the commission remaining at 13 members.

The committee felt the reduction of Beautification Commission members to 7 from 13 was too big of a reduction. It would allow 4 members to make a decision for the town. Feeling they needed more information on the reduction, the Parks & Recreation Committee voted 8 to 1 against the reduction of the number of commissioners. The dissenting voter thought that a 7 member commission could at least have a quorum and follow good government practices. The Parks & Recreation Committee then voted 9 to 0 to table (18-11).

I MOVE TO TABLE (18-11) until September 24, 2018, the next full RTM meeting.

to postpone to

DO I HAVE A SECOND?

||

Remarks relating to Resolution 18-12, RTM Meeting Monday June 11

Thank you Mr. Moderator.

My name is Frank Kemp, District 4, and Chairman of the RTM Town Government Structure and Administration Committee – or TGS&A.

I would like to review some of the background associated with the materials we have received relating to Resolution 18-~~8~~¹¹ – and the next two Resolutions as well 18-12 and 18-13 – that deal with the Commission on Aging and Appendix B relating to the electronic distribution of RTM minutes.

This resolution, 18-11, concerning the Beautification Commission, and the two following have been processed in parallel, and are being presented together this evening as a ‘package’ – in that each one deals with routine maintenance and upgrade of the Town’s ordinances.

The process started with a request to the Rules committee to adjust our Ordinances, and the Rules Committee assigned them to TGS&A to look after and shepherd forward. At the same time, Town Counsel formatted the Resolutions, addressing the issues at hand.

Then, as luck would have it, the TGS&A Committee held their Regular Meeting the night that the Town Counsel’s draft became available. At the TGS&A meeting the Committee realized that this was a perfect opportunity to “clean up” these three Ordinances, modernizing the language, applying Capital Letters where appropriate, and, for example, providing links to the State Statutes concerning the Freedom of Information Act.

None of these changes affected the intent of the resolution, in any way, not even close ... they are just cosmetic and modernizing. That’s the type of work that TGS&A has enjoyed doing for years – as changes are proposed to the Charter and Ordinances – we see it as an opportunity for a ‘clean-up’ – some have called it ‘removing the buggy whips’ from the text. In this case we had no structural issues to deal with – we followed our own guidelines to make it more modern.

Incidentally, a note has recently been distributed to the Chairmen of the Standing Committees, inviting them to have their Committees review the

relevant portions of the Charter and Ordinance in a similar initiative to modernize the material in their area, and bring the Charter and Ordinances in line with current practices and good government procedures. We know that at least two Committees are doing this, and we will welcome their suggestions for changes at any time they are prepared to move forward.

So what happened was this: the TGS&A Committee, meeting Monday June 4, with eleven members present, one absent, voted 10 in favor, one against, and no one abstaining, for replacing the material prepared by Town Council with the revised material, now known as Amendment 1.

While on the topic of the three 10-to-1 votes, the 1 vote in each instance was from an earnest, loyal and well informed Member of the Committee who believed that the Committee should stick to the minimum that it was asked to do, and go with the original draft prepared by Town Counsel. None the less, the majority of 10 – believed that this was a good opportunity to update the Ordinances, and therefore submitted the material to Town Counsel for review and final formatting.

Town Council reviewed TGA&A's recommendations, applied some further cosmetic changes – and formatted what we have in hand now. We all received this new material, titled "Amendment 1" on Thursday.

With all this as background, then, I would like to move that the material identified as Amendment 1 to Resolution 18-11 replace the existing Resolution 18-11 – and that further discussion of the Resolution, be based on the material we have in hand as Amendment 1.

The TGS&A Committee supports such a motion.

Mr. Moderator, can you call for a Second?

Good evening, I'm Mac Patrick, Chairman of Public Health and Safety.

I move Resolution 18-12, Consideration and action on amendment to Division 3, Section 2 of Darien's Code of Ordinances regarding the Commission on Aging. Do I have a second? *Without objection, I will waive the reading of the Resolution.*

The Public Health and Safety Committee met tonight, June 11, 2018 at 7:00pm with 10 of 13 members present to discuss and vote on this Resolution.

AnneMarie Rayhill, a member of the Commission on Aging, and Frank Kemp, Chairman of the RTM Town Government Structure and Administration Committee were in attendance at our meeting.

They explained that the Commission on Aging does not prepare or maintain an operating budget, nor does it employ or supervise employees.

This Resolution is a housekeeping item which removes the language from the town Code. The 3 sections being removed are leftovers from when the Commission on Aging operated independently of the Town of Darien.

Unanimously

The Committee voted ___ to ___ with 0 abstentions to ___ support Resolution 18-12 and we ask the Full RTM to do the same.

Respectfully submitted,

James M. Patrick, Chairman

Remarks relating to Resolution 18-12

Thank you.

Frank Kemp, Chair of TGS&A.

As we discussed earlier, the material in this resolution is intended to resolve several issues in the current Ordinance relating to the Commission on Aging – that were submitted to the Rules Committee for proper processing.

The Rules Committee asked TGS&A to prepare the material, and Town Counsel drafter the Resolution we received early last week.

Subsequently, the TGS&A Committee voted at its Monday June 4 meeting, by a tally of 10-to-1 to approve the further revision of the text of the Resolution, and this was submitted to Town Counsel for processing.

The revised material, identified as Appendix 1 to 18-12 was distributed to us last Thursday.

With all this as background, then, I would like to move that the material identified as Amendment 1 to Resolution 18-12 replace the existing Resolution 18-12 – and that further discussion of the Resolution, be based on the material we have in hand as Amendment 1.

The TGS&A Committee supports such a motion.

Mr. Moderator, can you call for a Second?

Remarks relating to Resolution 18-13

Thank you.

Frank Kemp, Chair of TGS&A.

As we discussed earlier, the material in this resolution is intended to resolve an issue in Appendix B to the RTM Ordinance – relating to the distribution of minutes of the RTM meetings.

The Rules Committee asked TGS&A to prepare the material, and Town Counsel drafter the Resolution we received early last week.

Subsequently, the TGS&A Committee voted at its Monday June 4 meeting, by a tally of 10-to-1 to approve the further revision of the text of the Resolution, and this was submitted to Town Counsel for processing.

The revised material, identified as Appendix 1 to 18-13 was distributed to us last Thursday.

With all this as background, then, I would like to move that the material identified as Amendment 1 to Resolution 18-13 replace the existing Resolution 18-13 – and that further discussion of the Resolution, be based on the material we have in hand as Amendment 1.

The TGS&A Committee supports such a motion.

Mr. Moderator, can you call for a Second?