

**MINUTES  
REPRESENTATIVE TOWN MEETING  
REGULAR MEETING  
FEBRUARY 25, 2019**

**RECEIVED**  
**MAR - 4 2019**  
TOWN CLERK'S OFFICE  
DARIEN CT.

**CALL TO ORDER**

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

Upon Roll Call, the following members were present:

From District I, there were 9 members present, 8 absent.  
From District II, there were 14 members present, 2 absent.  
From District III, there were 13 members present, 2 absent.  
From District IV, there were 10 members present, 6 absent.  
From District V, there were 15 members present, 3 absent.  
From District VI, there were 14 members present, 3 absent.

The absentees from District I were: S. Baldwin, Haverstick, Keane, Lublin,  
McNicoll, Muchhal, Pattelli, von Stuelpnagel.

The absentees from District II were: S. Handler, Russell.

The absentees from District III were: Sload, Zimmerman.

The absentees from District IV were: Cameron, Fiore, Hardison, Miceli, Millar, Whittier.

The absentees from District V were: Boulton, Hennessy, L. Kelly.

The absentees from District VI were: Cantavero, Orphanos, Poli.

The Moderator, Seth Morton, assumed the Chair.

**ACCEPTANCE OF THE AGENDA**

The Moderator said that Jack Davis, District III, had asked that Item 8 (19-5) be moved up to Item 5 and that Mr. Ginsberg also give an update on Planning & Zoning projects.

**\*\* THE AGENDA, AS MODIFIED, WAS ACCEPTED BY UNIVERSAL CONSENT.**

**APPROVAL OF THE MINUTES OF THE JANUARY 28, 2019 REGULAR MEETING**

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

**ANNOUNCEMENTS**

The Moderator said that the Police Commission would give a briefing on active shooter training at the Police Station. Anyone interested should give their name to Donna Rajczewski.

Regarding the bag ordinance, the Moderator said it is being worked on by Monica McNally, Frank Kemp and TGS&A.

The Moderator said that Joe Miceli had open heart surgery and is doing well.

19-5

**CONSIDERATION AND ACTION ON THE PLANNING & ZONING DIRECTOR'S REQUEST FOR INCREASES IN LAND USE BOARD APPLICATION FEES**

**\*\* AMY BARSANTI, DISTRICT I, VICE CHAIRMAN OF PZ&H, MOVED:**

**WHEREAS**, the Darien Land Use Boards, in particular, the Planning & Zoning Commission, the Architectural Review Board, the Zoning Board of Appeals and the Environmental Protection Commission, have requested increases in Land Use Board application fees and the Department has requested an increase in Zoning Permit fees; and

**WHEREAS**, the Darien Land Use Boards have prepared a proposal to modify such Land Use Board application and Zoning Permit fees, a copy of which is attached hereto and made a part hereof;

**WHEREAS**, the Connecticut General Statutes provide that any such increase be approved by the ordinance; and

**NOW THEREFORE BE IT RESOLVED THAT** the Representative Town Meeting of the Town of Darien hereby authorizes and approves the increases in Land Use Board application fees and Zoning Permit fees as set forth in the schedules attached hereto, to become effective on Sunday, March 31, 2019 at twelve noon.

Wording to be deleted shown in strikeout, proposed wording in bold:

**APPENDIX B - SCHEDULE OF FEES**

**SCHEDULE OF FEES**  
**PLANNING & ZONING COMMISSION**

**APPLICATION FEES**  
**WITH REQUIRED**  
**STATE FEE**  
**INCLUDED**

FEE\*\*

AMENDMENT TO TOWN PLAN OF CONSERVATION & DEVELOPMENT	<del>\$500-\$600</del>	<del>\$560-\$660</del>
AMENDMENT TO ZONING REGULATIONS	<del>\$500-\$600</del>	<del>\$560-\$660</del>
AMENDMENT TO ZONING MAP	<del>\$500-\$600</del>	<del>\$560-\$660</del>
SPECIAL PERMIT:		
New Construction involving principal use or structure	<del>\$350-\$420</del>	<del>\$410-\$480</del>
Other special permits or amendments	<del>\$150-\$180</del>	<del>\$210-\$240</del>
SITE PLANS/BUSINESS SITE PLANS	<del>\$250-\$300</del>	<del>\$310-\$360</del>
FINAL SUBDIVISION AND/OR RESUBDIVISION	<del>\$500-\$600 PER NEW LOT</del>	<del>\$500-\$600 PER NEW LOT PLUS \$60</del>
COASTAL SITE PLAN REVIEW	<del>\$165-\$200</del>	<del>\$225-\$260</del>
FLOOD DAMAGE PREVENTION	<del>\$165-\$200</del>	<del>\$225-\$260</del>
LAND FILLING, EXCAVATION, EARTH REMOVAL &/OR REGRADING	<del>\$165-\$200</del>	<del>\$225-\$260</del>
ADMINISTRATIVE PERMITS including requests under CGS Section 8-26g	<del>\$165-\$200</del>	<del>\$225-\$260</del>

NOTE: Where a proposal involves multiple applications (three or more), an applicant shall pay only the two highest fees of the three or more.

NOTE: The Town of Darien and its agencies shall not be liable for payment of any of the above fees.

*\*\*All fees specifically exclude any fee required by the State of Connecticut per Section 22a-27j of the Connecticut General Statutes, which must be collected by the Town. As of July 1, 2004, the State fee was \$30.00 per application. As of October 1, 2009, the State fee was \$60 per application.*

Wording to be deleted shown in strikethrough, proposed wording in bold:

SCHEDULE OF FEES  
ARCHITECTURAL REVIEW BOARD

APPLICATION FEES  
WITH REQUIRED  
STATE FEE  
INCLUDED

	<u>FEE**</u>	<u>INCLUDED</u>
SIGN, AWNING OR FAÇADE CHANGE PERMITS (FEE IS PER SIGN, AWNING OR FAÇADE CHANGE)	<del>\$50-\$65</del> PER SIGN OR AWNING OR FAÇADE CHANGE	<del>\$110-\$65</del> PER SIGN, AWNING OR FAÇADE CHANGE <b>(MAX. \$260)</b> PLUS \$60

NOTE: The Town of Darien and its agencies shall not be liable for payment of any of the above fees.

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SCHEDULE OF FEES  
ZONING BOARD OF APPEALS

APPLICATION FEES

WITH REQUIRED  
STATE FEE  
INCLUDED

	<u>FEE**</u>	<u>INCLUDED</u>
VARIANCE, INTERPRETATION AND/OR APPEALS	\$450-\$550	\$510-\$610
REVIEW AND SIGNING OF STATE MOTOR VEHICLE DEPARTMENT FORMS	\$10	\$70

NOTE: The Town of Darien and its agencies shall not be liable for payment of any of the above fees.

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SCHEDULE OF FEES  
ZONING PERMITS

WITH REQUIRED  
STATE FEE  
INCLUDED

	<u>FEE**</u>	<u>INCLUDED</u>
For applications with a total work value of \$79,999 or less.	\$35	\$95
	<b>\$50</b>	<b>\$110</b>
For applications with a total work value ranging from \$80,000 to \$250,000.	\$150	\$210
	<b>\$250</b>	<b>\$310</b>
For applications with a total work value of greater than \$250,000.	\$340	\$400
	<b>\$500</b>	<b>\$560</b>

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SCHEDULE OF FEES  
ENVIRONMENTAL PROTECTION COMMISSION

APPLICATION FEES

WITH REQUIRED  
STATE FEE  
INCLUDED

	<u>FEE**</u>	<u>INCLUDED</u>
WETLANDS MAP AMENDMENT (no extra public hearing charge)	\$240	\$300
	<b>\$300</b>	<b>\$360</b>
WETLAND REGULATIONS AMENDMENT (no extra public hearing charge)	\$840	\$900
	<b>\$1,000</b>	<b>\$1,060</b>

APPLICATIONS LIMITED TO BASIC MAINTENANCE, INCLUDING: MINIMAL TREE CUTTING ONLY, POND DREDGING, PATH CLEARING, OR INSTALLATION OF A FENCE OR STONE WALL OR SITE DISTURBANCE/NEW CONSTRUCTION OF 200 SQUARE FEET OR LESS AND OTHER MINIMAL ACTIVITIES	<del>\$200</del> <b>\$240</b>	<del>\$260</del> <b>\$300</b>
CONSTRUCTION OF A NEW OR REPLACEMENT PRINCIPAL STRUCTURE; SIGNIFICANT ACTIVITIES WITHIN A REGULATED WETLAND; OR SIGNIFICANT FILLING & GRADING WITHIN AN UPLAND REVIEW AREA	<del>\$1,200</del> <b>\$1,440</b>	<del>\$1,260</del> <b>\$1,500</b>
ALL OTHER ACTIVITY FOR WORK WITHIN WETLANDS AND/OR THE REGULATED AREA	<del>\$740</del> <b>\$890</b>	<del>\$800</del> <b>\$950</b>
PUBLIC HEARING FEE (IN ADDITION TO THE ABOVE)	<del>\$350</del> <b>\$400</b>	N/A

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

Amy Barsanti, District I, Chairman of PZ&H, read the committee report (attached).

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

**\*\* ITEM 19-5 CARRIED ON A RISING TALLY VOTE OF 73 IN FAVOR, 0 OPPOSED, 0 ABSTENTIONS.**

Jeremy Ginsberg, Director of Planning & Zoning, reported on the three large mixed use projects in town (attached).

**CONSIDERATION AND ACTION ON THE NEWLY NEGOTIATED CONTRACT  
BETWEEN THE TOWN OF DARIEN AND THE TOWN HALL EMPLOYEES'  
UNION, EFFECTIVE JULY 1, 2018 AND EXPIRING JUNE 30, 2021**

**\*\* JACK DAVIS, DISTRICT III, CHAIRMAN OF THE FINANCE & BUDGET  
COMMITTEE, MOVED:**

**WHEREAS**, contract negotiations between the Town of Darien and the Town Hall Employees Union (UPSEU) have been ongoing; and

**WHEREAS**, the Town of Darien and the Town Hall Employees Union (UPSEU) have reached an understanding on the terms of the agreement and have recommended its adoption for the contract that expired on June 30, 2018; and

**WHEREAS**, the Board of Selectmen of the Town of Darien has previously approved this three-year contract covering the period from July 1, 2018 to June 30, 2021 with the Town Hall Employees Union (UPSEU).

**NOW THEREFORE, BE IT RESOLVED THAT** the Representative Town Meeting of the Town of Darien hereby approves said three-year agreement commencing July 1, 2018 through June 30, 2021 with the Town Hall Employees Union (UPSEU). Said agreement is summarized in the memorandum attached hereto and made part hereof and is more specifically described in the contract on file in the office of the Darien Town Clerk.

TO: Jayme Stevenson, First Selectman

FROM: Kathleen Buch, Town Administrator  
Laurie G. Dunn, Director of Human Resources  
Jennifer Charneski, Finance Director

DATE: February 1, 2019

SUBJECT: Town Hall Employees' Union Contract Settlement

The Town's bargaining team reached an agreement on a successor contract with the Darien Town Hall Employee's Union (UPSEU) for the contract that expired on June 30, 2018. Following negotiations that started last May and concluded with a mediation session on December 18, 2018, the parties settled on a three (3) year contract covering the July 1, 2018, to June 30, 2021, period. This unit represents 32 employees in the Town Hall and Police Department. The average annual increase in cost of this contract is approximately 1/100th of a mill per year, based on the October 1, 2018, Grand List. This assumes status quo in staffing and premiums and is based on currently quantifiable items.

The major economic items are as follows:

**Wages:**

- 7/01/18 – 2.00%
- 7/01/19 – 2.25%
- 7/01/20 – 2.25%

The general wage increases are less than the average negotiated and arbitrated settlements in the State. Over 50 percent of the members of this bargaining unit are at the top step as of July 1, 2018. As such, they will only receive the general wage increase for the life of this contract. By the end of the contract nearly two-thirds of the members will be at the top step. When considering those members who will still receive step increases and assuming there are no changes in personnel over the contract period, the average cost increase over the duration of the contract is 3.5 percent. Should there be retirements during the period of this contract; the overall cost of the contract would be reduced.

**Medical changes effective 7/01/19:**  Current medical plan *plus* MAC B\* pharmacy with the following increases in employees' premium cost share:

- 7/01/19 – increase (from 6%) to 7.5%
- 7/01/20 – increase to 9.0%
- 6/30/21 – increase to 9.5%

\*MAC B – The Employee is responsible for the lowest copay, plus the cost difference between the brand and generic if the brand is dispensed when requested by the employee. If brand is dispensed because the physician wrote “dispense as written, no substitutes” then the Employee only pays the brand copay.

- Cost savings from the above medical changes in FY 20 are estimated at \$15,269 and an additional \$12,355 in FY 21 and a further \$4,119 in FY 22. These savings are based on the current premiums and make no assumptions for rate increases. The increase in cost share on the last day of the contract ensures that a premium increase is already in place while negotiating the next contract.
- Beginning in FY 20, the Town shall provide an optional *buy-up* dental plan that includes tooth implant and adult orthodontia and the Town shall not pay more than the cost of the existing basic dental plan.
- Beginning in FY 20, the Town shall make available a group vision plan and the Town shall pay 50% of the premium cost. The estimated cost to the Town if all members took advantage of the plan is \$3,000 in FY 20.

**Retirement changes:**  Telecommunications Dispatchers hired on or after July 1, 2018, shall have the option of selecting the Town's Retirement Plan (if eligible to participate) or selecting the Town's defined contribution plan. This change has future potential savings for the Town when selected by a Dispatcher.

### **Language Changes - Favorable to the Town**

- Normal Work Cycle and Work Hours** – The normal work cycle has been redefined from a Monday through Friday, 7-hour day/35 hour week, to seventy (70) hours of work during a two-week period. Also, a listing of eight positions with specific work schedules has been removed from the contract. This is a first step in providing the Town with flexibility in scheduling employee work.
- Probationary Period** – Increase the probation period from three (3) months to six (6) months and require an employee to have passed his/her probationary period to be considered as an internal candidate for a posted vacancy.
- Payroll in Arrears** - Transition from being paid to date, to being paid one week in arrears; mandatory direct deposit; and move to a Friday pay date if the Darien Police Association agrees to the same (DTHEU had previously agreed to the Friday pay). These payroll changes will result in administrative efficiencies.
- Check Off Dues** – Bring language into compliance with the Janus Decision.

- Vacation Time - Employees hired after the signing of this agreement, may not carry over more than five (5) weeks of vacation time into the new fiscal year. This will result in a lower cost in payouts of vacation time when an employee separates from service.
- Family Sick Leave – Codify the usage of sick time by an employee for his/her child’s or spouse’s health condition and define child and spouse.
- Sick Leave – If any employee is absent for a non-work related illness or injury for a period of three (3) or more consecutive work days, the Town shall have the right to require the employee provide a medical doctor’s certificate.
- Personal Leave – Prohibit the use of Personal Leave time contiguous with the use of vacation time. Personal leave time is for attending to important personal matters that cannot be scheduled outside of work or for religious observances.
- Telecommunications Dispatchers - Establish a new article of the contract for language that applies only to the Telecommunications Dispatcher positions, thereby, replacing the previously existing memorandum of agreement.
  - Holidays – Holiday pay will be made in two (2) equal installments and included in the 2<sup>nd</sup> regular pay in December and May rather than in the pay period in which the holiday occurred.

**Language Changes - Favorable to the Union**

- Educational Reimbursement – Employees shall be eligible for reimbursement of 75% of the expense of books, in addition to the expense of tuition, for approved educational reimbursement applications. This has the potential for a small increase in expense which would be based on actual utilization of the provision.
- Uniform and Clothing Allowances – Inclusion of shoes, and increase in cap from \$500 to \$600 for reimbursement on uniforms and damaged clothing, for specified positions. This has the potential for a small increase in expense which would be based on actual utilization of the provision. If all eligible employees requested full reimbursement, the increased cost would be \$800 per fiscal year beginning in FY 20.
- Telecommunications Dispatchers:
  - Work Schedule - All Telecommunications Dispatchers will transition from a 5days on 2-days off/5-days on 3-days off schedule to a rotating work schedule in accordance with the Yates Plan. This will provide a weekend off each month and is the same schedule that the Patrol Officers work.
  - Holidays – Effective July 1, 2019, Telecommunications Dispatchers who work on Thanksgiving Day or Christmas Day shall receive their regular straight-time pay for the time they work plus a bonus of four (4) extra hours’ pay for working an 8hour shift on that day. Dispatchers previously only received the extra pay for working Easter Sunday. The additional holiday bonus will have an increased cost of less than \$1,000 over the term of this contract.

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

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

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

**\*\* ITEM 19-2 CARRIED ON A RISING TALLY VOTE OF 73 IN FAVOR, 0 OPPOSED, 0 ABSTENTIONS.**

**19-3**

**CONSIDERATION AND ACTION ON AUTHORIZATION OF A TAX DEFERRAL PROGRAM FOR FEDERAL EMPLOYEES AFFECTED BY THE RECENT GOVERNMENT SHUTDOWN**

**\*\* JACK DAVIS, DISTRICT III, CHAIRMAN OF THE FINANCE & BUDGET COMMITTEE, MOVED:**

**WHEREAS** portions of the Federal Government had been shut down due to funding disputes; and

**WHEREAS** employees of those agencies affected by the partial shutdown had been furloughed or obliged to work without pay; and

**WHEREAS** this sudden and unanticipated loss of income also comes at a time when most Connecticut municipalities normally collect property taxes; and

**WHEREAS** on January 22, 2019, An Act Establishing the Federal Shutdown Affected Employees Loan Program and Providing Additional Assistance to Federal Employees was signed into law by Governor Lamont; and

**WHEREAS**, pursuant to Section 7 of the Act, municipalities are authorized to “establish a deferment program to defer the due date of taxes on real property, personal property or motor vehicles, or water or sewer rates, charges or assessments, owed by affected employees”; and

**WHEREAS**, the deferment program permits affected federal employees, as defined in the Act, to defer payment of their taxes to the Town of Darien without interest or penalty, until sixty (60) days after they cease to be affected by the shutdown; and

**WHEREAS** the Town of Darien wishes to support any of its taxpayers who are federal employees affected by the shutdown.

**NOW THEREFORE BE IT RESOLVED** that the Representative Town Meeting of the Town of Darien approves the establishment of the deferment program as provided in Section 7 of the Act according to the terms and conditions set forth in the Act.

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

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

**ITEM 19-3 CARRIED ON A RISING TALLY VOTE OF 73 VOTES IN FAVOR, 0 OPPOSED, 1 ABSTENTION.**

19-4

**CONSIDERATION AND ACTION ON A GIFT OF \$27,753.81 FROM THE FIREWORKS COMMITTEE TO THE TOWN OF DARIEN FOR FUTURE FIREWORKS SHOWS**

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

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

**WHEREAS**, pursuant to Section 2-33 of the Code of the Town of Darien, said gifts in excess of Ten Thousand and 00/100 Dollars (\$10,000.00) may be accepted with action by the Representative Town Meeting of the Town of Darien; and

**WHEREAS**, the Fireworks Committee has raised funds to support the annual Independence Day Fireworks in the past; and

**WHEREAS**, the Parks & Recreation Department has agreed to take responsibility for the annual Independence Day Fireworks; and

**WHEREAS**, the Fireworks Committee has funds remaining that they wish to donate to be used for future Independence Day Fireworks; and

**WHEREAS**, the Board of Selectmen has accepted this gift of funding to support the future fireworks shows.

**NOW, THEREFORE BE IT RESOLVED** that the Representative Town Meeting of the Town of Darien hereby authorizes the acceptance of this gift of Twenty Seven Thousand Seven Hundred Fifty Three and 81/100 Dollars (\$27,753.81).

**BE IT FURTHER RESOLVED** there be established a Parks and Special Revenue Fund into which this gift be deposited.

**BE IT FURTHER RESOLVED** that there is hereby appropriated from this fund the sum of Twenty Seven Thousand Seven Hundred Fifty Three and 81/100 Dollars (\$27,753.81) to be used for the Annual Independence Day Fireworks.

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

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

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

**\*\* ITEM 19-4 CARRIED ON A RISING TALLY VOTE OF 74 VOTES IN FAVOR, 0 OPPOSED, 0 ABSTENTIONS.**

**\*\* UPON MOTION MADE AND SECONDED FROM THE FLOOR, IT WAS UNANIMOUSLY VOTED BY VOICE VOTE TO ADJOURN AT 8:45 P.M.**

Respectfully submitted,

Cheryl Telesco Blois  
Telesco Secretarial Services

APPENDIX

<u>DISTRICT I</u>	<u>(19-5)</u>	<u>(19-2)</u>	<u>(19-3)</u>	<u>(19-4)</u>
Baldwin, S.	absent	absent	absent	absent
Barsanti	yes	yes	yes	yes
Bumgardner	yes	yes	yes	yes
Butler	yes	yes	yes	yes
Carter	absent	absent	yes	yes
Conologue	yes	yes	yes	yes
Ezbiansky	yes	yes	yes	yes
Haverstick	absent	absent	absent	absent
Keane	absent	absent	absent	absent
Kelly, C.	yes	yes	yes	yes
Lublin	absent	absent	absent	absent
McNicoll	absent	absent	absent	absent
Mecser	yes	yes	yes	yes
Muchhal	absent	absent	absent	absent
Pattelli	absent	absent	absent	absent
Schneider	yes	yes	yes	yes
von Stuelpnagel	absent	absent	absent	absent

DISTRICT II

Arbuimbau	yes	yes	yes	yes
Bacon	yes	yes	yes	yes
Cusack	yes	yes	yes	yes
Goertel	yes	yes	yes	yes
Handler, S.	absent	absent	absent	absent
Howe	yes	yes	yes	yes
McNally	yes	yes	yes	yes
Miller	yes	yes	yes	yes
Mix	yes	yes	yes	yes
Pommernelle	yes	yes	yes	yes
Russell	absent	absent	absent	absent
Sartori	yes	yes	yes	yes
Thorne, B.	yes	yes	yes	yes
Tie	yes	yes	yes	yes
Wheeler	yes	yes	yes	yes
Wilson	yes	yes	yes	yes

DISTRICT III

Conniff	yes	yes	yes	yes
Jack Davis	yes	yes	yes	yes
Giordano	yes	yes	yes	yes
Kazim-Bailey	yes	yes	yes	yes
Marousek	yes	yes	yes	yes
McGoey	yes	yes	yes	yes
Minnick	yes	yes	yes	yes
Mitchell	yes	yes	yes	yes
Moore	yes	yes	yes	yes
Morton	DOES NOT VOTE			
Sload	absent	absent	absent	absent
Washecka	yws	yes	yes	yes
Woodbury	yes	yes	yes	yes
Yarnell	yes	yes	yes	yes
Zimmerman	absent	absent	absent	absent

<u>DISTRICT IV</u>	<u>(19-5)</u>	<u>(19-2)</u>	<u>(19-3)</u>	<u>(19-4)</u>
Banks	yes	yes	yes	yes
Cameron	absent	absent	absent	absent
Joan Davis	yes	yes	yes	yes
Fiore	absent	absent	absent	absent
Hardison	absent	absent	absent	absent
Hauser	yes	yes	yes	yes
Heitz	yes	yes	yes	yes
Kemp	yes	yes	yes	yes
Miceli	absent	absent	absent	absent
Millar	absent	absent	absent	absent
Neumann	yes	yes	yes	yes
Obin	yes	yes	yes	yes
Rayhill	yes	yes	yes	yes
Savage	yes	yes	yes	yes
Terhune	yes	yes	yes	yes
Whittier	absent	absent	absent	absent

DISTRICT V

Adiletta	yes	yes	abstain	yes
Bayne, C.	yes	yes	yes	yes
Bayne, D.	yes	yes	yes	yes
Boulton	absent	absent	absent	absent
Duffy	yes	yes	yes	yes
Fiveson	yes	yes	yes	yes
Grogan	yes	yes	yes	yes
Hennessy	absent	absent	absent	absent
Kelly, L.	absent	absent	absent	absent
Martin	yes	yes	yes	yes
McLachlin	yes	yes	yes	yes
Moller	yes	yes	yes	yes
Mosher	yes	yes	yes	yes
Parent	yes	yes	yes	yes
Patrick	yes	yes	yes	yes
Reed	yes	yes	yes	yes
Sherwood	yes	yes	yes	yes
Smith	yes	yes	yes	yes

DISTRICT VI

Adelman	yes	yes	yes	yes
Baldwin, B.	yes	yes	yes	yes
Cantavero	absent	absent	absent	absent
Chickles	yes	yes	yes	yes
Handler, M.	yes	yes	yes	yes
Ted Hawkins	yes	yes	yes	yes
Lauritzen	yes	yes	yes	yes
Lucas	yes	yes	yes	yes
Luz	yes	yes	yes	yes
McDermott	yes	yes	yes	yes
Orphanos	absent	absent	absent	absent
Poli	absent	absent	absent	absent
Silsby	yes	yes	yes	yes
Swenson	yes	yes	yes	yes
Van Loan	yes	yes	yes	yes
Vogt	yes	yes	yes	yes
Werner	yes	yes	yes	yes

I am Amy Barsanti district 1 vice chair of the RTM planning zoning and housing committee

I move RTM resolution 19—5 Consideration and action of planning and zoning fee changes – RESOLUTION OF THE REPRESENTATIVE TOWN MEETING OF THE TOWN OF DARIEN AUTHORIZING INCREASES IN LAND USE APPLICATION AND ZONING PERMIT FEES

Do I have a second? If there are no objections I propose to waive the reading of the resolution.

PZ&H met on Jan 28<sup>th</sup> and again tonight, Feb 25<sup>th</sup> to review this resolution. Jeremy Ginsberg was present to provide an overview and answer questions for the Feb 25<sup>th</sup> session.

This increase was requested by the Darien Land Use Boards for the purposes of effectively covering expenses incurred by these departments. Expenses such as time by staff members, fulfilling required notices, postage, advertisement of hearings in local papers, stenographers + the allocation of staff time necessary to process applications + permits. The last increase was done in 2016.

The effective date for the proposed increase is March 31 2019.

The committee voted on the resolution on Feb 25<sup>th</sup> with 10 of ~~18~~ members present. representing a quorum. unanimously

The committee voted to approve the resolution and we recommend the same to the full RTM.

**RTM F&B Report**

**February 25, 2019**

**(19-5) CONSIDERATION AND ACTION ON THE PLANNING AND ZONING REQUEST FOR INCREASES IN  
LAND USE BOARD APPLICATION FEES**

I am Jack Davis, District 3, Chairman of the RTM Finance & Budget Committee.

The RTM Finance and Budget committee met on February 25<sup>th</sup> with 9 of 15 members present. Jeremy Ginsberg was also in attendance.

Fees were last changed April in 2016 – about 3 years ago. These fees are effective March 31<sup>st</sup> of this year. P&Z fees, unlike most other town fees, need approval from the RTM. Authorization to charge fees comes from:

CGS 8-1c reads as follows:

*Sec. 8-1c. Fees for municipal land use applications. Any municipality may, by ordinance, establish a schedule of reasonable fees for the processing of applications by a municipal zoning commission, planning commission, combined planning and zoning commission, zoning board of appeals or inland wetlands commission. Such schedule shall supersede any specific fees set forth in the general statutes, or any special act or established by a planning commission under section 8-26.*

The Committee reviewed how P&Z calculated their fees. As explained, the calculation of a fee is based upon the staff time to review an application and other out of pocket expenses. The goal is to cover costs of processing an application which can thereby be a justifiable cost. It is also not to be too burdensome that residents do not apply for applications when an application is required.

The current BOS budget being voted on prior/during this RTM meeting has \$122,000 in the FY20 budget which is consistent with prior years' revenues of

2015-2016 -- \$107m  
2016-2017 --\$123m  
2017-2018 -- \$122m

Should this resolution pass, it is anticipated that the BOS FY20 budget would be adjusted accordingly in an amount ranging from \$25m to \$30m and adjusted for future years.

The RTM F&B committee voted 9 in favor, 0 against and 0 abstaining and recommends the same to the full RTM.

Respectfully submitted

Jack Davis

RTM Finance & Budget Chair

February 25, 2019 RTM Meeting  
Comments from Jeremy Ginsberg, Planning & Zoning Director

Thank you all for your support. Jeremy Ginsberg, Planning & Zoning Director.  
Seth asked me to take a few minutes just to talk about the three major mixed-use developments you've heard about, which have recently been approved, and when they each expect to get underway.

First we'll start with the **Corbin Project** put forth by Baywater Properties, David Genovese. That project was recently approved by the Planning & Zoning Commission in November 2018. The property area encompasses the exit 11 area (the Bank of America building right at the end of the exit) along Boston Post Road and both sides of Corbin Drive, including the gas station, and the post office, and the whole block of parking that backs into Boston Post Road. The next step for this project is review and approval by State of CT Department of Transportation for the project. Given that the Corbin project will create more than 200 parking spaces along a state highway (US 1), they must get this approval. The applicant has had a first meeting with the DOT, and they are in the process of responding to DOT. We expect DOT approval sometime in the next few months. Once the final DOT approval is in hand, the applicant may start demolition and will prepare construction drawings and begin work. There are a total of nine multi-story buildings, which will be built in phases over a number of years. They expect to begin work in later 2019.

All plans, studies, reports and documents of all the projects, including the Planning & Zoning Commission approvals, have been posted to the Town web site ([www.darienct.gov/pzc](http://www.darienct.gov/pzc)) and at the Planning & Zoning Office.

The second project I wish to talk briefly about is **Federal Realty / "The Commons at Noroton Heights"**--(generally the block across the Noroton Heights Train Station, north of Heights Road, south of West Avenue, between Edgerton Street and Noroton Avenue, Equinox, Walgreens, Stop and Shop). This project was approved by the Planning & Zoning Commission on September 12, 2017. State DOT approval was then obtained. Demolition and construction is estimated to commence in the winter of 2019/2020 (about 8-9 months from now). Completion of the project is anticipated to be Summer/Fall of 2021 at the earliest, again, multiple years of construction. They are working with both existing tenants and proposed tenants to make sure what they design and build jives with tenant needs.

The third project is the redevelopment of the **Noroton Heights Shopping Center**(the block between Hollow Tree Ridge Road and Edgerton Street) --this is not the Palmer Market grocery store, but rather the buildings to the west of it. The only work on the grocery store property is a little added drainage under the parking lot on Edgerton Street. The redevelopment extends from liquor store/Donut Inn to the Noroton Heights Post Office, and Fabricare/Barrett Bookstore to Heights Pizza, and then Jimmy's Southside. These buildings will all eventually come down as part of redevelopment.

This project received approval for two new mixed use buildings, with retail and restaurant uses on the first floor and residential apartments on the second and third floors. These buildings will contain a total of 59 new residential units, all one and two bedroom units. The amount of commercial space is fairly consistent with what is on-site at present.

The property owner(s) are now working with existing tenants on possible moves within the Shopping Center and finalizing those. The architect is working on final construction documents. All local approvals have been obtained. Construction is likely to commence in summer/fall 2019. It is expected that the project will take at least two years for construction and occupancy.

So, you are not likely to see much movement between now and July/August, but starting in the fall/winter, demolition will occur. In the interim, some commercial tenants will start to move. The Noroton Heights Post Office has already made plans to move to be under Palmer's Market, in anticipation of the redevelopment.

Again, all plans, reports, and documents of all the projects, including the approvals, have been posted to the Town web site ([www.darienct.gov/pzc](http://www.darienct.gov/pzc)) and at the Planning & Zoning Office

I'd be happy to return to the RTM in a few months with another update as things move along. Thank you.

## RTM F&B Report

February 25, 2019

### **(19-2) CONSIDERATION AND ACTION ON THE NEWLY NEGOTIATED CONTRACT BETWEEN THE TOWN OF DARIEN AND THE TOWN HALL EMPLOYEES' UNION, EFFECTIVE JULY 1, 2018 AND EXPIRING JUNE 30, 2021**

I am Jack Davis, District 3, Chairman of the RTM Finance & Budget Committee.

I move RTM resolution 19-2 "consideration and action on the newly negotiated contract between the town of Darien and the Town Hall employees' union, effective July 1, 2018 and expiring June 30, 2021."

Do I have a second? If there are no objections, I propose to waive the reading of the resolutions.

The RTM Finance and Budget committee met on February 7<sup>th</sup> with 11 of 15 members present constituting a quorum.

First, I want to remind this body that we are not voting to approve this contract, but rather, we are voting not to reject this contract. If we vote to reject, the Town and the Town Hall employees' union will go to arbitration. At that time, both sides will present their respective positions and the Arbitrator will select from either the Town side or the Union side – there is no compromise. Towns, such as Darien, do not typically do well at arbitration.

As you may have noticed, this contract is covering a period that has past. During the negotiations, there were a few sticking points and the Town negotiators decided to walk away. The Town then suggested a moderator to resolve the outstanding issues. The union agreed and this contract is the result.

This contract covers 32 employees – including 11 police (including civilian dispatch); 9 planning & zoning/building; town clerks office, tax collector and assessor offices, health, fire marshal, public works, etc. Of the 32 employees, over 50% are at the top step of the contract.

Wages are increasing by 2% in 7/1/18; 2.25% 7/1/19 and 7/1/20 2.25%.

Medical plan is current with MAC B pharmacy with increasing of employee contribution as follows – 7/1/19 increase from 6% to 7.5%; to 9% the following year and 9.5 increase effective 6/30/21 or in the following contract. Estimated cost savings approximate \$15m, \$12m and \$4m in the last year.

Beginning in FY 20, the town will offer a buy up option for dental with the town's costs remaining the same and the differential paid by the employee. Also in FY20, a group vision plan will be made available with the town paying 50% of the premiums. Total cost to the town would be \$3m if all employees participated.

Telecommunication employees (basically our civilian dispatch) have the option of selecting the Town's retirement plan or the defined contribution plan. The latter allows for retired police officers to participate if selected for a civilian dispatch position.

Some important language changes

- Work week is now 70 hours during a two-week period and 8 positions with specific work schedules have been removed – this provides greater flexibility to the town and employees

- Probation period has been increased from 3 to 6 months
- There is changes in the payroll cycles with mandatory direct deposit resulting in administrative efficiencies
- New employees are limited to 5 weeks of vacation carryover into the new fiscal year
- Family sick leave was codified
- Sick leave verification rights after 3 days
- Personal leave cannot be taken contiguous to vacation time
- New language associated with civilian dispatch

From the union's perspective:

- 75% educational reimbursement for books and tuition
- Increased the uniform from 500 to 600 with inclusion of shoes
- Changes the work schedules of civilian dispatch to the Yates plan

The RTM F&B committee voted unanimously in favor of this contract and recommends the same to the full RTM.

Respectfully submitted,

Jack Davis

RTM Finance & Budget Chair

**RTM Public Health & Safety Committee Meeting**

**February 25, 2019**

**7:00pm**

**Darien Town Hall Room 213**

The RTM Public Health & Safety Committee met tonight with 14 of 16 members present to discuss and vote on Resolution 19-2 Consideration and action on the newly negotiated contract between the Town of Darien and the Town Hall Employees' Union, effective July 1, 2018 and expiring June 30, 2021.

Our committee noted the general wage increases are less than the average negotiated and arbitrated settlements in the State.

Cost savings for the Town were noted in the Medical Plan. The Town has increased flexibility in scheduling employee work, and lower cost in payouts of vacation time when an employee separates from service. The Town tightened up Leave provisions.

Favorable to the Union were provisions for Educational Reimbursement, Clothing Allowances, and the work schedules of Telecommunications Dispatchers for Holidays.

Our committee noted that by increasing the premium cost share for Town Hall employees, the Town is making strides in addressing health care costs. We voted to approve the Resolution 14 to 10.

Respectfully submitted, James M Patrick, Chairman

**RTM F&B Report**

**February 25, 2019**

**(19-3) CONSIDERATION AND ACTION ON AUTHORIZATION OF A TAX DEFERRAL PROGRAM FOR FEDERAL EMPLOYEES AFFECTED BY THE RECENT GOVERNMENT SHUTDOWN**

I am Jack Davis, District 3, Chairman of the RTM Finance & Budget Committee.

I move RTM resolution 19-3 "consideration and action on authorization of a tax deferral program for Federal employees affected by the recent Government shutdown."

Do I have a second? If there are no objections, I propose to waive the reading of the resolutions.

The RTM Finance and Budget committee met on February 7<sup>th</sup> with 11 of 15 members present constituting a quorum.

This program allows for the deferral of interest on late January real estate tax payments until such time that the federal government shut down has ended and employees were paid payroll due. Any federal employee that requested to participate in this program would then have sixty days from the time of past due payroll payment was made to pay the outstanding real estate taxes. After the 60 day period, if the taxes were not paid in full, interest would be applied.

I can report than the shutdown has ended. Employees have been paid so the 60 day clock is ticking. However, there can be no deferral by the tax collector until the RTM passes this resolution. As such, our approval is necessary to have these provisions put into place effective January 31<sup>st</sup>.

The RTM Finance and Budget committee voted 10 in favor, 0 opposed and 1 abstention and recommend passage to the full RTM. The committee has a Federal employee within its membership who abstained as this covers all Federal employees whether participating in the program or not. That member is not participating in this program.

Respectfully submitted,

Jack Davis

RTM Finance & Budget Committee Chair

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DISTRICT 3

CHAIRMAN OF THE RTM PARKS & RECREATION COMMITTEE

REPORT TO THE RTM FEBRUARY 25, 2019

(19-4) RESOLUTION OF THE REPRESENTATIVE TOWN MEETING OF THE TOWN OF DARIEN AUTHORIZING THE ACCEPTANCE OF A GIFT OF \$27,753.81 FROM THE CHAMBER OF COMMERCE AND THE APPROPRIATION OF SAID MONEY FOR THE ANNUAL INDEPENDENCE DAY FIREWORKS

The annual Town of Darien Independence Day celebration has been a collaborative effort of the town and the community. The event requires set-up and clean-up and includes food trucks, entertainment (bands) and of course the fireworks! Citizens have volunteered their organizational and fundraising skills to make this event a success. Thank you to the Fireworks Committee and particularly Susan Marks and David Genovese for doing the heavy lifting for all of us. Last year the Selectmen asked the Parks & Recreation Department to take over hosting the event. Susan helped make this transition as seamless as possible. To make this event a success we will continue to need the help of sponsors, our police, Noroton Heights firemen, Post 53 and the Town of Darien. There is \$27,753.81 left to use toward future Independence Day celebrations. In recent years the Darien Chamber of Commerce very kindly served as a "bank" for the Independence Day collected funds. This explains why this gift comes from the chamber. Any gift to the Town of Darien in excess of \$10,000 may be accepted with action by the RTM. Going forward the funds raised will be managed by the Parks & Recreation Department in a Special Revenue Fund.

The RTM Parks & Recreation Committee met on February 13, 2019 with 10 of 15 members present constituting a quorum. The Committee voted unanimously to accept \$27,753.81 from the Chamber of Commerce for the Annual Independence Day Fireworks and hope that you will do the same.

**RTM F&B Report**

**February 25, 2019**

**(19-4) CONSIDERATION AND ACTION ON A GIFT OF \$27,753.81 FROM THE FIREWORKS COMMITTEE TO THE TOWN OF DARIEN FOR FUTURE FIREWORKS SHOWS**

I am Jack Davis, District 3, Chairman of the RTM Finance & Budget Committee.

The RTM Finance and Budget committee met on February 7<sup>th</sup> with 11 of 15 members present constituting a quorum.

This report will address only the accounting aspects of this gift.

At the time of our meeting, there was discussions within the town on how best to account for this and future gifts associated with the town's fireworks event. Several of these options were discussed at the F&B meeting. It has subsequently been decided that a special fund will be established as part of this resolution to account for the town fireworks. Into this fund will go:

- This gift
- Future gifts for future fireworks shows
- Parking fees collected
- Vendor and other fees collected
- Other funds as deemed appropriate

Out of this fund will be expenses related to the fireworks shows, including but not limited to:

- Cost of fireworks
- Insurances
- Clean up
- Other costs not specifically identified here

The cost of police during the fireworks shows will remain a town expense and not be attributed to this fund. Based upon the discussions at the F&B meeting, the committee supports the creation of a separate reserve fund to accounting for this gift and future fireworks shows. The committee voted unanimously in support of accepting this gift and recommends the same to the full RTM.

The RTM Finance and Budget committee would like to thank those that generated this gift to the town to continue the fireworks shows.

Respectfully submitted,

Jack Davis  
RTM Finance & Budget Chair