

MINUTES

TOWN OF DARIEN REPRESENTATIVE TOWN MEETING TGS&A COMMITTEE

January 12, 2009

Call to Order: There being quorum with nine out of 12 members present, the Chairman called the meeting to order at 8:05 p.m.

Present: John T. Whitehead (Chairman), Simon Y. Balian, Angus James Cameron, Charles W. Grimes, Frank B. Kemp, Thomas W. Moore, S. Lloyd Plehaty, Sarah C. Seelye, and John O. Wolcott. Also in attendance were Town Counsel Wayne Fox and Edmund Schmidt.

Absent: Eugene F. Coyle, Bohdana Puzyk, and Samuel V. Schoonmaker.

Charge from Rules Committee on Changes to Code of Ordinances: The Chairman distributed a Memo from town counsel prepared pursuant to the Committee's request made at the January 6, 2009 meeting regarding some areas of the Code that can be addressed by the Committee in the near term. The memo outlined five areas that can be addressed effectively and quickly.

Solid Waste Ordinance: Chapter 62 refers to CRRC which was a quasi-public agency and no longer exists. As of January 1, 2009 the town has a contract with City Carting governing the removal of the town's solid waste. This contract was negotiated and is managed like other town public works contracts. As a result, Chapter 62 can be substantially modified, including removal of the section on fees.

Following discussion on the merits of continuing the streamlining process, a motion was made and seconded as follows:

Be it resolved that the Chairman write a letter to the town's public works director with copy to the RTM Public Works Committee, to ask for his suggestions for changes in the ordinances governing solid waste and report to the Committee at the next meeting.

The motion passed unanimously.

Add Item to Agenda: A discussion started as to why counsel's memo covered items in the Code of Ordinances only and not the Town Charter as well and whether the Memo was responsive to the Committee's request made at its January 6, 2009 meeting as stated in paragraph 4 of the draft Minutes. Thereupon, a motion was made and seconded to add a new item "Approval of the 1/6/09 Minutes" to the Agenda. The motion passed unanimously.

Minutes: The Minutes of the Committee's January 6, 2009 meeting were discussed with many members expressing reservations particularly whether paragraph 4 accurately reflected the deliberations and decision made at that meeting.

A motion was made and seconded to amend the Minutes by deleting the opening phrase of paragraph 4 "To prepare for the next meeting of this Committee" and have that paragraph start with "It was decided . . ."

Following discussion by the members, the motion to amend the Minutes passed unanimously.

Another motion was made and seconded to further amend the Minutes by deleting the word "Charter" from the same paragraph.

Following discussion regarding the nature of the request to counsel at the last meeting, the motion to amend the Minutes was passed by majority vote as follows:

FOR the motion: Whitehead, Balian, Cameron, Grimes, Kemp, Seelye, and Wolcott.

OPPOSED to the motion: Moore and Plehaty

A motion was made and seconded to approve the Minutes of the TGS&A January 6, 2009 *Minutes as amended*. The motion was adopted by majority vote as follows:

FOR: Whitehead, Balian, Cameron, Grimes, Kemp, Moore, Plehaty, Seelye

AGAINST: Wolcott.

Other Items: The Chairman suggested following a similar procedure and asked for members to volunteer to lead the effort with the other four items outlined in the counsel's memo, namely:

- Repeal Section 42-51
- Public Health Ordinance, Section 30-1
- 2-2 Invitation for sealed bids or proposals
- 2-32 Acceptance of Easements by BOS

Following some discussion, town counsel offered to write a draft letter for the Chairman to send to the different town departmental heads as well as RTM Committee Chairs addressing these issues. Upon the Chairman's request, the Vice-Chairman shall sign the letter regarding repeal of 42-51 and follow up on the issue. The Chair shall report on the progress of these efforts at the next meeting.

Next Meeting: The Chairman suggested and the Committee agreed to move the starting time of future meetings to 7:30 pm. The Chairman shall file the necessary notice of change with the Town Clerk. The Chairman shall invite the Rules Committee Chair to the next meeting scheduled for February 2, 2009.

Adjournment: There being no other business, the meeting adjourned at 9:30 pm.

Recorded by:
/S/ Simon Y. Balian
Acting Clerk