

OFFICE OF THE
FIRST SELECTMAN

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William F. Brennan
First Selectman

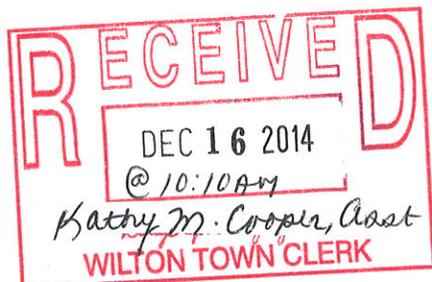
Harold E. Clark
Second Selectman

Ted W. Hoffstatter

Richard J. Dubow

James A. Saxe

TOWN HALL
238 Danbury Road
Wilton, CT 06897



**BOARD OF SELECTMEN MEETING
MONDAY, DECEMBER 1, 2014
MEETING ROOM B, WILTON TOWN HALL**

PRESENT: BOARD OF SELECTMEN – First Selectman Bill Brennan, Richard Dubow, Ted Hoffstatter, James Saxe, Michael Kaelin

GUESTS: J. Casey Healy, Patrick Downend, Steve Pierce, Parks and Recreation Committee Chair Mark Ketley, Police Chief Michael Lombardo, Deputy Chief Robert Crosby, Fire Chief Ron Kanterman, Deputy Chief Mark Amatrudo, Tom Thurkettle, Robert Nerney, Town Counsel Ken Bernhard, Sandy Dennies, Jacqueline Rochester

OTHERS: 3 Members of the Press

Mr. Brennan called the meeting to order at 7:30 p.m.

A. Consent Agenda

Upon motion by Mr. Brennan, seconded by Mr. Dubow, the consent agenda was approved with minor corrections to the November 17, 2014 minutes as follows:

Minutes

- Board of Selectmen Meeting – November 17, 2014

Gifts

- Track & Field Record Board from WHS Track and Field Boosters
- CT PRO FF Emergency Relief Fund Trustee For CT United Ride for Wilton CERTS - \$700.00

B. Discussion and/or Action

1. Old Danbury Road – Land Sale (1 acre)

Mr. Brennan asked J. Casey Healy of Gregory & Adams, representing Patrick Downend who owns residentially zoned property located at 44 Westport Road to speak regarding Mr. Downend's offer to purchase a 1 acre piece property located on Old Danbury Road for a multi-unit development project (memo attached). Mr. Healy stated that this offer is being made as an alternative to the plan to develop the property at 44 Westport Road. Mr. Healy stated that he has

come before the board to propose this alternative and to make himself and Mr. Downend available to answer questions they may have. Mr. Healy and Mr. Brennan agreed that this site would be ideal as it is located within walking distance from Wilton Center and is very close to the train station and other transportation. Answering a question from Selectman Kaelin regarding insuring that the property at Westport Road is not developed, Mr. Healy stated that there will be a deed restriction in perpetuity that will not allow multi-unit development on the property. Mr. Brennan stated that the plan must be approved by the town's land-use boards, but he believes this plan has potential. For this reason, it is being brought to the public's attention at this time.

2. Parks and Recreation Commission – Audit Report/Recommendations

Mr. Brennan gave a brief review of the background for the Parks and Recreation Audit. Mark Ketley, Chair of the Parks and Recreation Commission stated that once the audit came in, he appropriated two Commissioners to a Subcommittee that are in the finance and banking world to review the audit and give recommendations. Mr. Ketley then took those recommendations and met with the entire staff and Commission to review what was possible and what was not. Mr. Ketley then stated that he and the Director of Parks and Recreation (Steve Pierce) then met with the First Selectman and the CFO of the Town to review the recommendations and if and how those recommendations would be implemented. Steve Pierce reviewed a listing of the recommendations (attached) and how changes will be implemented. Eventually, all operating changes will be included in the Parks and Recreations operations manual that is reviewed on an annual basis and brought to the Board of Selectmen for approval. Mr. Dubow requested that copies of the previous and current audit reports be sent to members of the Board.

3. Police/Fire/DPW Departments – Public Safety and Other Activity Report

Mr. Brennan asks the first response teams (departments that respond in times of emergency) to give a brief status update on their respective departments.

Police – Chief Michael Lombardo reviewed operations during times of storms by the EOC (Emergency Operations Center) located in the basement of the Police Department. Mr. Lombardo reviewed the present Police Department and need for additional space. With addition of female officers to the department, had to expand to add additional space in the basement area for lockers and showers that were needed. Had issues with OSHA regarding lead exposure in the building. Hygenix has been hired as a consultant to help with suggestions of what needs to be done regarding the clean-up. Have obtained 3 quotes on the clean-up and narrowed down to one to start the process. In communication with OSHA on a regular basis and have until late February to complete the clean-up. Police and Fire have been working together to develop a cross training program of field personnel. Two SRO's in place at the schools (one primarily at the Middle School and one at the High School). Security upgrades that were requested for the schools have been completed.

Fire Department – Chief Ron Kanterman gave a brief status report for his department (memo attached).

DPW – Tom Thurkettle gave status report for his department. Bald Hill Bridge is nearing completion. Waiting on steel guardrails to be ordered and installed. Administrative work for the state needs to be completed and submitted. Twenty-two Town roads have been paved to date having spent \$1.4 million on roads since July 1st. To date, have completed paving of 9.74 miles of road of the 10 miles approved by the Road Restoration Program this year. With additional monies provided by the state (\$313,000) will have approximately 12 miles completed by the end of the year. Listing of completed roads available on Town website. Worked in conjunction with Yankee Gas to install conduits from the center of Town to Comstock Community Center and Town buildings to help facilitate future communication between Town buildings. Paving has been done at the Police and Fire Departments. DPW will be coming to the Board of Selectmen on December 15, 2014 with information and quotes for replacement of the two lifts in DPW.

Emergency Management – Deputy Fire Chief Mark Amatrudo gave an update on Emergency Management (memo attached).

Mr. Brennan concluded it was important to update the community with regard to the improvements made regarding Emergency Management and ongoing improvements taking place. CLP has also made significant improvements with regard to the tree cutting programs, which has helped to facilitate less outages during storm periods.

4. Miller Driscoll Renovation Project – Consideration of Approval of Owners Agent Contract for the Management of the Construction Manager Selection Process

Mr. Brennan reviewed the Owners Agent Contract for the management of the Construction Manager Selection Process. The firm selected to oversee the selection process is Diversified Project Management. Town Counsel has reviewed the contract. Motion made by Dick Dubow to approve the Billing Contract. Seconded by Jim Saxe, unanimously carried 4-1 with Selectman Kaelin abstaining.

5. Tree City USA 2014 Application for Certification

Mr. Brennan gave a brief description of the Tree City USA 2014 Application for Certification. Motion made by Mr. Brennan to approve the Town of Wilton's Application for Tree City USA 2014 Certification. Motion seconded by Ted Hoffstatter, unanimously carried.

6. Status of Bonded Capital Projects

- Miller Driscoll – Agreement with Diversified Project Management to guide and manage the selection process of the construction manager for the project has been approved. Have interviewed Hygenix and TRC for the hazmat process in the schools. Have asked for additional information from TRC and awaiting response. Discussion on skylights continuing with the architect with no consensus reached at this moment. Architects to look into alternate designs and costs. Land surveys and site surveys are now in process and construction drawings are being worked on.

- Comstock – RFP’s are out for bid with proposals due to the Building Committee by end of this week. Start of construction is tied to lead time for windows with target start date of March 2015 with expected completion February 2016. Dumpsters brought over to Comstock for clean-out of storage areas for preparation of temporary offices during construction process. Communication process initiated to citizens and employees who use the facility regarding the construction process plans.
- Yankee Gas Phase II – Sisters of Notre Dame still working on decision process to convert to natural gas. Working with Mark Robbins, who is the consultant representing Sisters of Notre Dame. Mutual goal is to make decision to enable negotiations with Yankee Gas for a project next summer.

7. Appointments/Reappointments

None

8. Miscellaneous Other Business

- Mr. Brennan extended an invitation to the community from Oak Hills Park Golf Club in Norwalk. The special offer is for the month of December. Wilton Residents can purchase a special ID card at the reduced rate of \$125, down from \$150, with fees reduced from \$40 to \$30 on weekdays and \$55 to \$35 on weekends. The contact person at Oak Hills is Bill Waters, of the Oak Hills Park Golf Club Committee and he can be reached at (203) 846-3257 or (203) 912-9124.

C. Public Comment

None

D. Reports

First Selectman’s Report

Mr. Brennan made an appeal to community for the opportunity to donate teak park benches that are available to be placed in the village or at Merwin Meadows. Town installs the benches and provides a brass plaque with inscription. Contributors purchase the bench at a cost of \$1400.

Selectmen’s Reports

Dick Dubow – Thanked First Selectman Brennan for his efforts in arranging the donation of the first piece of municipal sculpture to the town and Peter Rubino the sculptor for his generosity.

Michael Kaelin – Work done to make River Road smoother was a dramatic and much needed improvement!

Ted Hoffstatter – Thanked Matt Beacon and the Wilton Hockey Boosters for the Alumni game.

Jim Saxe – Feedback on issue with signage. Would like to get a progress report from Planning and Zoning Commission.

E. Adjournment – Having no further business, the meeting was adjourned at 9:15 p.m.

A handwritten signature in blue ink, appearing to read "Jacqueline Rochester". The signature is fluid and cursive, with a large initial "J" and "R".

Jacqueline Rochester, Recording Secretary



JULIAN A. GREGORY
(1964-2002)

THOMAS T. ADAMS
PAUL H. BURNHAM
SUSAN L. GOLDMAN
J. VANCE HANCOCK
J. CASEY HEALY
DERREL M. MASON*
MATTHEW C. MASON*
JAMES D'ALTON MURPHY*
EDWARD M. SCHENKEL
RALPH E. SLATER
ROGER R. VALKENBURGH *

* ALSO ADMITTED IN NEW YORK

GREGORY AND ADAMS, P.C.

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November 26, 2014

To be delivered by hand

The Honorable William F. Brennan
First Selectman
Town of Wilton
238 Danbury Road
Wilton, CT 06897

Re: Downend - Offer to Purchase

Dear Mr. Brennan:

I represent Patrick Downend who is interested in purchasing a 1-acre site owned by the Town located on the west side of Old Danbury Road approximately 300 feet north of Station Road (the "**Property**"). Mr. Downend would like to construct a 30 unit mixed income apartment building on the Property; 9 of which units would qualify as "affordable" under Section 8-30g of the Connecticut General Statutes. A rough concept plan for the proposed development is shown on the enclosed Concept Site Plan (C01) prepared by T&B dated November, 2014 (the "**Concept Plan**").

As shown on the enclosed aerial photograph, the Property abuts other properties owned by the Town on which Wilton Commons and the Trackside Teen Center are located. The site is served by an Aquarion Water Company supply main located on Old Danbury Road. Based on available Town as-built surveys, the existing sanitary sewer line located on Station Road has sufficient capacity to accept discharge from the proposed apartment building.

Chapter 5 of Wilton's 2010 Plan of Conservation and Development (the "**Town Plan**") entitled Development Strategies under the heading Managing Residential Development recommends the following actions (reference being made to page 60 of the Town Plan): (i) identify opportunities for creating new, smaller housing units, including using surplus Town land, for a range of income levels and a range of ages, including seniors; (ii) ensure that new neighborhoods occur in appropriate areas and are walkable and (iii) share the Town's goals to for meeting housing needs with affordable housing providers. The Old Danbury Road site addresses all of those action items plus some; to wit:

1. The 1 and 2 bedroom units that Mr. Downend proposes will range from approximately 750 to 1,300 square feet; thereby, attracting younger tenants, single parents and seniors.
2. The site is located within 1000 feet of the Wilton Train Station. In addition and as you know, the Town has been awarded a \$500,000 grant from the State of Connecticut Small Town Economic Assistance Program; which grant will fund the Wilton Station Walkway project (the "**Station Walkway**"). This project will connect the Wilton Train Station, the Teen Center and Wilton Commons to Wilton Center and Merwin Meadows. Adding Mr. Downend's proposed mixed income housing development to this composition of transportation oriented development creates a cohesive and attractive environment in which to live, work, shop and visit.
3. The number of affordable housing units in the Town will be increased and will help offset existing affordable units whose affordability restriction will soon expire.
4. The proposed development provides a significant new rental-rate opportunity for those who wish to take advantage easy access to the Train Station and Wilton Center.
5. Old Danbury Road's access to Station Road and its infrastructure will be improved significantly; which improvements will benefit the remaining undeveloped property owned by the Town on Old Danbury Road.
6. The Town's tax revenues will be increased.
7. The project will supplement the creation of a neighborhood around the Train Station that will be a pleasant environment for residents, commuters, business owners and visitors with connectivity to Wilton Center and Merwin Meadows.

Mr. Downend offers to purchase the Property on the following terms:

1. A sum to be negotiated by Mr. Downend and the Town.
2. Obtain approvals from the Planning and Zoning Commission to create the parcel and to change the zone of the Property from DE-5 to R-1A.
3. The Property will be developed with: (i) a sidewalk along Old Danbury Road to Station Road which will provide a connection of the Property and the remaining undeveloped Town land to the Train Station and the Station Walkway and (ii) all utilities, sewer, drainage facilities and lighting will be sized to accommodate the future development of the Town's remaining land.
4. The Property is to be conveyed together with pass and repass, grading, drainage, utility, parking and lighting easements from the Town as shown on the Concept Plan.
5. The estimated cost of the utilities, sewer, drainage facilities and lighting is \$281,000 (reference being made to the enclosed T&B Opinion of Probable Cost for the

Construction of Downend on Old Danbury Road dated November 12, 2014; exclusive of lighting).

6. The offer is contingent upon Mr. Downend obtaining all necessary land use approvals for the development of an apartment building on the Property containing not less than 30 units.
7. The closing will take place no sooner than one hundred twenty (120) days of the date that Mr. Downend obtains all necessary governmental approvals for the development of the property (with no appeals of those approvals having been taken, or if taken, the appeals have been successfully and finally defended). Mr. Downend shall have the option to extend the closing date for up to an additional ninety (90) days in the event that: (i) construction financing has not been finalized or (ii) he has not sold his property located at 44 Westport Road. In any event, the 44 Westport Road property will be sold with a deed restriction in favor of the Town prohibiting, in perpetuity, the development of multi-family housing on the site.

Mr. Downend's proposal offers the Town a development that is intended to improve the number and quality of affordable and work force housing in Wilton, adding 30 new housing units at a location adjacent to the Wilton Train Station.

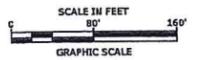
On the assumption that you will wish to review this offer with the Board of Selectmen, I hereby request that this matter be placed on the Board's agenda for its December 1, 2014 meeting. In the meantime, if you have any questions, please do not hesitate to contact me.

Respectfully submitted,

J. Casey Healy

JCH/ko
Enclosure

cc: Town Counsel G. Kenneth Bernhard
Mr. Patrick Downend
Mr. John W. Block – Tighe & Bond



**Downend
Project**

**Old Danbury
Road Study**

Wilton, CT
November, 2014

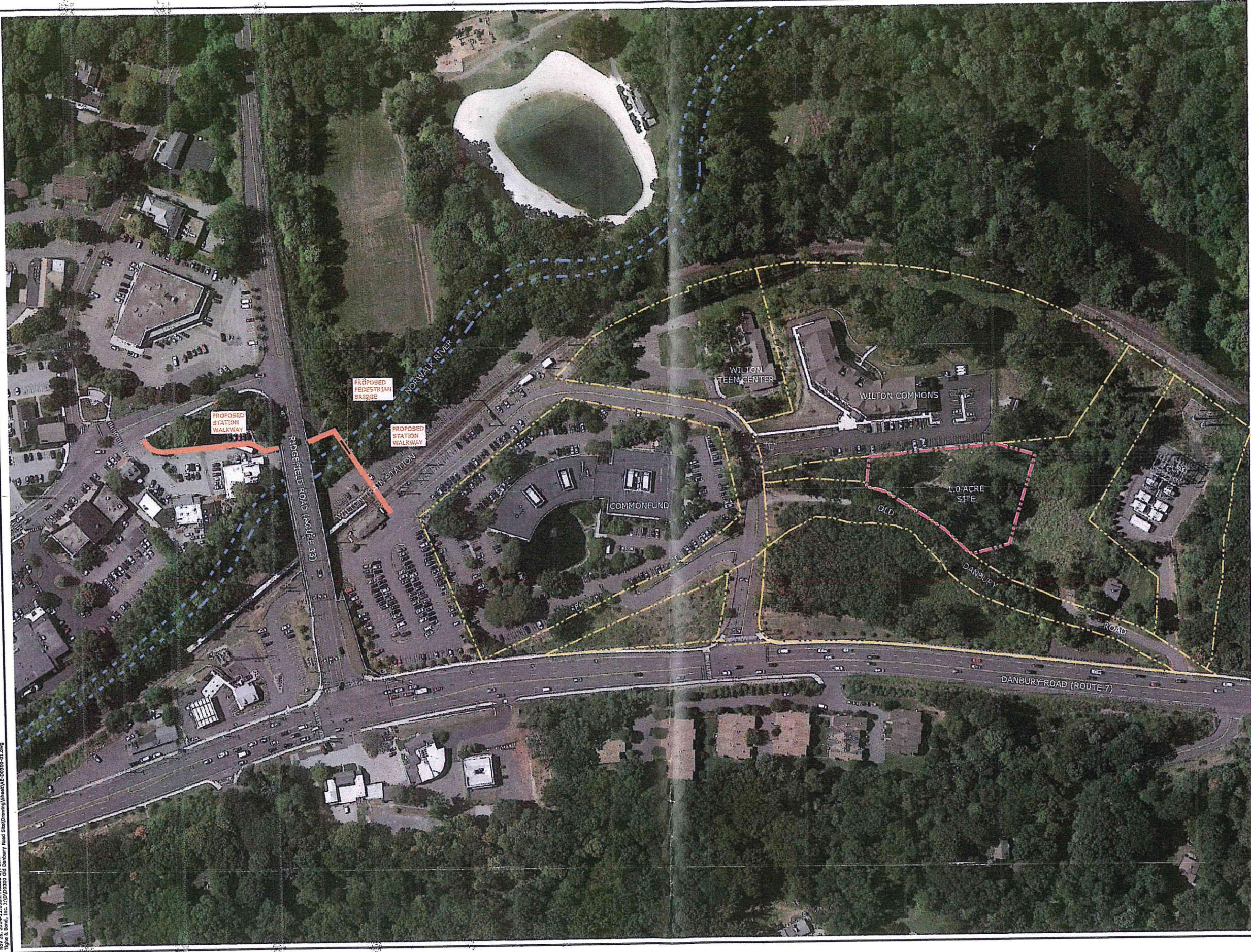
MARK	DATE	DESCRIPTION

AERIAL PLAN

SCALE: 1" = 80'

AE-01

Nov 26, 2014 11:05am Plotted by: admin
Tighe & Bond, Inc. J:\00000 Old Danbury Road Study\Drawing\Sheet\AE-00000-01.dwg



Station Place



A NEW WILTON COMMUNITY

Offer to Purchase

- 1 Acre of Land
- 30 Unit Apartment Community
- 9 Affordable Units
 - 5 at 60% of Median Income
 - 4 at 80% of Median Income
- 21 Market Rate Units

Benefits

- Provides Needed Affordable Housing Options
 - Workforce
 - Young Professionals
 - Active Seniors
- Consistent with Plan of Conservation and Development
- Enhances the Station Road Area
- Increased Tax Revenue

Live, Walk, Shop, Visit

- Upscale Amenities
- Transportation Oriented
- Shop in Town
- Utilize Walkway Bridge
- Enhances Pedestrian Network

Recommendation	Recommendation Page	Completed	Comments	Responsible Department
Logging Field Usage on Shared Drive	4	11/19/2014	This is currently on the class system. Finance has a license for this system and can access data in real time	P&R/Finance
Invoices Need to be Pre-Numbered	4	OPEN	Will work with finance and IT to install approved software.	Finance/IT
Segregation of Responsibilities	4	OPEN	Due to the size of department it cannot be achieved internally	P&R
Field Lighting Controls for user Groups	4	7/22/2014	System in Place for users to be able to turn field lights off	P&R
Sur-Charge for field lighting users not complying with new system	4	10/8/2014	The Parks & Recreation Commission found this penalty not to be warranted as the lights are being paid for and the department can withhold use the following season if need be.	P&R
Segregation of Duties - Opening Mail Specific employee functions separated	7	OPEN	Due to the size of department it cannot be achieved internally	P&R
Create an online tracking system of field usage and invoicing	7	OPEN	Currently Class is used for this purpose and can be viewed by finance as well as P&R. P&R is working to implement a system that can split bills and receipts through class. Also it is exploring an interface between class and New World. P&R has contacted a new vendor, RecTrac to see how their system operates and how it interfaces with New World	P&R/Finance/IT
Create a log for field usage and billing	7	11/19/2014	Implemented through the Class system and kept in a binder	P&R
Create a monthly report regarding field usage and billed hours	7	11/19/2014	Report to be review by Parks & Recreation Commission	P&R
Approval of program fees	7	11/19/2014	The Commission is sent fees for review and approves prior to brochure going out	P&R
Approve of refund and payment terms	7	11/19/2014	Included in the current P&R Operations Manual	P&R
Surprise Audits by the Finance Department	9	11/19/2014	P&R will assist when finance arrives	Finance
Prompt Delivery of Cash Receipts	10	11/19/2014	All office staff have been trained in cash receipts and ongoing refresher training has been scheduled If daily cash receipts cannot be brought to finance due to peak seasonal activity then finance will be notified	P&R
Credits -review and remove any over 12 months	11	11/19/2014	P&R has set up two dates to review all credits and refund any over six months. Dates are 12/1 and 6/1	P&R



**Wilton Fire Department
Office of the Fire Chief
Ronald E. Kanterman**



**Board of Selectmen Meeting
December 1, 2014
FIRE DEPARTMENT THUMBNAIL**

1. Engine Tanker 4 was put in to service on November 7, 2014.
2. We reached 4,253 children and 657 parents during the month of October through public fire safety education programs at the schools and at fire headquarters.
3. The Fire and Police Departments are developing a joint cross-training program in order familiarize the respective members with each other's duties and responsibilities.
4. The Fire Department and WVAC are developing a joint cross-training program in order familiarize the respective members with each other's duties and responsibilities.
5. Working hand-in-hand with the police department on the state mandated emergency plans for the schools.
6. The Fire Commission promoted a Lieutenant. Pending exams are for Fire Marshal due to the retirement of Dave Kohn, Lieutenant for another vacant position, Captain due to one vacancy and a projected vacancy with Stuart Carter retiring in the spring and Fire Inspector should we need to.
7. Currently we have one vacancy for firefighter. Will have one more in January. Working with the Fire Commission to fill these vacancies.
8. Working on solving the well water and septic problems at Station 2 so the renovation can commence.



Wilton Emergency Management

Mark Amatrudo

Emergency Management Director



Board of Selectmen Meeting

December 1, 2014

1. The update of our Emergency Operations Center (EOC) equipment and information binders has been completed.
2. During the summer, Wilton participated in the Governor's annual storm preparedness drill with a full activation of the EOC.
3. All departments have submitted their 72/48/24 hour storm planning checklists.
4. Wilton CERT has been trained to assist in the EOC, including the distribution of information over social media, the Westport radio station, etc.
5. CodeRED and the manual distribution of printed information to key locations throughout Town will also continue to be used to disseminate information from the Emergency Operations Center.
6. One of our primary storm-related resources is Wilton CERT, which now has over 80 members. It is widely recognized for its response capabilities and is well respected throughout the state.
7. The 2014 update of the Town Emergency Operations Plan is in process.