

OFFICE OF THE
FIRST SELECTMAN

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William F. Brennan
First Selectman

Ted W. Hoffstatter

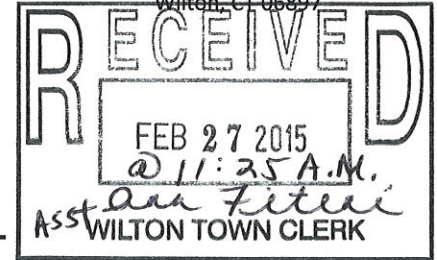
Richard J. Dubow

James A. Saxe

Michael P. Kaelin

TOWN HALL
238 Danbury Road
Wilton, CT 06897

**BOARD OF SELECTMEN MEETING
MONDAY, JANUARY 20, 2015
MEETING ROOM B, WILTON TOWN HALL**



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

GUESTS: Robert Downend, Casey Healy, Robert Nerney, Deborah McFadden, Tom Thirkettle, John Murphy, Sarah Taffel, Sandy Dennies, Jacqueline Rochester

OTHERS: 2 Members of the Press

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

A. Consent Agenda

Upon motion by Mr. Dubow, seconded by Mr. Saxe, the consent agenda was approved as follows:

Minutes

- Board of Selectmen Meeting – January 5, 2015
- Board of Selectmen Meeting – Budget Work Session – January 7, 2015
- Board of Selectmen Meeting – Budget Work Session – January 13, 2015
- Board of Selectmen Meeting – Budget Work Session – January 15, 2015

Tax Refunds

- As Per Tax Collectors Memo dated January 15, 2015

Gifts

- Mr. and Mrs. Giorgio S. and Jean Boero Fire Department Gift Fund - \$50.00

B. Discussion and/or Action

1. Appointments/Reappointments

- a) Board of Selectman – Deborah McFadden
- b) Interim Police Chief – Robert Crosby (Wilton Security Task Force)

Mr. Brennan made a motion to appoint Deborah A. McFadden to the Board of Selectmen. Motion seconded by Mr. Kaelin, unanimously carried. After being sworn in by the Town Clerk, Ms. McFadden rejoined the meeting and was seated with the Board of Selectmen.

Mr. Brennan made a motion to appoint Interim Chief Robert Crosby to the Wilton Security Task Force. Motion seconded by Mr. Dubow, unanimously carried.

2. Update Regarding Sale of One Acre of Town Land on Old Danbury Road for Affordable Housing Project

Mr. Brennan distributed a memo summary (attached) along with a copy of a Press Release regarding the Sale of One Acre of Town Land on Old Danbury Road to Mr. Patrick Downend, a developer of affordable-restricted rental housing. Motion made by Mr. Brennan to authorize Town Counsel to prepare a contract of sale for a one acre parcel of land sale on Old Danbury Road. Motion seconded by Ms. McFadden, unanimously carried.

3. Consideration of the approval of a contract with the George Ellis Co. of New Haven, Inc. for the Boiler Gas Conversion Project at Wilton High School

Mr. Brennan reviewed the contract for the Boiler Gas Conversion Project at Wilton High School with the George Ellis Co. of New Haven, Inc. Town Counsel has reviewed and approved the contract. Motion made by Mr. Kaelin to approve the contract with George Ellis Co. of New Haven Inc. Motion seconded by Ms. McFadden, unanimously carried.

4. Consideration of approval of the TRC Contract/Proposal for Miller Driscoll PCB/Hazardous Materials Investigation and Phase I Site Assessment

Mr. Brennan reviewed the contract with TRC Environmental for PCB/Hazardous Materials Investigation with regard to the Miller Driscoll Renovation project in the Phase I Site Assessment. Town Counsel has reviewed and approved the contract. Motion made by Mr. Kaelin to approve the contract with TRC Environmental. Motion seconded by Ms. McFadden, unanimously carried.

5. Consideration of the Approval of the Construction Manager for the Comstock Community Center Renovation Project

Mr. Brennan reviewed the contract with Turner Construction Company to be the Construction Manager for the Comstock Community Center Renovation Project. Town Counsel has reviewed and approved the agreement. Ms. Judy Zucker reviewed the reasoning for selecting Turner Construction for this project. Motion made by Mr. Dubow to approve the contract selecting

Turner Construction Company as the Construction Manager for the Comstock Community Center Renovation Project. Motion seconded by Ms. McFadden, unanimously carried.

Mr. Brennan proposed a motion to approve a resolution for blanket approval authorization with regard to the signing of contracts with subcontractors, etc. with regard to the Comstock Community Center Renovation Project.

BE IT RESOLVED AS FOLLOWS:

The Wilton Board of Selectmen hereby authorizes First Selectman William Brennan to sign and execute all construction, architect, subcontractor and vendor contracts on behalf of the Town of Wilton for the Comstock Community Renovation Project, subject to review and prior approval by the Town's Construction Manager, Comstock Community Center Building Committee, and Town Counsel.

Motion made by Ms. McFadden to approve the resolution as presented. Motion seconded by Mr. Dubow, unanimously carried.

6. Bonded Capital Projects – Monthly Report Format and Schedule

Mr. Brennan reviewed procedure for the Monthly Report Format and Schedule for project summary by the major building committees. Mr. Brennan indicated that the first monthly report would be due to the Board of Selectman on February 1, 2015 and each month thereafter by both Building Committees. Comstock Building Committee invited to the Board of Selectmen meeting on February 17, 2015 with Miller Driscoll invited to give a summary at the March 16, 2015 Board of Selectmen meeting. Mr. Saxe suggested an additional item to the summary. Format and schedule approved by Board of Selectmen.

7. Miscellaneous Other Business

Mr. Brennan reviewed the appointment of Board of Members as liaison to various community commissions and boards. All members were comfortable with the assignments. Mr. Brennan reviewed an additional assignment for a Board member to the Economic Development Commission. Mr. Brennan to discuss with the Chair of the Economic Development Commission before assigning.

Mr. Brennan indicated need to appoint a Second Selectman. Mr. Brennan moved to appoint Jim Saxe as Second Selectman based on highest vote count in a recent election as has been done in past appointments. Motion seconded by Mr. Kaelin. Ms. McFadden made a motion to appoint Mr. Dubow. Motion seconded by Mr. Dubow. Motion carried to appoint Jim Saxe as Second Selectman 3-2.

Mr. Brennan stated that the matter posed by the Group Sensible Wilton in a petition for a revote of last September's referendum decision authorizing

\$50M for the Miller Driscoll School Renovation Project of will be discussed at the February 2, 2015 Board of Selectman's regular meeting.

C. Public Comment

None

D. Reports

First Selectman's Report

Mr. Brennan reminded the Board that the next budget meeting would be held on January 22, 2015 at Town Hall, Room B with presentations from the Fire Department, Visiting Nurse and Hospice and WVAC.

Selectmen's Reports

Michael Kaelin – Welcomed Deborah McFadden to the Board of Selectmen.

Dick Dubow – Welcomed Deborah McFadden to the Board of Selectmen

Jim Saxe – Welcomed Deborah McFadden to the Board of Selectmen

Deborah McFadden – Welcomed the opportunity to serve on the Board of Selectman and to serve the Wilton Community

E. Executive Session

Board moved to enter executive session at 8:25 PM and asked that Sarah Taffel, Director, Human Resources, Labor Relations and Administrative Services join them to discuss the appointment of the Town Clerk.

Board out of Executive Session at 8:43 PM.

Action taken: First Selectman Brennan moved to appoint Ms. Lori A. Kaback as the Town of Wilton's Town Clerk. Motion seconded by Jim Saxe and unanimously carried.

F. Adjournment – Having no further business, the meeting was adjourned at 8:45 p.m.



Jacqueline Rochester, Recording Secretary

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- **Announcement**

The Town of Wilton is very pleased to announce that an agreement in principle has been reached to sell a one acre parcel of land on Old Danbury Road to Mr. Patrick Downend, a developer of affordable-restricted rental housing. A proposed contract of sale will be drawn up by town Counsel and brought to the Board of Selectmen for approval within approximately the next 30 days.

The agreement is the result of many weeks of constructive negotiations to enable the development of an affordable housing project in a suitable Town location and to resolve the controversial project that Mr. Downend had proposed last year in a residential zone located at 44 Westport Rd. In exchange for the town selling the one acre parcel, which is located adjacent to the Wilton Commons Affordable Senior Housing Facility and near Station Rd, Mr. Downend will sell his Westport Road residential property to a third party with a deed restriction limiting it to single-family residential uses.

The town has worked very hard to address our community's need to provide its residents with affordable housing options and to simultaneously resolve the controversy created by Mr. Downend's original proposal. We believe the sale of this land on Old Danbury Road does both.

- **Background**

The town of Wilton has long recognized the need for more affordable housing options in our community. Consistent with our Plan of Conservation and Development, we have been anxious to increase this segment of the Wilton housing market. In pursuit of this objective, the successful development of the Wilton Commons

Affordable Senior Housing Facility was a major accomplishment in an ideal location.

Therefore, in early November we met with Mr. Downend and his attorney to discuss various alternative options that might be mutually beneficial. During these discussions, we explored the concept of building an affordable housing facility on property the Town currently owned that would be a more suitable location. A parcel of land on Old Danbury Road quickly emerged as an ideal location, as it was adjacent to Wilton Commons senior apartments, offered future residents easy access to rail and bus transportation and was an easy walk into Wilton Center, especially after the planned Pedestrian Walkway and Bridge project over the Norwalk River is completed. Connections to sewer and water utility lines were also located in the area.

- **Negotiations**

The Town's negotiating team was comprised of Ken Bernhard, Town Counsel; Bob Nerney, Director of Planning and Land Use Management; Tom Therkettle, Director, Department of Public Works and myself.

Mr. Downend was represented by Mr. Casey Healy, attorney associated with the Wilton Law Firm of Gregory and Adams.

- **Map**

Location of Property to be sold

- **Agreement Terms**

Selling Price - \$1,045,000

- Represents the appraised one acre value by two independent real estate appraisers.
- A credit of approximately \$100,000 will be given to the purchaser for his agreement to construct a sewer extension at a greater depth than would otherwise be required to serve both the subject parcel and most important, land area the Town

owns north and east of the parcel. This was very important to us as the deeper sewer extension will greatly enhance the economic development options of the Town's remaining five acres and will reduce future costs to extend the sewer to service Town owned property.

- **Housing Facility**

- 30 units total (one and two bedrooms)
- 9 affordable units

- **Board and Commission Approvals**

- Sale subject to Planning and Zoning, Inland Wetlands Commission and WPCA approvals.

- **44 Westport Road Property**

Mr. Downend to sell this property to a third party with a deed restriction in perpetuity limiting it to single-family residential uses.

- **Closing**

To take place no sooner than one hundred (120) days from the date Mr. Downend obtains all board, commission, etc. approvals for the construction of the 30 unit apartment building. (May be extended 90 days in the event construction financing has not been finalized or the sale of 44 Westport Road has not closed.)

- **Benefits to Mr. Downend**

- Acquires a more suitable and marketable location for an apartment building due to proximity to Wilton Center, Transportation Services and Recreation Facilities.
- Opportunity to build a 30 unit facility versus 20 units increasing rental revenue from the facility.
- Compatible housing neighborhood location – Wilton Commons, Trackside, etc.
- Cooperative relationship with Town of Wilton government organizations.

- Avoids potential protracted development issues over Westport Road property.

- **Benefits to Town of Wilton**

- Location consistent with a national trend of encouraging higher density housing near and around town centers and rail stations.
- Compatible with existing and emerging neighborhood development trends, specifically, Wilton Commons Phase I and Trackage as well as the proposed second phase of Wilton Commons, slated to break ground in 2015.
- Planned (and funded) pedestrian connectivity to the Wilton Train Station, Wilton Center and Merwin Meadows Park as well as access to existing and future sections of the Norwalk River Valley Trail makes the Old Danbury Road site highly suitable for residential usage.
- New housing expands the economic vitality of Wilton Center by increasing demand for consumable products (i.e. grocery sales, use of restaurants and other personnel services).
- Development expands Wilton's affordable-restricted housing inventory as well as the number of non-restricted, but generally more affordable, workforce housing.
- Town able to take a proactive and directional lead in creating affordable and workforce housing in an area conducive for such use.
- Marketing of housing units will be primarily to the elderly, singles and young couples; hence, will have a low impact with respect to demand for Town services, including education services.
- Generates tax revenue for the Town, where as vacant public land, no tax revenue is currently generated.
- Redirects affordable housing from a predominantly residential neighborhood (Westport Road) to a more desired and appropriate location.

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PRESS RELEASE

Contact: W. F. Brennan
(203) 563-0100

January 20, 2015

Town to Sell One Acre of Land on Old Danbury Road

First Selectman Bill Brennan advised the Board of Selectman at Tuesday's meeting that the Town has reached an agreement in principle to sell a one acre parcel of land on Old Danbury Road to affordable-restricted rental housing developer Patrick Downend and will bring a proposed contract of sale to the Board in approximately 30 days.

The agreement is the result of many weeks of constructive negotiations to enable the development of an affordable housing project in a suitable Town location and to resolve the controversial project that Mr. Downend had proposed last year in a residential zone located at 44 Westport Rd. In exchange for the town selling the one acre parcel, which is located adjacent to the Wilton Commons Affordable Senior Housing Facility and near Station Rd, Mr. Downend will sell his Westport Road residential property to a third party with a deed restriction limiting it to single-family residential uses.

Mr. Brennan said about the proposed sale: "The town has worked very hard to address our community's need to provide its residents with affordable housing options and to simultaneously resolve the controversy created by Mr. Downend's original proposal. The sale of this land on Old Danbury Road does both."

Mr. Downend will pay \$1,045,000 for the parcel, which is the value placed on the parcel by two reputable independent real estate appraisers. Mr. Downend will receive a credit of approximately \$100,000 for his agreement to locate and build a sewer extension, at a greater depth than would otherwise be required, to serve both the subject parcel and land areas that the town owns north and east of the parcel. The sewer extension will greatly enhance the economic development options of the town's remaining five acres. After Mr. Downend's housing facility with nine affordable units is built, the Department of Public Works will make improvements to the Town owned Old Danbury Road and restore it to current standards.