

**TOWN OF NEW CANAAN
TOWN COUNCIL
REGULAR MEETING
Wednesday, December 17, 2008
7:30 P.M. – Town Hall Auditorium**

Members Present:

Kenneth Campbell	Tucker Murphy
Kathryn Devereaux	Thomas O’Dea
Mark DeWaele - Chairman	Johnny Potts
Elizabeth Jones	Dick White
Steve Karl	Penny Young

Members Absent: Paul Foley and Christine Hussey.

Others Present:

Jeb Walker, First Selectman (and member, ex-officio, Town Council)
Tom Stadler, Administrative Officer
Gary Conrad, Chief Financial Officer
Frank DeNicola, Director of Public Works
Tiger Mann, Senior Engineer and Assistant Director of Public Works
Mike Pastore, Town Engineer
James Rogers, Superintendent of Solid Waste
Christopher Jarboe, Town Attorney
Laura Kenyon, The New Canaan Advertiser
A few members of the public

Mr. DeWaele convened the meeting at 8:30 P.M. Mr. O’Dea called the roll, noting the absence of Mr. Foley and Ms. Hussey, and read the notice of the meeting.

Recognition of Roger Smith - Roger Smith was recognized for his 18 years of service to the Town’s Board of Finance. Mr. DeWaele expressed the appreciation of the Town Council and the Town of New Canaan to Mr. Smith for his many years of dedicated service. Mr. Smith was presented with a gift and he thanked those present for the opportunity to serve his community.

Approval of the Minutes - Special Joint Meeting of November 15, 2008, the Public Hearing of November 19, 2008, and Regular Meeting of November 19, 2008.

Upon motion of Mr. Campbell and second of Mr. Karl, the Council voted unanimously to approve as submitted the minutes from the Special Joint Meeting of November 15, 2008. Mr. White abstained.

Upon motion of Ms. Devereaux and second of Mr. O’Dea, the Council voted unanimously to approve, as amended, the minutes from the November 19, 2008 Public Hearing, with the change to “Mrs.” Young’s name. Ms. Murphy abstained.

Upon motion of Mr. White and second of Ms. Jones, the Council voted unanimously to approve, as amended, the minutes from the November 19, 2008 Regular Meeting, with the change to the names “Wendy and Andre van Parys.” Ms. Murphy abstained.

Confirmation Reappointments and Appointments to the Board of Finance

Upon motion of Ms. Devereaux and second of Ms. Murphy, the Council voted unanimously to approve the reappointment of Kathleen Corbet to the Board of Finance for a four-year term to expire November 15, 2012.

Upon motion of Mr. Potts and second of Ms. Jones, the Council voted unanimously to approve the reappointment of Robert Spangler to the Board of Finance for a four-year term to expire November 15, 2012.

Upon motion of Ms. Murphy and second of Mrs. Young, the Council voted unanimously to approve the appointment of Neil Budnick to the Board of Finance for a four-year term, as Regular Member, to expire November 15, 2012.

Mrs. Young noted that a procedure was in place for a Town Council subcommittee to review the qualifications for nominees to the Board of Finance. This review gives Council members the opportunity to interview candidates and fully review the experience and credentials of prospective nominees.

Upon motion of Mrs. Young and second of Mr. Campbell, the Council voted unanimously to approve the appointment of Todd Lavieri to the Board of Finance for a four-year term, as an Alternate Member, to expire November 15, 2012.

Amendment to Ordinance on Parks - Upon motion of Mrs. Young, the Council voted unanimously to approve proposed Amendments to Ordinance on Parks, Section 42-8, Paragraph B, of the Code of the Town of New Canaan as follows:

Amendments to Section 42-8, paragraph B of the Park Ordinance, pertaining to Domestic Animals. The amendment deletes the following sentence: No person shall bring any dog or other domestic animal into any park unless it is on a leash or otherwise under physical restrictive control and in no event shall it be allowed on trails or in buildings. The amendment also added the following sentence: Dogs are regulated by Code § 6-8.

Bond Amendment - Gary Conrad explained that because of an oversight, this item had initially not been properly noticed to the public, and had to go through the approval process again. In addition, there was a typographical error of the date on the resolution of March 8, 2006 which should have been March 10, 2008. Mr. Jarboe noted that the typographical error has no significance on the purpose of the bond, and has been corrected prior to the issuance of any bond. Mr. Conrad said that the plan is to put the bonds on the market during the first quarter of 2009.

Upon motion of Mr. Campbell and second of Mr. Potts, the Council unanimously approved the following:

Being resolved, Section 1 of the resolution entitled "Resolution Appropriating \$5,000,000 For The Town of New Canaan's Road Network And Authorizing The Issuance of \$5,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making of Temporary Borrowings For Such Purpose" adopted by the Town Council on March 10, 2008, (the resolution) is hereby amended by deleting said Section and substituting the following in lieu thereof, thereby making said Section read as follows:

"Section 1: The sum of \$5,000,000 is appropriated for the rehabilitation of the Town's road system as follows: (i) construction of new roads, and extension, reconstruction and repair of existing roads; (ii) installation of new bridges and culverts and reconstruction and repair of existing bridges and culverts; (iii) installation of new sidewalks and extension and/or reconstruction of existing sidewalks, including provision for handicapped access ramps; (iv) construction of new surface parking facilities; and (v) for all related appurtenances and facilities necessary to the above, including, but not limited to drainage systems, curbing, lighting and other utilities, guard rails, signs, pavement markings, traffic calming measures, and improvements, repairs to public and private driveways affected by the above and for topsoil and seeding of disturbed areas, and in furtherance of the Town Road Management and Improvement Program."

Public Works Status Report - Tiger Mann reported that most projects are winding down for the season, with the exception of the current paving of Park Place. Some work will be performed during the winter season if temperatures are favorable. Mill Pond and the river above have been stocked with trout. A fishing derby is planned for the beginning of spring.

Mr. Mann gave a brief overview of the Safe Routes to School program, which has also been presented to the Board of Education and the Board of Selectmen. The program includes a Four-E approach through: Education, Engineering, Enforcement and Encouragement. The program includes a press release regarding the initiative, involvement of the each school's Parent Teacher Council (PTC) and the press in a traffic calming meeting, a phased implementation of an increased signage and marking plan, and increased enforcement around the schools. The signage and marking plan is compliant with the Manual on Uniform Traffic Control Devices and includes a three-phased approach:

Phase I includes engineering, signage, pavement markings and flashing beacons with an expected cost of \$25,000.

Phase II includes engineering and enforcement, radar signs, and additional traffic enforcement with an expected cost of \$15,000.

Phase III includes engineering and enforcement, an active beacon crosswalk and an additional crossing guard.

Mr. Mann then gave a brief presentation of Phase I outlining the locations of signs, markings and beacons using aerial photographs. The implementation of Phase II and Phase III will be contingent on the success of Phase I.

Mrs. Young suggested that the private schools be approached to work in partnership with the Town. Mr. Mann agreed and will follow up.

Mike Pastore gave a brief presentation of the waste water treatment plant as it relates to the sewer hookup for the two service areas on the Merritt Parkway. The state DOT is planning to connect these service areas to the Town sewer system; all costs to connect would be paid for by the state DOT. The current system connects 2,700 homes out of a capacity of 7,100 homes; about 40% of capacity. The proposed plan would connect the southbound service area first and then the northbound service area. Mr. Pastore pointed out that the septic systems in both service areas are near failure and cannot be repaired or replaced.

Residents in the sewer district pay a sewer tax. The state would pay a user fee since the state is exempt from paying property taxes.

Mr. Pastore said that ordinarily this type of matter would go to the Board of Finance (BOF) for approval; however, Mr. Jarboe would be consulted with regard to the authority of the BOF on this matter. Mr. Pastore said that the Town would seek an agreement outlining the state's responsibility to install the sewer, pave the road, maintain the pump station and pay the user fee.

(Mr. O'Dea left the meeting at this point)

Pesticide Subcommittee - Ms. Murphy gave an informational update to the Council. Ms. Murphy, Ms. Jones and Ms. Hussey serve as the subcommittee as Town Council representatives. They are joined by John Howe, Parks Superintendent; Bob Rogers, member of Park and Recreation Commission; Rich Werner, Health Director; and Meredith Moses, resident. The subcommittee will meet in January.

Board of Education Subcommittee - Ms. Murphy gave a brief update to the Council. The subcommittee has met with Dr. David Abbey, Superintendent of Schools; Kathy Smith, Chair of Board of Education; and Dan Ward, Member of Board of Finance in an effort to improve communications. Dr. Abbey wanted the Town Council to be aware that there is a significant budget variance in the amount of \$832,000 because of the higher cost of heating oil. Actual energy costs are significantly higher than the prices used in last year's budget process. So far, the Board of Education has been able to find ways to offset this shortfall by about \$300,000.

Outback Teen Center - Mr. Walker gave a brief report on the Outback Teen Center. The Outback has been working with the YMCA in a collaborative effort to improve the quality of programs available to younger residents of New Canaan. In an effort to address issues between the Outback and its neighbors, the Town has been working with Outback staff and the Police Department to control the situation with noise and

loitering in the parking lot area. Mr. White added that at some point the current ordinance would have to be reviewed.

Town Council Meeting Schedule - Upon motion of Mr. Campbell and second of Mr. White, the Council approved unanimously the 2009 Town Council schedule of meetings with the change in date from the April 15, 2009 to April 16, 2009.

There being no further business, upon motion of Mr. Campbell and second of Mr. Potts, the meeting adjourned at 10:08 P.M.

Respectfully submitted,

Thomas O'Dea, Secretary