

BOARD OF SELECTMEN

REGULAR MEETING

May 6, 2008

MEMBERS PRESENT: Jeb Walker, First Selectman; Rob Mallozzi and Sally Hines, Selectmen.

ALSO PRESENT: George Maranis, Administrative Officer; Gary Conrad, Chief Financial Officer; Cheryl Jones, Director of Human Resources; Tiger Mann, Senior Engineer and Assistant Director of Public Works; Mike Pastore, Town Engineer; William Leopold, Principal, WFL Real Estate Services, LLC; Jim Beall, Chairman, Police Station/EMS Building Committee; Tim Mallee, Operations Manager, Information Technology Department; Steve Kleppin, Town Planner; Jim Cole, Chairman of the Police Commission; Police Chief Ed Nadriczny; Assistant Fire Chief Jack Hennessey; Melanie Barnard, New Canaan Volunteer Ambulance Corps; David Torromeo and one other Town resident; Colleen Flaherty, New Canaan Advertiser; Kristiana Glavin, New Canaan News-Review.

Jeb Walker called the meeting to order at 9:03 am and took the roll, noting the presence of all the Selectmen. He asked that the minutes of the Regular Meeting of April 22, 2008 be approved and, on the motion of Mr. Mallozzi and the second of Ms. Hines, they were approved unanimously.

Mr. Mann then presented a request from the Public Works Department to allow K. B. Industries to extend its hours of operation from 7:00 am to 6:00 pm, Monday through Sunday, for the duration of the Flexi-Pave installation project. He explained that all the crews were onsite, all the material had arrived, and the contractor was working on a very thin margin. He said that the noise from the installation was restricted to the site, and that the neighbors were insulated from hearing any disturbance. Ms. Hines asked if all the neighbors had been advised, and Mr. Mann said he was in the process of doing so. On the motion of Ms. Hines and the second of Mr. Mallozzi, the request was approved unanimously.

Mr. Mann next presented a request from the Public Works Department to award a contract to F.G.B. Construction in the amount of \$738,147, the low bid, for the "Mill Pond Restoration Project." He explained that 17,000 yards of sediment will be dredged and moved to the Waveny Park "Cornfield." A State grant of \$500,000 will defray most of the cost of the Project. The work is expected to start in mid- to late June and last about two months. Both Ms. Hines and Mr. Mallozzi expressed concern about traffic congestion and safety issues in the transport of the sediment, and Mr. Mann assured them that every precaution had been taken to avoid any problems. On the motion of Mr. Mallozzi and the second of Ms. Hines, the request was approved unanimously.

Mr. Mann then presented a request from the Public Works Department to award a contract to Grasso Construction in the amount of \$740,500, the low bid, for the repaving of Greenley and Wahackme Roads in connection with the "Pave, 2008 – Local Roads Project." Mr. Mann explained that both roads were in disrepair and that Grasso has done good work for the Town in the past. On the motion of Ms. Hines and the second of Mr. Walker, the request was approved unanimously.

Mr. Mann next presented a request from the Public Works Department to award a contract to Lanni Construction in the amount of \$104,250, the low bid, for installation of drainage on Bayberry Road and Bartling Drive and a portion of Ponus Ridge Road in connection with the "Drainage, 2008 – Bayberry Road, Ponus Ridge Road and Bartling Drive Project." He explained that the roads, particularly Bayberry, had been subjected to flooding and icing for a number of years and, after assuring the Selectmen that there would be no impediments to traffic, the request was approved unanimously, on the motion of Mr. Mallozzi and the second of Ms. Hines.

Mr. Pastore then asked the Selectmen to endorse a request from the Public Works Department for an appropriation of \$600,000 for capital repairs and improvements to the New Canaan Playhouse at 93 Elm street in New Canaan CT, and to endorse a resolution entitled "Resolution Appropriating \$600,000 For Capital Repairs And Improvements To The New Canaan Playhouse Property At 93 Elm Street In New Canaan CT And Authorizing The Issuance Of \$600,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose." Mr. Pastore introduced Mr. Leopold who described the work that had to be done, exclusive of the HVAC system. He described the deteriorating condition of the infrastructure of the Playhouse and the work required to address it (roofing, rotted wood, painting, gutters, windows, etc.) Mr. Pastore, referring to a survey made by consultants, said that the entire HVAC system had to be replaced. He hoped that his estimate of \$400,000 for the work would prove to be conservative, to be verified when the Town goes out to bid for the work. After some limited discussion over whether the movie theater would continue to operate during the work ("probably"), and the procedures in place to lease out the "Display Window," the Selectmen unanimously endorsed the request, on the motion of Ms. Hines and the second of Mr. Mallozzi.

Mr. Beall next asked the Selectmen to endorse an appropriation of \$3,500,000 for construction of a new building for the New Canaan Volunteer Ambulance Corps, and to endorse a resolution entitled "Resolution Appropriating \$3,500,000 For Construction Of A New Building For The New Canaan Volunteer Ambulance Corps And Authorizing The Issuance Of \$1,420,000 Bonds Of The Town To Meet A Portion Of Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose." Mr. Beall made a Powerpoint presentation, reviewing and discussing the components of the request, as well as the schematics of the lay-out of the building. He explained that bids had been received for the construction of the building, and that Sisca Northeast's low bid of \$2,577,223 was very close to the budgeted amount and probably would be awarded. Assuming passage of the request by the Board of Finance and the Town Council, Mr. Beall expressed the hope that the Board of Selectmen could convene a Special Meeting on May 22, 2008 to award the contract. On the motion of Mr. Walker and the second of Mr. Mallozzi, the Selectmen unanimously endorsed the request.

Mr. Beall then asked the Selectmen to endorse an appropriation of \$965,000 for work at the New Canaan Police Station, comprising \$535,000 for the construction of a Police Pistol Firing Range, \$250,000 for a garage addition, \$95,000 for brick and mortar and related repairs and \$85,000 for paving of parking areas, and to endorse a resolution entitled "Resolution Appropriating \$965,000 For Work At The New Canaan Police Station, Comprising \$535,000 For A Police Pistol

Training Range, \$250,000 For A Garage Addition, \$95,000 For Brick And Mortar And Related Repairs And \$85,000 For Paving Of Parking Areas And Authorizing The Issuance Of \$965,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose.” Mr. Beall explained how the work would be phased and how it was all part of a coherent plan to move ahead in a progressive, logical manner, without disruption to operations. He presented a history of the firing range and how it had to be abandoned because of environmental and code violations. He described the difficulties in maintaining pistol firing proficiency and the need to travel long distances to use outdoor ranges. The proposed range could not be justified on cost savings but, Mr. Beall said, it was critical for public safety purposes. Chief Nadriczny and Commissioner Cole both strongly supported the expenditure for the range. Mr. Beall proceeded to describe the need for the garage extension, the brick and mortar repairs and the paving of parking areas. Mr. Conrad explained that his projection for the issuance of bonds had excluded the firing range, but that this could be reinstated. His projections for an omnibus bond issue included all the other items described above, noting that the Playhouse issue would involve taxable bonds because of the nature of the Playhouse’s operations. On the motion of Mr. Walker and the second of Mr. Mallozzi, the Selectmen unanimously endorsed Mr. Beall’s request.

Mr. Maranis next presented a Draft Report prepared by Railroad Controls Limited (RCL) on a “Quiet Zone” evaluation for the Town. He related the background of the project, describing the efforts of the last eighteen months in attempting to bring relief to certain residents of the Town from the blowing of railroad car horns at the crossings at Richmond Hill Rd. and at Grove Street. These efforts culminated in a report from RCL which presented options for establishing Quiet Zones and their accompanying costs. The report was very technical in nature, not only in terms of the required equipment, but also in the processes and procedures necessary to implement Quiet Zones. Mr. Mallozzi expressed concern over the prospect of Town funding of a project that would benefit a select number of residents. Ms. Hines believed that a meeting with representatives of RCL would be desirable to better understand the content of the study, and Mr. Maranis agreed to arrange this.

Mr. Mallee then presented a request from the Information Technology Department to enter into an agreement with CGI Communications, Inc. to provide a Community Movie Showcase for the Town. He described the features of the Showcase, which would be accessed through a link on the Town’s website (with appropriate disclaimers.) It was agreed that the Showcase would provide beneficial promotional content for the Town and, on the motion of Mr. Mallozzi and the second of Ms. Hines, the request was approved unanimously.

The Selectmen next, on the motion of Ms. Hines and the second of Mr. Mallozzi , unanimously approved the reappointment of Russell Kimes, Jr. as the Town of New Canaan’s representative to the Southwestern Regional Communications Center, Inc, for the period from May 2008 to may 2009.

The Selectmen then, on the motion of Mr. Walker and the second of Mr. Mallozzi, unanimously approved the request from New Canaan CARES to place a sign on the front lawn of Town Hall for the period from May 6, 2008 to May 15, 2008 advertising its 16th Annual Kitchen Tour to be held on May 15, 2008.

Mr. Kleppin then presented a request for support and endorsement of the submission of three grant proposals to the South Western Regional Planning Agency: (1) Transit Oriented Development (TOD) Feasibility/Market Demand Study, (2) Bicycle Lane/Bicycle Locker Feasibility and Implementation Plan, and (3) Talmadge Hill Station Parking Lot Expansion. Mr. Kleppin focused on items (1) and (2), explaining that the application for the TOD grant would be for \$75,000, while the bicycle grant would be for \$45,000. In response to Ms. Hines' inquiries, he described the TOD project as one focused on developing existing infrastructure to reduce sprawl and encourage use of public transportation, while the bicycle grant has as its purpose the bringing of the outskirts of Town closer to the downtown in an ecologically friendly manner. On the motion of Mr. Mallozzi and the second of Ms. Hines, the Selectmen unanimously approved the request.

Tax refunds were approved unanimously, on the motion of Ms. Hines and the second of Mr. Mallozzi, and legal bills were approved unanimously, on the motion of Mr. Mallozzi and the second of Ms. Hines.

Mr. Mann next described the circumstances and rationale behind the Proclamation declaring May 18th to May 24th, 2008 as National Public Works Week in the Town of New Canaan and, on the motion of Mr. Walker and the second of Ms. Hines, the Selectmen voted unanimously to issue the Proclamation.

At this point, Mr. Walker asked that two items be added to the agenda and, on the unanimous vote of the Selectmen, the following items were added:

Request from the Public Works Department to endorse (1) a special appropriation of \$90,000 and a line item transfer of \$84,000 for field grading, drainage, topsoil, and installation of baseball diamonds and related equipment at Irwin Park, and (2) a special appropriation of \$25,000 to repair the Multi-Use Trail System at Irwin Park due to storm damage.

Before any discussion on these items, Mr. Mallozzi expressed his disappointment over their late introduction and the insufficient time allowed to address these important matters. He expressed concern, concurred in by Ms. Hines, that the public had not been advised of these late agenda items in a timely manner. Mr. Mallozzi agreed to proceed, with the caveat that this not happen again. At this point, Mr. Mann presented the request for \$25,000 to repair storm damage to the trail system. He said that the damage, requiring re-grading and drainage, was the result of an "act of God" and could not reasonably be considered the responsibility of the contractor. Mr. Mann proceeded to address the request for the funding described in item (1) above, noting that New Canaan Baseball was being asked to contribute \$90,000 to supplement the appropriation request for \$90,000 and the line item transfer of \$84,000 from unexpended Irwin Park Opening Expense, or a total of \$264,000. In arriving at this number, Mr. Mallozzi noted that a \$75,000 credit had been taken against the amount due the contractor, and he asked why this had not been credited to those who had contributed to the Flexi-Pave surface of the trail. Mr. Mann explained that the credit was attributable to asphalt not being applied by the contractor and also to the contractor's "value engineering." He argued that the credit was more closely related to the contractor's work than to the Flexi-Pave, and Mr. Mallozzi agreed to this as long as it was "fair." Mr. Mallozzi then inquired as to the circumstances giving rise to a request of \$264,000. He remembered that the Town bodies had approved a contract approximating \$700,000, not an amount exceeding \$900,000. Mr. Mann explained that the Town

Council had approved athletic fields and active recreation at Irwin, and Richter & Cegan had designed a master plan that included a "balanced site" that did not require the movement of large amounts of material off and on the site. It therefore appeared prudent to go forward with the second active recreation phase of the plan and avoid the considerable cost of moving over 6000 yards of soil out of the Park only to have to bring it back for the baseball fields. Mr. Mallozzi asked if Mr. Mann had the authority to do this and was told that he did. Mr. Mallozzi seemed satisfied with the explanations and, on the motion of Mr. Walker and the second of Mr. Mallozzi, the Selectmen unanimously endorsed the requests for both items.

There being no further business, the Selectmen voted unanimously to adjourn at 11.23 am.

Respectfully submitted,

George M. Maranis, Secretary