

**MINUTES
REPRESENTATIVE TOWN MEETING
FEBRUARY 24, 2014**

CALL TO ORDER

A Regular Meeting of the Representative Town Meeting was called to order at 8:05 P.M. by Donna Rajczewski, Town Clerk, who then swore in Clara Sartori, District II, and Fred Conze, District I, new members of the RTM.

Upon Roll Call, the following members were present:

From District I, there were 11 members present, 2 absent.
From District II, there were 14 members present, 3 absent.
From District III, there were 12 members present, 3 absent.
From District IV, there were 15 members present, 1 absent.
From District V, there were 15 members present, 2 absent.
From District VI, there were 13 members present, 4 absent.

The absentee from District I was : Dupont, Dweck.
The absentees from District II were: Bacon, Matton, McNally.
The absentees from District III were: Cepeda, Hegarty, Morton.
The absentee from District IV was : Fiore.
The absentees from District V were: Stolar, Young.
The absentees from District VI were: Broecking, Cherico, McLean, Plehaty.

The Moderator, Sarah Seelye, assumed the Chair.

ACCEPTANCE OF THE AGENDA

**** THE AGENDA WAS ACCEPTED BY UNIVERSAL CONSENT.**

APPROVAL OF THE MINUTES OF THE JANUARY 27, 2014 MEETING

**** THE MINUTES WERE ACCEPTED BY UNIVERSAL CONSENT.**

ANNOUNCEMENTS

The Moderator announced that Michael Ruegger, an RTM member of District II in 2007-2008 had recently passed away before his 32nd birthday. She called for a moment of silence in his memory.

James Cameron, District IV, said that CCM is sponsoring a workshop on "Ethics, Accountability and Conflicts of Interest" this Wednesday at 9 a.m. in Westport Town Hall. This would be of interest to the Board of Ethics. He encouraged people to attend and said anyone who is interested should contact him.

RECEIVED
MAR - 3 2014
TOWN CLERK'S OFFICE
DARIEN CT

The Moderator reminded everyone if they want a hard copy of the budget book, they should sign up with Mrs. Rajczewski.

The Moderator also noted, for anyone watching the RTM meeting on Channel 79, that the resolutions being discussed can be found online.

14-5

**CONSIDERATION AND ACTION ON PARTICIPATION IN "C-PACE"
(COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY) PROGRAM**

**** JAMES PALEN, DISTRICT VI, CHAIRMAN OF THE FINANCE & BUDGET COMMITTEE, MOVED:**

WHEREAS, Connecticut General Statutes §16a-40g established a program, known as the Commercial Property Assessed Clean Energy (C-PACE) Program, to facilitate loan financing for clean energy improvements to commercial properties by utilizing a state or local assessment mechanism to provide security for repayment of the loans; and

WHEREAS, the Act authorizes the Clean Energy Finance and Investment Authority (the "Authority"), a public instrumentality and political subdivision of the State charged with implementing the C-PACE program on behalf of the State, to enter into a written agreement with participating municipalities pursuant to which the municipality may agree to assess, collect, remit and assign, benefit assessments to the Authority in return for energy improvements for benefited property owners within the municipality and for costs reasonably incurred by the municipality in performing such duties; and

WHEREAS, ultimately, the C-PACE agreement requires the approval of the Representative Town Meeting as the legislative body of the Town of Darien to sign the C-PACE Agreement;

NOW THEREFORE BE IT RESOLVED, that the RTM of the Town of Darien approves and authorizes the first selectman of the Town of Darien to execute and deliver the C-PACE Agreement, substantially in the form attached to this resolution, for the purposes provided therein, together with such other documents as he or she may determine to be necessary and appropriate to evidence, secure and otherwise complete the C-PACE Agreement.

See Exhibit A Attached

**** THE MOTION WAS SECONDED FROM THE FLOOR.**

James Palen, District VI, Chairman of the Finance & Budget Committee, read the committee report (attached).

Joanne Hennessy, District V, Chairman of PZ&H, read that committee's report (attached).

Michael Burke, District V, asked what "substantially" meant in the last paragraph of the resolution and if there was any further specificity in terms of indemnification. William McColpin, C-PACE, said that the town is indemnified in terms of the payments due. Town Counsel Fox said that the use of "substantially" is common language.

Andrew Millar, District IV, asked for the names of the businesses that have applied; Mr. McColpin said they could not identify these businesses. Mr. Millar said they are being asked to assess property and use town resources while C-PACE will not identify the companies, which he finds unsatisfactory.

Marc Thorne, District II, a member of the Finance & Budget Committee, said there are approximately 70 cities and towns in Connecticut that have signed up, including Norwalk, Stamford, Westport and Greenwich.

Jack Davis, District III, said when the three projects are approved, the town would then know which properties they are administering, which he does not find to be unacceptable.

**** ITEM 14-5 CARRIED ON A RISING TALLY VOTE OF 67 IN FAVOR, 8 OPPOSED, 4 ABSTENTIONS.**

PRESENTATIONS BY MEMBERS OF POST 53

The following six elected officers of Post 53 gave an overview of their responsibilities and what it means to be a member of Post 53:

- | | |
|-------------------------------|----------------------------------|
| 1. President | 2. Vice President of Operations |
| 3. Vice President of Training | 4. Vice President of Programming |
| 5. Secretary | 6. Treasurer |

The Moderator thanked everyone for their presentations.

14-6

CONSIDERATION AND ACTION ON WESTMERE GROUP/ANDREWS DRIVE SETTLEMENT

**** JOANNE HENNESSY, DISTRICT V, CHAIRMAN OF PZ&H, MOVED:**

WHEREAS, a cause of action was instituted by Westmere Group, Inc., against the Town of Darien and the Darien Sewer Authority; and

WHEREAS, the case was brought to trial and appeals subsequently filed; and

WHEREAS, a settlement has been reached between the parties; and

WHEREAS, part of the settlement calls for approximately 4,164 sq. feet of real estate, together with all improvements thereon, being deeded to the Town; and

WHEREAS the Town Charter provides that the RTM has the responsibility of approving the acquisition of real property by the town;