

**MINUTES
MONTHLY MEETING
SIXTH TAXING DISTRICT, City of Norwalk
May 12, 2010**

**Rowayton Community Center
8:00 p.m.**

The May meeting of the Sixth Taxing District Commission was called to order at 8:05 p.m. by Commission Chair Tammy Langalis. Ms. Langalis introduced the Commission along with Police Officer Joe Jensen, Rowayton Railroad guard Dick Schock and Assistant Treasurer Nancy Heubeck.

Mr. Barbis had a few corrections to be made to the April 21, 2010 minutes as submitted. A motion to approve the minutes as corrected was made by John Igneri and seconded by Mike Barbis. The minutes of the April 21, 2010 meeting were approved as corrected.

Under NEW BUSINESS, Commissioner Barbis stated that the Commissioners had been approached by a number of people regarding proposed exercise classes to be given at Bayley Beach. The Commissioners have met previously and discussed this issue. They have come up with a policy, approved by counsel, regarding these classes which are fee- or donation-based. The Commissioners have decided that these events will be approved on a trial basis with the following conditions: Bayley Beach will open at the normal time of 7:00 a.m., no classes may be conducted in the evenings, a certificate of liability insurance will need to be furnished to the District covering these events, and the District will ask \$250 per month as a fee for use of District owned properties. The funds realized from these ventures will be used to fund unbudgeted improvements for Bayley Beach

Another issue is the City's request that the District issue Bayley Beach permits to property owners whose property has historically been, at least partially, in the Sixth District and is now proposing that they be arbitrarily moved into the Fourth District by the City. The City made a request in a meeting on May 6th to Commissioner Barbis that the Sixth TD give Bayley permits to the eight homes that the City is planning to move out of the Sixth TD (and into the 4th TD). This is not yet final as far as the Sixth Taxing District is concerned. There is a difference of opinion between the counsel for the City and our counsel as to the legality of this transfer. Mr. Barbis noted that by moving into a

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different district, the properties will lose value, which fact is disputed by the City. At this point, with no final ruling, the Sixth Taxing District will be issuing Bayley permits for 2010 for those houses that are "in discussion". The Commissioners are discussing how to handle the issue going forward and are awaiting an opinion from the District's General Counsel. In addition, the Commissioners are in discussions with the City of Norwalk as to how these residents might be treated and how this can be done fairly. This request was made even though these homes would no longer be considered Sixth TD residents and their properties would no longer pay any property taxes to the Sixth TD. The issue is still being dealt with and an equitable solution is being sought

The Clerk read a letter to the Commissioners from Joe Gallo, the Bayley Beach Concessionaire. Mr. Gallo's letter dealt with the bill he had received from the Norwalk Tax Assessor which was a bill for a fee levied by the Norwalk Water Pollution Control Authority for the grease trap on the grill at the beach. Mr. Gallo has paid this bill along with \$82.50 in late fees. These late fees were assessed largely because the letter from the Tax Assessor was directed to the post office box that is used exclusively for Bayley Beach permit applications. As such, the mail in that box was not collected until the first week in April and Mr. Gallo didn't know of the letter's existence. The Commissioners asked the Clerk to write a letter to the WPCA to see if the late fee could be waived. Mr. Gallo asked, in his letter, if the Commissioners would pay the entire fee. Mrs. Langalis stated that Mr. Gallo would have to provide a Certificate of Liability Insurance before he will be allowed to open the Concession this year.

Under OLD BUSINESS, John Igeneri spoke about the setting up, rehearsals and performances of Shakespeare on the Sound. Holly Martocci, 168 Rowayton Avenue, a neighbor of Pinkney Park, spoke concerning the noise levels. She is very concerned about the level of noise throughout the rehearsals and performances. She stated that last year it was incessant and disturbing. The nearby neighbors have the same feeling. Mike Barbis stated that four years ago they had a special meeting to address those issues and that they had looked into it all. This schedule is the result of those issues. They have to turn down the sound after a certain period of time. There are some repetitive elements. Last year was the first time that it was amped up as much as it was. They had a new artistic director and there were some issues. The wrong schedule was posted. The person from the SOS board who was supposed to be monitoring these issues was in the UK. This year the stage is shifted down closer to the water and, hopefully, the fence will deflect some of the noise of the cars. Wayne Nobes, 168 Rowayton Avenue, said that that the issue last year was the repetitive noise. The neighbors have noted that the ½ amplification specified after 10:30 is still very loud with the speakers that they have. Mr. Igeneri said that SOS has all the city permits that it needs. Since they have all these permits which exempt recreational activities from noise constraints, certain state and local statutes regarding excessive noise are not germane. The Commissioners have spoken with SOS regarding the sound levels, especially during rehearsals. SOS has

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addressed the issue in that they will be holding the sound testing before 10:30 p.m. during the week and will hold it to ½ amplification after 10:30 p.m. on weekends. Taking note of the issues brought up by some of the close neighbors to Pinkney Park, the Commissioners will again approach SOS with the request that SOS be aware of the impact of the sound on the neighbors and to use restraint in the amplification whenever possible. SOS has assured the Commission that it wishes to be a good neighbor. There will be a fence this year but it will go up later than last year and will come down quickly after the last performance. It will be

painted and prepared before it goes up. It will enhance the whole performance. Tammy Langalis said that all of these comments would be taken into consideration. SOS does try to work with the Commission and there has been a lot of change on their board. We'll get the cell phone #s for key SOS officials. If it goes past the published time, they will be called. John Igneri said that the e-mails that have been received and the presence of the neighbors at tonight's meeting will encourage the Commissioners to go to SOS and get them to comply with the posted schedule. The neighbors noted that, if the stage is further down the hill, the speakers will face directly at the people in the houses on Rowayton Avenue. The hope is that the sound will be hitting the fence and will be dampened.

REPORTS

COMMISSIONER John Igneri noted that it was announced last month that the District insurance business would be put out to bid. It was, and the Commission has hired a new insurance carrier, i.e. H. D. Segur. They are now in the process of going through our existing policies and our leases. They are also reviewing the values of all the District properties.

COMMISSIONER Mike Barbis stated that the full RCA Summer Concert schedule has been approved. Many of the concerts are at Bayley Beach and some at Pinkney Park. The concerts with heavy attendance expected will have parking volunteers on duty to help with parking during the entire day.

Mr. Barbis also announced that our Beach Director, Don Wilson, will be staying in town longer this year than in the past. He will be on duty through most of September.

COMMISSIONER Tammy Langalis noted that Bob Pettus had been given permission to have a new sign made for the entrance into Rowayton at White Bridge. This has caused some dissension since Mr. Pettus wishes to add the words "Birthplace of the Business Computer" to the "Welcome to Rowayton" sign. His project has been put on hold as he was told that the Gardeners had originally put up the signs. The consensus of the attendees at this meeting was that a sign to that effect should be placed either on

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or near the Community Center where the actual building of the computer occurred and not at the entrance to Rowayton. This will be considered. Several people had ideas about where a sign would best be placed. It was suggested that the project be turned over to the Historical Society. Tammy will ask Wendell Livingston if the Historical Society would like to take on the project.

Mrs. Langalis also noted that Mr. Pettus is investigating the purchase of a bench for Pinkney Park to replace the one placed there in memory of his wife, Flo Pettus, that was vandalized.

Report of the DISTRICT CLERK

Andrea Woodworth

1. I've processed 428 Bayley Beach permit requests as of today. We have walk-in sessions scheduled for application processing this Saturday, May 15, 9-12 Noon and Monday evening, May 24, 6- 9 p.m.
2. There are now 52 people on the Rowayton Station RR parking wait list.
3. I have had a request from the Brien McMahon faculty to hold their annual end of year party at Bayley Beach on June 28, 2010. It would be a clam bake. Insurance and security deposit would be provided. **APPROVED.**
4. I have had a request for a Volunteer Appreciation event for parents at Columbus Magnet School. The party would be on the pavilion at Bayley Beach. Should we charge them the standard rental and the car entry fee as well as require insurance and security deposit? **The Commissioners will decide after receiving some more information.**

Report of the PROPERTY MANAGER

Ed Carlson

Community Center:

1. The large maple logs have been split and removed from the property
2. The p/t help started work on April 19th.
3. The dog fence addition will be started soon.

(The log splitter was rented for the weekend. This will provide some funds to the District).

Bayley Beach

1. The rooms in the pavilion and the concession have been powerwashed following the March storm.
2. The cleaning of the sand is scheduled for May 18th.
3. The towel dispensers have been replaced.

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4. All water leaks caused by winter cold have been fixed.

(The first cleaning of the sand at Bayley Beach will take place on May 18).

Pinkney Park

1. The rear door lock has been repaired.

Ambler Lot

1. The Rodeo herbicide has been purchased, and will be applied to the weeds soon.

Mike Barbis asked about the "leak" in the tennis shop and was told it was not a broken pipe. The great amount of rain this last winter and spring merely had collected inside. Mike will get together with Ed to determine what to do with the shells that the rakers collect. It would be ideal if the cleaners could dump them in one area.

Report of the FIRE MARSHAL Ed Carlson April 2009

<u>Type of Activity</u>	<u>#</u>	<u># Man Hours</u>
Blasting Permit(s)	***	***
Blasting Site Inspection(s)	***	***
Building Inspection(s)	2	3
Clerical (office) work		18
Fire Marshal Conferences	2	7
Career Development Training	***	***
Investigation(s) House fire	***	***
Meetings: District Monthly	1	2
New construction	1	1
		Total Man Hrs: 31

Remarks to the Commissioners: I attended the CFMA Conference on 4/23 in Cromwell. A very informative day.

Since the Fire Marshal didn't give a report last month, Ed noted that it had been quiet. However, included in last month's minutes, he mentioned two fires that had occurred during the March storm. Nobody was hurt. The first fire was reported because neighbors saw the smoke. There was an automatic alarm that came in about the second fire on Highland. There were power trucks there to restore power after the storm and they somehow shorted out the microwave causing the automatic alarm.

Mr. Carlson was asked if there was anything to report on the building of our new pumper truck. He didn't have any news. Mr. Conroy said that we had received a bill for \$20,000. Everything is going along OK. Mr. Barbis stated that the Commissioners have no

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opinion about what to do with Ladder 2 and Pumper 5. 5 is only 4 years older than 3. The Commissioners want a recommendation from the Fire Department. Mr. Carlson said that he would have that by next month's meeting. Mr. Barbis stressed that the

Commissioners needed to decide as to the disposition of the excess fire truck.

OFFICER JENSEN'S REPORT

Joe reported that there was more activity with the better weather. Officer Jensen has been asking his fellow officers, especially the newer ones, to swing through Rowayton during their tours. It's helpful to have more of a police presence around town. Joe has been talking with Ed concerning a small fire in the woods adjacent to the fire station. It's in a place where teens hang out. Joe reported that he has been able to get the radar trailer down here once and hopes to do so more often in the future. He hopes to have it here later in the month and closer to Memorial Day weekend. The Commissioners have signed a letter to Deputy Chief Kulhawik, which will be in the mail tomorrow, asking for his support in enforcing the speed limits especially close to the beaches and in keeping Officer Jensen in Rowayton as much as he can. Officer Jensen said that he is working with Darien in continuing to enforce the ban on Through Trucks on Rte 136 through Rowayton and on Tokeneke Road. He mentioned that he is taken away from Rowayton much more often than he would like. Joe would like to see more attention given to small infractions.

Joe presented the Commissioners with a letter detailing his "summer schedule" of additional patrols. There are 21 nights listed of extra 3-hour patrols.

June Klopfer, 36 Burchard Lane, asked what has happened to the RCA "Slow Down in Town" banner. It is in storage. They hope to have it hung over the street again soon. However, because of insurance issues, the Fire Department can no longer help with its hanging. It was suggested that people from tree companies could be asked. Also, the tree company that hangs the Christmas lights might be able to do it. Joe Carter might know who to call.

Phyllis Padro, 19 Briar, brought up the lack of security coverage around the pond on Carnival night. She said that some teenagers were carrying a sofa down to the parking lot that evening. The sofa later ended up in the pond. Jack Robson noted that lights have been put up to discourage kids from hanging out there. Officer Joe Jensen asked all in attendance to call him directly if they see something that doesn't seem right.

Report of DISTRICT ADMINISTRATOR

Jack Robson

Pinkney Park Trees

There is a badly damaged silver maple tree behind the Pinkney House. This damage

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took place during the last severe storm. Larry Brown Tree Service has been contacted to give an estimate for removal. The stump should be ground as well once the tree comes down

Estimate for tree removal: **\$1,200.00**

Estimate for grinding the stump: **\$250.00**

Another silver maple in front could use trimming. Estimate: **\$150.00**

Total estimate: \$1,600.00

O'Connell Chimney Experts, Inc.

Chimney proposals for the main house:

Part 1: Remove the entire brick chimney down to roof line and replace with new brick. A custom stainless steel chimney cap will be installed. The price includes labor, material, scaffolding, electric hammer, dump fee and insurance. All work is unconditionally guaranteed. Original flashing will be reused.

Estimate: **\$5,505.00**

O'Connell Chimney Experts, Inc.

Part 2: Installing a stainless steel liner for the oil burner flue. The fee includes labor, material, freight charges, electric hammer and insurance. The Venitinox lining comes with a conditional lifetime warranty.

Estimate: **\$2,520.00**

Total estimate: \$8,025.00

Chimney Corners LLC

Part 1

Remove the old brick chimney down to flashing and rebuild to original height. Remove all debris at the completion of the job. NOTE: This quote does not include a chimney cap.

Chimney Corners will discuss available options if the rest of the quote is acceptable. The flashing appears to be in adequate condition from the visual inspection. After the tear down, if the flashing needs replacing they will recommend a flashing specialist. This could result in unknown additional cost.

Estimate for rebuild of chimney: **\$2,400.00**

Chimney Corners LLC

Part 2: Install a 7" diameter HomeSaver Stainless steel liner for the heating system.

Parts include liner, HomeSaver tee, tee cover, Heatfab lengths, storm collar, top plate rain cap, galvanized parts.

Estimate: **\$1,900.00**

Labor extra: **\$1,000.00**

Total estimate: \$2,900.00 plus any tax on materials.

NOTE; Chimney Corners indicated that the cost could change depending on what sort of unknown trouble they run into when attempting to install the liner.

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Overall estimate from Chimney Corners: \$5,300.00

Note: There could be additional costs for new flashing and interior chimney obstructions. They will recommend a source for the flashing. (Mr. Robson noted that, regarding the chimney, the safety issues are most concerning. He would recommend O'Connell Chimney Experts, Inc. as being the better choice).

Pinkney House Alarm System

ADT sent a technician on Wednesday, April 28, 2010. All systems were checked and found to be functioning properly. There were a number of incidents where traffic was noted on various days showing which user was involved in either turning the system off or on. We have pinpointed the users. Some were accidental errors. Others have yet to be explained. I have contacted ADT and asked for a written report from the technician explaining his findings and the working condition of our system based on his inspection.

We found that the rear door and the rear screen door were not closed properly. The lock for the main rear door has been replaced. The screen door problem has been corrected as well.

Wendell Livingston said when they had tried to cancel a false alarm by phone; they could not as the line went dead. There is a continuous check on the dedicated line, is what I am told, and that interfered with Wendell calling to make the cancellation of a false alarm. Ed Carlson found that Wendell has the dedicated line plugged into the fax and that could be the reason the false alarms are being triggered. Ed is checking with AT&T on this to find out if that is the problem.

I have been in contact with ADT about turning the Motion Sensor off. I spoke with Al Shuckie, Service Team Manager. He sent me an 80 page user guide. Page 38 spells out how to shut the interior sensor off and maintain exterior coverage. There is a normal exit code which activates the exit procedure and alarms the exterior only, leaving the interior deactivated. Mr. Schuckie offered to come down and give everyone a demonstration on how to use the system if we feel that might be helpful. Once Ed sorts out how the AT&T live lines in the house should be set up, we might have a solution to this dilemma. (Tammy Langalis asked if there was not some other way to figure this out without waiting for something to trip it? It was reiterated that there is a need for a dedicated line for the fire alarm system. Something may have happened during construction that may have mixed up the wiring).

Community Center - Proposed Tree Plan

The grinding of all stumps on the Community Center property has begun. The removal of three maple trees on McKinley will take place Monday, May 17, 2010. The Dog Park will be closed during the tree removal period for the safety of both dogs and workers. A notice for closure should be posted prior to the actual tree removal days, and will remain

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closed until the completion of the project. The contractor estimates 2 - 3 days of time might be needed.

Planting of the sugar maples and the Red Oaks will follow. Almstead, under the direction of DPW will be planting the flowering dogwoods on Highland Avenue and the sugar maples on Community Center property. Almstead Tree and Shrub Care will be contracted to handle, for the Community Center, the remaining 7 Red Oak on Highland Avenue (dog park) and the McKinley side of the CC property. All trees will be watered by Almstead and guaranteed for 1 year.

(The dog park should be closed while they are cutting the trees. It could be open if grinding. It was decided that it would be closed then, too, as one of the workmen might be bitten. Ed would like to build the new dog park fence while the dog park is closed. The tree company will cut all the lumber into 18" lengths and will leave all the chips here. The trees near McKinley will be thinned out and cut back. Some more trees should come down next year).

Community Center Drainage System

McVac Environmental proposed to clean the storm drain system as follows:

1. Vacuuming and cleaning of storm drains and piping:	\$3,250.00
2. Video inspection of system:	\$1,200.00
3. Disposal of sediment from storm system @ \$125 ton:	\$1,250.00
Total estimate for project:	\$5,700.00

American Rooter LLC

1. Vacuum out all catch basins on property.	
2. Estimate includes up to 8 hours of labor plus travel Billed at \$250.00 per hour for 8 hours. (Additional time billed at \$250.00 per hour)	\$2,000.00
3. Off-site disposal of debris	\$ 150.00
4. Waterjet, snake & camera as needed. (Additional time billed at \$375.00 per hour)	\$3,000.00
5. Installation of underground gutter drain	\$1,800.00
Total estimate for project:	\$6,950.00

(Our gutters and down spouts will need to be cleaned out before they come to vacuum. Hal Alvord recommends using McVac).

Dog Park Stone Wall

The Dog Park stone wall has been repaired. Silvestri Fencing might be able to schedule completion of damaged fence prior to Memorial Day.

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Do we still want to have Doggie Do Not come and rake the goose droppings prior to Memorial Day weekend? **YES** (Mike Barbis asked about the banners with the small flags attached. It was said that this seems to work well).

Bayley Beach

Four serious pot holes should be filled when Ed gets the time. (Ed has gotten bags of quick patch to fill the potholes).

Silvestri Fencing said that they could repair the damaged entrance fence before Memorial Day. When this takes place, it will be repaired with black vinyl chain link fence to match the Roton Beach Club fence. At a later date, we can repair our entire fence with the same black chain link fencing.

RR Parking Lot

Dick Schock has noted an increase in bike usage at the parking lot. He is suggesting installing a 2nd bike rack. Estimated cost for a new (5 single sided) bike rack: **\$319.00** (Ed Carlson said that there is a bike rack in the greenhouse that he will install at the RR station).

It was announced that there is a possibility of receiving an historical grant to refurbish the Community Center. It's quite an arduous process to apply for the grant and there are many conditions to be met. But, Rob Frazier, 158 Highland, said that the committee that has been working on plans for the Community Center has been assured that this is just the sort of project that would get a grant. The building is on the Historical Register and the roof project is a very appropriate project to submit. The application is due in October. The funds from the grant would not be available until next April and the applicant is reimbursed at the conclusion of the project. It's a matching grant and the District would match with \$200,000 since that is the amount to be asked for in the application. The committee has the summer to come up with a plan and to put together the application. In order to apply for the grant, we will need extensive plans and surveys done. These plans will be very valuable in the future. The Committee is strongly urging the District to approve the use of \$200,000, which has already been allocated, in order to move this project along. Jack has a proposal from Mike Stein whereby all the documents, design, preparation of the grant application, bidding, etc. which are necessary for the application will be done. It was pointed out that the Committee was not asking for new money, but it would be the money already allocated for the roof. In order to apply for the grant and get the money from the grants, these documents need to be prepared. If the state grant money is obtained, it will allow for a longer and more comprehensive project than would otherwise have been possible. Since the grant funds would not come through until the project is done, we may need to go to a bank to obtain a loan for the money needed in the interim. Andy Conroy thought that those funds could be obtained from the city. Mike Barbis pointed out that it is the same program used by Farm Creek. Tammy reiterated that this requires a financial outlay before we would get the grant money. Nancy Heubeck asked if we could apply

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in increments and noted that would need to make sure that the projects are qualifying projects. The consensus was that this would require more conversation.

TREASURER'S REPORT

Andy Conroy

Mr. Conroy noted that we spend about \$100,000 a month of unrestricted funds. He said that we would need approximately \$400,000 during May, June, July and August. We are now receiving money from the beach permits and we will make it through, but things will be quite tight. Basically, if anyone comes up with a plan to spend money, they will also have to have a plan for finding the funds. He stated that we are in fine shape, but there is no extra.
(see attached Treasurer's Report)

Tammy mentioned that we owe the Gardeners a big thank you and a lot of credit for their work on the Rowayton School pond. The Gardeners had the vision to get it going.

Dick Schock asked again that he be allowed to increase the violation fee. Daily parkers pay \$5 a day. If they don't pay, they are only charged the \$5 and they have had to be tracked down. Rob Frazier noted that a higher fee may engender some civic respect. This will be considered and researched. We may have to get permission from the state to charge more for certain violations. Joe Jensen said he could put tickets on cars if they haven't paid, or if they keep on parking without paying. However, he cannot seek reimbursement without opening a larceny investigation.

A motion was made by John Igneri and seconded by Mike Barbis to go into Executive Session to discuss employee health benefits.

Upon coming out of Executive Session. A motion was made by John Igneri and seconded by Mike Barbis to change the maximum allowed reimbursement for health insurance premiums for full time employees from \$9000 to \$15,000 in this year. The motion carried.

Andy Conroy made a motion to adjourn the meeting which was seconded by Mike Barbis. The motion carried and the meeting was adjourned at 11:05 a.m.

Respectfully submitted,
Andrea Woodworth,
Clerk, 6th Taxing District

