

BOARD OF SELECTMEN MEETING FINAL MINUTES
May 21, 2014

The regular meeting of the Board of Selectmen will be held at 4:30 p.m. on Wednesday, May 21, 2014, in the first floor conference room of Independence Hall.

Members Present: First Selectman Michael C. Tetreau, Selectman Kevin P. Kiley, Selectman Cristin McCarthy Vahey

Others Present: Alyssa Israel, Cinda Buchter, Heather Dean, Stanton Lesser, James Bradley, Judy Ewing, Tom Quinn, Rick D'Amico, Mark Barnhart, Alyssa Smith, Clif Myers, Jack Franzen, Mary Hogue, Larry Kaley, Art Student Winners and Parents, Gerry Speno, Soundview, Genny Reilly, Andy Graceffa

1) CALL TO ORDER

First Selectman Tetreau called the meeting to order at 4:32 pm.

2) PLEDGE OF ALLEGIANCE

After the Pledge of Allegiance, First Selectman Tetreau called for a moment of silence for the late Lucie McKinney. First Selectman Tetreau also paid homage to Veterans for the upcoming Memorial Day.

3) WEDNESDAY'S PET – presented by Sherri Steeneck

There was no pet.

4) RECOGNITION Fairfield's Earth Day Celebration First Annual Student Art Contest Winners Mary Hogue, Chair of the Fairfield Earth Day Celebration, introduced FLHS student Sarah McGee who came up with the idea for the first annual student art contest. Ms. Hogue said 300 children participated in this contest. First Selectman Tetreau thanked the students and then he and the Selectmen presented them with certificates of congratulations.

5) MINUTES-To consider and act upon the minutes of: Regular Meeting of May 7, 2014 Selectman Cristin McCarthy Vahey made a motion to approve the minutes. Selectman Kiley seconded the motion which carried 3-0.

6) VACANCIES (for information only)

Police Commission Sidney S. Postol, (D), 352 Random Road, term 11/09 – 11/14 (Deceased: 4/28/2014)

7) FIRST SELECTMAN APPOINTMENTS (for information only)

Long Island Sound Assembly Richard A. D'Amico, 1353 Brooklawn Avenue (to fill a vacancy for Mary von Conta who resigned)

Mr. D'Amico said he had served as the NY State Coordinator for the Long Island Sound Assembly. Selectman Kiley thanked Mr. D'Amico thanked him for serving as did First Selectman Tetreau and Selectman McCarthy Vahey.

8) TAX COLLECTOR (postponed from May 7, 2014)

To consider and approve an abatement of taxes for the 2011 Grand List taxes due July 2012 – June 2013 and the 2012 Grand List taxes due July 2013 – June 2014 for 21 and 63 Durrell Drive in the total amount of \$16,280.20.

First Selectman Tetreau noted an email the Town Attorney had sent regarding this item. Town Attorney Stanton Lesser said he spoke to the Tax Collector and Community and Economic Development Director. The Tax Collector had forwarded the Town Attorney documents from the Audley Administration including an agreement that increased the Town's affordable housing. Per the agreement, the Town is required to abate the taxes for so long as the units are rented under affordable housing guidelines. These rentals are administered through the Economic Development Office. The Town Attorney said these units currently meet the guidelines of the agreement so the Town is obligated to abate the real property taxes on these units.

Selectman Kiley asked if it's the Town Attorney's opinion that the tenants and rent is all within the regulations to remain qualified for the Town to abate the taxes. The Town Attorney responded yes.

Selectman McCarthy Vahey made a motion to approve the item. Selectman Kiley seconded the motion which carried 3-0.

9) TOWN ATTORNEY (requires RTM approval)

To hear, consider and approve a lease renewal with T-Mobile at 3965 Congress Street, Fairfield, CT

Town Attorney Lesser said T-Mobile has a five-year renewal with no options. Selectman Kiley said it was discussed years ago what could be put on these towers and asked what technologies are on these towers now versus about 15 years ago. He is trying to understand the safety and health side of this for residents as well as understand the equipment side of this.

Selectman Kiley asked if the Siting Council has a role on what equipment goes on the towers. Town Attorney Lesser said the equipment has to meet the FCC standards. The cell tower company submits plans to the State for State approval. Selectman Kiley asked if there is any current market data. First Selectman Tetreau said a survey was done and he can get that to Selectman Kiley. The Town Attorney said he's sure the equipment is far advanced. Selectman McCarthy Vahey asked if there are any substantial changes in the lease and confirmed the approval is just for term and renewal. Town Attorney Lesser said there are no substantial changes and approval is just for term and renewal.

Selectman Kiley made a motion to postpone the item to a date certain of June 4, 2014.

Selectman McCarthy Vahey seconded the motion which carried 3-0.

10) MEMORIAL DAY PARADE COMMITTEE

To hear an update on the Memorial Day Parade

First Selectman Tetreau read an announcement from the Rotary Club that it is holding a food drive during Monday's Memorial Day Parade. The First Selectman thanked the Club and encouraged the public to bring food or cash donations.

Parade Chair Tom Quinn said the parade will be held rain or shine. He thanked everyone who worked on this year's parade.

11) RIVERFIELD BUILDING COMMITTEE

To hear an update from the Riverfield Building Committee

Chairman Tom Quinn noted there was a snag with the State relating to timing issues with the State DEEP and the Federal EPA so the Committee had voted to bid on pieces of the project that can get done this summer so the project isn't held up nor money isn't lost by not doing any work this summer. Summer work will include sanitation sewers and asbestos abatement. Mr. Quinn said approvals go before the May 27th Town Plan and Zoning meeting and then work can start by June 24, 2014. First Selectman Tetreau asked if there is potential for reimbursement even though some changes are being made. Mr. Quinn said yes. Selectman McCarthy Vahey asked about the anticipated timeline for EPA approval and steps to be taken. Mr. Quinn said he had the Town Attorney involved and Senator Blumenthal and others called the EPA and expects EPA approval by this June or July. Selectman Kiley asked if there's room in the budget if the Town doesn't receive reimbursement. Mr. Quinn said the Town is working against bonded debt. Selectman McCarthy Vahey asked if site plans and screening issue were resolved with the neighbors. Mr. Quinn said the Committee answered concerns and made a good faith effort to resolve issues. First Selectman Tetreau thanked Mr. Quinn and the Committee.

12) PENFIELD BUILDING COMMITTEE

To hear an update from the Penfield Building Committee

Chair James Bradley gave the Selectmen handouts on a project update, schedule update and committee process. Mr. Bradley said a project manager and new project engineer was selected. He showed the Selectmen a large chart of the Committee's process noting the Committee is on schedule. Mr. Bradley read all the points of a document on an update starting with the Committee's first meeting which was held on site. He said this will be a five month design program and an eight month construction project with conditions. The Committee will come back to the Town bodies with cost details and an updated schedule. Mr. Bradley said this is a complicated project and the Committee wants to do this right.

First Selectman Tetreau thanked Mr. Bradley for his presentation and thanked the Committee for meeting twice a month. Selectman McCarthy Vahey thanked the Committee for their time and talent. She said she would like to see the document on cost risk data that the firm the Committee chose had provided. Selectman McCarthy Vahey asked the First Selectman about insurance reimbursement information. First Selectman Tetreau said there was an offer but the Town is clarifying terms. First Selectman Tetreau said the town is also applying for FEMA reimbursement and noted the source of funding shouldn't confuse the best plan—both are parallel. First Selectman Tetreau said to take the time and do the project right. Mr. Bradley said a big driver that was not there previously is the FEMA requirement. Selectman McCarthy Vahey asked if the Committee's suggestions on flooding issues in the neighborhood are on the same page as the Flood and Erosion Board. Mr. Bradley said yes. First Selectman Tetreau said the balance is the project doesn't hurt flooding in the area yet remains concurrent with other DPW projects to prevent flooding. Selectman Kiley thanked Mr. Bradley and echoed his colleagues' comments on his leadership and the Committee's work. Selectman Kiley said this is a very complicated project. He said the solution has to be one that the whole Town embraces

and believes this important factor will be mitigated by the Committee. Selectman Kiley asked if there is noticeable deterioration of the building since it hasn't been used in a year and a half. Mr. Bradley said there has been no noticeable deterioration and the damage is not beyond repair. He said this is not an uncommon problem and typical of a repair.

13) FAIRFIELD BICYCLE AND PEDESTRIAN PLAN ADVISORY COMMITTEE

To hear, consider and approve a charge for the Bicycle and Pedestrian Committee
Committee member Andy Graceffa said the Committee's Charge had been extended by the Selectmen for another six months so the Committee could determine the next phase. The goal at the time the Committee came before the Selectmen was to implement their plan in the Town's Conservation and Development Plan. Mr. Graceffa named several projects the Committee has implemented including the first bike route along Mill Plain Road which the CDC is using as a case study and the purchase of bike racks downtown. Committee representatives will go before next week's Plan and Zoning Commission on bike and pedestrian zoning changes. The new charge proposes a bicycle and pedestrian standing committee. The new Charge is the work of new chair Alyssa Israel and Vice-Chair Jack Franzen and the plan will not be in the Conservation Plan of Development. There is considerable interest in people serving on the committee. Mr. Graceffa said it's a critical step to make Fairfield a bike and pedestrian friendly Town.

Selectman McCarthy Vahey is pleased to work with this Committee and thanked them for bring forward the Charge and Master Plan. She noted everyone is a pedestrian.

Selectman McCarthy Vahey made a motion to approve the item. Selectman Kiley seconded the motion.

Selectman Kiley sees the forming of a Committee as the Selectmen's continued support of the work the Committee has already done. He asked how this Committee fits into our government. Selectman Kiley asked if this is a committee or commission and if it falls under the Board of Selectmen? First Selectman Tetreau said this should be called a Committee because it's not Charter based or doesn't have a department under it. He suggests setting up a termination in 60 months. Selectman Kiley asked if this item needs RTM approval. First Selectman Tetreau said no.

First Selectman Tetreau made an amendment to remove the last sentence in paragraph two of the Charge and replace it with, "All vacancies shall be filled by a vote of the Board of Selectmen." Selectman Kiley seconded the amendment which carried 3-0.

First Selectman Tetreau asked the Board about a 60-month term. Selectman McCarthy Vahey said since this is a BOS committee the BOS can terminate or amend the charge at any time.

First Selectman Tetreau made an amendment to add a sentence as the last sentence of the Charge. The sentence says, "This Committee is established by the Board of Selectmen and can be terminated by a vote of the Board of Selectmen at any time." Selectman Kiley seconded the amendment which carried 3-0.

Selectman Kiley asked for an annual report. First Selectman Tetreau noted that is stated in the Charge.

First Selectman Tetreau asked for public comment. Judy Ewing said she is not happy with the statement on removing people from the committee because they will have good reasons for not attending meetings. She said there is a problem in getting quorums with some committees so the Chair should keep after member or ask them to resign and get a replacement.

The main motion, as amended, carried 3-0.

14) TAX COLLECTOR

To consider and act upon tax refunds as recommended by the Tax Collector in the amount recommended.

Selectman McCarthy Vahey made a motion to approve the item. Selectman Kiley seconded the motion. Selectman McCarthy Vahey made an amendment to delete the period at the end of the sentence and add a comma followed by \$72,127.88. Selectman Kiley seconded the amendment which carried 3-0. The main motion, as amended, carried 3-0.

15) To hear, consider and act upon any communications.

There was no other communications.

16) To hear, consider and act upon any other business which shall properly come before this meeting.

There was no other business.

17) ADJOURN

Selectman McCarthy Vahey made a motion to adjourn the meeting at 6:22 pm. Selectman Kiley seconded the motion which carried 3-0.

Respectfully submitted,

Jennifer S. Carpenter
Recording Secretary

