

BOARD OF SELECTMEN MEETING FINAL MINUTES
July 16, 2014

The regular meeting of the Board of Selectmen was held at 4:30 p.m. on Wednesday, July 16, 2014, in the first floor conference room of Independence Hall.

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

Others Present: FairTV, Soundview, Brian Gaugler, Stanton Lesser, Andy Brophy, Fairfield Ludlowe High School Business Challenge Team and Coach, Tom Quinn, Ken Jones, Judy Ewing, Sal Morabito, John Reid, Don Ross, Tom Cullen, Jim Kennelly, Helen D'Avanzo, Chief Felner, Charlene Lebo, Carolyn Durgy, Phil Dwyer, Peter Penczer, Principal Brenda Anziano, Robert Mayer, Lou Heumann, Michael Smith, Charlie McDonald, Peter Manning George Wiles, Attorney Melinda Powell

1) CALL TO ORDER

First Selectman Tetreau called the meeting to order at 4:32 pm. He explained Selectman Kiley could not attend the meeting due to a family emergency.

2) PLEDGE OF ALLEGIANCE

3) MINUTES

To consider and act upon the minutes of Regular Meeting of July 2, 2014
Selectman McCarthy Vahey made a motion to approve the minutes. First Selectman Tetreau seconded the motion which carried 2-0.

4) RECOGNITION

Recognition of the Fairfield Ludlowe High School Business Challenge Team for taking first place in the "Junior Achievement of Western Connecticut's High School Business Challenge" and fourth place overall in the "2014 JA National Titan Virtual Competition" out of 53 teams.

The Selectmen issued certificate of congratulations to the Team and its coach and congratulated them on their achievements.

5) REAPPOINTMENTS

To hear, consider and act upon the following reappointments:

Town Facilities Commission (requires RTM approval)

- i. Harry R. Ackley, (R), 25 Wagon Hill Road, term 07/14 – 07/17
- ii. Kenneth D. Jones, (D), 320 Farist Road, term 07/14 – 07/17
- iii. Howard Rosenbaum, (U), 151 Wilton Road, term 07/14 – 07/17

Selectman McCarthy Vahey made a motion to approve item 6i-6iii. First Selectman Tetreau seconded the motion which carried 2-0.

6) APPOINTMENT

To hear, consider and act upon the following appointment:

Police Commission

Charlene S. Lebo, (D), 284 Berkeley Road, term 11/12 – 11/17
(to fill a vacancy for Thomas Dubrosky who resigned)

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

Selectman McCarthy Vahey thanked Mrs. Lebo for her many years of service to the Town. She reminded the public that the First Selectman's Office is always looking for wonderful volunteers to serve on boards and commissions. First Selectman Tetreau thanked Mrs. Lebo for all she has done for the Town. Mrs. Lebo thanked the Selectmen and said she's honored to serve on this Commission.

The motion carried 2-0.

7) SULLIVAN-MCKINNEY ELDER HOUSING

To hear a report from Sullivan-McKinney Elder Housing

Following a five minute break around 4:52 pm, Carolyn Durgy, President of SMEH, said this affordable housing community was designed for seniors citizens by HUD and is run by New Samaritan. SMEH opened in 1989. It provides decent, safe and affordable housing. SMEH received a HUD Green grant for energy efficiency upgrades. There are 43 residents, most of whom are females. Mrs. Durgy described what occupants pay and the activities they do.

First Selectman Tetreau said he has visited SMEH and they are doing a great job of stewardship. Selectman McCarthy Vahey said SMEH is a hidden gem and there's a great partnership between SMEH and the Town. She is grateful for SMEH's work. Mrs. Durgy said she is grateful for the Town giving funding to SMEH each year and thanked Board members.

8) CHIEF FISCAL OFFICER

To hear a report on the Property Revaluation Process

First Selectman Tetreau explained there is a new revaluation program for the Town. Everyone will get a knock on the door so data can be collected accurately. CFO Robert Mayer said the Selectmen had voted on a full revaluation process. Tax Assessor Don Ross said he met many times over the last few months with companies and the Town selected Vision Government Solutions. There is a plan, timeline and community outreach. The police department has been contacted to anticipate calls from residents or business owners wanting to verify the company is valid. An office has been established in Old Town Hall with a number for people to call. There's been a press release, ad, and information has been placed on the Town's website about this program. The program will begin July 14, 2014. Mr. Mayer said if no one is home or at their business, a letter will be left at the site which will be revisited. The company will wear badges to identify themselves when making visits. First Selectman Tetreau said the assessment will be used in the July 1, 2016 tax bills. Selectman McCarthy Vahey asked if a resident refuses entry would they be penalized. Mr. Mayer said they would not be penalized and a company representative would reschedule the visit. Mr. Mayer said presentations on this program will be made to various town bodies.

9) FAIRTV OPERATIONAL COMMITTEE **(postponed from July 2)**

To hear, consider and act upon the following resolution as recommended by the FairTV Operational Committee:

"WHEREAS, the FairTV Operational Committee intends to seek grant funding from the Cable Advisory Council Area 2 for the support of Education Programming;

AND WHEREAS, the FairTV Operational Committee intends to seek grant funding from the Cable Advisory Council Area 2 for the support of Government Programming;

NOW THEREFORE BE IT RESOLVED, that, in accordance with a request from the FairTV Operational Committee, the First Selectman be, and hereby is authorized to approve applications to the Cable Advisory Council Area 2 for the support of Education and Government programming, to execute any documents necessary to facilitate the Town's participation in said grants, and to administer any grant funds provided in connection therewith."

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

FairTV Committee Chair Jim Kennelly said the process of funds being frozen by CAC was reversed so the Committee is now asking for funds for capital and labor in their application to CAC. He said going forward the Committee would like to discuss with the Town what's sensible for funding to cover meetings. The Committee will ask for about \$42,000 from CAC. Selectman McCarthy Vahey said the resolution doesn't specify the Board of Selectmen is voting on this allocation. First Selectman Tetreau it's assumed the First Selectman will follow the guidance of the Board of Selectmen and this resolution. He said the RTM may establish an ordinance involving FairTV. Selectman McCarthy Vahey said she agrees that the plan to do this in this manner makes sense.

The motion carried 2-0.

10) FAIRFIELD THEATRE COMPANY

To hear, consider and act upon the following resolution:

"RESOLVED, that in accordance with Paragraph 4.(a) of that certain lease between The Town of Fairfield and Fairfield Theatre Company, Inc, dated June 30, 2003, consent is hereby granted for such alterations, installations, changes, replacements, additions or improvements substantially as shown on plans submitted by Fairfield Theatre Company, Inc., regarding premises located at 70 Sanford Street, Fairfield, Connecticut, provided that Fairfield Theatre Company, Inc shall comply with all provisions of said lease regarding construction of same."

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

First Selectman Tetreau said FTC is looking to expand and add another theater and needs approval from the Board of Selectmen. John Reid, Executive Director of the FTC, introduced board members Lou Heumann, Charlie McDonald, former Board president Peter Penczer and architect Michael Smith. He discussed the history of the FTC and how it's expanded programmatically with an art gallery, music and a theater. He said it's highly respected in the region. The FTC gets about 40,000 patrons a year and there are about 175 shows a year. The patrons generate about \$1 million a year to nearby businesses they frequent before or after shows. The FTC hosts fundraisers and has begun a film series and has a Saturday morning kids program for underserved regional kids. Mr. Smith has volunteered his services to do the design work which he showed to the Selectmen using a large diagram that showed turning the warehouse into

a second theater with a removable stage, a mezzanine and would have a separate entrance. Mr. Reid said FTC expects to invest about \$1.2 to \$1.4 million in improvements. The State gave FTC a \$100,000 grant for fire suppression. Selectman McCarthy Vahey said to make sure everything connects well with the lease that the Town Attorney looked at. First Selectman Tetreau said this is a tremendous investment that shows FTC's commitment to the downtown area and is an anchor to downtown supporting an economic oasis. He thanked FTC for their work and integrating the Art/Place. First Selectman Tetreau verified the Town bears no cost for these improvements. Mr. Reid said the Town bears no cost for this project. First Selectman Tetreau asked about revenues to the Town. Mr. Reid said the Town receives about \$48,000 a year which he believes will double over the next three years to about a 100% increase over the next three years. Mr. McDonald said the new theater will create a lot of job opportunities. Selectman McCarthy Vahey said it's great to see volunteers connecting with the community.

The motion passed 2-0.

11) RIVERFIELD SCHOOL BUILDING COMMITTEE (**requires Board of Finance and RTM approval**)

To hear, consider and adopt the Bond Resolution entitled "A Resolution Amending and Restating a Resolution Adopted by the Representative Town Meeting on June 24, 2013 entitled "A Resolution Appropriating \$14,485,766 for the Costs Associated with the Expansion and Renovation of Riverfield Elementary School and Authorizing the Issuance of Bonds to Finance Such Appropriation" to increase the appropriation and bond authorization to \$15,985,766."

First Selectman Tetreau said Selectman Kiley fully supports this project and the Riverfield community.

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

Building Committee Chair Tom Quinn said the gym expansion was in the plan. The gym was tested for asbestos and PCBs. PCBs were found in the gym walls so the Committee immediately put together a remediation plan. The EPA said the wall need to be taken down and the other three walls should be encapsulated. The EPA changed their process and said the walls can only stay up with the PCBs in them for only ten years so after Mr. Quinn met with the First Selectman, the Committee made the decision to take down all the walls now instead of waiting ten years when cost would increase. This will be used as an add alternate so the project won't be restarted and the same trades people can continue performing work that will be complete in January of 2016. The gym roof and decking will be replaced also. Mr. Quinn said the additional \$1,863,553 for this remediation changes the bond resolution total amount to \$16,349,319.

First Selectman Tetreau said he believes the PCBs have to be removed and delaying that would increase costs so doing this removal sooner rather than later is the only real fiscally responsible way. First Selectman Tetreau asked Mr. Quinn if he spoke to the BOE. Mr. Quinn said he had briefed the BOE and Dr. Title and changes were made in the waterfall chart to include this additional funding and push back another school project. Selectman

McCarthy Vahey said this issue should be dealt with now and it will cost more if the project is done in the future. Town Attorney Stanton Lesser said the project cannot proceed without a consent order in place. He said he's been dealing with the EPA on this issue. Selectman McCarthy Vahey asked how the timeline is impacted. Peter Manning, the Construction Manager, said it has slipped because of the EPA approval process so work will start in October instead of the beginning of this summer. The gym construction falls within the schedule for the base project. Principal Brenda Anziano thanked everyone for supporting this project. She said a letter was sent to parents about this remediation.

The motion carried 2-0 then First Selectman Tetreau made a motion to reconsider the item. Selectman McCarthy Vahey seconded the motion which carried 2-0.

Selectman McCarthy Vahey made an amendment to change \$1,500,000 to \$1,863,553 in the bond resolution. First Selectman Tetreau seconded the amendment which carried 2-0.

Selectman McCarthy Vahey made an amendment to change \$15,985,766 to \$16,349,319 in five places in the bond resolution and to change the numeric wording to reflect the newly update numeric wording. First Selectman Tetreau seconded the amended which carried 2-0.

The main motion, as amended, carried 2-0.

12) **BOARD OF EDUCATION (requires Board of Finance and RTM approval)**

To hear, consider and adopt the Bond Resolution entitled "A Resolution Amending and Restating the Bond Resolution adopted by the Representative Town Meeting on February 24, 2014 entitled "A Resolution Appropriating A Sum not to Exceed \$3,608,766 for the Costs of Certain Nonrecurring Capital Projects and Authorizing the Issuance of Bonds to Finance Such Appropriation" to reallocate bond proceeds between project categories."

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

CFO Robert Mayer said two resolutions passed in February of 2014 for \$1,478,766. One of the boiler projects went over its projected cost. The Mill Hill Roof replacement is now close to \$300,000 so the net impact is a positive. Mr. Mayer proposed a transfer from the Mill Hill Roof Project to the FWHS boiler replacement project reducing the bond resolution by \$85,000 so the original bond resolution needs to be amended. Mr. Mayer said the Selectmen need to amend the \$3,608,766 to \$1,478,766. Selectman McCarthy Vahey said she fully supports these projects and is glad they have come back to the Selectmen for approval and clarification. First Selectman Tetreau said this is a net positive since the Town is spending less than what was originally anticipated. Tom Cullen from Central Office said there was an overage with the boiler project because the boiler price went up.

The motion carried 2-0.

13) **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. First Selectman Tetreau seconded the motion. Selectman McCarthy Vahey made an amendment to remove the period at the end of the sentence and add a comma followed by \$2,239,70. First Selectman Tetreau seconded the amendment which carried 2-0. The main motion, as amended, carried 2-0.

14) TOWN ATTORNEY-Private Executive Session – Pending Litigation

Selectman McCarthy Vahey made a motion to enter into private executive session pending litigation at 6:20 pm. First Selectman Tetreau seconded the motion which carried 2-0.

Selectman McCarthy Vahey made a motion to end private executive session pending litigation at 7:06 pm. First Selectman Tetreau seconded the motion which carried 2-0.

Selectman McCarthy Vahey made a motion to accept the recommendation of the Town Attorney to approve the Voluntary Compliance Agreement with HUD. First Selectman Tetreau seconded the motion which carried 2-0.

Selectman McCarthy Vahey made a motion to accept the recommendation of the Town Attorney to approve the Consent Agreement with the EPA. First Selectman Tetreau seconded the motion which carried 2-0.

15) To hear, consider and act upon any communications.
There was no 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 7:07 pm. First Selectman Tetreau seconded the motion which carried 2-0.

Respectfully submitted,

Jennifer S. Carpenter
Recording Secretary
