

BOARD OF SELECTMEN MEETING FINAL MINUTES
November 5, 2014

The regular meeting of the Board of Selectmen was held at 4:30 p.m. on Wednesday, November 5, 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: Adair Heitmann, Alyssa Israel, FairTV, Soundview, Judy Ewing, Martha Lord,
Doug Holcomb, Tom Dubrosky, Mary von Conta, Genny Reilly, Mark Barnhart, Beverly Balaz,
Helen and Joe D'Avanzo, Ian Bass, Rob Bellitto and other PBC members, Joe Michelangelo, Jim
Bradley, Gerry Lombardo, Alison Savona, Jane Talamini, Jill Kelly, Kevin Chamberlain, Bob
Mayer, Brian Nerreau, Jan Reber, Theresa Keppel, Gaylord Meyer, Robert Palermo, Bicycle and
Pedestrian Committee candidates and Heather-Marie Montilla

1) CALL TO ORDER

First Selectman Tetreau called the meeting to order at 4:34 pm.

2) PLEDGE OF ALLEGIANCE

Following the Pledge of Allegiance, First Selectman Tetreau called for a moment of silence for all
Veterans in honor of the upcoming Veteran's Day.

First Selectman thanked those candidates who won the election and also thanked those who ran for
office.

3) MINUTES

To consider and act upon the minutes of: Regular Meeting of October 15, 2014

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

4) RESTAURANT WEEK PRIZE DRAWINGS

First Selectman Tetreau discussed how successful Fairfield's third Restaurant Week was. He
thanked the two top sponsors, Bankwell and Meridian. He recognized of Robert Palermo of
Bankwell and a representative from Artisan, the Grand Prize Sponsor. Each Selectman then
selected a passport from the drawing and announced the top three prize winners. The other
winners' names are on the Restaurant Week website and the public is encouraged to fill out a survey
on this site about this year's Restaurant Week.

5) RECOGNITION-Recognition of former Pequot Library Executive Director, Martha Lord

First Selectman Tetreau read a proclamation in honor of Martha Lord who retired as Pequot
Library's Executive Director. Ms. Lord thanked the Selectmen and introduced her successor,
Heather-Marie Montilla. Ms. Lord thanked the volunteer Board of Trustees.

6) RESIGNATIONS (for information only)

FairTV Operational Committee

Thomas F. Flynn, (D), 67 Sachem Road, term 11/12 – 12/14 (Resignation Date: 04/24/2014)

7) FIRST SELECTMAN APPOINTMENTS (for information only)

- a. Housing Authority James D. Kelly, (R), 32 Mill Hill Road, term 11/11 – 11/16 (to fill a vacancy for Andrew Baumgardner who resigned)
- b. Parking Authority Michael McCreesh, (D), 55 Acorn Lane, term 11/13 – 11/18 (to fill a vacancy for Matt Prohaska whose term expired)

8) APPOINTMENTS

To hear, consider and act upon the following appointments:

- a. Bicycle and Pedestrian Committee
 - i. Keith Gallinelli, (U), 657 Mill Hill Road, term 11/14 – 11/17
 - ii. Elizabeth B. Gardner, (D), 882 Reef Road, term 11/14 – 11/16
 - iii. Donald R. Hyman, (D), 61 Northfield Road, term 11/14 – 11/17
 - iv. Linda A. Lach, (D), 21 Papurah Road, term 11/14 – 11/16
 - v. Edward F. Lane, (R), 121 New England Avenue, term 11/14 – 11/16
 - vi. Laura L. OBrien, (D), 178 Glengarry Road, term 11/14 – 11/17
 - vii. William N. Pollack, (D), 49 Newman Place, term 11/14 – 11/18
 - viii. Karen Secrist, (U), 98 Brooklawn Parkway, term 11/14 – 11/18
 - ix. Robert Tota, (U), 157 Tanglewood Lane, term 11/14 – 11/18

Selectman McCarthy Vahey made a motion to approve item 8ai.-ix. Selectman Kiley seconded the motion.

Selectman McCarthy Vahey said there had been a lot of interest from the public to serve on this Committee which she said is a testament to make the Town more pedestrian friendly and safer. She said a lot of work needs to be done on this Committee. Selectman Kiley thanked everyone for serving and thanked Selectman McCarthy Vahey for her work on this Committee. He said this Committee will help advance projects, enhance safety and improve traffic movements. First Selectman Tetreau said the challenge is to incorporate new lifestyles and, like the two Selectmen, thanked each member for serving.

The motion carried 3-0.

Selectman McCarthy Vahey said she will help kick off the first meeting. First Selectman Tetreau swore in eight of the nine members.

b. Shellfish Commission

Alison Savona, (D), 272 Knollwood Drive, term 11/10 – 11/15 (to fill a vacancy created by the passing of George Zygmant)

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

They both thanked Ms. Savona for serving. First Selectman Tetreau asked Ms. Savona how she got interested in wanting to serve and said this is an important time because of the Mill River Cleanup. Ms. Savona said she heard about an opening through a current member and she is in the food business.

The motion carried 3-0.

9) GREATER BRIDGEPORT TRANSIT-To hear a report from Greater Bridgeport Transit Doug Holcomb, CEO of GBT, gave the Selectman a packet of information on GBT. He said many people are now choosing using the bus which is part of the current national trend. Mr. Holcomb discussed key services such as city bus services, services for riders with disabilities and mobility for senior citizens. He said services run from Norwalk to Milford and into the Valley too. Mr. Holcomb described where the funding comes from, the fleet numbers and the long-range transit plan and a pilot project.

Selectman McCarthy Vahey asked who GBT speaks to when working on the long-range plan. Mr. Holcomb said the DOT, towns it serves, and the GBRC. He encouraged the public to take a survey that can be found on GBT's website. Mr. Holcomb said the first public outreach meeting will be November 18th. Selectman McCarthy Vahey asked how GBT handles marketing for Towns like Fairfield where the public is prone to use trains and their own vehicles. Mr. Holcomb said GBT performs a lot of outreach and it aims its marketing at different groups. Selectman Kiley asked if the fleet of GBT vehicles is natural gas or diesel. Mr. Holcomb said they are diesel vehicles. He said there are some plans to expand and improve the facility. Selectman Kiley said Kings Highway could use some additional transportation options given the development in that area.

10) FAIRFIELD MUSEUM AND HISTORY CENTER

To hear, consider and act upon the following resolution as recommended by the Executive Director of the Fairfield Museum and History Center: RESOLVED, that Michael C. Tetreau, First Selectman of the Town of Fairfield, is empowered to execute and deliver in the name and on behalf of this municipality a contract with the State of Connecticut, Department of Economic and Community Development, for a Certified Local Government Grant.

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

First Selectman Tetreau said Mike Jehle, Executive Director of the Fairfield Museum and History Center, apologized for not being able to attend the meeting but asked that this item be passed today. The item is a \$10,000 grant for planning and a traffic study for the Town Green area. Selectman McCarthy Vahey said she supports this grant because of the parking overflow issue at the Town Green area. Selectman Kiley agreed and said he is glad this plan is being brought forward.

The motion carried 3-0.

11) PENFIELD BUILDING COMMITTEE

To hear, consider and adopt a bond resolution appropriating funds for the repair of Penfield Pavilion and authorizing the issuance of bonds to finance such appropriation, a copy of which is attached hereto.

The Committee Chair Jim Bradley gave a powerpoint presentation on the Penfield Pavilion status report. He reviewed the Charge and gave a brief history on the Pavilion including Storm Irene then Storm Sandy. Mr. Bradley discussed the impact to the Pavilion from Sandy including the failure of the bulkhead. He said there was significant foundation settlement from Sandy. He discussed site protection and the Committee's research and due diligence. Mr. Bradley reviewed factors the Committee considered in making their decision to choose Option 7. He also discussed the design options noting the Committee reviewed 11 options. Mr. Bradley discussed the appraised value and

current FEMA requirements that must be followed if the value of the repair is greater than 50% of the estimated value of the building. He discussed the foundation and proposed repair. Kevin Chamberlain, of DeStefano & Chamberlain, said the timber pile is very economical. Mr. Bradley reviewed Options 1, 8 and 9 noting why the Committee did not recommend these options. He then discussed Option 7, the Committee recommended design, which is to modify and raise the building. Mr. Chamberlain showed a large rendering of the partial demolition which shows a structured and covered deck and an expansion of a new east wing. There will be ramps in two tiers with access to the beach at both ends of the building and a large area for recreational purposes. Ten new spots will be added. The landscape look will be softened because of the raised structure. Mr. Chamberlain discussed moving the building to a temporary spot in the parking lot. The grade under the building would be raised. Mr. Bradley said there will be three elevations.

After a ten minute break, the Board of Selectmen resumed its meeting. Brian Nerreau, the Chair of the Parks and Recreation Committee, read a letter to the Selectmen on why the Pavilion is needed and the value it gives to the community.

Robert Mayer, CFO, gave a financial analysis on the Pavilion. He said the analysis includes information provided by FEMA, the Committee, and the Town's Parks and Recreation Department. The FEMA calculation is necessary for the analysis of alternative projects. The reimbursement calculation for alternative projects is based upon the FEMA calculation, independent of project costs. FEMA produced a repair estimate sent to the Town on October 23, 2014, but reimbursement calculations included in the analysis are subject to change. The Town is continuing to work with FEMA to realize optimal reimbursement.

Mr. Mayer discussed debt issued for the Pavilion. He then discussed Option 1A, Option 7A and Option 1B, options to repair and/or improve the original building. Mr. Mayer said he's confident the Town would recoup at 75% in all scenarios. He then discussed Option 7B, Option 8 and Option 9, options for alternative projects.

Selectman McCarthy Vahey asked Mr. Mayer if he is certain the Town can use the CDBG funds. Mr. Mayer said CDBG is eligible for four out of the six options presented in his analysis and as long as the Town adheres to FEMA's standards the Town can use those funds. Mr. Mayer discussed a comparative schedule of incremental general fund revenue and expenses for year one of operations excluding sunk costs. He also discussed cash flow of options, revenue, expenses over twenty years. First Selectman Tetreau asked Mr. Mayer if the schedule of estimated incremental general fund revenue and expense for the first twenty years of operation including sunk cost debt service for Option 1A, 1B and 7A shows the total surplus and deficit for the three options with money left over after 20 years and new and old debt is paid off. Mr. Mayer said that is correct. Selectman Kiley asked what general assumptions were used. Mr. Mayer said 2% was used. Selectman Kiley asked Mr. Mayer to help him understand variances in salaries and expenses for 1B and 7A and why there's less labor. Mr. Mayer said there's less labor because of the lack of locker rooms. Selectman Kiley asked if that is the only area of significant variance between those two options. Mr. Mayer said yes. Gerry Lombardo, Parks and Recreation Director, said there is no full-time employment involved in this facility and from history, he knows the facility can be run without less staff. Selectman Kiley asked Mr. Nerreau if the handicap access has increased and is at a good level for the public. Mr. Nerreau said yes. Mr. Chamberlain described the access and said it's not insufficient and satisfies the code. Selectman Kiley asked Mr. Nerreau if overall this new facility would be handicap accessible to the Town. Mr. Nerreau said yes and if no facility was built

per Selectman Kiley asking about access if there's no building, then a walkway would be built to the beach but with no decking or shade. Selectman Kiley asked if there was no Penfield I, what impact would it have on people who buy beach stickers. Mr. Lombardo said there would be less usage with a negative impact.

First Selectman Tetreau opened up the discussion to the public.

Jan Reber of 85 Beaumont Street gave the Selectmen a written list of nine questions. He also requested a copy of the recent FEMA letter in October covering possible reimbursement for rebuilding Penfield Pavilion. He hopes this FEMA letter will be available to the public prior to the next Board of Finance meeting. He also asked why none of Mr. Mayer's calculations in the financial analysis showed what the bottom line cost to the Town would be if FEMA fails to approve or only partially approves Fairfield's application. In each of the scenarios where the Town might obtain FEMA funds, Mr. Reber said Mr. Mayer offered calculations that included those funds. Mr. Reber found this to be unusual since in the normal course of business, it is common to see two distinct sets of calculations—one set defining costs without contingencies and one set including the contingencies.

Theresa Keppel of 54 Woodcrest Road asked what the actual revenues from 2011 from Penfield I that was presented in the budget. She said Mr. Mayer's financial analysis presents it as \$75,000 for rental. Mr. Keppel asked what the basis of the revenue doubling from year one to year two is. She said if revenue is doubling from year one to year two it doesn't seem realistic and means if the average rental is \$1000 and people are renting it out 147 times a year which is every Friday, Saturday and Sunday throughout the year but the revenue for year one is \$162,000. She thinks the revenue in 2011 was \$50,000. She said revenues are very unrealistic.

Jane Talamini of 1125 Oldfield Road said the PBC charge didn't include anything about the environment and states the project is guided by public opinion. She said that before requests go further a new Charge should be written to citizens who meet to study key environmental issues and they then report to the Board of Selectmen since climate change, issues with sand and sea levels rising are key issues and Mrs. Talamini added that human development of shores contribute to these problems. She is totally opposed to all the options presented and wants just a beach to be at the site.

Gaylord Meyer of 51 Spruce Street and a member of the RTM in District One doesn't want a pavilion built and like Mrs. Talamini, she said she just wants a beach, bathroom facilities and bodega trucks. She wants to see a beach like ones she has seen up and down the East Coast. She said given the Town budget the Town should consider where to put the money if Penfield Pavilion is not built. Ms. Meyer said she received 300 emails from around Town. All but two opposed any building of a pavilion and one suggested a private actor assume the risk. She suggested town officials visit Silver Beach in Milford.

First Selectman Tetreau said he'll get answers back to the public. Selectman Kiley asked about revenue. Mr. Lombardo said assumptions were made using data based on numbers for a 12 month season and the facility is rented in advance. He will give the Selectmen data on ten year projections. Mr. Lombardo said there are less rentals the first year then it grows after that. Selectman Kiley asked if there's a private market for banquet facilities. Mr. Lombardo mentioned Longshore and noted Penfield isn't in the catering business. Selectman Kiley asked Mr. Lombardo if he is comfortable renting the facility 3-4 times a week and ramping that up over 2-3 years. Mr.

Lombardo does not have the numbers with him. He said rates could go up and his department has started to do marketing. Selectman McCarthy Vahey asked Mr. Bradley if the contingency funds include money for troubles with mechanicals and she also asked if the Committee has considered unforeseen circumstances. Mr. Bradley said the Committee came up with a cost if mechanicals are damaged and there is contingency money in case there are unforeseen circumstances. Selectman McCarthy Vahey asked DPW Director Joe Michelangelo about the flood mitigation process and planning noting that in the beginning of this process the PBC and Flood and Erosion Board talked about various options so from a DPW standpoint what is being planned for the flooding and the shoreline mitigation plan. Mr. Michelangelo said his department has been working closely with the Flood and Erosion Board. They are working on a plan to protect all of Fairfield including the beach area. The plan will be presented to the BOS in December.

Selectman McCarthy Vahey asked if the BOS approves today's funding request if it would impede the flood mitigation plan. Mr. Michelangelo said it would not affect the plan. Selectman Kiley asked for an explanation on the bond resolution. Mr. Mayer said it was written very specifically and defines Option 7.

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

Selectman Kiley said this has been a long and challenging process and for him it comes down to if Penfield is a town asset worth preserving and he said it is. He said the PBC did a phenomenal job and Option 7 is the right recommendation for the Town. He thanked the Administration and Finance Department. He said Options 1A and 1B are too high risk and doesn't recommend going forward with any of the others except Option 7. Selectman McCarthy Vahey said she is concerned about the building and action should be taken to preserve this asset. She appreciates comment on the environment and the Flood and Erosion Board and trusts the PBC to continue to work with that Board and DOW. She said there is a risk with mother nature and finances and climate change is a real issue. She said the PBC did a fantastic job. She said the BOS wrote the Charge. She has heard many opinions on this project and appreciates the concerns of the neighbors. She said the BOS will do all it can to be responsible to and respectful of the neighbors. She supports the decision of a previous RTM to have a Pavilion. First Selectman Tetreau said the intent is to find different opinions within the PBC which is why people with different backgrounds were appointed. He thanked Mr. Mayer, Mr. Lombardo and Parks and Recreation. He said the Town is working with a FEMA consultant to get back funding. First Selectman Tetreau said Penfield is a resource to our community and he's been impressed with the PBC. A venue should be created to produce revenue to pay for the debit. He made a commitment from the Town that the Pavilion will be a good neighbor.

The motion carried 3-0.

12) 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 remove the period and add a comma followed by \$12,115.70. Selectman Kiley seconded the amendment which carried 3-0.

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

13) To hear, consider and act upon any communications.
There were no communications.

14) To hear, consider and act upon any other business which shall properly come before this meeting.
There was no other business.

15) ADJOURN

Selectman McCarthy Vahey made a motion to adjourn the meeting at 8:26 pm. Selectman Kiley seconded the motion which carried 3-0.

Respectfully submitted,

Jennifer S. Carpenter
Recording Secretary
