

**BOARD OF SELECTMEN MEETING FINAL MINUTES**  
**February 11, 2015**

The regular meeting of the Board of Selectmen was held at 4:30 p.m. on Wednesday, February 11, 2015, in the first floor conference room of Independence Hall.

Members Present: First Selectman Michael C. Tetreau, Selectman Kevin P. Kiley, Selectman Sheila H. Marmion

Others Present: Nancy Coriaty, Troop 90 scouts and family, Kirstin O’Gorman, Troop 90 leader Drew Hiltz, Tom Dubrosky, FairTV, Soundview, Genny Reilly, Tom Cullen, Sands Cleary, Sal Morabito, Jim Wendt, Ed Boman, Bob Frigo, Greg Hatzis, Eileen Kennelly, Bob Mayer, Tony Vuolo, Marc Donald, Tom Beebe

1) CALL TO ORDER

First Selectman Tetreau called the meeting to order at 4:36 pm.

2) PLEDGE OF ALLEGIANCE

Troop 90 led the Pledge of Allegiance.

3) WEDNESDAY’S PET – presented by Sherri Steeneck

There was no pet today.

4) MINUTES To consider and act upon the minutes of:

i) Regular Meeting of January 21, 2015

ii) Special Meeting of January 28, 2015

Selectman Kiley made a motion to approve items 4i and 4ii. Selectman Marmion seconded the motion which carried 3-0.

5) RECOGNITION

Recognition of Boy Scout Troop 90 for Completing the “Citizenship in the Community” Merit Badge

The Selectmen issued proclamations to Boy Scouts from Troop 90 who earned the “Citizenship in the Community” Merit Badge, an Eagle Scout required badge. Andrew Hiltz spoke about how important it is to help the Town and stated a number of community service tasks the Troop performs. Troop 90’s leader, Drew Hiltz, gave a background on Troop 90 and said over 80 Eagle Scouts have come from this Troop which has a long-standing tradition of community service.

First Selectman Tetreau said it is not only impressive on what the scouts do to earn this badge and others but it is also impressive how they maintain top grades. This sets a tremendous example and establishes a tradition of excellence. Selectman Marmion congratulated the Troop and said she has two boys in scouts in Troop 82. She sees the value of how scouts give to our community. Selectman Kiley also congratulated the Troop and said they are our future leaders and make our community better for everyone.

6) VACANCIES (for information only)

Town Plan and Zoning Commission

Joan S. Neiley, (R), 1400 Unquowa Road, term 11/13 – 11/15

(Deceased: 01/15/2015)

7) RESIGNATIONS **(for information only)**

Harbor Management Commission

Benjamin M. Baker, (U), 174 Old South Road, term 11/13 – 11/15 (alternate) (Resignation Date: 01/22/2015)

First Selectman Tetreau thanked Mr. Baker for serving.

8) APPOINTMENTS

Affordable Housing Committee Robert L. Frigo, (U), 39 Campbell Road, term 11/11 – 11/15 (to fill a vacancy for Sol Briks who resigned)

Selectman Kiley made a motion to approve the item. Selectman Marmion seconded the motion. Selectman Kiley thanked Mr. Frigo for serving our town and said he appreciates Mr. Frigo's background. Selectman Marmion concurred with Selectman Kiley.

The motion carried 3-0.

9) PLANNING DIRECTOR-To hear an update on the Beach Area and Storm Sandy Recovery Town Plan and Zoning Department's Assistant Director Jim Wendt gave an update on beach area recovery following Storm Sandy. He said there is still ongoing activity in the beach area. He said there have been 100 demolitions and reconstructions in the flood area with new flood resistant structures. There have been 50 homes lifted. The Town applied for 68 hazard mitigation grants on behalf of homeowners to prevent future damage for them by using the approved funding that will help homeowners elevate and make the home more flood resistant. The applications have a 75% reimbursement or are capped at \$100,000. To date, 44 applications were approved. Selectman Marmion asked about turnover of sold homes. Mr. Wendt said lifts were done mostly by homeowners who have stayed in the beach area since Sandy. Most demolitions are done by new homeowners. Selectman Marmion asked if older adults left the area. Mr. Wendt said that improvements that had to be made pushed some people to sell their homes. First Selectman Tetreau said some owners didn't have flood insurance before Sandy and Sandy changed the character of the beach neighborhood making it less senior citizen-friendly because of raised homes. Selectman Marmion asked if today's value of homes in the beach area will change the population. Mr. Wendt said it would. Selectman Kiley asked why the rest of the applications have not been approved and if there are any issues what the Town can do. Mr. Wendt said it's just a matter of time and feels confident these applications will be reviewed favorably. He noted that there few state and FEMA staff reviewing and approving applications for Fairfield and other towns. First Selectman Tetreau noted how Mr. Wendt has been doing a phenomenal job in assisting homeowners with these applications the Town submits as the grantee and then monitors when applications are approved.

10) NON-RECURRING CAPITAL **(originally adopted January 28, 2015)**

a. To act to rescind a bond resolution adopted on January 28, 2015

First Selectman Tetreau gave the Board updated handouts for items 10a and 10b.

Selectman Kiley made a motion to approve the item. Selectman Marmion seconded the motion.

Selectman Marmion made an amendment to change the date on the first page of the handout to January 28, 2015. Selectman Kiley seconded the amendment which carried 3-0.

The item now reads, "RESOLVED, that the resolution appropriating \$4,854,342 for nine nonrecurring capital expenditures and authorizing bonds to finance such appropriation adopted by the Board of Selectmen on January 28, 2015, is hereby rescinded.

Selectman Kiley said he supports rescinding the item to consider funding two boilers at Jennings and supports the original bond resolution as amended.

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

b. To hear, consider and adopt a bond resolution appropriating funds for the costs of certain non-recurring capital projects and authorizing the issuance of bonds to finance such appropriation. Selectman Kiley made a motion to approve the item. Selectman Marmion seconded the motion.

Selectman Marmion asked Tom Cullen to provide more information going forward on maintenance costs to show what's failing, replacement of parts, and manpower hours versus what staff would otherwise be doing. First Selectman Tetreau asked why the boilers weren't replaced sooner and if 50 years is the right number. Mr. Cullen explained a boilers maintenance program was started in 2000 and there is a work order computer program. First Selectman Tetreau said he is concerned for students when it is cold and that impacts programs. Mr. Cullen said there is a facility plan in place and boilers will be addressed at every school. Selectman Kiley asked for a summary of the annual maintenance plan to give to the Selectmen. Selectman Marmion asked if the Jennings boilers are different from other school boilers. Mr. Cullen said it is not always the oldest boilers that have problems.

Jennings Principal Tony Vuolo wants the school to be proactive on maintenance issues and said the cold temperature in the school that happened twice in the past few weeks had impacted students. He said the school has not experienced a lot of failure with heating issues in the past. He appreciates the Selectmen reconsidering this funding request.

The motion carried 3-0.

11) CHIEF FISCAL OFFICER-To hear an update on bond refinancing  
CFO Bob Mayer gave a handout to the Selectmen on bond refinancing which he wanted to give an update on to the Selectmen. The handout included a proposed resolution that needs RTM approval, the governing State statute and a summary explanation for the potential refinancing the Town is working toward. Mr. Mayer said the interest rates are currently favorable saving the Town about \$2 million. Selectman Marion asked Mr. Mayer to explain this savings. Mr. Mayer said it will occur over 12 years. Selectman Kiley asked Mr. Mayer why this item only needs RTM approval. Mr. Mayer said he received a statement from Bond Counsel and said Section 7-370c in the Connecticut State Statutes also states this. Selectman Kiley asked if the legislative body is just the RTM. Risk Manager Eileen Kennelly said that is correct and added that the BOS is the executive body.

12) DIRECTOR OF HEALTH (**postponed from January 21, 2015**) To hear, consider and act upon the follow resolution as recommended by the Director of Health:

RESOLVED, that funds be transferred from an increase in grant revenue in the amount of \$10,463 to cover the cost of a Cardiovascular Disease Prevention Program focusing on Policy/Environmental Change for citizens served by the Fairfield Health Department; and

FURTHER RESOLVED, that the First Selectman is authorized to make, execute and approve on behalf of the Town of Fairfield, any and all contracts or amendments thereof with the State of

Connecticut, Department of Public Health. These costs are 100% reimbursable by a 10/1/2014 – 6/30/2015 State of Connecticut Preventive Health and Health Services Block Grant. Selectman Kiley made a motion to approve the motion. Selectman Marmion seconded the motion.

Health Director Sands Cleary gave the BOS a handout addressing background and purpose of this program, a detailed description of the proposal, reliability of estimated costs, increase of health efficiency or productivity, additional long-range costs, additional use or demand on existing facilities which there aren't any, alternatives to this request, safety and loss control, no environmental considerations, insurance, and financing which involves a 100% reimbursable grant. There are no other considerations or town body approvals. The handout also includes the application to the State Department of Health. Mr. Cleary said the Town Attorney said only the BOS approves this item. He said at the end of the first riding season his department will perform a number of assessments and have a survey compiled at the end to then consider other or more options for the program. Mr. Cleary said if the program is lightly used then it will remain as is. Patrons will go to the library checkout desk and show their card and license to receive a helmet and key. There will be no fees to use a bike. If a bike is stolen, the police will be called. If a bike is not brought back on time the user will be contacted and if bikes are returned after the library closes, users can put the keys in the slot and helmets back on the bikes. The Health Department will promote and plan an active living series. They are working with the History Center and new Bike Committee. Mr. Cleary said a delay on approval of this program will not affect the grant according to the State. Ms. Kennelly spoke to CIRMA which expressed no concern. There is no premium increase. CIRMA did make suggestions such as riders wearing helmets and helmets staying in good condition and having a good useful life, having extra helmets, and only allowing people age 18 and over to rider. CIRMA will continue to advise the Town as the program goes forward. Ms. Kennelly said she and the Town Attorney discussed the waiver copy and believe the program is worth doing but it doesn't guarantee the Town will not be found liable. Ms. Kennelly agrees on not charging riders to use bikes and is checking on a fine for not returning bikes. Selectman Kiley said there is no complete protection with this program and he is also concerned the Town is subject to litigation. Ms. Kennelly agreed but said the Town is in a better place in not charging riders and having that government immunity. Ms. Kennelly said the Town could consider putting this program in a separate, non-Town, organization. Selectman Marmion asks if the waiver protects someone who looks like they are in poor health. Ms. Kennelly said that kind of information could be added to an advisory document that could also include tips on road safety.

Nancy Coriaty who is head of the Fairfield Woods Branch Library spoke about the process of patrons using bikes. She spoke to two libraries in the country that are using this program and they have faced no problems with theft or maintenance. She said she spoke to library staff and the library will track users in a computer system, attach a barcode to a bike and give out keys and make a photocopy of licenses. Users only have to fill out a waiver form once. Users have the whole day to use a bike and it has to be brought back one hour before the library closes. All Connecticut residents can use the library cards and special guests can get a pass by showing their licenses. Ms. Coriaty said this program will not take a lot of time away from staff.

Selectman Marmion asked if users can reserve bikes ahead of time. Ms. Coriaty said right now, no. Selectman Marmion really likes the tie in with the best bike routes and how the program attracts people to Fairfield. Selectman Kiley asked if some programs weren't successful. Mr. Cleary said some programs which were not at libraries weren't successful because of cost to move the bikes to other locations and maintaining a staff level so that is why Fairfield is keeping this pilot program small. Selectman Kiley asked if this item only gets BOS approval. Ms. Kennelly said yes because

the money won't go to the general fund. Selectman Kiley asked that this be checked to understand why this item wouldn't go to other bodies. Ms. Kennelly said the Town Attorney will put in writing that the BOS is the only body to approve this. Selectman Kiley said he is not feeling this is the most appropriate or best use of our library and the program may grow in size in time, but the liability issue most concerns him. Selectman Marmion said she will support the program because right now it is a pilot program and the bikes can drive people to our libraries. First Selectman Tetreau noted since the Town can't charge users there won't be funding for maintenance or buying more bikes and he also noted some concern with liability issues so the Town could look at moving this program on to another organization later on. For now, First Selectman Tetreau likes the pilot program that is made possible through a grant and he likes having the program at both libraries. He said if the program works then the Town can work through what will happen long-term. He also said this is another reason why Fairfield's libraries are innovative.

The motion carried 2-1-0, Kiley against.

### 13) DIRECTOR OF PUBLIC WORKS

To hear a report on the Town of Fairfield's Sustainability Plan

Assistant DPW Director Ed Boman gave the Selectmen a handout on the Town's Sustainability Plan and discussed the plan using a power point slide show. Mr. Boman discussed operating principles, the first 19 years, 1997-2015, town savings and greenhouse gasses and criteria pollutants reductions, new green building power, heating energy savings, natural gas changes, positive energy efficiency changes to town buildings and the future which includes targeting more town buildings that use 80% of the building electricity in the Town. The Senior Center, Old Town Hall, Fairfield Wood Library and Independence Hall are the top four buildings that are being targeted over the next five years. Mr. Boman discussed how electricity is used within buildings determines the conservation measures to pursue. He showed cost savings and KWH savings from 2015-2019 for lighting, air conditioning, plug load and machinery and pumps in buildings. Mr. Boman discussed Fairfield continuing with green power initiatives, how the sustainability plan will achieve great success with the Plan's three principles, long-term economic value of sustainability and a summary of the next 20 years.

Selectman Marmion thanked Mr. Boman for this investment the Town is making and asked what the return is and to also see in the future the estimated costs of each item versus savings over time. First Selectman Tetreau said Mr. Boman has identified cost savings that the Town gets each year and helps drop the tax rate. Mr. Boman said his goal is to come up with a five-year plan with innovative financing.

### 14) FAIRFIELD LUDLOWE HIGH SCHOOL BUILDING COMMITTEE

To hear an update from the Fairfield Ludlowe High School Building Committee

Building Committee Chair Marc Donald described the project's three phases. He said the contract for Phase One was completed. Phase One will be completed this summer. All contracts have been awarded for Phase Two and construction began after the holiday break next December. Mr. Donald said the Committee encountered unanticipated asbestos which was taken care of. Selectman Marmion asked about the roof issue. Mr. Donald said all costs of relocating the HVAC equipment is in the price and the BOE approved an ed spec on this. The solar panels will bring significant cost savings. Phase Three, the window project, was submitted to the EPA which responded with more questions so more testing has to be done. The OSF gave approval for this phase. Mr. Donald said the Committee is seeking \$3.5 to \$4 million in more funding to complete the project. He said the

project was always a two-year plan and the first part of the windows project is slated for completion in 2016 and the rest of the windows project is slated for completion in 2017.

First Selectman Tetreau asked how so much more funding is being requested for Phase Three when the Committee asked for an original amount of \$11,630,700 that town bodies approved. Mr. Donald said the increase comes from a lot of soft costs that were not included in the original cost.

Tom Beebe, Senior Program Manager at Arcadis, said the cost of construction came in higher than expected. First Selectman Tetreau would like the Committee to get back to the BOS on the top reasons the project is over budget and why the costs are higher. Mr. Beebe said the original budget didn't include soft costs like design, environmental costs, owners rep costs and there were no adequate contingencies and more EPA testing has to be done driving up costs.

First Selectman Tetreau would like Mr. Donald to come back to the BOS and give the Board the drivers on why there is an increase. Selectman Kiley asked if the soft costs apply to Phase Three. Mr. Donald referred to a handout given to the BOS on budget details for Phases One and Two. Selectman Kiley said the Building Committee should show costs in Phase Three that are not captured on the handout. First Selectman wants the Committee to inform the BOS on how much money is left in this project and how much the original approved amount will be spent on Phase Three. First Selectman Tetreau asked Mr. Donald to come back to the BOS on March 4, 2015 and bring in writing where the Committee is with the project in terms of cost, what it plans to spend and what has changed from the original approved amount to the proposed increase.

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

Selectman Kiley made a motion to approve the item. Selectman Marmion seconded the motion.

Selectman Marmion made an amendment to remove the period at the end of the sentence and add a comma followed by \$9178.39. Selectman Kiley seconded the amendment which carried 3-0.

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

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

There were no communications.

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

There was no other business.

18) ADJOURN

Selectman Marmion made a motion to adjourn the meeting at 7:19 pm. Selectman Kiley seconded the motion which carried 3-0.

Respectfully submitted,

Jennifer S. Carpenter  
Recording Secretary

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