

**BOARD OF SELECTMEN MEETING FINAL MINUTES**  
**April 1, 2015**

The regular meeting of the Board of Selectmen was held at 4:30 p.m. on Wednesday, April 1, 2015, in the first floor conference room of Independence Hall.

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

Members Absent: Selectman Sheila H. Marmion

Others Present: FairTV, Joe Michelangelo, Scott Bartlett, Jeff Minder, Tom Dubrosky, Roger Autuori, Betsy Browne, Judy Ewing, Sal Morabito, Rosemary O'Hara, Brendan O'Hara, Mary Hogue, John Stafstrom, Ryan Scully, Stephen Pitaniello, David Zieff, Tom Cullen, Rob Scinto, Chris Tursi, Jen Hinkle  
Kristine Egan, Sara Witherington

1) CALL TO ORDER

First Selectman Tetreau called the meeting to order at 4:49 pm.

2) PLEDGE OF ALLEGIANCE

3) WEDNESDAY'S PET – presented by Sherri Steeneck

There was no pet.

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

i. Regular Meeting of March 18, 2015

ii. Special Meeting of March 25, 2015

The Selectmen did not vote on the minutes.

5) RECOGNITION

Recognition of Junior Women's Club of Fairfield's 50<sup>th</sup> Anniversary– April 8<sup>th</sup>, 2015

After First Selectman Tetreau read a proclamation, he and Selectman Kiley issued it to Jen Hinkle, Club President who spoke about the Club. She said it's the Club's 50<sup>th</sup> anniversary. It's a small service club that performs a lot of annual service projects. Every year, the Club chooses a different organization to benefit.

First Selectman Tetreau asked how someone can join the Club. Ms. Hinkle said they can come to a meeting, an event or go to [www.jwcfairfield.com](http://www.jwcfairfield.com). There will be a huge membership drive on April 8, 2015.

Selectman Kiley thanked the Club for all they do for our town and congratulated them on their anniversary.

First Selectman Tetreau said this is another example of how many people contribute to Fairfield.

6) RECOGNITION Third Annual Mayors Day of Recognition for National Service – April 7<sup>th</sup>, 2015

After First Selectman Tetreau read a proclamation, he issued it to Sara Witherington, Program Director, who said Fairfield was the first town in the state to recognize this day. Currently, there are 2000 mayors nationwide participating. Ms. Witherington described the program and said volunteers are the backbone of the community. She is especially proud of the Foster Grandparents program which takes place in many communities including at McKinley School. She thanked the Selectmen.

Selectman Kiley thanked her for her leadership and service to the Town. First Selectman Tetreau said he appreciates this program working with United Way to help McKinley School.

7) APPOINTMENTS To hear, consider and act upon the following appointments:

a) Golf Commission

i. Brendan L. O'Hara (R), 60 Sleepy Hollow Road, term 04/15–04/20 (To fill a vacancy for Jack Slane whose term expired)

ii. Ryan W. Scully (U), 241 Lakeview Drive, term 04/15–04/20 (To fill a vacancy for Andrew Janis whose term expired)

Selectman Kiley made a motion to approve item 7ai. and 7aii. First Selectman seconded the motion.

Selectman Kiley thanked both candidates. First Selectman Tetreau thanked both for volunteering.

The motion carried 2-0.

b) Penfield Building Committee (**requires RTM approval**)

i. Stephen Pitaniello (U), 147 Trillium Road (To fill a vacancy for William Sapone who resigned)

ii. David M. Zieff (D), 1265 Fairfield Beach Road (To fill a vacancy for Kenneth Jones who resigned)

Selectman Kiley made a motion to approve item 7bi. and 7bii. First Selectman seconded the motion.

Selectman Kiley thanked both candidates for volunteering. First Selectman Tetreau said this is a big project and these candidates will make a wonderful contribution to the community. He said he was impressed with Mr. Pitaniello and has known Mr. Zieff for many years and is thrilled with his volunteerism for many causes.

The motion carried 2-0.

c) Tree Warden

Jeffrey Minder, term 11/14–11/15

Selectman Kiley made a motion to approve item 7c. First Selectman seconded the motion.

First Selectman Tetreau said Mr. Minder has been serving part time. He has heard all positive feedback and appreciates Mr. Minder reaching out to residents and to the UI on the pilot tree trimming and removal program. Selectman Kiley thanked Mr. Minder for his efforts to date and wished him luck going forward.

The motion carried 2-0.

d) Water Pollution Control Authority

Robert A. Scinto (R), 150 Old Academy Road, term 11/14–11/18

(To fill a vacancy for Domenic Paniccia whose term expired)

Selectman Kiley made a motion to approve item 7d. First Selectman seconded the motion.

Selectman Kiley thanked Mr. Scinto for volunteering for this important Authority. First Selectman Tetreau thanked Mr. Scinto for his impressive work in the private sector that will be helpful to this Authority.

The motion carried 2-0.

8) TOWN ATTORNEY

Review of Bond Counsel opinion on the approval process for bonds in the Town of Fairfield

Attorney John Stafstrom gave advice on the bonding process based on recent meetings. He referred to a letter he wrote. He said there has to be a capital appropriation and bond ordinance if a project is funded by bonds. He discussed the Fairfield Charter saying there are two separate branches—the executive and legislative branch. The BOS and First Selectman have broad powers. The RTM has final approval of items through a process that begins with the BOS. It's a three step process that includes the BOF, the "watchdog" board. There is a formal process for a bond resolution. Neither the RTM nor the BOF have the authority or initiative; the BOF cannot add a project.

Mr. Stafstrom discussed a unitary project such as a school. He said if the BOF adds a project that is not approved by the BOS then it's a question of materiality and the BOF has authority and may need to go back to the BOS. If an amount is increased beyond its scope, it goes back to the BOS. The purpose of all this is collaboration between all the boards and to get the best advice from all of them. The RTM has the authority to reduce an appropriation but cannot increase it. There is one exception—section 12.6 in the Charter which allows an appeal from the BOF cutting an

appropriation and with a two thirds vote from the RTM, the RTM could add money from a previous cut by the BOF.

Selectman Kiley said Attorney Stafstrom's memo is thorough. He asked if the BOS passes items that goes to the BOF and the BOF decreases the amount and then the amount goes to the RTM which further reduces the amount if this would be material. Selectman Kiley asked what the mechanism is in the change twice mode. Would the BOS have the recourse because amounts were changed twice? Attorney Stafstrom said this is a case by case basis, but ultimately the First Selectman and BOS decide if the project can be done. Selectman Kiley asked if the process is different with a school project and a town project at an RTM meeting. Attorney Stafstrom said there is no difference. He said the BOF can't add a new project not approved by the BOS. First Selectman Tetreau said this opinion models the Town's past practice. He said other boards will be hearing from Attorney Stafstrom. First Selectman Tetreau said if the Selectmen have questions they can attend these other meetings or send them to Attorney Stafstrom.

#### 9) CHIEF OF POLICE

To hear, consider and act upon the following resolution as recommend by the Chief of Police:

RESOLVED, that the Town of Fairfield may enter into a memorandum of agreement regarding the FFY 2014 State Homeland Security Grant Program with the State of Connecticut Division of Emergency Management and Homeland Security, Department of Emergency Services and Public Protection; and

FURTHER RESOLVED, that Richard Felner, as Emergency Manager for the Town of Fairfield, or his successor, is authorized and directed to execute and deliver any and all documents on behalf of the Town of Fairfield and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivery all agreements and documents contemplated by such documents.

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

First Selectman Tetreau asked Lieutenant Chris Tursi who presented this item if the year is 2014. Mr. Tursi said yes. It's a 2014 grant program that was already accepted by the State which requests the town to accept the funds so police can utilize the funds. The funds are pre-allocated and the Town bears no cost. The agreement is signed by the First Selectman after BOS approval. This MOA will come before the BOS every year. First Selectman Tetreau asked if this money is just for Fairfield. Mr. Tursi said it is for the region. Chief Gary MacNamara and Deputy Chief Chris Lyddy are on the Region One planning committee so Fairfield has a say.

The motion carried 2-0.

#### 10) DWIGHT ROOF BUILDING COMMITTEE CHARGE

To hear, consider and approve the Dwight Roof Building Committee Charge

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

Sal Morabito from Central Office said this project is a roof replacement at Dwight School except for the APR. A building committee needs to oversee this project to apply for OSF reimbursement per the State Statute. The same Ed Spec was passed last year for Mill Hill School by the BOE. Selectman Kiley asked about timing. Mr. Morabito said the Special Projects Standing Building Committee (SPSBC) is meeting on April 7<sup>th</sup>. An RFP was put out for architects. Another meeting is scheduled for April 13<sup>th</sup> in case the Committee needs more time to select an architect. The architect will get the design ready for bid in about four weeks and there will be a local review by the BOE and then the design is sent to school facilities. After the bid letter is approved and sent to Purchasing, there will be a walk-thru of the School. The work will take place this summer and it will last about 6-7 weeks. Selectman Kiley asked if the project will be finished by

September. Mr. Morabito said yes. Selectman Kiley asked about final accounting on reimbursement for Mill Hill. Mr. Morabito said the paperwork is ready but it can't be filed until July 1<sup>st</sup>. The job was already accepted by the State. Mr. Morabito said the town will get about 26% back which is a high reimbursement.

The motion carried 2-0.

11) DWIGHT ROOF BUILDING COMMITTEE

To hear, consider and act upon the following resolution as recommended by the First Selectman: RESOLVED, that the Special Projects Standing Building Committee shall serve as the Dwight Roof Building Committee for the purpose of performing roof renovations at Dwight Elementary School.

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

Selectman Kiley thanked the SPSBC for being a great group and doing a great job on Mill Hill. First Selectman Tetreau said he checked with the SPSBC Chair who said the Committee is looking forward to the Dwight project.

The motion carried 2-0.

12) TAX COLLECTOR

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. First Selectman seconded the motion.

Selectman Kiley made an amendment to remove the period at the end of the sentence and add a comma followed by \$2,236.68. First Selectman Tetreau seconded the amendment which carried 2-0.

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

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 Kiley made a motion to adjourn the meeting at 5:46 pm. First Selectman Tetreau seconded the motion which carried 2-0.

Respectfully submitted,

Jennifer S. Carpenter  
Recording Secretary

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