

BOARD OF SELECTMEN MEETING FINAL MINUTES
September 16, 2015

The regular meeting of the Board of Selectmen was held at 4:30 p.m. on Wednesday, September 16, 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: FairTV, Soundview, Joe Michelangelo, Kyran Dunn, Genny Reilly, Chris Tracy, Gary MacNamara, Chris Lyddy, Susan Barrett, Kylee Holderied and family, Dorothea Brennan, Lynn Felner, Judge Dan Caruso, Laurie McArdle, Bob Mayer, News 12, Dick Felner, Stanton Lesser, Sal Morabito, Don DiMartino, Ryan Scully

1) CALL TO ORDER

First Selectman Tetreau called the meeting to order at 4:35 pm.

2) PLEDGE OF ALLEGIANCE

Following the Pledge of Allegiance, First Selectman Tetreau called for a moment of silence for the passing of RTM member Mary McCullough's husband and RTM member Jay Wolk's mother.

3) RECOGNITION

Recognition of the Mill River Wetland Committee receiving the 2015 Aquarion Environmental Championship Award for a non-profit organization

The Mill River Wetland Committee will come to a future Board of Selectmen's meeting.

4) REGOGNITION

Recognition of Fairfield Woods Middle School student winning Major League Baseball Pitch, Hit and Run Competition in the Girls 11-12 Year Old Age Division at the National Finals in Cincinnati, Ohio during MLB All-Star Week

First Selectman Tetreau read and issued Kylee Holderied with a proclamation declaring today as Kylee Holderied Day in the Town of Fairfield. Selectman Marmion asked if Kylee excelled at all three areas of the competition along with the national finals. Kylee answered yes. Kylee said she played for the Mets in the national finals. She had batting practice and met all the players this past Monday. Selectman Kiley said the Town is very proud of Kylee and asked Kylee to tell the Board about her All Star experience. Kylee said she went to the All Star game and caught some balls. First Selectman Tetreau talked about how well the Town supports youth and sports. He is in awe that a Fairfielder is the best in the nation. He congratulated Kylee and thanked her for making the Town proud.

5) RECOGNITION

Recognition of Fire Chief Richard S. Felner for fifty seven years of service to the Town of Fairfield

Selectman Marmion noted how much Chief Felner contributed to the Town and Fire

Department during his 57-year career and he will be missed. Selectman Kiley thanked Chief Felner for serving the Town with dignity and honor and for making the Town safer. First Selectman Tetreau noted how his dad coached Chief Felner. He noted the amount of change the Chief helped lead the Fire Department through with the best protocols to protect our citizens 24/7 for 57 years. First Selectman Tetreau also thanked Lynn Felner.

First Selectman Tetreau presented the Chief with a Key to the Town. Chief Felner thanked the Town and his wife. He said he will miss his job but will still be around.

6) MINUTES

To consider and act upon the minutes of:

- i. Regular Meeting of July 15, 2015
- ii. Special Meeting of July 29, 2015
- iii. Special Meeting of September 3, 2015

Selectman Kiley made a motion to approve item 6i.-6iii. Selectman Marmion seconded the motion which carried 3-0.

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

- a) Fairfield Warde High School Roof Building Committee
Malcolm J. Rowe (U), 100 Arbor Drive
(Resignation Date: September 8, 2015)
- b) Town Facilities Commission
Terri F. Leopold (U), 146 Coleman Road
(Resignation Date: September 10, 2015)

8) DIRECTOR OF PUBLIC WORKS (**lease agreement requires RTM approval**)
(postponed from September 3, 2015)

To hear, consider and act upon the following resolution as recommended by the Director of Public Works:

RESOLVED, that a solar power purchase agreement between the Town of Fairfield and CEFIA Holdings, LLC for the purpose of erecting a photovoltaic electric generation system on the ground behind the Recreation/Tennis Center at 15 Old Dam Road for the sole benefit of the Recreation/Tennis Center, the term of the agreement being twenty years, be, and hereby is, approved; and

FURTHER RESOLVED, that a system site lease agreement between the Town of Fairfield and CEFIA Holdings, LLC for the purpose of erecting a photovoltaic electric generation system on the ground behind the Recreation/Tennis Center at 15 Old Dam Road for the sole benefit of the Recreation/Tennis Center, the term of the agreement being twenty years, be, and hereby is, approved.

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

First Selectman Tetreau asked the DPW director is there was neighborhood feedback. DPW director Joe Michelangelo said Ed Boman and Gerry Lombardo held a community meeting at the site that included the Pine Creek Association. There will be screenings so the neighbors won't see the system. Mr. Michelangelo said the President of the Association addressed the neighborhood's concerns. The president wrote Mr. Lombardo an email stating that the neighborhood does not object to the revised plans. Selectman Marmion noted that RTM member Eric Sundman sent the BOS an email that he wants part of the minutes. Mr. Sundman is also a board member of the association. First Selectman Tetreau thanked Mr. Sundman for the email which reads as follows:

From: Eric Sundman [mailto:ericsundman@optonline.net]
Sent: Wednesday, September 16, 2015 12:16 PM
To: Tetreau, Mike; Kiley, Kevin; Marmion, Sheila
Cc: Lombardo, Gerald; Boman, Ed; Mike Ginley
Subject: Old Dam Solar project-FOR MINUTES BOS MEETING 9-16-15

Dear Mike, Kevin and Sheila,

Thank you all for taking the time and the consideration to recommend feedback from residents of the Old Dam/Pine Creek Area and holding a public meeting at the Rec Center to inform and hear concerns from the neighborhood regarding the proposed solar panel installation.

As an RTM member for this district, board member for Pine Creek Area Association, and neighbor I can say the neighbors in the surrounding area truly really appreciated your efforts in being sensitive with the scope of the project and taking their concerns into consideration, and revising the plan to minimize visual impact to the area of the Rec Center, Old Dam Road and South Pine Creek Road.

After many weeks of heated emails from area residents, after speaking with neighbors in person and by phone, the visual impact was no doubt a concern to them.

After receiving and reviewing the latest revised plan from Mr. Lombardo and Mr. Boman, that changes the location of the panels away from the parking lot, and also with the hope of any landscaping necessary (if any) to help mask the panels, I have reached out to neighbors immediately affected by the project hearing no objections.

As an RTM member I have not received ANY further emails of concern regarding the latest proposal which was shared by email to the concerned resident email list Mr. Lombardo had sent out.

Because of the latest proposal that removes the solar panels from view and from the parking lot, I can only suspect there is no further concern. I can't speak for everyone concerned, but am sharing my feedback, only hearing relief that the panels won't be installed in the parking

lot, while preserving the local charm avoiding an industrial appearance at this location, with no further emails of concern.

Thank you and Mr. Lombardo and Mr. Boman for your sensitivity and actions taken to help arrive at happy medium.

Sincerely,

Eric Sundman
RTM District 1

First Selectman Tetreau also asked that the Pine Creek Area Association President's email be part of the minutes. That email reads as follows:

From: Mike Ginley <mginley@nextlevel-co.com>
Sent: Monday, September 14, 2015 10:30 AM
To: Lombardo, Gerald; Eric Sundman; Sundman, Eric; Eric Sundman
Subject: RE: Solar Panels

Gerry

Thank you for confirming the Town's revised plans for the solar panel installation at the tennis center. When you met with the neighbors, you agreed to change the plans so that the solar panels are not placed in the parking lot in full view of the neighbors and to only install the panels behind the building and behind the courts with trees planted to further hide them from view. This is what was discussed and this is exactly what you are doing.

We sincerely thank you for listening the neighbors before the plans were finalized. I don't see any reason to object to the revised plans. Thank you again.

Mike
Pine Creek Area Association

The motion carried 3-0.

9) DIRECTOR OF PUBLIC WORKS

To hear, consider and act upon the following resolution as recommended by the Director of Public Works:

RESOLVED, that a solar power purchase agreement between the Town of Fairfield and Greenskies for the purpose of erecting a photovoltaic electric generation system on the roof of Mill Hill Elementary School at 635 Mill Hill Terrace for the sole benefit of Mill Hill Elementary School, the term of the agreement being twenty years, be, and hereby is, approved.

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

First Selectman Tetreau said this item is a little different from item #8 because this item requires no RTM approval because it's just a power purchase agreement and no lease is involved. Mr. Michelangelo said the solar panels will be layered on two sections of the roof. It will provide the Town with more favorable electric rates. There is no capital cost to the Town. DPW worked with Central Office on this. Sal Morabito said these panels will last about 20 years. First Selectman Tetreau asked if there are any town costs involved and if there will be lower electricity costs. Mr. Michelangelo said there are no town costs and there will be lower electricity costs. Selectman Marmion asked with the potential of Mill Hill expanding how does the roof play into that possible scenario. Mr. Morabito said the roof would be put on the newer section of the school so he doesn't see that part of the school affected by a possible renovation. Selectman Marmion asked what would happen in the worst case scenario if construction is new the new roof and would the town be liable and is there a clause to get out of this scenario. Mr. Michelangelo said the units are pretty flexible to move. Selectman Marmion asked if there is a clause in the roof agreement. Mr. Michelangelo said there is none. Selectman Kiley asked if any of the panels negate the roof warranties. Mr. Morabito said no. Selectman Kiley asked if there are opportunities for other panels down the road. Mr. Morabito said yes. First Selectman Tetreau asked if there is a termination clause. Mr. Michelangelo said there is a buyout clause. Mr. Michelangelo believes there is not a termination clause. Mr. Michelangelo said the Town Attorney looked this over. First Selectman Tetreau would like this item explored further. He would like the Town Attorney and Ed Boman to attend the next meeting.

Selectman Kiley made a motion to postpone the meeting to a date certain of a next regular BOS meeting which is October 7, 2015. Selectman Marmion seconded the motion which carried 3-0.

10) H. SMITH RICHARDSON CLUBHOUSE BUILDING COMMITTEE CHARGE
To hear and consider a charge for the H. Smith Richardson Clubhouse Building Committee

First Selectman Tetreau said he asked the TFC to review the Clubhouse. Peter Grace, Golf Superintendent at H. Smith Richardson, said the Clubhouse is very outdated. He went over a number of problems. He wants the Clubhouse to be kept open year round to bring in more revenue. First Selectman Tetreau said compared to surrounding golf courses this course is the least improved facility. He also said non-residential fees are crucial to our budget. Don DiMartino of the TFC said the TFC did a feasibility study with recommendations. He said the Clubhouse has reached its useful life. Selectman Kiley sees this as the next step along with the budget increases that have been spent each year at this site. Selectman Marmion said this site is a destination because of its beautiful setting. She agrees there should be a building committee to help bring in more revenues and be more competitive with more towns. First Selectman Tetreau said the Board will look at the charge at a future meeting. Ryan Scully, Golf Commission member, requests a building committee be formed. He hopes the Committee has two Golf and two TFC Commission members.

11) TAX COLLECTOR

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

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

Selectman Marmion made an amendment to remove the period at the end of the sentence and add a comma followed by \$5,052.42. Selectman Kiley seconded the amendment which carried 3-0.

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

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

There were no communications.

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

There was no other business.

14) ADJOURN

Selectman Marmion made a motion to adjourn the meeting at 5:34 pm. Selectman Kiley seconded the motion which carried 3-0.

Respectfully submitted,

Jennifer S. Carpenter
Recording Secretary
