

BOARD OF SELECTMEN MEETING FINAL MINUTES  
January 6, 2016

The regular meeting of the Board of Selectmen was held at 4:30 p.m. on Wednesday, January 6, 2016, in the first floor conference room of Independence Hall.

Members Present: First Selectman Michael C. Tetreau, Selectman Laurie A. McArdle, Selectman Christopher W. Tymniak

Others Present: Gerry Lombardo, Paige Herman, Tom Dubrosky, Kim Taylor, Joe Cafferelli, Sands Cleary, FairTV, Soundview, Wally Flynn, Jeff Galdenzi, Bronson Hawley, Chief Gary MacNamara, Genny Reilly, Erik Kalapir, Jill Hroziencik, Deputy Police Chief Chris Lyddy, Captain Donald Smith, Charleno Lebo, Norma Peterson, Roger Autuori, Bill Hurley, Stanton Lesser, Captain Josh Zabin, Peter Grace, Jim Alexander, Mike Jehle, Denise Walsh, David Becker, Joe Olzacki, Bryan Cafferelli, Keith Broderick, Dr. Joan Poster

1) CALL TO ORDER

First Selectman Tetreau called the meeting to order at 4:32 pm.

2) PLEDGE OF ALLEGIANCE

Selectman McArdle led the Pledge of Allegiance.

3) RECOGNITION

Recognition of National Law Enforcement Appreciation Day

First Selectman Tetreau read a proclamation on National Law Enforcement Appreciation Day which is January 9, 2016. Police Chief Gary MacNamara said this day is a result of national dialogue to recognize a day honoring the work of law enforcement. He recognized Dr. and Mrs. Dennis Poster for being strong supporters in bringing this day to the attention of the Town. Chief MacNamara recognized the men and women in the Fairfield Police Department who work 24 hours a day to protect the community that involves risk at times. There is a lot of prep time to prevent bigger problems. Chief MacNamara called for a moment of silence in honor of a special officer and a sheriff who had served the Fairfield Police Department and lost their lives in the line of duty. Chief MacNamara thanked the Selectmen for this recognition.

First Selectman Tetreau recognized all of the Police Commission and Police Department members who attended the meeting. Selectman McArdle thanked the Department and said she appreciates all it does for the community. Selectman Tymniak thanked the Department for being out in our community 24 hours a day and said this recognition should be 365 days a year. Chief MacNamara said he couldn't perform his job without the 108 individuals who serve the community. The Selectmen then issued the police chief, deputy police chief and police department union president with the proclamation.

4) RECOGNITION

Recognition of Connecticut State Golf Association naming H. Smith Richardson 2015 Club of the Year

Parks and Recreation Director Gerry Lombardo thanked the Board for this recognition. He said H. Smith Richardson is the first municipal golf course to receive this honor. The Course was recognized for its programs, all the clubs that use the facility, the condition of the facility. Mr. Lombardo said without support of town bodies that supported funding that helped make needed improvements at this Course, it would not have received this honor. He said this recognition helps promote more play at the Course. Mr. Lombardo thanked the staff who maintain and run the Course

Selectman Tymniak congratulated Mr. Lombardo on this recognition. He said he grew up playing golf at this Course. He's excited by this long overdue recognition and said it's well deserved. Selectman McArdle plays at the Course which she said is beautiful. She said it's terrific the Course received this recognition. First Selectman Tetreau and the Selectmen issued a certificate of congratulations to Mr. Lombardo, Peter Grace and Jim Alexander.

5) MINUTES-To consider and act upon the minutes of the Regular Meeting of December 16, 2015

Selectman Tymniak made a motion to approve the minutes. Selectman McArdle seconded the motion which carried 3-0.

6) REAPPOINTMENTS

To hear, consider and act upon the following reappointments:

a) Affordable Housing Committee

i. Robert L. Frigo (U), 39 Campbell Road, term 11/15 – 11/19

Selectman Tymniak made a motion to approve the item. Selectman McArdle seconded the motion which carried 3-0.

ii. Jill D. Hroziencik (D), 6 Brooklawn Parkway, term 11/15 – 11/19

Selectman McArdle made a motion to approve the item. Selectman Tymniak seconded the motion.

Selectman McArdle thanked Ms. Hroziencik for serving again and said she's heard good things about the Committee.

The motion carried 3-0.

b) Board of Health

Denise S. Walsh (D), 217 Northwood Road, term 11/15 – 11/19

Selectman Tymniak made a motion to approve the item. Selectman McArdle seconded the motion.

Selectman McArdle said she appreciates Ms. Walsh making this commitment again. First Selectman agreed and noted some of the important things the Board does.

The motion carried 3-0.

c) Police Commission

Walter A. Flynn (D), 338 Queens Grant Road, term 11/15 – 11/20

First Selectman Tetreau said Mr. Flynn is a long-time public servant. He is one of three democrats on the Commission. He said Mr. Flynn is deserving of another term.

First Selectman Tetreau made a motion to approve the item. No one seconded the motion. The motion failed.

7) FIRST SELECTMAN APPOINTMENTS **(for information only)**

Parking Authority

Lynn D. Farrell (U), 801 South Pine Creek Road, term 11/15 – 11/20

(to fill a vacancy for MaryKay Frost whose term expired). (Appointment Date:12/17/2015)

8) APPOINTMENTS

To hear, consider and act upon the following appointments:

a) Fire Commission

- i. Erik A. Kalapir (WO), 505 Wood House Road, term 11/11 – 11/16  
(to fill a vacancy for Patrick McCabe who resigned)

First Selectman Tetreau made a motion to approve the item. No one seconded the motion which failed.

First Selectman Tetreau said Mr. Kalapir currently serves as a Fairfield firefighter. He said it's been a few years since the Commission has had an active firefighter on it. The alternative was to put on a Stratfield Volunteer firefighter but there is already a Southport Volunteer firefighter on the Commission and no career firefighter serving. First Selectman Tetreau said it's best to provide balance on the Commission.

Selectman Tymniak made a motion to appoint Joe Olzacki to the Fire Commission.

He said Mr. Olzacki will bring a lot to this Commission. Selectman Tymniak said this is a ten-month appointment and then when ten months goes by the Selectmen can see all the contributions Mr. Olzacki has made to the Commission.

Selectman McArdle seconded the motion.

First Selectman Tetreau said he has the same concerns with party balance on this Commission that he had expressed earlier when discussing the appointment of Mr. Kalapir.

The motion carried 2-1-0, First Selectman voted against the item.

Selectman Tymniak said he recognizes these concerns and added that Mr. Olzacki will serve outstandingly.

- ii. Francis L. O'Reilly (R), 869 Valley Road, term 11/15 – 11/20  
(to fill a vacancy for Thomas Christie whose term expired)

Selectman Tymniak made a motion to approve the item. Selectman McArdle seconded the motion.

Selectman Tymniak said Mr. O'Reilly will be outstanding and he looks forward to his contributions to the Commission.

The motion carried 3-0.

b) Harbor Management Commission (requires RTM approval)

- i. Christopher Jennings (R), 25 Sherwood Place, term 11/15 – 11/19  
(to fill a vacancy for Nelson North whose term expired)

Selectman Tymniak made a motion to approve the item. Selectman McArdle seconded the motion which carried 3-0.

- ii. Kim Taylor (D), 44 Craig Place, term 11/15 – 11/19  
(to fill a vacancy for Hugh Smith whose term expired)

Selectman McArdle made a motion to approve the item. Selectman Tymniak seconded the motion which carried 3-0.

c) Land Acquisition Commission

- Jeffrey A. Galdenzi (D), 118 Green Knolls Lane, term 11/15 – 11/19  
(to fill a vacancy for Jeanne Harrison whose term expired)

Selectman Tymniak made a motion to approve the item. Selectman McArdle seconded the motion.

Selectman Tymniak said Mr. Galdenzi has some big shoes to fill. He thanked Jeanne Harrison for her years of service. First Selectman Tetreau thanked Mr. Galdenzi and Ms. Taylor for serving. He encouraged Mr. Galdenzi to be creative on this Commission given the economic climate.

The motion carried 3-0.

d) Parks and Recreation Commission

- i. Gregory M. Alprin (D), 130 Lee Drive, term 11/11 – 11/16  
(to fill a vacancy for Patti Dyer who resigned)

Selectman McArdle made a motion to approve the item. Selectman Tymniak seconded the motion which carried 3-0.

- ii. Christopher J. McCoy (R), 26 Barlow Plain Drive, term 11/15 – 11/20  
(to fill a vacancy for Robert Seirup whose term expired)

Selectman McArdle made a motion to approve the item. Selectman Tymniak seconded the motion.

Selectman Tymniak said Mr. McCoy will be an outstanding member. First Selectman Tetreau said he enjoyed his conversation with Mr. McCoy and is very impressed with his credentials.

The motion carried 3-0.

e) Town Plan and Zoning Commission

- Daniel C. Ford (R), 1106 Valley Road, term 11/13 – 11/17 (**alternate**)  
(to fill a vacancy created by Meg Francis' election to full member)

Selectman Tymniak made a motion to approve the item. Selectman McArdle seconded the motion.

Selectman Tymniak said Mr. Ford is excited to serve. First Selectman Tetreau said Mr. Ford is a member of a long-term family in the Town.

The motion carried 3-0.

Selectman Tymniak made a motion to add an item to the agenda. Selectman McArdle seconded the motion which carried 3-0.

Selectman Tymniak made a motion to appoint Joe Cafferelli to the Police Commission

Selectman Tymniak said he looks forward to Mr. Cafferelli serving and he will represent the Town well.

Selectman McArdle seconded the motion.

First Selectman Tetreau said there is no backup on Mr. Cafferelli. He said he is disappointed Mr. Flynn was not re-appointed to the Police Commission and stressed the importance of balance. He is concerned with Mr. Cafferelli's history as an unaffiliated voter. First Selectman Tetreau said Mr.

Cafferelli changed his registration from a Republican to an unaffiliated voter just a few weeks back. He said the Town Charter has a provision on a bare majority so with 5 Republicans and 2 Democrats on the Police Commission he is very concerned and the lateness in the switch of party affiliation provides the appearance of circumventing the Charter which is a dangerous precedent. First Selectman Tetreau said in the last four and a half years he's been the First Selectman, this has never happened. He noted that during his years as First Selectmen on this Board, 118 Democrats were appointed, 130 Republicans were appointed, 1 Independent was appointed and 93 unaffiliated voters were appointed to serve on boards or commissions so there has been a good balance across all boards.

Selectman Tynmiak said there are a number of unaffiliated voters on commissions. He reiterated that Mr. Cafferelli is a fantastic nominee. He doesn't believe politics comes into play on the Police Commission going forward. First Selectman Tetreau wondered if this proposed appointment meets a State Statute and said Mr. Cafferelli is not eligible at this time to serve. Selectman Tynmiak said Mr. Cafferelli's eligibility shouldn't be in question.

Town Attorney Stanton Lesser said that based on State Statute, Section 9-59, his legal opinion is that Mr. Cafferelli is eligible to be appointed, but noted the First Selectman is correct in that Mr. Cafferelli cannot serve until three months from the time he switched his party affiliation so after February 19<sup>th</sup> he can be appointed. Selectman Tynmiak asked for a copy of the statute. Mr. Lesser gave each member a copy. Selectman Tynmiak asked if there is a ten-day party switch. Mr. Lesser said there is none.

First Selectman Tetreau said given the Town Attorney's opinion this vote is not eligible at this time.

#### 9) OAK LAWN CEMETERY ASSOCIATION

Report from Oak Lawn Cemetery Association on 150<sup>th</sup> Anniversary and Donation to Maintain and Preserve Town's Historic Cemeteries

Bronson Hawley, President of the Board of Directors for the Oak Lawn Association, discussed the park-like setting of Oak Lawn which is 100 acres. He said Oak Lawn looks forward to developing more in the future for the public in an environmentally good way. Mr. Hawley discussed what Oak Lawn has done and future plans and mentioned the new Veterans War Memorial. He said over 1200 Civil War soldiers are buried at the cemetery. Mr. Hawley said Oak Lawn is trying to do more in the community with the help of the History Center and the Garden Club to name a few organizations. Mr. Hawley noted Oak Lawn is only one of two designated arboreta in the State. Every time a person is buried, Oak Lawn has a tree planted in a national forest. He handed out a brochure. He also noted that to commemorate Oak Lawn Cemetery Association's 150th anniversary of serving Fairfield and surrounding communities, the Association's Board of Directors generously donated \$5,000 to the Town to maintain and preserve Fairfield's historic cemeteries. He said he hopes Oak Lawn can continue to give more funds to the Town.

First Selectman Tetreau said historic cemeteries are part of the town's heritage. He cited the work of Melanie Marks, Paige Herman, and the FBRA as a key part of promoting our heritage. He noted how Oak Lawn's donation and the Grand Gala's donation will help preserve and maintain Fairfield's historic cemeteries. He thanked Mr. Hawley and said he's very impressed with all Oak Lawn has done at its site and for the community. Selectman McArdle said the presentation was very informative. She noted her father is buried at Oak Lawn. She noted there is no signage at cemeteries like the one on the Post Road. Donated monies will be put toward a sign at cemeteries like this one. Selectman Tynmiak also noted his father his buried at the cemetery. He said there is a feeling of history at Oak Lawn and many founding Fairfield families are buried there. Mr. Hawley said Oak Lawn plans to develop large monuments.

Paige Herman, President of the FBRA and resident of Fairfield Beach Road, said complimented the work performed at Oak Lawn making it a park and wonderful place and an attribute to the Town. First Selectman Tetreau then read and issued a proclamation to Mr. Hawley.

#### 10) TOWN ATTORNEY

To approve a Historic Structures Management Agreement between the Town of Fairfield and the Fairfield Museum and History Center

Selectman Tymniak made a motion to approve the item. Selectman McArdle seconded the Motion.

Mike Jehle, Executive Director of the Fairfield Museum and History Center, gave an update on a previous agreement from around 2000 between the Town and History Center. He said the Center manages the Town's historic structures. He said it's time to update the agreement and make the language more clear. Selectman McArdle asked if this agreement has been in effect since 2000. Mr. Jehle said yes and there was an informal one in the 1990s. Selectman McCardle asked what the difference is between the 2000 agreement and the draft agreement before the Selectmen. Mr. Jehle said the earlier agreement called for the History Center to do repairs, but DPW performs the maintenance through advisement of the Center so that is the most substantial change. He said grants the Town receives benefits the Town's historic properties. Selectman McArdle asked if any funding the Center receives goes to the Town or to the Center. Mr. Jehle said the Center has two income sources which are rentals with funding going to the Center that goes into maintenance and the Center submits a budget to the Town each year. The Town carries the utilities. He noted the Center is not a profit center. Selectman McArdle asked how long the new agreement is in effect for. Mr. Lesser said this is an annual agreement and discussed what would happen if changes needed to be made during the year. Selectman Tymniak asked Mr. Jehle if any building maintenance needs or large repairs would come before the Selectmen. Mr. Jehle said all repairs are under the DPW budget. Selectman Tymniak asked how the Center works with the Town on events to make sure there is not overload especially in this area. Mr. Jehle said the communication with the Town is very good. The Center is very sensitive to this issue. Selectman Tymniak asked if landscaping plans will come before the Selectmen. Mr. Jehle said they will and noted there are two upcoming public sessions on the proposed plan to revitalize the Town Green area. Mr. Jehle concluded by saying this agreement with the Town is seen as a model in the State.

The motion carried 3-0.

#### 11) DIRECTOR OF HEALTH

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

RESOLVED, that Michael C. Tetreau, First Selectman of the Town of Fairfield, is empowered to execute, authorize 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 to conduct activities described in the Personal Service Agreement Log #2016-1074 with regard to a grant funding period of July 1, 2015 through June 30, 2017; in the amount of \$129,590 to cover the cost to support Fairfield's continued public health emergency preparedness and response, including but not limited to planning for the threats of bioterrorism, pandemic influenza, and emerging infectious diseases such as Ebola.

Selectman Tymniak made a motion to approve the item. Selectman McArdle seconded the motion.

Health Director Sands Cleary described the resolution authorizing the First Selectman to sign the contract. He also spoke about what the contract supports and gave examples of how the department will use the funding. He said all uses revolve around preparedness. Selectman McArdle asked if drills are done. Mr. Cleary said all the time. He said the Town's Health Department is on the edge of other Health Departments that aren't doing these kinds of preparedness initiatives. Mr. Cleary said the CERT team does a great job.

The motion carried 3-0.

## 12) DIRECTOR OF PUBLIC WORKS

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

WHEREAS, pursuant to C.G.S., section 4-66g, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and

WHEREAS, pursuant to approval of the Board of Selectmen and Representative Town Meeting, an application to the State for \$100,000 in order to undertake the Fairfield Railroad Station Canopy Project has been filed; and

WHEREAS, in order to receive said grant, the Town is required to enter into an Assistance Agreement with the Connecticut Department of Economic and Community Development;

NOW, THEREFORE BE IT RESOLVED by the Board of Selectmen that it is cognizant of the conditions and prerequisites for the state financial assistance imposed by C.G.S., Section 4-66g; and that the execution of an Assistance Agreement regarding the aforesaid state financial assistance by the Town of Fairfield in an amount not to exceed \$100,000 is hereby approved; and that Michael C. Tetreau, First Selectman, is directed to execute said Assistance Agreement with the State of Connecticut for State financial assistance, provide such additional information, execute such other documents as may be required, execute any amendments, decisions, and revisions thereto, and act as the authorized representative of the Town of Fairfield in such manner as he shall deem necessary.

Selectman Tymniak made a motion to approve the item. Selectman McArdle seconded the motion.

First Selectman Tetreau said the project is done and was approved in 2012 but has to come back to this Board to get reimbursement dollars. He asked Bill Hurley why this item is coming back to the Board. Mr. Hurley said the State changed wording from the original resolution. Selectman McArdle asked why this is coming before this Board now. First Selectman Tetreau said DOT took a year because this canopy is located at the railroad station. Selectman Tymniak said he spoke to commuters who want the canopy extended so he hopes to hear a proposal or see grants on this in the future. First Selectman Tetreau said this has been discussed but because it's on the platform which Metro North owns and DOT is not willing to put a canopy there. Selectman Tymniak asked if First Selectman Tetreau reached out to DOT formally. First Selectman Tetreau had asked DOT about this. Selectman Tymniak thinks the Selectmen should make a formal request. First Selectman Tetreau said the Parking Authority would be the entity to do that and this Board can go back and follow-up on that.

The motion carried 3-0.

13) TAX COLLECTOR

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

Selectman Tymniak made a motion to approve the item. Selectman McArdle seconded the motion.

Selectman Tymniak made an amendment to delete the period at the end of the sentence and add a comma followed by \$12,005.28. Selectman McArdle seconded the motion which carried 3-0.

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

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

Selectman Tymniak revisited the Town Attorney's legal opinion on the Police Commission candidate he wanted to appoint. First Selectman Tetreau suggested that Selectman Tymniak follow-up directly with the Town Attorney. Selectman Tymniak asked if the Police Commission is a political body. First Selectman Tetreau said the Town Attorney believes it is.

Selectman McArdle said as she meets people who are excited about the new Board and think the it is well balanced she asked how communication could be more timely and efficient and if there be better ways to communicate with one another so people who come to meetings who are not appointed are not put on the spot. First Selectman Tetreau said he welcomes any thoughts on this process, but noted that the Selectmen need avoid violating FOI rules. Selectman McArdle feels it's important to save time and be more efficient.

15) ADJOURN

Selectman McArdle made a motion to adjourn the meeting at 5:58 pm. Selectman Tymniak seconded the motion which carried 3-0.

Respectfully submitted,

Jennifer S. Carpenter  
Recording Secretary