

BOARD OF SELECTMEN MEETING FINAL MINUTES  
June 1, 2016

A regular meeting of the Board of Selectmen was held at 5:00 p.m. on Wednesday, June 1, 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: Soundview, FairTV, Betsy Hulme, Maryann Charmoz, Sherri Steeneck, Genny Reilly, Mark Barnhart, Lisa Havey, Suzanne Graceffa, Bob Mayer, Principal Gary Rosato, students and parents from the McKinley Odyssey of the Mind Teams and students and parents from the PTA Statewide Reflections Student Contest Winners

1) CALL TO ORDER

First Selectman Tetreau called the meeting to order at 5 pm.

2) PLEDGE OF ALLEGIANCE

3) WEDNESDAY'S PET – presented by Sherri Steeneck

As part of the adopt a pet program, Sherri Steeneck brought three guinea pigs to the meeting who need to be adopted. They can be found at the Town's Animal Shelter, 211 Richard White Way. Anyone seeking to adopt a pet can call 254- 4857.

4) MINUTES-To consider and act upon the minutes of Regular Meeting of May 4, 2016

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

5) RECOGNITION

McKinley Odyssey of the Mind Team for Winning Third Place in the State for Problem 5, Division 1

Team Coach Suzanne Graceffa talked about the Team winning third place in the state for Problem 5, Division 1. She gave a history of OM and described what the team's project entailed.

First Selectman Tetreau said he was impressed and noted how team work is so important. The Selectmen also gave their congratulations. The Selectmen then gave each winner a Certificate of Congratulations and a medal that they had won at the competition.

6) RECOGNITION

McKinley Third Grader Lilly Morgan for Winning Odyssey of the Mind's OMER Award

The Selectmen issued a Certificate of Congratulations to Lilly Morgan. Lilly, a third grader at McKinley, was on a different OM Team, The Creative 5. She earned the OMER Award which is given "in recognition of individuals who demonstrate outstanding sportsmanship, exemplary behavior or exceptional talent."

7) RECOGNITION-PTA Statewide Reflections Student Contest Winners

Lisa Havey, State Reflections Chair, described this program and its benefits. She said Fairfield has the largest student participation in the state. Selectman Tymniak congratulated the winners. First Selectman Tetreau said he was very impressed. The Selectmen then issued Certificate of Congratulations to each winner.

Selectman Tymniak made a motion to take items 11 and 12 out of order and hear them before item 8. Selectman Tymniak seconded the motion which carried 3-0.

11) DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT

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

RESOLVED, that the applications received under the Neighborhood Assistance Act (NAA) Program are hereby approved, and that the Director of Community and Economic Development is hereby designated as the municipal liaison of the Town of Fairfield for this program.

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

Mark Barnhart, Director of Community and Economic Development, described the 2016 Neighborhood Assistance Act Program. He said this state program allows businesses to claim a State tax credit for cash contributions made to qualifying community programs conducted by tax exempt or municipal agencies. He described the types of community programs that qualify for the NAA tax credit program. There are no town funds involved in this program. A public hearing was conducted last night. The RTM approves the applications. The program has been in effect for at least 12 years. Mr. Barnhart said a number of non-profits get significant donations through this corporate tax credit. The Town just helps facilitate the process. Selectman Tymniak asked what other funds means on the handout Mr. Barnhart gave the Board. Mr. Barnhart said they are other local funds from their own budgets and revenues they raise on their own.

The motion carried 3-0.

12) DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT

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

RESOLVED, that the Program Year 42 (October 1, 2016 – September 30, 2017) Community Development Block Grant (CDBG) is hereby approved in the amount of \$480,500, which includes entitlement grant funds of 468,093 and program income of \$12,407, and

FURTHER RESOLVED, that Michael C. Tetreau, First Selectman of the Town of Fairfield, be, and hereby is, authorized to execute any and all necessary documents that facilitate the Town's participation in said CDBG Program.

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

Mr. Barnhart discussed the Program Year 42 Annual Plan, the Community Development Block Grant. He said if approved by the Selectmen then this item goes before the RTM. He said the Town gets HUD funding each year in CDBG funding. Mr. Barnhart described the CDBG guidelines. He described the different categories. Mr. Barnhart said the program has been in effect for 42 years.

Mr. Barnhart's office makes the determination on how to allocate funds while meeting national objectives. Mr. Barnhart said the Town serves as a fiduciary to these funds.

Selectman McArdle asked if administrative costs are incurred by Mr. Barnhart's department. Mr. Barnhart responded yes stating that funds are used for one staff position and a few other costs. Selectman Tymniak asked if the Town usually gets this amount. Mr. Barnhart said this number is pretty much the level of funding the Town has received for the past few years. Mr. Barnhart said there was a second public hearing yesterday. Selectman Tymniak asked Mr. Barnhart to describe the Lake Mohegan demolition project. Mr. Barnhart said the Conservation Department wants to take down an old building in the trails area because it's a hazardous blighted condition. Selectman Tymniak asked if this has anything to do with the beach at the Lake. Mr. Barnhart said no. Selectman McArdle asked what the microenterprise program is. Mr. Barnhart said grants to start and expand local businesses. The Town receives federal funds and gives up to \$5000 to qualified local businesses using a matching grants program. About two to five applications are received and approved each year. Selectman Tymniak asked if there were any applications for seniors that got rejected. Mr. Barnhart said he had spoken to the Human and Social Services Director about funding for renovations to the kitchen at the Bigelow Center but there are some issues with that. Selectman Tymniak asked if blk grant money can be used for other grants. Mr. Barnhart answered yes. Selectman Tymniak asked if any leftover funds could be used for the renovations at the Burr Homestead. Mr. Barnhart said his department already has a block grant for Burr and other funding is being used for persons with disabilities at some town buildings.

The motion carried 3-0.

8) **RESIGNATIONS (for information only)**

Board of Finance

Robert S. Stone (D), 122 Inwood Road, term 11/13 – 11/19  
(Resignation Date: May 31, 2016)

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

Conservation Commission

Jennifer Hauhuth (D), 1260 Merritt Street, term 11/14 – 11/19 **(alternate)**  
(to fill a vacancy for Raymond Poincelot who resigned )  
(Appointment Date: May 27, 2016)

10) **BIGELOW CENTER FOR SENIOR ACTIVITIES**

To hear a report from the Bigelow Center for Senior Activities on the Center's Pickleball program

Betsy Hulme and Maryann Charmoz presented this item. Ms. Hulme said she coordinates the Pickleball program which is the fastest growing sport in the country and is very popular at the Bigelow Center. Ms. Hulme said there is currently over 120 registered players at the Center plus drop-ins. The program runs four days a week and on some Saturdays. She noted two weeks ago there was a State tournament and eight Bigelow Center member took home medals. Fairfield's Pickleball is recognized by many other towns.

Ms. Charmoz said she is Fairfield's ambassador to the Ambassador Program which promotes the game. She said this sport is for every age group. Ms. Hulme said this sport is being taught at Fairfield's middle schools.

She praised Parks and Recreation Director Gerry Lombardo who she's working with to try and get a Pickleball court in town. She said down the road she hopes to have a town-wide Pickleball tournament.

First Selectman Tetreau asked how many years this sport has been played at the Bigelow Center. Ms. Charmoz said since 2013. First Selectman Tetreau noted how fast this sport has grown at the Center. Selectman Tymniak asked where the Pickleball court or courts would be located. Ms. Charmoz said the tennis court near Villa and Melville that is being looked at.

### 13) CHIEF FISCAL OFFICER

To hear, consider and act upon the following resolution as recommended by the Chief Fiscal Officer:

RESOLVED, That Michael C. Tetreau, the First Selectman of the Town of Fairfield, Connecticut (the "Town"), be and hereby is authorized to act on behalf of the Town, and in his sole discretion, to negotiate, approve, and make the offer of settlement of the Town, attached hereto, to the United States Securities and Exchange Commission ("Commission") in connection with the investigation conducted by the Commission; in this connection, the aforementioned First Selectman be and hereby is authorized to undertake such actions as he may deem necessary and advisable, including the execution of such documentation as may be required by the Commission, in order to carry out the foregoing.

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

CFO Bob Mayer described how the Town failed to file certain information relating to bonds with the SEC in a timely manner from 2005 to 2010. In March of 2011, the Town caught up with all its filings. Mr. Mayer said the SEC had deemed disclosures as misstatements. The resolution before the Selectmen today is to accept the SEC's settlement being offered to the Town. Mr. Mayer stressed that the misstatements caused the Town no financial harm. Mr. Mayer then described how this all came to be and noted he had no idea why the Town did not file. He said a new system is much easier to use to file so he assumes that it became apparent when this new system was implemented the auditors may have seen no filings during 2005-2010. Mr. Mayer said Fairfield wasn't the only town in the state or country to fail to file certain information with the SEC.

First Selectman Tetreau asked if Bond Counsel is comfortable with this. Mr. Mayer responded yes. First Selectman Tetreau asked if this item had been covered with the auditors. Mr. Mayer responded no. Selectman Tymniak asked why Bond Counsel didn't catch this problem. Mr. Mayer said the document had been produced by the Town and he assumes that Bond Counsel thought the Town was doing the filing. Selectman Tymniak if this settlement is all operational and not financial. Mr. Mayer said that is correct. Selectman Tymniak asked if there are any checks against the Town as a warning or penalty if this happens again. Mr. Mayer said this will not happen again and the Town is compiling with SEC rules. First Selectman Tetreau asked if the rating agencies need to be notified about this. Mr. Mayer said no because there is no financial impact. First Selectman Tetreau asked who is involved in the training. Mr. Mayer said he will work with Bond Counsel and check databases every so often. Selectman McArdle asked if there will be checks and balances going forward on this. Mr. Mayer answered yes. Selectman Tymniak asked who wrote the settlement. Mr. Mayer said the SEC wrote it. Selectman Tymniak asked if the Town Attorney reviewed this. Mr. Mayer said Bond Counsel reviewed this because this is not the Town Attorney's expertise.

Selectman Tymniak asked if there is a time crunch if this item is discussed and voted on at the next meeting. Mr. Mayer said there is really nothing here and he wants to get this approved today. Selectman McArdle noted that since Mr. Mayer has been working on this for many months the Selectmen should have been part of this discussion before today's meeting. Selectman Tymniak said he was going to ask to table the item but because there is no financial settlement he will approve it today. He did note, however, that with a new Board of Selectmen he would have liked to have had a briefing so in the future if there is anything outstanding like this. Selectman Tymniak said he's like to schedule a briefing with Mr. Mayer. Selectman Tymniak noted this problem runs across the state. First Selectman Tetreau said it is actually happening all over the country. Selectman Tymniak asked if there should be a letter from Bond Counsel on its recommendations. Mr. Mayer said to take his word that Bond Counsel recommends the Selectman approve this item.

The motion carried 3-0.

First Selectman Tetreau asked if there are any further steps. Mr. Mayer said to file this resolution that was just passed. First Selectman Tetreau asked Mr. Mayer to keep the Selectmen updated on this matter. Selectman Tymniak asked if this document is final. Mr. Mayer responded yes.

14) 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 remove the period at the end of the sentence and add a comma followed by \$8,041.27. Selectman McArdle seconded the motion which carried 3-0.

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

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

Selectman Tymniak asked for an update on the asphalt recycling at the transfer station at the next meeting or the following meeting. He also asked for an update on why the retaining wall is being taken out at the Pavilion. Selectman McArdle asked that that update be given at the next meeting.

16) ADJOURN

Selectman McArdle made a motion to adjourn the meeting at 6:21 pm. Selectman Tymniak seconded the motion which carried 3-0.

Respectfully submitted,

Jennifer S. Carpenter  
Recording Secretary