

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN OF FAIRFIELD  
JUNE 28, 2010**

The Regular Monthly Meeting of the Town of Fairfield was held on Monday, June 28, 2010, at the Education Center, 501 Kings Highway East, Fairfield, Connecticut.

The meeting was called to order at 8:20 P.M. by Moderator Jeffrey Steele.

PRESENT:                   43                   ABSENT:                   7                   VACANCY:                0

PRESENT:    Becker, Challinor, Herley, Richmond, Sundman, Ambrose, A. Harrison, Steele, Stewart, Varian, Bateson, Conley, Ference, McCullough, Santalesa, DeMartino, R. Parker, S. Parker, Garskof, Smey, Stamler, Brogan, Kupchick, Luciano, Marmion, Vahey, Cullen, Hoffkins, Llewellyn, Lynch, Schwartz, Braun, Hoffmann, Kelly, McCarthy, Dillon, Felner, McGinty, Millington, E. Harrison, Mears, Rubino, Way

ABSENT:     Hug, Palmer, Gall, McAleese, Takami, Mirabile, Farnen

**ITEM NO. 1 ON CALL:**       PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

The Moderator introduced recently retired Police Chief Dave Peck, to lead the Body in the Pledge of Allegiance and Moment of Silence. Chief Peck received an ovation and gratitude for his years of service.

The Moderator reminded members to inform the Town Clerk if they leave before adjournment.

**ITEM NO. 2 ON CALL:**       TO CONSIDER AND ACT UPON THE MINUTES OF THE REGULAR MEETING HELD ON MAY 24, 2010

Upon motion made, duly seconded and carried unanimously, the minutes of the previous meeting were approved as distributed.

**ITEM NO. 3 ON CALL:**       TO RECEIVE THE ASSESSOR'S REPORT ON THE TAX RELIEF FOR THE ELDERLY PROGRAM AS REQUIRED UNDER CHAPTER 95, ARTICLE III, SECTION 15.1 OF THE CODE OF THE TOWN OF FAIRFIELD

The report from Assessor Tom Browne was distributed with the Call.

Mr. Browne discussed the Tax Relief Ordinance and said he had been in discussion with the ordinance review committee regarding closing certain loopholes that may exist in the current language.

Faith Dillon, District 9, asked for the breakdown of the seven participants whose assessments are over \$1 million to which Mr. Browne responded.

**ITEM NO. 4 ON CALL:**       REPORT FROM THE PENFIELD PAVILION BUILDING COMMITTEE

Penfield Building Committee Chairman Jim Gallagher gave an update on the progress of Penfield I. The east wing has been completed. Estimates for the new wing have been received and are higher than expected. Demolition is anticipated to be started after Labor Day in order for the new building to be ready for next summer. The plans include a larger deck and a separate function room the same size as the current one. The final bid should be available for the September meeting, estimated at about \$3.7 million.

**ITEM NO. 5 ON CALL:** REPORT FROM THE FIRST SELECTMAN ON THE "FAIRFIELD THIRD TRAIN STATION AND METRO CENTER PARKING AND SITE INFRASTRUCTURE PROJECT"

First Selectman Ken Flatto offered a brief update on the train station project. We are entering the bidding process and the bids have been competitive. We are working with the apparent low bidder who has come in under the funds approved which makes for a healthy contingency fund.

**CONSENT CALENDAR**

The Moderator announced that items numbered 6, 10, 11, 12, 13 and Item Number 1 on the Supplemental Call were eligible for the consent calendar.

Edward Bateson, District 3, divided Item 1 on the Supplemental Call.

**VOTE:** Items 6, 10, 11, 12 and 13 were approved by unanimous voice vote.

**ITEM NO. 6 ON CALL:** RESOLVED, THAT THE REPRESENTATIVE TOWN MEETING OF THE TOWN OF FAIRFIELD AUTHORIZES PREPARATION OF SCHEMATIC DRAWINGS AND OUTLINE SPECIFICATIONS FOR IMPROVEMENTS TO FAIRFIELD WOODS MIDDLE SCHOOL, AND FURTHER RESOLVED, THAT THE REPRESENTATIVE TOWN MEETING OF THE TOWN OF FAIRFIELD AUTHORIZES THE FAIRFIELD BOARD OF EDUCATION TO APPLY TO THE COMMISSIONER OF EDUCATION AND TO ACCEPT OR REJECT A GRANT FOR IMPROVEMENTS TO FAIRFIELD WOODS MIDDLE SCHOOL

This item was on the Consent Calendar.

**ITEM NO. 7 ON CALL:** RESOLVED, THAT THE PROPERTY ON HOYDENS HILL LANE, ACQUIRED FROM THE ESTATE OF N.K. PARSELLS AS APPROVED BY THE RTM AT ITS REGULAR MEETING ON DECEMBER 17, 2007, BE, AND HEREBY IS, DESIGNATED AS OPEN SPACE FOR RECREATION TO BE ADMINISTERED BY THE PARKS AND RECREATION DEPARTMENT PURSUANT TO SECTION 35-12 OF THE FAIRFIELD TOWN CODE

The Moderator moved this item as distributed with the Call, duly seconded.

\*\*See Committee Reports attached hereto

Carolyn Richmond, District 1, spoke in opposition to this request as there is no overall plan for parks. She said we should not lose control over this space.

Sheila Marmion, District 6, asked if the water has been tested and if Conservation was comfortable with the use planned for this property.

Conservation Director Thomas Steinke said that he was not aware of specific studies done on this property but that there is no evidence of any problems. The land downhill to the reservoir was inspected and it is not anticipated there will be any watershed problems. The proposed field would be organic and there are two detention basins and four catch basins so environmental problems are not anticipated.

Edward Bateson, District 3, referred to Ms. Richmond's remarks about Recreation not having a plan. He asked if the RTM could dictate how the property is used if Parks and Rec come back with a plan.

Town Attorney Richard Saxl said that the RTM has the "power of the purse," and approve or not approve funds for a project as it sees fit.

Kathy Braun, District 8, said that it would be dangerous to restrict the use. We should wait for an overall plan from Parks and Recreation.

Elizabeth Hoffmann, District 8, agreed with Ms. Braun and said the property should be left as open space. A traffic study, an environmental study and a usage study should be conducted.

Bill Llewellyn, District 7, said that little girls are being denied the use of fields and every year more girls are growing up and moving on, while the town conducts study after study after study.

Mary McCullough, District 3, said that control of the property should not be relinquished until a master plan for field space is received.

David Cullen, District 7, said that we should take this open space and turn it over to the department that handles this type of property. This property was acquired by the Town for rec use.

Cristin Vahey, District 6, read portions of the December 2007 RTM minutes into the record.

Brenda Kupchick, District 5, referred to a Field Space Task Force that Selectman Walsh served on and asked him to address the issue.

Selectman Jim Walsh said that the 2002 task force was temporary and met many times over several months. The committee went through the open space inventory acre by acre and determined there was not enough space that was flat enough with decent parking to allow for soccer fields and the Burroughs Road Field was purchased as a result.

Faith Dillon, District 9, said that she was an RTM member present the evening this property was acquired and it was made clear that evening that this property would be purchased for field use. The money was spent with the point of acquiring field space. There was a field deficit then and there are fewer fields now due to school expansions.

Ms. Hoffmann said there is no reason why this resolution should be approved before a plan is in place and she suggested waiting six months for a plan.

Ms. Braun said that a study is not to delay a project but to see why there are fewer ballplayers but more fields are necessary.

First Selectman Ken Flatto said that this property was acquired for town purposes, which does not exclude use of any kind. Open space is a designation term that includes passive and active recreation. When acquisition of this property was before the Board of Selectmen and the Board of Finance, the intent was exclusively for active recreation. The Land Acquisition Commission recommended this land for active rec use. The Parks and Recreation and the Conservation Commissions have unanimously come together to recommend this property for field space.

Ms. McCullough said that the property was acquired immediately for field space but nobody asked if it would be used for softball or little league.

Selectman Walsh said that many members at the RTM meeting spoke of the need for active open space and that the only other property purchased specifically for fields was the Burroughs Road property. We have acres and acres of town land for passive open space. He would not have advocated approval of the purchase of this property if it were not to be used for field space. He urged the Body to move this property to the control of the Rec Department and let them do with it what they see fit. If this property is to become passive open space, it should be sold to recoup the funds. It is a perfect parcel for field use.

Selectman Walsh referred to comments made earlier about school population decreasing and asked the Board of Education if it has. Board of Education Vice-Chairman Pam Iacono said that although budget projections showed a possible decrease, the school population increased by 136 students.

Selectman Walsh said that you could study this issue to death, spend hundreds of thousands of dollars and delay the project, but he urged the Body to move forward and vote favorably on this resolution.

Selectman Sherri Steeneck said that the purchase of this property was approved for field use. She asked the Body to approve turning control of the property over to the Rec Department, even if they vote against funding the proposed softball field.

Ms. Dillon said that this property is too expensive compared to other open space parcels which can be acquired more cheaply. If the plan was to keep this property as passive open space we would not have bought this parcel.

Ms. Braun said the school enrollment projections showing fewer children came from the Board of Ed budget and that the minutes from when this parcel was purchased do not show that people wanted the property for fields.

Board of Ed VC Iacono pointed out that projections are not actual numbers.

Parks and Recreation Commission Chairman Ellery Plotkin said that Conservation voted to turn this parcel over to Parks and Rec and that Parks and Rec has a plan. They also did not vote to bind the remainder of the property not being used for the field in order to allow future bodies to determine the use.

Recreation Director Gerry Lombardo said that it appears participation in the programs is down because they had to cut off registration due to lack of field space. The commission eliminated non-residents in its softball programs in order to give the kids more field space. They are trying to accommodate everyone.

TPZ Vice Chairman Bryan LeClerc said that TPZ recommended this land be used for active open space unanimously. As the father of a high school softball player, he said the number of girls softball teams had to be reduced due to lack of field space.

Former Selectman Steve Elworthy said that he had pushed for this space before it came before the Board of Selectmen and said that the intent upon approval was for active rec use.

Former RTM member Karen Sussman said that she served on the RTM when this property was approved but that she did not approve it for active open space and she is certain she is not the only one. She is offended by comments that the land should be sold if it is not used for a field. Since the property is next to a water supply, a study should be done.

Ms. Gaylord Meyer, Spruce Street, said that she supports a softball field but not at taxpayer expense. The funding should not be bonded.

Speaking in favor of this resolution were David Pierpont, Woods End Road; Linda Crowley, Lalley Boulevard; Shannon Bowley, Rhoda Avenue; Christine Boccamazzo, Morehouse Lane; Conservation Commission Chairman Stanton Lesser; and Bruce Monte, Sky Top Terrace.

Speaking in opposition to this resolution were Nancy Hansen, Morehouse; Yvonne Zeisler, Hoydens Lane; Kirk Manley, Hoydens Lane; Roy Dealer, Hoydens Lane; Kim Manley, Hoydens Lane; Dawn Dzurik, Hoydens Hill Road; Larry Jursch, Hoydens Hill Road; and Ellen Pinson, Hoydens Hill Road.

**MOTION:** Jamie Millington, District 9, moved the question, duly seconded and carried with 36 in favor, 6 opposed.

**VOTE:** The resolution designating the Hoydens Hill property acquired from the Parsells family as open space for recreation was approved with 33 in favor, 9 opposed (Mr. McGinty was not present to vote).

**IN FAVOR:** Challinor, Herley, Ambrose, Steele, Stewart, Varian, Bateson, Conley, Ference, R. Parker, S. Parker, Garskof, Smey, Stamler, Brogan, Kupchick, Luciano, Marmion, Vahey, Cullen, Hoffkins, Llewellyn, Lynch, Schwartz, Kelly, McCarthy, Dillon, Felner, Millington, E. Harrison, Mears, Rubino, Way

**OPPOSED:** Becker, Richmond, Sundman, A. Harrison, McCullough, Santalessa, DeMartino, Braun, Hoffmann

**ITEM NO. 8 ON CALL:** RESOLVED, THAT THE BOND RESOLUTION ENTITLED A RESOLUTION APPROPRIATING \$350,000 FOR THE COSTS OF ESTABLISHING A SOFTBALL FIELD ON TOWN-OWNED PROPERTY ON HOYDEN'S LANE AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION, CONSISTING OF THREE PAGES, BE, AND HEREBY IS, APPROVED

The Moderator moved this item as distributed with the Call, duly seconded.

\*\*See Committee Reports attached hereto

Due to the lateness of the hour, the Moderator allowed public comment from several youth softball players.

**MOTION:** Brenda Kupchick, District 6, moved to suspend the rules in order to allow public comment prior to RTM discussion, duly seconded.

Cristin Vahey, District 6, spoke in opposition to the motion, saying that the public should have the right to respond to comments made by the RTM.

Elizabeth Hoffmann, District 8, agreed with Ms. Vahey.

**VOTE:** The motion to suspend the rules in order to allow public comment before the RTM discussion was approved with 27 in favor, 15 opposed.

**IN FAVOR:** Herley, Ambrose, A. Harrison, Steele, Stewart, Varian, Bateson, Conley, R. Parker, S. Parker, Garskof, Smey, Stamler, Brogan, Kupchick, Luciano, Marmion, Cullen, Llewellyn, Lynch, Schwartz, Hoffmann, Kelly, McCarthy, Millington, E. Harrison, Way

**OPPOSED:** Becker, Challinor, Richmond, Sundman, Ference, McCullough, Santalesa, DeMartino, Vahey, Braun, Hoffmann, Dillon, Felner, Mears, Rubino

Speaking in favor of approval of funds for a softball field were Steve Schwartz, Winton Road; Shannon Bowley, Rhoda Avenue; Alicia Hinds, Wilson Street; Lisa Havey, Longview Avenue; David Pierpont, Woods End Road; Barbara Rifkin, Crest Terrace; Steve Elworthy, Sascos Hill Road; Bruce Monte, Sky Top Terrace; Gary Gulemi, Lindamir Lane; Parks and Rec Chairman Ellery Plotkin; Bryan LeClerc, Henderson Road; and Rec Director Gerry Lombardo. Also, Boys Little League turned in a petition containing 115 names.

Speaking in opposition to funds for a softball field were Karen Sussman, Burr Street; Connie McQueen, Church Hill Road; Jane Talamini, Oldfield Road; Kim Manley, Hoydens Lane; Kirk Manley, Hoydens Lane; Dawn Dzurik Hoydens Hill Road; Ellen Pinson, Hoydens Hill Road; and Yvonne Zeisler, Hoydens Lane.

**MOTION:** Ed Bateson, District 3, moved to suspend the rules in order to convene past 11:00 PM and take up new business after 11:30 P.M., duly seconded and carried with 42 in favor (Mr. McGinty was not present to vote).

Public Works Director Richard White said that the intensity of use on the other fields makes an additional field necessary. DPW intends to use the minimum amount of pesticide necessary or the field can operate as completely organic. As to the drainage issue, the engineering department designed the field for catch basins so it will drain into the ground.

First Selectman Flatto said that legitimate concerns have been raised but softball is the least intrusive use of this property. This is a one-time cost that does not recur. It will not be added to future budgets since it is part of this year's bonding package.

Mr. Bateson said he does not support this resolution. Although there is a need for fields, the town has other needs such as police officers, classrooms, and technology. Tonight we were told Penfield would cost more than had been projected. We must address the concerns of tax-weary residents.

Hal Schwartz, District 7, said that girls need a field. There is a disparity in fields and Fairfield can not run a tournament due to its lack of necessary facilities. We are limiting the number of girls who can play so they can qualify to attend state tournaments in other towns. He said he would abstain on this item since he is an umpire and may some day benefit financially from the field but if it is a close vote, he will back the girls. He urged the Body to support it.

Alexis Harrison, District 2, asked why Board of Finance member Chris DeWitt did not support the resolution when it was before his board.

BOF member Chris DeWitt said that although there is a need for fields, he was opposed to acquiring this land in the first place because it was a fiscally irresponsible purchase.

Ms. Harrison said that we cannot keep bonding. We are facing economic challenges and we cannot keep borrowing money. We must stay on the path of fiscal restraint.

Faith Dillon, District 9, said that most of the funds in the request are for restrooms and a parking lot, not for the field itself. The house on this property is a liability and should be removed.

Bond Counsel John Stafstrom explained that if only the infrastructure is approved, it would have to go back through the approval process.

**MOTION:** Ms. Dillon moved to separate this item into two motions: approval of \$200,000 for the demolition of the house and \$150,000 for establishing a softball field, duly seconded, and failed with 2 in favor (Kelly, Dillon), 40 opposed.

Kevin Hoffkins, District 7, asked what the cost of this item would be per taxpayer, to which Fiscal Officer Paul Hiller replied about 92.5 cents per year over 15 years, based on the current interest rate.

Mr. Hoffkins said that there would be no savings in people's tax bills by voting against this item and that the benefit to children would be great.

Bill Llewellyn, District 7, said that this field space is needed.

Joshua Garskof, District 5, asked if girls fields are being taken away.

Rec Director Gerry Lombardo explained that FCIAC rules are changing the pitchers mounds from 40 feet to 43 so that the fields at Ludlowe and Warde will have to be changed. The difference would make those fields off-limits for girls who play little league softball.

Chad Stewart, District 2, said that the funding is not a cost but an investment. It will increase the value of the property.

Carolyn Richmond, District 1, referred to the \$25 million in bonding of which this appropriation would be a part. She said that because we have the ability to spend \$25 million, we do not have to. Every item is a "need" in somebody's book but we need to prioritize.

David Cullen, District 7, said that he is surprised at the effort made opposing this project, which he called necessary.

Michael Mears, District 10, said he is not opposed to the field but he does not see the need to add \$350,000 to the bonding package. He said the field can be put in now, and the bathroom and parking lot can be added to the budget request for next year. He also agreed that the dilapidated house needs to go.

Elizabeth Hoffmann, District 8, said that taxes are too high and she agreed with Mr. Bateson. We should stay on the path of fiscal responsibility.

Kathy Braun, District 8, said that an audit should be conducted for ballplayers versus space.

David Becker, District 1, said that the presentation received by the standing committees was poor and he is opposed to this resolution. This may be a revenue-generating venture but there is no plan in place.

Joe DeMartino, District 4, said that he is opposed to this expenditure since the Town is under pressure from the rating agencies to build up its surplus.

**MOTION:** Tom McCarthy, District 8, moved the question, duly seconded and carried with 32 in favor, 10 opposed (Becker, Ambrose, Harrison, Garskof, Stamler, Marmion, Vahey, Cullen, Llewellyn, Schwartz).

**VOTE:** The bond resolution for \$350,000 for a softball field on Hoyden's Lane was approved with 22 in favor, 20 opposed.

**IN FAVOR:** Steele, Stewart, Varian, Garskof, Smey, Stamler, Brogan, Kupchick, Luciano, Marmion, Vahey, Cullen, Hoffkins, Llewellyn, Lynch, Schwartz, Kelly, Dillon, Felner, Millington, Rubino, Way

**OPPOSED:** Becker, Challinor, Herley, Richmond, Sundman, Ambrose, A. Harrison, Bateson, Conley, Ference, McCullough, Santalesa, DeMartino, R. Parker, S. Parker, Braun, Hoffmann, McCarthy, E. Harrison, Mears

**ITEM NO. 9 ON CALL:** RESOLVED, THAT, IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF HEALTH, FUNDS BE TRANSFERRED FROM AN INCREASE IN GRANT REVENUE IN THE AMOUNT OF \$5,675 TO COVER THE COST OF PROGRAMS SPONSORED BY ADULTS AND CHILDREN TOGETHER, FAIRFIELD'S SUBSTANCE ABUSE PREVENTION COUNCIL; AND FURTHER RESOLVED, THAT KENNETH A. FLATTO, FIRST SELECTMAN, IS AUTHORIZED TO MAKE, EXECUTE AND APPROVE ON BEHALF OF THE TOWN OF FAIRFIELD, ANY OR ALL CONTRACTS OR AMENDMENTS THEREOF WITH THE REGIONAL YOUTH/ADULT SUBSTANCE ABUSE PROJECT (RYASAP)

The Moderator moved this item as distributed with the Call, duly seconded.

**MOTION:** Motion was made, duly seconded and carried unanimously to waive the reading of committee reports, duly seconded and carried unanimously.

\*\*See Committee Reports attached hereto

**MOTION:** Mr. Stewart moved the question, duly seconded and carried with 24 in favor, 10 opposed (Becker, Richmond, Ference, McCullough, Marmion, Vahey, Llewellyn, Dillon, Felner, Mears) (Mr. Challinor, Ms. A. Harrison, Mr. Stewart, Mr. DeMartino, Ms. Parker, Mr. Parker, Ms. Hoffmann, Mr. McGinty and Ms. E. Harrison were not present to vote).

**VOTE:** The resolution to approve \$5,675 for the ACT program was approved by unanimous voice vote.

**ITEM NO. 10 ON CALL:** RESOLVED THAT, IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF HEALTH, AN INCREASE IN THE ESTIMATED REVENUE FOR FEDERAL GRANTS IN THE AMOUNT OF \$5,000 BE MADE TO COVER THE COST OF FAIRFIELD'S CONTINUED EFFORTS TO FURTHER DEVELOP THE FAIRFIELD-EASTON MEDICAL RESERVE CORPS (MRC) AND TO PROMOTE THE INTEGRATION OF THE MRC UNIT INTO THE LOCAL PUBLIC HEALTH AND EMERGENCY RESPONSE SYSTEM; AND FURTHER RESOLVED, THAT THE FIRST SELECTMAN IS AUTHORIZED TO EXECUTE AND APPROVE ANY CONTRACTS OR AMENDMENTS THEREOF WITH (NACCHO) TO CONDUCT ACTIVITIES DESCRIBED IN THE NACCHO-MRC CAPACITY-BUILDING AWARD WITH AN ANTICIPATED CONTRACT PERIOD OF SEPTEMBER 15, 2010 - SEPTEMBER 15, 2011

This item was on the Consent Calendar.

**ITEM NO. 11 ON CALL:** RESOLVED, THAT, IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF HEALTH, FUNDS BE, AND HEREBY ARE, TRANSFERRED FROM AN INCREASE IN GRANT REVENUE IN THE AMOUNT OF \$7,395 TO COVER THE COST OF A CARDIOVASCULAR DISEASE PREVENTION PROGRAM FOCUSING ON WEIGHT MANAGEMENT AND NUTRITION EDUCATION FOR ADULTS AGE 18 AND OLDER SERVED BY THE FAIRFIELD HEALTH DEPARTMENT; AND FURTHER RESOLVED, THAT, KENNETH A. FLATTO, 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 7/1/10 - 6/30/11 STATE OF CONNECTICUT PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT

This item was on the Consent Calendar.

**ITEM NO. 12 ON CALL:** RESOLVED, THAT, IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF HEALTH, FUNDS BE, AND HEREBY ARE, TRANSFERRED FROM AN INCREASE IN GRANT REVENUE IN THE AMOUNT OF \$61,839 TO COVER THE COST OF FAIRFIELD'S CONTINUED PLANNING IN PREPAREDNESS FOR, AND RESPONSE TO, BIOTERRORISM, PANDEMIC INFLUENZA AND OTHER PUBLIC HEALTH EMERGENCIES, AND FURTHER RESOLVED, THAT, KENNETH A. FLATTO, 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 TO CONDUCT ACTIVITIES DESCRIBED IN THE PERSONAL SERVICE AGREEMENT LOG WITH REGARD TO A AUGUST 31, 2010 THROUGH AUGUST 30, 2011 COOPERATIVE AGREEMENT AWARD FROM THE CENTERS FOR DISEASE CONTROL THROUGH THE STATE OF CONNECTICUT. THESE COST ARE 100% REIMBURSABLE

This item was on the Consent Calendar.

**ITEM NO. 13 ON CALL:** RESOLVED, THAT, IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF PUBLIC WORKS, FUNDS BE, AND HEREBY ARE, TRANSFERRED FROM AN INCREASE IN GRANT REVENUE IN THE AMOUNT OF \$22,500 TO COVER THE COST OF THE 50KW GENERATOR PROPOSED TO BE INSTALLED AT POLICE HEADQUARTERS, AND FURTHER RESOLVED, THAT FIRST SELECTMAN KENNETH A. FLATTO BE, AND HEREBY IS, AUTHORIZED TO APPLY FOR AND EXECUTE THE GRANT AGREEMENT AND ACCEPT THE FUNDS FOR THIS PROJECT (100% FUNDED BY STATE CLEAN ENERGY GRANT)

This item was on the Consent Calendar.

**ITEM NO. 14 ON CALL:** RESOLVED, THAT, IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF PUBLIC WORKS, FUNDS BE, AND HEREBY ARE, TRANSFERRED FROM AN INCREASE IN GRANT REVENUE IN THE AMOUNT OF \$50,000 TO COVER THE COST OF CONDUCTING A STUDY TO DETERMINE THE FEASIBILITY OF INSTALLING A WIND POWERED ELECTRIC GENERATOR IN THE TOWN FOR USE BY MUNICIPAL FACILITIES, AND FURTHER RESOLVED, THAT FIRST SELECTMAN KENNETH A. FLATTO BE, AND HEREBY IS, AUTHORIZED TO APPLY FOR AND EXECUTE THE GRANT AGREEMENT AND ACCEPT THE FUNDS FOR THIS PROJECT (100% FUNDED BY STATE CLEAN ENERGY GRANT).

The Moderator moved this item as distributed with the Call, duly seconded.

**MOTION:** Motion was made, duly seconded and carried unanimously to waive the reading of committee reports, duly seconded and carried unanimously.

\*\*See Committee Reports attached hereto

**MOTION:** Mr. Bateson moved to amend the resolution by inserting after "apply for and execute," the following words, "a State of Connecticut Clean Energy Grant," duly seconded and carried unanimously.

Michael Mears, District 10, said that this project will cost at least \$20,000 more than the grant.

Cristin McCarthy Vahey, District 6, asked if the additional costs can be funded through the grant.

Public Works Director Richard White acknowledged that there could be an additional ten to twenty thousand dollar cost but that the Town is not committed to spending the unknown funds.

**VOTE:** The resolution to approve a wind powered electric generator was approved with 28 in favor, 3 opposed (Bateson, McCullough, Richmond) (Mr. Challinor, Ms. A. Harrison, Mr. Stewart, Mr. DeMartino, Ms. Parker, Mr. Parker, Mr. Brogan, Mr. Schwartz, Ms. Hoffmann, Mr. McGinty, Mr. Millington and Ms. E. Harrison were not present to vote).

**ITEM NO. 15 ON CALL:** TO HEAR AND DISCUSS, FOR THE FIRST TIME, AN AMENDMENT TO ARTICLE II (SOLAR ENERGY), CHAPTER 95 OF THE FAIRFIELD TOWN CODE ENTITLED, "TAXATION," AS SPONSORED BY JEFF STEELE, DISTRICT 2; CHAD STEWART, DISTRICT 2; JOSHUA GARSKOF, DISTRICT 5; AND DAVID CULLEN, DISTRICT 7

Deputy Moderator Peter Ambrose moved this item as distributed with the Call, duly seconded.

\*\*See Committee Reports attached hereto

**MOTION:** Jeff Steele, District 2, moved to amend the resolution by including the attached text, duly seconded and carried unanimously.

As this item is an amendment to an ordinance, it shall be held over for one meeting.

**ITEM NO. 1 ON SUPPLEMENTAL CALL: RESOLVED, THAT THE EXECUTION OF A QUIT CLAIM DEED AND THE ASSOCIATED AGREEMENT REGARDING CERTAIN PROPERTY ADJACENT TO 2316 POST ROAD BE, AND HEREBY IS, APPROVED**

The Moderator moved this item as distributed with the Call, duly seconded.

**MOTION:** Motion was made, duly seconded and carried unanimously to waive the reading of committee reports, duly seconded and carried with 30 in favor, 1 opposed (Richmond).

\*\*See Committee Reports Attached Hereto

**MOTION:** Mr. Bateson moved to refer this item to the Legislation and Administration Committee for discussion with the Town Attorney in light of the recent lawsuit filed in the matter, duly seconded and carried unanimously.

**ADJOURNMENT**

There being no further business and upon motion made, duly seconded and carried unanimously, the meeting was adjourned at 12:30 A.M.

Respectfully submitted,

Elizabeth P. Browne  
Town Clerk

Recorded by: Ann Roche