

**MONTHLY MEETING OF THE TOWN OF FAIRFIELD  
SEPTEMBER 27, 2010**

The Regular Monthly Meeting of the Town of Fairfield was held on Monday, September 27, 2010, at McKinley Elementary School, Fairfield, Connecticut.

The meeting was called to order at 8:00 P.M. by Moderator Jeff Steele.

PRESENT: 41 ABSENT: 8 VACANCY: 1

PRESENT: Becker, Challinor, Herley, Richmond, Ambrose, A. Harrison, Steele, Stewart, Varian, Bateson, Conley, Ference, McCullough, DeMartino, Hug, Palmer, R. Parker, Garskof, McAleese, Stamler, Brogan, Kupchick, Luciano, Marmion, Vahey, Cullen, Hoffkins, Llewellyn, Lynch, Schwartz, Braun, Hoffmann, Kelly, McCarthy, Dillon, Felner, Mirabile, Millington, Farnen, Mears, Rubino

ABSENT: Sundman, Santalesa, S. Parker, Gall, Smey, Takami, McGinty, Way

VACANCY: For E. Harrison

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

The Moderator introduced Fairfield American Little League players Eddie Magi, Billy McGrath, Patrick O'Leary and Nate Klein, and coaches Chris Daly, Larry Klein and Brian McGrath to lead the Body in the Pledge of Allegiance. The Fairfield American team was given an ovation for their recent trip to the Little League World Series.

The Moderator asked those present to remember longtime former RTM Member Nello Ceccarelli, and Grace Dickman, the wife of former State Rep. Carl Dickman, who passed away recently, and the victims of the September 11, 2001 tragedy in their thoughts.

**ITEM NO. 2 ON CALL: TO CONSIDER AND ACT UPON THE MINUTES OF THE REGULAR MEETING HELD ON JULY 26, 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 HEAR A REPORT FROM THE FIRST SELECTMAN ON THE FAIRFIELD THIRD TRAIN STATION AND METRO CENTER PARKING AND SITE INFRASTRUCTURE PROJECT**

An update on the metro center was distributed to the Body.

**CONSENT CALENDAR**

The Moderator reported that items numbered 8 and 9 on Call were eligible for the Consent Calendar.

**VOTE:** Upon motion made, duly seconded and carried unanimously, items numbered 8 and 9 were approved by unanimous voice vote.

[Click Here to upgrade to  
Unlimited Pages and Expanded Features](#)

ED, THAT, IN ACCORDANCE WITH A REQUEST FROM  
DIRECTOR OF PUBLIC WORKS AND THE FISCAL OFFICER,  
AN APPROPRIATION BE MADE IN THE AMOUNT OF  
\$3,281,695 FOR THE WEST WING AND CENTER RENOVATION  
OF PENFIELD PAVILION, AND TO APPROVE THE ATTACHED  
BONDING RESOLUTION

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

\*\*See Committee Reports Attached Hereto

Kathy Braun, District 8, said that something needs to be done with Penfield but this project is too grandiose and expensive. She said that there has been a lack of information offered. She said a lower cost alternative should be made available.

Jamie Millington, District 9, disagreed and stated that we have been provided with a great deal of information on this project. The completed renovation would cover its own debt service. He asked that the Fiscal Officer discuss what he explained in Committee.

Fiscal Officer Paul Hiller said that a \$200,000 STEAP grant which should be available is specific to this project. It is unlikely it will be held over. If we do not proceed with the project now, we would need to hire a structural engineer at least to determine the stability of the building and other costs associated with that would be incurred.

Mr. Millington asked if the debt service scheduled to start in 2014 would be covered by rental fees.

Mr. Hiller replied yes and said debt service would not start before 2014.

Mr. Millington said it is fair to say that the pavilion pays for itself. He asked what the estimated costs of repairs that would have to be made to keep the building open and operating if this project does not get approved.

Public Works Director Richard White said that a rough estimate to keep the building operating would be \$350,000 to \$600,000.

Mr. Millington said that if this project is not approved we risk losing the grant. The debt service is covered, and we have very few waterfront buildings that all residents can enjoy. He urged the Body to support this resolution.

Michael Herley, District 1, said that the facility is in poor condition and there is a safety issue. He said a long term maintenance plan should be in place and he is not satisfied with the answers he received tonight. He said he would be abstaining from voting on the resolution.

Carolyn Richmond, District 1, said that she is opposed to this project. No marketing study had been conducted and no survey of users was done. Although a rental history report was offered, we do not know the future usage of the building. Since a needs analysis was not conducted, she does not support the resolution.

Nick Mirabile, District 9, said that this vote is a no-brainer. This project has been in the works for nine years. It must be done since the building is not structurally sound. Penfield Pavilion is an icon of the town and the center of the beach community. He would hate to see us lose the building.

[Click Here to upgrade to  
Unlimited Pages and Expanded Features](#)

he was opposed to this project. Since viewing the pavilion, he  
fire cables. The Town has put no real money into this building  
by all residents. The project as proposed will bring the building  
to code. It is expensive but we must bite the bullet and move forward at this time.

Faith Dillon, District 9, said that there are three choices: demolish the building, *ōbandaidō* the building at a cost to the taxpayers, or rebuild it and give the taxpayers what they are used to having. It is obvious why the rental usage on Penfield I is low since it is dark and there is no kitchen. The Jacky Durrell Pavilion has a deck and glass sliders with a kitchen. She said there will be a high demand for Penfield I when it is finished.

Tim Lynch, District 7, said that he has an issue with the revenue projections since they include sailboat racks and beach stickers, both of which will be available whether the project is done. We are not mandated to provide citizens with a pavilion at the beach.

Cristin McCarthy Vahey, District 6, asked who uses the center portion of Penfield Pavilion and how the rental projections were achieved.

Rec Director Gerry Lombardo said that currently the area is used by seniors and rentals such as class reunions, company parties, family gatherings, etc. He said he used existing rental figures for the projection figures. He noted although there is a higher non-resident rental rate, it seems most non-residents rent through a friend or relative who is a resident in order to get the lower rate.

Ms. Vahey said that although she agrees there is no scientific survey on usage of the pavilion, and not every citizen uses this facility, the project will provide access to groups of people and people with disabilities. She urged support of the resolution.

**MOTION:** Ed Bateson, District 3, moved the question, duly seconded and failed with 13 in favor, 28 opposed.

Ann Stamler, District 5, said that once the project is done Penfield will not be a historic structure. The rental usage is speculative. The options offered are build or don't build. There should be other options.

Liz Hoffmann, District 8, said that the building must be made structurally sound but there should be an option between zero and \$3.2 million.

Penfield Pavilion Building Committee Chairman Jim Gallagher reminded the Body that they commissioned a building committee, not a feasibility study. The building committee worked diligently for 14 months and every question the Body asked tonight was asked and answered during this process. As the building committee chairman, he gave a report to this Body three months ago and informed them how much it would cost and brought schematics with him. There were no questions nor any response given to him at that meeting. There have been no negative comments made to the building committee, and nobody from the RTM came to any building committee meetings.

Mr. Ken Camarro, Carroll Road, spoke in favor of the resolution. He said that two thirds of the building is functionally obsolete and the new hall should be done. The Town must systematically rebuild its assets such as the library, the town hall, schools, and it is time to fix Penfield. He asked the Body not to *ōbeat it to death.*

TFC Chairman Al Kelly, Penfield Building Committee member, said he was skeptical about reconstruction of Penfield because of the current financial crisis, but we received very good bids because of that. If this project is postponed, it will cost more.



**PDF Complete**  
Your complimentary use period has ended.  
Thank you for using PDF Complete.  
[Click Here to upgrade to Unlimited Pages and Expanded Features](#)

da Crowley said that there are more people at the beach than

First Selectman Flatto said that the gross overall numbers could be less and he is hoping to secure more grants. He noted that the public is in favor of this project.

**MOTION:** Ms. Stamler moved to waive the re-reading of this item into the record, duly seconded and carried unanimously.

**VOTE:** The resolution to approve the Bond Appropriation in the amount of \$3,281,695 for the West Wing and Center renovation of Penfield Pavilion was approved with 31 in favor, 9 opposed and 1 abstention.

**IN FAVOR:** Challinor, Ambrose, A. Harrison, Steele, Stewart, Varian, Bateson, Conley, DeMartino, Palmer, R. Parker, Garskof, McAleese, Brogan, Kupchick, Luciano, Marmion, Vahey, Cullen, Hoffkins, Llewellyn, Schwartz, Kelly, McCarthy, Dillon, Felner, Mirabile, Millington, Farnen, Mears, Rubino

**OPPOSED:** Becker, Richmond, Ference, McCullough, Hug, Stamler, Lynch, Braun, Hoffmann

**ABSTAINED:** Herley

**ITEM NO. 5 ON CALL:** RESOLVED, THAT THE BOND APPROPRIATION ENTITLED, ðA RESOLUTION APPROPRIATING \$50,000 FOR THE COSTS ASSOCIATED WITH UPGRADE OF SHERMAN ELEMENTARY SCHOOL AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION,ö CONSISTING OF THREE PAGES, A COPY OF WHICH IS ATTACHED HERETO, BE, AND HEREBY IS, APPROVED

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

\*\*See Committee Reports Attached Hereto and Made a Part Hereof.

Brenda Kupchick, District 6, noted that when she served on the Board of Education this project was always meant to be a two-phase project; to add the extra classrooms, then do the core upgrade. The Board of Education distributed a long-range plan in November. Sherman is a larger school and we owe it to the children to have a building where they can eat lunch. She urged support of this resolution.

Nick Mirabile, District 9, said with the addition of the annex and enrollment figures increasing, this work needs to be done. However, the economy is not moving forward and Sherman is not at the top of the project list.

Faith Dillon, District 9, said that she did receive the long-term facilities plan and knew the request for Phase 2 was coming but she does not intend to support it. She is opposed to adding air conditioning especially with energy costs skyrocketing. She intends to vote no and hopes that the Board of Ed will come back with a scaled-down list.

Carolyn Richmond, District 1, said that she intends to vote in favor. She is not sure that all of the items on the list are necessary, but there is a lack of security at Sherman and that is a necessity.

[Click Here to upgrade to  
Unlimited Pages and Expanded Features](#)

ing before the Body 90 days after approval of the town budget.  
coming out of the contingency account.

Fiscal Officer Paul Hiller said that the contingency fund is kept small by design. Historically, the Town has funded architectural services first. Many funds are eligible for reimbursement once the project goes forward.

Board of Finance member Mike Tetreau said he was asked how the Board arrived at the \$50,000 figure since the initial request was for \$100,000. He said that the Board of Ed had asked for \$50,000 and Purchasing recommended asking for \$100,000. The Board of Finance decided to give the Board of Ed what they asked for.

Selectman Jim Walsh said that the Board of Ed is in charge of prioritizing projects. Sherman will stay at the top of the list. The lunch lines are consistently 15 to 20 minutes long and the security in the building is horrendous.

Speaking in favor of the resolution were Special Projects Standing Building Committee Chairman Richard Speciale; Board of Ed Vice-Chair Pam Iacono; TFC Chairman Al Kelly; Linda Crowley; Dorene Herron; Sandra Muller; Kristen Adams; Laurie Quick; Meredith McCormack; Beth Maldonado; and Board of Ed member Tim Kery.

**MOTION:** Ms. Stamler moved to waive the re-reading of this item into the record, duly seconded and carried unanimously.

**VOTE:** The resolution to approve the Bond Appropriation in the amount of \$50,000 for upgrades to Sherman School was approved with 37 in favor, 4 opposed (Challinor, DeMartino, Braun, Dillon).

**ITEM NO. 6 ON CALL:** RESOLVED, THAT IN ACCORDANCE WITH A REQUEST FROM THE REGISTRARS OF VOTERS, A TRANSFER OF FUNDS FROM THE CONTINGENCY ACCOUNT TO THE REGISTRAR OF VOTERS BUDGET IN THE AMOUNT OF \$32,600 FOR COSTS ASSOCIATED WITH THE DEMOCRATIC AND REPUBLICAN PRIMARIES HELD ON AUGUST 10, 2010, AND A TRANSFER FROM THE CONTINGENCY ACCOUNT TO THE TOWN CLERK'S OFFICE IN THE AMOUNT OF \$400 FOR PRINTING OF ABSENTEE BALLOTS FOR SAID PRIMARIES BE, AND HEREBY ARE, APPROVED

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

**MOTION:** Josh Garskof moved to waive the reading of committee reports, duly seconded and carried with 40 in favor, 1 opposed (Vahey).

\*\*See Committee Reports Attached Hereto and Made a Part Hereof.

**MOTION:** Ms. Stamler moved to waive the re-reading of this item into the record, duly seconded and carried with 40 in favor, 1 opposed (McCullough).

**VOTE:** The resolution to transfer \$32,600 to Registrar of Voters and \$400 to Town Clerk from Contingency for the referendum was approved with 39 in favor, 1 opposed (McCullough) and 1 abstention (Bateson).

[Click Here to upgrade to  
Unlimited Pages and Expanded Features](#)

ED, THAT IN ACCORDANCE WITH A REQUEST FROM  
ISTRARS OF VOTERS, A TRANSFER OF FUNDS FROM  
CONTINGENCY ACCOUNT TO THE REGISTRAR OF  
VOTERS BUDGET IN THE AMOUNT OF \$10,259.05 FOR COSTS  
ASSOCIATED WITH THE REFERENDUM HELD ON AUGUST 12,  
2010 BE, AND HEREBY IS, APPROVED

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

**MOTION:** Josh Garskof moved to waive the reading of committee reports, duly seconded and carried with 40 in favor, 1 opposed (Vahey).

\*\*See Committee Reports Attached Hereto and Made a Part Hereof.

**VOTE:** The resolution to transfer \$10,259.05 to Registrar of Voters from Contingency for the referendum was approved by unanimous voice vote.

**ITEM NO. 8 ON CALL:** RESOLVED, THAT THE FIRST SELECTMAN BE, AND HEREBY IS, AUTHORIZED TO APPLY FOR AND ACCEPT STATE AND FEDERAL GRANTS FOR THE PURCHASE OF A NEW SENIOR CENTER VAN (80% FUNDED BY GRANT), AND FURTHER RESOLVED, THAT A TRANSFER OF UP TO \$17,000 BE, AND HEREBY IS, APPROVED FOR THE TOWN MATCH FROM THE CONTINGENCY ACCOUNT TO THE HUMAN SERVICES DEPARTMENT BUDGET FOR THIS GRANT AND A GRANT APPROPRIATION OF UP TO \$83,000 BE, AND HEREBY IS, APPROVED

This item was on the Consent Calendar.

**ITEM NO. 9 ON CALL:** RESOLVED, THAT A GRANT IN THE AMOUNT OF \$821,030 TO PURCHASE AND INSTALL DIESEL PARTICULATE FILTERS IN TOWN VEHICLES, THE COST OF WHICH IS 100% REIMBURSABLE BY A FEDERAL GRANT, BE, AND HEREBY IS, APPROVED

This item was on the Consent Calendar.

**ITEM NO. 10 ON CALL:** REFERRAL BY MODERATOR OF AMENDMENTS TO THE TAX RELIEF FOR THE ELDERLY ORDINANCE TO THE LEGISLATION AND ADMINISTRATION COMMITTEE UNDER RULE 32 OF THE RTM RULES TO REGULATE

The Moderator noted that the amendment to Article III (Tax Relief for the Elderly and Disabled), Chapter 95, Sections 95-7 to 95-15.4 of the Fairfield Town Code, will appear on the Call of the next regularly scheduled meeting for discussion.

**ITEM NO. 10 ON CALL:** RESOLVED, THAT HAVING OBTAINED THE APPROVAL OF THE TOWN PLAN AND ZONING COMMISSION AND ADVERTISED THE INTENDED DISPOSAL OF THE PROPERTY IN THE FAIRFIELD CITIZEN, DISPOSAL OF CERTAIN PROPERTY ADJACENT TO 2316 POST ROAD BE, AND HEREBY IS, APPROVED, IN ACCORDANCE WITH SECTION 35.5 A OF THE FAIRFIELD TOWN CODE; AND FURTHER RESOLVED, THAT THE EXECUTION OF A QUIT CLAIM DEED AND THE



Your complimentary  
use period has ended.  
Thank you for using  
PDF Complete.

[Click Here to upgrade to  
Unlimited Pages and Expanded Features](#)

ATED AGREEMENT REGARDING DISPOSAL OF  
PROPERTY ADJACENT TO 2316 POST ROAD BE, AND  
IS, APPROVED

This item was held in the Public Works and Planning Committee.

**ADJOURNMENT**

There being no further business and upon motion made, duly seconded and carried unanimously, the meeting was adjourned at 10:20 P.M.

Respectfully submitted,

Elizabeth P. Browne  
Town Clerk

Recorded by: Ann Roche