

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN OF FAIRFIELD
APRIL 25, 2011**

The Regular Monthly Meeting of the Town of Fairfield was held on Monday, April 25, 2011, at Osborn Hill Elementary School, Fairfield, Connecticut.

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

PRESENT: 43 ABSENT: 7 VACANCY: 0

PRESENT: Becker, Herley, Richmond, Sundman, Ambrose, Jones, Steele, Stewart, Varian, Bateson, Conley, Ference, McCullough, Santalesa, DeMartino, Palmer, Gall, Garskof, McAleese, Smey, Stamler, Brogan, DeSanctis, Dyer, Marmion, Vahey, Hochberg, Hoffkins, Llewellyn, Schwartz, Braun, Harrison, Hoffmann, McCarthy, Dillon, Felner, McGinty, Millington, Mirabile, Farnen, Mears, Rubino, Way

ABSENT: Challinor, Hug, R. Parker, S. Parker, Lynch, Takami, Cafferelli

Peter Ambrose, District 2, introduced John Jones, who was elected to fill the vacancy created by the resignation of Alexis Harrison from that district. Tom McCarthy, District 8, announced that Alexis Harrison was elected to fill the vacancy created by the resignation of Lawrence Kelly.

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

The Moderator led the Body in the Pledge of Allegiance and Moment of Silence, and asked those present to keep in their thoughts the memory of Rep. Jones's father who passed away last week.

**ITEM NO. 2 ON CALL: TO CONSIDER AND ACT UPON THE MINUTES OF THE
REGULAR MEETING HELD ON MARCH 28, 2011**

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**

First Selectman Ken Flatto presented a slide show depicting current updates at the new Metro Center.

Kathy Braun, District 8, asked if Mr. Flatto intends to restore the Conservation Department to oversee this project and if the Conservation bond has been used for construction.

First Selectman Flatto said that the environmental consultants hired to oversee this project are doing a good job and the Conservation Commission is in agreement with that. He indicated that the Conservation bond had not been utilized.

CONSENT CALENDAR: The Moderator reported that Items numbered 4 and 5 on Call were eligible for the Consent Calendar, having received unanimous agreement in Committee.

VOTE: Items numbered 4 and 5 on Call were approved as presented by unanimous voice vote.

ITEM NO. 4 ON CALL: APPOINTMENT OF GEOFFREY MULLEN TO THE EMPLOYEES' RETIREMENT BOARD

This item was on the Consent Calendar. Mr. Mullen was present.

ITEM NO. 5 ON CALL: RESOLVED, THAT THE EXTENSION OF THE ABATEMENT OF TAXES FOR THE GRASMERE ELDER HOUSING CORPORATION, NOW KNOWN AS SULLIVAN MCKINNEY ELDER HOUSING, INC., ORIGINALLY APPROVED BY A RESOLUTION OF THE REPRESENTATIVE TOWN MEETING ON APRIL 27, 1987, FOR AN ADDITIONAL TWENTY-FOUR YEARS, BE, AND HEREBY IS, APPROVED; AND FURTHER RESOLVED, THAT THE TOWN WILL ENTER INTO AN AGREEMENT REGARDING SUCH EXTENSION AND A LEASE AMENDMENT IN THE FORMS ATTACHED HERETO

This item was on the Consent Calendar.

ITEM NO. 6 ON CALL: RESOLVED, THAT A CERTAIN CONTRACT NEGOTIATED BY AND BETWEEN THE TOWN OF FAIRFIELD AND THE UNITED PUBLIC SERVICE EMPLOYEES UNION (UPSEU) UNIT #222 (TOWN HALL EMPLOYEES ASSOCIATION) CONCERNING CONDITIONS OF EMPLOYMENT FOR THE PERIOD ENDING JUNE 30, 2010 BE, AND HEREBY IS, AMENDED, IN THE MANNER DESCRIBED IN THE ATTACHED MEMORANDUM OF AGREEMENT SO AS TO MAKE THE CONTRACT EFFECTIVE THROUGH JUNE 30, 2013 AND TO INCORPORATE CERTAIN OTHER CHANGES REGARDING WAGES, HOURS AND OTHER MATTERS

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

**See Committee Reports Attached Hereto

Joe Palmer, District 4, asked if research had been conducted in savings of self-insurance versus managed care.

Human Resources Director Mary Carroll-Mirytees said that she understands that different members of the Body have different ideas about cost-savings in employees' contracts. In this case, the primary reason this contract was voted down the first time it was presented was the inclusion of the defined benefit plan. This was a major concession with the union and most municipalities continue to go with the defined benefit plan. We are beginning to look at different ways of paying for insurance and this contract includes increased co-pays for the employees.

Mr. Palmer pointed out that approval of this contract sets a precedent for the other seven contracts currently being negotiated and must be addressed.

Cristin McCarthy Vahey, District 6, asked who manages the 457 benefit plan. Ms. Carroll-Mirytees said that it is being managed by ICMA and Great Western.

Ms. Vahey said that we must look at a range of cost-saving options in the contracts.

Bill Llewellyn, District 7, said that people who are self-employed pay more for insurance and that a higher contribution from employees should be included in the next contract.

David Becker, District 1, said that a full study had been requested by the Board of Finance and asked what the status is.

First Selectman Flatto said that the pension boards agree that a study should be conducted and that it should be completed by the end of next fall.

Carolyn Richmond, District 1, said that senior citizens are not getting increases in their social security and with the recent reassessment their taxes are going up. We need to think about them because they have a hard time paying their taxes.

VOTE: The resolution to approve the Town Hall Employees Union contract was approved 34 in favor, 8 opposed and 1 abstention (Conley).

IN FAVOR: Becker, Herley, Richmond, Ambrose, Jones, Steele, Varian, Bateson, Ference, McCullough, Gall, Garskof, McAleese, Smey, Stamler, Brogan, DeSanctis, Marmion, Hochberg, Hoffkins, Llewellyn, Schwartz, Braun, Harrison, Hoffmann, McCarthy, Felner, McGinty, Millington, Mirabile, Farnen, Mears, Rubino, Way

OPPOSED: Sundman, Stewart, Santalesa, DeMartino, Palmer, Dyer, Vahey, Dillon

ITEM NO. 7 ON CALL: RESOLVED, THAT THE BOND RESOLUTION ENTITLED, ðA RESOLUTION APPROPRIATING \$350,000 FOR THE COSTS OF TWO SCHOOL PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION,ð CONSISTING OF FOUR PAGES, BE, AND HEREBY IS, APPROVED

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

MOTION: Ms. Vahey moved to postpone this item until the next regularly scheduled meeting to be held May 23, duly seconded.

Mary McCullough, District 3, stated that the Committees had requested additional information and asked that it be made available for the May 23 meeting.

VOTE: The motion to postpone this item until the regular monthly meeting, to be held May 23, 2011, was approved by unanimous voice vote.

ITEM NO. 8 ON CALL: RESOLVED, THAT THE BOND RESOLUTION ENTITLED, ðA RESOLUTION APPROPRIATING \$450,000 FOR THE COSTS ASSOCIATED WITH THE ACQUISITION AND INSTALLATION OF NEW LOCAL AREA SWITCHES AND RELATED SOFTWARE AND CABLES FOR THE BOARD OF EDUCATION,ðS COMPUTER NETWORK AND AUTHORIZATION OF BONDS TO FINANCE SUCH APPROPRIATION,ð 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

Mr. Llewellyn asked why last year this item was contained within the operating budget and this year it is being bonded.

Board of Finance Chairman Tom Flynn explained that the Board adopted new bonding guidelines and this item falls under them insofar as the item has a long life, it's infrastructure and adds value.

Selectman Jim Walsh explained that he made the motion during a Board of Selectmen meeting because of the trouble with the internal service fund. These are badly-needed hardware devices, not software.

Mr. Llewellyn said that with technology changing so quickly, he is concerned that the switches will be outdated within five years.

Selectman Walsh said that Education IT Director Nancy Nash had indicated this item would not be obsolete.

Mr. Llewellyn said that nobody knows if it will be.

Liz Hoffmann, District 8, asked if the Board of Education budget will be increased by \$450,000.

Superintendent of Schools David Title said that the BOE agreed to allocate the \$450,000 designated for the switch project into the internal service fund. The funds will be transferred.

Nick Mirabile, District 9, said that the question is not whether it should be in the budget or bonded, but whether we can afford it and if it is really necessary this year. He has concerns about bonding an IT item, and it should not be approved just because it falls under the BOF bonding guidelines.

Ed Bateson, District 3, said that he appreciates that we are backed against the wall with the negative outlook on the internal service fund, but he cannot reconcile bonding this item.

Mr. Becker said that he agreed with Mr. Bateson. We are in a difficult position, and he would like to see technology moved forward, but bonding \$450,000 over ten years costs significantly more than if it were in the operating budget and we should try to avoid paying interest.

Ms. Vahey asked if the BOE would still put \$450,000 into the internal service fund if the bonding resolution is not approved.

Board of Education Chairman John Mitola replied no, that that was not the agreement.

Ms. Vahey said that she shares the concerns about bonding but everything will cost more if we lose the AAA bond rating and she intends to vote yes in order to protect it.

Ms. Braun said that the choice is not between losing the AAA bond rating and bonding this item. The debt service contained in the budget is out of control and we cannot afford to keep adding to it.

Ann Stamler, District 5, spoke in favor of approving this item.

Ms. Hoffmann urged defeat of the resolution.

Hal Schwartz, District 7, said that the Board of Ed did not ask for this item to be bonded. They included it in their budget because they see it as a critical need. If we vote this resolution down, it will negatively affect the internal service fund.

Board of Finance Chairman Tom Flynn explained that there is a critical need to fund the internal service fund in order to retain the AAA bond rating.

Mr. Llewellyn said that the internal service fund will increase to \$4.5 million if this item is approved. He noted that the bonding agencies prefer to see the fund at \$5.3 million and he asked how this will satisfy the bonding agencies.

Fiscal Officer Paul Hiller explained that when the bonding agencies point out trouble spots we work gradually toward their recommendations. It consistently shows the bonding agencies that we are listening and responding, which sends a key message.

Selectman Walsh urged support of this resolution. He pointed out that we have bonded switches in the past, at Burr, McKinley and Ludlowe, and we are not changing a precedent. If we lose our bond rating all of our costs will skyrocket. If the internal service fund decreases, the bonding agencies will change our rating from negative outlook to something worse.

Mr. Becker said that the agreement the Board of Ed made was not with the RTM. Nobody should be surprised that the RTM is opposed to approving a bond resolution. The Board of Ed has the option to take this item out and add it to the budget next year. He expressed frustration at being told it must be left in this year.

Ms. Gaylord Meyer, Spruce Street, said that last year money was bonded for a softball field and for paving. This item does not fall under the criteria for bonding, and the Board of Ed should cut \$450,000 from their budget.

Ms. Kate Daniello, Shrub Oak Lane, said that her organization We The People supports this resolution and said that funding should never be taken from the internal service fund to cure cuts made to the budget and she asked for assurances to that effect.

Mr. Jay Wolk, Stratfield Road, said that the interest rates for bonding are currently very low and we should bond the switches now.

Ms. Mary Hogue, Stonewall Lane, spoke in support of this item.

VOTE: The bond resolution in the amount of \$450,000 for the computer network at the Board of Education was approved with 30 in favor, 13 opposed.

IN FAVOR: Herley, Sundman, Ambrose, Jones, Steele, Stewart, Conley, Ference, McCullough, Palmer, Gall, Garskof, McAleese, Smey, Stamler, Brogan, DeSanctis, Dyer, Marmion, Vahey, Hochberg, Hoffkins, Schwartz, McCarthy, Dillon, Felner, McGinty, Millington, Mears, Way

OPPOSED: Becker, Richmond, Varian, Bateson, Santalesa, DeMartino, Llewellyn, Braun, Harrison, Hoffmann, Mirabile, Farnen, Rubino

ITEM NO. 9 ON CALL: RESOLVED, THAT A TRANSFER OF FUNDS FROM THE CONTINGENCY ACCOUNT TO THE DEPARTMENT OF PUBLIC WORKS OPERATIONS-TOWN FACILITIES COMMISSION IN THE AMOUNT OF \$30,000 BE, AND HEREBY IS, MADE FOR PROFESSIONAL SERVICES TO EVALUATE THE WATER INFILTRATION AT MCKINLEY ELEMENTARY SCHOOL

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

**See Committee Reports Attached Hereto

Ms. Braun stated that the construction manager and contractor for this project should be held accountable for this problem in a practically new school. Now we must spend more to evaluate the problem and then even more to resolve the problem. We must be more careful and find a better way to address these issues before the problems arise.

VOTE: The transfer of \$30,000 from Contingency to evaluate water infiltration at McKinley Elementary School was approved by unanimous voice vote.

ITEM NO. 10 ON CALL: TO CONSIDER AND ACT UPON AMENDMENTS TO THE RECYCLING AND SOLID WASTE ORDINANCE, CHAPTER 84, SECTION 14 OF THE CODE OF THE TOWN OF FAIRFIELD

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

Jamie Millington, District 9, moved to postpone this item until the next regularly scheduled meeting to be held May 23, duly seconded.

VOTE: The motion to postpone this item until the regular monthly meeting to be held May 23, 2011 was approved by unanimous voice vote.

ITEM NO. 11 ON CALL: TO CONSIDER AND DISCUSS, INCLUDING RTM COMMITTEE REPORTS AND COMMENTS FROM THE PUBLIC, PROPOSED APPROPRIATIONS IN THE AMOUNT OF \$264,034,123 FOR THE FISCAL YEAR OF JULY 1, 2011 THROUGH JUNE 30, 2012, AS RECOMMENDED BY THE BOARD OF FINANCE, FOR ANY LAWFUL PURPOSE. THE TOTAL PROPOSED BUDGET AS APPROVED BY THE BOARD OF FINANCE IS AS FOLLOWS:

Gross Budget:	264,034,123
Less Estimated Receipts:	<u>(26,304,334)</u>
Net Budget:	237,729,789
Plus Reserve for Uncollected Taxes:	<u>2,740,222</u>
Amount to be Raised by Taxation:	240,470,011

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

**See Committee Reports Attached Hereto

The Moderator explained that any RTM member who intends to make a motion to reduce the budget at the Annual Budget Meeting to be held May 2, 2011, would announce said intention at this evening's meeting, in order to alert interested parties before the evening of the budget meeting.

Board of Finance Chairman Tom Flynn discussed how the Board of Finance arrived at the budget presented to the RTM (see document distributed during meeting, attached).

Majority Leader Jamie Millington reported that he would be reading into the record the intentions for motions to reduce the budget of all of the majority members in the interest of saving time. He explained that his reading the intention of a motion does not necessarily represent the opinion of the majority members as a whole.

Patti Dyer, District 6, asked if the Body would be given a copy of the document from which Mr. Millington read.

Mr. Millington explained that his document did not contain correct or final numbers and he had made his own notations on the document.

At 10:40 P.M., the Majority Leader called for a caucus in accordance with Rule 26 of the Rules to Regulate. The meeting resumed at 10:45 P.M.

Mr. Millington read the proposed reductions to budget (see Mr. Millington's draft document attached).

MOTION: At 10:55 P.M., Peter Ambrose, District 2, moved to suspend the rules in order to convene past 11:00 P.M. and to take up new business after 11:30 P.M., duly seconded and carried with 41 in favor, 1 opposed (Stewart) and 1 abstention (Mears).

Ms. Dyer said that any further cuts to the budget, following reductions made to the budget by the Board of Selectmen and Board of Finance, would be counterproductive.

Bill Llewellyn, District 7, spoke in opposition to longevity bonuses and work attendance bonuses included in employee contracts. He announced that he would be making motions to reduce the budget from the following departments: Board of Selectmen; Town Clerk; Registrar of Voters; TPZ; Conservation; Human Resources; Finance; Purchasing; Assessor; Tax Collector; IT; Fire; Police; Animal Control; ECC; DPW; Building; Engineering; Health; Solid Waste & Recycling; and Library.

Carolyn Richmond, District 1, said that taxpayers are sacrificing in their own budgets and are looking for the same in the town budget. She said although classroom size is a contractual obligation, moving forward that should be looked at. High school classroom sizes can be increased. The number of school psychologists should be reduced, and curriculum leader specialists should be reduced. She said she intends to make a motion to reduce the Board of Ed budget by \$1.2 million.

Joe Palmer, District 4, said that major concessions are needed on employee contracts.

Cristin Vahey, District 6, said that employee contracts need to be addressed. She asked if items such as longevity bonuses and work attendance bonuses are contractual.

Fire Chief Richard Felner said that these items are contractual. He recalled that once the contracts were ignored and those items were cut which resulted in arbitration and it ended up costing the Town twice what the contract called for.

Police Chief Gary MacNamara agreed with Chief Felner. He said he could not comment on the proposed \$22,000 reduction to his budget without knowing specifically what it represents.

Mr. Llewellyn said that he understands longevity and work attendance bonuses are contractual and that his intent was to reduce the budget by cutting overtime accounts.

First Selectman Flatto noted that health care costs have increased across the country so naturally the health costs in the budget have increased. This is not an additional benefit to employees.

Kevin Hoffkins, District 7, reminded the Body that they approved the teachers contract, and now have to take responsibility for approving it.

Nick Mirabile, District 9, said that seniors are on fixed incomes, residents are out of work and we are looking at a five percent increase to the budget again.

Ann Stamler, District 5, announced that she would be making motions to reduce the budget, totaling \$263,864, in the following departments: Board of Selectmen; Town Clerk; Administrative Services; TPZ; Conservation; Miscellaneous; Human Resources; Harbor Management; Fairfield Museum and History Center; Purchasing; Fire; ECC; Health; Library; Par 3 and Smith Richardson Golf Courses.

Mr. Millington asked Ms. Stamler to send him her figures so he could add them to a final spreadsheet that would include all proposed motions to reduce the budget.

Speaking in favor of reducing the budget were Kate Daniello; John Santa; Bob MacGuffie.

Speaking in support of reducing the education budget but not the town side were Jim Gallagher and Gaylord Meyer.

Speaking in support of particular budgets were Craig Curley, Golf Commission; Brian Kelahan, Library Board of Trustees; Sands Cleary, Health Director; Dr. David Title, Superintendent of Schools.

Speaking in support of the education budget were Ken Lee; Michelle Whelan; Chris Vitale; Julie Gottlieb; Rich Joslin; Kathy Giff; Susan Brown; Sue Brand; Jessica Gerber; Dorene Herron; Bruce Monte; Gigi Christel; Hetti Nerod; Eugene Hoffman; Mary Hogue, Rui Lopes; Meredith McCormack; Peter Ruppert; Elaine Davis.

Hal Schwartz, District 7, suggested that the public contact the Board of Ed and tell them not to make cuts in areas that will hurt the classroom.

This item will be acted upon at the Annual Budget Meeting to be held May 2, 2011.

ITEM NO. 12 ON CALL: TO CONSIDER AND DISCUSS, INCLUDING RTM COMMITTEE REPORTS AND COMMENTS FROM THE PUBLIC, THE SELF-SUPPORTING FUNDS IN THE AMOUNT OF \$4,991,310 FOR THE WATER POLLUTION CONTROL AUTHORITY FOR THE FISCAL YEAR OF JULY 1, 2011 THROUGH JUNE 30, 2012

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

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

This item will be acted upon at the Annual Budget Meeting to be held May 2, 2011.

ADJOURNMENT

There being no further business and upon motion made, duly seconded and carried unanimously, the meeting was adjourned at 12:20 P.M.

Respectfully submitted,

Elizabeth P. Browne
Town Clerk

Recorded by: Ann Roche