

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN OF FAIRFIELD
DECEMBER 19, 2011**

The Regular Monthly Meeting of the Town of Fairfield was held on Monday, December 19, 2011, at Osborn Hill Elementary School, Fairfield, Connecticut.

The meeting was called to order at 8:10 P.M. by Moderator Jeff Steele.

PRESENT: 45 ABSENT: 5 VACANCY: 0

PRESENT: Becker, Herley, Meyer, Richmond, Sundman, Ambrose, Mitola, Steele, Stewart, Bateson, Conley, Ference, Mackenzie, McCullough, Dean, Hug, Mezoff, Palmer, Garskof, McAleese, Stamler, Brogan, Gottlieb, Marmion, Wolk, Hochberg, Hoffkins, Newman, Patten, Schwartz, Braun, Kery, Marks, McCarthy, Stopa, Domeika, Felner, Jacob, Mirabile, Pontrelli, Hannum, Lee, Ryan, Way, Weber

ABSENT: Varian, DeMartino, Smey, Campbell, Gall

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

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

Upon motion made, duly seconded and carried with 44 in favor and 1 abstention (Herley), the minutes of the previous meeting were approved as distributed.

ITEM NO. 3 ON CALL: REPORT FROM FIRST SELECTMAN ON THE METRO CENTER

First Selectman Michael Tetreau distributed a report (attached).

Ed Bateson, District 3, asked if the hydrodynamic separators are passive or mechanical units.

Community and Economic Development Director Mark Barnhart explained that they have to be cleared out annually.

Mr. Bateson asked why we maintain the separators since they go to the State and they are not on our property.

Asst. Town Attorney Eileen Kennelly said that the Conservation Commission required the hydro separators, not the State. Maintaining it means the annual cleaning, which is spelled out specifically in the 2010 agreement.

Mr. Bateson asked if we have an easement to go on their property, to which Atty. Kennelly responded affirmatively.

Mr. Bateson said there is an obligation to construct a depot. He said he asked about putting aside money for the construction over the summer, and had been told it is not our obligation.

First Selectman Tetreau said that it is not a requirement to do that as of now.

Mr. Bateson said he wanted to emphasize that going forward, Blackrock Realty must construct a depot. Mr. Bateson continued that during the last Board of Selectmen meeting, the Board went into executive session with Atty. Vitarelli in order to discuss a document. He asked if this is a new document.

First Selectman Tetreau said that they discussed a new document, but he is not at liberty to disclose the contents of the document.

Mr. Bateson asked if the document is disclosable under the FOI Act, to which Mr. Tetreau replied not at this time.

Mr. Bateson said that if this document changes the equation, we need to see it.

First Selectman Tetreau said he would release the document as soon as possible if it is deemed appropriate.

David Becker, District 1, noted that there have been several private executive sessions during Board of Selectmen meetings since the additional funding was approved. He said that openness needs to exist.

First Selectman Tetreau disagreed and said that there have been two executive sessions, including the meeting with Atty. Vitarelli, when previous trouble was discussed.

Mr. Becker noted that there have been several private executive meetings regarding the Metro Center. He asked how long we will be incurring the cost of the construction manager and keeping Economic Development Director Mark Barnhard tied up in this project.

First Selectman Tetreau said that the time for both is winding down.

Mr. Becker asked what we are doing to get the state to building bathrooms and a waiting area.

First Selectman Tetreau said he raised the issue with the State several times, and they have said that is not in their plans and they are not doing it.

Mr. Becker asked if we can explore the options and examine the cost of installing a trailer at the site. He asked if a typical report would be e-mailed within a week.

First Selectman Tetreau said that Mr. Becker has raised a good point, and agreed to e-mail the report.

Chris McAleese, District 5, asked when the three to five year period would start. Mr. Tetreau said he is looking into that.

Kathy Braun, District 8, asked about the letter of credit date.

First Selectman Tetreau said that he has been trying to set up a meeting with Blackrock Realty. As far as he knows, there is no deadline or expiration date on the letter of credit.

Ms. Braun asked which downtown parking spots that were previously promised to the downtown merchants are going to the State.

First Selectman Tetreau explained that the parking spots on the south side of the tracks are going to continue to be train parking spaces. He noted that there was nothing in writing specifying that those spaces would be given to the downtown merchants.

Ms. Braun asked why the Conservation Department has been excluded from this land. She asked what the timeframe is for Mr. Tetreau to make a decision on allowing them to oversee the work.

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First Selectman Tetreau said that LEA has been doing all the Conservation work and have documented that all of the DEP requirements have been filled. Redniss & Mead have been involved since day one, and will file a report with the Conservation Department.

Ms. Braun said that she believes very strongly that the Town's Conservation Department should be restored as overseer of the project.

Michael Herley, District 1, said there have been burglary issues in Southport recently, and he is concerned the Metro Center will pull police attention away from the rest of the Town.

First Selectman Tetreau said that the Metro Center is not a major drain on police resources. The office park and parking lot will have private security.

Jeff Steele, District 2, asked where the castings sands will go. Mr. Tetreau said we have applied for space.

CONSENT CALENDAR

The Moderator reported that Item number 8 was eligible for unanimous consent.

VOTE: Item number 8 was approved by unanimous voice vote.

ITEM NO. 4 ON CALL: REAPPOINTMENT OF ROBERT W. MALARKEY TO THE EMPLOYEES RETIREMENT BOARD

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

MOTION: Ann Stamler, District 5, moved to waive the reading of Committee Reports, duly seconded and carried with 43 in favor, 2 opposed (McCullough, Dean).

**See Committee Reports Attached Hereto

MOTION: Motion was made to postpone this item due to the absence of Mr. Malarkey, duly seconded and carried with 44 in favor, 1 opposed (Schwartz).

ITEM NO. 5 ON CALL: REAPPOINTMENT OF HUGH R. SMITH TO THE HARBOR MANAGEMENT COMMISSION

The Moderator moved this item as distributed with the Call, duly seconded. Mr. Smith was present.

**See Committee Reports Attached Hereto

VOTE: Mr. Smith was reappointed to the Harbor Management Commission by unanimous voice vote.

ITEM NO. 6 ON CALL: REAPPOINTMENT OF SANDYE MANN AS AN ALTERNATE MEMBER TO THE HARBOR MANAGEMENT COMMISSION

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

**See Committee Reports Attached Hereto

VOTE: Ms. Mann was reappointed as an Alternate to the Harbor Management Commission by voice vote with 44 in favor, 1 abstention (Mezoff).

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ITEM NO. 7 ON CALL: REAPPOINTMENT OF ELLEN GOULD TO THE HISTORIC DISTRICT COMMISSION

The Moderator moved this item as distributed with the Call, duly seconded. Ms. Gould was present.

MOTION: Ms. Stamler moved to waive the reading of Committee Reports, duly seconded and carried with 44 in favor, 1 opposed (Dean).

**See Committee Reports Attached Hereto

VOTE: Ms. Gould was reappointed to the Historic District Commission by unanimous voice vote.

ITEM NO. 8 ON CALL: REAPPOINTMENT OF ADAM J. KLYVER AS AN ALTERNATE MEMBER TO THE HISTORIC DISTRICT COMMISSION

This item was on the Consent Calendar.

ITEM NO. 9 ON CALL: REAPPOINTMENT OF WILLIAM P. SHOAF, JR. TO THE SOLID WASTE & RECYCLING COMMISSION

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

**See Committee Reports Attached Hereto

MOTION: Ms. Stamler moved to waive the re-reading of this item into the record, duly seconded and carried with 44 in favor, 1 opposed (Dean).

VOTE: Mr. Shoaf was reappointed to the Solid Waste and Recycling Commission by unanimous voice vote.

ITEM NO. 10 ON CALL: APPOINTMENT OF JAMES L. HARMAN, NORMAN R. MARSILIUS AND NELSON L. NORTH TO THE HARBOR MANAGEMENT COMMISSION

The Moderator moved this item as distributed with the Call, duly seconded. Mr. Harman, Mr. Marsilius and Mr. North were present.

**See Committee Reports Attached Hereto

MOTION: Mr. Becker moved to divide the question, duly seconded and carried unanimously.

VOTE: Mr. Harman was appointed to the Harbor Management Commission by unanimous voice vote.

VOTE: Mr. Marsilius was appointed to the Harbor Management Commission by unanimous voice vote.

VOTE: Mr. North was appointed to the Harbor Management Commission by unanimous voice vote.

ITEM NO. 11 ON CALL: APPOINTMENT OF BENJAMIN M. BAKER AS AN ALTERNATE MEMBER TO THE HARBOR MANAGEMENT COMMISSION

The Moderator moved this item as distributed with the Call, duly seconded. Mr. Baker was present.

**See Committee Reports Attached Hereto

VOTE: Mr. Baker was appointed as an Alternate to the Harbor Management Commission by unanimous voice vote.

ITEM NO. 12 ON CALL: RESOLVED, THAT, IN ACCORDANCE WITH A REQUEST FROM THE PENFIELD REEF LIGHTHOUSE PRESERVATION COMMITTEE, THE TOWN PROCEED TO OBTAIN A LEASE ON THE BOTTOMLANDS FROM THE STATE OF CONNECTICUT IN LIEU OF OBTAINING A QUIT CLAIM DEED AND TO PURSUE THE POSSIBILITY OF OBTAINING A QUIT CLAIM DEED TO SECURE THE BOTTOMLANDS IN PERPETUITY

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

**See Committee Reports Attached Hereto

Amy Mezoff, District 4, said that there appeared to be some question whether the federal government owns the bottomlands, and whether the lighthouse is in Bridgeport or Fairfield.

Asst. Town Attorney Eileen Kennelly said that the State owns the bottomlands. All of the land under Long Island Sound belongs to the State. She said she has heard discussion questioning in which municipality the lighthouse sits. Some regulatory items can be put into the lease, including what falls under the jurisdiction of the Town.

Ms. Mezoff said she is concerned about the legal issues surrounding this issue, including such things as asbestos abatement. The Town should avoid any unknowns that could arise in the future by rejecting this resolution.

John Mitola, District 2, referring to the potential liability to the Town, asked if it is covered under our insurance policy.

Atty. Kennelly said it would be covered under no additional cost.

Mr. Mitola said that this is an opportunity for the Town to preserve something that is precious to the Town. He understands concerns regarding liability but this is just the first step. It is worthwhile exploring.

MOTION: Mr. Becker, District 1, moved to amend the resolution by adding the following, after the first mention of "quit claim deed," in the resolution, "and that any such lease come back to the RTM," duly seconded.

Kathy Braun, District 8, said we are missing information. She asked if there is a reason this must be approved now and if there is a deadline.

Atty. Kennelly said that the person who won the opportunity to purchase the lighthouse will be going forward with the intended purchase.

VOTE: The motion to amend the resolution was approved with 44 in favor, 1 opposed (Schwartz).

Ed Bateson, District 3, said that he understands this is a minor liability risk. However, we are pursuing something that only the leaseholder of the lighthouse would enjoy. We are not gaining anything but a

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small level of control. The lighthouse is an historic building that already has restrictions on it. He does not see a good enough reason to take on the liability at this time.

Nick Mirabile, District 9, said he disagreed with Mr. Bateson's comments. The lighthouse is a symbol of the Town and there is very little risk. We should pursue this in the early stages.

Peter Ambrose, District 2, asked what environmental liabilities surround this property.

Atty. Kennelly said that the liability would be minimal in a lease. If we owned the property, we would be more liable.

Mr. Ambrose said that he understands that this is a preliminary resolution, but it could lead to our exposure to environmental issues that we are not insured for. We should look into these issues before seeking to lease or acquire this property.

Josh Garskof, District 5, asked what we would gain if we approved this resolution.

Atty. Kennelly explained that we would have control by way of our regulatory agencies. The lighthouse owner would have to seek building permits and inspections. We would have more intimate contact with the owner.

David Mackenzie, District 3, asked if this property is historic and therefore has restrictions in perpetuity.

Atty. Kennelly said that the lighthouse is included in the National Registry of Historic Places. There are federal guidelines in place, and the State has said it intends to not allow the lighthouse to be used for commercial purposes.

Mr. Mackenzie asked if that is the case, would the lighthouse stay the same no matter what, to which Ms. Kennelly replied that it would stay essentially the same.

Ms. Braun said that a quit claim deed for the lighthouse from the State to the Town was recorded in the land records in 2008.

Ms. Kennelly said that the State conveyed the land under a Special Act but following litigation, the Town deeded the lighthouse back to the State.

Ms. Braun said a formal title search should be conducted.

Gaylord Meyer, District 1, wondered who is responsible for potential repairs to the landscaping. She said that since this property is historical, it will stay as it is now and will not cost the Town a penny. She does not support the resolution.

Kevin Hoffkins, District 7, said that this resolution does not obligate us to do anything. The questions being posed are unanswerable at this time.

Sheila Marmion, District 6, asked if the bid-winner of the lighthouse would apply for the use of the bottomlands. She asked what criteria the State would use to decide who gains the control of the property. She asked if there would be a public hearing and when the State would decide.

Atty. Kennelly said she believes the bid-winner will apply for the bottomlands. The State would look at the Town's interest in the property and take the request seriously. Discussions and negotiations would be held, and the auction winner has two months to close on the lighthouse.

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Mr. Becker said he is in favor of moving forward with this resolution as amended. He hopes the administration would use tonight's discussion as tools when negotiating the lease.

Tom McCarthy, District 8, asked if the incremental leverage the Town would gain is material.

Atty. Kennelly said that the more we are officially in line for discussion, the more control we would have over the use of the property.

MOTION: Heather Dean, District 4, moved the question, duly seconded and carried with 43 in favor, 2 opposed (Becker, Marmion).

VOTE: The resolution to authorize the Town to obtain a lease for the Penfield Reef bottomlands, as amended, was approved with 35 in favor, 9 opposed (Meyer, Richmond, Ambrose, Bateson, McCullough, Mackenzie, Hug, Mezoff, Schwartz) and 1 abstention (Braun).

ITEM NO. 13 ON CALL: RESOLVED, THAT THE BOND APPROPRIATION ENTITLED, 'A RESOLUTION APPROPRIATING \$901,467 TO FUND A ROOF WARRANTY EXTENSION PROGRAM AT SHERMAN, NORTH STRATFIELD, OSBORN HILL, RIVERFIELD, AND HOLLAND HILL ELEMENTARY SCHOOLS AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION,' 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

MOTION: David Becker, District 1, moved to amend the resolution by reducing the amount from \$901,467 to \$725,000, duly seconded.

VOTE: The motion to reduce the bonding resolution to \$725,000 was approved by unanimous voice vote.

MOTION: Arthur Hug, District 4, moved to amend the resolution by removing Riverfield from the project, duly seconded.

Mr. Hug explained that a Riverfield Building Committee would be appointed soon and to extend the roof warranty to Riverfield would be throwing good money after bad. The building committee would probably ask to replace the roof, and it is appropriate to leave the funding as is.

Josh Garskof, District 5, asked if the Board of Education supports the motion.

Superintendent of Schools David Title said that leaving all five schools in the resolution is appropriate. It would be more efficient to leave Riverfield in, since any leaks that might occur during the four-year window would not be covered if it were removed.

Ken Lee, District 10, asked if roof work is included in the Riverfield building project.

Dr. Title said that the project contemplates adding square footage to the existing footprint, and he expects that the new building will have a roof.

Ed Bateson, District 3, said he supports the proposed amendment. He does not want to limit future construction considerations, such as if it is decided to add HVAC.

Tom McCarthy, District 8, asked if the scope of work on the roof upgrades would be separate from the work that is proposed to be done in the future at Riverfield, to which Dr. Title replied affirmatively.

David Becker, District 1, said that on the surface, taking out Riverfield makes sense, but the administration has made clear that leaving it in will save money in the long run.

Hal Schwartz, District 7, asked if we would be restricted from doing the project if Riverfield was stricken from the resolution. He asked if it is written into the warranty, would the work be done anyway.

Fiscal Officer Paul Hiller said that striking Riverfield from the bonding resolution would preclude the work from being done at Riverfield.

VOTE: The motion to remove Riverfield School from the resolution failed with 2 in favor (Bateson, Hug), 42 opposed and 1 abstention (Jacob).

Chris Brogan, District 6, said that although he supports this project, maintenance work should not be bonded but placed into the operating budget.

Ellen Jacob, District 9, questioned the timing of the program regarding the warranty extension offer as well as the preventative maintenance program. Sal Morabito explained the preventative maintenance program under contract with Tecta.

VOTE: The bond appropriation of \$725,000, as amended from \$901,467, for the school roof warranty extension was approved with 41 in favor, 4 opposed (Hug, Braun, Jacob, Pontrelli).

ITEM NO. 14 ON CALL: RESOLVED, THAT THE SUPPLEMENTAL AGREEMENT BETWEEN THE TOWN OF FAIRFIELD AND THE STATE OF CONNECTICUT, REGARDING THE \$3 MILLION IN ADDITIONAL FUNDING FOR THE METRO CENTER TRAIN STATION, BE, AND HEREBY IS, APPROVED

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

**See Committee Reports Attached Hereto

VOTE: The motion to approve the supplemental agreement regarding the additional \$3 million for the Metro Center was approved with 40 in favor, 2 opposed (Bateson, Braun) (Mr. Mackenzie, Ms. Stamler and Mr. Brogan were not present to vote).

ITEM NO. 15 ON CALL: RESOLVED, THAT IN ACCORDANCE WITH CONNECTICUT GENERAL STATUTE §10-153D(B), THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF EDUCATION AND THE FAIRFIELD EDUCATION ASSOCIATION (TEACHERS UNION), FOR THE PERIOD OF JULY 1, 2012 THROUGH JUNE 30, 2015, IS REJECTED

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

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**See Committee Reports Attached Hereto

Joe Palmer, District 4, asked Dr. Title to discuss the hidden savings in the contract which he had mentioned during committee meetings.

Dr. Title explained that savings have been found in such instances as a change in the wording to course reimbursement, class size in middle schools will save three to five FTE's, additional health insurance savings, and extra duty stipends.

Heather Dean, District 4, said she is concerned about consecutive absences in the contract, and asked that the Board consider changing the current ten days to five.

Ms. Iacono said she will make a note of it, although it has not been an issue for the Board of Education.

Carolyn Richmond, District 1, said she will support the contract but points out that the education budget should not automatically increase due to the salary increase.

VOTE: The motion to reject the Teachers' Contract failed with 2 in favor (Meyer, Braun), 42 opposed and 1 abstention (Hoffkins).

At 10:55 P.M., Hank Ference, District 3, moved to suspend the rules in order to convene past 11:00 P.M., duly seconded and carried with 42 in favor, 3 opposed (Stewart, Mirabile, Weber).

ITEM NO. 16 ON CALL: RESOLVED, THAT IN ACCORDANCE WITH CONNECTICUT GENERAL STATUTE §10-153F(C)(7), THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE BOARD OF EDUCATION AND THE FAIRFIELD ASSOCIATION OF SCHOOL ADMINISTRATORS (ADMINISTRATORS' UNION), FOR THE PERIOD OF JULY 1, 2012 THROUGH JUNE 30, 2015, IS REJECTED

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

**See Committee Reports Attached Hereto

Carolyn Richmond, District 1, said that she will support this contract but that more work on reducing fees should be done. Raising taxes should not be an automatic.

Joe Palmer, District 4, said that the negotiating team did a great job. The Board of Education employs the largest segment of Town employees, and work still needs to be done.

Ann Stamler, District 5, spoke in support of the outstanding faculty.

Jay Wolk, District 6, said that the administration deserves a pay increase.

Board of Education Chairman Pam Iacono thanked the Body for approving the contract on behalf of the Board.

VOTE: The motion to reject the Administrators' Contract failed with 2 in favor (Meyer, Braun), 42 opposed and 1 abstention (Marks).

OTHER BUSINESS

The Moderator asked for and received a consensus of the Body to eliminate oral committee reports from each monthly meeting. Committee reports will be posted on the Town's website prior to each meeting.

Eric Sundman, District 1, noted that there were two devastating fires in Town this past week, leaving two families displaced. A holiday donation drive is underway and donations should be made to Fire Station 1.

ADJOURNMENT

There being no further business and upon motion made, duly seconded and carried unanimously, the meeting was adjourned at 11:00 P.M.

Respectfully submitted,

Elizabeth P. Browne
Town Clerk

Recorded by: Ann Roche

**Regular Monthly Meeting of RTM Education & Recreation Committee
Sullivan Independence Hall
Wednesday, December 14, 2011**

A joint meeting of the Education and Recreation Committee and the Public Health and Safety Committee was called to order at 7:36pm by Mary McCullough in the 1st Floor Conference Room. Michael Herley, Chairman of the Public Health and Safety Committee chaired the joint meeting to hear the presentations on items #12, 13, 14, 15, and 16. The joint meeting was adjourned at 9:39pm and the Education and Recreation Committee reconvened at 9:46pm in the 2nd Floor Conference Room.

In Attendance: Representatives Gottlieb, McCullough, Patten, Richmond, Stewart and Way.

Absent: Representatives Campbell, Marks, Mirabile, and Weber

Note: Representative Stewart had to leave prior to voting on the items, so there was no quorum to vote on the items.

Others in attendance: Mike Tetreau, First Selectman; Paul Hiller, Chief Fiscal Officer; Eileen Kennelly, Assistant Town Attorney; Dr. David Title, Superintendent; Margaret Mary Fitzgerald, Assistant Superintendent, Human Resources; Tom Cullen, Director of Operations; Board of Education (BOE) Members Pam Iacono (chairman), Sue Brand, Tim Kery; and Al Kelly, Town Facilities Commission.

Note: The order of the items presented below reflects the order in which they were presented to the joint body, as well as the order in which the items were discussed and voted upon in committee.

Item #13 To hear, consider and act upon the following resolution as recommended by the Board of Finance: "RESOLVED, that the Bond Appropriation entitled, 'A Resolution Appropriating \$901,467 to Fund a Roof Warranty Extension Program at Sherman, North Stratfield, Osborn Hill, Riverfield, and Holland Hill Elementary Schools and authorizing the Issuance of bonds to finance such appropriation,' consisting of three pages, a copy of which is attached hereto, be, and hereby is approved."

Mr. Al Kelly of the Town Facilities Commission (TFC) and Dr. David Title, School Superintendent reviewed the outcome of the meeting with the TFC, TectaAmerica and Dr. Title, resulting in modification of the work involved and the lowering of the overall cost of roof repairs to \$725,000. It is expected that with the roof repair and upgrades, the life of each of the roofs may be extended by 5 to 10 years. This bond appropriation is supported by both the TFC and the BOE.

A motion was made to accept the resolution with a reduction in the dollar amount to \$725,000 by Representative Way and seconded by Representative Gottlieb. As there was no quorum, a sense of the body was taken with all in favor.

Item#12 " To hear, consider and act upon the following resolution as recommended by the Board of Selectmen: " RESOLVED, that in accordance with a request from the Penfield Reef

Lighthouse Preservation Committee, the Town proceed to obtain a lease on the bottomlands from the State of Connecticut in lieu of obtaining a Quit Claim Deed and to pursue the possibility of obtaining a Quit Claim Deed to secure the bottomlands in perpetuity."

Assistant Town Attorney, Eileen Kennelly was present to answer questions, which centered on liability issues and benefits to the town. If the Town owns the property, then any environmental liability issues would fall to the town, although it is believed that the liability issues are small. The main benefit of owning and or holding the lease would be having a direct relationship with the owner. It is not known whether the town would receive any property tax on the lighthouse property.

A motion to accept the resolution was made by Representative Way and seconded by Representative McCullough. As there was no quorum, a sense of the body was taken with 3 in favor and 2 abstentions (Representatives Gottlieb and McCullough).

Item #15: To consider and act upon the following resolution recommended by the Board of Education: "RESOLVED, that in accordance with Connecticut General Statute 10-53d(b), the Collective Bargaining Agreement between the Board of Education and the Fairfield Education Association (Teachers Union), for the period of July 1, 2012 through June 30, 2015, is rejected."

Don Houston, Counsel to the BOE and contract negotiator pointed out that to accept the contract, we must vote "no" due to the wording of the resolution. He walked us through the Memorandum dated December 7, 2011, "Collective Bargaining Agreement between the Fairfield Education Association and the Fairfield Board of Education", which highlighted the changes to the contract.

Highlights:

Increase in teachers' student loads in the Middle School (additional 8 students) and High School (additional 5 students per day) for more scheduling flexibility. Salary increases of 2 % (0% step +2% general) in 2012-2013, 2.25% (2.07% step + .18% general) in 2013-2014 and 2.25% (1.98% step + .27% general) in 2014-2015.

Based on the size of current bargaining unit of 934.25 with a current salary of approximately \$73,344,888, the money needed to cover the cost of the new contract is \$1,464,410 in 2012-2013, \$1,683,043 in 2013-2014 and \$1,720,876 in 2014-2015.

Increase in premium cost share for prescription drug plan from 16% to 18% in 2012-2013, 19% in 2013-2014 and 20% in 2014-2015 for a total expected savings of \$107,718 , based on the current number of enrollees.

Increase co-pays for prescription drug plan from \$10/\$20/\$35; 1xmail order to \$15/\$25/\$40; 1xmail order for the 3year contract with an expected savings of \$190,662, based on current number of enrollees.

Increase in premium cost share for PPO & HMO from 16%/14% to 18%/16% in 2012-2013, 19%/17% in 2013-2014 and 20%/18% in 2014-2015 for a total expected savings of \$314,494 based on current number of enrollees.

Increase in co-pays for PPO & HMO for various services resulting in a savings of \$204,142.

Total savings in health insurance is \$817,016 based on the current number of enrollees.

A motion to approve the resolution was made by Representative Richmond and seconded by Representative Patten. The sense of the body was that it was a good contract and most were in

favor of "rejecting" the resolution with Representative McCullough abstaining. No formal vote was taken as there was no quorum.

Item#16: To consider and act upon the following resolution recommended by the Board of Education: "RESOLVED, that in accordance with Connecticut General Statute 10-153F(c) (7), the Collective Bargaining Agreement between the Board of Education and the Fairfield Association of School Administrators (Administration Union), for the period of July 1, 2012 through June 30, 2015, is rejected."

Lisa Eagan, negotiator for the contract, presented the highlights of the agreement as laid out in the Memorandum dated December 7, 2011, "Collective Bargaining Agreement between the Fairfield School Administrators Association and the Fairfield Board of Education".

Highlights:

Change in language for salary protection. Involuntary transfer or reduction in force will provide 100% of administrator's salary in the first year of displacement, 50% of the difference in the second year, after which the Administrator will receive the salary of the position. This was viewed as a good change to allow more flexibility in assigning faculty for that above stated reasons. Other language changes deal with grievance and arbitration procedures and premium cost share depending on whether a self-insured or insured plan is used.

Salary increases consist of step increases and general increases. Approximately 2/3 of the 39 member bargaining unit are at the max, the majority of the increase was in the general account. 2012-2013 1.74% (.74% step + 1% general), 2013-2014 1.74% (.63% step + 1.11% general) and 2014-2015 1.75% (0% step + 1.75% general).

The total increase based on the current makeup of the bargaining unit is \$93,268 for 2012-2013, \$94,994 for 2013-2014 and \$96,915 for 2014-2015

Increase in premium cost share for prescription drug plan from the current 19% to 20% in 2012-2103, 21% in 2013-2014 and 22% in 2104-2015. Savings of \$1,237 each year of contract.

Increase in co-pays for drug plan from \$10/\$20/\$35 to \$15/\$25/\$40 for the contract period for savings of \$5,620.

Increase in premium cost share for PPO and HMO from 19%/17% to 20%/18% in 2012-2013, 21%/19% in 2013-2014 and 22%/20% in 2014-2015. Note: currently all administrators are in PPO plan. No savings in first year, but savings of \$5,988 in second and third year of contract.

Increase in co-pays for various services resulting in saving of \$4,477 in first year, \$3020 in second year and none in third year of contract.

Total savings in health insurance is \$28,804 based on the current number of enrollees.

A motion was made to accept the resolution by Representative McCullough and seconded by Representative Gottlieb. As there was no quorum to vote, a sense of the body was in favor of accepting the contract by rejecting the resolution with Representative McCullough abstaining.

Item# 14: To consider and act upon the following resolution recommended by the Board of finance: "RESOLVED, that the Supplemental Agreement between the Town of Fairfield and the State of Connecticut, regarding the \$3 million in additional funding for the Metro Center Train Station, be, and hereby is, approved."

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Tom Bremer presented. Both Assistant Town Attorney Eileen Kennelly and outside counsel Carver and English have reviewed the agreement. The Town has completed its work and will be submitting the paperwork to the state for the money. The Town's portion of work only relates to the parking lot.

A motion to accept the resolution was made by Representative Patten and seconded by Representative McCullough. As no quorum was present to vote, the sense of the body was unanimous in approving the resolution.

Representative Gottlieb made a motion to adjourn and the motion was seconded by Representative McCullough. Motion passed unanimously and the meeting was adjourned at 10:24pm.

Respectfully submitted,

Carolyn Richmond
Secretary

RTM Finance Committee Meeting Minutes for 12/12/2011

Committee Members in attendance:

Finance Committee Monday, December 12, 2011	Item#4	Item#12	Item#13	Item#14	Item#15	Item#16
Peter Ambrose	A	N	Y	Y	N*	N*
Shiela Marmion	A	A	Y	Y	N*	N*
Tom McCarthy	A	A	Y	Y	N*	N*
Bruce Ryan	A	Y	N	Y	N*	N*
Dave MacKenzie	A	N	Y	Y	N*	N*
Ken Lee	A	Y	Y	Y	N*	N*
Hal Schwartz	A	N	Y	Y	N*	N*
Hank Ference	A	N	Y	Y	N*	N*
Ellen Jacob	A	A	N	Y	N*	N*
Heather Dean	A	Y	A	A	N*	N*

* Union Contracts: In this case "N" is indicative of contract acceptance because of the unusual wording of the resolution.

SIX (6) MATTERS WERE REFERRED TO THIS COMMITTEE BY THE RTM FOR REVIEW/ACTION PRIOR TO THE MAY GENERAL MEETING. THE NUMBERING OF THE POINTS WHICH FOLLOW CORRESPOND TO THE UPCOMING 12/19/2011 RTM AGENDA.

Respectfully submitted; Thomas E McCarthy (Secretary).

4. To hear, consider and act upon the following reappointment to the Employees Retirement Board as recommended by the First Selectman.

Robert W Malarkey (D), 437 Papurah Road, Term Nov. 2011 - 2016

Comments: Mr. Malarkey was not available to be interviewed by members of this committee. No Vote: All members abstained.

12. To hear, consider and act upon a resolution as recommended by the Board of Selectman:

“RESOLVED, that in accordance with a request from the Penfield Reef Lighthouse Preservation Committee, the town proceeds to obtain a lease on the bottomlands from the State of Connecticut in lieu of obtaining a Quick Claim Deed and to Pursue the possibility of obtaining a Quick Claim Deed to secure the bottomlands for perpetuity.”

Comments: Speaking to a joint session of L&A, Finance, and PW&P RTM subcommittees Ms Sandy Mann relayed a short history of Penfield Reef Lighthouse Preservation Committee’s efforts to preserve the historical structure, but went on to explain that the building was about to be auctioned off by the GSA. She stated that her reason for coming before the RTM at this time was to take “control/ownership” of the bottom land through either lease or quick claim as that would give the Town a greater degree of control over what actions could be taken by the new owners of the lighthouse itself. She acknowledged the fact that the Coast Guard would remain responsible for the maintenance of the light and fog horn, and given the buildings historical status, renovations would be regulated by the Federal Government and the Connecticut Historical Society. Asst Town Attorney Kennelly stated that downside for leasing or taking ownership of the bottom land would be minimal as long as there was no public access and First Selectman Tetreau stated that the cost of lease or quick claim was expected to be minimal as well.

In single session, representatives Schwartz and others held that there was not a compelling reason for the town to become involved in this effort, while representatives Dean and Ryan argued that as Fairfielders we needed to take ownership of efforts to preserve the Towns historic icons. Still others wished to reserve judgment until risks were better understood and costs were quantified. This resolution failed with 4 opposed, 3 in favor, and 3 abstaining.

13. To hear, consider and act upon a resolution as recommended by the Board of Finance:

“RESOLVED, that the Bond Appropriation entitled, ‘A Resolution Appropriating \$901,467 to fund a Roof Warranty Extension Program at Sherman, North Stratfield, Osborne Hill, Riverfield, and Holland Hill Elementary Schools and Authorizing the Issuance of Bonds to Finance Such appropriation,’ consisting of three pages, a copy of which is attached here to, be , and hereby is approved.”

Comments: Addressing a joint session of L&A, Finance, and PW&P, TFC Chairman Al Kelly stated that the BOE and TFC were now in agreement as to both the scope and cost (\$725K) of the work deemed necessary to extend the serviceable life of the 5 school roofs in question. He attributed the disparity of estimated cost which initially existed between the TFC and BOE in large measure to the replacement of flashing in and around the roof drains (in the amount of \$230K). He stated that while this proposed build up would qualify the roofs for the manufacturers extended warranty, extending roof life was the driving objective for both the TFCs and the BOE, and securing a warranty was tertiary. In responding to a question from Representative Demartino, Chairman Kelly indicated that listening to the advise offered by the experts from Tecta and Hoffman Architects was the basis for moving the TFC off it’s original position of \$6K/School/year. Representative Becker expressed a wish to see the terms of the warranty as written in order to better understand specifically what would be covered. Representative Steele said he was glad the disagreement was at last resolved and expressed his hope that going forward differences involving technical requirements would be

reconciled before bringing a *resolution in conflict* before the RTM. First Selectman Tetreau stated that to that end, he intended to have the TFC's role in the process better defined. Representatives Dean, Jacob, and others questioned the degree to which the roofs had had adequate maintenance and inspections.

In single session Representative Dean renewed her concern over adequate maintenance, and questioned the extent to which maintenance (or lack there of) may impact manufacturers warranty eligibility. Representatives Ference, Schwartz, and McCarthy held that the eligibility was predicated on the buildup and was independent of maintenance performed. Representative Ambrose suggested that committee members have an opportunity to review the warranty to better understand what is in fact covered. Representative Schwartz noted that the resolution would need to be amended in general session to reflect the new cost as agreed upon. The Resolution passed as amended with 7 in favor, 2 opposed, and 1 abstention.

14. To hear, consider and act upon a resolution as recommended by the Board of Finance:

“RESOLVED, that a Supplemental Agreement between the Town of Fairfield and the State of Connecticut, regarding the \$3Million in additional funding for the Metro Center Train Station, be, and hereby is, approved.”

Comments: Addressing a joint session of L&A, Finance, and PW&P, Chief of Staff Tom Bremmer offered a short overview of the 1st Supplemental Agreement, making note of the fact that the State had acknowledged the completed work. He indicated that he was on balance comfortable with the document and his one possible concern was over the fact that monies recovered from Black Rock Realty specifically for the road and parking lot would go back to the State (not so for remediation). In single session Representatives Dean and others expressed concern that the punch list was still open and wish to identify the items on the list at this point in time. This item passed with 9 in favor and 1 abstention.

15. To hear, consider and act upon a resolution as recommended by the Board of Education:

“RESOLVED, that in accordance with the Connecticut General Statute 10-153d(b), the Collective Bargaining Agreement between the Board of Education and the Fairfield Education Association (Teachers Union), for the period of July 1, 2012 through June 30, 2015, is rejected.”

Comments: In joint session of L&A, Finance, and PW&P Attorney Don Houston representing the Fairfield BOE offered a short summary of this agreement reached with the Teachers Union, noting it's positive points which included more modest salary increases, more productivity (in terms of class size and identified in the operational audit) and greater cost sharing with respect to health and dental. He went on to identify the risks associated with rejecting the contract, explaining a little bit about interest arbitration, and acknowledging the fact that the Town would be to some disadvantage in that scenario. Representative Becker questioned the extent to which acceptance of this agreement may represent a precedent for other bargaining units, to which Atty. Houston responded by saying that Education related and non education related units were not normally benchmarked against one another.

In single session Representative Dean opined that the agreement needed to have more accountability with regard to sick days taken; however, as a group finance committee members generally agreed that they were pleased with the efforts of the negotiators and that the agreement was beginning to

move things in the right direction albeit slowly. This resolution passed with all members voting not to reject.

16. To hear, consider and act upon a resolution as recommended by the Board of Education:

“RESOLVED, that in accordance with the Connecticut General Statute 10-153F(c)(7), the Collective Bargaining Agreement between the Board of Education and the Fairfield Association of School Administrators (Administrators Union), for the period of July 1, 2012 through June 30, 2015, is rejected.”

Comments: Addressing the joint session Atty. Lisa Egan summarized significant points of the agreement reached between the Board of Ed and the School Administrators Union. She touched on the 1.75% compensation increase as well as the increased share of insurance costs. She noted that the healthcare participation was high for public sector but acknowledged the fact it was still below insurance costs private sector employees would pay.

In single session this resolution passed with all members voting not to reject.

**LEGISLATIVE AND ADMINISTRATIVE COMMITTEE
MINUTES: MONDAY, DECEMBER 12, 2011**

**Present: Bateson, Becker, Braun, Brogan, DeMartino, Garskof, Hoffkins, Stamler, Steele
Absent: Varian**

L&A Comm. Votes on Items on the Call for RTM Meeting on 12/19/11:

4. To hear, consider and act upon the following reappointment to the Employees Retirement Board as recommended by the First Selectman: Robert W. Malarkey (D), 437 Papurah Road, Term Nov. 2011 - 2016 (Referred to the Standing Committees on Legislation & Administration and Finance)

MOVED: Stamler; SECONDED: Garskof

MOVED TO POSTPONE TO JANUARY RTM: Steele; Seconded: Stamler

VOTE ON POSTPONING TO JANUARY RTM: 9:0:0

Yes: Bateson, Becker, Braun, Brogan, DeMartino, Garskof, Hoffkins, Stamler, Steele

No: none

Abst.: none

5. To hear, consider and act upon the following reappointment to the Harbor Management Commission, as recommended by the Board of Selectmen: Hugh R. Smith (R), 825 Harbor Road, Term Nov. 2011 - 2015 (Referred to the Standing Committees on Legislation & Administration and Public Works and Planning)

MOVED: Brogan; SECONDED: Stamler

VOTE: 8:0:1

Yes: Bateson, Becker, Braun, Brogan, DeMartino, Garskof, Stamler, Steele

No: none

Abst.: Hoffkins

6. To consider and act upon the following reappointment of an Alternate Member to the Harbor Management Commission as recommended by the Board of Selectmen: Sandye Mann (U), 200 Reef Road, Term Nov. 2011 – 2013 (Referred to the Standing Committees on Legislation & Administration and Public Works & Planning)

MOVED: Brogan; SECONDED: Stamler

VOTE: 9:0:0

Yes: Bateson, Becker, Braun, Brogan, DeMartino, Garskof, Hoffkins, Stamler, Steele

No: none

Abst.: none

7. To hear, consider and act upon the following reappointment to the Historic District Commission, as recommended by the Board of Selectmen: Ellen Gould (U), 648 Harbor Road, Term Nov. 2011 – 2016 (Referred to the Standing Committees on Legislation & Administration and Public Works & Planning)

MOVED: Brogan; SECONDED: Garskof

VOTE: 8:0:1

Yes: Bateson, Braun, Brogan, DeMartino, Garskof, Hoffkins, Stamler, Steele

No: none

Abst.: Becker

8. To hear, consider and act upon the following reappointment as an Alternate Member to the Historic District Commission, as recommended by the Board of Selectmen: Adam J. Klyver (R), 280 Hillside Road, Term Nov. 2011 - 2016 (Referred to the Standing Committees on Legislation & Administration and Public Works & Planning)

MOVED: Steele; SECONDED: Brogan

VOTE: 9:0:0

Yes: Bateson, Becker, Braun, Brogan, DeMartino, Garskof, Hoffkins, Stamler, Steele

No: none

Abst.: none

9. To hear, consider and act upon the following reappointment to the Solid Waste & Recycling Commission, as recommended by the Board of Selectmen: William P. Shoaf, Jr. (U), 101 Palmer Bridge, Term Nov. 2011 - 2015 (Referred to the Standing Committees on Legislation & Administration and Public Works & Planning)

MOVED: Garskof; SECONDED: Brogan

VOTE: 8:0:1

Yes: Bateson, Becker, Braun, Brogan, Garskof, Hoffkins, Stamler, Steele

No: none

Abst.: DeMartino

10. To hear, consider and act upon the following appointments to the Harbor Management Commission as recommended by the Board of Selectmen: (Referred to the Standing Committees on Legislation & Administration and Public Works and Planning)

James L. Harman (D), 710 Mill Hill Road, Term Nov. 2011 - 2015

MOVED: DeMartino; SECONDED: Garskof

VOTE: 9:0:0

Yes: Bateson, Becker, Braun, Brogan, DeMartino, Garskof, Hoffkins, Stamler, Steele

No: none

Abst.: none

Norman R. Marsilius (R), 86 Hill Brook Lane, Term Nov. 2011 - 2015

MOVED: Hoffkins; SECONDED: Bateson

VOTE: 1:0:8

Yes: Becker

No: none

Abst.: Bateson, Braun, Brogan, DeMartino, Garskof, Hoffkins, Stamler, Steele

Nelson L. North (R), 35 Barberry Road, Term Nov. 2011 - 2015

MOVED: Brogan; SECONDED: Braun

VOTE: 9:0:0

Yes: Bateson, Becker, Braun, Brogan, DeMartino, Garskof, Hoffkins, Stamler, Steele

No: none

Abst.: none

11. To consider and act upon the following appointment of an Alternate Member to the Harbor Management Commission as recommended by the Board of Selectmen: **Benjamin M. Baker (U), 174 Old South Road, Term Nov. 2011 - 2013 (Referred to the Standing Committees on Legislation & Administration and Public Works & Planning)**

MOVED: DeMartino; SECONDED: Brogan

VOTE: 2:0:7

Yes: Becker, DeMartino

No: none

Abst.: Bateson, Braun, Brogan, Garskof, Hoffkins, Stamler, Steele

12. To hear, consider and act upon the following resolution as recommended by the Board of Selectmen: “RESOLVED, that, in accordance with a request from the Penfield Reef Lighthouse Preservation Committee, the Town proceed to obtain a lease on the bottomlands from the State of Connecticut in lieu of obtaining a Quit Claim Deed and to pursue the possibility of obtaining a Quit Claim Deed to secure the bottomlands in perpetuity.” (Referred to All Standing Committees)

MOVED: Garskof; SECONDED: Brogan

VOTE: 1:0:8

Yes: Hoffkins

No: none

Abst.: Bateson, Becker, Braun, Brogan, DeMartino, Garskof, Stamler, Steele

13. To hear, consider and act upon the following resolution as recommended by the Board of Finance*: “RESOLVED, that the Bond Appropriation entitled, ‘A Resolution Appropriating \$901,467 to Fund a Roof Warranty Extension Program at Sherman, North Stratfield, Osborn Hill, Riverfield, and Holland Hill Elementary Schools and Authorizing the Issuance of Bonds to Finance Such Appropriation,’ consisting of three pages, a copy of which is attached hereto, be, and hereby is, approved.” (Referred to All Standing Committees)

MOVED: Garskoff; SECONDED: Brogan

MOVED TO AMEND TO \$725,000: Garskof; SECONDED: Hoffkins

VOTE ON AMENDMENT: 9:0:0

Yes: Bateson, Becker, Braun, Brogan, DeMartino, Garskof, Hoffkins, Stamler, Steele

No: none

Abst: none

VOTE ON AMENDED RESOLUTION: 8:0:1

Yes: Bateson, Becker, Brogan, DeMartino, Garskof, Hoffkins, Stamler, Steele

No: none

Abst.: Braun

14. To hear, consider and act upon the following resolution as recommended by the Board of Finance*: “RESOLVED, that the Supplemental Agreement between the Town of Fairfield and the State of Connecticut, regarding the \$3 million in additional funding for the Metro Center Train Station, be, and hereby is, approved.” (Referred to All Standing Committees) *This item is subject to Board of Finance approval at a Special Meeting to be held in December

MOVED: Brogan; SECONDED: Stamler

VOTE: 6:0:3

Yes: Becker, Brogan, DeMartino, Hoffkins, Stamler, Steele

No: none

Abst.: Bateson, Braun, Garskof

15. To consider and act upon the following resolution recommended by the Board of Education: “RESOLVED, that in accordance with Connecticut General Statute §10-153d(b), the Collective Bargaining Agreement between the Board of Education and the Fairfield Education Association (Teachers Union), for the period of July 1, 2012 through June 30, 2015, is rejected.” (Referred to All Standing Committees)

MOVED: Garskof; SECONDED: Hoffkins

VOTE: 1:8:0

Yes: Braun

No: Bateson, Becker, Brogan, DeMartino, Garskof, Hoffkins, Stamler, Steele

Abst.: none

16. To consider and act upon the following resolution recommended by the Board of Education: “RESOLVED, that in accordance with Connecticut General Statute §10 153F(c)(7), the Collective Bargaining Agreement between the Board of Education and the Fairfield Association of School Administrators (Administrators’ Union), for the period of July 1, 2012 through June 30, 2015, is rejected.” (Referred to All Standing Committees)

MOVED: Hoffkins; SECONDED: Stamler

VOTE: 1:7:1

Yes: Braun

No: Bateson, Becker, Brogan, Garskof, Hoffkins, Stamler, Steele

Abst.: DeMartino

MOTION TO ADJOURN: GARSKOF; SECONDED: BROGAN

VOTE: 9:0:0

Yes: Bateson, Becker, Braun, Brogan, DeMartino, Garskof, Hoffkins, Stamler, Steele

No: none

Abst.: none

Kathryn L. Braun

Kathryn L. Braun, Secretary
Legislative & Administrative Standing Committee

***Town of Fairfield RTM
Minutes of Public Health and Safety Committee
Wednesday December 14th, 2011***

Chairman: Rep. Michael Herley (R-1)

Vice Chairman: Rep. Ruth Smey (D-5)

Secretary: Rep. Bill Domeika (R-9)

The joint meeting of the Ed/Rec and Health and Public Safety Committees was called to order by the Chairman of Education/Recreation Mary McCullough (R-1) at 7:34 pm EST. Chairman of Health and Public Safety Michael Herley (R-1) presided over the meeting.

o Roll Call

HPS

Present: Rep. Bill Domeika (R-9), Rep. Ruth Smey (D-5), Rep. Jay Wolk (D-6), Rep. Jennifer Hochberg (D-7), and Rep. Gaylord Meyer (R-1), Rep. Michael Herley (R-1), Rep. Art Hug (R-4), Rep. Carol Pontrelli (R-9), Rep. Joseph Felner (R-9).

Absent: Rep. Joe Gall (D-5)

○ Guests/Speakers

Al Kelly- TFC Chairman
David Title- Superintendent, Fairfield Public Schools
Paul Hiller-CFO/Clerk of the Board of Finance
Eileen Kennelly-Town Attorney
Donald Houston-Board of Education Counsel
Pamela Iacono-Chairman of the Board of Education
Margaret Mary Fitzgerald- Assistant Superintendent, Human Resources
Tim Kery-Board of Education Member
Lisa Grasso Egan-Board of Education Counsel
First Selectman Michael Tetreau
Thomas Bremmer-Chief of Staff to First Selectman Michael Tetreau

○ Meeting Business

Agenda Item Twelve

Eileen Kennelly explained the overview of the lighthouse bidding and that a third party won. Chairman Michael Herley (R-1) asked a question regarding tours, and would we be liable if something happened on those tours. And Eileen responded that could be a possibility that could happen. But that we would just own the bottomlands and not the actual lighthouse.

Rep. Carol Pontrelli (R-9) asked some specifics such as what the new owner had in mind for it and whether they could do tours and Eileen and Mike Tetreau said that the winning bidders can really only do so much with the lighthouse, they cannot live there, and they have plans to restore it per conditions of the lease and they did not know whether tours were in the plans.

Agenda Item Twelve

“RESOLVED, that , in accordance with a request from the Penfield Reed Lighthouse Preservation Committee, the Town proceed to obtain a lease on the bottomlands from the State of Connecticut in lieu of obtaining a Quit Claim Deed and to pursue the possibility of obtaining a Quite Claim Deed to secure the bottomlands in perpetuity.

The vote was seven in favor, zero against, and two abstentions.

[IN FAVOR: Rep. Jennifer Hochberg (D-7), Rep. Joe Felner (R-9), Rep. Bill Domeika (R-9), Rep. Michael Herley (R-1), Rep. Ruth Smey (D-5), Rep. Jay Wolk (D-6) and Rep. Art Hug (R-4). ABSTENTIONS: Rep. Carol Pontrelli (R-9), and Rep. Gaylord Meyer (R-1)

Agenda Item Thirteen:

Superintendent of Schools David Title and TFC Chairman Al Kelly explained the background of the project and gave details about the new proposal. They directed that any question go to them. The recommendation is to approve the \$725,000 roofing project.

Rep. Michael Herley (R-1) and Rep. Carol Way (R-10) both asked if the dollar number could be lower and Al Kelly said that it is certainly possible that it could.

Agenda Item Thirteen:

“RESOLVED, that the Bond Appropriation entitled, ‘A Resolution Appropriating **\$725,000** to Fund a Roof Warranty Extension Program at Sherman, North Stratfield, Osborn Hill, Riverfield, and Holland Hill Elementary Schools and Authorizing the Issuance of Bonds to Finance Such Appropriation,’ consisting of three pages, a copy of which is attached hereto, be, and hereby is, approved.”

There was a motion to amend the resolutions dollar figure from \$901,467 to \$725,000. This was unanimously approved.

The vote was six in favor, three against, and zero abstentions.

[IN FAVOR: Rep. Bill Domeika (R-9), Rep. Jennifer Hochberg (D-7), Rep. Joe Felner (R-9), Rep. Michael Herley (R-1), Rep. Ruth Smey (D-5) and Rep. Jay Wolk (D-6) AGAINSTS: Rep. Carol Pontrelli (R-9), Rep. Art Hug (R-4), and Rep. Gaylord Meyer (R-1)]

Agenda Item Fourteen:

First Selectman Mike Tetreau explained the agreement and the basics of the negotiation. Mr. Bremmer then took over for a more detailed walk-through.

Agenda Item Fourteen

“RESOLVED, that the Supplemental Agreement between the Town of Fairfield and the State of Connecticut, regarding the \$3 million in additional funding for the Metro Center Train Station, be, and hereby is, approved.”

The vote was nine in favor, zero against, and zero abstentions.

[IN FAVOR: Rep. Bill Domeika (R-9), Rep. Jennifer Hochberg (D-7), Rep. Joe Felner (R-9), Rep. Michael Herley (R-1), Rep. Ruth Smey (D-5) and Rep. Jay Wolk (D-6), Rep. Carol Pontrelli (R-9), Rep. Art Hug (R-4), and Rep. Gaylord Meyer (R-1)]

Agenda Item Fifteen:

Donald Houston got up and gave an overview and then asked the RTM to vote no on the motion. By voting no you would fail to reject it and it would become law.

Margaret Mary and David Title explained that High School science is the only subject that did not take the five student increase per day. That question was raised by Rep. Carolyn Richmond (R-1).

Agenda Item Fifteen

“RESOLVED, that in accordance with Connecticut General Statute §10-153d(b), the Collective Bargaining Agreement between the Board of Education and the Fairfield Education Association (Teachers Union), for the period of July 1, 2012 through June 30, 2015, is rejected.”

The vote was zero in favor, eight against, and zero abstentions.

[AGAINST: Rep. Bill Domeika (R-9), Rep. Jennifer Hochberg (D-7), Rep. Joe Felner (R-9), Rep. Michael Herley (R-1), Rep. Ruth Smey (D-5) and Rep. Jay Wolk (D-6), Rep. Carol Pontrelli (R-9), Rep. Art Hug (R-4), and Rep. Gaylord Meyer (R-1)]

Agenda Item Sixteen:

Lisa Grasso Egan got up and presented an overview on the Administrators contact.

Ms. Iacono reiterated that they worked very hard and achieved a lot of flexibility and that we should not get caught up so much on the cost.

Agenda Item Sixteen

“RESOLVED, that in accordance with Connecticut General Statute §10-153F(c)(7), the Collective Bargaining Agreement between the Board of Education and the Fairfield Association of School Administrators (Administrators’ Union), for the period of July 1, 2012 through June 30, 2015, is rejected.”

The vote was zero in favor, eight against, and zero abstentions.

[AGAINST: Rep. Bill Domeika (R-9), Rep. Jennifer Hochberg (D-7), Rep. Joe Felner (R-9), Rep. Michael Herley (R-1), Rep. Ruth Smey (D-5) and Rep. Jay Wolk (D-6), Rep. Carol Pontrelli (R-9), Rep. Art Hug (R-4), and Rep. Gaylord Meyer (R-1)]

o Adjournment

There was a motion to adjourn by Chairman Michael Herley (R-1) at 9:59pm EST and that was unanimously approved.

Respectfully submitted by Rep. Bill Domeika (R-9), Secretary for the Public Health and Safety Committee, on December 18th 2011.

**Town of Fairfield RTM
Minutes of Public Works and Planning Committee
Monday, December 12, 2011**

Chairman: Rep. Eric Sundman (R-1)
Vice-Chairman: Rep. Chris McAleese (D-5)
Secretary: Rep. Dana Kery (R-8)

The meeting was called to order by Chairman Eric Sundman (R-1) at approximately 7:15pm, in the 2nd floor conference room of Independence Hall.

- Committee members present: Rep. Amy Mezoff (R-4), Rep. Tom Conley (R-3), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. Eric Sundman (R-1), Rep. Jeff Stopa (D-8), Rep. Joe Palmer (R-4), Rep. John Mitola (D-2), Rep. Leigh Hannum (D-10).
Absent: Rep. Chris McAleese (D-5)
- Presenters:
 - Hugh Smith, seeking reappointment to the Harbor Management Commission, introduced himself to the committee followed by 15 minutes of question and answer.
 - Sandye Mann, seeking reappointment of an Alternate Member to the Harbor Management Commission introduced herself to the committee followed by 15 minutes of question and answer.
 - Ellen Gould, seeking reappointment to the Historic District Commission introduced herself to the committee followed by 5 minutes of question and answer.
 - Adam Klyver, seeking reappointment as an Alternate Member to the Historic District Commission followed by 2 minutes of question and answer.
 - William Shoaf, seeking reappointment to the Solid Waste & Recycling Commission introduced himself followed by 10 minutes of question and answer.
 - James Harman and Nelson North, seeking appointments to the Harbor Management Commission introduced themselves followed by 10 minutes of question and answer.

At approx 8:25 the Committee moved to the 1st floor conference room of Independence Hall to join the Joint Committee meeting previously started.

- Presenters:
 - Superintendent David Title, and Al Kelly, Chairman, Town Facilities Commission presented a unified Roof Warranty Extension Program, followed by 15 minutes of question and answer from RTM Members. Rep. Anne Stamler (D-5, asked the four bodies involved all agree on the Roof Warranty Extension Program, BOE, TFC, Hoffman Associates, and Tecta. Al Kelly replied Yes.
 - Tom Bremer discussed the Supplemental Agreement between the Town of Fairfield and the State of Connecticut regarding the \$3 million of additional funding for the Metro Center Train Station, followed by 15 minutes of question and answer.
 - Sandye Mann, Chairman Penfield Reef Lighthouse Preservation Committee discussed the Lighthouse Bottomland Lease followed by 25 minutes of question and answer.
 - Donald Houston, Board of Education Council presented the Collective Bargaining Agreement between the Board of Education and the Fairfield Education Association. Question and answer followed for approximately 55 minutes.
 - Lisa Grasso Egan, Board of Education Council presented the Collective Bargaining Agreement between the Board of Education and the Fairfield Association of School Administrators. Question and answer followed for approximately 30 minutes.

At approx 11:00 the Committee moved to the 2nd floor conference room of Independence Hall.

- Committee members present: Rep. Amy Mezoff (R-4), Rep. Tom Conley (R-3), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. Eric Sundman (R-1), Rep. Jeff Stopa (D-8), Rep. Joe Palmer (R-4), Rep. John Mitola (D-2), Rep. Leigh Hannum (D-10).

Absent: Rep. Chris McAleese (D-5)

- Business

Agenda Item Five:

The vote was nine in favor, zero opposed, zero abstention.

[Favor: Rep. Amy Mezoff (R-4), Rep. Tom Conley (R-3), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. Eric Sundman (R-1), Rep. Jeff Stopa (D-8), Rep. Joe Palmer (R-4), Rep. John Mitola (D-2), Rep. Leigh Hannum (D-10).

Absent: Rep. Chris McAleese (D-5)]

Agenda Item Six:

The vote was eight in favor, zero opposed, one abstention.

[Favor: Rep. Tom Conley (R-3), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. Eric Sundman (R-1), Rep. Jeff Stopa (D-8), Rep. Joe Palmer (R-4), Rep. John Mitola (D-2), Rep. Leigh Hannum (D-10). Abstain: Rep. Amy Mezoff (R-4)

Absent: Rep. Chris McAleese (D-5)]

Agenda Item Seven:

The vote was nine in favor, zero opposed, zero abstention.

[Favor: Rep. Amy Mezoff (R-4), Rep. Tom Conley (R-3), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. Eric Sundman (R-1), Rep. Jeff Stopa (D-8), Rep. Joe Palmer (R-4), Rep. John Mitola (D-2), Rep. Leigh Hannum (D-10).

Absent: Rep. Chris McAleese (D-5)]

Agenda Item Eight:

The vote was nine in favor, zero opposed, zero abstention.

[Favor: Rep. Amy Mezoff (R-4), Rep. Tom Conley (R-3), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. Eric Sundman (R-1), Rep. Jeff Stopa (D-8), Rep. Joe Palmer (R-4), Rep. John Mitola (D-2), Rep. Leigh Hannum (D-10).

Absent: Rep. Chris McAleese (D-5)]

Agenda Item Nine:

The vote was nine in favor, zero opposed, zero abstention.

[Favor: Rep. Amy Mezoff (R-4), Rep. Tom Conley (R-3), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. Eric Sundman (R-1), Rep. Jeff Stopa (D-8), Rep. Joe Palmer (R-4), Rep. John Mitola (D-2), Rep. Leigh Hannum (D-10).

Absent: Rep. Chris McAleese (D-5)]

Agenda Item Ten:

The vote was eight in favor, one opposed, zero abstention.

[Favor: Rep. Tom Conley (R-3), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. Eric Sundman (R-1), Rep. Jeff Stopa (D-8), Rep. Joe Palmer (R-4), Rep. John Mitola (D-2), Rep. Leigh Hannum (D-10). Opposed: Rep. Amy Mezoff (R-4).
Absent: Rep. Chris McAleese (D-5)]

Agenda Item Eleven:

The vote was two in favor, zero opposed, seven abstention.

[Favor: Rep. Tom Conley (R-3), Rep. Leigh Hannum (D-10). Absention: Rep. Amy Mezoff (R-4), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. Eric Sundman (R-1), Rep. Jeff Stopa (D-8), Rep. Joe Palmer (R-4), Rep. John Mitola (D-2).
Absent: Rep. Chris McAleese (D-5)]

Agenda Item Twelve:

The vote was eight in favor, zero opposed, one abstention.

[Favor: Rep. Tom Conley (R-3), Rep. Amy Mezoff (R-4), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. John Mitola (D-2), Rep. Leigh Hannum (D-10), Rep. Eric Sundman (R-1), Rep. Joe Palmer (R-4). Absention: Rep. Jeff Stopa (D-8).
Absent: Rep. Chris McAleese (D-5)]

Agenda Item Thirteen:

The vote was six in favor, zero opposed, three abstentions.

[Favor: Rep. Tom Conley (R-3), Rep. Jeff Stopa (D-8), Rep. Amy Mezoff (R-4), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. John Mitola (D-2). Absention: Rep. Leigh Hannum (D-10), Rep. Eric Sundman (R-1), Rep. Joe Palmer (R-4).
Absent: Rep. Chris McAleese (D-5)]

Agenda Item Fourteen:

The vote was nine in favor, zero opposed, zero abstention.

[Favor: Rep. Tom Conley (R-3), Rep. Jeff Stopa (D-8), Rep. Amy Mezoff (R-4), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. John Mitola (D-2). Rep. Leigh Hannum (D-10), Rep. Eric Sundman (R-1), Rep. Joe Palmer (R-4).
Absent: Rep. Chris McAleese (D-5)]

Agenda Item Fifteen:

The vote was zero in favor, nine opposed, zero abstention.

[Opposed: Rep. Tom Conley (R-3), Rep. Jeff Stopa (D-8), Rep. Amy Mezoff (R-4), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. John Mitola (D-2). Rep. Leigh Hannum (D-10), Rep. Eric Sundman (R-1), Rep. Joe Palmer (R-4).
Absent: Rep. Chris McAleese (D-5)]

Agenda Item Sixteen:

The vote was zero in favor, nine opposed, zero abstention.

[Opposed: Rep. Tom Conley (R-3), Rep. Jeff Stopa (D-8), Rep. Amy Mezoff (R-4), Rep. Dana Kery (R-8), Rep. Eric Newman (D-7), Rep. John Mitola (D-2), Rep. Leigh Hannum (D-10), Rep. Eric Sundman (R-1), Rep. Joe Palmer (R-4).

Absent: Rep. Chris McAleese (D-5)]

- **Adjournment:**

There was a unanimous vote to adjourn around 11:25pm.

Respectfully submitted by Rep. Dana Kery (R-8), Secretary for the Public Works and Planning Committee, on December 12, 2011.