

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN OF FAIRFIELD
JANUARY 24, 2011**

The Regular Monthly Meeting of the Town of Fairfield was held on Monday, January 24, 2011, at Osborn Hill Elementary School, Fairfield, Connecticut.

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

PRESENT: 42 ABSENT: 8 VACANCY: 0

PRESENT: Becker, Challinor, Herley, Richmond, Sundman, Ambrose, A. Harrison, Steele, Stewart, Varian, Bateson, Conley, Ference, McCullough, Santalesa, DeMartino, Hug, Palmer, S. Parker, Garskof, McAleese, Smey, Stamler, Brogan, DeSanctis, Dyer, Marmion, Vahey, Hoffkins, Llewellyn, Lynch, Schwartz, Braun, Hoffmann, McCarthy, Dillon, Felner, McGinty, Millington, Cafferelli, Mears, Way

ABSENT: R. Parker, Gall, Cullen, Kelly, Takami, Mirabile, Farnen, Rubino

Cristin Vahey, District 6, introduced Patti Dyer, who was elected to fill the vacancy of Joe Luciano.

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

The Moderator introduced Police Commissioner Norma Peterson to lead the Body in the Pledge of Allegiance and a Moment of Silence. The First Selectman asked those present to keep in their thoughts former Selectman and State Rep Carl Dickman, who has been ill, and mother of Assessor Thomas Browne, Julie, who passed away recently.

ITEM NO. 2 ON CALL: STATE OF THE TOWN ADDRESS BY THE FIRST SELECTMAN

First Selectman Kenneth Flatto delivered an address on the State of the Town (attached).

ITEM NO. 3 ON CALL: REPORT ON LEASES OF TOWN BUILDINGS

The annual lease report from Asst. Town Attorney Eileen Kennelly was distributed with the Call.

Cristin McCarthy Vahey, District 6, asked if the plan is to keep the lease for A Child's Garden at the former Oldfield School for one year, and if the rent is the market rate.

Asst. Town Attorney Eileen Kennelly said that the lease is renewed on an annual basis.

First Selectman Flatto pointed out that this is a unique space and the market price cannot be compared to a commercial office building. It is not in a commercial zone, and it is not office space but a former school. A Child's Garden has been operating in this space for 25 years and the rent has increased eighty percent over the past ten years. The lease is short-term in case the Town finds it needs the space, and the lease can be terminated with three or six months notice.

**ITEM NO. 4 ON CALL: TO HEAR A REPORT FROM THE BLIGHT OFFICER
CONCERNING CONDEMNATION AND BLIGHT**

The blight report from Blight Officer Jim Gilleran was distributed with the Call. Mr. Gilleran distributed a corrected report.

Peter Ambrose, District 2, referred to the amended report which stated the \$110,000 fine for 26 Dalewood Avenue was reduced to \$16,500 via a Board of Selectmen vote. Mr. Ambrose asked if Mr. Gilleran knew when that vote occurred.

Mr. Gilleran replied negatively.

First Selectman Flatto said that the vote to reduce the fine occurred in Private Executive Session with the Town Attorney approximately nine months ago, after the homeowner supplied a financial affidavit.

Mr. Ambrose asked when this affidavit was given. He said hypothetically it seems far-reaching to reduce the fine by fifty percent provided the payment be made and the matter resolved, but to reduce the fine by five times and then exact no payment whatsoever makes no sense.

First Selectman Flatto said that a number of issues were discussed in executive session. For example, a list of items that were not codified were not on the original citation. The issue with the roof came up later and the Board determined that if the roof is fixed within a certain amount of time the fine would be reduced. He added that this is a low-income household.

Mr. Ambrose acknowledged that equity comes into consideration but to reduce the fine to that extent makes no sense.

First Selectman Flatto said that we cannot exact a fine if the item was not included in the original citation. We are trying to work with the homeowner. He said that the intent of the RTM in adopting this ordinance was to help people, not exact fines.

Edward Bateson, District 3, asked about a reduction of fines for 346 Halley Avenue. According to the report, it was fined at \$89,000 and we collected \$40,000.

Mr. Gilleran noted that the fine was reduced by the Probate Court, along with other liens. The Board of Selectmen then voted to approve the reduction in fines.

Mr. Bateson referred to 47 Dell Dale Road and said that on a previous report it had been listed as complying.

Mr. Gilleran said that the status changed on that property. The homeowner had complied by clearing out his yard but then brought more stuff onto the property.

Mr. Bateson said that the Board of Selectmen made an arrangement whereby certain things on 26 Dalewood Road were supposed to be fixed. He asked if they were.

First Selectman Flatto said that some early things were done but additional things arose.

Mr. Gilleran said that the dates were disputed about when certain citations were made and when they were fixed.

Mr. Bateson asked if the situation is getting better.

Mr. Gilleran said that this house has been on the blighted property list for five years. Things are getting better. The property had been in condemnation but the owner tore down the garage with the collapsed roof that was on the property.

Mr. Bateson asked if when we place a lien on property, the Board of Selectmen can increase or decrease the amount. He asked whether the ordinance specifies the fines for offenses.

Asst. Town Atty. Kennelly said that the Board of Selectmen has the discretion whether to reduce the fine.

Mr. Bateson asked if the Town has collected any fines from the homeowner of 26 Dalewood.

Mr. Gilleran and First Selectman Flatto each said no.

Selectman Jim Walsh said that this issue is disturbing to him. He was not on the Board of Selectmen at the time, and it is disturbing that the Town settled for fifteen percent of the fine and did not collect it. We received the \$40,000 probate settlement on a different matter. He wondered if the Condemnation Board had a fund, how many properties would come off the blight list.

Mr. Gilleran said that ninety percent of the properties could be cleaned up in 30 days.

Selectman Walsh said that he was on the RTM Blight Ordinance Committee. The fines should be handling blight, not going into the general fund. He suggested the Blight Ordinance Committee be reformed to set up a fund. The goal of the ordinance was to remove blight. Properties can be taken off the list with the \$40,000 collected from one property owner.

Mr. Gilleran said that the properties could be cleaned up with much less than that, and that for \$500 to \$600 properties can be taken of the blight agenda.

Patti Dyer, District 6, said that the intent of the committee was to set up a fund for the blight officer to clean up property. She intends to put forward an amendment to the ordinance to help the blight officer clean up properties.

Fiscal Officer Paul Hiller noted that the Town has incurred costs in cleaning up six properties over the years and that the funds came from miscellaneous contingency.

Mr. Gilleran said that the Town collected \$50,000 from a property owner on Tuckahoe Lane and spent \$6,800 cleaning the property.

Jamie Millington, District 9, agreed we need to address this issue and we will work together to explore reopening the blight ordinance. We must put forward a process for review because there is no current formula, so that one person pays the fine and another claims a hardship.

Tim Lynch, District 7, asked about a property on Stratfield Road and asked if it were cited and fixed.

Mr. Gilleran said it has happened many times. The owner of the former Gran Central market received a written complaint about illegal dumping on the property and they placed a dumpster on the site.

ITEM NO. 5 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 distributed and read a report (attached).

David Becker, District 1, asked who will manage the lot.

First Selectman Flatto said that the DOT gives the lease to the local Parking Authority to manage the lots, but the State will manage the new station. The State gave a contract to a private vendor to manage Bridgeport's new station. The permitting is being worked out.

Mr. Becker asked what the Town can do to involve the Parking Authority. The Parking Authority is locally involved and they do a good job. He is concerned about the State or an outside agency coming in.

First Selectman Flatto said that he asked for the opportunity but the State said no, as they are hoping to run all of the parking lots eventually. He is hoping to revisit the issue.

Mr. Becker urged Mr. Flatto to get a town representative on the board that oversees such decisions. Fairfield is one of the busiest train stations in the state. He asked that the RTM be advised if the issue gets resolved.

Kathy Braun, District 8, asked if the state has an option of giving the town revenue.

Mr. Flatto said that the Town receives the net revenue over \$300,000. Maintenance costs will be minimal because it is a new lot. It is hard to imagine that more than \$100,000 would be spent on the lot, and both the Town and State will benefit from the net costs.

Ms. Braun asked if it is at the State's discretion.

Mr. Flatto said no, the first \$300,000 is the Town's.

Ms. Braun asked if the State is going want their money back since they paid more.

Mr. Flatto said yes but it is his belief that heavy amounts of expenditures will not be needed.

Ms. Braun asked when Mr. Flatto will authorize the Conservation Department to go back on the property.

Mr. Flatto said that the Conservation Commission voted that the process that is currently in place should continue. That is the most efficient way.

ITEM NO. 6 ON CALL: TO HEAR A REPORT ON SCHOOL ENROLLMENT PROJECTIONS FROM MGT OF AMERICA

This item was withdrawn.

ITEM NO. 7 ON CALL: TO CONSIDER AND ACT UPON THE MINUTES OF THE REGULAR MEETING HELD ON DECEMBER 20, 2010

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

ITEM NO. 8 ON CALL: APPOINTMENT OF ROBERT M. STILSON TO THE SOLID WASTE & RECYCLING COMMISSION

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

**See Committee Reports Attached Hereto

VOTE: The appointment of Robert Stilson to the Solid Waste and Recycling Commission was approved by unanimous voice vote.

ITEM NO. 9 ON CALL: RESOLVED, THAT THE ATTACHED TEMPORARY UTILITY AND SEPTIC EASEMENT FROM THE TOWN OF FAIRFIELD TO THOMAS REDINGTON BE, AND HEREBY IS, APPROVED

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

**See Committee Reports Attached Hereto

Ed Bateson, District 3, noted that certain changes were asked for in L&A, such as adding signature lines for the Town. He asked if we have updated documents indicating the changes.

Asst. Town Attorney Kennelly assured the Body that the changes requested will be made prior to the parties signing of the easement, and she said that Rep. Ambrose will see the documents beforehand.

Ms. Vahey re-read specific items to be corrected from the L&A minutes.

Mr. Ambrose said that he has spent time with Atty. Kennelly in her office and discussed the language in the easement.

VOTE: The resolution to approve the utility and septic easement from the Town of Fairfield to Thomas Redington was approved with 41 in favor, 1 opposed (Dyer).

ITEM NO. 10 ON CALL: RESOLVED, THAT THE ATTACHED DRIVEWAY AND LAWN EASEMENT FROM THE TOWN OF FAIRFIELD TO CHRISTOPHER J. THOMAS AND TINA CRESSIA BE, AND HEREBY IS, APPROVED

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

**See Committee Reports Attached Hereto

VOTE: The resolution to approve the driveway easement from the Town of Fairfield to Christopher Thomas and Tina Cressia was approved by unanimous voice vote.

ITEM NO. 11 ON CALL: RESOLVED, THAT THE ATTACHED LEASE FOR TWENTY YEARS WITH FAIRFIELD INDOOR TENNIS, INC. TO REBUILD THE BEANERY AND TENNIS CENTER BE, AND HEREBY IS, APPROVED

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

**See Committee Reports Attached Hereto

Ms. Braun referred to page 6, paragraph 8e, and questioned whether the insurance is \$1 million for one side and \$3 million for the other but Atty. Kennelly said that it covers all liability.

Liz Hoffmann, District 8, asked about scenario 1 versus scenario 2.

Atty. Kennelly stated that scenario 2 was already written into the lease.

Ms. Hoffmann asked if maintenance numbers can be included for scenario 2 as in 1, but Atty. Kennelly said maintenance numbers are not included in either.

Recreation Director Gerry Lombardo said he expects a decrease in maintenance costs.

Christopher McAleese, District 5, said he supports the contract but asked about the changes to be made since the FEMA flood zones changed.

Architect Jerome Turner said that the FEMA changes had been incorporated into the project from the beginning. He added that all walkways will be ADA compliant.

VOTE: The resolution to approve the 20 year lease with Fairfield Indoor Tennis was approved unanimously with 41 in favor (Mr. Lynch was not present to vote).

OTHER BUSINESS

Board of Education Vice Chairman Pam Iacono reported that the Board had sent paper and DVD copies of the audit to the Body and asked members to contact the BOE if they had not received their copy.

ADJOURNMENT

There being no further business and upon motion made, duly seconded and carried unanimously, the meeting was adjourned at 10:00 P.M.

Respectfully submitted,

Elizabeth P. Browne
Town Clerk

Recorded by: Ann Roche

**Regular Monthly Meeting of RTM Education & Recreation Committee
Sullivan Independence Hall 1st Floor Conference Room
Wednesday, January 16, 2011**

Committee Chairman McCullough called the meeting to order at 7:05pm.

In Attendance: Representatives Richmond, McCullough, Garskof, Hoffkins, and Dyer

Absent: Representatives Way, Stewart, Mc Ginty, Lynch and Farnen

As there was not a quorum, no vote was taken on any of the items below.

Item #9 on the call: To hear, consider and act upon the following resolution as recommended by the Assistant Town attorney: "Resolved, that the attached Temporary Utility and Septic Easement from the Town of Fairfield to Thomas Redington be, and hereby is, approved."

Speaking for the resolution was Annette Jacobson of the Conservation Department and Eileen Kennelly, Assistant Town Attorney. It was established that the septic tank had been in the current position since 1928 and was not noted when the Town of Fairfield purchased the adjacent property to the Reddington's for Open Space. A discussion followed with public comment as well. No vote was taken.

Item #10 on the call: To hear, consider and act upon the following resolution as recommended by the Assistant Town attorney: "Resolved, that the attached Driveway and Lawn Easement from the Town of Fairfield to Christopher J. Thomas and Tina Cressia be, and hereby, is approved."

Speaking for the resolution was Annette Jacobson of the Conservation Department and Eileen Kennelly, Assistant Town Attorney.
Discussion ensued, but no vote was taken.

Item # 11 on the call: To hear, consider and act upon the following resolution recommended by the Board of Selectmen: "Resolved, that the attached lease for twenty years with Fairfield Indoor Tennis, Inc. to rebuild the Beanery and Tennis Center be, and hereby is, approved.'
This part of the meeting was held jointly with the Public Health and Safety Committee.

A presentation was given by Mr. Jerry Lombardo, Director of Parks & Recreation and Mr. Jerome Kerner, Architect for the project. A discussion was held on the various aspects of the project. The Town's investment of \$40K for a special floor and window wall will be paid out of the Commission Revolving Fund. Town personnel will also be involved with the building of the parking lot. The time frame to begin the project is next September, finishing by May 2012. The current rent is \$160K per year with a new sliding scale rent from \$60K in year 1 to \$120K in year 20. Again, no vote was taken.

Mr. Paul Hiller, Chief Financial Officer and Mr. Bill Gaffney of Municipal Valuation Services updated the committee on the revaluation process that has been going on in the town. 816 hearings have been held and the information from these hearings is being reviewed. About 25% of the town saw an increase in valuation. Commercial real estate was up about 4%.

Representative Garskof made a motion that the meeting be adjourned and Representative Hoffkins seconded the motion. The meeting was adjourned at 9:25pm.

Respectfully submitted,

Carolyn Richmond
Secretary

**Minutes of the Legislation and Administration Committee of the RTM
January 18, 2011**

Meeting was called to order at 7:15 pm

Present: Reps. Ed Bateson, Keith Varian, Ann Stamler, Bill Llewellyn, Jeff Steele, Cristin McCarthy Vahey

Absent: Reps. Kathy Braun, Rich Santalesa, Joe DeMartino, Nick Mirable

Item #8 - Appointment of Robert Stilson to Solid Waste and Recycling

Motion - Cristin McCarthy Vahey, Jeff Steele

Vote 4-0-2(Reps Bateson and Stamler)

Mr. Stilson (R) was present and noted that he had expressed his interest in volunteering to the First Selectman and this was the commission that needed additional members. Mr. Stilson does not have knowledge of the commission, but is an eager and willing volunteer who has knowledge of town government through his past service on both the RTM and the Board of Finance.

Various committee members expressed a desire for the following information with each appointment: A list of commission members, including party affiliation, available vacancies and the reason for the Selectman / BOS's recommendation for appointment.

Item #9 - Redington Utility and Septic Easement

Motion - Keith Varian, Cristin McCarthy Vahey

Vote - 6-0-0

Item #10 - Thomas / Cressia Driveway Easement

Motion - Keith Varian, Cristin McCarthy Vahey

Vote - 6-0-0

Items #9 and #10 were heard jointly by the committee. Assistant Town Attorney Eileen Kennelly and the Conservation Department's Annette Jacobson presented information to the committee. Changes have been made to both easements to provide indemnification for the Town. Both property owners have seen the amended documents and are willing to sign the updated agreements. Rep. Varian noted that there were a few typographical errors, which Ms. Kennelly noted and would be presented in an updated version on the evening of the RTM. Town Attorney Dick Saxl is aware of a number of these and will make these changes. Necessary changes included the fact that the Cressia Driveway easement used the word temporary, and their easement is not. Both easements need the addition of a place for the town / First Selectman to sign. Dates on the easements need to be changed from 2010 to 2011.

The Redington easement is temporary due to the fact that if they subdivide, there is no longer an easement. In response to a question by Rep. Bateson, Attorney Kennelly noted that the Redingtons are given the right to construct in the event the current septic system fails. The right to access the land is limited to use for utility purposes only. Ms. Jacobson noted that water and gas run with septic.

Item #11 - Fairfield Indoor Tennis (FIT) Center Lease

Motion - Keith Varian, Bill Llewellyn

Vote 4-0-2(Reps. Bateson and Stamler)

Presenters: Gerry Lombardo, Director of Parks and Recreation; Jeff Gocke, General Manager of FIT; Harry Peden, Principal / Attorney for FIT; Jerome Kerner, Architect from DCS architectural Design Planning Pleasantville, New York

BUILDING

- The 8,875 sf new building will replace two structures which total 9,000 sf and will include the Beanery, public restrooms, which will be accessible from the outdoors, and shared office space
- Golf offices haven been moved across the street but conference rooms in the new building will be available for their use
- The Beanery, whose square footage will remain at 7,600 sf was and will be used for youth program and after school Special Education programs; other space will now be used for daytime programs
- Parks and Rec will be asking the BOF to transfer money from the Park & Rec revolving fund in the amount of \$40,000 to cover the cost of special materials for the Beanery, flooring and a glass wall that will allow youth to be supervised by less staff, and for an outdoor patio. Rep. Steele asked why these costs are not borne by FIT. Mr. Lombardo responded that it was due to negotiations with FIT and the fact that the town will increase its usage of this facility as a result of these upgrades.
- Currently 30-40% of the building encroaches on a wetland buffer. The new building will be outside of the buffer
- Tennis ends at 11 pm in both winter and summer. Usage of the Beanery is expected to increase, particularly in the summer. Tennis users number 1,000 in the winter and 150 regular members in the summer. FIT runs the winter program and the Town runs the summer tennis program.
- If all approvals go smoothly, work would begin next Fall, with an opening anticipated for Spring or Summer.

SITE PLAN

0. Parking area will be reconfigured with a safer circulatory pattern
1. The new parking area will be located on the area of the current putting green, which is being moved to the Par 3 course across the street.
2. The number of parking spaces will increase, but the amount of impervious surface will not
3. FIT will pay for asphalt materials for the work on site and the town will provide the labor
4. The tree warden has been consulted about the one tree anticipated to be removed. It is located near the driveway. All others trees will remain.
5. Rep. McCarthy Vahey asked if consideration had been given to adding a sidewalk to connect this facility with the other recreational facilities on the street. Mr. Lombardo said it had not, but that he could speak to public works about this in the future.
6. If any environmental problems occur when the existing structures are razed, the town is financially responsible for mitigation.

LEASE

- FIT has been leasing from the town for 18 years in 5 year increments
- FIT was the only bidder from the RFP and will spend \$4.8MM over the life of the contract - \$2.3MM for the building and \$1.3MM to lease

- FIT's current lease is \$160,088. The new lease increases after 15 years due to the anticipated end of the financing. The amounts for each of the last 5 years of the lease are arbitrary, having been negotiated with the town.
- Rep. Bateson asked the amount of the performance bond. Attorney Kennelly anticipates it will be \$2MM. The new lease is in generally the same form as past leases.
- Rep. Bateson expressed concern that the town seemed to be the guarantor in case the Leasehold Secured Party seeks a new lease agreement. Attorney Kennelly as well as FIT attorney Peden asserted that the Town is in no way a guarantor. The Town is never required to buy the bank out in the event of default by FIT. However, the Town has the option to do so if it desires.
- FIT has no commitment for financing at this time, as no bank was willing to go forward without written verification of approval. They have spoken with banks who are willing to move forward pending approval of the lease.
- Assistant Town Attorney is satisfied with all insurance clauses

NOTICED ITEM - Revaluation Presentation

Town Assessor, Tom Browne and Chief Fiscal Officer Paul Hiller provided an informational presentation and update regarding the town's revaluation process.

Motion to Adjourn at 9:25 pm made by Rep. McCarthy Vahey, seconded by Rep Stamler.

***Town of Fairfield RTM
Minutes of Public Health and Safety Committee
Wednesday, January 19, 2011***

Chairman: Rep. Richard Parker (R-4)
Vice Chairman: Rep. Jamie Millington (R-9)
Secretary: Rep. Michael Herley (R-1)

The meeting was called to order by Chairman Parker at 7:35 pm EST

○ Roll Call

Present: Rep. Joseph Cafferelli (R-10), Rep. Joseph Felner (R-9), Rep. Hank Fence (R-3), Rep. Michael Herley (R-1), Rep. Arthur Hug (R-4), Rep. Jamie Millington (R-9) and Rep. Richard Parker (R-4)

Absent: Rep. Bruce Challinor (R-1), Rep. Joseph Gall (D-5) and Rep. Ruth Smey (D-5)

○ Guests

Paul Hiller, Chief Fiscal Officer; Bill Gafney, President Municipal Valuation Associates; Annette Jacobson, Conservation Administrator; and Eileen Kennelly, Assistant Town Attorney

○ Administrative Matters

Change/Election of Officers: Chairman Richard Parker (R-4) resigned as Chairman; Vice Chairman Jamie Millington (R-9) resigned as Vice Chairman

Rep. Jamie Millington (R-9) nominated Rep. Hank FERENCE (R-3) to be Chairman and Rep. Richard Parker (R-4) seconded the motion; Vote was five in favor, zero against and no abstentions [IN FAVOR: Rep. Joseph Cafferelli (R-10), Rep. Hank Fence (R-3), Rep. Michael Herley (R-1), Rep. Jamie Millington (R-9) and Rep. Richard Parker (R-4)]

Rep. Jamie Millington (R-9) nominated Rep. Richard Parker (R-4) to be Vice Chairman and Rep. Michael Herley (R-1) seconded the motion; Vote was five in favor, zero against and no abstentions [IN FAVOR: Rep. Joseph Cafferelli (R-10), Rep. Hank Fence (R-3), Rep. Michael Herley (R-1), Rep. Jamie Millington (R-9) and Rep. Richard Parker (R-4)]

○ Meeting Business

Paul Hiller, Chief Fiscal Officer for the Town of Fairfield and Bill Gafney, President Municipal Valuation Associates gave an overview of the residential and commercial revaluation process. Mr. Hiller said that because of the decrease in property values as a result of the revaluation program, the Town would be down approximately \$23 million in revenue if the current mill rate was maintained. He added that this was the first time in recent history where there was a drop in the value of the "grand list". Mr. Hiller noted that there was a slight shift in the mix of property valuations toward commercial. Rep. Arthur Hug (R-4) asked how the new residential properties acquired by Fairfield University would affect tax revenue. Mr. Hiller said that it would depend on how those

properties would be used. Mr. Hiller added that the Town receives roughly \$2.4 million from the state each year because of the University properties in Town. There was no public comment and no vote was taken.

Agenda Item #9: Annette Jacobson, Conservation Administrator and Eileen Kennelly, Assistant Town Attorney gave an overview of the Temporary Utility and Septic Easement from the Town of Fairfield to Thomas Redington resolution. Rep. Richard Parker (R-4) asked if the septic system failed could Mr. Redington rebuild it. Ms. Jacobson said yes. Rep. Richard Parker (R-4) asked if the property was sold would the easement stay. Ms. Kennelly said that in the event of a sale the easement would remain as long as the property was not subdivided. There was no public comment. Rep. Richard Parker (R-4) made a motion to vote on the item and was seconded by Rep. Joseph Felner (R-9). The vote was six in favor, zero against and no abstentions. [IN FAVOR: Rep. Joseph Cafferelli (R-10), Rep. Joseph Felner (R-9), Rep. Hank Fence (R-3), Rep. Michael Herley (R-1), Rep. Arthur Hug (R-4) and Rep. Richard Parker (R-4)].

Agenda Item #10: There was no committee discussion and no comment from the public. Rep. Arthur Hug (R-4) made a motion to vote on the item and it was seconded by Rep. Joseph Felner (R-9). The vote was six in favor, zero against and no abstentions. [IN FAVOR: Rep. Joseph Cafferelli (R-10), Rep. Joseph Felner (R-9), Rep. Hank Fence (R-3), Rep. Michael Herley (R-1), Rep. Arthur Hug (R-4) and Rep. Richard Parker (R-4)].

Agenda Item #11: Attended a joint meeting with the Education and Recreation Committee to listen to a presentation by Gerry Lombardo, Director of Recreation and Jerome Kerner of DCS on the Fairfield Indoor Tennis rebuild project. Rep. Michael Herley (R-1) asked if the Town's tree warden had opined on the plan. Mr. Lombardo stated that the tree warden was satisfied with the plan. Rep. Jamie Millington (R-9) asked if any of the furniture would be replaced at the tennis center. Mr. Lombardo said hopefully through donations. Rep. Arthur Hug (R-4) asked if solar heating was considered. Mr. Kerner said that it could be considered, but given the direction of the roof it would not be optimal. There was as no public comment. The Public Health and Safety Committee returned to its separate meeting to discuss and vote on matters. There was no public comment. Rep. Joseph Felner (R-9) made a motion to vote on the item and it was seconded by Rep. Arthur Hug (R-4). The vote was six in favor, zero against and no abstentions [IN FAVOR: Rep. Joseph Cafferelli (R-10), Rep. Joseph Felner (R-9), Rep. Hank Fence (R-3), Rep. Michael Herley (R-1), Rep. Arthur Hug (R-4) and Rep. Richard Parker (R-4)].

- Other

Rep. Jamie Millington (R-9) departed the meeting early at approximately 8:30 pm EST.

- Adjournment

Rep. Michael Herley (R-1) moved to adjourn, seconded by Rep. Joseph Felner (R-9). The motion passed unanimously and the meeting was adjourned at 9:25 pm.

Respectfully submitted by Rep. Michael Herley (R-1), Secretary for the Public Health and Safety Committee, January 24, 2011

Public Works and Planning Committee

Committee Members in attendance:

Public Works & Planning Tuesday, January 18, 2011	Item#8	Item#9	Item#10	Item#11
Eric G Sundman	Y	Y	Y	Y
Thomas P Conley	Y	Y	Y	Y
Thomas E McCarthy	Y	Y	Y	Y
Christopher J Brogan	Y	Y	Y	Y
Sheila H Marmion	Y	Y	Y	Y
Christopher J McAleese	Y	Y	Y	Y
Joseph J Palmer	Y	Y	Y	Y

FOUR (4) ISSUES 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 1/24/2011 RTM AGENDA.

Respectfully submitted, Thomas E McCarthy (Secretary).

8. To hear, consider and act upon the following appointment to the Solid Waste and Recycling Commission as recommended by the Board of Selectmen:

Robert M Stillman, 103 Orchard Hill Drive, Term Nov. 2010 - 2014

Comments: Addressing this subcommittee, Mr. Stillman spoke to his past experience as an elected official in Fairfield serving on both the RTM and Board of Finance. He noted that his professional experience lies in finance and accounting. He stated that while he had no specific experience or interest in solid waste he was generally interested in serving the Town in any capacity. For him this appointment represents an opportunity to become reengaged with public service to the Town of Fairfield. Financial Officer Paul Hiller pointed out some of the challenges awaiting the Solid Waste and Recycling Commission in coming months. Representative Brogan expressed his support and stated that he felt that an individual with Mr. Stillman's financial acumen would be a welcome addition to the Commission. Mr. Stillman's appointment was unanimously approved by the members of this subcommittee.

In a short presentation Tom Browne (Town Tax Assessor) alerted this subcommittee to the results of the real estate revaluation and its impact on the town's Grand List (\$23M reduction). He stated that the revaluation was performed by William Gaffney (President of Municipal Valuation Services), Christopher Kerin, MAI and Michael Fazio MAI. Mr. Browne gave a short overview of how the revaluation was conducted and stated that a decline in values like this is unlike anything in his experience. He noted that although the value of residential real estate had declined, commercial real estate value had somewhat held its own. Mr. Browne further advise this subcommittee that due to the time involved in conducting 816 informal hearings the Grand List would not be finalized until late April.

9. To hear, consider and act upon the following resolution as recommended by the Assistant Town Attorney: “RESOLVED, that the attached Temporary Utility Easement from the Town of Fairfield to Thomas Redington be and hereby is, approved.”

10. To hear, consider and act upon the following resolution as recommended by the Assistant Town Attorney: “RESOLVED, that the attached Driveway and Lawn Easement from the Town of Fairfield to Christopher J Thomas and Tina Cressia be, and hereby is, approved.”

Comments: Resolutions 9 & 10 were reviewed jointly and in parallel. Annette Jacobson from the Town Conservation Department made a presentation to this subcommittee in which she identified through the use of maps the areas of encroachment referenced in items number 9 and number 10. She offered some historical perspective, noting that it had been acquired from the Arch Diocese of Bridgeport through the help of a State grant and had been set aside for passive use. She also noted that the encroachment was first discovered in 2002 by Tom Steinke subsequent to the acquisition of the property. She added that Mr Redington had at that time explored the possibly bringing in a sewer line. Representative Conley pointed out that granting of the easement was the most expeditious way of resolving the matter, and committee members were generally pleased that indemnification language had been added to the agreement. Resolutions 9 & 10 were passed unanimously.

11. To hear, consider and act upon the following resolution as recommended by the Board of Selectmen:

“RESOLVED, that the attached lease of 20 years with Fairfield Indoor Tennis, Inc. to rebuild the Beanery and Tennis Center be, and hereby is, approved.”

Comments

Gerry Lombardo (Recreation Director) with the assistance of Jerome Kenner (architect) presented an overview of the proposed new Beanery/Tennis Center, the construction of which would be part of the agreement terms for a 20 year lease of the facility by the Town of Fairfield to Fairfield Indoor Tennis. He explained that the project would involve repositioning the structure from its current footprint as well as a reconfiguration of the interior space to afford greater functionality while maintaining the same total number of square feet. The new structure would be low maintenance, energy efficient and ADA accessible. Fairfield Indoor Tennis would bear the full cost of construction with the exception of \$40K for a glass interior wall and some special flooring which would be funded out of Parks and Rec. Jeff Gocke and Harry Peden, representing Fairfield Indoor Tennis were also present to answer questions. Assistant Town Attorney Eileen Kennelly spoke to the performance bond which would be posted and would remain in force for the duration of the construction period, noting also that this would be the only mechanism in place to mitigate exposure to the Town. A financial analysis prepared by Phoenix Advisors demonstrated that allowing FIT to manage the construction project would result in greater bottom line savings to the town than would be realized were the town to manage and bond the project itself. Gerry Lombardo stressed that this arrangement would be a win/win for both parties and the members of this subcommittee agreed. The resolution passed unanimously.