

**MINUTES OF A SPECIAL MONTHLY MEETING OF THE TOWN OF FAIRFIELD
APRIL 30, 2012**

A Special Monthly Meeting of the Town of Fairfield was held on Monday, April 30, 2012, at the Education Center, Kings Highway, Fairfield, Connecticut.

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

PRESENT: 49 ABSENT: 1 VACANCY: 0

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

ABSENT: Stewart

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

The Moderator led the Body in the 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 ON MARCH 26, 2012

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

ITEM NO. 3 ON CALL: REAPPOINTMENT OF HARRY R. ACKLEY, SR. TO THE TOWN FACILITIES COMMISSION

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

**See Committee Reports Attached Hereto

VOTE: The resolution to reappoint Mr. Ackley to the Town Facilities Commission was approved by unanimous voice vote.

ITEM NO. 4 ON CALL: APPOINTMENTS OF HARRY R. ACKLEY, SR. AND DOROTHY DOMEIKA TO THE RIVERFIELD ELEMENTARY SCHOOL BUILDING COMMITTEE

The Moderator moved this item as distributed with the Call, duly seconded. Mr. Ackley and Ms. Domeika were present.

**See Committee Reports Attached Hereto

VOTE: The resolution to appoint Mr. Ackley and Ms. Domeika to the Town Facilities Commission was approved with 47 in favor, 1 abstention (Domeika) (M. Ambrose was not present to vote).

ITEM NO. 5 ON CALL: To hear and consider an appeal by the Public Works and Parks Director from the following vote of the Board of Finance pertaining to the Public Works Operations (5030) budget:

	<u>Requested</u>	<u>Board of Finance approved</u>
Utilities Electric 54131	\$28,000	0
Utilities Heating Fuel 5414	11,000	0

Public Works Director Richard White explained that he believes the Board of Finance made this cut inadvertently.

Board of Finance Vice-Chairman Rob Bellitto agreed. He explained that the intent of the Board was to separate these two line items from the rest of the budget and create new line items in order to track usage at Fairfield Theatre Company. He said he has no objection to restoring these line items to the budget.

MOTION: Josh Garskof, District 5, moved to sustain the appeal, duly seconded.

Hal Schwartz, District 7, asked if the line items appear in the budget book.

Fiscal Officer Paul Hiller explained that they do not appear in the "Proposed 2012-2013 Budget," but that if the appeal is sustained, the new line items will appear in the approved budget under the Fairfield Theatre Company, along with a new line item for revenue.

VOTE: The motion to sustain the DPW appeal in the amount of \$39,000 was approved with 43 in favor, 5 opposed (Becker, DeMartino, Mezoff, Jacobs, Pontrelli) (Mr. Ambrose was not present to vote).

ITEM NO. 6 ON CALL: To hear and consider an appeal by the Library Board of Trustees from the following vote of the Board of Finance pertaining to the Library (7010) budget:

	<u>Requested</u>	<u>Board of Finance approved</u>
Library Materials	\$657,401	\$630,401

MOTION: David Becker, District 1, moved to amend the appeal as it appeared on the agenda, as follows:

To reduce Library Materials Acct. #56180 by \$27,500:

	<u>Requested</u>	<u>Board of Finance approved</u>
Library Materials	\$657,401	<u>\$629,900</u>

The motion was duly seconded and carried unanimously.

Town Librarian Karen Ronald said that the library received serious cutbacks, even with the increase to the budget. She requested that the funds cut by the Board of Finance be added to the budget to cover inflationary costs of materials.

BOF Vice-Chairman Bellitto explained that the Board needed to find savings in the budget. We are looking at a five percent tax increase. They took a small slice from several departments, and this cut put the library materials account back to last year's figure.

MOTION: Kevin Hoffkins, District 7, moved to sustain the appeal, duly seconded.

Mr. Garskof spoke in favor of the request. He said it is a small amount of money that does not do much to reduce the budget but does damage to the library. Every age range and demographic in Town is served by the library. He urged the Body to sustain the appeal.

Ann Stamler, District 5, asked for an itemization of what this cut would impact.

Ms. Ronald said that the funds equal the entire budget for the children's program. The summer reading program may have to be cut, or large-print books for seniors.

Carol Way, District 10, said that she uses the library all the time and said that the staff is great. However, we need to look at cutbacks across the board. She urged people to participate in the fundraising program Friends of the Library.

Nick Mirabile, District 9, said that everybody in the room is in favor of the library. He objected to department heads always saying that cuts will affect children and seniors. It is tough to make cuts, but they were made across the board.

Kenneth Lee, District 10, said that his mother is a senior and the library is the only town service she uses.

Mr. Becker noted that if we do not slow the rate of the budget increase, Mr. Lee's mother and her friends will not be able to use the library because they will not be able to afford to live in Town anymore.

VOTE: The motion to sustain the library appeal failed with 17 in favor, 31 opposed (M. Ambrose was not present to vote).

IN FAVOR: Sundman, Dean, Garskof, McAleese, Smey, Stamler, Campbell, Gottlieb, Marmion, Wolk, Hochberg, Hoffkins, Newman, Schwartz, Hannum, Lee, Weber

OPPOSED: Becker, Herley, Meyer, Richmond, P. Ambrose, Mitola, Steele, Varian, Bateson, Conley, Ference, Mackenzie, McCullough, DeMartino, Hug, Mezoff, Palmer, Brogan, Patten, Braun, Kery, Marks, McCarthy, Stopa, Domeika, Felner, Jacob, Mirabile, Pontrelli, Ryan, Way

ITEM NO. 6 ON CALL: To consider and discuss, including RTM Committee reports and comments from the public, proposed appropriations in the amount of \$273,343,694 for the Fiscal Year of July 1, 2012 through June 30, 2013, as recommended by the Board of Finance, for any lawful purpose. The total proposed budget as approved by the Board of Finance is as follows:

Gross Budget:	273,343,694
Less Estimated Receipts:	<u>(25,626,101)</u>
Net Budget:	247,717,593
Plus Reserve for Uncollected Taxes:	<u>4,229,790</u>
Amount to be Raised by Taxation:	251,947,383

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

**See Committee Reports Attached Hereto

MOTION: Mr. Schwartz moved to amend the budget to reflect the addition of \$28,000 to the DPW Fuel Costs for FTC approved by the Body tonight, duly seconded:

Gross Budget:	273,382,694
Less Estimated Receipts:	<u>(25,626,101)</u>
Net Budget:	247,756,593
Plus Reserve for Uncollected Taxes:	<u>4,229,790</u>
Amount to be Raised by Taxation:	251,986,383

VOTE: The motion to amend the proposed budget to \$273,382,694 was approved by unanimous voice vote.

Michael Herley, District 1, asked what the current increase in spending is and how it translates to the tax rate.

Mr. Hiller replied that the increase is \$10,308,752, an increase of 3.92 percent, and that the estimated tax rate will go to 23.05, a 4.58 percent increase.

Mr. Herley asked why there is a discrepancy between the increased spending and the mil rate. Mr. Hiller explained that there is a reduction in outside revenues.

Peter Ambrose, District 2, referred to assessment appeals decisions that led to \$700,000 less in tax revenues. He asked if the number increased due to pending tax appeals.

Mr. Hiller said that the \$700,000 is not impacted by pending tax appeals. The grand list has been reduced by \$800,000.

Mr. Herley asked what the tax impact would be for a house valued at \$600,000 would be based on the current projected mil rate, to which Mr. Hiller replied approximately \$432.

At 9:00 P.M., the majority leader called a caucus. The meeting resumed at 9:20 P.M.

Hal Schwartz, District 7, said he intends to reduce the budget by \$805,000, which represents the amount the Board of Finance put back into the pension fund.

David Becker, District 1, distributed a document entitled, "Proposed Appropriation by Department," (attached), which proposes a 2 percent cut in each town department's proposed budget.

The Moderator asked Mr. Becker if the intent was to cut two percent over the increased budget.

Mr. Becker stated that the proposal is to reduce the proposed budget; to cut 2 percent from the presented budget which in most cases is an increase from the current year.

John Mitola, District 2, said that you cannot take a general 2 percent cut and that reductions must be made by line item.

Town Attorney Stanton Lesser said that he does not believe the request to be proper. State statutes and the Town Charter indicate requests must be made by line item.

Mr. Mitola asked if the line item reduction requests would be made this evening.

Mr. Becker said that he disagrees with the Town Attorney and since he works for the First Selectman, the majority needs its own counsel. He said he can get opinions supporting an opposite view. The statutes vaguely mention the RTM and the Charter is equally vague.

Town Atty. Lesser said that although he is appointed by the First Selectman, he works for the RTM. He said that he can substantiate his statement and it is very clear reductions must be made by line item.

Mr. Becker asked what would happen if the reductions were made by department in conflict with the Town Attorney's opinion.

Town Atty. Lesser said that we could end up with an invalid budget. The Board of Finance is the Body that determines the form of the budget.

Eric Sundman, District 1, said that the increased property assessments in District 1 are unjustified and this budget will cause a \$10 to \$15,000 increase in property taxes.

Sheila Marmion, District 6, said there is a need for transparency and the rationale for the cut needs to be made known. The proposed cuts need to be made line item by line item.

Allen Marks, District 8, said that we are working toward as low a tax increase as possible. The proposed 2 percent cut would mean a \$300,000 reduction to the Police and Fire budgets, and a \$3 million reduction to the Education budget. He asked what effect those cuts would have.

Mr. Becker said that an across-the-board reduction is a simple way to spread the cuts throughout town government and that the proposal is intended to start a conversation. We need to discuss what levels of service we are to provide to the Town. The budget is carried over from year to year and there has been no synergy between departments in order to operate the Town more efficiently. If we do, we may not have to make these cuts.

Mr. Marks said that we need to know the effect these cuts would have. He asked that the Police, Fire, Education and Public Works departments attend the budget meeting to discuss it.

Amy Mezoff, District 4, indicated the memo from former Asst. Town Atty. Kennelly and Atty. Lesser and said that the only possible conclusion is that cuts must be made by department, and tonight a different opinion was given. We need a new opinion by outside counsel.

Carolyn Richmond, District 1, said that residents are making hard decisions about their own budgets and town departments must do the same.

Ed Bateson, District 3, said that there have been two proposals to reduce the budget. He said he wants to hear public comment.

MOTION: Mr. Bateson moved to approve a Sense of the Body resolution to go to public comment, duly seconded and carried unanimously.

Speaking in favor of cutting the proposed budget were Bob MacGuffie; Bud Morton; Evelyn Reynolds; Don Burton; Meredith McCormack; Juliann Stirling; Mike O'Donnell; John Levinson; Jim Wickersham; Jim Bohan; Ellin Levinson; Virginia Sanford; Jeff Melaragno; and Bill Malchisky.

Speaking in support of the Education budget were Suzanne Miska; Robin Orr; Dorene Herron; Elaine Tomis; Jim Lee; Kathryn Giff; Lisa Havey; Pam Iacono; Neil Fink; Bob Greenberger; Erik Kalipir; Mary Hogue; and Kelly Dunn.

MOTION: Mr. Ambrose moved to suspend the rules in order to convene past 11:30 P.M., duly seconded and carried with 41 in favor, 8 opposed (Dean, Hoffkins, McAleese, Brogan, Stopa, Schwartz, Hug, Campbell).

Joe Palmer, District 4, said that the budget increased \$10.4 million last year, and \$10.6 million this year. There is no restructuring in Town, or union concessions. The proposed cuts are not just to ease the tax burden but to break the cycle of annual increases to the budget.

Gaylord Meyer, District 1, said she will not support the budget as presented. We need to make serious changes. We are spending more than we are bringing in and that is fiscally irresponsible.

Nick Mirabile, District 10, objects to the budget increasing by \$10 million each year.

Kathy Braun, District 8, said that the department heads should determine where the 2 percent cut to each budget should be made.

Peter Ambrose, District 1, said that we are in a stale real estate market and residents are bailing out of town. We cannot support the budget as it stands, and we need to let the department heads make the cuts.

David Mackenzie, District 3, said that he supports the proposed 2 percent cut to the proposed budget, which still leaves an overall 2 percent increase over the current budget. When you add in the tax increase, it is a 2.9 percent increase.

Kevin Hoffkins, District 7, said that proposed reductions to the budget must be done on a line item by line item basis. We have been doing it that way for the last three years and we must stand by the opinion of the Town Attorney. The money is not in these budgets to cut.

Josh Garskof, District 5, said we all like to keep taxes as low as we can. However, house values will do down if we decimate the school budget.

Ed Bateson, District 3, spoke in support of cutting the budget. He gave an account of an elderly woman paying taxes the same time as him. The lady did not have enough money to pay.

Ms. Meyer asked what the outlook from Moody credit rating agency is. Mr. Hiller responded that Moody's appeared to be impressed by the measures taken in the proposed budget.

Heather Dean, District 4, referred to the twelve prospective teacher retirements and asked if any more have come forward.

Superintendent of Schools David Title said that twelve teachers have indicated they intend to retire and he has no further information.

Bruce Ryan, District 10, said that he got involved because his taxes increased. He asked how much the Town has spent on legal fees defending assessments and how much more will be spent.

Fiscal Officer Hiller said that many of the assessment lawsuits were filed ten months ago, with former Town Attorney Richard Saxl handling them. In November Cohen and Wolf was hired to handle the majority of the cases. They have been paid \$75,000 through the end of March.

Julie Gottlieb, District 6, said that we cannot answer constituents' concerns if we do not have more information about which line items are being targeted for cuts.

Marc Patten, District 7, said that we need more information, particularly on big-ticket items. He supports reducing the proposed budget but a \$3 million cut to the Board of Education budget and \$300,000 each to Police and Fire are excessive cuts. In the case of the Police Department, the 2 percent cut would be less than the current year's budget.

Selectman Jim Walsh asked how many teachers retired last year.

Dr. Title replied that ten teacher retirements were anticipated at this time last year, and there were five more by June 30.

Selectman Walsh said currently we anticipate 12 teacher retirements and there are two months to go until the end of the fiscal year. Since we save \$35,000 per teacher, he asked that Dr. Title track the number of anticipated teacher retirements over actual teacher retirements over the past ten years and provide the RTM with that information.

Mr. Becker said that this conversation needs to take place. Some departments have larger budgets, some have smaller, and we need to discuss reductions in services to residents.

John Mitola, District 2, referred to comments made during the evening about raises for contractual employees. He noted that the executive branch deals with unions. There is no open discussion regarding negotiations.

ADJOURNMENT

There being no further business and upon motion made, duly seconded and carried unanimously, the meeting was adjourned at 12:05 P.M.

Respectfully submitted,

Elizabeth P. Browne
Town Clerk

Recorded by: Ann Roche