

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN OF FAIRFIELD
DECEMBER 17, 2012**

The Regular Monthly Meeting of the Town of Fairfield was held on Monday, December 17, 2012, at Education Center, Kings Highway, Fairfield, Connecticut.

The meeting was called to order at 8:15 P.M. by Moderator Jeff Steele.

PRESENT: 44 ABSENT: 5 VACANCY: 1

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

ABSENT: Varian, M. Ambrose, Smey, Braun, Felner

VACANCY: for Richmond

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

Moderator Jeff Steele led the Body in the Pledge of Allegiance and Moment of Silence. The Moderator talked about the recent tragedy in Newtown and asked those present to remember the victims. He also discussed Hurricane Sandy and acknowledged volunteers Lindsey Morton, Katie Boland and Kelly Niznansky, who were instrumental in assembling over 1,000 volunteers to help with cleanup in the beach area.

Joseph Palmer, District 4, reported that Ed Bateson was elected to replace David Becker on the Special Legislative Management Committee.

**ITEM NO. 2 ON CALL: TO CONSIDER AND ACT UPON THE MINUTES OF THE
REGULAR MEETING HELD NOVEMBER 26, 2012**

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

BOARD OF EDUCATION REPORT ON PCBs

Superintendent of Schools Dr. David Title introduced Jeff Hamill and Lisa Campy from Woodard and Curran, who were hired by the Board of Education to complete the first phase of PCB investigation in Fairfield Schools. Mr. Hamill and Ms. Campy discussed their plan for investigation and assessment of PCB issues in Fairfield schools. They explained that following this initial phase, they would suggest a proactive management plan for remediation and management of PCBs. Following this presentation, questions were addressed by the Body.

**ITEM NO. 3 ON CALL: TO HEAR AND CONSIDER FOR THE FIRST TIME AMENDMENTS
TO THE TAX RELIEF FOR THE ELDERLY AND DISABLED
RESIDENTS ORDINANCE, SECTION 95-7 TO SECTION 95-15.4 OF
CHAPTER 95, ARTICLE III, OF THE CODE OF THE TOWN OF**

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FAIRFIELD, SPONSORED BY THE SENIOR TAX RELIEF
ORDINANCE COMMITTEE

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

Tom McCarthy, District 8, reported that it had been determined that the current ordinance, including the new amendments, included wording that did not coincide with State statutes, and said that the language disallowing benefits after 15 years must be amended, and that too many questions arose with the extended deferral program in order for it to be considered in a timely manner for this year.

MOTION : Mr. McCarthy moved to amend the ordinance by replacing the language presented at the previous meeting with the language entitled, "Amendment A," attached hereto, duly seconded.

Marc Patten, District 6, and a member of the Tax Relief Ordinance Committee, spoke in support of the amendment.

Eric Sundman, District 1, spoke of his concern regarding the ballooned assessments in his district during the recent reevaluation.

Mr. McCarthy explained that in wake of the tax increases, this proposal could overrun the tax program to great extent.

Heather Dean, District 4, asked to have the amendments explained again.

Mr. McCarthy reiterated the amendments and explained that although the long-term goal of the tax deferral program was meant to be self-funding, there are so many questions swirling around the issue, it should be delayed for two years in order to investigate.

Nick Mirabile, District 9, said that he cannot support this item with the deferral item being stopped at 13 years, and asked for the reason.

Mr. McCarthy explained that the current ordinance has always contained this exposure but has been recently found. We do not want to expand the program until we know what the repercussions are.

Mr. Mirabile consented and spoke in support.

Ann Stamler, District 5, said that the effort to make a significant change in the relief ordinance is highly commendable. However, since concerns have been raised about this program, it deserves more thought, and she spoke in support of the motion.

John Mitola, District 2, said that the motion includes a requirement for a new committee to be appointed to review the ordinance in 2014 and asked if we have to wait.

Mr. McCarthy said the ordinance has contained the exposure since we have had the deferral program. We would prefer not to expand the deferral program until we get a firm opinion on the 15-year lien limitation.

Mr. Parren explained that Amendment A is the current deferral program in which the increase in taxes is deferred.

Mr. McCarthy reminded the Body that if a taxpayer has a reverse mortgage then they would not qualify for the deferral program.

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Moderator Steele asked if the Town Attorney Stanton Lesser had reviewed the ordinance.

Mr. McCarthy said that the only significant change was the pro-rated wording and that Mr. Lesser had reviewed that.

Sheila Marmion, District 6, said that she supports the amendment and that there are evolving issues and we need to protect ourselves.

Speaking in favor of the tax relief ordinance were Marvin Findling and Palma Senatore.

Tom McCarthy thanked the Tax Relief Committee for all of their hard work.

Carol Way, District 10 and Tax Relief Committee member, said that she fought for the extended tax deferral program and she felt she was letting people down by not including the 50% deferral and the 4% cap.

Allen Marks, District 8, said that the ordinance as presented offered “real” relief for taxpayers. He understands that the 13 year wall may be enough for some seniors and if presented that way, they could still take advantage of it.

Kenneth Lee, District 10, said he supports the amendment with the understanding that we are coming back to the discussion of extending the deferral program.

Mr. Patten asked about the timing of the approval of the ordinance.

Assessor Don Ross explained that if the ordinance issue is not resolved before the tax relief application period starts on February 1, 2013, his office would accept applications then once the ordinance is finalized they would apply the programs to the applicants. It would be applied to the July 1, 2013 tax bill.

MOTION: Heather Dean moved the question, duly seconded.

VOTE: The motion to call the question failed with 12 in favor, 29 opposed and 1 abstention (Mr. DeMartino and Mr. Hannum were not present to vote).

IN FAVOR: Bateson, Mackenzie, Dean, Hug, Palmer, Brogan, Hochberg, Hoffkins, Newman, Domeika, Mirabile, Abercrombie

OPPOSED: Becker, Herley, Meyer, Sundman, P. Ambrose, Jennings, Mitola, Steele, Conley, Ference, McCullough, Mezoff, Garskof, McAleese, Stamler, Campbell, Gottlieb, Marmion, Wolk, Patten, Schwartz, Kery, Marks, McCarthy, Stopa, Jacob, Pontrelli, Lee, Way

ABSTAINED: Ryan

MOTION: Bill Domeika, District 9, moved the question, duly seconded.

VOTE: The motion to call the question failed with 19 in favor, 21 opposed and 1 abstention (Mr. DeMartino, Mr. Hannum and Mr. Ryan were not present to vote).

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IN FAVOR: Mitola, Steele, Bateson, Conley, Mackenzie, Dean, Hug, Palmer, Brogan, Wolk, Hochberg, Hoffkins, Newman, McCarthy, Stopa, Domeika, Mirabile, Abercrombie, Lee

OPPOSED: Becker, Meyer, Sundman, P. Ambrose, Jennings, Ference, McCullough, Mezoff, Garskof, McAleese, Stamler, Campbell, Gottlieb, Marmion, Patten, Schwartz, Kery, Marks, Jacob, Pontrelli, Way

ABSTAINED: Herley

VOTE: The motion to amend the proposed tax relief ordinance as presented last month, with "Amendment A," attached hereto, was approved with 39 in favor, 1 opposed (Mirabile) and 1 abstention (Meyer) (Mr. DeMartino, Mr. Hannum and Mr. Ryan were not present to vote).

OTHER BUSINESS

The Moderator asked that those present to keep in their thoughts Leigh Hannum, whose father-in-law passed away recently.

Ken Lee asked that those present remember the beach residents affected by Hurricane Sandy.

ADJOURNMENT

There being no further business and upon motion made, duly seconded and carried unanimously, the meeting was adjourned at 10:15 P.M.

Respectfully submitted,

Elizabeth P. Browne
Town Clerk

Recorded by: Ann Roche