

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN OF FAIRFIELD
MARCH 26, 2012**

The Regular Monthly Meeting of the Town of Fairfield was held on Monday, March 26, 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: 46 ABSENT: 4 VACANCY: 0

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

ABSENT: Stewart, DeMartino, Stopa, Mirabile

Ruth Smey, District 5, introduced Matthew Ambrose, who was elected to fill the vacancy created by the resignation of Joe Gall.

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

Retired Assessor Tom Browne and soon-to-be-retired Tax Collector Stan Gorzelany 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 FEBRUARY 27, 2012

Upon motion made, duly seconded and carried with 45 in favor and 1 abstention (Weber), the minutes of the previous meeting were approved as distributed.

ITEM NO. 3 ON CALL: REPORT FROM PARKING AUTHORITY ON COMMUTER PARKING

Parking Authority Chairman Mary Kay Frost gave a report on the history of the Parking Authority and the current parking situation at the Town's three train stations.

ITEM NO. 4 ON CALL: RESOLVED, THAT THE BOND RESOLUTION ENTITLED, 'A RESOLUTION APPROPRIATING \$1,766,284 FOR THE COSTS OF CERTAIN NONRECURRING CAPITAL PROJECTS 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

Peter Ambrose, District 2, moved to divide the question.

1. Replace two boilers at Dwight School, \$294,000

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MOTION: David Becker, District 1, moved to amend the resolution by reducing this request to zero, duly seconded.

Mr. Becker said that history has shown that if a boiler breaks during the school year, money can be found within the Board of Ed budget to pay for it. The Education budget has a built-in cushion.

VOTE: The motion to remove this item from the bond resolution failed with 8 in favor, 38 opposed.

IN FAVOR: Becker, Meyer, Ference, Palmer, Hug, Braun, Ryan, Way

OPPOSED: Herley, Richmond, Sundman, P. Ambrose, Mitola, Steele, Varian, Bateson, Conley, Mackenzie, McCullough, Dean, Mezoff, M. Ambrose, Garskof, McAleese, Smey, Stamler, Brogan, Campbell, Gottlieb, Marmion, Wolk, Hochberg, Hoffkins, Newman, Patten, Schwartz, Kery, Marks, McCarthy, Domeika, Felner, Jacob, Pontrelli, Hannum, Lee, Weber

2. Replace student bathrooms at Jennings School, \$131,250

MOTION: Gaylord Meyer, District 1, moved to amend the resolution by reducing the request to zero, duly seconded.

Ms. Meyer said that the bathrooms are in working order and there are no existing problems.

Carolyn Richmond, District 1, spoke in support of the motion. The major issues in the Jennings bathrooms were repaired last year. The taxpayers want us to stop spending. Yes to doing necessary repairs, but that is it.

John Mitola, District 2, said that last year's minutes did not indicate that the RTM only intended to do half of the work. The bathrooms are 45 years old, and the public wants us to attend to public facilities in a systematic way.

Tom McCarthy, District 8, said that he cannot support this renovation for the same reason he did not support it last year. Last year we said to fix the sinks and the waste line. There is no compelling argument for renovation. The majority of the RTM last year did not support the renovation, but to fix the problems.

Michael Herley, District 1, said that there is a special education program at Jennings. With the ADA component, he does not support the motion.

Hal Schwartz, District 7, said he does not remember the discussion last year about whether the RTM supported the renovation. We asked the Board of Ed to reduce the request by half, so the other half is on the table.

Marc Patten, District 7, said we need to stop patch-up jobs. Since the special ed program is at Jennings, the work needs to be done.

Jeff Steele, District 2, said that last year we told the Board of Ed to do what was needed and the other half would be done the next year. The Board has designated this project as the top bathroom renovation project.

Kathy Braun, District 8, spoke in support of the motion. She said it is a mistake that the Town Facilities Commission is not reviewing the Board of Ed's capital projects.

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TFC Chairman Jim Gallagher noted that it is not up to the TFC to take it upon themselves to review proposals. However, the Board of Selectmen asked them to look at the capital projects last year, and this project was recommended by the TFC.

Ms. Braun said that she remembers the RTM saying last year that there was not enough information and that the TFC found areas of savings. She does not believe these numbers, and she wants the TFC to review them.

Jay Wolk, District 6, said that we need to finish the project. Last year this request was cut in half for budgetary reasons.

Ellen Jacob, District 9, said that we are not going to agree on what happened last year.

Board of Ed Chairman Pam Iacono said that the TFC approved this project last year, with the same budget.

Speaking against the motion to cut this item were Amy Jennings, Deepwood Road; Michele Mitola, Surrey Lane; Jennifer Tierney, Rockwood Road; and Heather Petrecca, Paddock Hill Lane.

Ms. Meyer queried why, if the project is so important, it was not done last year.

VOTE: The motion to remove this item from the bond resolution failed with 13 in favor, 33 opposed.

IN FAVOR: Becker, Meyer, Richmond, Sundman, Bateson, Mezoff, Braun, McCarthy, Felner, Jacob, Pontrelli, Ryan, Way

OPPOSED: Herley, P. Ambrose, Mitola, Steele, Varian, Conley, Ference, Mackenzie, McCullough, Dean, Hug, Palmer, M. Ambrose, Garskof, McAleese, Smey, Stamler, Brogan, Campbell, Gottlieb, Marmion, Wolk, Hochberg, Hoffkins, Newman, Patten, Schwartz, Kery, Marks, Domeika, Hannum, Lee, Weber

MOTION: Carol Pontrell, District 9, moved to amend the resolution by reducing the request by \$65,625, duly seconded.

Ms. Pontrelli said that the intent of reducing the request by half is to take the adult bathroom from the request.

Mr. Schwartz said he cannot support this motion since the adult bathrooms are the ones that are not ADA-compliant. He urged the Body to reject this motion.

Sheila Marmion, District 6, said she does not support the motion. This is a maintenance issue and there will be work orders if this is not fixed.

Peter Ambrose, District 2, said he cannot support this motion; it is time to move on.

Amy Mezoff, District 4, agreed with Mr. Ambrose. This is a relatively small item; let's not nickel and dime it.

Mr. Steele said we should not do three-quarters of projects.

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TFC Chairman Gallagher said that to the best of his recollection, the TFC endorsed this project. We have an obligation to the students and the staff. Leaking water can have a dramatic effect on the building and the students and staff.

VOTE: The motion to reduce the request for \$131,250 by half failed with 3 in favor (Becker, Jacob, Pontrelli), 43 opposed.

3. Front Façade Cornice Work at Tomlinson, \$250,000

Joe Palmer, District 4, asked if there are any items in the capital improvement budget that are not before us this evening.

First Selectman Mike Tetreau said that Osborn Hill Elementary School project is the only one he is aware of, although a roof project for Fairfield Woods Library may be forthcoming at around \$250,000.

Mr. Palmer asked if we are looking at around \$1,000,000 between Osborn Hill and the library roof. He is trying to get a benchmark.

First Selectman Tetreau said that they are non-recurring items, separate from the budget. The capital cap on projects for the Board of Ed is \$2,000,000 and the Town is \$1,000,000.

MOTION: Mr. Becker moved to take Item 5 out of order, duly seconded and carried unanimously.

5. Traffic Project at Tomlinson, \$150,000

Police Chief Gary MacNamara, Lt. James Perez and Town Engineer Bill Hurley described the proposed new traffic scenario for Tomlinson Middle School.

MOTION: Ed Bateson, District 3, moved to amend the resolution by reducing this request to zero, duly seconded.

Mr. Bateson said that the traffic would not be a problem if people did what they were supposed to do. When the police monitor drop-off and pick-up times, the traffic flows. People are breaking the law.

Bill Domeika, District 9, said that we need to support this for the kids. This is a dangerous situation and we cannot base our decision on “what-ifs.”

Allen Marks, District 8, said that there is too much traffic at one place at one time. This will help the traffic flow for the entire area.

Dana Kery, District 8, said that this needs to be designed appropriately in order to handle the traffic.

Ken Lee, District 10, said that people are not going to do what they are supposed to do.

Kathy Braun, District 8, said that she supports the motion. This is the first time we are seeing the proposal. Signs can be placed now. The only cost seems to be the 200’ driveway.

Jeff Steele, District 2, wondered how much of the traffic problem is an enforcement issue.

Ms. Meyer disagreed that if everyone did what they were supposed to do would alleviate the traffic conditions.

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Carol Way, District 10, said that the traffic fix worked at Sherman School.

Board of Ed Chair Iacono spoke in opposition to the motion, saying that this has been a problem for a very long time.

Parking Authority Chairman Mary Kay Frost spoke against the motion to remove this item.

Also speaking against the motion were Ellen Petrecca, Paddock Hill Lane; Kim Palmer; and Elaine Davis, Farmington Avenue.

VOTE: The motion to remove this item from the resolution failed with 4 in favor (Becker, Bateson, Mackenzie, Braun), 42 opposed.

4. Replace floors at Tomlinson, \$133,350

No discussion.

MOTION: Mr. Ambrose moved to suspend the rules in order to convene past 11:00 P.M., duly seconded and carried with 43 in favor, 3 opposed (Varian, Dean, Domeika).

6. Remove underground tanks at various schools, \$250,000

TFC Chairman Gallagher said that he is one hundred percent behind removing all underground tanks, but he questions the wisdom of installing above-ground tanks.

Mr. Becker said that the above-ground tanks are not a long-term solution.

MOTION: Mr. Becker moved to reduce the request by \$70,000, the cost of installing the above-ground tanks, duly seconded.

Josh Garskof, District 5, said that last year the RTM asked the Board of Selectmen to take up the discussion on installing the above-ground tanks for emergencies.

Selectman Jim Walsh said that it was determined that the temporary tanks are not worth the cost but they approved installing smaller tanks in each location.

Heather Dean, District 4, spoke against the motion.

Mr. Schwartz spoke against the motion, saying the Board of Selectmen recommended staying with the process in place.

Eric Sundman, District 1, spoke in favor of the motion. He said that oil is expensive and the dual fuel tanks are not necessary.

TFC Chairman Gallagher said that it does not make sense to reduce the funding. He had questioned the rationale of installing the tanks.

VOTE: The motion to reduce this request to zero failed with 14 in favor, 32 opposed.

IN FAVOR: Becker, Herley, Richmond, Sundman, P. Ambrose, Steele, Bateson, Mezoff, Palmer, Braun, McCarthy, Jacob, Ryan, Way

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OPPOSED: Meyer, Mitola, Varian, Conley, Ference, Mackenzie, McCullough, Dean, Hug, M. Ambrose, Garskof, McAleese, Smey, Stamler, Brogan, Campbell, Gottlieb, Marmion, Wolk, Hochberg, Hoffkins, Newman, Patten, Schwartz, Kery, Marks, Domeika, Felner, Pontrelli, Hannum, Lee, Weber

7. Removal of underground storage tank at DPW, \$218,500

No discussion.

8. Removal of underground tanks at Fire Stations 1 and 5, \$234,184

Mr. Becker asked how much money is left in the contingency account and how much bonding is applied toward the fiscal year budget.

Fiscal Officer Paul Hiller said that the bond refinancing saw a savings in excess of \$1,055,000. The contingency balance is \$835,000 but there will be appropriations coming from the Board of Selectmen in April to cover the difference after approval of the THEA and Fire contracts and the department head raises. There are five other contracts to be negotiated.

MOTION: Mr. Becker moved to reduce this request to zero, duly seconded.

Mr. Becker said that since there will be contingency funds left over, we can utilize the savings towards this item.

First Selectman Tetreau noted that the contingency account is fully used up from the projected settlements in union negotiations. Without the bond refinancing, we would be \$500,000 in the red. Since we are going to the rating agencies in July, we are trying to move the budget in a positive direction.

Mr. Hiller said that the Board of Selectmen voted unanimously to put \$1 million in surplus in the new budget. We rank number 17 out of the 18 AAA Connecticut towns, and the 18th was given a “negative outlook” by the rating agencies. We are trying to avoid such a designation.

Mr. Schwartz said based on the recommendations of the First Selectman and Fiscal Officer, he is opposed to this motion. It is not the best way to fund this project.

VOTE: The motion to remove this request failed with a vote of 6 in favor (Becker, Richmond, Bateson, Palmer, Braun, Ryan), 37 opposed and 2 abstentions (P. Ambrose, Jacob) (Mr. Weber was not present to vote).

9. Bunker renovation at Smith Richardson, \$105,000

No discussion.

VOTE: The motion to approve the bond resolution appropriating \$1,766,284 for the costs of certain nonrecurring capital projects was approved with 40 in favor, 5 opposed (Becker, Meyer, Bateson, McCullough, Braun) (Mr. Weber was not present to vote).

OTHER BUSINESS

Ken Lee, District 10, commended the Board of Education music program.

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ADJOURNMENT

There being no further business and upon motion made, duly seconded and carried unanimously, the meeting was adjourned at 11:25 P.M.

Respectfully submitted,

Elizabeth P. Browne
Town Clerk

Recorded by: Ann Roche