

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN OF FAIRFIELD  
MAY 21, 2012**

The regular monthly meeting of the Town of Fairfield was held on Monday, May 21, 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: 45                      ABSENT: 5                      VACANCY: 0

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

ABSENT: Sundman, Stamler, Hoffkins, Marks, Weber

**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 SPECIAL MEETING HELD ON APRIL 30, 2012

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

**CONSENT CALENDAR**

The Moderator noted that items numbered 4 and 5 were eligible for the consent calendar.

**VOTE:** Items numbered 4 and 5 were approved by unanimous voice vote.

**ITEM NO. 3 ON CALL:** TO RECEIVE A REPORT FROM THE AFFORDABLE HOUSING COMMITTEE

Affordable Housing Chairman Stephen Grathwohl was not present.

**ITEM NO. 4 ON CALL:** APPOINTMENT MARTHA S. BROOKS TO THE ETHICS COMMISSION

This item was on the Consent Calendar. Ms. Brooks was present.

**ITEM NO. 5 ON CALL:** RESOLVED, THAT IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT, APPLICATIONS RECEIVED UNDER THE NEIGHBORHOOD ASSISTANCE ACT (NAA) PROGRAM BE, AND HEREBY ARE, APPROVED, AND FURTHER RESOLVED, THAT THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT BE, AND HEREBY IS, AUTHORIZED TO SERVE

AS MUNICIPAL LIAISON AND AS OVERSEER OF  
IMPLEMENTATION OF THE PROGRAM

This item was on the Consent Calendar.

**ITEM NO. 6 ON CALL:** RESOLVED, THAT IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT, A PY-38 (OCTOBER 1, 2012 - SEPTEMBER 30, 2013) COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION IN AN AMOUNT TO BE FINALIZED BY HUD, BE, AND HEREBY IS, APPROVED, AND FURTHER RESOLVED, THAT THE FIRST SELECTMAN BE, AND HEREBY IS, AUTHORIZED TO EXECUTE DOCUMENTS NECESSARY TO FACILITATE THE TOWN'S PARTICIPATION IN SAID PROGRAM

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

\*\*See Committee Reports attached hereto

**MOTION:** Ed Bateson, District 3, moved to amend the resolution by deleting the words, "in an amount to be finalized by HUD," and by adding the words, "the amount of \$431,201," duly seconded.

John Mitola, District 2, said that Economic Development Director Mark Barnhart wrote in a memo that we expect to receive this sum. He asked if it is possible that we receive more or less. He expressed concern regarding setting a definitive figure.

Mr. Barnhart said that although rare, it is theoretically possible that HUD could change the amount subsequent to this evening.

Mr. Bateson said we always used to put the amount in and he does not like open-ended resolutions.

Mr. Barnhart said he has no objections to the amendment.

**MOTION:** Mr. Schwartz suggested a friendly amendment by adding the word, "tentative," before the dollar amount, which Mr. Bateson accepted.

**VOTE:** The motion to amend the resolution to read, in part, "...a PY-38 (October 1, 2012-September 30, 2013) Community Development Block Grant application in the tentative amount of \$431,201..." was approved with 41 in favor, 4 opposed (Meyer, Varian, DeMarco, Pontrelli).

**VOTE:** The resolution to approve the PY-38 CDBG application, as amended, was approved with 42 in favor with 3 abstentions (Meyer, P. Ambrose, DeMartino).

**ITEM NO. 7 ON CALL:** RESOLVED, THAT IN ACCORDANCE WITH A REQUEST FROM THE LAND ACQUISITION COMMISSION, THE TOWN OF FAIRFIELD ACQUIRE THE PROPERTY AT 2012 CROSS HIGHWAY (1.19 ACRES) FROM THE STATE OF CONNECTICUT AT THE COST OF \$1000

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

\*\*See Committee Reports Attached Hereto

Ed Bateson, District 3, noted that there was a question about the address of the property on the agenda.

Conservation Director Tom Steinke said that the correct address is 2120 Cross Highway.

**MOTION:** Mr. Bateson moved to amend the resolution to correct the address to 2120, duly seconded.

**WITHDRAWAL OF MOTION:** Upon discussion and verification of the field card, Mr. Bateson withdrew his motion.

**MOTION:** Peter Ambrose, District 2, moved to amend the resolution to correct the address of the property from 2012 to 2021 Cross Highway, duly seconded.

**VOTE:** The motion to correct the address in the resolution to 2021 Cross Highwas was approved with 43 in favor and 2 abstentions (McCullough, McAleese).

**MOTION:** Hal Schwartz, District 7, moved to amend the resolution to add to the end, "for passive recreation use only," duly seconded.

**VOTE:** The motion to amend the resolution was approved with 36 in favor, 6 opposed (Varian, Meyer, Conley, McCullough, Mezoff, Pontrelli).

Peter Ambrose, District 2, spoke in opposition to acquiring this property. He supports the acquisition of open space when it is contiguous to other town-owned property. There is no logic in adding this one singular acre to our inventory. It cannot be developed since it does not conform to the two acre zoning in that area. The well on the property would have to be capped and the structure demolished at our cost.

Sheila Marmion, District 6, spoke in support of the acquisition. She said that land is finite and we need more of it. The point is to have property that is not developable.

Heather Dean, District 4, said that we have other landlocked open space parcels that we enjoy.

Kathy Braun, District 8, said that open space property has its own value. She asked if it would be an imposition to Conservation would be if we added this land to our inventory.

Conservation Director Tom Steinke replied no.

Joe Palmer, District 4, asked what the cost to the Town of acquiring this property would be.

Mr. Steinke said there would be no remediation necessary. A gate would cost about \$1,000 and adding it to the quarterly examination of open space would cost \$150 per year. Also, a sign identifying the property as open space would be added.

Mary McCullough, District 3, referring to an earlier comment about preserving wildlife, said that whether the town owns the property or the state does, it is still available as a migratory spot for birds.

Jay Wolk, District 6, spoke in support of the resolution. He disputed the liability issues brought up, saying that there has not been any issues since the State bought the property in 1937.

The Moderator asked why the State is selling the property.

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Mr. Steinke explained that the State acquired the property during the construction of the Merritt Parkway. The DOT has been tasked with selling off the surplus properties.

**VOTE:** The motion to acquire 2021 Cross Highway from the State of Connecticut for \$1,000, as amended, was approved with 24 in favor, 19 opposed and 2 abstentions.

**IN FAVOR:** Herley, Mitola, Varian, Bateson, Conley, Dean, M. Ambrose, Garskof, McAleese, Smey, Brogan, Campbell, Gottlieb, Marmion, Wolk, Hochberg, Newman, Patten, Schwartz, Braun, McCarthy, Mirabile, Hannum, Lee

**OPPOSED:** Becker, Meyer, Richmond, P. Ambrose, Steele, Ference, Mackenzie, McCullough, DeMartino, Hug, Mezoff, Palmer, Kery, Stopa, Domeika, Felner, Jacob, Pontrelli, Ryan

**ABSTAINED:** Jennings, Way

**ITEM NO. 8 ON CALL: APPROVAL OF REDISTRICTING ORDINANCE**

**MOTION:** David Becker, District 1, moved to suspend rule 32 of the Rules to Regulate in order to approve the redistricting ordinance over a single RTM Warning cycle, duly seconded and carried with 42 in favor, 3 opposed (Dean, Hochberg, Newman).

**OTHER BUSINESS**

Tom McCarthy, District 8, said that during the last legislative session an amendment was made to the school construction bill that would allow the Town to apply for State reimbursement on the Warde roof, which will result in savings in the \$1 to \$2 million range. He thanked State Rep. Brenda Kupchick for her diligence in getting the bill amended.

**ADJOURNMENT**

There being no further business and upon motion made, duly seconded and carried unanimously, the meeting was adjourned at 9:25 P.M.

Respectfully submitted,

Elizabeth P. Browne  
Town Clerk

Recorded by: Ann Roche