

RTM Education & Recreation Subcommittee Meeting

McKinley Elementary School Cafeteria

January 23, 2013

Michael Herley, Chairman, of the Public Health and Safety Committee called the joint meeting of the Education & Recreation Committee and the Public Health and Safety Committee meeting to order at 7:37pm.

In attendance: Leonora Campbell, Julie Gottlieb, Amy Jennings, Allen Marks, Mary McCullough, Marc Patten, Hal Schwartz, and Carol Way

Absent: Nick Mirabile

Vacancy: for Carolyn Richmond

After hearing the presentations, the joint meeting was adjourned at 10:10pm and the Education & Recreation Committee reconvened at 10:13pm to vote.

Item #6:

To hear, consider and act upon the following reappointment to the Greater Bridgeport Transit Authority, as recommended by the Board of Selectmen:

Serapheim D. Koutas (R), 2979 Burr Street, Term Nov. 2012 - 2016

Mr. Serapheim D. Koutas introduced himself and asked to be considered for appointment to a second term.

Motion made by Representative Schwartz and seconded by Representative Campbell.

Vote on Item #6: 8-0-0

Member	In Favor	Against	Abstain	Member	In Favor	Against	Abstain
Leonora Campbell	X			Nick Mirabile	---	---	---
Julie Gottlieb	X			Marc Patten	X		
Amy Jennings	X			Hal Schwartz	X		
Allen Marks	X			Carol Way	X		
Mary McCullough	X						

Item #7:

To hear, consider and act upon the following appointments to the Historic District Commission, as recommended by the Board of Selectmen:

Thomas A. Dailey (D), 10 Southport Woods Drive, Term Nov. 2012 - 2017

Adam J. Klyver (R), 280 Hillside Road, Term Nov. 2009 - 2014

Mr. Thomas A. Dailey and Mr. Adam J. Klyver both introduced themselves. Mr. Dailey has served as an alternate on the Historic District Commission since 2008 and has asked to be considered for a

commissioner. Mr. Klyver has served 1 year as an alternate and said his career as an architect makes him a good fit and asked to be considered for a commissioner.

Motion made by Representative Schwartz and seconded by Representative Marks.

Vote on Item #7: 8-0-0

Member	In Favor	Against	Abstain	Member	In Favor	Against	Abstain
Leonora Campbell	X			Nick Mirabile	---	---	---
Julie Gottlieb	X			Marc Patten	X		
Amy Jennings	X			Hal Schwartz	X		
Allen Marks	X			Carol Way	X		
Mary McCullough	X						

Item #8:

To hear, consider and act upon the following appointment of an Alternate to the Historic District Commission, as recommended by the Board of Selectmen:

Margaret Browning Kufferman (U), 877 Westport Turnpike, Term Nov. 2011 -2016
(To replace Adam Klyver, who moved to full member)

Ms. Margaret Browning Kufferman introduced herself and said she has served 3 years already and is an architect by trade. She asked to be considered as an Alternate Commissioner.

Motion made by Representative Marks and seconded by Representative Gottlieb.

Vote on Item #8: 8-0-0

Member	In Favor	Against	Abstain	Member	In Favor	Against	Abstain
Leonora Campbell	X			Nick Mirabile	---	---	---
Julie Gottlieb	X			Marc Patten	X		
Amy Jennings	X			Hal Schwartz	X		
Allen Marks	X			Carol Way	X		
Mary McCullough	X						

Item #9: To hear, consider and act upon the following resolution as recommended by the Board of Finance:

“RESOLVED, that the Bond Appropriation entitled, ‘A Resolution Appropriating \$4,195,013 for the Costs Associated with the Remediation of Osborn Hill Elementary School Relating to the Discovery of PCBs Contamination at the School 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.”

Dr. Title, Superintendent of Schools, Mr. Thomas Cullen, Director of Operations and Mr. Dean Petrucelli, AIA, VP of Silver Petrucelli & Associates presented and answered questions.

Motion made by Representative Campbell and seconded by Representative Patten.

Vote on Item #9: 7-0-1

Member	In Favor	Against	Abstain	Member	In Favor	Against	Abstain
Leonora Campbell	X			Nick Mirabile	---	---	---
Julie Gottlieb	X			Marc Patten	X		
Amy Jennings	X			Hal Schwartz	X		
Allen Marks	X			Carol Way	X		
Mary McCullough			X				

Item #10:

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

“RESOLVED, that the Bond Appropriation entitled, ‘A Resolution Appropriating \$5,155,700 for the Costs of Certain Projects to Restore Facilities Damaged by Hurricane Sandy 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.”

Mr. Joseph Michelangelo, Director of Public Works presented and answered questions. He was joined by Mr. Bob Mayer, CFO for the Town and Mr. Gerry Lombardo, Director of Recreation. During the presentation there were also remarks on items concerning the Southport Harbor by Ms. Mary Von Conta, Chairman of the Harbor Management Commission.

Motion made by Representative Campbell and seconded by Representative Gottlieb.

Vote on Item #8: 6-0-2

Member	In Favor	Against	Abstain	Member	In Favor	Against	Abstain
Leonora Campbell	X			Nick Mirabile	---	---	---
Julie Gottlieb			X	Marc Patten	X		
Amy Jennings	X			Hal Schwartz	X		
Allen Marks	X			Carol Way	X		
Mary McCullough			X				

Item #11

To hear, consider and act upon amendments to the Tax Relief for the Elderly and Disabled Homeowners Ordinance, Section 95-7 to Section 95-15.4 of Chapter 95, Article III, of the Code of the Town of Fairfield, sponsored by the Senior Tax Relief Ordinance committee. A copy of the proposed ordinance is attached.

This item was not voted on.

Respectfully submitted by Amy Jennings (R-2)

RTM Finance Committee Meeting Minutes for 01/22/2013

Committee Members in attendance:

Finance Committee Tuesday, January 22, 2013	Item#6	Item#7	Item#8	Item#9	Item#10	Item#11
Peter Ambrose*						
Shiela Marmion	Y	Y	A	Y	Y	Y
Tom McCarthy	Y	Y	A	Y	Y	Y
Bruce Ryan	Y	Y	A	Y	Y	Y
Dave Mackenzie	Y	Y	A	Y	Y	Y
Ken Lee	Y	Y	A	Y	Y	Y
Eric Newman	Y	Y	A	Y	Y	Y
Hank Ference	Y	Y	A	Y	Y	Y
Ellen Jacob	Y	Y	A	Y	Y	Y
Heather Dean	Y	A	A	Y	Y	Y

* Left meeting ill prior to vote

SIX (6) MATTERS 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 UPCOMING 01/28/2013 RTM AGENDA.

Respectfully submitted; Thomas E McCarthy (Secretary).

- 6. To hear, consider and act upon the following reappointment to the Greater Bridgeport Transit Authority, as recommended by the Board of Selectmen:

Serapheim D. Koutas (R), 2979 Burr Street, Term Nov. 2012 - 2016

Comments: In joint session Mr. Koutas spoke briefly to his past experience with the Housing Authority and Greater Bridgeport Transit Authority, noting recent successful audit and contract negotiation with the union. His reappointment was passed unanimously in single session.

- 7. To hear, consider and act upon the following appointments to the Historic District Commission, as recommended by the Board of Selectmen:

Thomas A. Dailey (D), 10 Southport Woods Drive, Term Nov. 2012 - 2017

Adam J. Klyver (R), 280 Hillside Road, Term Nov. 2009 - 2014

(To fill vacancy created by the resignation of Henry Backe)

Comments: Speaking to the joint session of L&A, Finance, and PW&P, Mr. Dailey stated that he had been involved since 2008 and was appreciative of the nomination; similarly Mr. Klyver noted that he

had been an alternate for some time and was looking forward to this appointment. Their appointments were approved in single session with 8 in favor and 1 abstaining.

8. To hear, consider and act upon the following appointment of an Alternate to the Historic District Commission, as recommended by the Board of Selectmen:

Margaret Browning Kufferman (U), 877 Westport Turnpike, Term Nov. 2011 -2016

(To replace Adam Klyver, who moved to full member)

Comments: Ms Kufferman could not be present but would be at the full RTM meeting on the 28th. All 9 members of this committee abstained in single session.

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

“RESOLVED, that the Bond Appropriation entitled, ‘A Resolution Appropriating \$4,195,013 for the Costs Associated with the Remediation of Osborn Hill Elementary School Relating to the Discovery of PCBs Contamination at the School 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.”

Comments: Tom Cullen, Sal Morabito, and William Silver (Silver Assoc.) addressed the joint session of L&A, Finance, and PW&P. Mr. Cullen explained that because the level of contamination was identified as over 50PPM, the Town was bound by state and federal mandate to report the contamination to the EPA and the State DEP, as well as monitor, and remediate. Remediation in this case would come in the form of encapsulation. During the course of the questioning which insured, many members of all three committees expressed their concern over the inconsistent application of action requirements imposed by the EPA which varied over different regions and within different kinds of facilities, the absence of empirical data, upon which to reasonably assess any true threat level, and a policy which seems driven primarily by what goes into land fills. Others noted that the “hysteria” associated with PCB contamination would result in many worthwhile and necessary school projects forgone for fear of unforeseen cost. (Mr. Silver noted such an actual incident) In single session this item passed unanimously with 9 in favor (effectively there was no choice as noted by Representative Mackenzie). Representative Dean suggested that Fairfield’s Director of Health, Sands Cleary address the RTM either on Monday or at some point to help us understand the true threat from PCB contamination.

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

“RESOLVED, that the Bond Appropriation entitled, ‘A Resolution Appropriating \$5,155,700 for the Costs of Certain Projects to Restore Facilities Damaged by Hurricane Sandy 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.”

Comments: Speaking to the joint session of L&A, Finance, and PW&P, Joseph Michelangelo (Director of Public Works) spoke to the 29 site specific projects targeted at repairing storm damage caused by “Sandy”. He stated that his estimates were very rough and unrelated to a comprehensive long term solution. Discussion focused primarily on the first dozen items on the list which pertained to re dredging navigational channels, beach restoration and the repair of Penfield Pavilion. He noted that the Town’s insurance would cover damages which exceeded \$500K and that FEMA would pay for 75% of other eligible damage repair. He noted also that the funds needed to be appropriated at this time (prior to any reimbursement from either insurance or FEMA) in order to begin the projects. Representatives Connelly, Bateson, and others stressed that the repair work needed addressed in a

complete and thoughtful manner to that we would not experience similar damage from any future storm. This resolution was approved unanimously in single session.

11. To hear, consider and act upon amendments to the Tax Relief for the Elderly and Disabled Homeowners Ordinance, Section 95-7 to Section 95-15.4 of Chapter 95, Article III, of the Code of the Town of Fairfield, sponsored by the Senior Tax Relief Ordinance committee. A copy of the proposed ordinance is attached.

Comments: Representative McCarthy stated that there would be no changes from what was presented to the RTM in December (plan "A" as clarified by representative Stamler), and that members of the Tax Relief Committee would, in the coming months, reintroduce the enhanced deferral program for the tax year beginning in 2014 now that the question of collectability of taxes deferred beyond 15 years had been resolved. The proposed changes to the program are substantially a restructuring of the credit option. This amendment was approved unanimously in single session.

Minutes
Fairfield RTM Standing Committees
Combined Meeting - L&A and PWP
January 22, 2013

The meeting was called to order by Ed Bateson at 7:30.

To accommodate numerous speakers this evening, the agenda was addressed in the following order:

Item #6 - Re-Appointment of Serapheim D. Koutas to the Greater Bridgeport Transit Authority

Mr. Koutas gave a brief history of his previous service on the GBTA. He would like to continue to serve the town in this capacity.

Item #7 - Appointments to the Historic District Commission

Thomas A. Dailey - Mr. Dailey has been an alternate on this commission since 2008. He has attended meetings and is aware of the process and demands. He is eager to serve the town as a full member.

Adam J. Klyver - Mr. Klyver has been an alternate to this commission for the past six years and has attended meetings regularly. He is aware of the duties and responsibilities of a commission member and would like to serve as a full member.

Item # 8 - Appointment of Alternate to the Historic District Commission

Margaret Browning Kufferman - Ms. Kufferman was not able to attend the meeting but will be at the full RTM meeting on Monday, January 28th.

Item #9 - Osborn Hill - Bond Appropriation - \$4,195,013 for Remediation of PCBs

Presenters:

Mr. Morabito, Mr. Cullen, Mr. Mayer, Mr. Silver (Architect - Silver & Petrocelli)

Mr. Cullen explained that the remediation of lead paint, PCBs and asbestos is required by the State during renovations.

Mr. Silver outlined the scope of the original project and the areas that require additional funding due to the remediation requirement. He stated that 80% of the single-pane windows were being replaced with double-panes for energy efficiency, a gym renovation of floors and clearstory windows for natural light - (there are no additions to the gym) enclosing a walkway between the main gym and the annex for safety purposes.

Rep. Garskoff asked what the primary source of the PCBs is.

Mr. Morabito said it was in the fire retardant, the floor, and the rubber underlayment of the floor and window caulk.

Rep. Garskoff asked if it could be encapsulated rather than torn out and replaced.

Mr. Cullen said that was not possible for everything but was being done in some areas - using epoxy paint on concrete walls for example.

Rep. Mackenzie asked why there was a need for the renovation and remediation.

Mr. Cullen replied that it was the result of testing required by the EPA and the DEEP.

Rep. Mackenzie asked about the risk the contamination posed.

Mr. Morabito said that once the contamination is identified a plan must be developed to abate it by regulation.

Mr. Silver added that the DEEP and the EPA agree on the levels that require abatement.

Rep. Jacob brought up the mold issues in the past in schools and that students and teachers had become ill. She asked if the risk is the same with PCBs.

Mr. Cullen answered no.

Mr. Morabito added that there is minimal human testing and that the risk is unknown.

Rep. Jacob said that Mr. Cleary of the DPH said there was not a risk factor similar to mold.

Rep. Ambrose asked if other towns are pursuing similar remediation in schools. He had not heard of any.

Mr. Cullen stated that Norwalk, New Canaan, Darien and Weston had similar projects requiring PCB remediation.

Mr. Silver added that Weston did half of a planned renovation and stopped when they ran out of money. He also said that the State was concerned with demolition waste materials and what is being put into landfills.

Rep. Dean asked if Rep. Steele would ask the Public Health Director to attend the full RTM meeting. Rep. Steele replied in the affirmative.

Rep. Stamler asked if bringing the renovation up to code would impact the cost. Also do the proposed new doors meet ADA standards and security requirements and PCB remediation.

Mr. Silver said the contingency would most likely cover any unforeseen impact. Mr. Morabito added that there is an on-going security review and modifications to hardware would be incorporated; there would be no need to duplicate security reviews that have been actively in place for some time.

Rep. Stamler asked if it was anticipated that there are PCBs in all windows in all schools.

Mr. Silver answered that estimates are that PCBs will be found about 30% of the time depending on the age of the windows and if they were installed before or after the ban on PCBs in caulking.

Rep. Steele asked for clarification of the cost framework given the documents indicated \$3.3 million and \$4.2 million.

Mr. Morabito said that about \$850,000 had already been spent and \$3.3 million was the additional amount needed bringing the total to \$4.2 million.

Rep. Steele asked if the number of questions that were asked of Dr. Title by parents had been answered.

Mr. Cullen said all the reports had been posted on the school website and there were Q&As also on the website.

Rep. Hoffkins asked if there was a sense of how many schools had PCBs and what the levels were.

Mr. Cullen said that yes several schools were reviewed preliminarily by Woodard & Curren and the levels were not as high as Osborn Hill.

Rep. Mitola asked if this was a new situation and, when is the first time it came up.

Mr. Cullen answered the issue started in 2005, in 2007 it was identified in light ballasts, and in July of 2010 the PCB content of caulking was added to the regulation.

Rep. Palmer asked if there were similar issues at Fairfield Woods Middle School during that renovation.

Mr. Cullen answered no, there was no testing requirement for the whole school; only for removal of paint at that time.

Rep. Palmer asked what the consequence of not producing an action plan would be; the \$800,000 renovation turned into a \$3.3 million plan. What would the Bureau of School Facilities, the DEEP and EPA do? Are our hands tied at this point? He asked if it would only affect the State reimbursement and what that amount would be?

Mr. Cullen said there would be fines and a complicated, impractical monitoring plan needed - not just non-reimbursement. Mr. Morabito said the reimbursement rate would be around 26% for eligible costs such as abatement, new construction and windows, not for repairs. Previous reimbursements from the Bureau of School Facilities was around 20-22%. Mr. Cullen added that he was confident the town would get the reimbursement. Mr. Silver said that other schools in Fairfield such as Stratfield received the full reimbursement amount due.

Rep. DeMartino asked if the levels were close to the threshold and if there was an appeal process.

Mr. Cullen answered that there was no appeal process to waive remediation but there was an acceptable alternative in some instances through encapsulation.

Rep. DeMartino asked about the timing of the reimbursement.

Mr. Morabito said that it is based on when the paperwork is filed and the PCT meeting with the State takes place. When approved, as the work is being done, the bills are paid. This is submitted and then reimbursed. Mr. Mayer stated that there was sufficient cash flow to pay the bills and wait for the reimbursement.

Rep. Lee asked about the Riverfield School Project and if hazardous materials were in that portion of the building.

Mr. Cullen replied that there were newer windows and doors at Riverfield so there was no issue.

Rep. McCarthy asked why the problem was so widespread.

Mr. Morabito answered that until PCBs were banned in construction materials, they were used in paints, glue etc. The substance leeches into other materials over time so a newer floor might be contaminated by older structures under the floor.

Rep. Stamler asked if enclosing the walkway is related to PCBs. She could not find mention in the bond proposal for other than PCB remediation so why is it included?

Mr. Cullen answered that the open walkway was a security/safety issue so it is included in the overall project.

Rep. Bateson asked that Rep. Steele refer the question to bond counsel.

Mr. Mayer claimed the bond language covered it.

Rep. Bateson asked that bond counsel still be consulted.

Rep. DeMaratino asked if the risk in the home is similar to the risk in the schools?

Mr. Cullen answered that right now only educational facilities are under the statutory requirement to remediate. There could be similar risks in homes.

Rep. Mitola asked if PCBs only become a hazard when they are disturbed.

Mr. Morabito said they are not like asbestos which tends to float in the air for a long period of time. PCBs are an oily substance that is not as easily airborne.

Rep. McCarthy asked Mr. Silver why, if the driver is what goes into landfill, only schools are singled out.

Mr. Silver explained that the "hysteria" originated with EPA rules to identify what is going into the waste stream. Regulated material was then embraced by the DEEP and made into law. Current law/regulation would require a legislative reversal. The northeast is in Region 1 which has the most stringent prohibitions in the country.

Rep. Garskoff suggested that this may stop us from doing renovation in the future and change our long term plans. Mr. Cullen agreed. The study by Woodard & Curren is to get a sense of the effect this will have on the long-term plan.

Rep. Ambrose asked if any towns had refused to comply. The unequal treatment in the northeast region is costing a great deal here.

Mr. Silver said no towns had refused compliance, though some have suspended projects.

Mr. Cullen said that Woodard & Curran are among many companies that are hiring attorneys to lobby to get the regulation changed.

Rep. Steele asked if the problem was exacerbated by disrupting materials during renovation.

Mr. Silver said it puts more PCBs in the air. Mr. Cullen added that Riverfield won't test the whole school.

Rep. Steele suggested that the policy is then 'if you find it, you remediate it.' Mr. Cullen and Mr. Morabito agreed.

Rep. Brogan stated that this started as a window project so we must now address these issues. He asked what the energy efficiency of the new windows will be?

Mr. Morabito answered that originally \$791,000 was requested for windows. The Board of Finance asked for testing. The EPA protocol requires proper handling and disposal once tested. The energy savings will be less than a 20 year payback; with State reimbursement it will be about 15 1/2 years.

Mr. Bateson asked for public comment. There was none.

Item #10 - Bonding of \$5,155,700 for Hurricane Sandy repairs

Presenters, Joe Michelangelo, Scott Bartlett, and Gerry Lombardo

Mr. Michelangelo presented an overview of the required repairs. He explained that under FEMA, 75% of out-of-pocket expense for repairs were reimbursable. The process involved working with FEMA to find the best solutions for repairs and/or upgrades for prevention of damage in the future.

Item 1 - Penfield Pavillion. (Mr. Michelangelo)

Hire engineers to identify the cause of the failure and find out if there were errors or omissions by the design firm in order to determine if there is legal recourse. Designing the new structure beneath the building will require several types of engineers so that the destruction will not be repeated.

The town has insurance with a \$500,000 deductible on the pavilion. FEMA would reimburse 75% of the deductible for example. The estimate of \$1 million is a guess - the timeframe for the bonding is important so the work can go out to bid quickly. FEMA requires evidence of sufficient funds for the towns costs on the project.

Rep. Sundman asked if the plan to raise the building to new height regulations would be affected by the height restriction. Mr. Michelangelo answered that he did not know but that in 2013 there are new floodmaps from FEMA and the building will need to be raised to meet those requirements.

Rep. Abercrombie asked if there would be liability to a 3rd party since the town did the construction. Also, does the insurance policy cover flooding?

Mr. Michelangelo said it was an outside design firm that may have made errors. This is being explored. The policy covers all damages.

Rep. Bateson said that Mr. Walsh asked for clarification on what is covered by insurance.

Mr. Mayer said that the insurance policy, carried by CIRMA had a deductible embedded in the policy which covers up to \$10 million.

Rep. Conley asked why the money had to be in place first in the form of a bond.

Mr. Mayer answered that authorization from the bodies is required to go to bid. There are no bids now.

Mr. Bateson stated that a great deal of money was spent on the building that virtually collapsed. Any new structure needs to do more than look good. it needs to be safe.

Mr. Michelangelo answered that Federal funds are there to alleviate future flooding. The U.S. Government wants to be sure its solution solves the problem.

Rep. Bateson asked for public comment. None was given.

Each item was taken separately. A synopsis follows:

In response to Mr. Sundman's question, Mr. Michelangelo said the shellfish beds will not be affected.

Rep. Palmer asked if the FEMA funding and Town repairs would be to public property only. Mr. Michelangelo answered yes.

Mr. Bartlett stated that there would be a large amount of dredging and that that sand would be brought back to the beaches to fill in areas where beach sand had washed away. Mr. Michelangelo said South Benson Harbor has been filling in for a long time and needed dredging. FEMA may not agree to pay for all of the work since it is not all the result of the hurricane, but the excavation will be done properly anyway.

The base of Fairfield Beach Road was undermined and will require more work to maintain the long-term structural integrity. Mr. Bartlett said the drainage would be improved as part of the mitigation.

The Southport Beach seawall will require repairs to protect Pequot Avenue. The new design for this will serve that purpose.

Rep. Sundman asked if the cost of repairing the bridge between Fairfield and Westport will be shared. Answer: Yes. There was no structural damage to the bridge.

The South Benson fishing pier had severe damage. The pier may only receive partial reimbursement because there will be construction improvements to fortify it and make the seawall higher and wider in order to protect the beach and the Coast Guard Stand.

Rep. Bateson asked if the launch at Pine Creek was public. Mr Bartlett replied it is not. Rep. Bateson then asked what is the public benefit? Why use public funds if the tax-payers receive no benefit.

Mr. Michelangelo said that the argument could be made that it is necessary to clear the channel so that emergency boats could get through. This is more of a public than private function. He also said these are the weakest numbers with FEMA. We would need to show the public benefit. In answer to Rep. Stamler's question, the work would be done with or without FEMA funds.

Fairfield Beach Road cul-de-sac sustained a great deal of damage. The town is planning a higher, wider concrete wall.

Sea walls that washed away were the responsibility of the property owners. Rep. Sundman asked if they would be required to fix portions that washed into Pine Creek. Mr. Michelangelo said we would not fix them. It may be a conservation issue.

The Pine Creek Dike held up during the storm but the water reached the maximum height level. The plan is to raise it 12-18" for more protection. Rep. Bateson asked how the town will get around the issue of private property for this. Mr. Michelangelo said that there is an easement all the way around. Rep. Bateson asked if homeowners would be consulted about this plan. The answer was yes. Mr. Bartlett claimed that most wanted it.

Rep. Bateson asked if taking FEMA money would result in having to open all beaches to the public - similar to Jennings and Penfield. There was speculation but no definitive answer. Mr. Lombardo said he will make inquiries.

Item #11 Senior Tax Relief

Rep. McCarthy stated that there would be no change to the wording of the STR program from the December RTM meeting. The concern over the 15 year limit on liens could be addressed by wording the agreement as 'tax relief' rather than 'tax deferral'. That can not be incorporated now since the Tax Assessor's office does not have sufficient time to put this into place.

Based on last years actuals, Rep. McCarthy believes the number of eligible seniors will go from 1,500 to 1,700. If participation remains at 62%, the estimate is that the \$3.4 million in tax relief last year, will go to approximately \$4.6 million this year.

The combined meeting was adjourned and individual committees met for discussion and voting.

Respectfully Submitted

Amy Mezoff

District 4

Town of Fairfield RTM

Minutes of Public Works and Planning Committee

Tuesday, January 22, 2013

Chairman: Rep. Eric Sundman (R-1)
Vice-Chairman: Rep. Chris McAleese (D-5)
Secretary: Rep. Dana Kery (R-8)

The meeting was called or order in joint session in the McKinley School library at approximately 7:30.

Presenters:

- Serapheim Koutas
- Thomas Dailey
- Adam Klyver
- Tom Cullen, Sal Morabito, Bill Silver
- Joe Michelangelo

Committee members present: Rep. Eric Sundman, Rep. Chris McAleese, Rep. John Mitola, Rep. Amy Mezoff, Rep. Tom Conley, Rep. Dana Kery, Rep. Charles Abercrombie, Rep. Joe Palmer.

Absent: Rep. Jeff Stopa, Rep. Leigh Hannum

Business

- Agenda Item Six:** 8 in favor, 0 opposed, 0 abstentions
- Agenda Item Seven:** 8 in favor, 0 opposed, 0 abstentions
- Agenda Item Eight:** Take no action
- Agenda Item Nine:** 6 in favor, 0 opposed, 2 abstentions
- Agenda Item Ten:** 8 in favor, 0 opposed, 0 abstentions
- Agenda Item Eleven:** 8 in favor, 0 opposed, 0 abstentions

7:40 – 7:50 Joint committee question and answer with Sam Koutas, Thomas Dailey, Adam Klyver

7:50 – 8:50 Joint committee question and answer concerning OHS PCB remediation with Tom Cullen, Sal Morabito, and Bill Silver, Engineering Consultant.

8:50 – 10:10 Joint committee question and answer with Joe Michelangelo concerning restoration of facilities damaged during hurricane Sandy.

10:10 – 10:25 Rep McCarthy presented the amendments sponsored by the Senior Tax Relief Ordinance Committee.

Adjournment:

There was a unanimous vote to adjourn at 10:50 pm.

Respectfully submitted by Rep. Dana Kery (R-8), Secretary for the Public Works and Planning Committee, on January 24, 2013

FAIRFIELD RTM
LEGISLATIVE AND ADMINISTRATIVE COMMITTEE
MINUTES: TUESDAY, January 22, 2013

Present: Bateson, Becker, DeMartino, Garskof, Hoffkins, Stamler, Steele
Absent for the Vote: Varian, Brogan, Braun

L&A Comm. Votes on Items on the Call for RTM Meeting on 1/28/13:

L & A meeting commenced single session discussion and voting on call items subsequent to joint meeting presentations at 10:00pm.

6. To hear, consider and act upon the following reappointment to the Greater Bridgeport Transit Authority, as recommended by the Board of Selectmen:
Serapheim D. Koutas (R), 2979 Burr Street, Term Nov. 2012 – 2016
Motion to approve Garskoff, second by DeMartino – approved unanimously.

7. To hear, consider and act upon the following appointments to the Historic District Commission, as recommended by the Board of Selectmen:
Thomas A. Dailey (D), 10 Southport Woods Drive, Term Nov. 2012 - 2017
Adam J. Klyver (R), 280 Hillside Road, Term Nov. 2009 - 2014
(To fill vacancy created by the resignation of Henry Backe)
Motion to approve DeMartino, second by Stamler – approved unanimously.

8. To hear, consider and act upon the following appointment of an Alternate to the Historic District Commission, as recommended by the Board of Selectmen:
Margaret Browning Kufferman (U), 877 Westport Turnpike, Term Nov. 2011 -2016
(To replace Adam Klyver, who moved to full member)
Ms. Kufferman was not able to be present at sub committee, but will be at the RTM meeting on the 28th. No action taken.

9. To hear, consider and act upon the following resolution as recommended by the Board of Finance:
“RESOLVED, that the Bond Appropriation entitled, ‘A Resolution Appropriating \$4,195,013 for the Costs Associated with the Remediation of Osborn Hill Elementary School Relating to the Discovery of PCBs Contamination at the School 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.”
Motion to approve Hoffkins, second Bateson...lengthy discussion on merits, state and federal environmental regulations. Stamler had concerns about wording of bond resolution and inclusion of security upgrades that appeared to conflict with bond resolution. Stamler concerns were forwarded to Moderator to be addressed by bond counsel as follows:

Dear Moderator Steele,

Following up on our discussion at L&A last night, I am asking for clarification from bond counsel as to whether the bonding proposal for Osborn Hill School accurately reflects the project for which funds are being sought.

The proposal submitted by Silver/Petrucelli + Associates states in the Executive Summary (page 2) (emphasis mine):

*"This report is the result of a study commissioned by the Town of Fairfield, Connecticut to **assist the Fairfield Public Schools with the conceptual study and budgeting for the renovations and potential addition** at Osborn Hill Elementary School. Our **scope of work** included the evaluation and development of options for **window replacement, door replacement, gymnasium renovations and possible expansion, enclosing the covered canopy walkway**, connecting the main school to the annex building **and removal and or containment of all hazardous materials found in the existing building envelope.**"*

While remediation may require as one option window replacement and renovation of the gym, the stated scope of work precedes and is larger than that, and includes at least one item unrelated to remediation (enclosing the covered walkway).

The bonding proposal, however, seems limited exclusively to costs related to remediation:

*"As recommended by the Board of Finance and the Board of Selectmen, the Town of Fairfield hereby appropriates the sum of Four Million One Hundred Ninety-five Thousand Thirteen and 00/100 Dollars (\$4,195,013) for the **costs associated with the remediation of Osborn Hill Elementary School relating to the discovery of PCBs** (polychlorinated biphenyls) contamination at the School, which costs include costs of environmental engineers and consultants, special cleaning, testing, restoring the school from any damage resulting from the actual remediation, providing alternate facilities necessitated from the contamination, and other **costs incurred as a result of the discovery of PCBs** and for administration, legal and financing costs related thereto (the "Project") as outlined in Scheme 1 dated December 21, 2012, as attached, from the Osborn Hill Elementary School Conceptual Study Proposed 2013 Plan."*

(The reference to Scheme 1 at the end of the paragraph seems grammatically tied directly to preceding explicit description of costs.)

Should the bonding resolution be amended to more accurately reflect the work for which funding is being sought?

*Thank you,
Ann Stamler
RTM D5s:*

The vote on agenda item #9 was 0 – 0 – 7. All abstentions.

10. To hear, consider and act upon the following resolution as recommended by the Board of Finance: "RESOLVED, that the Bond Appropriation entitled, 'A Resolution Appropriating \$5,155,700 for the Costs of Certain Projects to Restore Facilities Damaged by Hurricane Sandy 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."

Motion to approve DeMartino, second by Steele Vote 6-0-1 (DeMartino abstained).

11. To hear, consider and act upon amendments to the Tax Relief for the Elderly and Disabled Homeowners Ordinance, Section 95-7 to Section 95-15.4 of Chapter 95, Article III, of the Code of the Town of Fairfield, sponsored by the Senior Tax Relief Ordinance committee. A copy of the proposed ordinance is attached.

Motion to approve Bateson, second by Steele – Vote 6-0-1 (DeMartino abstained)

L & A single session adjourned 11:00 pm.

Respectfully submitted,
Edward Bateson
L & A Chairman