

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN OF FAIRFIELD
OCTOBER 28, 2013**

The Regular Monthly Meeting of the Town of Fairfield was held on Monday, October 28, 2013 at the Education Center on Kings Highway East.

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

PRESENT: 47 ABSENT: 3 VACANCY: 0

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

ABSENT: McAleese, Stopa, Ryan

ITEM 1 ON CALL: PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Moderator Steele invited Alex, Ben & Julia Steele to lead the Pledge of Allegiance and thanked his family for their support through this term. 14 members are not seeking re-election; he recognized each member and thanked them all for serving in the best interest of the Town.

ITEM 2 ON CALL: TO CONSIDER AND ACT UPON THE MINUTES OF THE REGULAR MEETING HELD ON SEPTEMBER 23, 2013.

Upon motion made, seconded and duly carried the minutes were unanimously approved.

ITEM 3 ON CALL: TO CONSIDER AND ACT UPON THE FOLLOWING APPOINTMENT TO THE EMPLOYEES' RETIREMENT BOARD AS RECOMMENDED BY THE FIRST SELECTMAN: SANFORD HERMAN (D), 465 FULLING MILL LANE, TERM NOV. 2012 – 2017

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

**See Committee Reports Attached Hereto

Mr. Herman explained he is a 14-year resident of Fairfield, an Actuary by profession, and has spent the last 40 years in the employee benefits field.

Ellen Jacob, District 9 asked where he would start looking with some of our assumptions.

Mr. Herman noted that he spent 3 years with a consulting firm developing assumptions. A pension plan will have concerns with recent past performance and reasonable expectant earning levels. The Town Pension Plans are very well funded. It is a very complicated question and the actuary is usually stuck in the middle.

Mary McCullough, District 3 asked how he learned of the position and what his concerns are.

Mr. Herman stated it was at his wife's urging that he get involved. His concerns are less with pension benefits but more with health care costs. The Town expends significant funds and felt this was something he could help with.

VOTE: The appointment of Sanford Herman to the Employees Retirement Board was approved by unanimous voice vote. (Mr. Schwartz was not present to vote).

ITEM 4 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF SELECTMEN: "RESOLVED, THAT IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF PUBLIC WORKS, THE POWER PURCHASE AGREEMENT BETWEEN THE TOWN OF FAIRFIELD AND GREENSKIES FOR THE PURPOSE OF ERECTING A PHOTOVOLTAIC ELECTRIC GENERATION SYSTEM ON THE ROOF OF THE PUBLIC WORKS GARAGE AT 705 RICHARD WHITE WAY FOR THE BENEFIT OF THE PUBLIC WORKS GARAGE, AND TO GRANT THE APPROPRIATE ACCESS, THE TERM OF THE AGREEMENT BEING TWENTY YEARS, BE, AND HEREBY IS, APPROVED."

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

**See Committee Reports Attached Hereto

MOTION: Kathy Braun, District 8 moved to consolidate discussion on Items 4-9.

Josh Garskof, District 5 asked for clarification that although discussion would be consolidated, each item would be voted on separately to which the Moderator answered affirmatively.

VOTE: The motion to consolidate items 4-9 for discussion purposes only was unanimously approved. (Mr. Schwartz was not present to vote).

Ed Bateson, District 3, indicated that L&A had 3 issues that needed to be addressed: can the term of the lease be reduced to 15 years, how will the roof warranty be affected, and is there an analysis of the roofs and their lifespan.

Ed Boman, Assist. DPW Director stated that there was a condition in place that the holder of the warranty would have to certify it would not have a negative effect on the roof warranty. Changing the term to 15 years would change the economics which would increase the amount to over \$.03 per kilowatt hour; they could not be done at a cost to the Town of less than \$.15 before contract expires. A roof analysis has been included in the packet.

Peter Ambrose, District 2 asked if panels on the ground had been discussed as an option.

Mr. Boman stated that the preference is to stay on the roofs, but if there were a problem it would be part of a larger ground project at the landfill.

Jay Wolk, District 6 asked if the solar panels were in fact not bolted down to which Mr. Boman replied affirmatively.

Julie Gottlieb, District 6 asked for a brief overview of the vendor selection process.

Mr. Boman stated there was no RFP in the State process. Four vendors were chosen with guidelines. The Town went along with the State bidding. Two vendors dropped out: one because these projects were too small and the other stopped working in CT. The two vendors were chosen because one was better for larger projects while the other is better for smaller ones. The project sites were chosen together.

Marc Patten, District 7 asked if future projects include school buildings which take up 2/3 electricity for Town buildings.

Mr. Boman stated that although they are working together on future projects the BOE would determine what schools would be chosen. Currently the Town is looking at the train station as a source for Tomlinson.

Tom McCarthy, District 8 asked what our level of expertise in this market is and whether the technology cycle is changing every 3, 5 or ten years.

Mr. Boman explained that the technology has changed by leaps and bounds; the major change has been the reduction in cost. The productivity is based on the angle of the sun (14.48%) and the number of clear days.

Joe DeMartino, District 4 expressed his concern over there being no public bidding process. He asked how long these companies have been in business and whether the warranty would be voided by putting the panels on the roof.

Mr. Boman stated that the parent company has been in business a long time with projects other than solar. One has been in solar for 12 years and the smaller company for 6 years. We had a short period of time to get these projects to the state so there was no traditional RFP process. As part of the contract the warranty holder would write to the Town that the warranty would not be voided.

Mr. DeMartino explained his hesitancy to support this. He is a proponent of 10 yr or 15 yr commitment stating that technology could change significantly and does not like the idea of committing six buildings at once.

Mr. Boman stated over 4000 photovoltaic projects were built in CT with 90 awards in 2 years. Bridgeport and Westport are doing it as well. The Town's commitment is the use of the buildings not money.

Jay Lipp, District 1 asked if the PPA price could change.

Mr. Boman replied the way the law is written is it s affixed price for 15 years.

Mr. Lipp asked if our insurance covers the equipment in light of the recent storm damage we've sustained.

Town Attorney Stanton Lesser stated according to the contract Greenskies or Skyview are required to cover their equipment. A commercial liability policy would cover it.

Mr. Lipp asked if based on trending are we able to get a better deal if we wait a year.

Mr. Boman said there is more competition with each year, so we may not win any more.

Ann Stamler, District 5 asked if they occupy the entire roof to which Mr. Boman replied they cover the entire usable part of the roof except for the HVAC systems area.

Ms. Stamler asked if there would be flexibility if new technology became available for additional panels for additional electricity to which Mr. Boman replied yes or they could also be installed in the parking lot.

First Selectman Mike Tetreau asked Mr. Boman to explain Virtual Net Metering (VNM).

Mr. Boman explained that if more power is made than we use then it could be bought back. Ten buildings can be designated for credits due through VNM.

Ms. Stamler asked for clarification regarding item #9. The resolution on the Call is for the Fire Station at 140 Reef Road although the agreement says the Police Station at 100 Reef Road.

Mr. Boman stated the proposal is for the Fire Station and the Resolution is correct. Attorney Lesser said the contract will be corrected before it is signed to reflect the Fire Station at 140 Reef Road.

Moderator Steele said we would be voting on the resolution as correctly stated on the Call.

Ed Bateson asked if the ZREC was more valuable last year vs. this year because there are more providers in the market now.

Mr. Boman stated bids are getting lower while competition is tougher offset by higher prices to us. Many towns saw 1-2% increase in electricity. We went with the most conservative proposal assumptions; some companies wouldn't even bid under our conditions.

Mr. Bateson indicated he could support Operation Hope, Fire and Recreation, but did not know how the public would feel about a solar farm on Mill Plain Road. We don't know if the BOE would need to reopen Oldfield School. The Town pays for the electricity at the FTC building when there's a tenant in there.

Jay Wolk, District 6 indicated his agreement with Rep. Lipp's concern over insurance requirements as these panels must withstand 110 mile per hr winds (a requirement of the building code).

Kathy Braun, District 8 indicated that the Town would be responsible for lost revenue if we have to do a major renovation on a building. She asked if these contracts can be "all or nothing".

Mr. Boman said he would like all the buildings done, but each item is being voted on independently.

Allen Marks, District 8 said he supports these projects as it's a win-win for the Town, we will realize savings and it's a green energy project.

Ellen Jacob, District 9 asked if this was a voluntary program to which Mr. Boman indicated it was compulsory on the part of UI and CL&P, but not mandatory on the Town's part. UI is required to be 20% green by 2020. The percentage of electricity saved will be 10% at Fire Dept and Operation Hope, 15% at Fairfield Theatre Company and 75% at the Recreation Department.

Joe Palmer, District 4 asked if the train station is part of the next phase.

Mr. Boman said it is an approved project but not on our agenda.

Leigh Hannum, District 10 asked if consolidating the panels at the Senior Center and DPW at the landfill has been explored.

Mr. Boman said those panels would go on the landfill if there is a problem with the roof.

Speaking in support of these agreements were Scott Thompson, Clean Energy Task Force Chair, Larry Kaley, Mary Hogue, and Jim Fotovale.

Fist Selectman Tetreau said the lease with the Fairfield Theatre Company requires that FTC pay the Town \$2.00 per ticket while the Town provides utilities for the building. This will reduce the cost of what we put into that building. We don't know if Oldfield would be a school again, but it could be another facility.

Josh Garskof, District 5 asked what the expected life of the Senior Center roof is.

Mr. Boman said the warranty expires in 2032.

Ken Lee, District 10 commented that Oldfield was there before Sherman School and would probably have to be leveled.

VOTE: The resolution to enter into a power purchase agreement with Greenskies for the DPW Garage was approved with 38 in favor and 9 opposed (Meyer, Sundman, Bateson, Ference, Mackenzie, DeMartino, Mezoff, Kery, Jacob opposed).

ITEM 5 ON CALL:

TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF SELECTMEN: "RESOLVED, THAT IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF PUBLIC WORKS, THE POWER PURCHASE AGREEMENT BETWEEN THE TOWN OF FAIRFIELD AND GREENSKIES FOR THE PURPOSE OF ERECTING A PHOTOVOLTAIC ELECTRIC GENERATION SYSTEM ON THE ROOF OF THE SENIOR CENTER AT 100 MONA TERRACE FOR THE BENEFIT OF THE SENIOR CENTER, AND TO GRANT THE APPROPRIATE ACCESS, THE TERM OF THE AGREEMENT BEING TWENTY YEARS, BE, AND HEREBY IS, APPROVED."

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

**See Committee Reports Attached Hereto

VOTE: The resolution to enter into a power purchase agreement with Greenskies for the Senior Center was approved with 37 in favor and 10 opposed (Meyer, Sundman, Steele, Bateson, Ference, Mackenzie, Demartino, Mezoff, Kery, Jacob opposed).

ITEM 6 ON CALL:

TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF SELECTMEN:"RESOLVED, THAT IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF PUBLIC WORKS, THE POWER PURCHASE AGREEMENT BETWEEN THE TOWN OF FAIRFIELD AND SKYVIEW SOLAR FOR THE PURPOSE OF

ERECTING A PHOTOVOLTAIC ELECTRIC GENERATION SYSTEM AT THE POSTOL RECREATION CENTER PARKING LOT AT 75 MILL PLAIN ROAD FOR THE BENEFIT OF THE POSTOL RECREATION CENTER, AND TO GRANT THE APPROPRIATE ACCESS, THE TERM OF THE AGREEMENT BEING TWENTY YEARS, BE, AND HEREBY IS, APPROVED.”

***See Committee Reports Attached Hereto.

VOTE: The resolution to enter into a power purchase agreement with Skyview Solar for the Recreation Center was approved with 43 in favor and 4 opposed (P. Ambrose, Ference, Demartino and Kery opposed).

ITEM 7 ON CALL:

TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF SELECTMEN:“RESOLVED, THAT IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF PUBLIC WORKS, THE POWER PURCHASE AGREEMENT BETWEEN THE TOWN OF FAIRFIELD AND SKYVIEW SOLAR FOR THE PURPOSE OF ERECTING A PHOTOVOLTAIC ELECTRIC GENERATION SYSTEM ON THE ROOF OF OPERATION HOPE AT 50 NICHOLS STREET FOR THE BENEFIT OF OPERATION HOPE, AND TO GRANT THE APPROPRIATE ACCESS, THE TERM OF THE AGREEMENT BEING TWENTY YEARS, BE, AND HEREBY IS, APPROVED.”

***See Committee Reports Attached Hereto.

VOTE: The resolution to enter into a power purchase agreement with Skyview Solar for 50 Nichols Street was approved with 41 in favor and 6 opposed (Mackenzie, Demartino, Mezoff, Braun, Kery, Mirabile opposed).

ITEM 8 ON CALL:

TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF SELECTMEN:“RESOLVED, THAT IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF PUBLIC WORKS, THE POWER PURCHASE AGREEMENT BETWEEN THE TOWN OF FAIRFIELD AND SKYVIEW SOLAR FOR THE PURPOSE OF ERECTING A PHOTOVOLTAIC ELECTRIC GENERATION SYSTEM ON THE ROOF OF THE FAIRFIELD THEATRE COMPANY AT 70 SANFORD STREET FOR THE BENEFIT OF THE TOWN OF FAIRFIELD, AND TO GRANT THE APPROPRIATE ACCESS, THE TERM OF THE AGREEMENT BEING TWENTY YEARS, BE, AND HEREBY IS, APPROVED.”

***See Committee Reports Attached Hereto

VOTE: The resolution to enter into a power purchase agreement with Skyview Solar for 70 Sanford Street was approved with 39 in favor and 8 opposed (P. Ambrose, Bateson, Mackenzie, Demartino, Mezoff, Kery, Jacob, Mirabile opposed).

ITEM 9 ON CALL:

TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF SELECTMEN: "RESOLVED, THAT IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF PUBLIC WORKS, THE POWER PURCHASE AGREEMENT BETWEEN THE TOWN OF FAIRFIELD AND SKYVIEW SOLAR FOR THE PURPOSE OF ERECTING A PHOTOVOLTAIC ELECTRIC GENERATION SYSTEM ON THE ROOF OF THE FIRE HEADQUARTERS AT 140 REEF ROAD FOR THE BENEFIT OF THE FIRE HEADQUARTERS, AND TO GRANT THE APPROPRIATE ACCESS, THE TERM OF THE AGREEMENT BEING TWENTY YEARS, BE, AND HEREBY IS, APPROVED."

***See Committee Reports Attached Hereto

VOTE: The resolution to enter into a power purchase agreement with Skyview Solar for the Fire Dept. at 140 Reef Road was approved with 43 in favor and 4 opposed (Demartino, Kery, Jacob, Mirabile opposed).

OTHER BUSINESS

The swearing in will take place on November 18, 2013. The next RTM meeting will be held on November 25, 2013.

ADJOURNMENT

There being no further business and upon made, duly seconded and carried unanimously, the meeting adjourned at 9:40 PM.

Respectfully Submitted,

Elizabeth P. Browne
Town Clerk

Recorded by: Kyle Fournier