

BOARD OF SELECTMEN MEETING
JANUARY 16, 2019

MINUTES

A regular meeting of the Board of Selectmen was held at 5:00 p.m. on Wednesday, January 16, 2019, in the First Floor Conference Room, Independence Hall. The meeting was recorded in its entirety by FairTV, Fairfield's Education and Government Access Channel.

Members Present: First Selectman Michael C. Tetreau, Selectman Christopher W. Tymniak, Selectman Edward J. Bateson

Others Present: Mark Barnhart-Director Economic Development, Edward Boman, Thomas Bremer, Nancy Burns-BOE, Anthony Calabrese-Director Parks & Recreation, Brian Carey-Director Conservation, Thomas Cullen-Executive Director Operations BOE, Peter Grace, William Hurley, Dr. Toni Jones-BOE, Erik Lang-Chair Sherman School Building Committee, Robert Mayer-CFO, Denis McCarthy-Fire Chief, Sal Morabito-BOE, Nancy Nash-BOE, James Wendt-Town Planning Director, Michael Widmer, Humberto Juarez-Fairfield Citizen, Fair TV

- 1) CALL TO ORDER - First Selectman Tetreau called the meeting to order at 5:00 p.m.
- 2) PLEDGE OF ALLEGIANCE - Selectman Tymniak led the Pledge of Allegiance.

A moment of silence was held for Walter Flynn.

- 3) MINUTES

To consider and act upon the minutes of Regular Meeting of January 2, 2019:

Selectman Tymniak motioned to approve the item. Selectman Bateson seconded the motion.

Public comment – none.

The motion carried unanimously, 3-0.

- 4) APPOINTMENTS

To hear, consider and act upon the following appointment:

Fire Commission

Thomas R. Bremer (D), 36 Getty Circle, term 11/18 – 11/23

(to fill a vacancy for Barbara Rifkin whose term expired)

Selectman Tymniak motioned to approve the item. Selectman Bateson seconded the motion.

Public comment – none.

The motion carried unanimously, 3-0.

- 5) SHERMAN ELEMENTARY SCHOOL BUILDING COMMITTEE
To hear an update from the Sherman Elementary School Building Committee

Erik Lang said they hired Silver-Petrucelli and Colliers, site work has begun and the conceptual design phase is complete. Mr. Lang said the first cost estimate received came in higher than expected and they are working with Colliers and the architect to get the cost back in line and will present to the Board at their second meeting in February when they have better information. He is going to Hartford on January 22 to learn how much FEMA reimbursement they can expect.

- 6) PLANNING DIRECTOR To hear a FEMA CRS progress report on action items outlined in the Regional Hazard Mitigation Plan

James Wendt said the town, a Class 8 community, qualifies for a 10% flood insurance rate reduction. Mr. Wendt said one of the requirements for annual recertification with FEMA is to perform an evaluation progress report.

- 7) CONSERVATION DIRECTOR (**requires RTM approval and a report from the Town Plan and Zoning Commission**)
To hear and consider the following resolution as recommended by the Conservation Director:

RESOLVED, that the Town of Fairfield sell the property know as 150 Trail Street to Leslie M. Richmond for the sum of \$32,518 as more particularly set forth in Request for Proposal #2019-42.

Selectman Tymniak motioned to approve the item. Selectman Bateson seconded the motion.

Brian Carey gave background on the site and recommended selling the property. The Board discussed similar property sales. First Selectman Tetreau, Selectmen Bateson and Tymniak all said they understood the town followed the RFP which does not obligate notifying the abutting neighbors of the sale but agreed the neighbor has an option to buy.

First Selectman Tetreau motioned to postpone the item to a date certain to February 6, 2019, and have Mr. Carey send a certified letter to notify abutting neighbors of the sale and to report back to the board with the responses. Selectman Tymniak seconded the motion.

Public comment – none.

The motion to postpone the item carried unanimously, 3-0.

- 8) CONSERVATION DIRECTOR (**requires Board of Finance and RTM approval and a report from Town Plan and Zoning Commission**)
To hear, consider and act the following resolution as recommended by the Conservation Commission:

RESOLVED, that the Town of Fairfield purchase a 3.6 acre undeveloped parcel known as 760 Oldfield Road, Assessor's Map No. 232 Lot 153, from George Henry Saum for the sum of \$165,000 as more particularly set forth in real estate sales agreement between said parties; and

FURTHER RESOLVED, that the First Selectman be, and hereby is, authorized to expend fifty percent of the purchase price of said property, one hundred percent of said funds to be reimbursed by a CT Department of Energy & Environmental Protection Open Space and Watershed Land Acquisition Grant (OSWA-526) and that the First Selectman be, and hereby is, authorized to accept said grant and to execute any and all necessary documents to secure said grant; and

FURTHER RESOLVED that the remaining fifty percent of the funds for the purchase of said property be taken from the H. Smith Richardson Conservation Trust as approved by the Conservation Commission on January 17, 2018 and that the First Selectman be, and hereby is, authorized to execute any and all documents necessary to effectuate the use of said funds.

Selectman Tymniak motioned to approve the item. Selectman Bateson seconded the motion.

Brian Carey gave the property history and said the tax impact of \$1,891 would be taken off tax rolls. First Selectman Tetreau said it is an environmentally sensitive area and doesn't want any building on the property. He said the purchase solves long-term issues, creates a benefit to the town, will be easier to do future bridge renovations and no tax dollars are being used as they will receive money back from the state grant.

Public comment – Michael Widmer, Land Acquisition Chair, said the commission voted unanimously to support the purchase.

Bill Hurley, Engineering Manager, said they support the purchase and the bridge replacement is on the next five year waterfall chart. He said to have temporary access is huge and the benefits outweigh the loss of taxes.

The motion carried unanimously, 3-0.

9) FIRE CHIEF

To hear, consider and act upon the following resolution as recommended by the Fire Chief:

RESOLVED, that the Fairfield Fire Department, under the Mutual Aid Plan, is hereby authorized to transfer a surplus Fire Department rescue vehicle to the Town of Stratford to be used as regional mass casualty equipment in support of staging area management, incident rehab operations, mass gathering events and mass trauma events, said vehicle to be operated and maintained by Stratford Emergency Management Services.

Selectman Tymniak motioned to wave the reading. Selectman Batson seconded the motion which carried unanimously, 3-0.

Selectman Tymniak motioned to approve item. Selectman Bateson seconded the motion.

Chief Denis McCarthy said they are transferring Squad 12 to SWEMS to be used as an equipment carrier for major events. Chief McCarthy said the Town of Stratford will take possession, title and insure as a permanent loan. He said SWEMS will pay for upgrades and maintenance to get road worthy and the truck will be available to all Towns in the region for mutual aid. He said it was offered to all Towns in the region.

Public comment – none.

The motion carried unanimously, 3-0.

10) **DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT (requires Board of Finance and RTM approval)**

To hear, consider and act upon the following resolution as recommended by the Director of Community and Economic Development:

WHEREAS, pursuant to C.G.S. Section 4-66g, the Connecticut Department of Economic and Community Development (DECD) is authorized to extend financial assistance for economic development projects; and

WHEREAS, it is desirable and in the public interest that the Town of Fairfield undertake streetscape improvements in the Stratfield Village Business District with an estimated cost of \$750,000, \$650,000 to be funded through DECD's Urban Act grant program and \$100,000 to be funded by the Town;

NOW THEREFORE BE IT RESOLVED, that Michael C. Tetreau, First Selectman of the Town of Fairfield, is duly authorized to enter into and sign contracts on behalf of the Town of Fairfield with the Connecticut Department of Economic and Community Development for the purpose of obtaining said grant funding; and

FURTHER RESOLVED, that the First Selectman is authorized to accept said grant, to provide such additional information and execute such other documents as may be required in connection with said grant, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the Town of Fairfield.

Selectman Tymniak motioned to wave the reading. Selectman Batson seconded the motion which carried unanimously, 3-0.

Selectman Bateson motioned to approve item. Selectman Tymniak seconded the motion.

Mark Barnhart said they received a \$650,000 grant to help fund streetscape improvements in the Stratfield Business District. Mr. Barnhart said the Stratfield Village Neighborhood Association is supportive and are raising additional funds beyond the scope of work. William Hurley explained the construction of pedestrian cross walks, curbs and signal repair.

Public comment – none.

The motion carried unanimously, 3-0.

11) **DIRECTOR OF PUBLIC WORKS (requires Board of Finance and RTM approval)**

To hear, consider and act upon the following resolution as recommended by the Director of Public Works:

WHEREAS, it is desirable and in the public interest that the Town of Fairfield undertake pedestrian safety improvements in the Southport/Post Road Business District with an estimated cost of \$460,000, \$360,000 to be funded through the State of Connecticut Department of Transportation (DOT) Community Connectivity Grant Program (CCGP) and \$100,000 to be funded by the Town (State Project No. 0170-3513);

NOW THEREFORE BE IT RESOLVED, that Michael C. Tetreau, First Selectman of the Town of Fairfield, is duly authorized to enter into and sign contracts on behalf of the Town of Fairfield with the State of Connecticut Department of Transportation for the purpose of obtaining said grant funding; and

FURTHER RESOLVED, that the First Selectman is authorized to accept said grant, to provide such additional information and execute such other documents as may be required in connection with said grant, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the Town of Fairfield.

Selectman Tymniak motioned to waive the reading. Selectman Bateson seconded the motion which carried unanimously, 3-0.

Selectman Tymniak motioned to approve the item. Selectman Bateson seconded the motion.

William Hurley gave background and said the neighborhood is eager for the project. Selectman Bateson noted the bus stop safety issue and First Selectman Tetreau mentioned the ongoing discussion with the Greater Bridgeport Transit Authority regarding snow removal responsibility. Selectman Tymniak said it will enhance the entry point to Fairfield.

Public comment – none.

The motion carried unanimously, 3-0.

The Board took a break at 6:00 p.m. and reconvened at 6:05 p.m.

- 12) NON-RECURRING CAPITAL To hear, consider and act certain Town and Board of Education non-recurring capital project requests

Selectman Tymniak motioned to approve the item. Selectman Bateson seconded the motion.

Robert Mayer said the town policy for non-recurring capital projects under \$1m is budgeted every January. He reported on various town and BOE 10, 15 and 20 year non-recurring capital projects for FY20, debt service and bond resolutions.

First Selectman Tetreau explained to Mr. Cullen that the Stratfield Elementary roof project is not eligible for bonding because the cost is under \$100k and said the Board of Selectmen can increase the BOE budget and suggested Mr. Cullen meet with Finance to get the bonding policy. First Selectman Tetreau said the roof cost of \$85,000 must be removed in the 20 year bond resolution title and in Paragraphs 1 and 2, in Exhibit A Item 10 page 4.

Public comment – Christine-BOE said the BOE approved all projects and asked for the Selectmen’s support.

Selectman Tymniak motioned to amend the 20-year bond resolution from \$3,325,000 to \$3,240,000 and change in all the appropriate places. Selectman Bateson seconded the motion.

Selectman Bateson motioned to amend the resolution and strike the word “all”. Selectman Tymniak seconded the motion.

Public comment – none.

The item, as amended, carried unanimously, 3-0.

- 13) TAX COLLECTOR To consider and act upon tax refunds as recommended by the Tax Collector in the amount of \$7,660.88.

Selectman Tymniak motioned to approve the item. Selectman Bateson seconded the motion.

Public comment – none.

The motion carried unanimously, 3-0.

- 14) To hear, consider and act upon any other business which shall properly come before this meeting

Selectman Bateson followed up on the Executive Session January 2 update on the Julian lawsuit. He said he found it beneficial to hear the update at the BOF meeting and learned going into binding arbitration doesn’t assure it will be public. He said going forward he would like to make sure all proceedings are open to the public and feels it extremely critical that it not be private.

First Selectman Tetreau said he can direct Cohen & Wolf to come back to the Board in a Special February meeting to tell us how to accomplish that.

Selectman Tymniak said he believes the proceedings should be in public for transparency purposes and thought it was going to be. He asked First Selectman Tetreau to reach out to Cohen & Wolf to ensure it be public arbitration for transparency purposes and if a special meeting needs to be called to vote.

First Selectman Tetreau said the arbitration hearing isn't until March and said he will ask our attorneys to come back on February 6 to see what they can do to achieve that.

Selectman Bateson said he wants an answer and asked that any legal motions be forwarded to the Board. First Selectman Tetreau said he will copy both Selectmen Tymniak and Bateson on the request to Cohen & Wolf.

Selectman Bateson congratulated Chief Lyddy and the police officers on their promotions.

15) ADJOURN Selectman Bateson motioned to adjourn the meeting at 7:08 p.m. Selectman Tymniak seconded the motion which carried unanimously, 3-0.

Respectfully submitted,
Sheila Tesei, Recording Secretary