

BOARD OF SELECTMEN SPECIAL MEETING
Thursday, August 11, 2022
4:00 pm
Via Webex 1 and In Person in the
1st Floor Conference Room, Independence
Hall 725 Old Post Road, Fairfield, CT

A recording of this meeting can be found here: <https://www.youtube.com/watch?v=sKBMwKo27SE>.

FINAL MINUTES

MEMBERS PRESENT: First Selectwoman Brenda L. Kupchick, Selectman Thomas M. Flynn, Selectwoman Nancy E. Lefkowitz

OTHERS PRESENT: Attorney Steven Mednick, Town Attorney James Baldwin, Members of the Public, Charter Revision Commission Chair Bryan Cafferelli, FairTV

1) CALL TO ORDER

First Selectwoman Brenda Kupchick called the meeting to order at 4:00 pm.

2) PLEDGE OF ALLEGIANCE

First Selectwoman Kupchick led the Pledge of Allegiance.

3) TO HEAR, CONSIDER AND ACT UPON THE CHARTER REVISION COMMISSION'S FINAL REPORT APPROVED ON AUGUST 1, 2022 (SEE FINAL REPORT IN BACKUP)

Selectman Flynn made a motion to approve Item 3. Selectwoman Lefkowitz seconded the motion.

First Selectwoman Kupchick discussed the errata changes which she said were typographical and not substantive. Attorney Mednick also gave a brief summary of the process. He said there were 22 formal meetings and more public hearings than are required. He said the Charter Revision Commission (CRC) listened to the public and changed the course on some items. He said it was a broad-based and comprehensive process. Attorney Mednick then went through the errata that had been corrected in a document he had sent out this afternoon.

After discussion, both Selectpersons Flynn and Lefkowitz withdrew their motions above.

Selectman Flynn made a motion to approve the "WHEREAS" clauses as one item. Selectman Lefkowitz seconded the motion.

Selectman Flynn then read the Resolution of the Fairfield Board of Selectpersons – Recommendations to the Charter Revision Commission, pursuant to C.G.S. §7-191(b).

The motion carried unanimously.

Selectman Flynn made a motion to adopt, “NOW, THEREFORE, BE IT RESOLVED: That the Board of Selectpersons approves the Final Report of the Charter Revision Commission, dated August 3, 2022, in its entirety.” First Selectwoman Kupchick seconded the motion.

After some discussion, Selectwoman Lefkowitz made a motion to remove the first “NOW, THEREFORE” from the document. First Selectwoman Kupchick seconded the motion for discussion only.

After a detailed discussion, (which can be accessed in full by using the above link), the motion failed 1-2-0 (Lefkowitz in favor).

Selectwoman Lefkowitz made a motion to strike 4.3E (Staff) from the Charter. There was no second.

Selectwoman Lefkowitz asked as a Point of Information if the intent of the body was to have a single vote on the Charter or have it broken out in different questions. Town Attorney James Baldwin explained that, legally, he could not answer that as it is the next item on the agenda. There was a long discussion regarding the order of the agenda and Robert’s Rules regarding a Special Meeting. Town Attorney Baldwin explained that the question Selectwoman Lefkowitz had was not able to be answered until it is addressed on the next agenda item.

Selectman Flynn made a motion to take a five-minute break. Selectwoman Lefkowitz seconded the motion.

The meeting broke at 5:16 pm.

Selectman Flynn made a motion to come back into the meeting. Selectwoman Lefkowitz seconded the motion.

The meeting reconvened at 5:21 pm.

Selectwoman Lefkowitz made a motion to table the discussion of the body of the document. There was no second.

Selectwoman Lefkowitz said for the record that it is a disservice by not allowing the discussion of the body of the document and she stands firm to her decision.

The full discussion before the vote is accessible through the recording link.

The motion carried 2-1-0 (Lefkowitz opposed).

4) **TO HEAR, CONSIDER AND ACT UPON THE QUESTION(S) TO APPEAR ON THE NOVEMBER 8, 2022 TOWN OF FAIRFIELD VOTING BALLOT**

Selectman Flynn made a motion to approve Item 4. First Selectwoman Kupchick seconded the motion.

Selectman Flynn read the resolution which Selectwoman Lefkowitz stated for the record was the first time she was seeing the language in the document.

After a detailed and lengthy discussion, Selectwoman Lefkowitz made a motion to table the vote to a date certain. There was no second.

The discussion continued.

Selectwoman Lefkowitz made a motion to separate motions under the resolve clause. First Selectwoman Kupchick seconded the motion for discussion.

There was a lengthy discussion.

There was another break from 7:40 pm to 7:47 pm. The discussion resumed and then First Selectwoman Kupchick opened the meeting to public comment.

Noah Hendler, 3115 Redding Road – He said he thinks it is important to separate points in the Charter.

Amy Ruggiero, RTM D1, 329 Greenfield Hill Road – She said one question is appropriate and the transparency is as clear as water. She said the controversial items were addressed and compromises were met. She said people will get informed in time for the vote.

Roger Autuori, 1310 Melville Avenue – He said he has seen nothing to support having the constables be appointed as opposed to elected. He said it should be a separate question.

Sarah Matthews, 230 Penfield Road – She said she has watched all the meetings and they are very transparent. She said controversial issues have been removed. She said people will have 60 days to do their homework as it is their civic duty to vote. She said separating out questions has no purpose.

Kathy Braun, 245 Sunnyridge Avenue – She said to wait until next week. She said the BOS has until September 8th to get it on the ballot. She said Question A is an opinion. Ms. Braun gave her opinions on each item in Question A.

Bill Gerber, RTM D2, 25 Shady Hill Road – He said he agrees with Kathy Braun. He said items are significant and worthy of breaking out as separate questions. He said to give the public a chance to weigh in.

Karen McCormack, RTM D2, 305 Winnepoige Drive – She said she watched or attended all meetings and the process was beyond transparent. She said everyone had a chance to weigh in and determine what the document would look like before they vote. She said one question makes the most sense and this should move forward.

Tom McCarthy, 815 Lover's Lane, WPCA Commissioner – He said he echoes what Karen McCormack just said. He said the information has been comprehensive. He said the information is available. He said the ballot should be limited to a single question.

Jill Vergara, RTM D7, 271 Old Post Road – She said the majority of work happened in June, July and August when people are on vacation. She said she thinks questions should be separate to empower the voters.

Bryan Cafferelli, 129 College Place – Former Chair of the Charter Revision Commission. He said there was a nice article about how the CRC listened and changed controversial items. Mr. Cafferelli said he hoped there would be unity in that passage. He said the CRC didn't start working in June, July or August.

Mr. Cafferelli said the Commission was hard at work from day one. He said he would support confining this to one question as better to be concise and not confuse the voter. He said some voters won't turn the ballot over to see the back and many important questions won't get answered.

Selectwoman Lefkowitz said she appreciates the hard work of the CRC, but it makes her sad and disappointed because she wants to be united.

The vote on Selectwoman Lefkowitz's motion to separate questions on the ballot failed 1-2-0 (Lefkowitz in favor).

After a lengthy discussion about the language in the question, Selectwoman Lefkowitz made a motion to table Item 4 until the regular BOS meeting on August 15, 2022. There was no second.

The original motion to approve Item 4 carried 2-1-0 (Lefkowitz opposed).

Selectwoman Lefkowitz made a motion to take the last two "BE IT FURTHER RESOLVEDs" together. Selectman Flynn seconded the motion. The motion carried unanimously.

Selectwoman Lefkowitz made a motion to approve the whole revised Charter document. Selectman Flynn seconded the motion.

Selectwoman Lefkowitz stated for the record that she will not support this document. She has also requested, for the record, copies of the bills for the Charter Counsel.

The motion carried 2-1-0 (Lefkowitz opposed).

Selectwoman Lefkowitz made a motion to add to the last "BE IT FURTHER RESOLVED," "input and consultation of" Town Attorney. Selectman Flynn seconded the motion. The motion carried unanimously.

Selectman Flynn made a motion to approve the entire document as amended. Selectwoman Lefkowitz seconded the motion. The motion carried unanimously.

5) ADJOURN

Selectwoman Lefkowitz made a motion to adjourn the meeting at 8:14 pm. Selectman Flynn seconded the motion which carried unanimously.

Respectfully submitted,

Pru O'Brien
Recording Secretary