

MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN OF FAIRFIELD

The Regular Monthly Meeting of the Town of Fairfield was held on Monday, May 19, 2014, at the Education Center, Kings Highway, Fairfield, Connecticut.

The meeting was called to order at 8:00P.M. by Moderator Mary McCullough.

PRESENT: 43 ABSENT: 7 VACANCY: 0

PRESENT: Donovan, Herley, Meyer, Lipp, Sundman, Ambrose, Burshtein, Steele, Bateson, Devlin, Ference, Mackenzie, McCullough, Dean, Gerber, Palmer, O'Brien, Semmel, Smey, Way, Gottlieb, Marks, Marmion, Zezima, Hochberg, Hoffkins, Newman, Pires, Schwartz, Braun, Durrell, Li, McCarthy, Melaragno, Iacono, McArdle, Jacob, Pontrelli, Tymniak, Farnen, Neuberger, Perugini, Ryan

ABSENT: Schindler, Varian, DeMartino, Waldron, Garskof, Wolk, Cafferelli

ITEM NO. 1 ON CALL: PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

Moderator Mary McCullough led the Body in the Pledge of Allegiance and Moment of Silence. Probate Judge Daniel Caruso recognized the many organizations that helped make the 375th Anniversary Food Drive a success.

ITEM NO. 2 ON CALL: TO CONSIDER AND ACT UPON THE MINUTES OF THE ANNUAL BUDGET MEETING HELD ON MAY 5, 2014 AND THE REGULAR MEETING HELD ON MAY 19, 2014

Michael Herley, District 1, moved to amend the minutes of the Annual Budget Meeting by adding to page 3, his question to Superintendent of Schools Dr. Title what the potential savings anticipated with the outsourcing of services, what the anticipated number of net new students for the coming year, and what the potential pension savings are, duly seconded and carried unanimously.

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

ITEM NO. 3 ON CALL: ASSESSOR'S REPORT ON THE TAX RELIEF FOR THE ELDERLY AND DISABLED HOMEOWNERS PROGRAM

Assessor Don Ross summarized the report.

Pamela Iacono, District 9, asked for advance copies of reports such as this one and a memo summarizing the report.

Ellen Jacob, District 9, asked if there is a way of tracking the people who have removed themselves from the system. Assessor Don Ross referred her to the report which states the reasons for people not using the system any more.

John Donovan, District 1, asked what happens to the funds that are budgeted but not used. First Selectman Tetreau said that they go into the revenue overage number.

ITEM NO. 4 ON CALL: RESOLVED, THAT MICHAEL C. TETREAU, FIRST SELECTMAN OF THE TOWN OF FAIRFIELD, IS EMPOWERED TO EXECUTE AND DELIVER IN THE NAME AND ON BEHALF OF THIS MUNICIPALITY A CONTRACT WITH THE CONNECTICUT STATE LIBRARY FOR AN HISTORIC DOCUMENT PRESERVATION GRANT

Pam Iacono, District 9, moved this item as distributed with the Call, duly seconded.

VOTE. The Historic Document Preservation Grant was approved by unanimous voice vote.

ITEM NO. 5 ON CALL: RESOLVED, THAT A 2013 \$275,000 SMALL TOWN ECONOMIC ASSISTANCE PROGRAM (STEAP) GRANT BE, AND HEREBY IS, ACCEPTED, IN ORDER TO INCREASE HANDICAP ACCESSIBILITY AT SOUTH BENSON MARINA, SOUTHPORT BEACH, YE YACHT YARD AND SASCO BEACH; AND FURTHER RESOLVED, THAT FIRST SELECTMAN MICHAEL TETREAU BE, AND HEREBY IS, AUTHORIZED TO APPLY FOR AND EXECUTE THE GRANT AGREEMENT AND ACCEPT THE FUNDS FOR THIS PROJECT.

Jennifer Hochberg, District 7, moved this item as distributed with the Call, duly seconded.

VOTE: The STEAP grant was approved by unanimous voice vote.

ITEM NO. 6 ON CALL: TOWN ATTORNEY'S REPORT ON A PROPOSED DONATION OF PROPERTY AT 641 REEF ROAD

First Selectman Michael Tetreau explained that a property owner intends to donate this property with a restriction that any proceeds from the sale of the property be used by the Fire Department to purchase a new fire truck. In order to do so, the RTM would have to approve the sale of the property after the property is accepted.

Town Attorney Stanton Lesser said that it is anticipated that the Board of Finance will approve this donation.

Sheila Marmion, District 6, questioned whether the RTM had already approved the purchase of a ladder truck in February.

First Selectman Tetreau answered affirmatively and said that this money would be used as reimbursement for the expenditure.

Hal Schwartz, District 7, said that since an inspection had already been done, the Town is incurring costs. He asked if the Town would be reimbursed for any costs, to which Mr. Lesser replied that the amount donated to the Fire Department would be the net of any costs.

Michael Herley, District 1, asked if a realtor would be hired. Mr. Lesser said he was not certain if we require one at this time but it has not been decided. Mr. Herley asked how a realtor would be hired. First Selectman Tetreau said it would come under the Fees and Professional Services account and an RFP would not be necessary.

John Donovan, District 1, asked if the donor is receiving a tax benefit. Attorney Lesser said he believes so, since it is a donation. Mr. Donovan suggested issuing a press release on this generous donation in order to suggest that others may want to do so for the tax benefit.

Jeffrey Melaragno, District 8, asked what happens to the excess funds after the donation is accepted. First Selectman Tetreau said he is not certain but believes they would go into the undesignated fund balance of the budget.

Gaylord Meyer, District 1, asked why the Town might not accept the donation, and asked for more clarity on how a realtor would be selected.

First Selectman Tetreau said there could be unanticipated questions or problems in accepting the donation, since we are not obligated to accept the donation at this time. At this point, accepting the property seems like a reasonable approach. He also said we would need to figure out an objective process to selecting a realtor if one were deemed necessary.

ITEM NO. 7 ON CALL: RESOLVED, THAT THE SECOND AMENDED AND REINSTATED LEASE AGREEMENT BETWEEN THE TOWN OF FAIRFIELD AND T-MOBILE NORTHEAST LLC, FOR 3965 CONGRESS STREET, BE, AND HEREBY IS, APPROVED; AND FURTHER RESOLVED, THAT FIRST SELECTMAN MICHAEL TETREAU BE, AND HEREBY IS, AUTHORIZED TO EXECUTE THE AMENDED LEASE AGREEMENT AND RELATED DOCUMENTS

Ruth Smey, District 5, moved this item as distributed with the Call, duly seconded.

Atty. Lesser summarized the terms of the lease extension agreement.

Chris Tymniak, District 9, asked if any long-range planning in renewing these lease extensions, considering the eminent merging of certain mobile carriers.

First Selectman Tetreau said no but that he would happy to sit down and discuss any insights Mr. Tymniak would have, but cautioned him that discussions of lease negotiations should not be done in public session.

Mr. Tymniak suggested tabling this item in order to continue discussion.

MOTION: Mr. Tymniak moved to postpone this item until the regularly scheduled meeting in August, duly seconded.

Allen Marks, District 6, asked if Mr. Tymniak believes the conversation would result in additional revenue for the Town.

Mr. Tymniak pointed to a few things in the contract, such as the language dating from 1999, which he said would certainly have been updated in the new contract that T-Mobile is doing in order to further protect itself and the Town. Perhaps the Town would like to analyze a longer term contract.

Atty. Lesser said that he is hesitant about postponing this item because the company could decide not to renew the contract at all and go with another tower that is not owned by the Town.

Mr. Tymniak agreed that is an issue but he is frustrated that the contract expired in March, and here we

are in June being forced to hurriedly approve the lease as presented.

WITHDRAWAL OF MOTION: Mr. Tymniak withdrew his motion in order for this item to be taken up at the end of the meeting.

MOTION: Heather Dean, District 4, moved to take Item 7 out of order at the end of the meeting, duly seconded and carried unanimously.

ITEM NO. 8 ON CALL: RESOLVED, THAT IN ACCORDANCE WITH A REQUEST FROM THE DIRECTOR OF PUBLIC WORKS, THE SUCCESSOR INTERLOCAL AGREEMENT, NEGOTIATED BY THE FIRST SELECTMEN AND SUBJECT TO APPROVAL BY THE FAIRFIELD TOWN ATTORNEY AND THE RTM, BE, AND HEREBY IS, APPROVED, AND FURTHER RESOLVED, THAT THE FIRST SELECTMAN IS AUTHORIZED TO ENTER INTO THE NEW SOLID WASTE DISPOSAL AGREEMENT WITH WHEELABRATOR BRIDGEPORT

Heather Dean, District 4, moved this item as distributed with the Call, duly seconded.

John Donovan, District 1, thanked SWR Director Mike Zembruski and Asst. DPW Director Ed Boman for the savings this agreement has procured for the Town.

Bill Gerber, District 4, asked if we ever go over the capacity we are allowed in the agreement. Mr. Boman said we have not in twenty five years but it could happen.

VOTE: The Solid Waste Disposal Agreement was approved by unanimous voice vote.

ITEM NO. 9 ON CALL: CHANGES TO ARTICLE XIV PENSION PROGRAM OF THE TOWN OF FAIRFIELD PENSION PLAN PROVISIONS IN THE FAIRFIELD ASSOCIATION OF EDUCATIONAL OFFICE PROFESSIONALS LABOR AGREEMENT

Jennifer Hochberg, District 7, moved this item as distributed with the Call, duly seconded.

John Donovan, District 1, objected to the changes as there were no other concessions made by the union.

Julie Gottlieb, District 6, said that her committee was made to understand that there were concessions made by the union.

Board of Education Human Resources Director Ann Leffert replied that although they cannot say too much at this point since this is the final piece before the contract is finalized, there were some insurance concessions they were able to achieve.

Pam Iacono, District 9, said that several years ago the RTM asked that new town employees be moved into a 401(a) program, and that has been done which is commendable. She believes Mr. Donovan is saying that now more needs to be done, with current employees.

Jay Lipp, District 1, asked what the Town's strategic plan is to deal with weaning employees off the pension plan.

Allen Marks questioned whether the question is germane to the current motion. The Moderator agreed and said this matter can be discussed in the future.

Heather Dean, District 4, said that the Town has begun moving employees to a defined contribution plan, but that it was not as easy as earlier believed, and that costs such as FICA would increase the Town's expenditures exponentially. She suggested that Fiscal Officer Bob Meyer be asked to present his report regarding this issue for the newer RTM representatives.

Michael Herley, District 1, agreed it would be helpful for Mr. Meyer to come back to make a report.

VOTE: The new language in the pension program for Board of Education secretaries was approved with 41 in favor, 2 opposed (Donovan, Hoffkins).

ITEM NO. 10 ON CALL: RESOLUTION ADOPTING THE GREATER BRIDGEPORT REGIONAL COUNCIL (GBRC) MULTI-JURISDICTION NATURAL HAZARD MITIGATION PLAN UPDATE, 2014

Allen Marks, District 8, moved this item as distributed with the Call, duly seconded.

Tom McCarthy, District 8, asked if the lack of continuity in the agreement is a concern.

Megan Sloane, GBRC planner, said that the lapse in the plan was due to the unavailability of grant funds. From this point forward there will be less of a chance of lapses occurring.

Mr. McCarthy said there did not appear to be any risk of exposure due to the lapses, which was confirmed.

Ed Bateson, District 3, referred to paragraph 3 which mentions future revisions in plan maintenance. He asked who would make any future revisions.

Ms. Sloane said the GBRC would work with the town on any revisions.

VOTE: The GBRC plan was approved by unanimous voice vote.

ITEM NO. 7 ON CALL: RESOLVED, THAT THE SECOND AMENDED AND REINSTATED LEASE AGREEMENT BETWEEN THE TOWN OF FAIRFIELD AND T-MOBILE NORTHEAST LLC, FOR 3965 CONGRESS STREET, BE, AND HEREBY IS, APPROVED; AND FURTHER RESOLVED, THAT FIRST SELECTMAN MICHAEL TETREAU BE, AND HEREBY IS, AUTHORIZED TO EXECUTE THE AMENDED LEASE AGREEMENT AND RELATED DOCUMENTS

Mr. Tymniak noted that he discussed the contract with the Town Attorney and that he is comfortable moving forward at this time since Mr. Lesser has addressed his concerns.

Pam Iacono, District 9, asked for a better summary of lease agreements with the Town.

VOTE: The lease for T-Mobile at Congress Street was approved by unanimous voice vote.

ITEM NO. 11 ON CALL: REFERRAL OF FAIRTV ORDINANCE TO L&A

This ordinance was held in the Legislation and Administration Committee.

ADJOURNMENT

There being no further business and upon motion made, duly seconded and carried unanimously, the meeting was adjourned at 9:55 P.M.

Respectfully submitted,

Elizabeth P. Browne
Town Clerk

Recorded by: Ann Roche