

MINUTES OF THE MEETING OF THE TOWN OF FAIRFIELD
June 22, 2015

A meeting of the Town of Fairfield was held on Monday, June 22, 2015 at 8 PM at the Education Center, 501 Kings Highway East, Fairfield.

The meeting was called to order at 8:05 PM by Moderator Pamela Iacono.

PRESENT: 36 **ABSENT:** 14 **VACANCY:** 0

PRESENT: Donovan, Herley, Meyer, Sundman, Ambrose, Burshtein, Jones, Cargill, Ference, McCullough, Dean, Gerber, Palmer, Garskof, O'Brien, Smey, Gottlieb, Marks, Siebert, Wolk, Zezima, Hochberg, Hoffkins, Newman, Pires, Braun, Durrell, McCarthy, Melaragno, Iacono, McArdle, Pontrelli, Tymniak, Cafferelli, Farnen, Neuberger,

ABSENT: Lipp, Steele, Varian, Bateson, Mackenzie, DeMartino, Waldron, Semmel, Way, Schwartz, Li, Jacob, Farnen, Perugini, Ryan

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

Moderator Iacono advised the Body that Hal Schwartz lost his mother last week and asked that they keep the Schwartz family in their thoughts.

ITEM NO. 2 ON CALL: APPROVAL OF MINUTES OF THE ANNUAL BUDGET MEETING OF MAY 4, 2015 AND OF THE REGULAR MEETING OF MAY 18, 2015.

VOTE: Upon motion made and duly seconded the minutes were approved by unanimous voice vote. (Messrs. Sundman and Ambrose were not present to vote).

ITEM NO. 3 ON CALL: TO RECEIVE THE ASSESSOR'S REPORT ON THE TAX RELIEF FOR THE ELDERLY AND DISABLED HOMEOWNERS PROGRAM AS REQUIRED UNDER CHAPTER 95, ARTICLE III, SECTION 15.1 OF THE CODE OF THE TOWN OF FAIRFIELD

This report was heard in committee.

ITEMS WERE TAKEN OUT OF ORDER PENDING THE ARRIVAL OF PRESENTERS.

ITEM NO. 6 ON CALL: APPOINTMENT OF STUART STRELZER, 56 LAMPLIGHTER LANE, TERM: JULY 2015 - JULY 2018 TO THE FAIRTV COMMISSION

Josh Garskof, District 5 moved this item as distributed with the Call, duly seconded.

VOTE: Upon motion made and duly seconded the appointment of Mr. Strelzer was approved by unanimous voice vote. (Messrs. Sundman and Ambrose were not present to vote).

ITEM NO.7 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF SELECTMEN: "RESOLVED, THAT MICHAEL C. TETREAU,

FIRST SELECTMAN OF THE TOWN OF FAIRFIELD, IS EMPOWERED TO EXECUTE AND DELIVER IN THE NAME AND ON THE BEHALF OF THE TOWN OF FAIRFIELD A CONTRACT WITH THE CONNECTICUT STATE LIBRARY FOR AN HISTORIC DOCUMENTS PRESERVATION GRANT.”

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

VOTE: Upon motion made and duly seconded the resolution was approved by unanimous voice vote. (Messrs. Sundman and Ambrose were not present to vote).

ITEM NO. 8 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF SELECTMEN: “RESOLVED, THAT MICHAEL C. TETREAU, FIRST SELECTMAN OF THE TOWN OF FAIRFIELD, BE AND HEREBY IS, AUTHORIZED TO APPLY FOR THE 2015-2017 FAIRFIELD YOUTH SERVICES GRANT IN THE AMOUNT OF \$28,985 PER YEAR FOR TWO YEARS AND TO EXECUTE SUCH DOCUMENTS AS ARE NECESSARY TO FACILITATE SUCH APPLICATION; AND “FURTHER RESOLVED, THAT THE TOWN MATCH SUCH FUNDS FOR SAID GRANT ON THE AMOUNT OF \$28,985 ARE ALREADY CONTAINED ON THE FY 2015-2016 BUDGET IN PERSONNEL SERVICES AND SHALL BE INCLUDED IN THE FY 2016-2017; AND “FURTHER RESOLVED, THAT UPON RECEIPT OF SUCH GRANT, GRANT FUNDS MAY BE EXPENDED AS SET FORTH IN THE GRANT DOCUMENTS.”

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

VOTE: Upon motion made and duly seconded resolution to apply for and accept the youth services grant was approved by unanimous voice vote. (Messrs. Sundman and Ambrose were not present to vote).

ITEM NO. 9 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF SELECTMEN: “RESOLVED, THAT THE APPLICATIONS RECEIVED UNDER THE NEIGHBORHOOD ASSISTANCE ACT (NAA) PROGRAM ARE HEREBY APPROVED, AND THAT THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT IS HEREBY DESIGNATED AS THE MUNICIPAL LIAISON OF THE TOWN OF FAIRFIELD FOR THIS PROGRAM.”

Mary McCullough, District 3 moved this item as distributed with the Call, duly seconded.

VOTE: Upon motion made and duly seconded the resolution to approve the NAA program was approved by unanimous voice vote. (Messrs. Sundman and Ambrose were not present to vote).

ITEM NO. 10 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF SELECTMEN: “RESOLVED, THAT THE PROGRAM YEAR 41 (OCTOBER 1, 2015 - SEPTEMBER 30, 2016) COMMUNITY BLOCK GRANT (CDBG) IS HEREBY APPROVED IN AN AMOUNT OT BE FINALIZED BY HUD, AND “FURTHER RESOLVED, THAT MICHAEL C. TETREAU, FIRST SELECTMAN OF THE TOWN OF FAIRFIELD, BE. AND HEREBY IS, AUTHORIZED TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS THAT FACILITATE THE TOWN’S PARTICIPATION IN SAID CDBG PROGRAM.”

Julie Gottlieb, District 6 moved this item as distributed with the Call, duly seconded.

VOTE: Upon motion being duly made and seconded the motion was approved by voice vote with two opposed. (Meyer, Melaragno) (Messrs. Sundman and Ambrose were not present to vote).

ITEM NO. 11 ON CALL:

TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE: "WHEREAS, FEDERAL MONIES ARE AVAILABLE UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY PROGRAM, ADMINISTERED BY THE STATE OF CONNECTICUT, DEPARTMENT OF HOUSING, PURSUANT TO PUBLIC LAW 93-383, AS AMENDED; AND

"WHEREAS, PURSUANT TO CHAPTER 127c, AND PART VI OF CHAPTER 130 OF THE CONNECTICUT GENERAL STATUTES, THE COMMISSIONER OF HOUSING IS AUTHORIZED TO DISBURSE SUCH FEDERAL MONIES TO LOCAL MUNICIPALITIES; AND

"WHEREAS, IT IS DESIRABLE AND IN THE PUBLIC INTEREST THAT THE TOWN OF FAIRFIELD ACCEPT FROM THE STATE A GRANT IN A SUM NOT TO EXCEED \$2,316,000 IN ORDER TO UNDERTAKE A COMMUNITY BLOCK DEVELOPMENT GRANT - DISASTER RECOVERY - TRANCHE 2 PROJECT, FAIRFIELD WASTE WATER TREATMENT PLANT HARDENING, AND TO EXECUTE AN ASSISTANCE AGREEMENT THEREFOR SHOULD ONE BE OFFERED;

"NOW, THEREFORE, BE IT RESOLVED, THAT THE TOWN OF FAIRFIELD IS COGNIZANT OF THE CONDITIONS AND PREREQUISITES FOR STATE ASSISTANCE IMPOSED BY PART VI OF CHAPTER 130 OF THE CONNECTICUT GENERAL STATUTES; AND THAT THE ACCEPTANCE BY THE TOWN OF FAIRFIELD OF A DISASTER RECOVERY COMMUNITY BLOCK GRANT TO BE USED FOR FAIRFIELD WASTE WATER TREATMENT PLANT HARDENING IN AN AMOUNT NOT TO EXCEED \$2,316,000 IS HEREBY APPROVED; AND

"FURTHER RESOLVED, THAT THE FIRST SELECTMEN IS HEREBY AUTHORIZED, ON BEHALF OF THE TOWN OF FAIRFIELD, TO ACCEPT AND EXPEND SAID GRANT; AND

"FURTHER RESOLVED, THAT THE FIRST SELECTMAN IS HEREBY AUTHORIZED TO EXECUTE AND ALL NECESSARY DOCUMENTS TO SECURE SUCH GRANT; AND

"FURTHER RESOLVED, THAT A BOND RESOLUTION APPROPRIATING \$2,316,000 FOR THE COSTS ASSOCIATED WITH THE WASTE WATER TREATMENT PLANT HARDENING BE, AND HEREBY IS, APPROVED."

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

Josh Garskof, District 5 questioned the Town's share versus the WPCA's share, as well as how the shares were determined.

Selectman Kiley, the BOS member who serves on the WPCA explained that the WPCA has a fund with \$4 million currently, and that there are 2 projects dependent upon the berm. After an evaluation of the square footage of the berm, the whole area and the value of the buildings, the BOS decided that to be fair to the taxpayer and to not deplete the WPCA fund to split the costs 50/50 between the Town and WPCA.

Mr. Garskof asked if this included the entire site or just the WPCF to which Mr. Kiley explained it included the DPW buildings, WPCF, fire training center and animal control office. The BOS knows there will be new projects for which the Town and WPCA will have to find funding and that they don't want to overburden the taxpayers.

Bond counsel John Stafstrom noted a clerical error in the resolution as it appears on the Call.

AMENDMENT: Michael Herley, District 1 moved the following amendment to replace the last paragraph of the resolution with the following: "Further resolved, that a bond resolution entitled 'A Resolution Appropriating \$3,088,000 for the Costs Associated with Construction of Berm and Pumping Station and Authorizing the Issuance of Bonds to Finance such Appropriation' be, and hereby is, approved", duly seconded.

VOTE: Motion to approve the amendment to the Resolution was approved by unanimous voice vote.

Amy Mezoff, Robin Lane, asked where she could find CGS Part VI Chapter 130. Moderator Iacono advised that this Body did not entertain questions from members of the public, but allowed comments.

VOTE: Upon motion being made and duly seconded the motion was approved by unanimous voice vote.

ITEM NO. 12 ON CALL:

TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE:"WHEREAS, FEDERAL MONIES ARE AVAILABLE UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER PROGRAM, ADMINISTERED BY THE STATE OF CONNECTICUT DEPARTMENT OF HOUSING, PURSUANT TO PUBLIC LAW 93-383, AS AMENDED; AND

"WHEREAS, PURSUANT TO CHAPTER 127c, AND PART VI OF CHAPTER 130 OF THE CONNECTICUT GENERAL STATUTES, THE COMMISSIONER OF HOUSING IS AUTHORIZED TO DISBURSE SUCH FEDERAL MONIES TO LOCAL MUNICIPALITIES; AND

WHEREAS, IT IS DESIRABLE AND IN THE PUBLIC INTEREST THAT THE TOWN OF FAIRFIELD ACCEPT FROM THE STATE A GRANT IN A SUM NOT TO EXCEED \$2,500,000 IN ORDER TO UNDERTAKE A COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVERY - TRANCHE 2 PROJECT, WATER POLLUTION CONTROL MICROGRID, AND TO EXECUTE AN ASSISTANCE AGREEMENT THEREFORE, SHOULD ONE BE OFFERED;

NOW, THEREFORE BE IT RESOLVED, THAT THE TOWN OF FAIRFIELD IS COGNIZANT OF THE CONDITIONS AND PREREQUISITES FOR STATE ASSISTANCE IMPOSED BY PART VI OF CHAPTER 130 OF THE CONNECTICUT GENERAL STATUTES; AND THAT THE ACCEPTANCE BY THE TOWN OF FAIRFIELD OF A DISASTER RECOVERY COMMUNITY DEVELOPMENT BLOCK GRANT TO BE USED FOR THE WATER POLLUTION CONTROL MICROGRID IN AN AMOUNT NOT TO EXCEED \$2,500,000 IS HEREBY APPROVED; AND

FURTHER RESOLVED, THAT THE FIRST SELECTMAN IS HEREBY AUTHORIZED, ON BEHALF OF THE TOWN OF FAIRFIELD TO ACCEPT AND EXPEND SAID GRANT; AND

FURTHER RESOLVED, THAT THE FIRST SELECTMAN IS HEREBY AUTHORIZED, ON BEHALF OF THE TOWN OF FAIRFIELD, TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS TO SECURE SUCH GRANT; AND

FURTHER RESOLVED, THAT A BOND RESOLUTION APPROPRIATING \$2,500,000 FOR THE COSTS ASSOCIATED WITH THE WATER POLLUTION CONTROL MICROGRID BE AND HEREBY IS, APPROVED."

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

Joe Palmer, District 4 noted that Ms. Mezoff is one of his constituents and that he thought her question was a good one. He asked the Town Attorney as to the location within the Connecticut General Statutes for Part VI, Chapter 130.

Town Attorney Lesser noted it was part of the General Statutes entitled Community Development at 8.169A through 8.169M.

VOTE: The resolution passed by unanimous voice vote.

ITEM NO. 13 ON CALL:

TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE: “RESOLVED, THAT THE TOWN OF FAIRFIELD PURCHASE AN UNDIVIDED TWO-THIRDS INTEREST IN THE PROPERTY KNOWN AS 908 FAIRFIELD BEACH ROAD, ASSESSOR’S MAP NO. 184 LOT 185, FROM THE MACKENZIE FAMILY TRUST AND JAMES Y. ATKINS FOR THE SUM OF \$268,000 AS MORE PARTICULARLY PUT FORTH IN REAL ESTATE SALES AGREEMENT BETWEEN SAID PARTIES; AND

“FURTHER RESOLVED THAT THE BOND RESOLUTION ENTITLED: ‘A RESOLUTION APPROPRIATING \$200,000 FOR THE COSTS ASSOCIATED WITH THE ACQUISITION OF REAL PROPERTY AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION’ BE, AND HEREBY IS, APPROVED.”

Allen Marks, District 6 moved this item as distributed with the Call, duly seconded.

Kathy Braun, District 8 stated that the Town considers this an important parcel as it allows vehicles necessary access to the salt water marsh, and that she accepts the importance of this purchase. She questioned how the bonding process would affect the price of this parcel if the Town owned one third and the sellers retained two thirds. She also asked if a delay in buying the parcel would affect the price.

Town Attorney Stanton Lesser asked the attorney for the sellers respond to Ms. Braun.

Attorney Peter Penczer, Merwins Lane, represents two private owners looking to sell this property to the Town. They are two elderly persons who have been in negotiation with the town for more than a year. He further stated that his clients would like to move this sale along.

Attorney Lesser advised that because of meeting schedules over the summer months it would be impossible to have this presented to the Board of Finance before the July RTM meeting, and if there was no RTM meeting in August then it would not review this matter before the September meeting.

Ms. Braun replied that she was in favor of this project but wants the bonding issue to be reexamined.

First Selectman Michael Tetreau advised the option the Town has to pay for this property if it is not bonded is to look for the money in the Town’s contingency fund. However, because of the time of year, the money would have to come from the contingency fund from FY15/16. He further advised that he would be most uncomfortable doing this because of the possibility of another bad winter. If the money were to come from the contingency fund this early in the fiscal year there might not be enough left to fund snow plowing in the event of a big storm.

Ms. Braun questioned if it were possible to take money from FY14/15 contingency to which Mr. Tetreau explained that while the Town will have approximately \$250,000 in this year’s fund, it is not possible to use that money as the Fiscal Year ends on June 30th.

Michael Herley District 1 agreed that it is a good piece of property for the town to acquire, but that he has issues with a purchase by bonding. He expressed his concerns earlier to the first selectman and BOF chair. He asked if more money could come from the Smith Richardson Trust to fund the acquisition.

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Pete Ambrose, District 2 asked if a contract of purchase had been signed by all parties. Attorney Lesser advised that it has been signed with a closing date of September 15th, and that this contract is contingent upon approval by all boards.

MOTION: Michael Herley moved to refer this item back to all appropriate bodies for further review of acquisition without bonding, duly seconded.

Mr. Tetreau advised that the H. Smith Richardson Trust Fund is administered by the Conservation Commission with oversight by the Board of Selectmen and the Board of Finance, and is not a separate entity.

Josh Garskof, District 5 asked if this motion were approved if the Town could still make the closing date.

Attorney Lesser advised that the language of the contract was ten days after all bodies approve the sale, and that the parties would be setting up a closing date if the RTM approved this motion tonight.

Heather Dean, District 4 stated that this Body has moved away from bonding. She stated that this discussion of spending contingency funds causes her some concern because there is an ordinance forthcoming to deal with snow emergencies. Ms. Dean stated we should not be looking at spending money from savings when the BOF has already approved the bonding process to purchase this parcel, which is a great deal for the Town.

Mr. Herley stated that he doesn't believe there is such an ordinance coming before this Body regarding off street parking during snow emergencies.

Allen Marks, District 6 responded to Mr. Herley's earlier point that there was a vote taken by the BOF approving the bonding process for the purchase of this property, and that the purpose of the Smith Richardson trust fund is to have money available to purchase available properties.

Ms. Braun noted that former Conservation Director Tom Steinke was present and she had taken the opportunity to ask him several questions during this discussion. She noted that this property will give the Town access to the salt marsh. She said that she was leaning towards bonding this issue as she feels it is okay to bond for real estate.

Mr. Herley asked if BOF member David Becker would be willing to speak to this issue.

Mr. Becker noted that the budget for FY2015/16 is a tight budget, and to take money out of the contingency fund at the beginning of the year is not wise. He stated that he is not a big fan of bonding, but because this issue is about the purchase of land and is for a small amount of money that this is a very different case from other bonding issues.

Ms. Dean thanked Mr. Becker for his insights. She also noted that the ordinance for off street parking during snow emergencies was to clarify the amount of snow this past year and the budget impact.

Jeffrey Melaragno, District 8 asked for a timeline of this proposed purchase.

Attorney Lesser explained that Attorney Penczer had approached the Town last October to advise that the sellers wished to sell the Town their two-thirds interest in the property as the Town already owned one third. The sellers also said that if the Town was not interested they would sell it privately. They received the appraisal in November.

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Mr. Melaragno felt that this was a last minute approach for RTM approval when this had been in the pipeline for so long. He asked if any private conservation group in town had been approached to which Mr. Tetreau answered not to his knowledge.

WITHDRAWAL OF MOTION: Mr. Herley withdrew his motion based on the debate and detailed information shared, duly seconded.

Mr. Melaragno asked if there would be any deed restrictions to which Attorney Lesser replied no and that the property would be under the jurisdiction of the Conservation Commission as open space.

VOTE: The resolution to acquire the property at 908 Fairfield Beach Road was approved by voice vote with 32 in favor, 3 opposed (Meyer, McCullough, Melaragno) and 1 abstention (Jones).

ITEM NO. 14 ON CALL: Referral of Transient Merchant Ordinance to L&A

This item was held over for further review.

ITEM NO. 4 ON CALL: TO HEAR AN UPDATE FROM THE PENFIELD BUILDING COMMITTEE CHAIRMAN OR HIS DESIGNEE REGARDING THE STATUS OF THE PENFIELD BUILDING PROJECT.

This report was heard in Committee. Moderator Iacono asked First selectman Mike Tetreau if he would be able to speak as to FEMA reimbursement. Mr. Tetreau indicated that CFO Bob Mayer could speak to the FEMA reimbursement.

Robert Mayer reminded the RTM that Storm Sandy took place on September 12, 2012. He stated that about 1 month ago the Town received a FEMA check.

He further noted that FEMA takes a long time to get things to the point where they can be repaired. FEMA has not responded expeditiously to the Building Committee. First Selectman Tetreau contacted the Federal and State legislative delegations for assistance in dealing with FEMA. Since they have become involved there has been more responsiveness from FEMA officials. FEMA hired an outside expert to examine our figures for repairing the pavilion since they disagreed with us and our outside expert. We have been told that their experts have completed a calculation which showed figures that were within percentage points of our experts' calculations.

FEMA had an internal conference call today to discuss these calculations, to which we were not invited.

Within the next week or two the Building Committee hopes to receive a specific comment regarding what FEMA will accept. Mr. Mayer stated that all parties agree that the facility was destroyed by Hurricane Sandy and needs to be repaired as well as being brought up to code. He noted that FEMA has a CEF (cost estimate formula) but is confident that all sides will be able to arrive at an agreement.

Bryan Cafferelli, District 10 expressed confusion as to the timeline, and asked the Moderator if Mr. Mayer could explain when the congressional delegation was first contacted and when the Town first learned of a problem with FEMA.

First Selectman Tetreau advised that the congressional delegation were first approached last fall to get some clarification on information from FEMA. In March the Town asked the delegation to help in

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contacting FEMA. Since then there has been better communication. There are now weekly conference calls.

Mr. Cafferelli stated that his concern is the inability to get a clear answer about what is happening, and that the budget for rebuilding the Penfield Pavilion seems to be a moving target. He further noted that he has personal experience with FEMA.

Mr. Mayer stated that every time the building committee has presented information to the BOS, BOF and RTM, the committee has based its' assumptions on information from FEMA requirements and information from the Town's consultant. The committee is trying to get resolution in order to keep the Town from being out of pocket \$1 million before putting a spade in the ground.

Joe Palmer (District 4) stated that it's his understanding that Penfield will be open at this time next year. He suggested a financial document similar to the one distributed when the bonding was approved for Penfield be distributed that can be updated and tracked against.

Mr. Mayer replied that the numbers are the same as the last time he addressed this body. The Town's consultants, Witt O'Brien's, have put together the information about what is necessary to have the building meet all the new codes and standards.

Moderator Iacono asked Mr. Mayer when the RTM voted on the appropriation whether the assumption was made that the Town met the 50 percent threshold for reimbursement.

Mr. Mayer replied that yes, the Town did meet the threshold at that time, and further that there is no new information saying that the Town did not meet the 50 percent rule. While FEMA has not said that the Town failed to meet it, both the Town's consultant and their consultant agree that we did meet the 50 percent rule.

ITEM NO. 5 ON CALL: TO HEAR AN UPDATE FROM THE OSBORN HILL BUILDING COMMITTEE CHAIRMAN OR HER DESIGNEE REGARDING THE UPDATE OF THE OSBORN HILL BUILDING PROJECT.

Ms. Kimberly Marshall, Chairperson, stated that she assumed the members of the body had received her e-mail update. She stated that the building project is in its 3rd phase which means the balance of the windows and doors are being replaced. This phase began as soon as school ended and is 80 percent complete. She feels there will be no delay in the completion of this portion of the project over the next 2 months, and that the delays which had occurred in the gym are all resolved. She noted that members of the construction team now meet weekly and review the progress of the project.

Ms. Marshall reported that RTM member Joe Palmer has joined the committee as liaison to the RTM. She reported that last winter the Building Committee asked for contingency funds, as the general contractor had bid \$413,000 last year. However his price was no longer valid nor available this spring.

The Walkway proposal which the committee received this spring is outrageously expensive and the committee does not have the money available to complete the walkway at this time. By mid-September the committee will have a good handle on how much money is left.

Ms. Marshall stated that if the RTM wishes to pursue the completion of the walkway the Building Committee will have to put it out to bid at a different time of year.

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Mary McCullough, District 3 thanked Ms. Marshall for her report. She asked where the intent of this body to have this walkway built has gone wrong. She noted that the RTM voted to approve this walkway more than 2 years ago.

Ms. Marshall replied that because construction costs have risen during the life of this project the building committee has kept the walkway as an add alternate.

Ms. McCullough asked if the First Selectman could update the RTM as to when the Board of Selectmen first became aware that the walkway would not be built.

Mr. Tetreau answered that when the only bidder for the walkway project submitted a bid of \$413,000; the committee went back to the architect and was told the bid was \$700,000.

Moderator Iacono asked if the \$700,000 bid was for the full walkway or for the modified version as proposed by the RTM.

Ms. Marshall stated that, unfortunately, the only bidder had only a \$10,000 difference between the two versions.

Mr. Sal Morabito, Manager of Construction for the BOE, stated that there were rules the building committee must follow when putting a project out to bid. He stated that the committee received two numbers that were extremely high bids, as this is a small stand-alone project that has not garnered a lot of attention from contractors.

Moderator Iacono asked Hank FERENCE to take over the duties of moderator so that she could address the body.

Pam Iacono, District 9 stated that she is gravely disappointed that RTM's intent to have a walkway built has been held up by bureaucracy, and that she is extremely upset that 500 kids have been in a contaminated gym. She stated that as parent, former BOE member and an RTM member she is upset that kids don't have an enclosed walkway because government dropped the ball.

Joe Palmer stated that the building committee has done the right thing but has run out of money. He stated that the building committee came to the RTM for more money and that the RTM was about to give the project money but then didn't. Mr. Palmer said that he thinks there is money in contingency. The enclosure is the only item left for the building committee. Mr. Palmer is not sure whether a meeting at the BOS level is called for. He asked the First Selectman what happened to the \$250,000 that we had been advised was available at an earlier meeting.

CFO Bob Mayer explained that between the Town's records and the contractors there was a difference in terms of encumbrance. The Town thought there was a \$250,000 difference but there was not. It was a terminology difference.

Mr. Palmer asked if the First Selectman wished to comment on what path should be followed at this point.

Mr. Tetreau stated that all bids received were above \$150,000, and confirmed with Ms. Marshall that the \$700,000 bid was received two weeks ago. He stated that the building committee will come back to the BOS with an update. Cost overruns in the gym ate up a great deal of the budget. In order to have a safe

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school we don't want to have a \$150,000 project where we have to spend \$500,000 to get a 25 per cent reimbursement.

Mr. Palmer thanked Mr. Tetreau and noted that there is money in the Capital Plan for school security that perhaps could be used for the enclosed walkway.

Bill Gerber, District 4 said this walkway had not been part of the original Board of Education specifications but had been added onto the project by the RTM. He stated that the walkway project had not been costed out but had been added on as an "if we have money left over" idea. He further stated that if the issue about this walkway was safety then the RTM should make an amendment now to get rid of portable classrooms all over town. PCB removal was the main reason for this project.

Ms. Iacono noted that the BOE has a long range facilities plan to get rid of portables and that no one here wishes to spend \$750,000 unwisely. She stated that what is happening is that no other body in the Town has picked up the ball to get this project rolling, and that she is indignant that government has failed on this project.

Mr. Ference thanked Ms. Marshall for her report.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:00 PM.

Respectfully submitted,

Elizabeth P. Browne, CMC, MCTC
Town Clerk

Recorded by: Frances M. Daly