

**MINUTES OF THE MEETING OF THE TOWN OF FAIRFIELD,
October 26, 2015**

A meeting of the Town of Fairfield was held on Monday, October 26, 2015 at 8 PM at the Education Center, 501 Kings Highway East, Fairfield.

The meeting was called to order at 8:00 PM by Moderator Pamela Iacono.

PRESENT: 44

ABSENT: 6

VACANCY: 0

PRESENT: Donovan, Herley, Meyer, Sundman, Ambrose, Burshtein, Jones, Steele, Bateson, Cargill, Ference, Mackenzie, McCullough, Dean, Gerber, Palmer, Waldron, Garskof, O'Brien, Smey, Way, Gottlieb, Marks, Siebert, Zezima, Hochberg, Hoffkins, Newman, Schwartz, Braun, Durrell, Li, McCarthy, Melaragno, Iacono, Jacob, McArdle, Pontrelli, Tymniak, Cafferelli, Farnen, Neuberger, Perugini,

ABSENT: Lipp, Varian, DeMartino, Semmel, Pires, Ryan

ITEM NO. 1 ON CALL: PLEDGE OF ALLEGIANCE

Moderator Iacono led the Pledge of Allegiance and asked all to observe a moment of silence in remembrance of Representative Jeff Melaragno's grandmother and First Selectman Michael Tetreau's brother.

ITEM NO. 2 ON CALL: APPROVAL OF THE MINUTES OF SEPTEMBER 28, 2015.

The Minutes were approved by voice vote with 1 abstention (McCullough).

ITEM NO. 3 ON CALL: TO HEAR A REPORT FROM THE SENIOR & DISABLED TAX RELIEF COMMITTEE.

This report was heard in committee.

ITEM NO. 4 ON CALL: TO CONSIDER AND ACT UPON AMENDMENTS TO CHAPTER 99 OF THE TOWN CODE, TRANSIENT MERCHANTS, SPONSORED BY MICHAEL HERLEY, DISTRICT 1, JOE PALMER, DISTRICT 4 AND PAMELA IACONO, DISTRICT 9.

Michael Herley District 1 moved this item as distributed with the call, duly seconded.

AMENDMENT: Heather Dean District 4 proposed the following amendment to Chapter 99-5 Fees (2), duly seconded: "Any resident of the Town of Fairfield who has reached is or her 62nd birthday at the time the license is applied for shall, if he or she otherwise qualifies for a license, be issued said license without fee. All other provisions of Article 99 shall be complied with."

VOTE: The amendment passed by unanimous voice vote.

AMENDMENT: Josh Garskof District 5 moved and Joe Palmer District 4 seconded the following amendments so that nonprofit organizations will be subject to the licensing procedure without a fee:

REPRESENTATIVE TOWN MEETING

October 26, 2015

Section 99-1 paragraph 2 delete line 4 “any person engaged in the selling of goods and services on behalf or under the authority of any charitable or nonprofit organization which is registered with the Secretary of State of Connecticut;” and inclusion at line 8 “Any person under 18 years old (and adult chaperone for that youth) who is selling on behalf or under the authority of a 501c3 nonprofit or selling his or her own goods (such as lemonade).

Section 99-5 subsection Exemptions: Number (2) “any person who is seeking to sell under the auspices of a 501c3 nonprofit organization recognized by the Internal Revenue Service may apply for a license under this article at no fee.”

They explained that according to Deputy Police Chief Lyddy if you are registered by the State of Connecticut as a charitable organization you already had to be recognized by the IRS.

VOTE: The amendments passed by unanimous voice vote.

State Representative Brenda Kupchick spoke in favor of the ordinance citing complaints from constituents who had felt uncomfortable by pressure from some salespeople who had been going door to door this past year.

VOTE: The ordinance passed with 43 in favor and 1 opposed (Melaragno).

ITEM NO. 5 ON CALL: TO HEAR, CONSIDER AND ACT UPON AMENDMENTS TO CHAPTER 37 OF THE TOWN CODE, RETIREMENT SYSTEM, SPONSORED BY MICHAEL HERLEY, DISTRICT 1, PAMELA IACONO, DISTRICT 9 AND RAY NEUBERGER, DISTRICT 10.

Bryan Cafferelli District 10 moved this item as distributed with the Call, duly seconded.

AMENDMENT: Peter Ambrose District 2 moved the following language be amended in Section A line 2 “may establish” and be replaced with “shall approve”, and in section B line 2 replace “established” with “approved” and “Committee” with “Meeting”.

Mr. Ambrose explained that he clarified the language in 37-25 A & B and conferred with the Town Attorney and Attorney Cohen to be certain that these amendments were acceptable to the Town.

These amendments were duly seconded.

VOTE: The amendments were passed by voice vote with 3 abstentions (Smey, Hoffkins, Schwartz)

VOTE: The main ordinance was passed by voice vote with 1 no (Hoffkins) and 3 abstentions (Smey, Wolk, Schwartz).

NEW BUSINESS

Julie Gottlieb, District 6 thanked Hal Schwartz, Minority Leader for his 12 years of dedicated service on the RTM. Hal Schwartz, District 7 acknowledged his fellow RTM representatives and thanked them for their service and friendship throughout his 12-year tenure. Jeff Steele, District 2 said his past 10 years on the RTM have been a tremendous opportunity and an honor for him to give back to and help his community. He thanked several fellow and ex-officio members of the RTM.

REPRESENTATIVE TOWN MEETING

October 26, 2015

Moderator Iacono recognized the following RTM members who are either not running for re-election to the RTM or are pursuing other elected office and thanked them for their dedication: John Donovan, Gaylord Meyer, Jay Lipp, Jeff Steele, John Jones, Dave Mackenzie, Joe DeMartino, Joe Palmer, Andrew Semmel, Kevin Hoffkins, Hal Schwartz, Jason Li, Ellen Jacob, Laurie McArdle, Carol Pontrelli, Chris Tymniak and Bruce Ryan.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:37 PM.

Respectfully submitted,

Elizabeth P. Browne, CMC, MCTC
Town Clerk

Recorded by: Frances M. Daly