



## **REPRESENTATIVE TOWN MEETING**

February 29, 2016

Thomas McCarthy, District 7, moved this item as distributed with the Call, duly seconded.

**VOTE:** The resolution to establish the Holland Hill Building Committee; authorize the preparation of schematic drawings and outline specifications for the project; and authorize the BOE to file an application for a school building grant was approved by unanimous voice vote.

**ITEM NO. 5 ON CALL:** TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING APPOINTMENTS TO THE HOLLAND HILL SCHOOL BUILDING COMMITTEE AS RECOMMENDED BY THE BOARD OF SELECTMEN: HARRY ACKLEY (R), 25 WAGON WHEEL ROAD, JASON LI (R), 245 SUNNYRIDGE AVENUE, THOMAS F. QUINN (D), 88 MIRO STREET.

Jennifer Hochberg, District 4 moved this item as distributed with the Call, duly seconded.

Messrs. Li and Quinn were present.

**VOTE:** The appointments of Harry Ackley, Jason Li and Thomas Quinn were approved by unanimous voice vote.

**ITEM NO. 6 ON CALL:** TO HEAR CONSIDER AND ACT UPON THE FOLLOWING APPOINTMENT TO THE HOLLAND HILL SCHOOL BUILDING COMMITTEE AS RECOMMENDED BY THE BOARD OF SELECTMEN: NICHOLAS A. ASSEYEH (R), 253 RUANE STREET.

Thomas McCarthy, District 7 moved this item as distributed with the Call, duly seconded.

**VOTE:** The appointment of Nicholas Asseyeh passed with 34 in favor and 2 opposed (Gale, Wackerman) and 1 abstention (Georgiadis).

**ITEM NO. 7 ON CALL:** TO HEAR CONSIDER AND ACT UPON THE FOLLOWING APPOINTMENTS TO THE HOLLAND HILL SCHOOL BUILDING COMMITTEE AS RECOMMENDED BY THE BOARD OF SELECTMEN: THOMAS J. DUBROSKY, (D) 131 FAIRFIELD PLACE, GIUSEPPE MICHELANGELO (U) 196 FIGLAR AVENUE

Mark McDermott, District 7 moved this item as distributed with the Call, duly seconded.

Peter Ambrose, District 1 stated that he was concerned about approving the appointments of these two individuals because Town Charter Section 3.1c states “no elected Representative Town Meeting member or elected or appointed Town Officer can be appointed to a permanent board.” Although he is fond of both candidates he could not support their appointments to this board because “the law is the law”. He suggested it would be beneficial to the town because they are both very talented to have them serve as ex officio members of the building committee.

Phil Pires, District 4 stated that he disagreed because a temporary building committee is not a permanent board. He asked if the Town Attorney could advise the Body if in his opinion the Town Charter does prohibit these appointments.

Stanton Lesser, Town Attorney stated that with all due respect to his colleague his interpretation of the Town Charter was that since the body to which these appointments are proposed is a not a permanent

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body there is no prohibition in appointing a Town Officer who was either elected or appointed to their position.

Ed Bateson, District 1 felt that Joe Michelangelo brings a great deal of talent to the table, but that a lot of times a building committee must call upon expertise from the DPW. Mr. Bateson felt that this issue would constrain his behavior if he were a member of the building committee.

First Selectman Michael Tetreau clarified that since the RTM had already approved the establishment of the Holland Hill Building Committee and the appointments of 3 members the Holland Hill parents could be assured that the work of the committee could go forward with or without these additional 2 appointments.

At this point the Moderator asked the Deputy Moderator, Hank Ference to preside over the meeting.

Pamela Iacono, District 8 stated that she would vote against these appointments not because the individuals were unqualified but because of the possibility of a conflict of interest in having to recuse himself on a matter and leaving their Town position during the workday to do volunteer work.

Mr. Tetreau noted that the members of the RTM could use any criteria they wished in deciding how to vote, but that the 2 gentlemen being discussed both work more than 40 hours per week, often staying well beyond the end of the workday.

Tom McCarthy, District 7 stated that while he would be thrilled to have both men serve on this committee he would be more comfortable if they acted as ex officio members.

**VOTE:** The appointments of Thomas J. Dubrosky and Giuseppe Michelangelo were approved with 21 in favor and 16 opposed (P. Ambrose, Bateson, McCullough, Orriss, Garskoff, Way, Neuberger, McCarthy, Ference, Iacono, Messina, Tallman, Perugini, Cargill, Fattibene, Herley)

### **ITEM NO. 8 ON CALL:**

TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE: "RESOLVED THAT THE BOND RESOLUTION ENTITLED 'A RESOLUTION APPROPRIATING \$ 1,240,000 FOR THE COSTS ASSOCIATED WITH THE EXPANSION AND RENOVATION OF THE HOLLAND HILL ELEMENTARY SCHOOL AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION' BE, AND HEREBY IS APPROVED."

Heather Dean, District 3 moved this item as distributed with the Call, duly seconded.

**VOTE:** This item was approved by unanimous voice 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 TOWN OF FAIRFIELD (1) ESTABLISH THE FAIRFIELD WOODS MIDDLE SCHOOL BUILDING COMMITTEE; (2) AUTHORIZE THE PREPARATION OF SCHEMATIC DRAWINGS AND OUTLINE SPECIFICATIONS FOR THE PROJECT; AND (3) AUTHORIZE THE BOARD OF EDUCATION TO FILE AN APPLICATION FOR A SCHOOL BUILDING GRANT."

Robin Orriss, District 3 moved this item as distributed with the Call, duly seconded.

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There was no discussion of this item.

**VOTE:** This item was approved by unanimous voice vote.

**ITEM NO. 10 ON CALL:** TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE: “RESOLVED, THAT THE BOND RESOLUTION ENTITLED ‘A RESOLUTION APPROPRIATING \$3,000,000 FOR THE COSTS OF REPLACING THE ROOF AT FAIRFIELD WOODS MIDDLE SCHOOL AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION,’ BE AND HEREBY IS, APPROVED.”

**VOTE:** This item was approved by unanimous voice vote.

**ITEM NO. 11 ON CALL:** TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE: “RESOLVED, THAT THE BOND RESOLUTION ENTITLED, ‘A RESOLUTION APPROPRIATING \$125,000 FOR THE COST OF A CERTAIN NON-RECURRING CAPITAL PROJECT AND AUTHORIZING THE ISSUANCE OF BONDS TO FUND SUCH APPROPRIATION,’ BE AND HEREBY IS APPROVED.

Julie Gottlieb, District 4 moved this item be considered for discussion, duly seconded.

Board of Finance Chair Tom Flynn explained that this item had been passed by the BOF, but not unanimously. He stated that the BOF had not followed its own guidelines regarding bonding certain items

Josh Garskof, District 5 moved to take no action on this Item, duly seconded.

**VOTE:** The motion to take no action on this item 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: “RESOLVED THAT THE BOND RESOLUTION ENTITLED, ‘A RESOLUTION APPROPRIATING \$2,482,677 FOR THE COSTS OF CERTAIN NON-RECURRING CAPITAL PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION,’ BE AND HEREBY IS APPROVED.”

Thomas McCarthy, District 7 moved this item as distributed with the Call, duly seconded.

**VOTE:** This item was approved 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 BOND RESOLUTION ENTITLED ‘A RESOLUTION APPROPRIATING \$2,068,015 FOR THE COSTS OF CERTAIN NON-RECURRING CAPITAL PROJECTS AND AUTHORIZING THE ISSUANCES OF BONDS TO FINANCE SUCH APPROPRIATION,’ BE, AND HEREBY IS APPROVED.”

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Thomas McCarthy, District 7 moved this item as distributed with the Call, duly seconded.

**VOTE:** This item was passed by unanimous voice vote.

**ITEM NO. 14 ON CALL:** TO HEAR A REPORT FROM THE CHAIRMAN OF THE PWP COMMITTEE ON THE TOWN OF FAIRFIELD & FAIRFIELD MUSEUM & HISTORY CENTER PLANS FOR IMPROVEMENTS TO THE TOWN GREEN.

Ray Neuberger updated the Body and explained that the most important point about the project is that it is not yet funded, and is still in a theoretical phase. There had been several ideas about what should be planned to accomplish, including removal of parking spaces in front of Town Hall, rerouting traffic and the planting of more greenery. However when the committee held public hearings both ideas met with a great deal of opposition. There had also been a suggestion made to have Town Hall traffic exit onto Penfield Avenue, which again met with opposition. The architect is trying to incorporate the input from the public meetings into a plan. There were also discussions about parking in the vicinity of the Burr mansion.

**SUPPLEMENTAL ITEM NO. 1:** TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE: "RESOLVED , THAT THE FIRST SELECTMAN IS HEREBY AUTHORIZED, ON BEHALF OF THE TOWN OF FAIRFIELD, TO EXPEND UP TO \$300,000 TO FUND A COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CBDG-DR) – TRANCHE 2 PROJECT ENTITLED 'SOUTH BENSON STORM WATER PUMP STATION AND DRAINAGE IMPROVEMENT STUDY,' ONE HUNDRED PERCENT OF SAID COST TO BE REIMBURSED BY A FEDERALLY FUNDED DISASTER RECOVERY COMMUNITY DEVELOPMENT BLOCK GRANT."

Jennifer Hochberg, District 4 moved this item as distributed with the Call, duly seconded.

**VOTE:** This item was passed by unanimous voice vote.

**SUPPLEMENTAL ITEM NO. 2:** TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE: "RESOLVED, THAT THE FIRST SELECTMAN IS HEREBY AUTHORIZED, ON BEHALF OF THE TOWN OF FAIRFIELD, TO EXPEND UP TO \$100,000 TO FUND A COMMUNITY DEVELOPMENT BLOCK GRANT- DISASTER RECOVERY (CBDG-DR) – TRANCHE 2 PROJECT ENTITLED, 'RESILIENCY FOR DOWNTOWN FAIRFIELD USING GREEN INFRASTRUCTURE,' ONE HUNDRED PERCENT OF SAID PROJECT COST TO BE REIMBURSED BY A FEDERALLY FUNDED DISASTER RECOVERY COMMUNITY DEVELOPMENT BLOCK GRANT."

Peter Ambrose, District 1 moved this item as distributed with the Call, duly seconded.

**VOTE:** This item passed by unanimous voice vote.

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### **SUPPLEMENTAL ITEM NO. 3:**

TO HEAR CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE: "RESOLVED, THAT THE FIRST SELECTMAN IS HEREBY AUTHORIZED, ON BEHALF OF THE TOWN OF FAIRFIELD, TO EXPEND UP TO \$300,000 TO FUND A COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CBDG-DR) – TRANCHE 2 PROJECT ENTITLED, 'PINE CREEK ELEVATION PLAN,' ONE HUNDRED PERCENT OF SAID PROJECT TO BE REIMBURSED BY A FEDERALLY FUNDED DISASTER RECOVERY COMMUNITY DEVELOPMENT BLOCK GRANT."

Thomas McCarthy, District 7 moved this item as distributed with the Call, duly seconded.

**VOTE:** This item passed by unanimous voice vote.

### **SUPPLEMENTAL ITEM NO. 4:**

"RESOLVED, THAT THE BOND ISSUE ENTITLED, 'RESOLUTION AUTHORIZING APPROPRIATIONS OF THIRTY MILLION DOLLARS (\$30,000,000) TO REFUND CERTAIN OF THE TOWN'S OUTSTANDING BONDS AND AUTHORIZING THE ISSUANCE OF REFUNDING BONDS TO FINANCE SUCH APPROPRIATION,' BE, AND HEREBY IS, APPROVED."

Ed Bateson, District 1 moved this item as distributed with the Call, duly seconded.

**MOTION:** Ed Bateson proposed the following amendment at the end of the resolution insert "; such approval shall be predicated and conditional upon Board of Finance approval," duly seconded.

Mr. Bateson stated that while last year the RTM approved a similar resolution and there is nothing wrong with saving interest on a bond, he was concerned after reading the prospectus that it appears the Town is shuffling principal payments which will affect the waterfall. If we adjust the principal payments then it should go to the BOF for approval.

Mr. Mayer advised that few towns have a sophisticated "waterfall", and that when Bonds are called the repayment schedule is set. A waterfall was not done on this because they are investigating redoing the BAN payments.

Mr. Bateson said he did not want to delay the item but felt because of the complexity it should go back to the BOF. He asked if the BOF Chairman could advise if this item could be added to the BOF agenda for Thursday's meeting.

BOF Chair Tom Flynn stated that the BOF had no information about this issue prior to being alerted by Mr. Bateson, and that it could be added to the Board's agenda for Thursday. He explained that Mr. Mayer is trying to smooth out our BANs. The BOF would like to know how this affects our waterfall or debt schedule.

Bill Gerber, District 2, asked if the RTM should do this every time the Town refinances bonds.

Mr. Flynn advised that while it was not legally required, if time allows we do monitor it very closely and it was prudent business practice to refer it back to the BOF.

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Mr. Gerber asked Mr. Mayer if the RTM's desire to take no action until the BOF could examine the renegotiations of these bonds would change the terms of the offer. Mr. Flynn answered that it might change the terms of this offer. Mr. Gerber asked if this was a "one off" amendment because of the timing of the BOF meeting.

Mr. Bateson stated that now that the RTM had discussed this issue Mr. Mayer would now bring such an offer to the attention of the BOF first when he sees that there is an issue regarding payment of principal.

Josh Garskof, District 5 asked for clarification.

Mr. Bateson explained that this was a change to the time period for paying the principal. The BOF uses the waterfall as a planning tool and perhaps can fund another item.

Mr. Mayer added that he has no problem in first presenting an offer such as this to the BOF first. He apologized that he had no schedule for the new maturity dates. He stated that the total issue cannot extend out longer than the old issue, and that the savings to the Town as of now are approximately \$1.2 million.

Peter Ambrose, District 1 asked if it made sense to stabilize payments so that the Town knows what it needs to pay every year. Mr. Mayer replied that one of the documents he had provided concerned BANs. He would prefer to change the schedule to pay 20% per year for 5 years which would be more accounting work for arbitrage requirements.

Carol Way, District 5 asked for clarification regarding RTM and BOF approvals to which the Moderator explained that the motion before the RTM was seeking approval for this issue predicated upon the approval of the BOF.

Ken Lee, District 9 asked for clarification in that if the motion was passed by the RTM tonight and is returned to the BOF which does not approve it then how is the approval by the RTM affected to which the Moderator replied that the motion is subject to the approval of the BOF. Mr. Bateson added that he cannot offer an opinion on whether the BOF will approve it or not.

Town Attorney Lesser stated that if the RTM approves an item contingent upon something happening which does not happen then the item is not approved by the RTM as all terms and conditions have not been met.

Mr. Lee stated that he was uncomfortable about the RTM voting on something that the Body can be legally held to.

Karen Wackerman, District 7 asked if this issue is returned to the BOF can it be fixed or should the RTM just disapprove it. She asked if the principal payments were adjusted would the Town still be able to realize the savings on the interest payments.

Mr. Mayer replied that we do not have a waterfall tied to the new bond payment Mr. Mayer answered that both the bond counsel and the underwriters were working on this. He said that we can put numbers into a waterfall but advised against using it as a management tool because it would not be accurate.

Mr. Flynn thought the latter was combining two issues since in the future those adjustments will be based on smoothing out payments. He added that refinancing these bonds shows us a difference in the amortization period over the next 20 years between what we have and what we might have.

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Ms. Wackerman asked if the motion could be changed to be passed without the BOF approval. Mr. Bateson answered no, that he offered an amendment to the original Item on call. The Moderator noted that there is a motion on the floor.

Mr. Garskof stated that he thought he understood the amendment that the RTM approves the item subject to the BOF review and approval so that they can tweak the waterfall and use it for future planning.

**VOTE:** The amendment inserting “; such approval shall be predicated and conditional upon Board of Finance approval” was approved with 31 in favor and 6 opposed (Perham, Gale, McDermott, Vergara, Wackerman, Georgiadis).

**VOTE:** The resolution as amended was approved by unanimous voice vote.

### **NEW BUSINESS:**

Jennifer Hochberg, District 4 noted that the Community Emergency Response Team (CERT) is looking for members. There is a CERT class on Saturday and that new volunteers are needed to help the Town in case of a natural disaster or severe storm.

Carol Way, District 5, advised that there will be an Open House at the new Bigelow Center for Senior Activities. She asked the members to advise their families and constituents about the Senior & Disabled Tax Relief program so that they could see if they qualify.

The Moderator asked the members to put their personal devices on silent before the start of the next meeting.

### **ADJOURNMENT**

There being no further business the meeting adjourned at 9:18 p.m.

Respectfully submitted,

Elizabeth P. Browne, CMC, MCTC  
Town Clerk

Recorded by: Frances Daly