

SYNOPSIS

TOWN SENIOR/DISABLED TAX RELIEF PROGRAM FOR FISCAL YEAR 2022

ASSESSOR'S REPORT TO THE RTM PER Chapter 95, Article III, Section 15.1

June 14, 2021

- The total benefits went from \$3,334,310 (FY21) to \$4,136,032(FY22) or a increase of \$801,722 (19.38%) from last year.
- The number of signups for the Credit Program increased from 1301 (FY21) to 1315. Total Credit Program Benefits changed from \$3,311,346 to \$4,119,823 or an increase of \$808,477 from last year.
- There were no new Deferral Program signups and 2 applicants failed to reapply leaving a total of 3 deferred accounts. Total Deferral Program Benefits for FY22 decreased from \$22,964 (FY21) to \$16,210 (FY22).
- There was no change to the Freeze program and it continues with no one selecting this option.
- There were 741 replications and 52 new applications taken for all programs. The reapplications were not required to present their income information per the Governors Executive Order #10.
- Tax relief articles were published in the Fairfield Senior Times newsletter and on the town website. Informational emails were sent using numerous town email lists. In April we mailed an informational postcard to applications due for a renewal informing them they did not need to apply due to the Governors Executive Order.
- We currently have 2 approved extension and are waiting on the applicants to apply, and 24 accounts that will be prorated. The pro-rates are for 17 properties that were sold and 7 were the applicant has passed away.
- The 19.38% increase to the total cost of the credit program was due primarily to the change in the program credit limits which were approved in March of 2021.

- The decrease in the number of denials from last year is due to several reasons;
 - This report was submitted in October last year and captured some of the denials that would normally have been reported this year. This increased the denials last year and also decreased this year's number.
 - The Governors EO to not require reapplication came prior to the application period starting and allowed us to notify all applicants prior to anyone reapplying. We had very few reapplications which were mostly due to decreased income.

TOWN SENIOR/DISABLED TAX RELIEF PROGRAM FOR FISCAL YEAR 2022

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	FY 2022			June 14, 2021 FY 2021			CHANGE FY21 to FY22		% Change	Avg. FY22	Avg. FY21	
	# of Accounts	Amount		# of Accounts	Amount		# of Accounts	Amount				
<u>SENIOR/DISABLED TAX RELIEF PROGRAM</u>												
Credit Program (non-reimbursable, no lien)	1315	\$4,119,823		1301	\$3,311,346		14	\$ 808,477	19.62%			
Freeze Program (non-reimbursable, no lien)	0	\$0		0	\$0		0	\$ -	#DIV/0!			
Deferral Program (reimbursable, lien)	3	\$16,210		5	\$22,964		-2	\$ (6,754)	-41.67%			
Summary - total number of accounts and total tax loss	1318	\$4,136,032	\$3,138	1306	\$3,334,310	2,553.07	12	\$801,722	19.38%	-\$801,722	\$3,138.11	\$2,553.07

SCHEDULE OF APPLICATION ACTIVITY

	Credit	Freeze	Deferral	Totals			
Total accounts-previous fiscal year	1306	0	5	1311	1343	-32	-2.44%
New applications received	52	0	0	52	157	-105	-201.92%
Total added	52	0	0	52	157	-105	-201.92%
Disallowed (Excess Income)	0	0	0	0	-53	-53	#DIV/0!
Disallowed (Excess Assets)	0	0	0	0	-14	-14	#DIV/0!
Removed (deceased)	-13	0	0	-13	-47	-34	261.54%
Removed (sold)	-30	0	0	-30	-37	-7	23.33%
Removed (Not Living in Home)	0	0	0	0	-3	-3	#DIV/0!
Removed (failed to refile)	0	0	-2	-2	-35	-33	1650.00%
Disallowed (Other)	0	0	0	0	0	0	#DIV/0!
Total Removed	-43	0	-2	-45	-189	-144	320.00%
Net Change	9	0	-2	7	-32		
Summary - total number of accounts	1315	0	3	1318	1311	4	-0.30%
	0						

SCHEDULE OF INCOME RANGES

From	To	Credit		Totals	Disabled		Totals	Grand Total
		Married	Single		Married	Single		
-	18,900	14	123	137	0	13	0	137
18,901	26,900	21	185	206	3	7	0	207
26,901	33,200	28	152	180	1	5	0	180
33,201	39,600	35	133	168	2	7	0	168
39,601	48,800	66	124	190	4	3	0	190
48,801	56,900	67	90	157	4	0	0	157
56,901	78,500	149	128	277	6	2	2	279
78,501	87,900	0	0	0	0	0	0	0
Totals		380	935	1315	20	37	0	1318
								1372

SCHEDULE OF ASSESSMENT RANGES (Quartiles)

Assessment Range	# of Accounts	% of Total Accts.	SCHEDULE OF AGE RANGES FY 2020	
-	257,670	24.73%	<65	23 1.75% Disabled or Surviving Spouse(1)
257,671	311,570	25.19%	65-74	345 26.18%
311,571	363,073	25.34%	75-84	447 33.92%
363,074	1,158,710	24.73%	85-94	402 30.50%
1,158,711	99,999,999	0.00%	>95	101 7.66%
Totals	1318		1318	

AVERAGE TAX RELIEF RECIPIENT ASSESSMENT

Average Tax Relief Recipient Assessment-FY 2022	\$320,730
Average Tax Relief Recipient Assessment-FY 2021	\$284,071

NOTES

TOWN SENIOR/DISABLED TAX RELIEF PROGRAM FOR FISCAL YEAR 2022

ASSESSOR'S REPORT TO THE RTM PER Chapter 95, Article III, Section 15.1 June 14, 2021

TOWN TAX RELIEF-5 YEAR HISTORY

	FY 2022		FY 2021		FY 2020		FY 2019		FY 2018	
	# of Apps	TAX LOSS	# of Apps	TAX LOSS	# of Apps	TAX LOSS	# of Apps	TAX LOSS	# of Apps	TAX LOSS
TOTAL CREDIT APPS	1315	4,119,823	1301	3,311,346	1306	3,300,036	1336	3,381,880	1428	\$3,598,903
TOTAL FREEZE APPS	0	-	0	-	0	-	0	-	0	\$0
TOTAL DEFERRAL APPS	3	16,210	5	22,964	5	22,964	7	29,819	10	<u>\$39,099</u>
TOTALS	1318	4,136,032	1306	3,334,310	1311	3,323,000	1343	3,411,700	1438	\$3,638,002
TOTAL \$ CHANGE FROM PRIOR YEAR	\$801,722		\$11,310		-\$88,700		-\$226,302		-\$74,551	
TOTAL % CHANGE FROM PRIOR YEAR (\$)	24.04%		0.34%		-2.60%		-6.22%		-2.01%	
TOTAL CREDIT APP# NET CHG FROM PRIOR YEAR	-5		-5		-30		-92		-34	
TOTAL FREEZE APP# NET CHG FROM PRIOR YEAR	0		0		0		0		-4	
TOTAL DEFERRAL APP# NET CHG FROM PRIOR YR	0		0		-2		-3		1	
NEW APPLICATIONS RECEIVED	52		235		157		94		115	
DISALLOWED (OVER INCOME, ALL PROGRAMS)	0		58		53		53		17	
REMOVED (SOLD,DECEASED,MOVED, NON-RESIDENT)	-43		123		85		120		97	
REMOVED (FAILED TO REFILE,NON-CT RESIDENTS, OVER ASSET CAP, DQ TAX, INCOMPLETE)	-2		59		49		16		38	
	-45		240		187					
State Credit Program	GL 2020		GL 2019		GL 2018		GL 2017		GL 2016	
	FY 2022		FY 2021		FY 2020		FY 2019		FY 2018	
	# of Apps	Tot Benefit	# of Apps	Tot Benefit	# of Apps	Tot Benefit	# of Apps	Tot Benefit	# of Apps	Tot Benefit
NUMBER OF PARTICIPANTS/TOTAL BENEFIT INITIAL (M35B)	622	\$ 367,118.21	636	\$ 361,951.60	638	\$ 358,510.54	660	\$ 374,397.86	715	\$ 414,037.80
NUMBER OF PARTICIPANTS/TOTAL BENEFIT FINAL (M35P)	0	\$ -	-20	\$ (6,208.75)	-16	\$ (4,083.25)	-10	\$ (2,916.25)	-14	\$ (2,395.25)
NET	622	\$ 367,118.21	638	\$ 358,510.54	654	\$ 362,593.79	650	\$ 371,481.61	701	\$ 411,642.55
TOTAL CHANGE FROM PRIOR YEAR	-16	8,607.67	-16	-4,083.25	4	-8,887.82	-51	-40,160.94	-31	-16,127.41
TOTAL % CHANGE FROM PRIOR YEAR (\$)	-2.51%	2.40%	-2.45%	-1.13%	0.62%	-2.39%	-7.28%	-9.76%	-4.23%	-3.77%
STATE REIMBURSEMENT	\$	-	\$	-	\$	-	\$	-	\$	-
NET COST	\$	367,118.21	\$	358,510.54	\$	362,593.79	\$	374,397.86	\$	414,037.80
% REIMBURSED		0.0%		0.0%		0.0%		0.0%		0.0%

Ethics Commission

Seat	Name	Position	Party	Term Start	Term End
1*	Billington, Nancy S.		R	07/20	07/22
2**	Trembicki, Alexander J.	Chairman	D	07/20	07/22
3***	Kery, Dana		R	07/19	07/21
4****	Van Steenbergen, Craig B.	Secretary	R	07/19	07/21
5*****	Cantor, Brian S.		D	07/19	07/21

Full	
Party	Count
Vacant	0
Democrats	2
Republicans	3
Total Full	5

*Serving first term. Appointed by BOS on 07-06-20 and RTM on 07-27-20. Replaced Marguerite H. Toth – R – who served two full terms.

**Serving second term. Reappointed by BOS on 07-06-20 and RTM on 07-27-20. Replaced Christopher J. Brogan – D – who served two full terms.

*** Seat was last held by David G. Bothwell – R – who served two full terms. Dana Kery was approved to serve on Commission by RTM on 01/25/21. She is up for reappointment as of July 1, 2021.

****Serving first term. Appointed by BOS on 12-04-2019 and RTM on 12-16-2019. Replaced Janice I. Carpenter – R – who served two full terms. Mr. Van Steenbergen is up for reappointment for a second full term as of July 1, 2021.

*****Seat vacated by Robert B. Bellitto - D -who moved out of town and resigned on 12-28-2020. Brian Cantor was approved to serve on Commission by RTM on 01/25/21. He is up for reappointment as of July 1, 2021.

About the Ethics Commission (Source: www.fairfieldct.org/ethics)

Term Length:	Two Years (Two Term Limit)
# of Members	Five
Appointing Body:	Requires unanimous BOS approval and RTM approval
Defined In:	Town Charter – Article X

The Ethics Commission shall receive and consider complaints alleging violations of the Standards of Conduct or any ordinance establishing a Code of Ethics for town officials and employees. The commission also issues general opinions and interpretation of the Standards of Conduct or the Code of ethics.

Duties include:

- Receiving complaints alleging violations of the Standards of Conduct or any ordinance establishing a Code of Ethics for town officials
- Upon sworn complaint or upon vote of three members, investigating the actions and conduct of elected and appointed town officials, RTM members, and employees of the town to determine whether there is probable cause that a violation has occurred of the Standards of Conduct or Code of Ethics;
- Rendering an advisory opinion with respect to any specific relevant situation under the Standards of Conduct or Code of Ethics, upon the request of a principal officer of a department, or any member of a Town authority, board, commission, or committee, or any member of the RTM.
- Considering written requests for advisory opinions referred by a department head with respect to any problem submitted to the department head in writing by an employee in the department
- Adopting regulations to assure procedures for the orderly and prompt performance of the Commission's duties;
- Upon a finding of probable cause, initiating hearings to determine whether there has been a violation of the Standards of Conduct or Code of Ethics;
- Upon finding of a violation of the Standards of Conduct or Code of Ethics, at its discretion, recommending appropriate disciplinary action to the Board of Selectmen or appropriate department heads. .
- Notifying the complaining person and the person against whom the complaint was made that the investigation has been terminated and the results no later than 10 days after the termination of its probable cause investigation.
- At hearings after finding probable cause, affording the person protection of due process as outlined under the “Connecticut Uniform Administrative Procedures Act”.
- Hearings shall be held within 90 days of the initiation of the investigation.

The Ethics Commission may also:

- When necessary, retain in its own counsel, administer oaths and issue subpoenas to compel the attendance of persons at hearings and the production of books, documents, records, and papers.

Ethics Commission Town Charter – Article X

§ 10.15. Ethics Commission.

A. Members and terms.

- (1) The Ethics Commission shall consist of five members, appointed by unanimous vote of the Board of Selectmen and confirmed by majority vote of the RTM. No more than three members shall be registered with the same political party.
- (2) Notice of appointment shall be served by the Board of Selectmen upon the Moderator of the RTM and the Town Clerk. A vote for approval or rejection of each person appointed shall be taken at an RTM meeting held more than 10 days after service of the notice on the Town Clerk. Failure to vote within 60 days of the service on the Town Clerk shall be deemed to be approval and confirmation by the RTM. If any appointment is rejected by the RTM, the Board of Selectmen shall within 21 days after the rejection notify the RTM Moderator and Town Clerk of further appointments to replace the rejected appointments. The RTM shall then vote on the new appointments. These too shall be deemed approved and confirmed if not voted upon within 60 days of the notice.
- (3) The terms shall commence on July 1. Terms of members shall be two years and shall be staggered so that no more than three terms expire in one year. No member may serve more than the shorter of two terms or one term plus a partial term created by filling a vacancy for an unexpired term.

B. Powers and duties. The Ethics Commission shall:

- (1) Receive complaints alleging violations of the Standards of Conduct or any ordinance establishing a Code of Ethics for Town officials and employees;
- (2) Upon sworn complaint or upon the vote of three members, investigate the actions and conduct of elected and appointed Town officials, members of the RTM, and employees of the Town to determine whether there is probable cause that a violation has occurred of the Standards of Conduct or Code of Ethics;
- (3) On its own motion issue general opinions and interpretations of the Standards of Conduct or the Code of Ethics;
- (4) Upon the request of a principal officer of a department, or any member of a Town authority, board, commission, or committee, or any member of the RTM render an advisory opinion with respect to any specific relevant situation under the Standards of Conduct or Code of Ethics;
- (5) Consider written requests for advisory opinions referred by a department head with respect to any problem submitted to the department head in writing by an employee in the department (whose name need not be disclosed to the Ethics Commission) concerning that employee's duties in relationship to the Standards of Conduct or Code of Ethics where the department head elects not to decide the issue within the department;
- (6) Adopt such regulations as it deems advisable to assure procedures for the orderly and prompt performance of the Commission's duties;
- (7) Upon a finding of probable cause initiate hearings to determine whether there has been a violation of the Standards of Conduct or Code of Ethics;
- (8) Have the power to retain its own counsel, administer oaths, issue subpoenas and subpoenas duces tecum (enforceable upon application to the Superior Court) to compel the attendance of persons at hearings and the production of books, documents, records, and papers; and

(9) Upon finding of a violation of the Standards of Conduct or Code of Ethics, at its discretion, recommend appropriate disciplinary action to the Board of Selectmen or appropriate department heads.

C. Procedure.

(1) On complaints.

(a) In any investigation to determine probable cause the Ethics Commission shall honor all requests for confidentiality, consistent with the requirements of State law. Unless a finding of probable cause is made or the individual against whom a complaint is filed requests it, complaints alleging a violation of the Standards of Conduct or Code of Ethics shall not be disclosed by the Ethics Commission.

(b) Any person accused of a violation shall have the right to appear and be heard by the Ethics Commission and to offer any information which may tend to show there is no probable cause to believe the person has violated any provision of the Standards of Conduct or the Code of Ethics.

(c) The Ethics Commission shall, not later than 10 days after the termination of its probable cause investigation, notify the complaining person and the person against whom the complaint was made that the investigation has been terminated and the results. (d) At hearings after a finding of probable cause, the Ethics Commission shall afford the person accused the protection of due process consistent with that established for state agencies under the "Connecticut Uniform Administrative Procedures Act," including but not limited to the right to be represented by counsel, the right to call and examine witnesses, the right to the production of evidence by subpoena, the right to introduce exhibits, and the right to cross-examine opposing witnesses.

(e) In the absence of extraordinary circumstances, the hearing shall be held within 90 days of the initiation of the investigation. The Ethics Commission shall, not later than 30 days after the close of the hearing, publish its findings together with a memorandum of its reasons. Any recommendation for disciplinary action shall be contained in the findings.

(f) An individual directly involved or directly affected by the action taken as a result of the Ethics Commission's findings or recommendation may seek judicial review of such action and of the Ethics Commission's findings or recommendation unless the action taken was a referral of the matter to proper authorities for criminal prosecution.

(2) On requests for advisory opinions. Within 45 days from the receipt of a request for an advisory opinion, the Ethics Commission shall either render the opinion or advise as to when the opinion shall be rendered.

D. Quorum. A quorum for the Ethics Commission shall be not less than four members in attendance. All members who attended all hearings on the matter, and all members who certify that they have read or heard the entire transcript of the hearing they did not attend, shall be eligible to vote on the proposed Ethics Commission action. The Ethics Commission shall find no person in violation of any provision of the Standards of Conduct or Code of Ethics except upon the concurring vote of three-fourths of those members voting.

Updated June 15, 2021

From: null@town.fairfield.ct.us
To: [Carpenter, Jennifer](#)
Subject: New submission for form: Boards and Commissions Interest Form (ID #3)
Date: Thursday, November 21, 2019 3:36:44 PM

Boards and Commissions Interest Form

Record #3 submitted from IP address 24.146.252.193 on 11/21/2019 3:37 PM

[View form](#)

ID	3
First Name	Brian
Last Name	Cantor
Street Address	150 Curtis Terrace
Zip Code	06824
Email Address	brian@briancantorlaw.com
Cell Phone	203-615-4120
Home Phone	203-373-1808
Work Phone	203-254-1550
Voter Registration Status	Yes
Political Party Affiliation	Democratic Party
Board or Commission	Ethics Commission
Read the Boards Role	Yes
How You Learned About the Position	Town web site
Who You Have	Other Person(s)

Spoken To	
Explanation of Interest and Contribution	My legal background has given me experience in the applying the facts to statutes and ordinances, including interpretation of statutes and ordinances. I have also served as an elected official in Fairfield (see resume). I am a past chairman of the Connecticut Bar Real Property Section demonstrating ethics and leadership skills.
Resume or Bio	FIRM RESUME 2019.doc
Additional Comments	

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BRIAN S. CANTOR
ATTORNEY AT LAW

1220 POST ROAD
FAIRFIELD, CT 06824
TELEPHONE: (203) 254-1550

FAX (203) 259-1180
WEB SITE: www.briancantor.com
EMAIL: brian@briancantorlaw.com

FIRM RESUME

Areas of Practice:

Real estate, probate, wills and trusts, elder law, commercial litigation including collections.

Civic Activities:

Previously, Sixth District Representative to the Fairfield Representative Town Meeting; Board of Assessment Appeals; Fairfield Plan & Zoning Commissioner; Active participant in local Masonic and Shriner organizations.

**Professional
Affiliations:**

Connecticut Bar Association (Real Property Section; past Chairman of this section; Connecticut Creditor Bar Association, Inc.; Elder Law and Estates and Probate Section of Connecticut Bar Association; Supreme Court of the United States of America, admitted September 1991; United States Tax Court, admitted May, 1991; United States District Court of the District of Connecticut, admitted November 1987; Connecticut Bar, admitted November 1987.

Education:

Western New England College School of Law, now known as Western New England University School of Law, Springfield, Massachusetts, J.D.

University of Massachusetts at Amherst, Massachusetts, B.S. Psychology, Graduated Cum Laude

**Approved Attorney
For:**

Connecticut Attorneys Title Insurance Company

From: [Carpenter, Jennifer](#)
To: ["danakery@gmail.com"](mailto:danakery@gmail.com)
Subject: RE: New submission for form: Boards and Commissions Interest Form (ID #106)
Date: Thursday, December 31, 2020 2:58:40 PM

Thank you!

From: null@town.fairfield.ct.us <null@town.fairfield.ct.us>
Sent: Thursday, December 31, 2020 2:07 PM
To: Board of Selectmen <BOS@fairfieldct.org>
Subject: New submission for form: Boards and Commissions Interest Form (ID #106)

Boards and Commissions Interest Form

Record #106 submitted from IP address 68.192.83.144 on 12/31/2020 2:07 PM

[View form](#)

ID	106
First Name	Dana
Last Name	Kery
Street Address	7 Green Acres Lane, Fairfield
Zip Code	06824
Email Address	danakery@gmail.com
Cell Phone	203-362-7797
Home Phone	203-256-0762
Work Phone	
Voter Registration Status	Yes
Political Party Affiliation	Republican Party
Board or Commission	Ethics Commission
Read the	Yes

Boards Role	
How You Learned About the Position	I learned about the open position from Pam Iacono, and Brenda Kupchick
Who You Have Spoken To	First Selectman, Other Person(s)
Explanation of Interest and Contribution	I would like to serve on the Ethics Commission to participate in addressing ethics concerns that may arise. I have an understanding of some of the issues that have recently been identified; working cooperatively within the Ethics Commission, I look forward to ensuring the Town Charter guides Town operations, with the goal to return and maintain trust within our Town Government.
Resume or Bio	Dana Kery resume.pdf
Additional Comments	

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Dana Kery
7 Green Acres Lane
Fairfield, CT 06824
(203) 362-7797 dkery@sbcglobal.net

Work History

7/99 – Present

CEO Kery Family Enterprises, Fairfield, CT

Provide leadership, coaching, and operational direction to achieve desired results. Act as motivator, mentor, and guide, to identify and develop individual talents. Responsible for short and long term growth and profitability.

11/95 – 7/99

GARDEN BOTANIKA, Redmond, WA

District Manager – New England

Plan and direct the business strategy for 22 store district. Empower managers to achieve goals and corporate benchmarks through development of their store teams. Ensure customer service standards are maintained, building customer loyalty through key product categories. Sales volume increased an average 12% quarter to quarter; total 176% to goal 1995 through 1999. Research and address issues affecting service, productivity and profitability. Maintained less than 6% management turn; promoting from within the district when appropriate.

2/94 – 11/95

Manager

Recruited and trained staff for opening of multiple new locations. Training included introduction of product line, in addition to basic and advanced selling techniques. Involved in planning and implementation of store strategy to achieve goals. 1995 sales 198% to plan; location held sales record for grand opening day through November 1994. Consistently led the company in success of sales promotions, average dollar transaction, and mailing list capture rate. Upon completion of training, a portion of inventory and operating responsibilities were delegated to the assistant manager.

Corporate Trainer

Assisted in planning for multiple new store openings. Interviewed and hired for positions ranging from entry-level associates to management. Conducted sixteen-hour product training sessions for new staff. Trained new store managers in store/corporate policies and procedures for one week, either prior to opening or during the first week of operations.

9/90 – 2/94

UNITED RETAIL GROUP, Rochelle Park, NJ

Manager

Oversaw all staffing, merchandising, inventory, and operational aspects of the business unit. Interviewed, hired, trained, motivated, and inspired sales associates. Responsible for performance reviews and development of store employees. Single point of contact for a twelve store district to identify and resolve point of sale issues. Trained corporate staff, from administrative to executive levels, on a weekly basis. Training included smoothing interaction between corporate office and stores, in addition to sales and management training.

Co-Manager

Assisted in all management functions. Trained and motivated sales associates to offer superior customer service and consistently exceeded sales goals. Recruited associate and management candidates. Consistently met and exceeded all expectations.

Co-op Intern

Worked three and six month rotations in Corporate Office of 400 store nationwide retailer. Experience gave me understanding of Store Services, Marketing, Merchandising, Buying, and Store Operations. Coordinated the implementation of pilot programs to improve company-wide service skills and sales techniques.

Education

Northeastern University, Boston, MA

Bachelor of Science Degree in Business Administration, September 1992

Concentration: New Venture Creation and Marketing

Activities

Representative Town Meeting (RTM), Fairfield, CT, Elected Representative 11/2011 – 11/2013

Mill River Wetlands Committee, RL5th and 6th grade Co-Director 2/2012 – 6/2014

OHS PTA -Volunteer Chairperson - After School Activities, Spirit Wear, Room Reservations

Volunteer - Junior Achievement, I love to read, Yearbook, CANE, Library Shelving

6/2011 - Presidential Volunteer Service Award for 1,000+ hours volunteer service

Northeastern University, Alumni Admissions Representative

Attend high school “college days”; meet with guidance counselors and prospective students.

Interests

Windsurfing, Skiing, Cycling, Golfing – and the sidelines of my children’s activities – Rugby, Basketball, Hockey

From: null@town.fairfield.ct.us
To: [Board of Selectmen](#)
Subject: New submission for form: Boards and Commissions Interest Form (ID #134)
Date: Wednesday, June 9, 2021 9:30:48 PM

Boards and Commissions Interest Form

Record #134 submitted from IP address 68.192.80.6 on 6/9/2021 9:31 PM

[View form](#)

ID	134
First Name	Craig
Last Name	Van Steenberg
Street Address	292 Riverside Drive
Zip Code	06824
Email Address	craig.vansteenbergen@am.jll.com
Cell Phone	917-723-3133
Home Phone	203-259-4992
Work Phone	212-915-2949
Voter Registration Status	Yes
Political Party Affiliation	Republican Party
Board or Commission	Ethics Commission
Read the Boards Role	Yes
How You Learned About the Position	From the First Selectwoman
Who You Have Spoken To	Board Chair, First Selectwoman, Other Board Members
Explanation of Interest and Contribution	I enjoy serving the Town of Fairfield and will be objective at all times.
Resume or Bio	2021 Craig Van Steenberg Resume.doc
Additional Comments	None

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Energetic **Architect and Construction Professional** with extensive experience in technical services, construction administration, portfolio management, real estate finance and project management. Specifically skilled to evaluate financial and construction risk for multi-billion dollar real estate portfolios. Strong work ethic and proven ability.

Financial and Construction Cost Analysis, Real Estate Finance, Real Estate Valuations and Strategies, Budget Review, Client Acquisition, Construction Risk and Portfolio Management and Architectural Project Management

RECENT PROJECTS INCLUDED:

\$190 million residential tower, Hoboken, NJ	\$200 million sports stadium, Washington, DC
\$50 million warehouse conversion, Brooklyn, NY	\$1.5 billion office building, New York, NY
\$150 million residential tower, Stamford, CT	\$350 million sports arena, Milwaukee, WI
\$135 million office building, Brooklyn Navy Yard	\$110 million residential tower, Philadelphia, PA

PROFESSIONAL EXPERIENCE

JONES LANG LASALLE, Formerly MERRITT AND HARRIS, INC., New York, NY

2009-Present

Vice President

- Monitor construction loans and provide requisition review services for lenders and equity investors, including review of plans and specifications, construction schedules, budgets and cost estimates, zoning approvals, building codes and construction agreements.
- Due-diligence inspection services provided locally and nationally which include identifying deferred maintenance costs, estimating replacement cost value, the remaining useful life of a building's major components and evaluating the physical condition of site improvements, facades and roofs, structural and MEP systems.

HSH NORDBANK, New York, NY

2007–2008

Technical Services Engineer Officer

- Evaluated the financial and construction risks of the multi-billion dollar lending property portfolio; minimized budget overruns and potential construction failure. Managed third party due diligence including Engineering and Environmental Scopes of Work; ensured that the numerous consultants complied with building loan agreements.
- Verified the accuracy of hard and soft cost budgets, reviewed/approved development plans and specifications, project schedules, development agreements and construction contracts. Coordinated and summarized the most current property information, including construction activities, percentage of completion, change orders; flagged problematic issues before delays and cost overruns occurred.
- Prescribed the method of advancing funds, including reviewing the terms of retainage, change orders and stored materials while determining if the lender's requirements for advancing funds were met. Participated in kickoff/initial meetings with all parties to the transaction; attended ongoing progress meetings and site visits.

JPMORGAN CHASE, New York, NY

2006-2007

Senior Construction Risk Administrator

- Controlled the integrity and risk of real estate loans within the portfolio by managing contractors, architects, engineers and developers within the Loan Disbursement Administration Unit of Commercial Real Estate Lending.
- Performed advanced cost and contract review, basic loan agreement reviews and on-site inspections required to evaluate construction progress to resolve issues throughout the construction project.
- Reviewed and negotiated complex loan structures and loan agreements; reviewed, approved and resolved discrepancies on all draw requests; negotiated resolutions to mechanic's liens. .

BANK OF AMERICA (Formerly Fleet Bank), New York, NY

1998–2006

Senior Vice President in Real Estate Finance

- Provided construction service support to National and Retail divisions. Reviewed and approved all pre-closing documents consisting of, but not limited to, plans, specifications, budgets, schedules and construction agreements.
- Pre- and post-closing loan support service to financial analysts, portfolio underwriters and relationship managers.
- Oversaw construction projects totaling \$800MM, approved monthly funding requests, assisted loan administration with performing and underperforming loans and managed troubled asset workouts with Structured Real Estate.

INSPECTION & VALUATION INTERNATIONAL, INC., White Plains, NY

1993 – 1998

Project Manager

- Due-diligence inspection services provided locally and nationally which included identifying deferred maintenance costs, estimating replacement cost value, the remaining useful life of a building's major components and evaluating the physical condition of site improvements, facades and roofs, structural and MEP systems.
- Monitored construction loans and requisition review services for lenders and equity investors, including review of plans and specifications, construction schedules, budgets and cost estimates, zoning approvals, building codes and construction agreements.
- Managed securitization assignments, which included major client contact development, preparing proposals, allocating and scheduling assignments, managing a group of six (6) project managers, insuring quality, pricing assignments and invoicing.

CVS, ARCHITECTS AND PLANNERS, Mount Vernon, NY

1990 – 1993

Architectural/Planning Consultant/Project Management

- Designed/planned residential and commercial projects, as well as, provided a variety of architectural services and Building Department services.
- Performed field surveying of existing conditions, drafted and coordinated construction documents (produced manually and via CADD), developed details (architectural, millwork, etc.), building department filings, code review, shop drawing review, interior space planning, cost estimates and field supervision.

ADDITIONAL EXPERIENCE

NADLER AND PHILOPENA, ARCHITECTS, Mount Kisco, NY

DESIGN COLLABORATIVE, INCORPORATED, White Plains, NY

ARISTOTLE BOURNAZOS, P.C., LAND SURVEYORS and CIVIL ENGINEERS, Mount Vernon, NY

EDUCATION AND CERTIFICATES

NEW YORK INSTITUTE OF TECHNOLOGY

Old Westbury, NY,

Bachelor of Architecture

Computer Aided Drafting and Design (CADD)

Intergraph Interactive Graphic Systems, Huntsville, AL - Various certificates

Certified as both Asbestos and Lead Inspector

Continuing education courses given by the following:

Trane Air Conditioning

Roofing Industry Education Institute

National Fire Protection Association

LEED for New Construction Green Building

BOCA National Building Code

MEMBERSHIPS

American Institute of Architects

National Trust of Historic Preservation

National Fire Protection Association

COMMUNITY SERVICE

Member of the Town of Fairfield Facilities Commission

Chairman of the Tomlinson Middle School Building Committee, a \$30 million occupied renovation

Chairman of the Town of Fairfield Fire Commission

Eagle Scout and Assistant Scoutmaster with Fairfield Troop 82

Coach for the Little League Challengers baseball team for children with disabilities

Memorandum

To: Board of Selectmen

From: Mark S. Barnhart, Director of Community & Economic Development

Date: June 8, 2021

Re: 2021 Neighborhood Assistance Act Program

As you know, the Town has solicited program proposals from municipal agencies and community non-profit organizations for funding consideration under the Neighborhood Assistance Act (NAA) program.

This program allows businesses to claim a State tax credit for cash contributions made to qualifying community programs conducted by tax exempt or municipal agencies. The types of community programs that qualify for the NAA tax credit program include, but are not necessarily limited to: energy conservation; employment and training; child care services; neighborhood assistance; substance abuse; open space acquisition; crime prevention programs and affordable housing development. The minimum contribution on which a tax credit may be granted is \$250, and the maximum contribution that any non-profit or municipal entity can receive under this program is \$150,000. There are no Town funds involved in this program.

In order to be considered, applications must be completed in full, approved locally following a public hearing, and submitted to the Department of Revenue Services (DRS) by July 1st. Attached for your consideration is a summary of the applications that were received by the April 23, 2021 deadline.

In order to meet the aforementioned submission deadline, I would request that you consider this matter at your next regularly scheduled Board meeting, which I understand to be June 14, 2021.

Information and Justification Regarding the Neighborhood Assistance Act Program

1. *BACKGROUND*: The Neighborhood Assistance Act (NAA) program is a State program administered by the Department of Revenue Services that allows eligible businesses to apply for and receive a State tax credit for cash contributions made to qualifying community programs conducted by tax exempt or municipal agencies. More information can be found on the DRS website at www.ct.gov/drs.
2. *PURPOSE AND JUSTIFICATION*: The program is designed to provide funding to municipal and tax-exempt entities by incentivizing donations made by private companies owing a State corporate tax liability. The Town's role is limited to designating a municipal liaison to work with DRS, conducting a public hearing and soliciting applications from eligible municipal and non-profit entities, which activities must be approved by the Town's legislative body prior to their being submitted to DRS by the July 1st deadline.
- 3.
4. *DETAILED DESCRIPTION OF PROPOSAL*: See attached summary of applications received.
5. *RELIABILITY OF ESTIMATED COSTS*: There are no Town funds involved. The applicants are responsible for all project cost estimates, and administering any funds received through donations.
6. *PAYBACK PERIOD*: Not Applicable. There are no Town funds involved.
7. *ADDITIONAL LONG RANGE COSTS*: Not Applicable. There are no Town funds involved.
8. *ADDITIONAL USE OR DEMAND ON EXISTING FACILITIES*: Not Applicable
9. *ALTERNATES TO THIS REQUEST*: Participation in the NAA program is optional. Towns may decide not to participate in the NAA program. As of last year, eighty-two communities had designated a municipal liaison and were participating in the NAA program.
10. *SAFETY AND LOSS CONTROL*: Not Applicable
11. *ENVIRONMENTAL CONSIDERATIONS*: Not Applicable
12. *INSURANCE*: Not Applicable
13. *FINANCING*: Not Applicable

14. OTHER CONSIDERATIONS: Not Applicable

15. OTHER APPROVALS: Board of Selectmen (6/14) Public Hearing (scheduled for 6/21) and RTM approval (6/28) prior to submission to DRS by the July1st deadline.

2021 Neighborhood Assistance Act Applicants

Program	Agency Sponsor	Agency Address	Funds Requested	Other Funds	Tax Credit	Program Category
Adventure Project	CT Challenge	1771 Post Road East, #316 Westport	\$ 150,000	\$ 250,000	60%	Providing Support to Cancer Survivors
Empower House Project	The Center For Family Justice, Inc.	753 Fairfield Ave. Bridgeport	\$ 100,000	\$ 900,000	100%	Energy Conservation
Individual Empowerment & Family Strengthening Svcs	The Center For Family Justice, Inc.	753 Fairfield Ave. Bridgeport	\$ 50,000	\$ 415,000	60%	Program serving Low Income Populations
FTC Acoustical Improvements for Educational Classrooms	Fairfield Theatre Company	70 Sanford Street, Fairfield	\$ 30,000	\$ 2,500	60%	General Operating Support
FTC Energy Efficient Lighting Upgrades	Fairfield Theatre Company	70 Sanford Street, Fairfield	\$ 40,000	\$ 5,000	100%	Energy Conservation
Financial Stability	United Way Coastal Fairfield	855 Main St. 10th Fl, Bridgeport	\$ 25,000	\$ 125,000	60%	Program serving Low Income Populations
Energy Efficient HVAC and roofs for affordable housing units	Operation Hope of Fairfield	636 Old Post Road, Fairfield	\$ 60,000	\$ -	100%	Energy Conservation
Community Hunger & Homelessness Services	Operation Hope of Fairfield	636 Old Post Road, Fairfield	\$ 90,000	\$ 3,146,727	60%	Program serving Low Income Populations
Clubhouse Energy Efficiency Upgrades	Wakeman Boys & Girls Club	385 Center Street, Southport	\$ 15,695	\$ -	100%	Energy Conservation

Memorandum

To: Board of Selectmen

From: Mark S. Barnhart, Director of Community & Economic Development

Date: June 7, 2021

Re: Program Year 47 Annual Plan, Community Development Block Grant

I am forwarding herewith for your consideration and approval the proposed activities to be funded under the Community Development Block Grant (CDBG) Program for Program Year 47, which begins on October 1, 2021, and runs through September 30, 2022.

The Community Development Block Grant (CDBG) Program is authorized under Title I of the Housing and Community Development Act of 1974, and is administered by the U.S. Department of Housing and Urban Development (HUD) through its Office of Community Planning and Development. The primary objective of this program is the development of viable communities by providing decent housing, a suitable living environment and expanded economic opportunities, principally for persons of low and moderate income. As a municipality with a population of more than 50,000 persons, the Town of Fairfield qualifies as an entitlement community, meaning that it receives an annual allocation of CDBG funds.

Each year, the Town must prepare an Annual Action Plan that identifies those projects and activities that it proposes to fund through CDBG for the upcoming year. The Town is required to develop and adhere to a citizen participation process that includes the community in the development of its Annual Action Plan. In accordance with its citizen participation plan, the Town conducted the first of two scheduled public hearings to solicit comments on housing and community development needs on February 15, 2021. A second public hearing was held on May 4, 2021. Both hearings were held virtually by teleconference due to the pandemic.

The Town of Fairfield has been advised by HUD that it can expect to receive \$525,640 in CDBG funds for the upcoming PY47 program year. Please note that the proposed budget presented herewith includes \$74,360 in estimated program income, for a total combined budget of \$600,000. Please also keep in mind that the Town may allocate not more than fifteen percent (15%) of its funding to public service category activities and that general administrative costs cannot exceed twenty percent (20%) of the allocation.

June 7, 2021

I respectfully request your timely and favorable consideration of the proposed PY 47 CDBG activities at your June 14, 2021, meeting so that we might present our proposed allocation plan to the Representative Town Meeting at its June 28 meeting, and prepare and submit our Annual Action Plan to HUD. Please do not hesitate to contact me in the event that you have any questions.

Thank you for your consideration.

Information and Justification Regarding the Community Development Block Grant

1. *BACKGROUND*: HUD designates Fairfield as an entitlement community for its CDBG program. As an entitlement community, the Town receives grant funds in an amount established by HUD for each fiscal year to be used for various HUD eligible activities.
2. *PURPOSE AND JUSTIFICATION*: The objective of this program is to develop viable communities by providing decent housing, a suitable living environment and expanded economic opportunities, principally for persons of low and moderate income.
3. *DETAILED DESCRIPTION OF PROPOSAL*: See attached program description.
4. *RELIABILITY OF ESTIMATED COSTS*: The grant funds are a fixed amount established annually by HUD.
5. *PAYBACK PERIOD*: Not Applicable
6. *ADDITIONAL LONG RANGE COSTS*: Not Applicable
7. *ADDITIONAL USE OR DEMAND ON EXISTING FACILITIES*: Not Applicable
8. *ALTERNATES TO THIS REQUEST*: Not Applicable
9. *SAFETY AND LOSS CONTROL*: Not Applicable
10. *ENVIRONMENTAL CONSIDERATIONS*: HUD requires that all recipients of CDBG funds follow Federal regulations as contained in 25 CFR Part 58, thereby furthering the purposes of the National Environmental Policy Act of 1969.
11. *INSURANCE*: Not Applicable
12. *FINANCING*: Not Applicable
13. *OTHER CONSIDERATIONS*: Not Applicable
14. *OTHER APPROVALS*: Public Hearings (conducted on 2/15 and 5/4), Board of Selectmen, RTM, and 30 Day Public Comment Period prior to submission to HUD.

Town of Fairfield
Office of Community and Economic Development
Proposed PY 47 Annual Allocation Plan
Community Development Block Grant Program

Public Service Activities (15%)

Operation Hope Housing Support	\$	20,000
Center for Family Justice Advocacy/Support	\$	8,000
Lifebridge Mental Health/Counseling Services	\$	10,000
JSS/Grasmere on Park Social Worker	\$	4,500
BOE Special Education Vocational Training	\$	3,000
Connecticut Legal Services	\$	4,000
Jewish Senior Services Elder Abuse Prevention	\$	4,000
Fairfield History Museum Educational Enrichment	\$	3,000
Fairfield Human Services Senior Outreach	\$	10,000
Bridge House – Life Skills Development/Support	\$	3,500
Pilot House Special Needs	\$	4,000
Wakeman Boys & Girls Club	\$	4,500
Kennedy Center – Vocational & Life Skills Support	\$	4,000
Bridgeport Neighborhood Trust	\$	3,500
Woofgang Volunteer Coordinator	\$	4,000
Subtotal	\$	90,000

Public Facilities and Non-Housing Needs

DPW Street/Sidewalk Improvements	\$	100,000
Micro-Enterprise Assistance	\$	25,000
Subtotal	\$	125,000

Affordable Housing Activities

Multi-Family Rehab Program	\$	75,000
Single-Family Rehab Program	\$	75,000
Handyman	\$	20,000
Homeownership Assistance	\$	90,000
Parish Court Life Safety Enhancements	\$	15,000
Subtotal	\$	275,000

Program Administration (20%)

Administration	\$	110,000
Subtotal	\$	110,000

CDBG PROGRAM YEAR 47 SUMMARY

USES:

Public Service Activities (<15%)	\$ 90,000
Public Facilities and Non-Housing Needs	\$ 125,000
Affordable Housing Activities	\$ 275,000
Program Administration (<20%)	<u>\$ 110,000</u>

TOTAL USES	<u><u>\$ 600,000</u></u>
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SOURCES:

CDBG Entitlement	\$ 525,640
Program Income (Estimated)	<u>\$ 74,360</u>

TOTAL SOURCES	<u><u>\$ 600,000</u></u>
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Client Change Request Form



Project ID-Name: Town of Farified Microgrid		Date Requested: 5-11-21
Requested By: Ray Berry	Title: President	Company: Yankee Electric
Schneider Electric Representative: Jeff Hager	Title: Project Manager	Phone: 203-259-5499
		Phone: 404-630-9138

Proposed Change

Title of Change: Town of Fairfield Micro Grid at the Waste Water Treatment Plant Project Restart Costs	Change Control Number: (Completed by SE) 36689643-2
Description: Increase cost on this project from the original date of April 30, 2018 through April 7, 2021 on the following: <ul style="list-style-type: none">• Generator ATS's 800, 400, 200• Pad mounted transformers, 225 KVA, 150 KVA• Disconnects, fused, 3R, 800, 400, 200• Copper feeder cables, 600mcm, 500mcm, 4/0, 3/0• Galvanized rigid conduit 4 inch, 2 inch• Galvanized rigid conduit expansion fittings• Large stainless-steel boxes, custom built• Medium stainless steel boxes• Rental generators, ATS, fuel• Subcontractors	
Justification: The project was shut down in about September of 2018 because the State of Connecticut said that the site must be "hardened" before the micro grid could be installed. The electrical construction items has seen dramatic increases in the last year to the point right now all quoted for copper wire and conduit are only being held for one day. At point of shutdown the materials were not yet on order. If the parts had been delivered, there would be significant storage, depreciation, and warranty fees or issues due to the delays. The Schneider switchgear was delivered and has to be reconditioned prior to generalization.	
Impact if not approved: These prices are still changing every day so if this is not acted on this month, we will need to revise again in May.	

Client Change Request Form



Impact Review (Completed by SE)

Technical Impact:	Delays will continue to drive up pricing. Quote is good through May 30th.
Cost Impact:	\$235,555.20. Yankee Electric costs (attached quote) plus subcontractor mark up for Schneider
Schedule Impact:	Start Delay for materials ordering once cost change is approved. Quote is good through May 30, 2021 or we will have to re quote at that time with updated market pricing.
Performance Impact:	cannot order full qty of materials or services until resolved.
Contract Impact:	may impact end dates if not started soon.

Schneider Electric Decision

<input type="checkbox"/>	Check for: Change Request Rejected	Print Name of Schneider Electric Representative: Jeff Hager	Title: Project Manager
<input type="checkbox"/>	Check for: Change Request to be Performed – No Additional Cost	Signature of Schneider Electric Representative: Jeff Hager <small>Digitally signed by Jeff Hager Date: 2021.05.10 12:57:22 -04'00'</small>	Date: 5-10-21
<input type="checkbox"/>	Check for: Change Request to be Quoted at Additional Cost	Comments for Decision: not in original costs estimates due to unknown delays	
<input checked="" type="checkbox"/>	Check for: Quotation attached		

Customer Decision

<input type="checkbox"/>	Check for: Rejection by customer	Printed Name of Customer: <i>Town of Fairfield</i> <i>Laura Pulie</i>	Title: <i>Asst. Town Engineering manager</i>
<input type="checkbox"/>	Check for: Approval with modifications	Customer Signature: <i>Laura Pulie</i>	Date: <i>5/21/2021</i>
<input checked="" type="checkbox"/>	Check for: Approval by Customer	Comments:	
<input type="checkbox"/>	Check for: Current Purchase Order amended and submitted	<input type="checkbox"/> Check for: New Purchase Order issued and attached:	Enter New Purchase Order Number

YANKEE ELECTRIC

Mr. Jeffery Hager
Schneider Electric
6700 Tower Circle Suite 700
Franklin, TN 37067

May 6, 2021

Re: Town of Fairfield Micro Grid at the Waste Water Treatment Plant
Project Restart Costs

Dear Mr. Hager,

The following is our request for a change order to cover the increase cost on this project from the original date of April 30, 2018 through May 6, 2021. The project was shut down in about September of 2018 because the State of Connecticut said that the site must be "hardened" before the micro grid could be installed. As you must know the pricing on almost all electrical construction items has seen dramatic increases in the last year to the point right now all quoted for copper wire and conduit are only being held for one day! The following is included:

I. Materials

- Generator ATS's 800, 400,200
- Pad mounted transformers, 225 KVA, 150 KVA
- Disconnects, fused, 3R, 800, 400, 200
- Copper feeder cables, 600mcm, 500mcm, 4/0, 3/0
- Galvanized rigid conduit 4 inch, 2 inch
- Galvanized rigid conduit expansion fittings
- Large stainless-steel boxes, custom built
- Medium stainless steel boxes
- Rental generators, ATS, fuel
- Subcontractors

Total Increase for the period	\$196,296.00
Total Requested	\$ 196,296.00

Notes:

1. These prices are still changing every day so if this is not acted on this month, we will need to revise it for June.
2. We are also waiting for updated drawing from Schneider reflecting the most current job.

Sincerely,
Yankee Electric Construction Co. Inc.

Ray Barry

Ray Barry E1-103043, NY 1500
President

Accepted:
Date:

YANKEE ELECTRIC CONSTRUCTION CO INC
150 CARTER HENRY DRIVE, FAIRFIELD, CT 06824
P-203-259-5499 F-203-259-4278 CT LIC# 103043,103265

WWTP Microgrid Project

May 13, 2021

Prepared by Laura Pulie

Original Project Cost: \$2,500,000

Original Grant Amount: \$2,500,000 with no cost sharing

Schneider Electric's Original Contract: \$2,470,000

Change Orders:

1. 313,939 for design revisions to original plan per change in town's power generating equipment (covered by additional grant of \$313,939)
2. \$28,872 for costs to refurbish equipment due to delay in project (funding issues with WWTP Hardening forced this project to be halted as well)
3. \$235,555.20 – increase in material costs for microgrid plus Schneider markup of 20% less \$110,000 (from unencumbered project cost of \$118,000) = \$125,555.20 plus 15% contingency \$18,832.28 = \$144,388.48 *

Soil contamination costs:

Funded through WPCA

Tighe and Bonds testing and oversight:	\$34,100
Holzner soil remediation and clean corridor work:	\$77,930.55
TOTAL:	\$112,030.55

***Request that the WPCA fully fund Change Order #3 in the amount of \$144,388.48**



WATER POLLUTION CONTROL AUTHORITY COMMISSION Draft Minutes

<https://www.youtube.com/watch?v=NHDcncrEVdqE>

A WPCA Regular meeting was held via Webex at 7:00 p.m. on Wednesday, May 19, 2021.

Present: Joseph D'Avanzo, Quinn Degner, Christian Dockum, Ron Drew, Mark Elletson, Nancy Lefkowitz, Matthew Manchisi

Also Present: WPCA Superintendent William Norton, Joseph Pereira, Matt Robillard, WPCA Administrator Chris Rogers, Rob Souchuns, Russ Waldo, Mark (Representing Scinto)

1. **Call to Order** – Chairman Elletson called the meeting to order at 7:00 p.m.
2. **Bills and Communications**
 - a) **Approval of April 21, 2021, Regular Meeting Minutes**

The Minutes of April 21, 2021, were passed.

3. **New Business**
 - a) **To hear, consider and act upon a request by Waldo Associates for a proposed 44 unit residential development on a 25,000 sf site at 83 Castle Avenue to connect to the Fairfield Sewer System.**

Mr. Rogers reported they've done flow monitoring at two locations and there was adequate capacity in the pipes.

Mr. Souchuns said the development has 16 efficiency one-bedroom apartments, 20 standard one-bedroom apartments and 8 two-bedroom apartments. In accordance with the Town's infiltration and abatement policy the flow monitor program was undertaken. The two locations monitored were on Jennings Road, north of the site and on Nathan Hale Street which is a downstream location. He reviewed the analysis, location and traffic flow. Based on their professional opinion and consulting with Staff they determined there is adequate capacity for this residential development.

Mr. Elletson asked if there any point along the route through the metro center area/East Trunk Interceptor where there might be a capacity issue. Mr. Rogers said that potentially there could be along Ash Creek which is part of the East Trunk relocation project where the pipe reduces from a 33" to a 30" line. There is currently this restriction in the line but capacity is still available.

Joseph D'Avanzo motioned to accept the plan as revised in memo dated May 11, 2021, to approve the proposed 44 unit residential development at 83 Castle Avenue to connect to the Fairfield Sewer System. This approval will remain in effect for two years with the understanding if the permit is not issued within this two-year period the applicant will submit a request to the Commission for a subsequent two-year renewal. The I&I fee will be calculated based on the current rate in effect when the Building Permit is issued by WPCA. Matt Manchisi seconded the motion which carried unanimously.

b) To hear, consider and act upon a request by BL Companies for a proposed 114 seat 5,172 sf restaurant (Chick-Fil-A) at 750 Post Road/42 Eliot Street to connect to the Fairfield Sewer System.

Mr. Rogers indicated the applicant has completed flow monitoring at two locations downstream. One location came back with a significant increase. After some investigation, it was determined that when the monitor was installed it wasn't calibrated, so it gave a significant increase to the line. The monitoring company submitted a letter saying there was a "default" in the data they removed from picture. They resubmitted flow calculations which appear to be significantly improved. They went back and forth several times on the projected flow and how to compute it because of a drive-thru situation. It was explained there will be a significant increase (1,232 cars per day) on a weekend. He explain the peaking factor calculations.

Mr. Rogers commented that he gave Mr. Robillard the existing water records from the previous restaurant and they will take that and compare to this current projected flow data to get their I&I fee and a credit will be determined. Mr. Norton said they also did a visual inspection on the line and there was plenty of capacity. It was determined the restaurant water use is driving the numbers not the waste water.

(Traffic was discussed but it is not under the Commission's prevue. Mr. Rogers said there are not issues with the connection to the Post Road. Mr. Robillard said they will not be using any of the Joe's building and the new building will be to the off to the angle at the side. Existing building and barber shop next door will be demolished).

Joseph D'Avanzo motioned to accept the revised plan dated May 18, 2021, proposing to build a 5,172 sf restaurant at 750 Post Road. This approval will remain in effect for two years with the understanding if the permit is not issued within this two-year period the applicant will submit a request to the Commission for a subsequent two-year renewal. The I&I fee will be calculated based on the current usage rate when the building permit is issued by the WPCA Staff. Matt Manchisi seconded the motion which carried unanimously.

c) To hear, consider and act upon a Change Order for the Microgrid Project.

Mr. Norton this is a change order due to some of the mechanisms needed to be refurbished and for wire that was not initially purchased. The price has gone up "astronomically". The current quoted price will be held through June. There was another issue that came up. The sites that were addressed in this change order are the Animal Control Building, Conservation Workshop and Fire Training Building. They are going to

need three additional boxes that aren't included in this change order. Mr. Norton explained pricing.

Mr. Rogers presented different construction cost options. There was further discussion on the work, materials, obligations and timing. Mr. Norton recommended not postponing this item, which would increase costs. He indicated the money will come out of the fund reserve and change orders out of the fund balance. The three boxes will come before the BOS meeting for funding approval. The Commission's position is that the three Facilities associated with the additional boxes is not the responsibility of the sewer rate payers. The three facilities are not part of WPCA responsibly. These structures were "piggy-backed" to the project, hence the cost should be bourn by the respective facilities financial responsibility.

Joseph D'Avanzo motioned to approve the Item without including the additional costs for the three boxes not exceed \$144,388.43 to complete the WPCA portion of the Microgrid Project. Matt Manchisi seconded the motion which carried, Nancy Lefkowitz abstained.

4. Old Business

a) To hear an update by Pereira Engineering, representing R.D. Scinto on the bypass pipe investigation and CCTV results at the 185 Thorpe Street project.

Mr. Pereira reported last week he and Arty Scinto met with Laura Pulie and John Marsilio to review current proposal to get feedback the plan is to install the doghouse manhole. He said they will pay to televise the line again to check current status then let the Town decide to line the pipe, replace the pipe or another option. Arty Scinto Sr. will contribute up to \$100,000 for that work. The Sanitary Sewer Plan was shared and Mr. Pereira explained the location of work. He said they would start on right away on sewer work after approval and after the doghouse manhole is in they would have televised. He said there will be some bypassing involved and will work with the contractor and client to determine the best way to approach. There was an extensive discussion on the process and several suggested options followed. Mr. Norton met with Arty Scinto to discuss recommended steps going forward. The previously approved obligation from RD Scinto and previous minutes were questioned by the Commission and differs from the Client's understanding. Mark from Scinto said they will not replace the line. He said we are going to tie into the sewer line and contribute up to \$100,000 for work beyond the Scinto property. The Commission agreed to bring the previous approved motion back at the June meeting.

b) To hear, consider and act upon proposed FOG Ordinance.

Mr. Rogers incorporated comments from last meeting into a revised proposed FOG Ordinance. He said they modified the sewer blockage source, the source of the cleanup/relieving the blockage and change fee of FOG permit. Mr. Rogers will send out Ordinance to each restaurant but he explained it still must go through other boards. Fees, cleanup costs and responsibility were discussed. Send comments to Mr. Rogers.

Joseph D'Avanzo motioned to postpone the item to a date certain of next months' meeting of June 16, 2021. The motion was second and carried unanimously.

c) Discuss funding for the Hardening Project.

Mr. Norton gave background on the Project and funding history. He said the BOS and BOF approved a 62/38 split. Whatever is bonded comes out of the debt service.

5. Update on Current Projects

Status of projects were reviewed (document can be found in Back Up). A transformer is not going to be repaired it's going to be replaced.

6. Status Update on Sewer Bypasses – none.

There is a new DEEP "Right to Know" Act that required reporting anything over a 5,000 gallon spill to Town and Health Officials.

7. Adjournment

The meeting adjourned at 9:15 p.m.

A recording of this meeting is available in the WPCA office.

Respectfully submitted,

Sheila Tesei
Recording Secretary



Town of Fairfield

Office of the First Selectwoman

Thomas R. Bremer
Chief Administrative Officer
203-256-3031

725 Old Post Road
Fairfield, CT 06824
tbremer@fairfieldct.org

GOULD MANOR REMEDIATION:

In order to remediate and provide the Town of Fairfield with a safe park which will meet residents' needs going forward by next spring, it has been determined that remediation should begin this summer. As a result, the Town is requesting authorization to spend the following amounts at Gould Manor Park. It should be remembered that there is no "Julian Fill" currently at this park as all that fill had been removed previously.

The following estimates are as follows:

- 1.) To remove certain historical contaminant "hot spots" at the site as delineated by the Town's LEP, and in conjunction with and concurrence by the State Department of Health, the estimated cost will be \$275,000 (including contingency).
- 2.) To remediate and repair both ballfields at the park, an additional layer of sod, clay and related material will be placed on the infield and outfield of both. The total cost is estimated to be \$250,000.
- 3.) Because the hot spot removal will affect the tennis court and playground areas the cost to resurface the tennis court is \$80,000 and the main playground will be replaced with a more expansive playground at a cost of \$260,000. The age of the current playground is approximately 20 years. The replacement will enable Parks and Recreation to remove the other existing playground and convert that to the Town's first outdoor fitness facility at a cost of \$80,000.
- 4.) All vendors used will be State approved and will have been previously utilized for the same services by the Town.

The entire cost of the project is estimated to be \$945,000. Please see the attached detailed map which shows the "hot spot" areas on both maps.

Attachments

Thomas R. Bremer
Chief Administrative Officer
Town of Fairfield
203 256-3031



RM-102 SOIL MANAGEMENT

LEGEND

Approximate Sample Location

Approximate Sediment Sample

Arsenic < 10 mg/Kg

Arsenic > 10 mg/Kg < 15 mg/Kg

Arsenic > 15 mg/Kg < 20 mg/Kg

Arsenic > 20 mg/Kg < 30 mg/Kg

Arsenic > 30 mg/Kg < 40 mg/Kg

Arsenic > 40 mg/Kg

Excavation Area

Approximate Parcel Boundary

Sample Depth

Zone 1 (0-0.08')

Zone 2 (0-0.5' & 0.08-0.5')

Zone 3 (0.5-1')

Zone 4 (1-1.5' & 1.5')

Zone 5 (1.5' - 2.5')

Zone 6 (2.5' - 3.5')

Zone 7 (3.5' - 4.5')

LOCUS MAP

02040

Feet

NOTES

1. Based on 2016 Statewide Orthophotography, Courtesy of CTECO.

Gould Manor Park
655 Holland Hill Road
Fairfield, Connecticut

June 2021

G:\GIS\CT\Fairfield\CTMXDs\GouldManorPark_24x36_Excavation.mxd

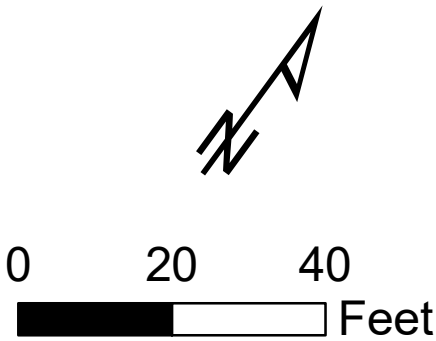


RM-103 SOIL MANAGEMENT

LEGEND

- Approximate Sediment Sample
- Arsenic < 10 mg/Kg
- Arsenic > 10 mg/Kg < 15 mg/Kg
- Arsenic > 15 mg/Kg
- Excavation Area
- Approximate Parcel Boundary

LOCUS MAP



NOTES

1. Based on 2016 Statewide Orthophotography, Courtesy of CTECO.

Gould Manor Park
655 Holland Hill Road
Fairfield, Connecticut

June 2021

Tighe&Bond

A RESOLUTION APPROPRIATING \$945,000 FOR THE REMEDIATION OF HISTORICAL CONTAMINANTS AND THE ENHANCEMENT OF RECREATIONAL FACILITIES AT GOULD MANOR PARK AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION

RESOLVED:

1. As recommended by the Board of Finance and the Board of Selectmen, the Town of Fairfield (the "Town") hereby appropriates the sum of Nine Hundred Forty-Five Thousand and 00/100 Dollars (\$945,000) for costs related to the remediation of historical contaminants and the enhancement of recreational facilities at Gould Manor Park, as well as, all related administrative, financing, legal, contingency and other soft costs (the "Project").
2. To finance such appropriation and in lieu of a tax therefor, and as recommended by the Board of Finance and the Board of Selectmen, the Town may borrow a sum not to exceed Nine Hundred Forty-Five Thousand and 00/100 Dollars (\$945,000) and issue its general obligation bonds/bond anticipation notes for such indebtedness under its corporate name and seal and upon the full faith and credit of the Town in an amount not to exceed said sum for the purpose of financing the appropriation for the Project.
3. The Board of Selectmen, the Treasurer and the Chief Fiscal Officer of the Town are hereby appointed a committee (the "Committee") with full power and authority to cause said bonds to be sold, issued and delivered; to determine their form and terms, including provision for redemption prior to maturity; to determine the aggregate principal amount thereof within the amount hereby authorized and the denominations and maturities thereof; to fix the time of issue of each series thereof and the rate or rates of interest thereon as herein provided; to determine whether the interest rate on any series will be fixed or variable and to determine the method by which the variable rate will be determined, the terms of conversion, if any, from one mode to another or from fixed to variable; to set whatever other terms of the bonds they deem necessary, desirable or appropriate; to designate the bank or trust company to certify the issuance thereof and to act as transfer agent, paying agent and as registrar for the bonds, and to designate bond counsel. The Committee shall have all appropriate powers under the Connecticut General Statutes, including Chapter 748 (Registered Public Obligations Act) and Chapter 109 (Municipal Bond Issues) to issue, sell and deliver the bonds and, further, shall have full power and authority to do all that is required under the Internal Revenue Code of 1986, as amended, and under rules of the Securities and Exchange Commission, and other applicable laws and regulations of the United States, to provide for issuance of the bonds in tax exempt form and to meet all requirements which are or may become necessary in and subsequent to the issuance and delivery of the bonds in order that the interest on the bonds be and remain exempt from Federal income taxes, including, without limitation, to covenant and agree to restriction on investment yield of bond proceeds, rebate of arbitrage earnings, expenditure of proceeds

within required time limitations, the filing of information reports as and when required, and the execution of Continuing Disclosure Agreements for the benefit of the holders of the bonds and notes.

4. The First Selectwoman and Treasurer or Chief Fiscal Officer, on behalf of the Town, shall execute and deliver such bond purchase agreements, reimbursement agreements, line of credit agreement, credit facilities, remarketing, standby marketing agreements, standby bond purchase agreements, and any other commercially necessary or appropriate agreements which the Committee determines are necessary, appropriate or desirable in connection with or incidental to the sale and issuance of bonds, and if the Committee determines that it is necessary, appropriate, or desirable, the obligations under such agreements shall be secured by the Town's full faith and credit.
5. The First Selectwoman and Treasurer or Chief Fiscal Officer shall execute on the Town's behalf such interest rate swap agreements or similar agreements related to the bonds for the purpose of managing interest rate risk which the Committee determines are necessary, appropriate or desirable in connection with or incidental to the carrying or selling and issuance of the bonds, and if the Committee determines that it is necessary, appropriate or desirable, the obligations under such interest rate swap agreements shall be secured by the Town's full faith and credit.
6. The bonds may be designated "Public Improvement Bonds of the Town of Fairfield", series of the year of their issuance and may be issued in one or more series, and may be consolidated as part of the same issue with other bonds of the Town; shall be in serial form maturing in not more than twenty (20) annual installments of principal, the first installment to mature not later than three years from the date of issue and the last installment to mature not later than twenty (20) years from the date of issuance or as otherwise provided by statute. The bonds may be sold at an aggregate sales price of not less than par and accrued interest at public sale upon invitation for bids to the responsible bidder submitting the bid resulting in the lowest true interest cost to the Town, provided that nothing herein shall prevent the Town from rejecting all bids submitted in response to any one invitation for bids and the right to so reject all bids is hereby reserved, and further provided that the Committee may sell the bonds on a negotiated basis, as provided by statute. Interest on the bonds shall be payable semi-annually or annually. The bonds shall be signed on behalf of the Town by at least a majority of the Board of Selectmen and the Treasurer, and shall bear the seal of the Town. The signing, sealing and certification of the bonds may be by facsimile as provided by statute.
7. The Committee is further authorized to make temporary borrowings as authorized by the General Statutes and to issue temporary notes of the Town in anticipation of the receipt of proceeds from the sale of the bonds to be issued pursuant to this resolution. Such notes shall be issued and renewed at such time and with such maturities, requirements and limitations as provided by the Connecticut General Statutes. Notes evidencing such borrowings shall be signed by the First Selectwoman and Treasurer or Chief Fiscal Officer, have the seal of the Town affixed, which signing and sealing may be by facsimile as provided by statute, be certified by and payable at a bank or trust company incorporated

under the laws of this or any other state, or of the United States, be approved as to their legality by bond counsel and may be consolidated with the issuance of other Town bond anticipation notes. The Committee shall determine the date, maturity, interest rates, form and manner of sale, including negotiated sale, and other details of said notes consistent with the provisions of this resolution and the Connecticut General Statutes and shall have all powers and authority as set forth above in connection with the issuance of bonds and especially with respect to compliance with the requirements of the Internal Revenue Code of 1986, as amended, and regulations thereunder in order to obtain and maintain issuance of the notes in tax exempt form.

8. Pursuant to Section 1.150-2, as amended, of the Federal Income Tax Regulations the Town hereby declares its official intent to reimburse expenditures (if any) paid for the Project from its General or Capital Funds, such reimbursement to be made from the proceeds of the sale of bonds and notes authorized herein and in accordance with the time limitations and other requirements of said regulations.
9. The First Selectwoman, Chief Fiscal Officer and Town Treasurer are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution.
10. The Committee is hereby authorized to take all action necessary and proper for the sale, issuance and delivery of the bonds and notes in accordance with the provisions of the Connecticut General Statutes and the laws of the United States. The First Selectwoman and other Town officials are authorized to seek grants and other contributions for the costs of the Project and take all such actions necessary or appropriate to obtain such grants and other contributions including, but not limited to the negotiation, execution and delivery of contracts related to such grants and to accept any grants to fund the Project on behalf of the Town. Any such grants or contribution received prior to the issuance of the Bonds authorized herein shall be applied to the costs of the Project or to pay at maturity the principal of any outstanding bond anticipation notes issued pursuant this resolution and shall reduce the amount of the Bonds that can be issued pursuant to this resolution. If such grants and contributions are received after the issuance of the Bonds, they shall be applied to pay the principal on the Bonds or as otherwise authorized by the Board of Selectmen, Board of Finance and Representative Town Meeting provided such application does not adversely affect the tax exempt status of the Bonds or the Town's receipt of such grant or contribution.

Fairfield Automatic Transmission Specialists, Inc.

2196 Kings Highway

Fairfield, Connecticut 06824

March 16, 2021

Mr. Jim Wendt

Planning Director

Sullivan Independence Hall

725 Old Post Road

Fairfield, CT 06824

Dear Jim,

This notice represents Scott Johnston, the owner of Fairfield Transmission at 2196 Kings Highway, as well as Mark Sabia & Linda Lindwall, the property owners of Circle Collision at 2230 Kings Highway, and their desire to continue with the abandonment of the paper street known as Cherry Street. As aware, both property owners border Cherry Street. Enclosed is an A2 Survey prepared by the Huntington Company that depicts Cherry Street running through the middle of the said adjoining properties.

In 1980, the board of Selectmen in the town unanimously approved the abandonment of a 118 ft. portion of Cherry Street. We are requesting the remainder of Cherry Street to now be abandoned. The street has never been developed and serves no purpose to the town of Fairfield in any capacity. Its current state continues to deteriorate and remains more of a liability for the town than anything else. The adjoining property owners are requesting dominion of their respective sides of the abandonment, to clean it up, maintain it, and enhance the use of parking for their respective properties. This would greatly enhance each owner to operate their business more efficiently, with enhanced curb appeal, and would generate additional tax revenue for the town. Subsequently, the town has precedence with such abandonment requests, and has historically granted such requests of abandonment to surrounding property owners, such as the other end of Cherry Street, and more recently Willow Street.

This request has already had the approval of the Board of Selectmen, and we would like to resubmit this request to the RTM for approval. Please accept this request to place this on the agenda for the next RTM meeting. Should you or anyone else have any questions, or require any additional information relative to this request, please do not hesitate to ask.

Very Best Regards,

A handwritten signature in black ink, appearing to be "S. Johnston", written over the typed name "Scott Johnston".

Scott Johnston

Consent For Abandonment of
Cherry Street, Fairfield, CT 06825

We the undersigned property and business owners, whose business properties border Cherry Street, seek the Abandonment of said Cherry Street by the Town of Fairfield. Said business owners, whose properties lay adjacent to Cherry Street, request that the paper road be divided equally between both businesses.

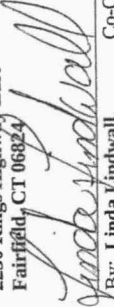
Fairfield Automatic Transmission,
2196 Kings Highway East
Fairfield, CT 06824

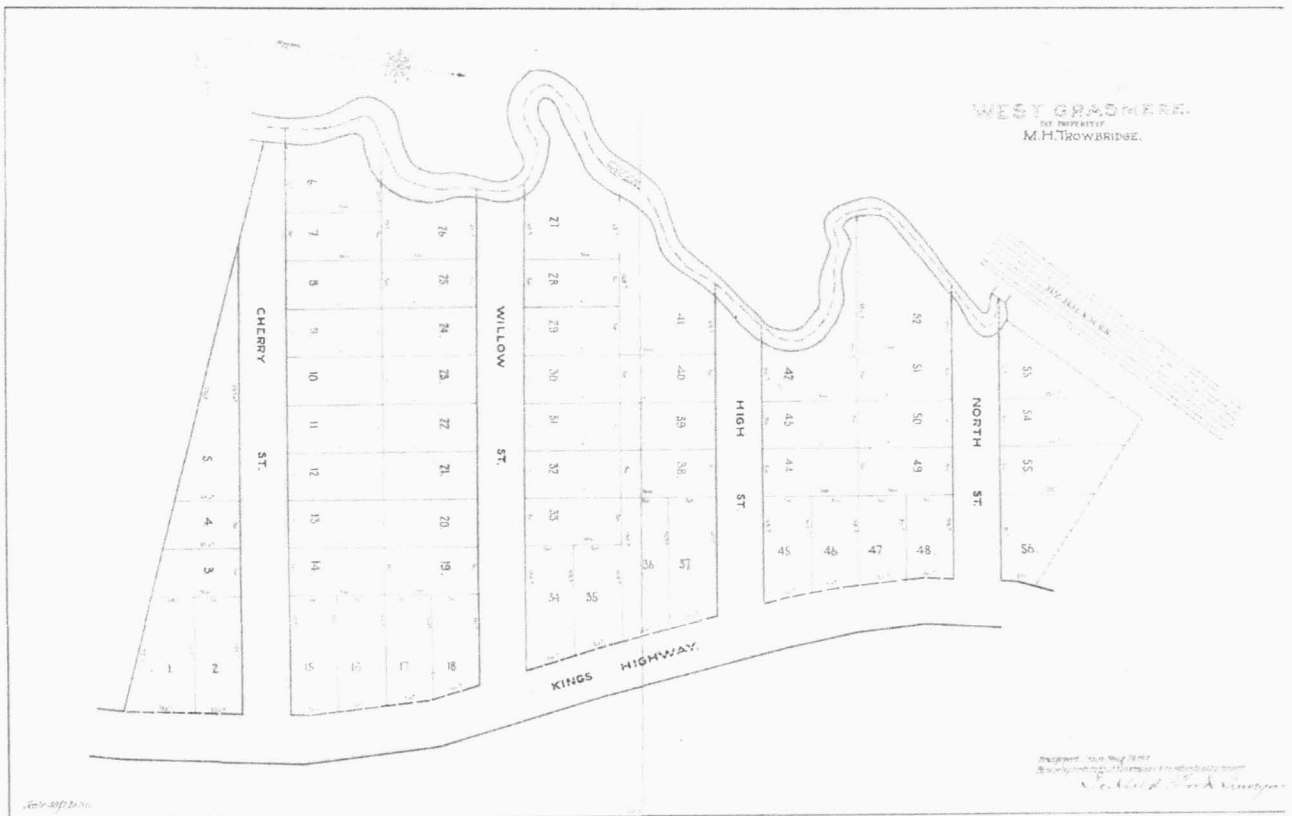
By:  Owner

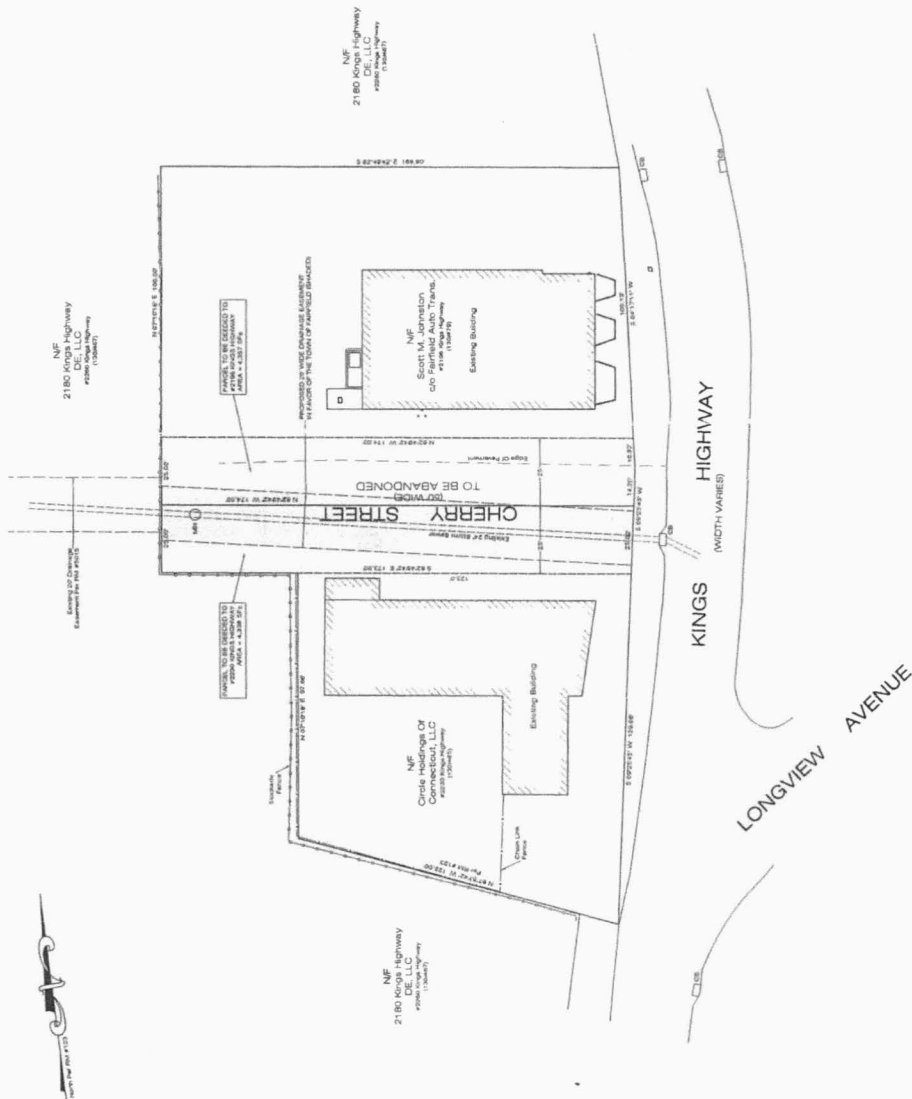
Circle Collision,
2230 Kings Highway East
Fairfield, CT 06824

By:  Co-Owner

Circle Collision,
2230 Kings Highway East
Fairfield, CT 06824

By:  Co-Owner





1. This survey and map has been prepared in accordance with the Sections 20-300c-1 through 20-300c-20 of the Regulations of Connecticut State Agencies - "Minimum Standards for Survey and Maps in the State of Connecticut" as endorsed by the Connecticut Association of Land Surveyors, Inc. It is a Data Accumulation Plan based upon a Reassembly and conforms to Horizontal Accuracy Class A-2.

- [illegible]

STREET ADDRESS 52106 S. 2230 KINGS HIGHWAY
ASSESSORS MAP# 13 PARCEL# 478 & 485
ZONE DESIGNED COMMERCIAL DISTRICT
OWNER/APPLICANT SCOTT M. JOHNSON C/O
FAIRFIELD AUTOMATIC TRANS
TRANS.
7166 KINGS HIGHWAY
FAIRFIELD, CT 06424
CIRCLE 8 HOLDINGS OF CORP
2230 KINGS HIGHWAY
FAIRFIELD, CT 06424

PROPOSAL ABANDON CHERITY STREET
DATE 11.06.2019 SCALE 1"=20'

DATA ACCUMULATION PLAN
DEPICTING ROAD ABANDONMENT
 PREPARED FOR
 SCOTT M. JOHNSTON CIVIL FAIRFIELD AUTOMATIC TRANSMISSION
 & CIRCLE HOLDINGS OF CONNECTICUT, LLC
 #2196 & #2230 KINGS HIGHWAY
 FAIRFIELD, CONNECTICUT

[illegible]

NOT VALID UNLESS EMBOSSED WITH SEAL OR
FIXED WITH THE LIVE STAMP OF THE SIGNATORY
TO MY KNOWLEDGE AND BELIEF. THIS AMP IS
SUBSTANTIALLY CORRECT AS NOTED HEREON

James T. "Buck" E., C.E. #10750



Town of Fairfield

Fairfield, Connecticut 06824
Town Plan and Zoning Commission

Sullivan Independence Hall
725 Old Post Road

(203) 256-3050

May 27, 2020

To: Board of Selectmen

From: Jim Wendt, Planning Director

Re: Cherry Street Abandonment

On May 26, 2020, the Town Plan and Zoning Commission voted to recommend favorably the request to abandon the remaining portion of Cherry Street. The Commission recommends that the proposed drainage easement shown as the attached map be finalized and recorded on the Land Records as a condition of abandonment.

JRW/ds

Abandonment: Points of Concern

Dominion of abandonment would collectively benefit both adjacent businesses.

- Provides both Fairfield Transmission & Circle Collision the opportunity to clean up and enhance the curb appeal for both business fronts, the neighborhood, as well as the street view and public curb appeal.
- Eliminate safety concerns & existing liability to the town as well as repair & maintenance that has been nonexistent.
- Both businesses would pay taxes to the Town of Fairfield on their respective parcels of property that have long been abandoned and has no purpose or value to the town.
- Fairfield Transmission & Circle Collision would repair & maintain said abandonment including existing easement for drainage.
- Provide much needed space for both businesses respectively w/ safe & efficient customer parking w/ out standing water, ice, debris or accelerated erosion.
- Provide natural & definitive boundary between businesses.

The abandonment continues to deteriorate and has become an eyesore.

- Collapsing near drainage easement storm drain and collecting garbage & debris
- Detracting curb appeal from street view, neighbors & both adjoining business fronts.
- Continuing battle w/ brush, weeds & debris from dying tree.

The abandonment has become less & less useful requiring repair & maintenance.

- Collects 2-3 inches of standing water over large percentage whenever rains rendering it unusable for anything including parking for employees or customers.
- Standing water becomes solid ice in colder months...has become liability and safety concern as have had both customers & employees slip on ice.
- Abandonment continues to sink & collapse and is literally eroding adjoining pavement.

The abandonment provides no boundary lines between adjacent business.

- Creates confusion for customers, vendors & subcontractors.
- Currently promotes "free for all" usage w/ no clear boundaries for adjacent businesses.























Town of Fairfield Harbor Management Commission

Sullivan Independence Hall
725 Old Post Road
Fairfield, Connecticut 06824



VIA EMAIL

June 14, 2021

Ms. Karen Wackerman
Moderator, Fairfield Representative Town Meeting

Mr. Josh Garskof
Chair, RTM Legislation and Administration Committee

Mr. Bill Gerber
Vice-Chair, RTM Legislation and Administration Committee
Old Town Hall
611 Old Post Road
Fairfield, CT 06824

Subject: Proposed Amendments by the Harbor Management Commission to Chapter 24 (Harbor Management) of the Town Code

Dear Moderator Wackerman and Committee Chairs Garskof and Gerber:

Attached for your consideration are proposed amendments prepared by the Fairfield Harbor Management Commission (FHMC) to Chapter 24 ("Harbor Management") of the Town Code.

The amendments are intended to update the Chapter to reflect current harbor management practice and some recent amendments to the Harbor Management Commission's duly adopted "Rules and Procedures for Mooring, Anchoring, and Docking Vessels in the Southport Harbor Management Area" (the Rules and Procedures).

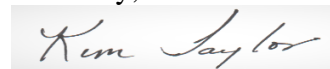
The attached document presents our proposed amendments and includes brief statements of the need for the amendments.

Along with FHMC Mooring Committee Chair Jac Herschler and FHMC consultant Geoff Steadman, I look forward to discussing our proposed amendments with the Legislation and Administration Committee on Monday, June 21. We also look forward to addressing any

questions you may have concerning the Harbor Management Plan and the FHMC's ongoing harbor management programs.

If you have any questions or require any additional information at this time, please contact me at (203) 254-0463 or hmc@fairfieldct.org.

Sincerely,

A handwritten signature in cursive script that reads "Kim Taylor". The signature is written in dark ink on a light-colored background.

Kim Taylor
Chair

Enclosure

cc: (via email)

Mr. Peter Britton, RTM Co-sponsor

Mr. Dru Georgiadis, L&A Committee

Mr. Jac Herschler, Chair, FHMC Mooring Committee

Ms. Pamela Iacono, L&A Committee

Mr. Frank Petise, RTM Co-sponsor

Ms. Amy Ruggiero, L&A Committee

Mr. Jeff Steele, L&A Committee

Town of Fairfield

Harbor Management Commission

Sullivan Independence Hall
725 Old Post Road
Fairfield, Connecticut 06824

June 14, 2021

Proposed Amendments To:
TOWN OF FAIRFIELD TOWN CODE
Chapter 24
HARBOR MANAGEMENT

Proposed additions to Chapter 24 are shown in **bold type**;
proposed deletions are shown as “~~struck through~~.”

Approved by the Harbor Management Commission on May 18, 2021
for Submittal to the Representative Town Meeting

NOTE: Reasons for specific proposed amendments are noted below in italics. The basic reason for the proposed amendments is to update the Harbor Management chapter of the Town Code to reflect current harbor management practice and some recent amendments to the Harbor Management Commission’s duly adopted “Rules and Procedures for Mooring, Anchoring, and Docking Vessels in the Southport Harbor Management Area” (Rules and Procedures).

§ 24-2. Definitions; word usage.

A. As used in this chapter, the following terms shall have the meanings indicated

MOORING FLOAT— A single floating dock unattached to land, secured by bottom anchors, used to secure vessels, and no more than 100 square feet in area.

NORTH ANCHORAGE — The mooring area used and managed by the Pequot Yacht Club in accordance with the *Management Plan for Southport Harbor*, Rules and Procedures adopted by the Harbor Management Commission, state and federal mooring field permits, and a Memorandum of Agreement between the Town of Fairfield and the Yacht Club. The North Anchorage is upstream of and adjacent to the Southport Harbor federal anchorage area.

NOTE: These are common terms often used by the Harbor Management Commission and Harbor Master and describe existing conditions in the harbor. Several mooring floats historically have been used in the harbor and the above definition proposed for inclusion in the Town Code is consistent with the definition of such floats as established in state regulations and applied in the Rules and Procedures. The “North Anchorage” has long been a prominent feature of the harbor and is specifically addressed in the Harbor Management Plan and the Rules and Procedures.

§ 24-8. Powers and duties.

- E. Adopt rules and procedures for implementing specific portions of the Management Plan for Southport Harbor and this chapter as it shall deem necessary in the following manner:
- (1) Prior to adopting any such rules and procedures, the Commission shall conduct a public hearing for the purpose of considering their adoption. Notice of the time and place of such public hearing, which notice shall include the title and summary of the rules and procedures proposed, shall be published in a local newspaper having substantial circulation in the Town of Fairfield at least five days, but not more than 15 days, prior to the date of said hearing.
 - (2) Following said public hearing, the Commission shall act upon said rules and procedures and may make such changes or alterations in the form or content of the proposed rules and procedures as seen appropriate or necessary as a result of the public hearing held in connection therewith. Such changes, additions or alterations shall not require further public notice.
 - (3) Such rules and procedures, if adopted by the Commission, shall become effective after publication **on the Town of Fairfield website.** ~~once in a local newspaper having substantial circulation in the Town of Fairfield.~~

NOTE: The current requirement for publishing rules and procedures in a local newspaper involves a significant expense and dates back to 1995, prior to widespread electronic posting and publication of public documents as normal practice. Formerly, the Town Attorney recommended that posting adopted rules and procedures on the Town website would serve the same purpose as posting in the newspaper but said a Code amendment would be necessary to do so. Recent amendments to the Rules and Procedures were posted on the Town website pursuant to the COVID rules; we suggest this practice be continued.

§ 24-12. Mooring, ~~and~~ anchoring, **and docking** vessels. [Amended 4-28-2008]

NOTE: This proposed amendment would reflect that the Rules and Procedures include certain requirements concerning the docking of vessels, including a requirement for dock owners to provide information annually concerning the vessels using their docks.

- A. In accordance with state law and the Management Plan for Southport Harbor and in order to provide for adequate access for vessels, for the safety of persons and property, for the protection of natural and historic resources and for the optimum use of the Harbor Management Area, no vessel shall be moored in the Harbor Management Area without a current and valid permit from the Harbormaster.

- B. It shall be a violation for any person ~~or entity, association, corporation or group~~ to moor any vessel or place any mooring **or mooring float** in the Harbor Management Area without a current and valid permit from the Harbormaster.

NOTE: This proposed amendment would reflect the Commission's long-standing practice that individual-private mooring permits are to be issued only to a specific person. The exception to this rule concerns permits for DEEP-defined commercial moorings and mooring floats (also requiring commercial mooring permits from DEEP) that are issued to the Pequot Yacht Club (an "entity" for the purpose of the Rules and Procedures).

- C. Any person, ~~association, corporation, or group~~ receiving a permit for a mooring location **and any entity receiving a permit for a mooring float** in the Harbor Management Area **outside the North Anchorage and any entity receiving a permit for mooring locations within the North Anchorage** shall pay an annual mooring permit fee not to exceed the maximum fee authorized by Section 22a-113s of the Connecticut General Statutes **in an amount to be determined by the Harbor Management Commission from time to time under the procedures for notice and hearing established in §24-8E.** ~~and, In addition, for each mooring location and mooring float outside the North Anchorage, shall pay~~ an annual mooring maintenance charge **shall be paid** in an amount to be determined by the Harbor Management Commission from time to time under the procedures for notice and hearing established in §24-8E. **Any person submitting a mooring waiting list application, including either a new or annual renewal application, shall pay an administrative fee in an amount to be determined by the Harbor Management Commission from time to time under the procedures for notice and hearing established in §24-8E.**

[Amended 11-24-2008]

NOTE: This proposed amendment also reflects the Commission's practice to issue individual-private mooring permits only to "persons" and that the Pequot Yacht Club (an "entity") receives permits from the Harbor Master for DEEP-defined "commercial" moorings within the North Anchorage and for mooring floats outside the North Anchorage. The proposed amendment also makes clear that the Commission will set the mooring fee within the parameters set by the Town Code (following public notice and hearing and not to exceed the maximum authorized by state law.) The proposed amendment would also enable the Commission to set, following public notice and hearing, an administrative fee for a person to be included on the mooring waiting list.

- D. The mooring, ~~and anchoring,~~ **and docking** of all vessels in the Harbor Management Area shall be in accordance with rules and procedures adopted by the Harbor Management Commission.

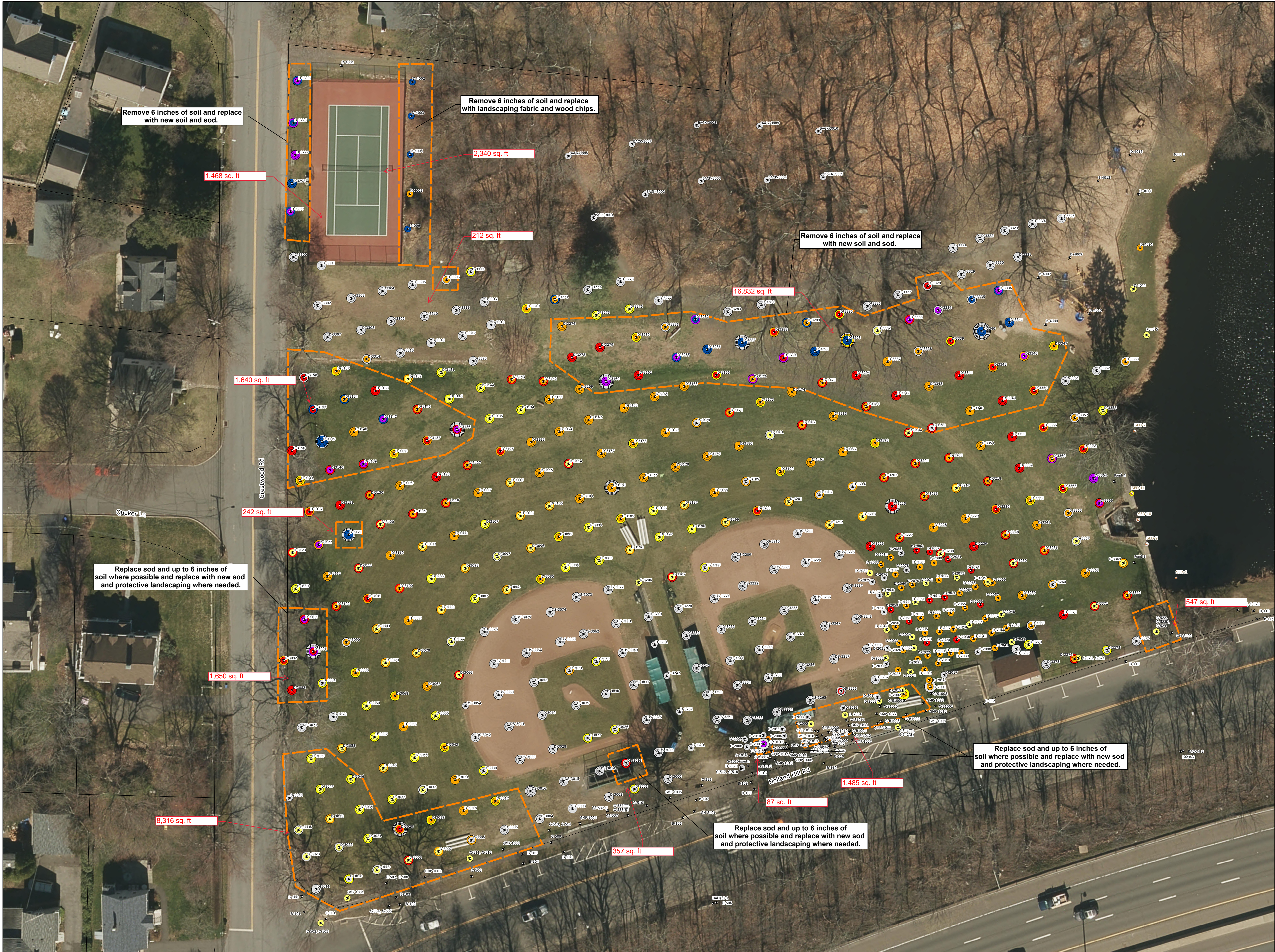
NOTE: This proposed amendment would also reflect that the Rules and Procedures include certain requirements concerning the docking of vessels.

- E. In allocating mooring locations in accordance with rules and procedures adopted by the Harbor Management Commission, the Harbormaster shall not discriminate on the basis of town of residence. Any interested person, ~~association, corporation or group~~ may apply for mooring space in the Harbor Management Area by completing in full the application provided for that purpose and submitting the completed application and all required documents and fees to the Harbormaster. A single list of current mooring assignments and a single list of all those waiting for a mooring permit/location in the Harbor Management Area shall be maintained by the Harbor Management Commission and the Harbormaster.

NOTE: This proposed amendment would also reflect the Commission's long-standing practice that individual-private mooring permits are to be issued only to a specific person. The only exception to this rule concerns permits for the DEEP-defined commercial moorings and mooring floats (also requiring commercial mooring permits from DEEP) that are issued to the Pequot Yacht Club (an "entity" for the purpose of the Rules and Procedures).

- F. No provision contained in this chapter or in any rules and procedures adopted by the Harbor Management Commission shall limit the authority of the Southport Harbormaster to station and remove vessels as provided in Sections 15-8 and 15-9 of the Connecticut General Statutes.

End



RM-102 SOIL MANAGEMENT

LEGEND

Approximate Sample Location

Approximate Sediment Sample

Arsenic < 10 mg/Kg

Arsenic > 10 mg/Kg < 15 mg/Kg

Arsenic > 15 mg/Kg < 20 mg/Kg

Arsenic > 20 mg/Kg < 30 mg/Kg

Arsenic > 30 mg/Kg < 40 mg/Kg

Arsenic > 40 mg/Kg

Excavation

Approximate Parcel Boundary

Sample Depth

Zone 1 (0-0.08')

Zone 2 (0-0.5' & 0.08-0.5')

Zone 3 (0.5-1')

Zone 4 (1-1.5' & 1.5')

Zone 5 (1.5' - 2.5')

Zone 6 (2.5' - 3.5')

Zone 7 (3.5' - 4.5')

LOCUS MAP

0

20

40

Feet

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655 Holland Hill Road
Fairfield, Connecticut

June 2021

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RM-103 SOIL MANAGEMENT

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