

MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN OF FAIRFIELD
MARCH 23, 2023
[Stream Recording of Meeting Here](#)

A Special Meeting of the Town of Fairfield was held on Thursday, March 23, 2023, at the Education Center, 501 Kings Highway East, Fairfield, CT and via Webex.

The meeting was called to order at 8:05 P.M. by Moderator Mark McDermott.

PRESENT: 39 ABSENT: 1 VACANCY: 0

PRESENT: Bateson, Furey, Ruggiero, Longo, Gerber, McCormack, Perham, Steele, Durrell, Galdenzi, Lambert, Pistilli, Karson, McCabe, Spolyar, Zezima, Barahona, Siebert, Wolk, Berez, Gale, Graceffa, Havey, Kuhn, McDermott, Vergara, Wackerman, Choniski, Ference, Iacono, Meyers, Brown, Georgiadis, Horton, Scinto, Astarita, Britton, Sparacino, Tallman

ABSENT: Garskof

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

Moderator Mark McDermott led the Body in the Pledge of Allegiance and Moment of Silence.

ITEM NO. 2 ON CALL: RESOLVED, THAT THE RESOLUTION ENTITLED, ‘A RESOLUTION APPROPRIATING \$10,600,000 FOR COSTS RELATED TO CONSTRUCTION, REMEDIATION, AND ADDRESSING THE NOTICE OF VIOLATION AT PENFIELD PAVILION,’ BE, AND HEREBY IS, APPROVED

The Moderator moved this item as distributed with the Call, duly seconded.

First Selectwoman Brenda Kupchick introduced Chief Administrative Officer Tom Bremer, Eli Ghazal, Engineering Department, Town Attorney Jim Baldwin, Planning Director Jim Wendt and Greg Rayucci from the construction company. First Selectwoman Kupchick offered a history of Penfield and a timeline.

Bill Gerber, District 2, said the building must be in very poor condition even though it is a relatively new building, due to it having been moved into the parking lot and back to its original spot. He heard the roof leaks.

Director of Parks and Recreation Anthony Calabrese said the roof tends to leak in one particular area when it rains and the building maintenance department is trying to repair it.

Joe Siebert, District 5, asked if the plan will satisfy FEMA, as we only have one week before the deadline they set, to which the First Selectwoman answered yes; FEMA signed off on this plan as “significant progress.”

MOTION: Dru Georgiadis, District 9, moved to amend the resolution by replacing it with the following:

“A Resolution appropriating \$5,100,000 for Costs Related to Remediation and Addressing the Notice of Violation at Penfield Pavilion.

Whereas, the total cost for the remediation at Penfield Pavilion, as well as the cost to address the FEMA Notices of Violation is \$6,100,000 (the ‘Total Costs’); and

RTM Special Meeting

March 23, 2023

Whereas, the Town previously allocated and approved \$1,000,000 in American Rescue Plan Act funding to be applied toward the Total Costs; and

Whereas, the Town is holding funds (the 'Funds') in its Capital Non-Recurring Fill Pile Remediation Account (the 'Account') and desires to appropriate \$5,100,000 of the funds to finance the balance of the Total Costs;

Now, Therefore, be it Resolved, as recommended by the Board of Finance and the Board of Selectmen, the Town hereby appropriates the following sums from the Capital Non-Recurring Account for the following purposes:

\$3,000,000 related to remediation at Penfield Pavilion;

\$2,000,000 related to work to address the FEMA Notices of Violation; and

\$100,000 to fund the hiring of a coastal engineering firm to study and update the previous resiliency study pertaining to Penfield Pavilion,"

duly seconded.

Town Atty. Baldwin explained that the amendment changes the scope of the project. He said we have no way of knowing if this will satisfy FEMA. They require a final plan. This is half of a plan.

Rep. Georgiadis said we need more time and that the resolution allocates money with approving the building.

First Selectwoman Kupchick said the town has spent thousands of hours in order to come up with this plan which was approved by FEMA. This is a federal agency, telling us we are violating the law. We finally have a plan FEMA said yes to, and now we're saying we are not going to do it.

Town Atty. Baldwin added that it puts the compliance issue in jeopardy.

Pam Iacono, District 8, said it is unclear what further information the maker of the amendment is looking for. She asked what information, specifically, is being requested.

Rep. Georgiadis said that the timeline for the approval was too short. The contingency is below what it needs to be.

The Moderator noted for clarification that the proposed amendment reduces the appropriation from \$10,600,000 to \$5,100,000.

Karen McCormack, District 2, said that we cannot risk going into retrograde. There are 18,000 people affected by flood zones. Mortgages would be put at risk of going into default. It is clear residents overwhelmingly support going forward with repairs to Penfield. This amendment is extremely irresponsible.

Jennifer Barahona, District 5, said it is not irresponsible to ask questions.

Elizabeth Zezima, District 6, pointed out the Board of Finance vote on this item was no unanimous.

Edward Bateson, District 1, said that you are not going to win against federal agencies. Although he hates the amount of money this costs, we need to fund it.

Margaret Horton, District 9, asked if the amendment would allow for additional public feedback.

Rep. Georgiadis said that the amendment is to buy us more time.

RTM Special Meeting
March 23, 2023

Melissa Longo, District 1, replied that we do not have any more time, as the FEMA deadline is next week. We are out of time.

Jill Vergara, District 7, spoke in support of the amendment. There is too much risk staring at her. If the resolution is approved we are setting ourselves up to fail a third time.

Laura Karson, District 4, said she believes the amendment would satisfy FEMA.

Ken Astarita, District 10, urged the Body to vote this amendment down. It is being used to look at additional options. Other options have been proposed and shot down by FEMA. This is the option that was approved.

Karen Wackerman, District 7, said that we are in an impossible position. Although she does not want to threaten the flood zone, there should have been a survey of what the people want. She said this is not a political amendment. We are in a tough situation.

Steve Berez, District 6, said he is opposed to repairing Penfield as it is putting too much money into the building. He said there should be more beach, less building.

Mr. Ken Camarro, Carroll Road, is in favor of repairing Penfield and spoke against the amendment.

Ms. Meghan McCloat, Redding Road, spoke against the amendment, calling it an eleventh hour amendment with less than a week to respond to FEMA who is already angry with the Town.

VOTE: The motion to amend the resolution failed with 9 in favor, 28 opposed (Reps. Furey and Choniski were not present to vote).

IN FAVOR: Gerber, Galdenzi Karson, McCabe, Berez, Havey, Kuhn, Vergara, Georgiadis,

OPPOSED: Bateson, Ruggiero, Longo, McCormack, Perham, Steele, Durrell, , Lambert, Pistilli, Spolyar, Zezima, Barahona, Siebert, Wolk, Gale, Graceffa, McDermott, Wackerman, Ference, Iacono, Meyers, Brown, Horton, Scinto, Astarita, Britton , Sparacino, Tallman

Speaking in support of the appropriation were Ken Camarro, Megan McGloat and Flood and Erosion Control Board Chairman Dick Dmochowski.

MOTION: Jill Vergara, District 7, moved to amend the resolution by adding, “subject to a vote of the electorate,” which was deemed improper and withdrawn.

VOTE: The resolution approving the appropriation of \$10,600,000 for costs related to construction, remediation and the notice of violation at Penfield Pavilion was approved with 29 in favor, 7 opposed and 2 abstentions (Rep. Choniski was not present to vote).

IN FAVOR: Bateson, Furey, Ruggiero, Longo, McCormack, Steele, Durrell, Lambert, Pistilli, Spolyar, Zezima, Barahona, Siebert, Wolk, Gale, Graceffa, Havey, McDermott, Wackerman, Ference, Iacono, Meyers, Brown, Horton, Scinto, Astarita, Britton , Sparacino, Tallman

OPPOSED: Perham, Galdenzi, Karson, McCabe, Berez, Vergara, Georgiadis

ABSTAINED: Gerber, Kuhn

RTM Special Meeting
March 23, 2023

ADJOURNMENT

There being no further business the meeting adjourned at 10:40 P.M.

Respectfully submitted,

Elizabeth P. Browne, CMC, MCTC
Town Clerk

Prepared by:
Ann Roche
Asst. Town Clerk