

MINUTES OF THE MEETING OF THE TOWN OF FAIRFIELD

June 26, 2023

[RTM 6/26/2023 Regular Meeting - YouTube](#)

A Meeting of the Town of Fairfield was held on Monday, June 26, 2023 at 8 PM at 501 Kings Highway East & via Webex.

The meeting was called to order at 8 PM by Deputy Moderator Marcy Spolyar

PRESENT: 35 ABSENT: 5 VACANCY: 0

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

ABSENT: Garskof, Wolk, McDermott, Georgiadis, Horton

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

Deputy Moderator Spolyar led the Body in the Pledge of Allegiance.

Jim Meyers announced the appointment of Nick Mirabile to fill the vacancy created by Pamela Iacono's resignation in District 8.

ITEM NO. 2 ON CALL: MINUTES OF THE MAY 22, 2023 MEETING

Cindy Perham, District 2 moved this item as distributed with the Call, duly seconded.

VOTE: The minutes of the May 22, 2023 meeting were approved unanimously.

ITEM NO. 3 ON CALL: APPOINTMENT OF JEFF STEELE TO SERVE ON THE SLMC

Joe Siebert, District 5 moved this item as distributed with the Call, duly seconded.

VOTE: Mr. Steele's appointment was approved by unanimous voice vote.

**ITEM NO. 4 ON CALL: ASSESSOR'S REPORT ON TAX RELIEF FOR THE ELDERLY AND
DISABLED HOMEOWNERS**

This item was heard in Committee.

**ITEM NO. 5 ON CALL: APPOINTMENT OF JEFFREY WARREN (U) TO THE HARBOR
MANAGEMENT COMMISSION**

Sharon Pistilli, District 3 moved this item as distributed with the Call, duly seconded.

Mr. Warren said he is currently an alternate member and is moving up to full membership noting his experience on the Commission already.

RTM
JUNE 26, 2023

VOTE: Jeffrey Warren's appointment to the HMC was approved by unanimous voice vote.

ITEM NO. 6 ON CALL: APPOINTMENT OF GEORGE O. HARRIS (R) (ALTERNATE) TO THE HARBOR MANAGEMENT COMMISSION

Sharon Pistilli moved this item as distributed with the Call, duly seconded.

VOTE: George Harris' appointment to the HMC was approved by unanimous voice vote.

ITEM NO. 7 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING APPOINTMENTS TO THE ETHICS COMMISSION AS RECOMMENDED BY THE BOARD OF SELECTMEN*: GILBERT DONOVAN (D), PAUL FATTIBENE, (R), DONALD KLEBER (U)

These appointments will be considered at the August meeting.

ITEM NO. 8 ON CALL: APPOINTMENTS OF PAUL R. FOLEY (R) & LEE G. KAMLET (D) TO THE FAIRTV COMMISSION

Sharon Pistilli moved to divide the appointments, duly seconded and carried unanimously.

Michelle McCabe, District 4 moved to postpone consideration of Paul Foley to the August 28 meeting, duly seconded and carried with 34 in favor and 1 opposed (McCormack).

VOTE: The appointment of Lee Kamlet was approved by unanimous voice vote.

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

Karen Wackerman, District 7 moved this item as distributed with the Call, duly seconded.

VOTE: The NAA resolution was approved by unanimous voice vote.

ITEM NO. 10 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF SELECTMEN:"RESOLVED, THAT THE PROGRAM YEAR 49 (OCTOBER 1, 2023 - SEPTEMBER 30, 2024) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN BE, AND HEREBY IS, APPROVED IN THE AMOUNT OF \$537,000, WHICH INCLUDES ENTITLEMENT GRANT FUNDS OF \$492,327 AND PROGRAM INCOME OF \$44,673; AND FURTHER RESOLVED, THAT BRENDA L. KUPCHICK, FIRST SELECTWOMAN OF THE TOWN OF FAIRFIELD, BE, AND HEREBY IS, AUTHORIZED TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS TO

RTM
JUNE 26, 2023

FACILITATE THE TOWN'S RECEIPT OF THESE FUNDS AND PARTICIPATION IN SAID CDBG PROGRAM."

Laura Karson, District 4 moved this item as distributed with the Call, duly seconded.

VOTE: The CDBG PY49 resolution was approved by unanimous voice vote.

ITEM NO. 11 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF SELECTMEN: "TO CONSIDER AND ACT UPON THE ATTACHED RESOLUTION RECOMMENDED BY THE BOARD OF SELECTMEN BETWEEN THE TOWN OF FAIRFIELD AND THE SOUTH CENTRAL REGIONAL WATER AUTHORITY TO CONFIRM PARTICIPATION IN THE REGIONAL HOUSEHOLD WASTE COLLECTION CENTER, ALONG WITH THE AMENDMENT TO INCLUDE A CAP ON DPW SPENDING OF \$63,107 AND WITH INVOICING TO BE FULLY PLACED ON A TWO-PART FORMULA. THE EXPENSE CAP FOR FY24 IS \$63,107. SHOULD THE SERVICE COST MORE THAN THIS, DPW MUST COME BACK TO THE BOS FOR APPROVAL. (SEE ATTACHED RESOLUTION)"

Sharon Pistilli moved this item as distributed with the Call, duly seconded.

Amendment: Michelle McCabe moved to amend the resolution by deleting everything after "center" as was approved at the BOS. The amendment was approved by unanimous voice vote.

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

ITEM NO. 12 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE: "RESOLVED, THAT THE BOND RESOLUTION ENTITLED, 'A RESOLUTION APPROPRIATING \$2,377,000 FOR THE PURCHASE OF VEHICLES AND EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION,' BE, AND HEREBY IS, APPROVED."

Karen Wackerman moved this item as distributed with the Call, duly seconded.

VOTE: The bonding resolution in the amount of \$2,377,000 was approved by unanimous voice vote.

ITEM NO. 13 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE: "RESOLVED, THAT \$148,000 BE, AND HEREBY IS, APPROPRIATED FOR THE COSTS RELATED TO USES OF CORONAVIRUS STATE FISCAL RECOVERY FUND AND THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND."

Karen Wackerman moved this item as distributed with the Call, duly seconded.

RTM
JUNE 26, 2023

VOTE: The \$148,000 resolution for costs related to uses of Coronavirus funds was approved by unanimous voice vote.

ITEM NO. 14 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE:“RESOLVED, THAT FUNDING OF UP TO \$70,000 FROM THE WPCA FUND BALANCE FOR THE PURCHASE OF AN INFLUENT BUILDING TRANSFORMER BE, AND HEREBY IS, APPROVED.”

Cindy Perham moved this item as distributed with the Call, duly seconded.

VOTE: The resolution for funding for the influent building transformer was approved by unanimous voice vote.

ITEM NO. 15 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE:“RESOLVED, THAT FUNDING OF UP TO \$125,000 FROM THE WPCA FUND BALANCE FOR THE PURCHASE OF A TRAILER MOUNTED GENERATOR BE, AND HEREBY IS, APPROVED.”

Hank Ference, District 8 moved this item as distributed with the Call, duly seconded.

VOTE: The resolution for \$125,000 for the trailer-mounted generator was approved by unanimous voice vote.

ITEM NO. 16 ON CALL: TO HEAR, CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION AS RECOMMENDED BY THE BOARD OF FINANCE: “WHEREAS, THE TOWN OF FAIRFIELD, CONNECTICUT (THE ‘TOWN’) WILL RECEIVE GRANT FUNDS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (‘ FEMA’) IN THE AMOUNT OF \$ 256,335.95 (THE ‘GRANT FUNDS’) AS REIMBURSEMENT FOR MONEY TO BE SPENT BY THE TOWN’S DEPARTMENT OF PUBLIC WORKS AND THEIR CONTRACTOR IN FISCAL YEARS 2024 AND 2025 RELATED TO INFRASTRUCTURE REPAIR CAUSED BY STORM IDA; AND WHEREAS, THE TOWN DESIRES TO APPROPRIATE THE GRANT FUNDS TO THE DEPARTMENT OF PUBLIC WORKS TO BE USED FOR SAID INFRASTRUCTURE REPAIRS; NOW, THEREFORE, BE IT RESOLVED, THE TOWN HEREBY APPROPRIATES THE GRANT FUNDS TO THE DEPARTMENT OF PUBLIC WORKS AND AUTHORIZES THE GRANT FUNDS TO BE USED FOR INFRASTRUCTURE REPAIR PURPOSES.”

Karen Wackerman moved to waive reading of the item, duly seconded and carried unanimously.

VOTE: The FEMA grant resolution was approved by unanimous voice vote.

ITEM NO. 17 ON CALL: TO CONSIDER AND ACT UPON A FAIR RENT COMMISSION ORDINANCE, SPONSORED BY TOM LAMBERT, DISTRICT 3;

RTM
JUNE 26, 2023

LAURA KARSON, DISTRICT 4; MICHELLE MCCABE, DISTRICT 4;
KAREN WACKERMAN, DISTRICT 7; AND MARGARET HORTON,
DISTRICT 9.

Karen Wackerman moved this item as distributed with the Call, duly seconded.

Amendment: Karen McCormack, District 2 moved to insert the words “with four out of five Commissioners concurring,” after “If the Commission determines” in Sections 5(b) and 5(c), duly seconded.

Sharon Pistilli asked if other towns allow for super majority votes on their commissions. Ms. Wackerman said Stratford is the only town with that provision; no other towns have changed from a simple majority to a super majority.

Ms. Pistilli asked if it were a long-standing commission or newer one. Ms. Wackerman said it was just established recently.

Liz Zezima, District 4 said anything egregious should be obvious to the commission. There is a market out there and don't know how landlords could be aggrieved by this.

Ms. McCormack said if it's unconscionable then 4 should be agreeable. Fair market value is only 1 of 13 factors. The real issue is a tenant can file a complaint with the commission and go through the courts. The ZBA has a super majority requirement for an appeal.

Ed Bateson, District 1 said this is a reasonable amendment. We should abide by the fair market.

Michelle McCabe, District 4 said no property is being taken away, it's for renters already renting, the commission only seats five people, and if they are acting in a way that is disputable the commission can be brought to housing court.

Ms. Zezima asked if there were any incidents that raised concern. Ms. McCormack said she did not have data but as an attorney, she is looking at plain language and wants enforceable language.

Laura Karson, District 4 said this is not to “get” the good landlords it's to get the bad ones. This must get done by July 1st. There may be sanctions down the road by the attorney general if not.

Ken Astarita, District 10 said egregious and unconscionable are powerful words and this 4 out of 5 commissioners is reasonable.

VOTE: The four out of five amendment failed with 16 in favor and 18 opposed.

IN FAVOR: Bateson, Furey, Longo, Ruggiero, McCormack, Steele, Gale, Choniski, Ference, Meyers, Mirabile, Scinto, Astarita, Britton, Sparacino, Tallman

OPPOSED: Gerber, Perham, Galdenzi, Lambert, Pistilli, Karson, McCabe, Spolyar, Zezima, Barahona, Siebert, Berecz, Graceffa, Havey, Kuhn, Vergara, Wackerman, Brown

Mr. Durrell did not vote on this motion.

Resident Wanda Cruz explained her experience with an egregious increase.

RTM

JUNE 26, 2023

Bill Gerber, District 2 said as to whether this applies to prospective renters it would not because CGS 7-148c talks about increased rental charges not a proposed rental charge.

Ms. McCormack said the ordinance does not restrict the consideration that it will apply to increases and initial rental charge. At least we are fighting to ensure this will not be a tool against landlords trying to get fair market rate.

Ms. McCabe said Chapter 8-30 defines landlord and tenant and makes no comment about “possible” or “pre” tenant.

Tom Lambert, District 3 said there is a housing crisis in Connecticut. We need controls in place to make things more affordable. The ordinance allows us to have local control.

Ms. McCormack said she does not think affordability is the purpose of the ordinance. It is to protect tenants from egregious increases and egregious rental charges. In the ordinance it states the commission has power to receive complaints, inquiries and other communications concerning alleged excessive rental charges and alleged violations including retaliation. The rental charge includes any fee or charge in addition to rent that imposed or sought to be imposed upon a tenant by a landlord and includes any charge that is already in effect. It clearly distinguishes between charges to come and charges in effect. She still thinks it is an overstep of government and infringes on the rights of landlords without putting controls and safety measures in place to it is not abused.

Amendment: Hannah Gale moved to add under Section 4 last paragraph “period not to exceed two months’ time” after “report to the Commission” duly seconded.

VOTE: The amendment to Section 4 failed with 13 in favor and 20 opposed.

IN FAVOR: Furey, Longo, Ruggiero, Steele, Gale, Choniski, Ference, Meyers, Mirabile, Scinto, Astarita, Britton, Tallman

OPPOSED: Bateson, Gerber, Perham, McCormack, Lambert, Pistilli, Karson, McCabe, Spolyar, Zezima, Barahona, Siebert, Berecz, Graceffa, Havey, Kuhn, Vergara, Wackerman, Brown, Sparacino

Messrs. Durrell and Galdenzi did not vote on this motion.

VOTE: The ordinance establishing a Fair Rent Commission was approved with 19 in favor and 16 opposed.

IN FAVOR: Gerber, Perham, Durrell, Galdenzi, Lambert, Pistilli, Karson, McCabe, Spolyar, Zezima, Barahona, Siebert, Berecz, Graceffa, Havey, Kuhn, Vergara, Wackerman, Brown

OPPOSED: Bateson, Furey, Longo, Ruggiero, McCormack, Steele, Gale, Choniski, Ference, Meyers, Mirabile, Scinto, Astarita, Britton, Sparacino, Tallman

ITEM NO. 18 ON CALL: TO CONSIDER AND ACT UPON AMENDMENTS TO THE NOISE ORDINANCE, CHAPTER 78 OF THE CODE OF THE TOWN OF FAIRFIELD, SPONSORED BY JEFF GALDENZI, DISTRICT 3; JAY WOLK, DISTRICT 5; ANDREW GRACEFFA, DISTRICT 6; JILL VERGARA, DISTRICT 7; AND DRU GEORGIADIS, DISTRICT 9.

RTM

JUNE 26, 2023

Jill Vergara, District 7 moved to postpone this item to the August 28 meeting, duly seconded. Ms. Vergara explained that in light of the emails and letters that the Body has received she would like to educate the public as it's not responsible to push the ordinance through with misinformation out there regarding enforcement or yard work.

Speaking in favor of postponing the item were Reps Zezima, McCabe and Gerber and member of the public Lucas Scholhamer. Speaking in opposition to postponing the item were Reps Bateson, Steele, Mirabile, Astarita, McCormack, Meyers, Longo, Gale.

VOTE: The motion to postpone the item to the August 28, 2023 meeting was approved with 18 in favor and 17 opposed.

IN FAVOR: Gerber, Perham, Galdenzi, Lambert, Pistilli, Karson, McCabe, Spolyar, Zezima, Barahona, Siebert, Berecz, Graceffa, Havey, Kuhn, Vergara, Wackerman, Brown

OPPOSED: Bateson, Furey, Longo, Ruggiero, McCormack, Steele, Durrell, Gale, Choniski, Ference, Meyers, Mirabile, Scinto, Astarita, Britton, Sparacino, Tallman

ITEM NO. 19 ON CALL: TO CONSIDER AND ACT UPON THE FOLLOWING RESOLUTION:
“WHEREAS, THE REGISTRARS OF VOTERS OF FAIRFIELD MUST DETERMINE THE POLLING PLACES FOR THE TEN POLLING DISTRICTS IN UPCOMING ELECTIONS; AND WHEREAS, THE REGISTRARS HAVE NOT COME TO AN AGREEMENT ON POLLING PLACES; NOW BE ITRESOLVED, THAT POLLING PLACES BE ASSIGNED TO VOTING DISTRICTS AND THAT SUCH POLLING PLACES ARE HEREBY APPROVED FOR SUCH DISTRICTS FOR ALL ELECTIONS TAKING PLACE IN 2023:DISTRICT 1; DISTRICT 2, DISTRICT 3, DISTRICT 4, DISTRICT 5, DISTRICT 6, DISTRICT 7, DISTRICT 8, DISTRICT 9, DISTRICT 10.”

This item has been resolved and will not be considered by the RTM.

NEW BUSINESS:

Liz Zezima thanked Gerry Speno on behalf of the Body for his dedicated service to FairTV. Jeff Steele & Ed Bateson, who were both not present at last month's meeting, acknowledged Pamela Iacono's dedicated service to the Town as a member and chair of the BOE and as a member, minority leader and former Moderator of the RTM.

ADJOURNMENT:

The Meeting adjourned at 9:55 PM

Respectfully submitted,

Elizabeth P. Browne, MMC, MCTC
Town Clerk