



Town of New Fairfield

*Selectmen's Office
4 Brush Hill Road
New Fairfield, Connecticut*

**BOARD OF SELECTMEN
REGULAR MEETING
ZOOM MEETING**

Join Zoom Meeting

<https://zoom.us/j/98927796678>

Meeting ID: 989 2779 6678

Dial In: (929) 205-6099

Thursday, April 22, 2021

7:30 P.M.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Public Comment & Participation
4. Correspondence & Announcements
5. Approve Minutes of Board of Selectmen Regular Meeting April 8, 2021
6. Budget Transfers
7. Personnel Report
8. Appointments

Old Business

9. COVID-19 Update/Vaccine Update
10. Discuss BOS 2021/2022 Budget
11. Noise Ordinance

New Business

12. Request for Subordination-Halas
13. Discuss and Possibly Approve Boat Dock Invoices
14. Public Comment
15. Discuss 13 and 15 Route 37

Executive Session Anticipated

16. Adjournment

Received by Email on 4/21/2021 @ 12:03 pm
by Pamela J. Dohan, Town Clerk, New Fairfield

TOWN OF NEW FAIRFIELD
 PERSONNEL REPORT
 April 22, 2021

LAST NAME	FIRST NAME	POSITION	LOCATION	PAY RATE	REASON	EFFECTIVE
NEW HIRES:						
CHANGE IN STATUS						
1	AZZI	COUNSELOR	TOWN CAMP	\$12.25/HR.	RECREATION	5/31/2021
2	BERARDO	OUTDOOR CINEMA ASSISTANT	RECREATION	\$14.25/HR.	RECREATION	4/23/2021
3	BERARDO	PARKING ATTENDANT	TOWN BEACH	\$20.50/HR.	RECREATION	4/23/2021
4	CARRIERO	COUNSELOR	TOWN CAMP	\$12.25/HR.	RECREATION	5/31/2021
5	FLYNN	PROGRAM INSTRUCTOR	RECREATION	\$10/HR. + COMMISSION	RECREATION	5/31/2021
6	KELLER	PROGRAM INSTRUCTOR	RECREATION	\$10/HR. + COMMISSION	RECREATION	5/31/2021
7	MARTUCCI	COUNSELOR	TOWN CAMP	\$12.50/HR.	RECREATION	5/31/2021
8	MEDERIOUS	BETTYANN PROGRAM INSTRUCTOR	RECREATION	\$10/HR. + COMMISSION	RECREATION	5/31/2021
9	SCHLOSSER	MATTHEW PROGRAM INSTRUCTOR	RECREATION	\$10/HR. + COMMISSION	RECREATION	5/31/2021
SEPARATION						
10	MARTIN	BRIAN PT POLICE CLERK/COMMUNICATION CENTER SUPERVISOR	POLICE/COMMUNICATIONS		VOLUNTARY RESIGNATION	5/14/2021
11	RUSSANO	GISELE DISPATCHER	COMMUNICATIONS		RETIREMENT	6/29/2021

YAMIN & YAMIN, LLP

ATTORNEYS AND COUNSELLORS

Raymond P. Yamin*
Robert J. Yamin*
Dianne E. Yamin

*ALSO ADMITTED IN NEW YORK
Website: www.yaminlaw.com

Four Moss Avenue
Danbury, Connecticut 06810
Telephone: 203 / 744-7090
Facsimile: 203 / 744-7044
e-mail: lawyers@yaminlaw.com

April 19, 2021

Mr. Edward Sbordone
Town of New Fairfield
4 Brush Hill Road
New Fairfield, CT 06812

**Re: Maritza Halas
21 Inglenook Drive, New Fairfield CT
Subordination Request**

Dear Mr. Sbordone;

I am writing to request subordinations of the Small Cities loans that currently encumber Ms. Halas' property at 21 Inglenook Drive. I have attached the following:

- Recorded Mortgage Liens
- Commitment for new loan

Ms. Halas is looking to refinance with Mutual Security Credit Union in order to lower the interest rate on her current mortgage from 5% to 3.625%. Proceeds of the refinance will be used to complete a new well at the property, so in addition to *significantly* reducing her monthly mortgage payment, which she really needs, the refinance will enable her to make a critical improvement at her home.

Please feel free to contact me at my office at (203) 744-7090 with any questions or if you need further documentation.

Very truly yours;
YAMIN & YAMIN, LLP


ROBERT J. YAMIN
Attorney at Law and Managing Partner

Patricia Del Monaco

From: hchung@lisalowassociates.com
Sent: Tuesday, April 20, 2021 11:15 AM
To: Ed Sbordone; Lisa Low
Cc: Patricia Del Monaco; Pam Dohan
Subject: RE: Halas Small Cities Loan Subordination Request - 21 Inglenook Drive

Good Morning Ed,

I usually pose the questions below for any requests for subordination. I answered some of the questions with details from the attachments forwarded. According to our records, Mrs. Halas currently owes the Town of New Fairfield **\$61,765** (please verify) in Small Cities loans. As Lisa stated below, "We usually only advise accepting subordinations if there's no money taken out & if the only interest is in a lower interest rate."

Below are a few key items I noted when reviewing the attachments:

- Although there is a significant reduction in the interest rate, there will be a cashout
 - The attachments do not state what the total cashout is, only that \$13,000 will be held in escrow for a new well
- Mrs. Halas does not have sufficient equity to cover the new loan (\$144,000) and her Small Cities loan (\$61,765)

Although we cannot recommend approving the request, the final decision is up to the Town. If the Town wants to consider granting the subordination request, please be sure to have all the questions below answered before making your decision.

Let us know if there's anything else we can do to assist.

Thanks,
Helen

Request for subordination for:

Maritza HALAS #NF11-021

21 Inglenook Drive

Current Appraised Value \$163,200

Please answer the following questions:

- Will refinancing lower homeowner's current mortgage interest rate? **Yes, from 5% to 3.625%**
- Will refinancing reduce homeowner's monthly mortgage payment? Current \$_____ New \$_____
- Is there any cashout with the refinancing? **Yes, total cashout \$_____ (including \$13,000 in escrow for new well)**
- Has the homeowner missed any mortgage payments in the last 12 months? _____
- What is the current mortgage balance? \$_____
- What is the projected refinance loan amount? **\$144,000**

Responses to the above questions would assist in the subordination request process. Thank you.

Helen Chung

Lisa Low & Associates

293 Riggs Street
Oxford, CT 06478
(203) 888-5624
(203) 888-8800 (fax)

----- Original Message -----

Subject: RE: Halas Small Cities Loan Subordination Request - 21
Inglenook Drive
From: Ed Sbordone <esbordone@newfairfield.org>
Date: Tue, April 20, 2021 8:39 am
To: Lisa Low <llo@lisalowassociates.com>
Cc: hchung@lisalowassociates.com, Patricia Del Monaco
<pdelmonaco@newfairfield.org>, Pam Dohan <pdohan@newfairfield.org>

Thank you Lisa.

From: Lisa Low [mailto:llo@lisalowassociates.com]
Sent: Monday, April 19, 2021 5:31 PM
To: 'Ed Sbordone'
Cc: hchung@lisalowassociates.com; 'Patricia Del Monaco'; 'Pam Dohan'
Subject: RE: Halas Small Cities Loan Subordination Request - 21 Inglenook Drive

Ed, We usually only advise accepting subordinations if there's no money taken out & if the only interest is in a lower interest rate. We'll take a look at this tomorrow & get back to you,

Lisa Low, Ph.D.

Lisa Low & Associates, LLC
293 Riggs Street
Oxford, CT 06478
(203) 888-5624 (office)
(203) 888-5624 (fax)

From: Ed Sbordone [mailto:esbordone@newfairfield.org]
Sent: Monday, April 19, 2021 11:49 AM
To: llo@lisalowassociates.com
Cc: hchung@lisalowassociates.com; Patricia Del Monaco
<pdelmonaco@newfairfield.org>; Pam Dohan <pdohan@newfairfield.org>
Subject: FW: Halas Small Cities Loan Subordination Request - 21 Inglenook Drive

Hi Lisa & Helen, can you take a look at this and advice whether the Town should accept this subordination or not.

In the past, I believe we had not had any where there would be proceeds.

Your soonest advice would be greatly appreciated. Thanks.

Patricia Del Monaco

From: Yamin & Yamin LLP <lawyers@yaminlaw.com> on behalf of Yamin & Yamin LLP
Sent: Tuesday, April 20, 2021 4:53 PM
To: Ed Sbordone
Cc: Patricia Del Monaco
Subject: RE: Halas Small Cities Loan Subordination Request - 21 Inglenook Drive

Hello Mr. Sbordone, below are responses to the open questions in bold. Thank you! - Samantha

From: Ed Sbordone <esbordone@newfairfield.org>
Sent: Tuesday, April 20, 2021 11:03 AM
To: Yamin & Yamin LLP <lawyers@yaminlaw.com>
Cc: Patricia Del Monaco <pdelmonaco@newfairfield.org>
Subject: RE: Halas Small Cities Loan Subordination Request - 21 Inglenook Drive

Hello Samantha, before the Town can consider this subordination, please provide answers to the open questions below.

- Will refinancing lower homeowner's current mortgage interest rate? **Yes, from 5% to 3.625%**
- Will refinancing reduce homeowner's monthly mortgage payment? **Current \$1053.00 New \$1047.00**
- Is there any cashout with the refinancing? **Yes, total cashout \$35,000.00, which she intends to use for the well, to satisfy debt, and make home improvements (including \$13,000 in escrow for new well)**
- Has the homeowner missed any mortgage payments in the last 12 months? **She has not had any late or missed mortgage payments in the last 12 months**
- What is the current mortgage balance? **\$101,940.74 is the current payoff amount**
- What is the projected refinance loan amount? **\$144,000**

Thank you.

From: Yamin & Yamin LLP [mailto:lawyers@yaminlaw.com]
Sent: Monday, April 19, 2021 11:20 AM
To: esbordone@newfairfield.org
Subject: Halas Small Cities Loan Subordination Request - 21 Inglenook Drive

Hello Mr. Sbordone, attached please find Attorney Yamin's letter requesting subordinations for Ms. Halas, along with the commitment letter for the new loan, recorded mortgages, and draft subordinations. Please let me know if you have any questions or need any additional information to present to the Board of Selectmen.

Thank you!

Samantha

URGENT WIRE FRAUD ALERT! Always confirm wire information, including bank name and our account information, by phoning our office and speaking to a Yamin & Yamin, LLP staff member BEFORE sending funds. If you ever receive an email appearing to be from our office saying that our wire instructions have changed, or requesting a wire transfer, please contact us at (203) 744-7090 immediately, as it may be fraud.

Yamin & Yamin, LLP, Attorneys at Law, 4 Moss Avenue, Danbury, CT 06810
Tel. (203) 744-7090; Fax. (203) 744-7044; reply to: lawyers@yaminlaw.com



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611 Access Road
 Stratford, CT 06615
 T: 203.377.0663
 F: 203.375.6561
 racecoastal.com

APPROVED FOR PAYMENT: <u>1531.25</u>
ACCOUNT/PO <u>21000415</u>
<i>Increase PO by \$1531.25</i>
SIGNED: _____ DATE: _____

Town of New Fairfield
 4 Brush Hill Road
 New Fairfield, CT 06812

Invoice number 2021-0212
 Date 03/15/2021

Project 2018125.2 New Fairfield Marina
 Construction Phase

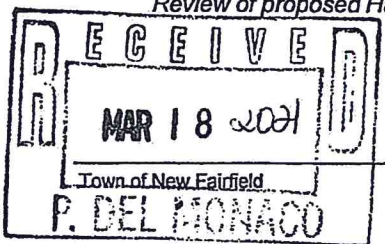
Invoice through February 28, 2021

Phase 1 Construction Administration Services
 Professional Fees

	Date	Hours	Rate	Billed Amount
Principal				
Devin J. Santa				
<i>Review proposed alternate rode system</i>	02/05/2021	0.50	225.00	112.50
<i>Telcon with J. Amenta re. anchor system</i>	02/15/2021	0.25	225.00	56.25
Senior Coastal Engineer				
Jill A. Pietropaolo				
<i>Review submittal</i>	02/01/2021	0.50	160.00	80.00
Project Manager				
Jill A. Pietropaolo				
<i>Review Hazelett Submittal Analysis</i>	02/02/2021	1.00	180.00	180.00
<i>Review Hazelett Submittal Prepare Letter</i>	02/03/2021	2.00	180.00	360.00
<i>Prepare letter discussing Hazelett submittal</i>	02/05/2021	1.00	180.00	180.00
Engineer				
Christopher B. Kane				
<i>Review of Hazlett calcs and layout</i>	02/01/2021	1.00	125.00	125.00
<i>Phone call with FWM docks on Hazlett system testimonial Phone Log</i>	02/02/2021	1.50	125.00	187.50
<i>Review calcs and created mark ups for shop drawing.</i>	02/05/2021	2.00	125.00	250.00
<i>Review of proposed Hazelett System</i>				

Phase subtotal 1,531.25

P. Del Monaco Invoice total 1,531.25



Invoice number 2021-0212

4/8/21

Invoice date 03/15/2021



611 Access Road
Stratford, CT 06615

T: 203.377.0663
F: 203.375.6561

COASTAL ENGINEERING

racecoastal.com

Town of New Fairfield

Project 2018125.2 New Fairfield Marina Construction Phase

Invoice number 2021-0212
Date 03/15/2021

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
2021-0142	02/15/2021	1,270.00	1,270.00				
2021-0212	03/15/2021	1,531.25	1,531.25				
	Total	2,801.25	2,801.25	0.00	0.00	0.00	0.00

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G702

CONTRACTOR: Atlantic Marine 73 Margin S Westerly, RI 02893

APPROVED FOR PAYMENT: 177,887.50

ACCOUNT/PO 21000573

CONTRACT FOR: Town of New Britain

VIA CONSTRUCTION MANAGER: _____

VIA ENGINEER: _____

APPLICATION NUMBER: 2

PERIOD TO: 04/13/21

PROJECT NOS:

CONTRACT DATE: 11/25/20

Distribution to:
 OWNER
 CONSTRUCTION MANAGER
 ARCHITECT
 CONTRACTOR

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in accordance with the Contract Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM \$705,000.00
2. Net Change By Change Orders..... \$0.00
3. CONTRACT SUM TO DATE (Line 1 +2)..... \$ 705,000.00
4. TOTAL COMPLETED & STORED TO DATE..... \$484,500.00 (Column G on G703)
5. RETAINAGE:
 - a. 5% of Completed Work \$24,225.00 (Columns D & E on G703)
 - b. 0% of Stored Material \$0.00 (Column F on G703)
 Total Retainage (Line 5a - 5b or Total in Column 1 of G703) \$24,225.00
6. TOTAL EARNED LESS RETAINAGE..... \$460,275.00 (Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificates) \$282,387.50
8. CURRENT PAYMENT DUE **\$177,887.50**
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 244,725.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total Approved this Month	\$0.00	\$0.00
TOTALS		\$0.00
NET CHANGES by Change Order		\$0.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due. CONTRACTOR:

A notary public or other officer completing this certificate verifies only the identity of the individual who signed and not the truthfulness, accuracy, or validity of that document.

By: William Magowara Date: 4/13/21
 State of: Rhode Island County of: Washington
 Subscribed and sworn before me on this April 13 2021 by: _____ proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Notary: Elisa Raymond My Commissioning Expires: 6/20/2022

CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Construction Manager certifies that to the best of his knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED..... \$ _____
 (Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that changed to conform to the amount certified).

CONSTRUCTION MGR: _____ Date: 4-13-21

ENGINEER: _____ Date: _____
 By: _____
 This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

ELISA RAYMOND
 NOTARY PUBLIC OF RHODE ISLAND
 Comm. # 756768
 My Commission Expires 6/20/2022

