

**TOWN OF FAIRFIELD
BOARD OF FINANCE
NOTICE OF PUBLIC MEETING**

A special meeting of the Board of Finance will be held both in person at BOE Room 295 A/B, 501 Kings Highway East, Fairfield, CT and via Webex on Monday, March 13, 2023 at **7:00 pm**.

Members of the Public: To View or Listen by Phone:

- ✓ Via Webex: <https://tofit.my.webex.com/join/fairfield>
- ✓ By phone: Dial 510-338-9438. Enter Access Code or Meeting Number: 624 512 956 #
- ✓ From the Webex app, connect to meeting #: 624 512 956 #
- ✓ FairTV's cable channel (channel 79 for Fairfield Cablevision customers and 6010 for Frontier Cable customers)
- ✓ FairTV's website, <https://fairfieldct.org/fairtv/government>

Please Note: The public is encouraged to send their comments before the meeting to the following email: bof@fairfieldct.org. If you call to listen or join the meeting through Webex, you will not be heard by Board members and there will be no live public comment until called for by the Chair during the meeting. Live public comment pertinent to agenda item 3 is welcome and will be called for by the Chair after the discussion of that item are heard. Comments will be limited to no more than 2 minutes per individual.

**Board of Finance Special Meeting
Monday, March 13, 2023
7:00 pm
Via Webex &
In Person at BOE Room 295 A/B
501 Kings Highway East, Fairfield, CT**

AGENDA

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) To hear, consider and act upon a resolution as recommended by the Board of Selectmen entitled, "A resolution appropriating \$10,500,000 for costs related to construction, remediation and addressing the Notice of Violation at Penfield Pavilion."
***See Attached Full Resolution.
Requires RTM approval.***
- 4) Adjourn

A RESOLUTION APPROPRIATING \$10,500,000 FOR COSTS RELATED TO CONSTRUCTION, REMEDIATION, AND ADDRESSING THE NOTICE OF VIOLATION AT PENFIELD PAVILION

WHEREAS, contaminated fill from the (Julian) fill pile was illegally deposited beneath Penfield Pavilion during construction;

WHEREAS, by state and federal law, the Town of Fairfield, Connecticut (the “Town”) is required to remove the fill in accordance with DEEP & EPA standards under a Consent Order;

WHEREAS, FEMA has determined the Town installed horizontal grade beams at a height that is in violation of federal floodplain management regulations;

WHEREAS, under federal law, the Town is required to bring Penfield Pavilion into compliance with FEMA regulations;

WHEREAS, the Town has received Notices of Violation from federal and state agencies that must be addressed.

WHEREAS, if the Town does not take corrective action by the end of March regarding the Notice of Violation, the Town faces a myriad of negative consequences that will impact residents and the Town;

WHEREAS, Penfield Pavilion is an asset to the community enjoyed by residents year round and cleaning the contaminated fill and lowering the grade beams is necessary to comply with all state and federal laws;

WHEREAS, the total costs for the remediation and construction at Penfield Pavilion, as well as, the cost to address the Notices of Violation is \$11,500,000 (the “Total Costs”); and

WHEREAS, the Town previously allocated and approved \$1,000,000 in American Rescue Plan Act funding to be applied towards 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 \$10,500,000 of the Funds to finance the balance of the Total Costs; and

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 Fill Pile Remediation Account for the following purposes:

- \$4,000,000 related to remediation at Penfield Pavilion
- \$3,500,000 related to construction at Penfield Pavilion
- \$3,000,000 related to work to address the Notices of Violation