

A RESOLUTION APPROPRIATING AN ADDITIONAL \$1,429,950 FOR COSTS RELATED TO CONSTRUCTION, REMEDIATION, AND ADDRESSING THE NOTICES OF VIOLATION AT PENFIELD PAVILION

WHEREAS, the Town has received Notices of Violation from federal and state agencies regarding Penfield Pavilion that must be addressed; and

WHEREAS, the total costs for the remediation and construction at Penfield Pavilion, as well as, the cost to address the Notices of Violation, have increased to \$13,029,950 (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 also previously allocated and approved \$10,600,000 from its Capital Non-Recurring Account (the “Account”) to finance the Total Costs; and

WHEREAS, the Town is holding additional funds (the “Funds”) in the Account and desires to appropriate an additional \$1,429,950 of the Funds to finance the balance of the Total Costs; and

NOW, THEREFORE, BE IT RESOLVED:

The Town hereby appropriates the sum of \$1,429,950 from the Capital Non-Recurring Account for the remediation, construction, and costs to address the Notices of Violation at Penfield Pavilion.

TOWN OF FAIRFIELD

As of 12/27/2023

PENFIELD PAVILION CONSTRUCTION & REMEDIATION

Vendor Name	Ordered Amount	Paid Amount	Open Amount	Line Description
ROBERGE ASSOCIATES (RACE)	\$32,303	\$29,760	\$2,543	Penfield Pavilion - Load Analysis
BISMARK CONSTRUCTION, INC.	\$74,019	\$66,826	\$7,193	Preconstruction Contract
JOSEPH SEPOT ARCHITECTS	\$245,200	\$160,589	\$84,611	Architectural & Engineering Services
ROBERGE ASSOCIATES (RACE)	\$78,413	\$10,920	\$67,493	Penfield Resiliency Study
WESTON & SAMPSON, INC	\$227,000	\$40,170	\$186,830	Remediation Observation & Sampling
CIRMA	\$382,653	\$382,653	\$0	Builders Risk Insurance
TOTAL PENFIELD COSTS TO DATE	\$1,039,588	\$690,918	\$348,670	

Bismark Construction - GMP Submission \$11,369,888

Total Project Budget (Costs to Date + GMP) \$12,409,476

Board Approved Total \$11,600,000

Shortfall vs Approved Funding \$809,476

Shortfall vs Approved Funding- Breakdown

	<u>\$ millions</u>
Decks & Ramps	\$ 0.3
Cost of Builders Risk Insurance	\$ 0.2
Foundation Misc Metals	\$ 0.1
Helical Piles	\$ 0.2
Total	<u>\$ 0.8</u>

Recommended Additional Contingency

5% - Owners Contingency \$620,474

Total Additional Funding Request
(Shortfall + Contingency) \$1,429,950



Penfield Pavilion FEMA & DEEP Remediation Estimate

BISMARCK CONSTRUCTION COMPANY
203 - 876 - 8331



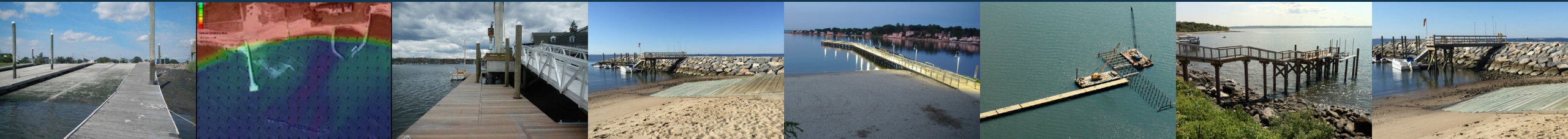
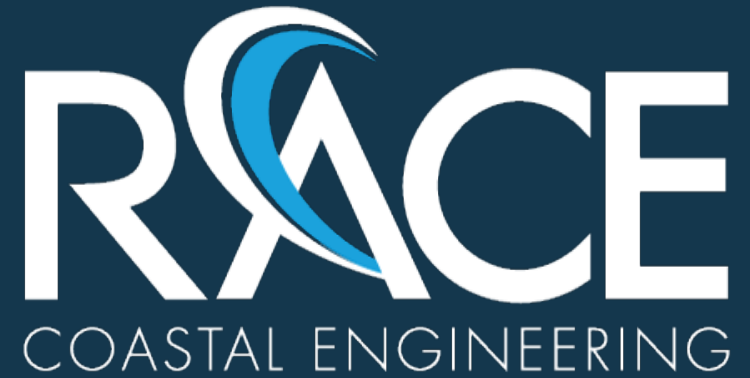
		1/4/2023
		Substantial Improvement FEMA Estimate
10 00 00	GENERAL CONDITIONS	
	GENERAL CONDITIONS	
02 00 00	EXISTING CONDITIONS	
	REMOVE MODULAR BLOCK WALLS	
	TEMPORARY SUPPORT PORCH ROOFS	
	REMOVE BUILDING SKIRTING	
	DEMO/REMOVE EXISTING DECKING	
	DISCONNECT EXISTING UTILITIES	
	Electric/Telephone/CTV	
	Water/Fire Service	
	Sanitary Sewer	
	Gas Service	
	TEMPORARY BUILDING SUPPORT	
	DEMOLISH EXISTING FOUNDATION	
	Limited Access	\$ 385,000
	DEWATERING	
	WINTERIZE BUILDING	
	TEMP POWER AND PHONE FOR FIRE ALARM	
03 00 00	CONCRETE WORK	
03 10 00	CAST IN PLACE CONCRETE FOUNDATIONS	
	Limited Access	
	ADDITIONAL CONCRETE ABOVE NEW	
	FOUNDATION TO EXISTING GRADES	\$ 1,295,000
05 00 00	METALS	
05 00 00	STRUCTURAL STEEL	\$ 45,000
05 50 00	MISCELLANEOUS STEEL (RAILINGS & BRACKETS)	
06 00 00	WOOD, PLASTICS, AND COMPOSITES	
	STRUCTURAL WOOD FRAMING	
	NEW BUILDING SKIRTING	
	POSTS, BLOCKING, TRIM	
	NEW DECKS, RAMPS, RAILINGS, & STAIRS	
	CABLE RAIL, POST SLEEVES, CAP RAIL, ETC.	
26 00 00	ELECTRICAL	
	LIGHT POLES	
	RAMP LIGHTING	
	HEAT TRACE	
31 00 00	EARTHWORK	
	EROSION CONTROL MAINTAIN & REMOVE AS INSTALLED BY REMEDIATION SUBCONTRACTOR	
	EXCAVATE CONTAMINATED SOILS	
	Vac Excavation	
	HAULING AND DISPOSAL OF CONTAMINATED SOIL	

	EXCAVATION, HAULING, AND DISPOSAL OF CONTAMINATED SOIL AT PARKING AREA	
	FILL UNDER BUILDING TO NATURAL GRADE APPROX ELEV 8	
	Limited Access Granular Fill	
	Unlimited Access	
	HELICAL PILES	\$ 1,000,000
	EXCAVATE BEACH TO ELEVATION 8	
	TEMPORARY CONSTRUCTION FENCE W/PRIVACY SCREEN	
32 00 00	EXTERIOR IMPROVEMENTS	
	RE-LANDSCAPE AREA AROUND BUILDING	
	NEW CONCRETE WALKS	
	NEW BITUMINOUS PAVEMENT	
	PAINTED PAVEMENT MARKINGS	
	BIKE RACKS	
	LIGHT POLE BASES & E&B CONDUIT	
33 00 00	UTILITIES (Assumption All Utility Tie Ins at End of Driveway)	
	RECONNECT UTILITIES	
	Electric, Telephone & CATV	
	Water and Fire Service	
	Sanitary Sewers	
	Gas Service	
	UI SERVICE CHARGES (ESTIMATE)	
	ROOF LEADER DRAINAGE SYSTEM	
	SANITARY SEWER SYSTEM	
TOTAL CONSTRUCTION COST:		\$ 2,725,000

Construction Manager @ Risk - Costs:			
Excess Liability Insurance	0.870%		
CM Pre Construction Fee			
P & P Bond Costs	1.00%		
CONSTRUCTION MANAGER Fee	4.00%		
P & P Bond Costs (Subcontractors)	1.40%		
Safety Consultant			
A/E Fees	0.00%		
State of CT. BBLD Fee	.26/1000		
Fairfield Permit Fee	0.0232		
Certificate of Occupancy			
Project Contingency	3.5%		
SUBTOTAL HARD COST:			\$ 2,725,000
Soft Costs: additional expenses			
Builders Risk Insurance	0.05363		
Pollution Insurance	0.56%		
Testing and Special Inspections	0.54%		
Utility Company service fees	0%		
Telephone and Communication fees			
Owner Contingency	3.5%		
TOTAL SOFT COST:			
Perform Re-Construction Underneath Building - Building Remains at Current Elevation Full Foundation			\$ 2,725,000
Excavation and Disposal of Contaminated Soils including Backfill			
Excess Liability Insurance	0.87%		
P & P Bond Costs (CMR)	1.00%		
P & P Bond Costs (Subcontractors)	1.40%		
CM FEE 4% on Excavation and Disposal of Contaminated			
Total to Perform Re-Construction Underneath Building & Full Remediation			\$ 2,725,000

Town of Fairfield Project Review

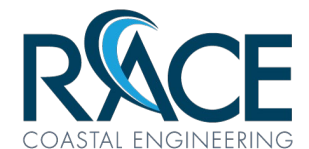
January 3, 2024



Statistical Design Storm Event

- A statistical synthetic storm event is based on historical storm records.
- It is intended to mimic an actual storm event of similar magnitude.
- The 100-year storm event has a 1% chance of occurring or being exceeded in any given year.
- The design storm event used within a project is chosen based on the project scope and its final goals.
 - Hard (grey) structural solutions - Seawalls and bulkheads, tend to be designed for high storm events (ex. 100-year, 50-year events)
 - Soft (green) solutions - Beach nourishment and living shorelines, tend to be designed for low to moderate storm events (ex. 10-year, 25-year events)

Storm Return Event	Chance of Occurring Any Given Year
500-Year	0.2%
100-Year	1%
50-Year	2%
25-Year	4%
10-Year	10%



Design Storm Event – Coastal Inputs & Outputs

- Coastal parameters are associated with a synthetic design storm event and vary by location
 - Wind Speed
 - Water Surface Elevation (Astronomical tides & Stillwater elevation)
- Coastal model hydrodynamic outputs are calculated based on the synthetic design storm event parameters & site specific topographic/bathymetric data
 - Total Water Surface Elevation (Stillwater Elevation + Wave Setup)
 - Wave Height and Wave Period
 - Current Magnitude (when applicable)

Storm Return Event	Wind Speed (mph)	Stillwater Elevation (ft, NAVD 88)
10-Year	67	+7.9
100-Year	85	+10.1

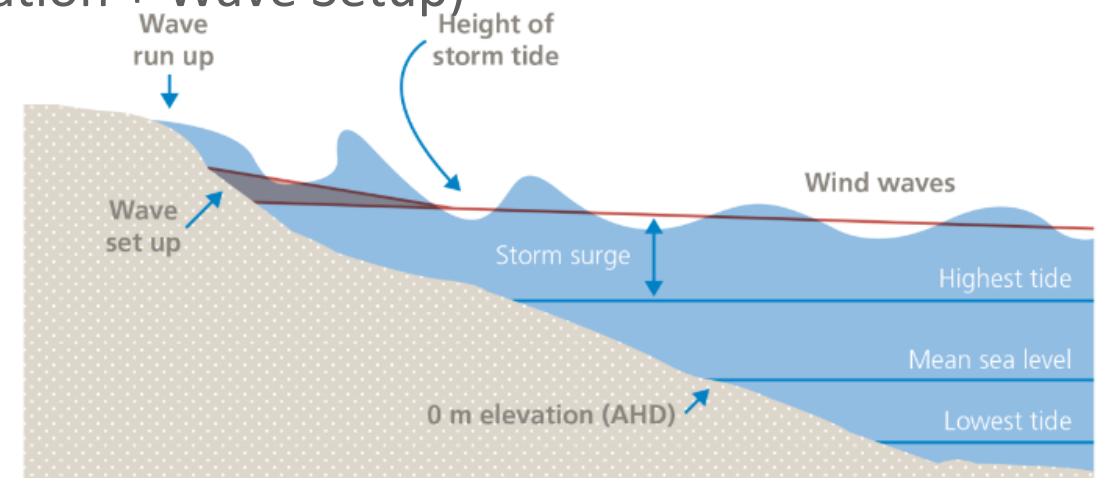


Figure 6: Schematic of the surf zone showing principal contributors to the coastal water level and shoreline elevation. Source: DSE 2012 © The State of Victoria, Department of Sustainability and Environment 2012.

via https://coastadapt.com.au/sites/default/files/factsheets/T314_Coastal_waves.pdf

Fairfield Beach Road Shoreline - FEMA FIRM

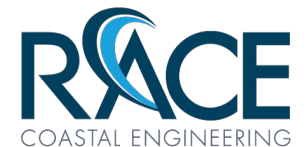
- FEMA Special Flood Hazard Areas (SFHA) found on the FEMA FIRMs are determined using the 100-Year Design Storm event.
- Blue shaded areas are within the SFHA and are defined as areas that will be inundated during the 100-Year Design Storm event.



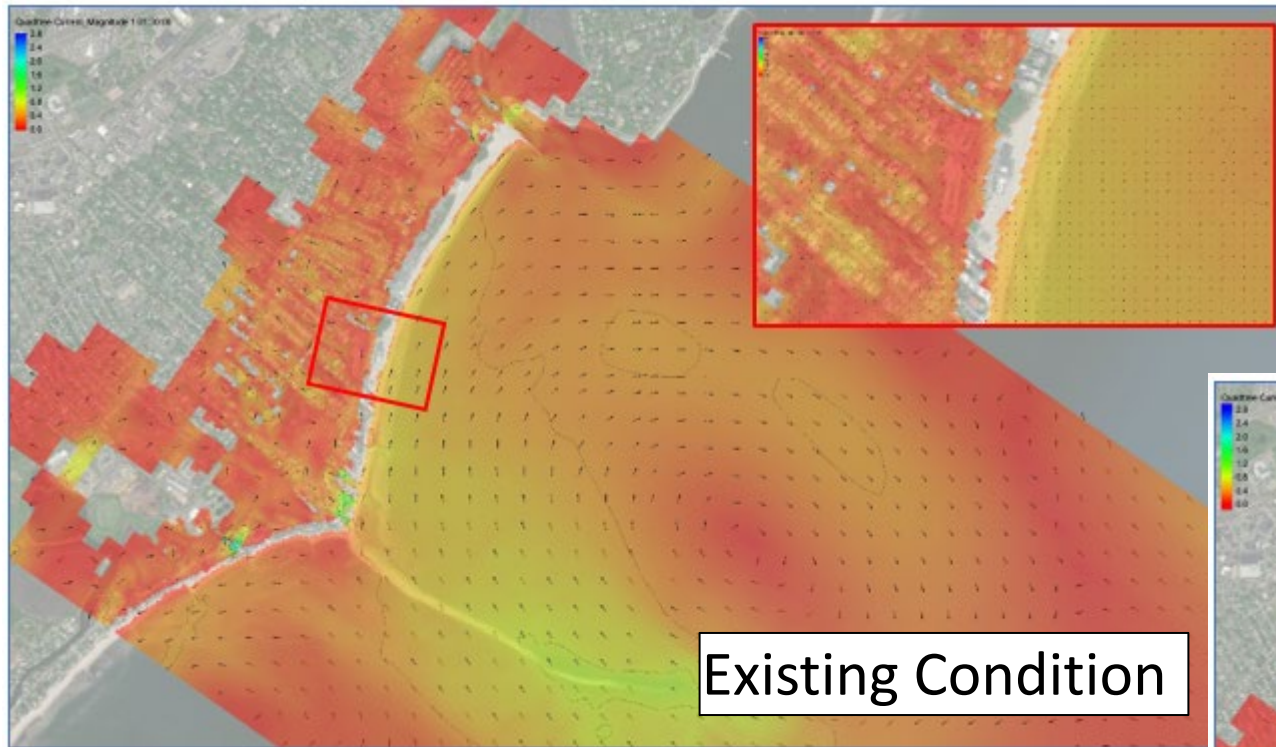
Penfield Pavilion – 2D Coastal Modeling Results

Modeling Results for Proposed Penfield Pavilion for 100-year Design Storm Event

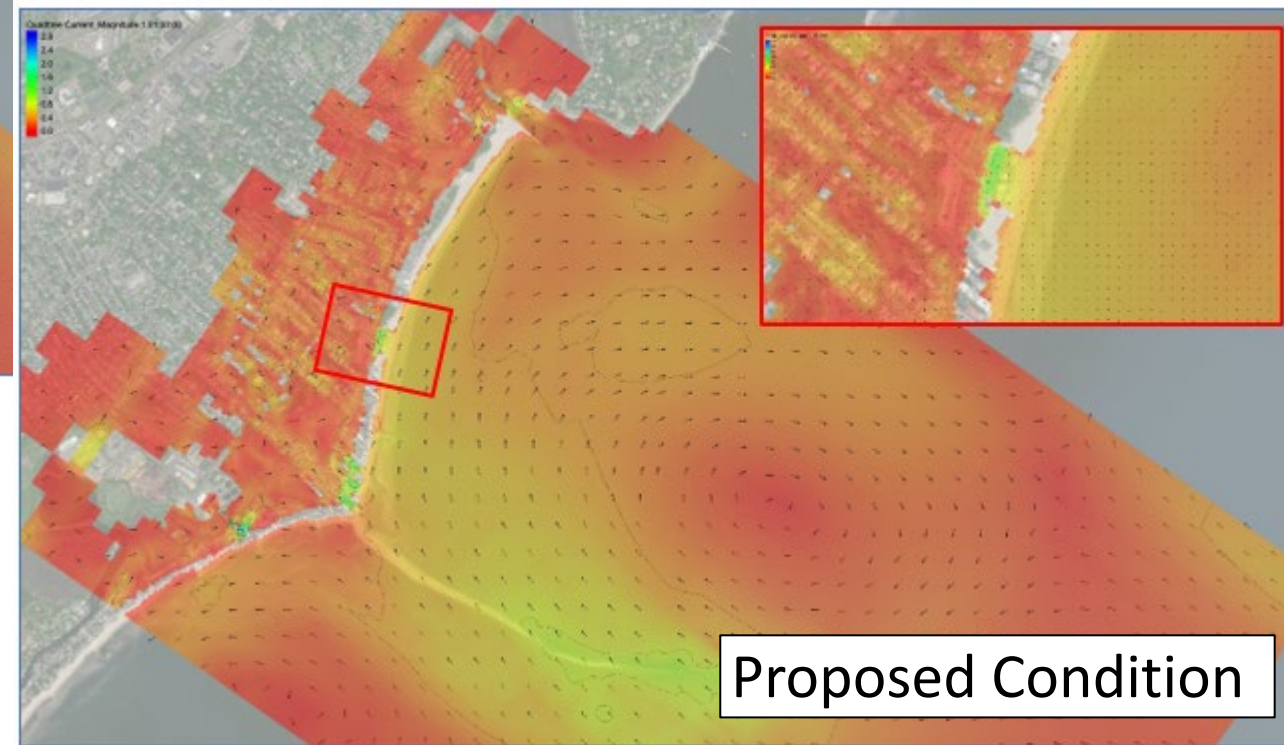
- Proposed conditions at Penfield Pavilion do not have a macro influence over the flooding of the Fairfield Beach community.
- Low topography at **South Benson Marina, Lantern Point** and in the vicinity of the **Fire Training Center** exposes the community to floodwaters regardless of the proposed regrading work at Penfield Pavilion.
- Proposed conditions at Penfield Pavilion do have a micro influence over hydrodynamics.
 - Provides floodwaters with an additional location to breach
 - Channelization occurs
 - Increased current magnitudes
 - Increased erosional forces



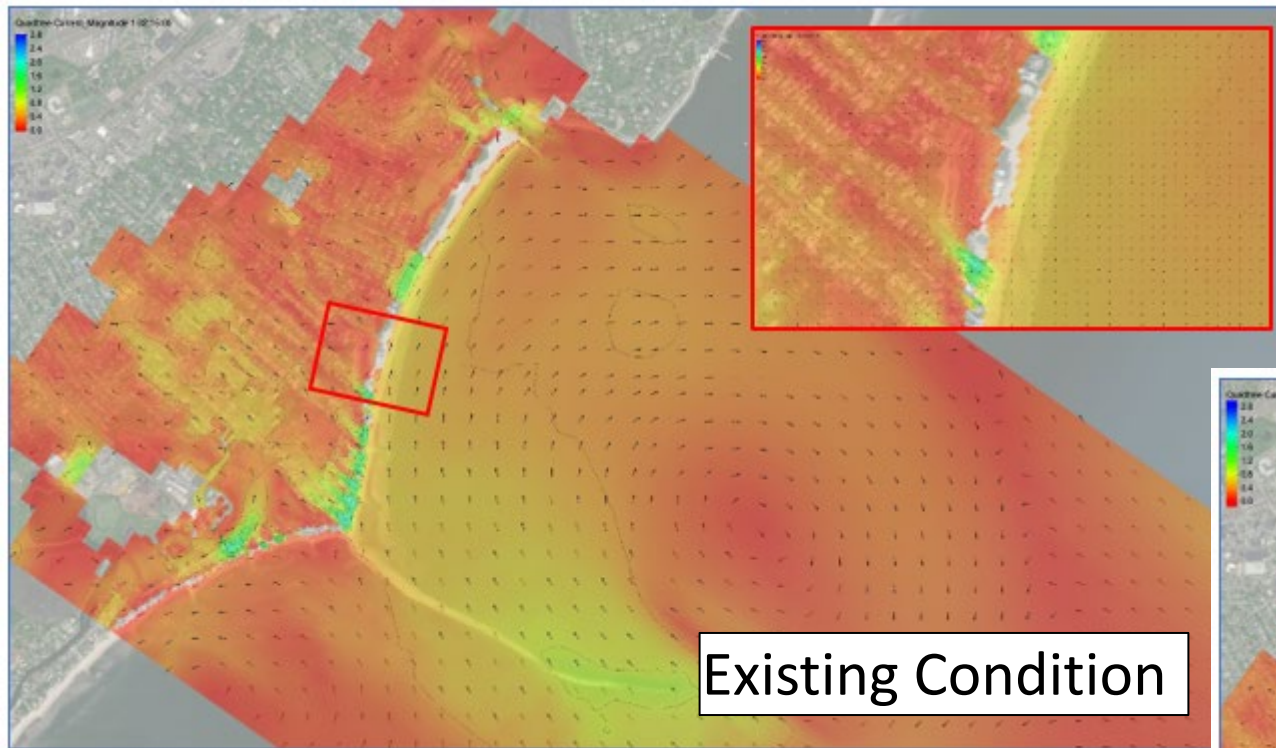
Current Magnitude (m/s) Model Snapshots



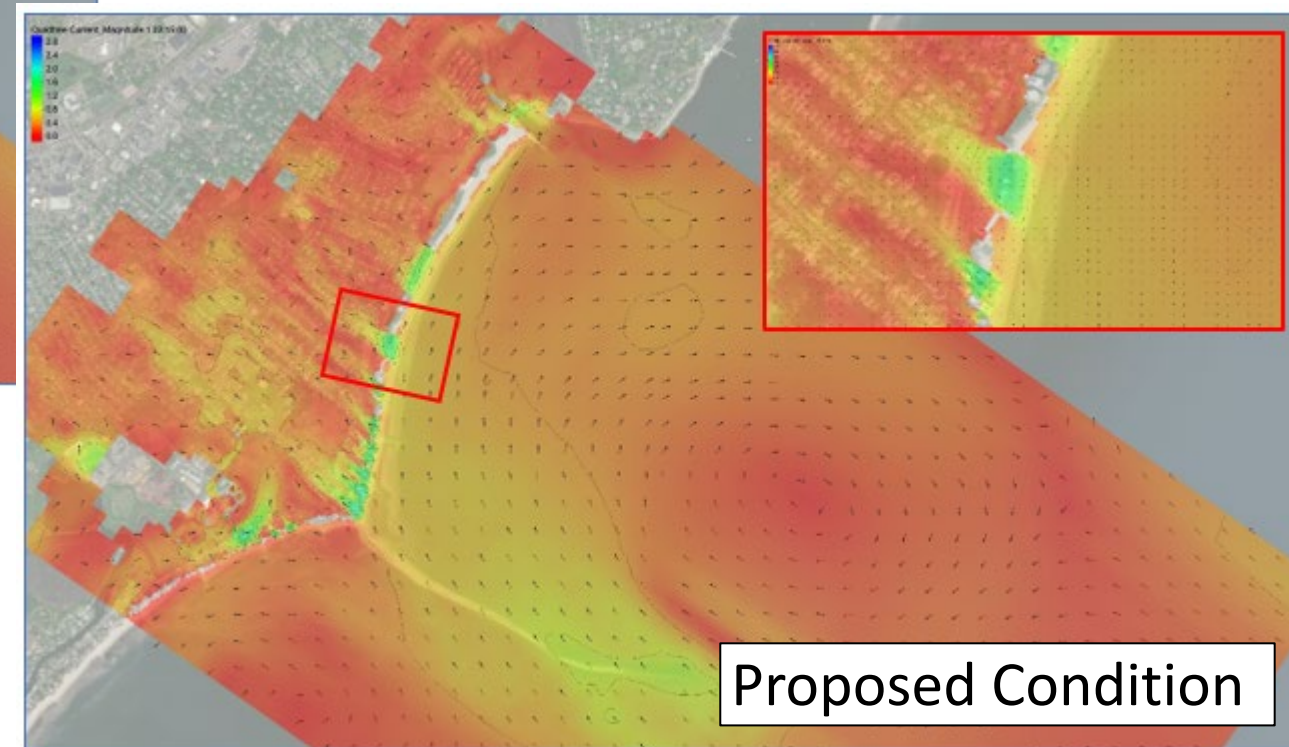
Model Time: 1:01:30:00
(Time of Proposed Breach)



Current Magnitude (m/s) Model Snapshots



Model Time: 1:02:15:00
(45 mins after Proposed Breach)



USACE Coastal Storm Risk Management Study 2019 – Design Concept

USACE Coastal Storm Risk Management Study published June 2019

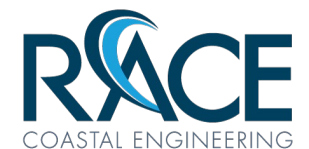
- Evaluated 7 concepts
- Alternative 3 was most feasible and a multi level approach
- \$547M first cost estimate



Fairfield Shoreline - Scope of Work

Develop a Coastal Flood Hazard Design Basis less than the 100-year Storm Event

- Develop computational coastal 2D models of hydrodynamic effects to provide guidance for the Town as they develop a specific design basis for the Fairfield Beach Road properties.
- *Includes the proposed regrading work at Penfield Pavilion*
- Intention of modeling is to determine low points along Fairfield Beach Road that are susceptible to breaching at the various recurrence intervals.
- Modeling outputs will serve as the logic for determining site-specific design basis for future public and private flood control projects.



Fairfield Shoreline – Preliminary Results

10-year Storm Event without Sea Level Rise

- 1st Breach (1.5 hrs) before peak of storm at Riverside Drive Berm and South Benson Marina.
- 2nd Breach (45 mins) before peak of storm at Ash Creek Berm.
- 3rd Breach (15 mins) before peak of storm at Penfield Pavilion and 445 Fairfield Beach Road
- 4th Breach at peak of storm in vicinity of Lantern Point.
- Max water surface elevation in vicinity of breach locations = 8.6 feet NAVD 88.
- 6 major breaches during simulated storm event.
- Pine Creek berm and Fire Training Center berm do not breach.



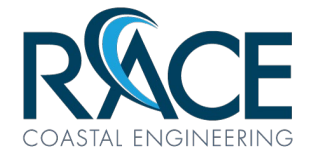
Fairfield Shoreline - Preliminary Results

10-Year Storm Event without Sea Level Rise

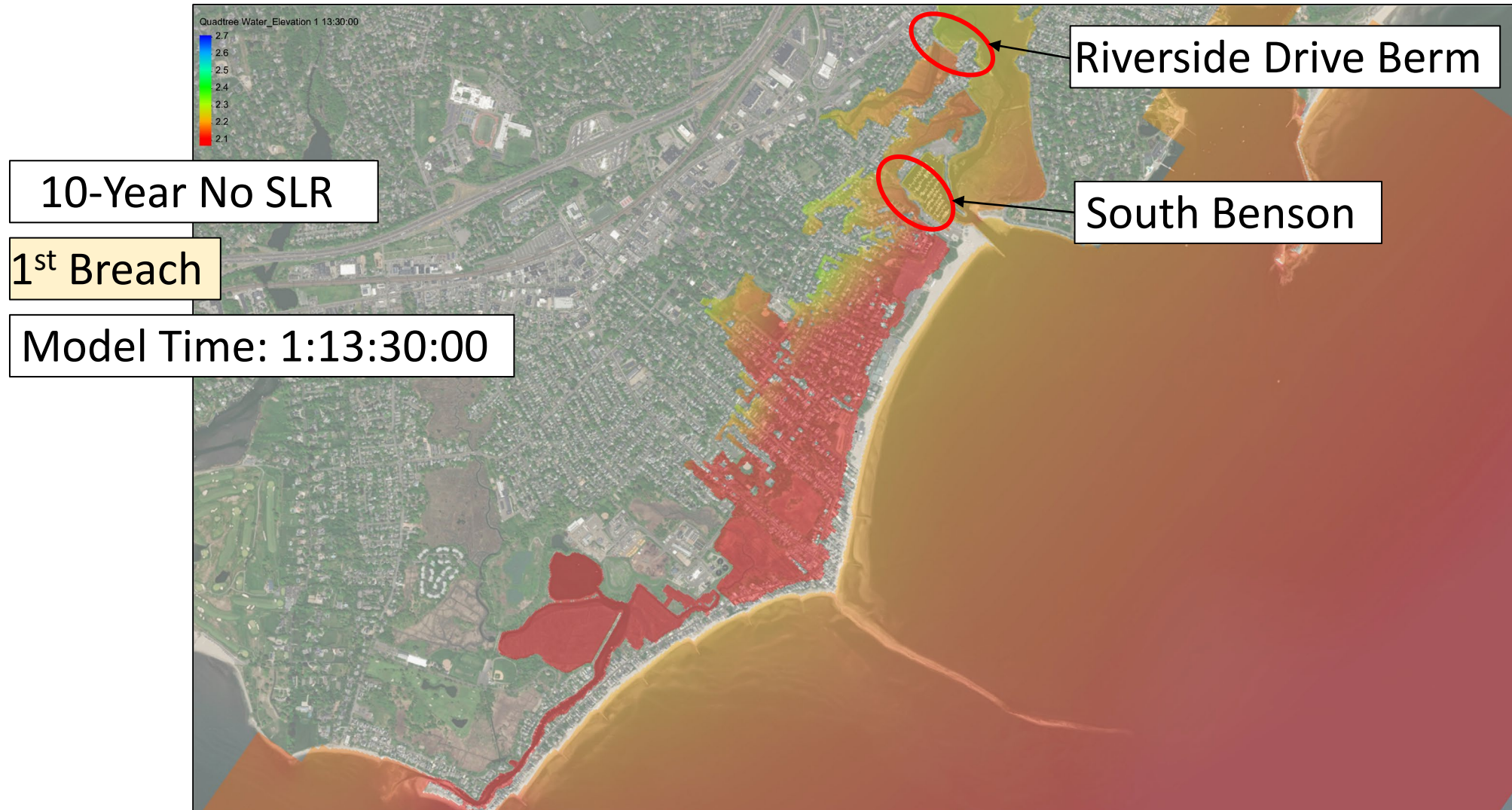
	Time Series	Model	Peak Stillwater El.	
			meters	feet
Peak of 10yr Storm	39.00	1 15:00:00	2.4	7.9

Breach	Location	Time Before Peak of	Crest Elevation		Time of Breach	Max Water Surface		Time of Max WSE
			Meters	Feet		Meters	Feet	
1	Riverside Drive Berm	1.5 hrs	2.13 - 2.43	7.0 - 8.0	1 13:30:00	2.60	8.5	1 15:15:00
	South Benson		2.13	7.0	1 13:30:00	2.57	8.4	1 15:00:00
2	Ash Creek Berm	.75 hrs	2.43	8.0	1 14:15:00	2.59	8.5	1 15:00:00
3	Penfeild	.25 hrs	2.43	8.0	1 14:45:00	2.61	8.6	1 15:00:00
	445 Fairfield Beach Road		2.43	8.0	1 14:45:00	2.59	8.5	1 15:00:00
4	679-693 Fairfield Beach Road	0 hrs	2.43	8.0	1 15:00:00	2.55	8.4	1 15:00:00

PO# 24002024-00



Water Surface Elevation (m) Model Snapshots

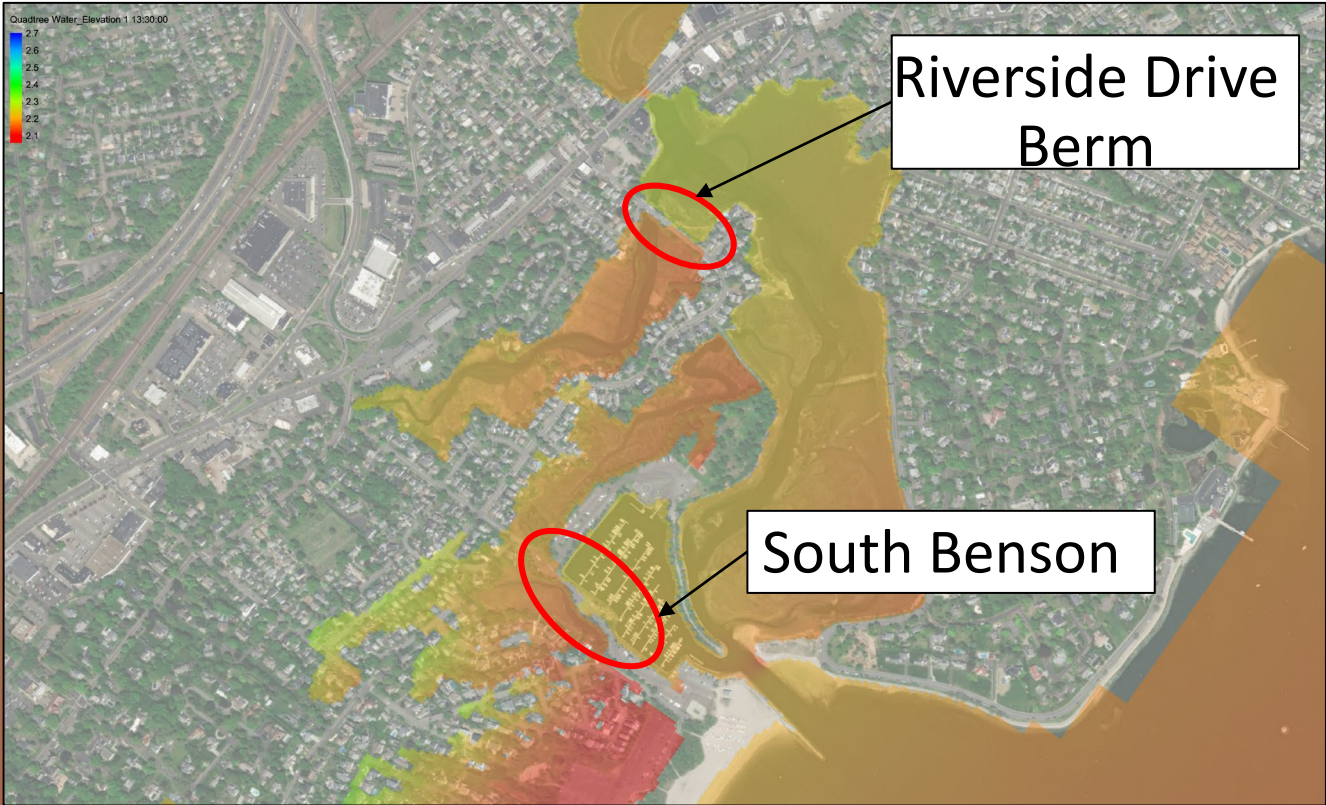
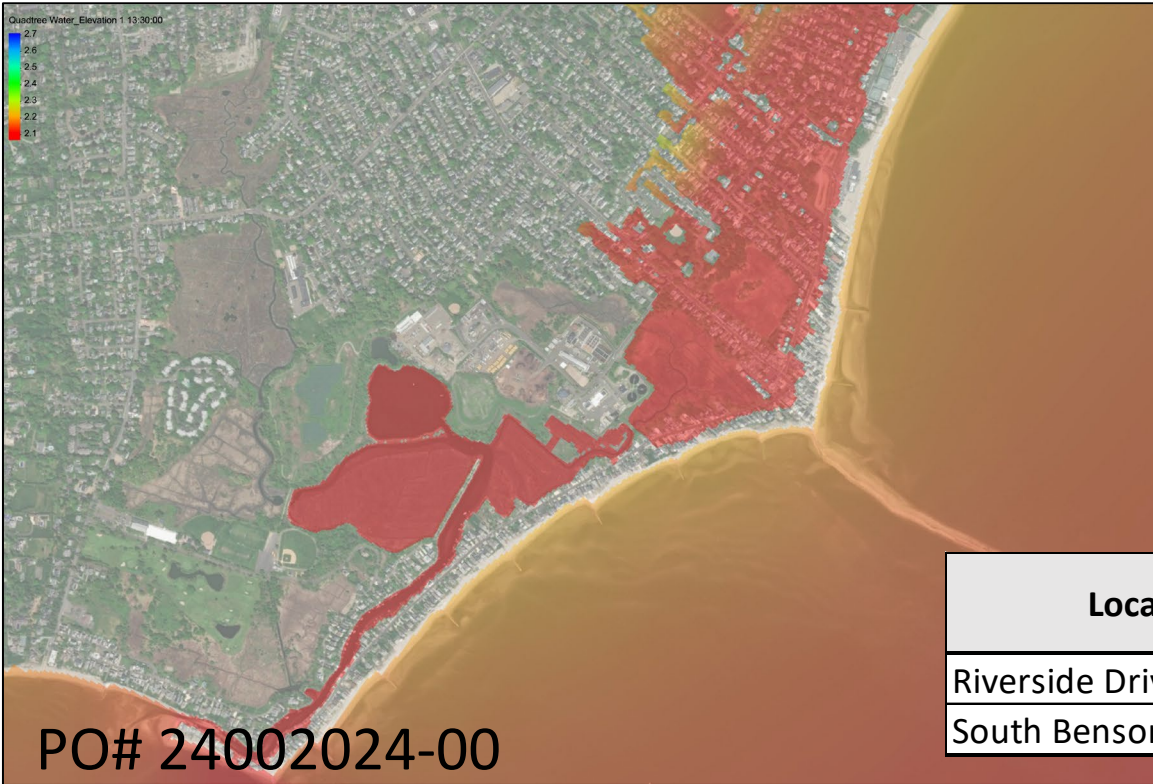


Water Surface Elevation (m) Model Snapshots

10-Year No SLR

1st Breach

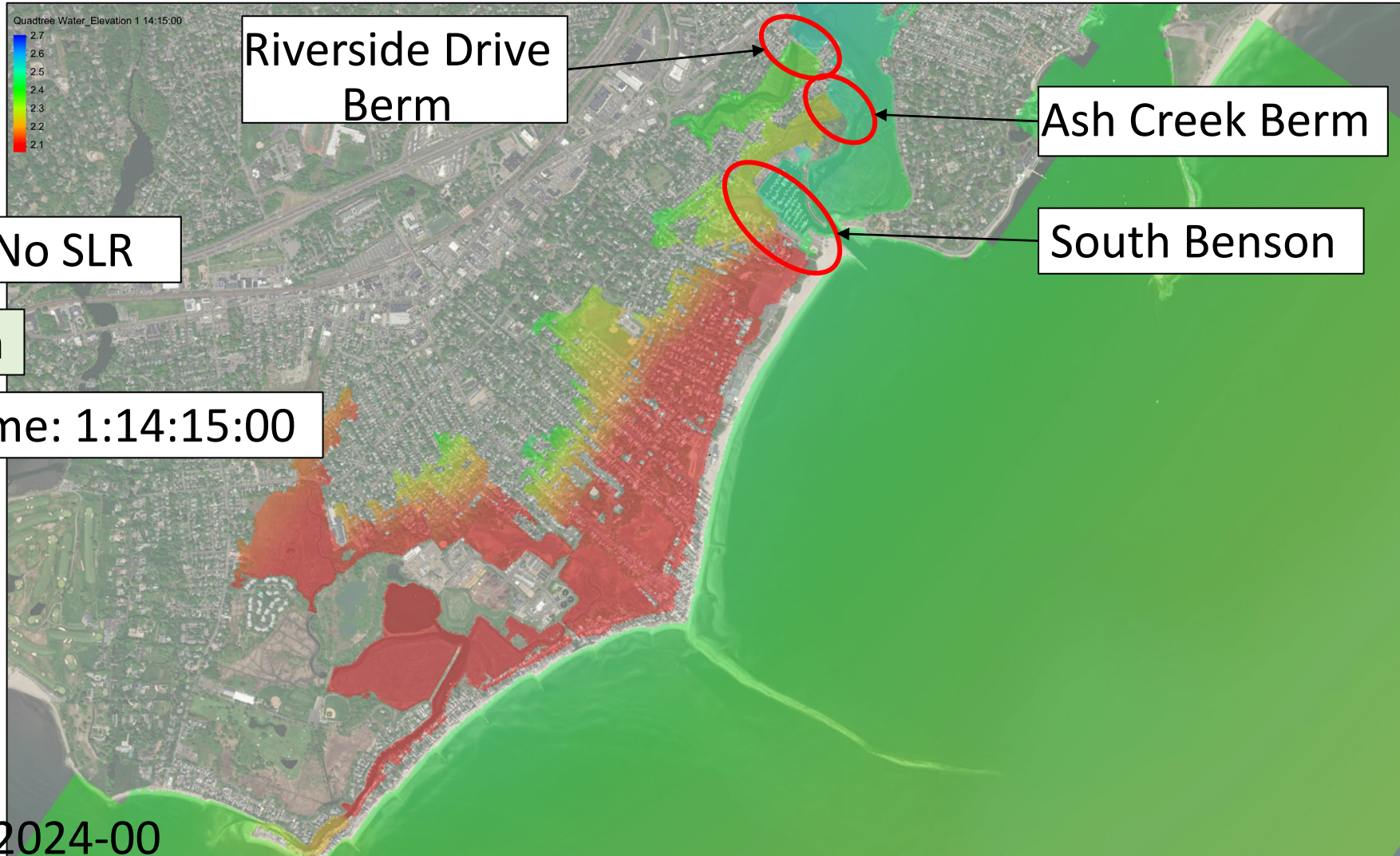
Model Time: 1:13:30:00



Location	Time Before Peak of Storm	Time of Breach	Crest Elevation		Max Water Surface	
			Meters	Feet	Meters	Feet
Riverside Drive Berm	1.5 hrs	1 13:30:00	2.13 - 2.43	7.0 - 8.0	2.60	8.5
South Benson			2.13	7.0	2.57	8.4

COASTAL ENGINEERING

Water Surface Elevation (m) Model Snapshots

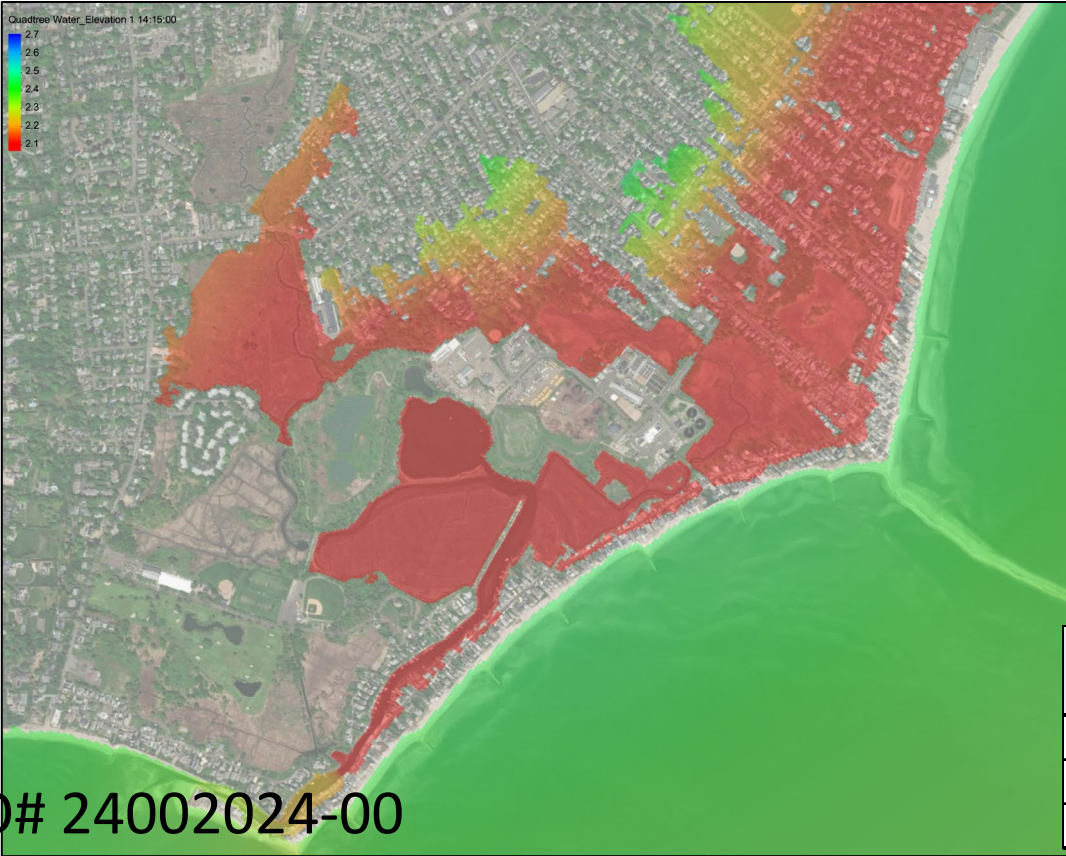


Water Surface Elevation (m) Model Snapshots

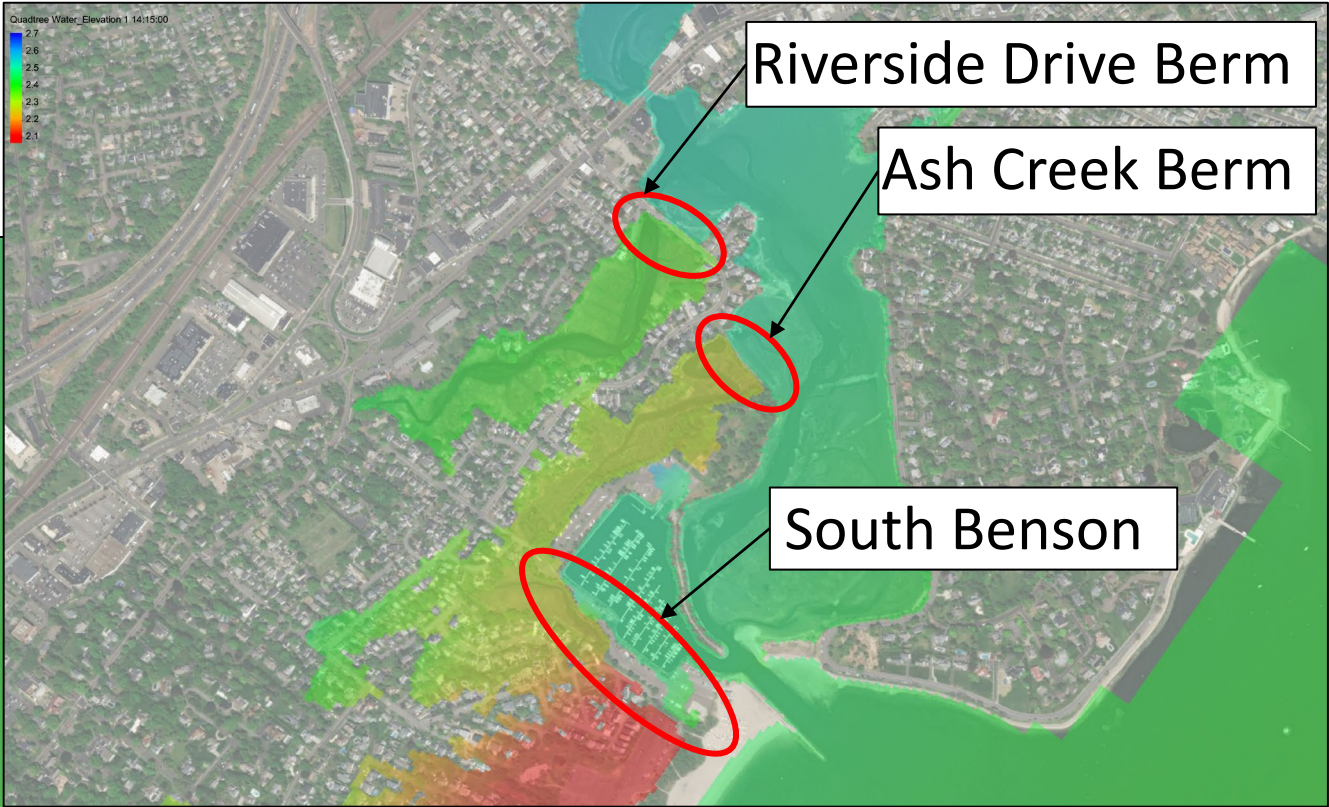
10-Year No SLR

2nd Breach

Model Time: 1:14:15:00

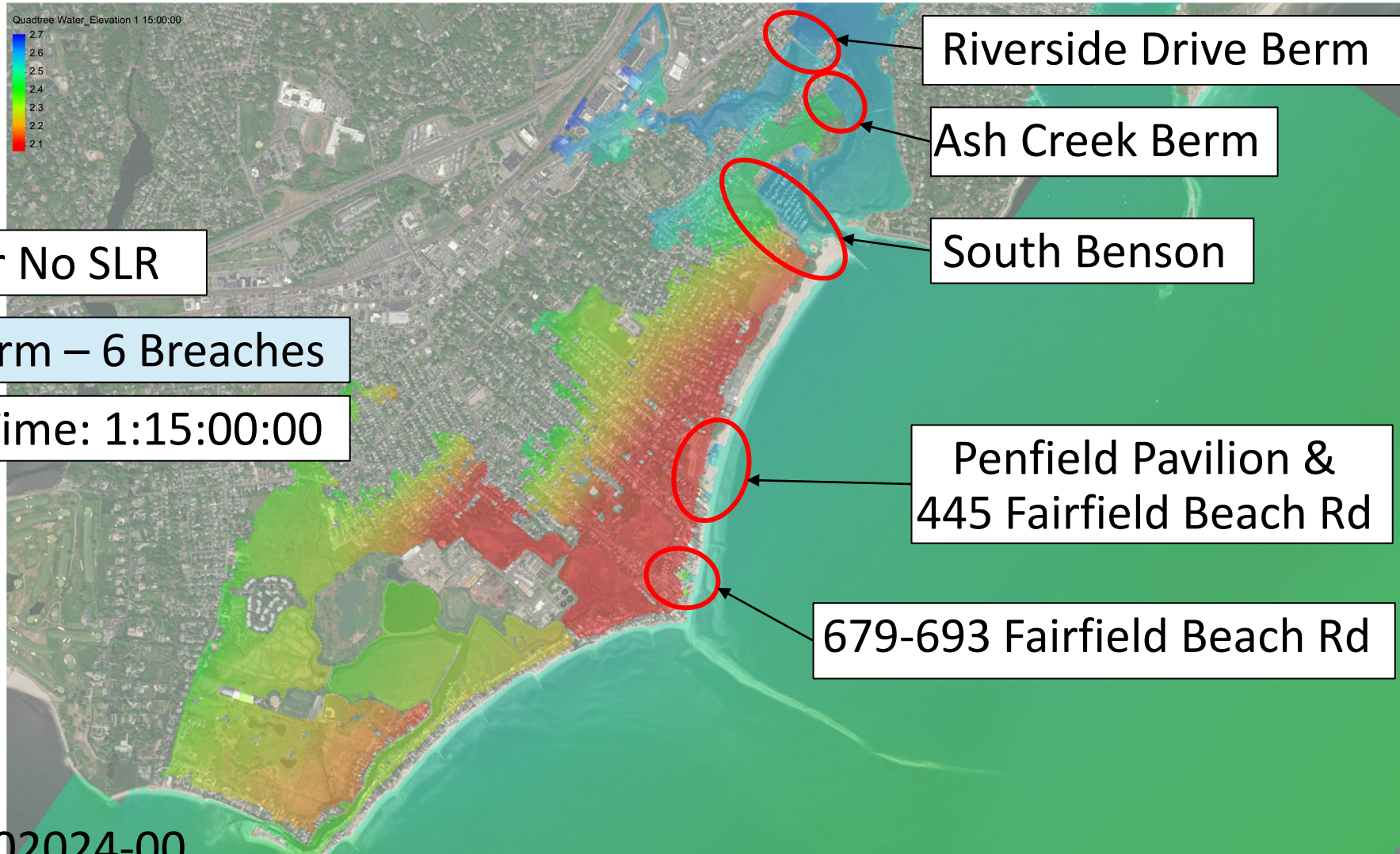


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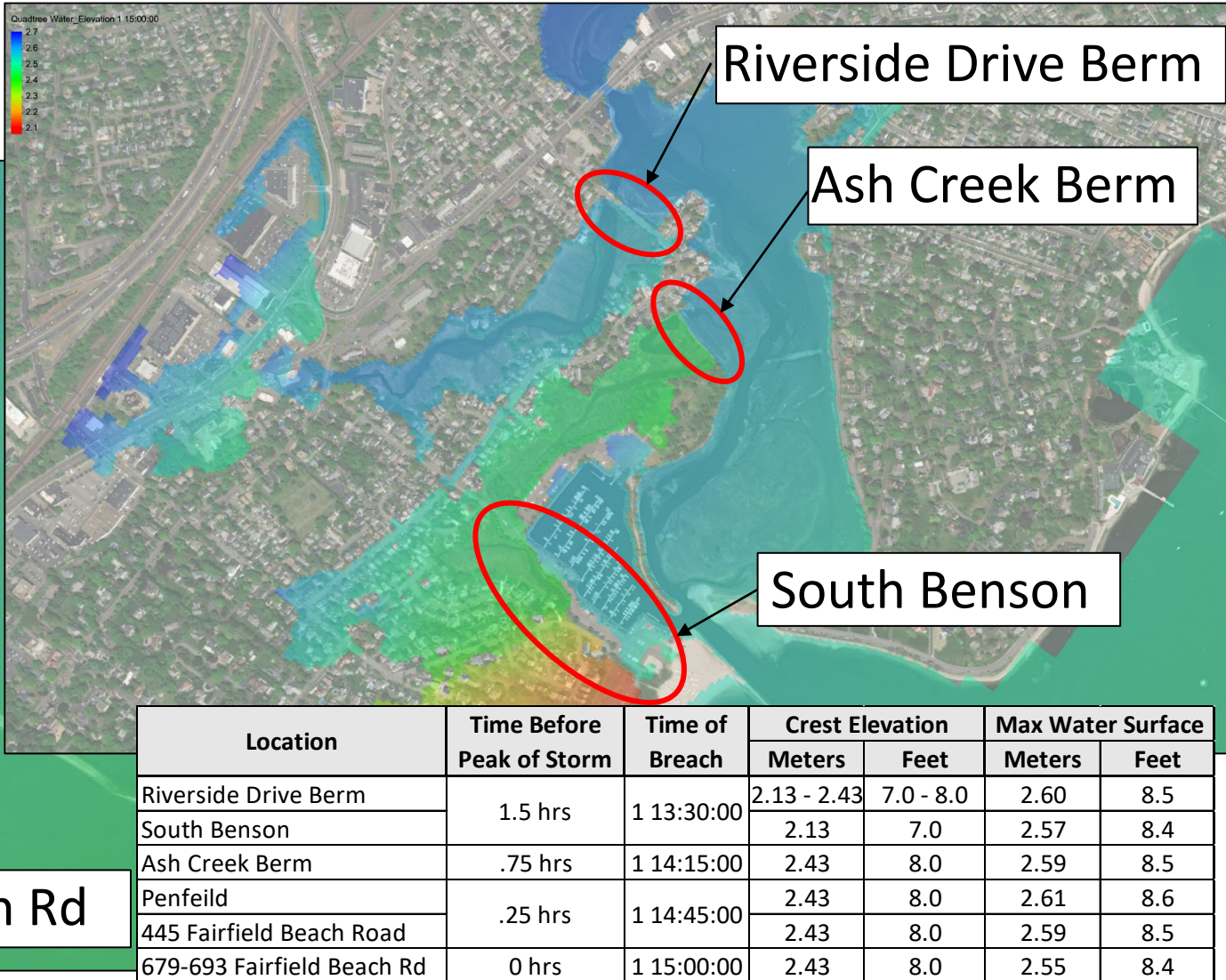
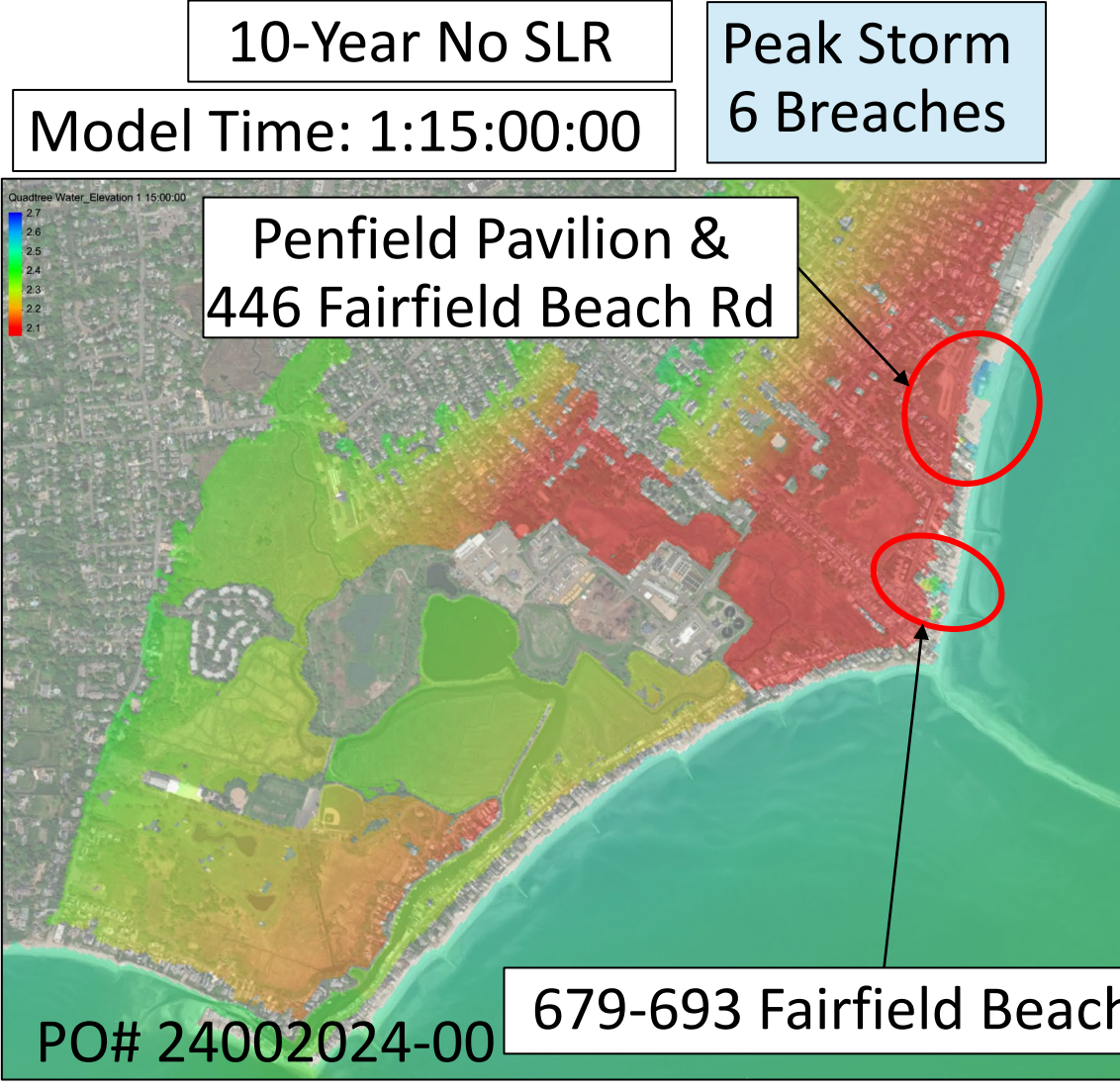
Location	Time Before Peak of Storm	Time of Breach	Crest Elevation		Max Water Surface	
			Meters	Feet	Meters	Feet
Riverside Drive Berm	1.5 hrs	1 13:30:00	2.13 - 2.43	7.0 - 8.0	2.60	8.5
South Benson		1 13:30:00	2.13	7.0	2.57	8.4
Ash Creek Berm	.75 hrs	1 14:15:00	2.43	8.0	2.59	8.5

Water Surface Elevation (m) Model Snapshots

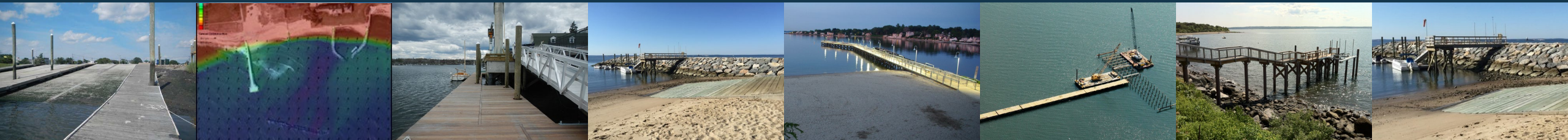
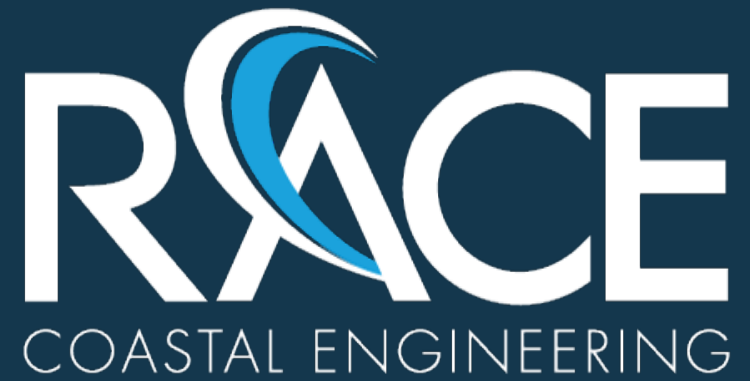


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Water Surface Elevation (m) Model Snapshots



Questions



Capital Projects Fund Activity - Remediation & Penfield

	Appropriated	Expended	Reqs / Encumbered	Available	Remaining Liabilities - Authorized Projects	Available (Shortfall) after 1/9/24 Transfer
Operating budget	918,791	918,791	-	-	-	
Surplus transfers through 2021	7,685,000	4,660,864	1,340,528	1,683,608		
Town bonding	1,484,000	1,453,868	11,777	18,355		
ARPA	1,000,000	46,370	186,830	766,800		
Surplus transfers - 2021 & 2022	10,600,000	650,748	161,840	9,787,412		
Transfer from Debt Service - 1/9/24	1,400,000	-	-	1,400,000		
	<u>23,087,791</u>	<u>7,730,641</u>	<u>1,700,975</u>	<u>13,656,175</u>	<u>13,584,162</u>	<u>72,013</u>

Remaining Liabilities - Authorized Projects

Small sites	1,050,000
Penfield Hot Spots Remediation	550,000
Penfield - Remaining Original Authorization	10,554,212
Penfield - Supplemental Authorization	<u>1,429,950</u>
	<u>13,584,162</u>

Debt Service Funding Available

	As of 1/1/24	1/9/24 Transfer	Available
Surplus Transfer FY 22	500,000	(500,000)	-
Surplus Transfer FY 22	780,000	(780,000)	-
Surplus Transfer FY 23	8,094,000	(120,000)	7,974,000
	<u>9,374,000</u>	<u>(1,400,000)</u>	<u>7,974,000</u>

Informational:

Other Estimated Liabilities - Future Projects:

Aggregate Fill Pile (Estimate per Weston & Sampson) 8,760,000

**Berm Expenditures
as of 6/30/2019**

VENDORS	AMOUNT	DESCRIPTION
Cohen & Wolf, Lesser	\$ 186,900.23	Legal Fees
CT Tank, Logical, Phoenix, Osprey, Complete Env., York	\$ 417,260.63	Soil Testing & Remediation Costs
WI Clark	\$ 64,896.37	Equipment Rental
DPW Garage Inventory	\$ 6,973.17	Fuel & Lube
Madison	\$ 4,328.74	Erosion, Sediment, Dust Control
Pride's Corner, Green Giant, H. Depot, Salko	\$ 17,754.05	Landscaping
Oliver/RVM	\$ 7,854.73	Copying and File Storage
DPW & Conservation Employees	\$ 212,822.65	Labor
Total Expense	\$ 918,790.57	

**Environmental Testing and Remediation Expenditures
as of 01/04/2024**

VENDORS	AMOUNT	DESCRIPTION
PKF O'Connor Davies, LLP	\$ 35,000.00	Cost for PFK O'Connor to perform DPW Independent audit
ACV, Red Technologies	\$ 449,066.42	Site Remediation Costs for Gould Manor, Burroughs, Jennings School, etc.
Weston & Sampson, FILLI	\$ 687,223.50	Weston & Sampson and FILLI Landfill Investigation and Planning
Lesser, Cohen & Wolf, Coles Baldwin, Transperfect Holdings, Wiggin & Dana	\$ 826,948.22	Legal Fees for Environmental Cost Recovery, CTDEEP correspondence, etc.
Tighe & Bond	\$ 1,555,586.02	Tighe & Bond Townwide environmental investigation
Gidez, Fild Police, RVM	\$ 22,650.00	Other Miscellaneous
CISCO, LLC	\$ 1,084,389.84	Environmental Services
Total Expense	\$ 4,660,864.00	

G/L ACCOUNT NUMBER: 228 22809010 57000 REMED

**Environmental Services Expenditures
as of 01/04/2024**

**** TOWN ****

VENDORS	AMOUNT
CISCO, LLC	\$ 343,237.19
G-Force	\$ 1,154.25
Pace Analytical	\$ 15,520.75
Tighe & Bond	\$ 661,244.51
Weston & Sampson	\$ 247,948.00
Wiggin & Dana	\$ 180,572.00
Bond Issuance Allocation	\$ 4,190.88
Total Expense	\$ 1,453,867.58

G/L ACCOUNT NUMBER: 256 25605030 57026

**** WPCA ****

VENDORS	AMOUNT
Tighe & Bond	\$ 36,073.84
Weston & Sampson	\$ 13,700.00
Bond Issuance Allocation	\$ 598.70
Total Expense	\$ 50,372.54

G/L ACCOUNT NUMBER: 256 25613010 57026

**ARPA -Penfield Pavilion Remediation Expenditures
as of 01/04/2024**

VENDORS	AMOUNT	DESCRIPTION
Weston & Sampson	\$ 46,370.00	Professional Engineering Service
Total Expense	\$ 46,370.00	

G/L Account Number:145 14501010 59996 81006

**Penfield Pavilion Construction Expenditures
as of 01/04/2024**

VENDORS	AMOUNT	DESCRIPTION
Roberge Associates	\$ 40,679.83	Professional Engineering Service
Bismark Construction, Inc.	\$ 66,826.08	Penfield Pavilion - Preconstruction
Joseph Sepot Architects	\$ 160,588.75	Penfield Pavilion - A&E Service
CIRMA	\$ 382,653.21	
Total Expense	\$ 650,747.87	

G/L ACCOUNT NUMBER: 262 26201010 58806

ROOSTER RIVER PROJECTS

DETENTION AREAS

Fairchild Wheeler Golf 2 Det. basins, Tunxis Hill park edge/woods, Owen Fish (Still investigating),
Villa Ave-Algonquin (small neighborhoods)

OTHER WATERSHED IMPROVEMENTS

River Sediment removal and disposal

Storm system improvements, pipe removal, green infrastructure, wetland improvements

FUNDING:

initial design funds \$ 320,000 (NRC)	\$320,000
\$ 3.2 Million ARPA	\$3,200,000
Fairchild Wheeler Cost Share B'port \$ 750,000	\$750,000
Pending State Urban Act Grant (approved by State) \$ 2,500,000	\$2,500,000
Total Funding to date (inc. urban Act Grant)	\$6,770,000

<u>Current Cost Estimates/Expenditures</u>	est.	Dec-23
2021 Design funds expended- require additional fees		\$490,000
Villa Ave Open Space Parcel Purchase		\$400,000
Detention Basins cost est. (2019) Consultant		
Tunxis Hill Park		1,900,000
Villa Ave- Algonquin		394,000
Owen Fish Design TBD		480,000
Fairchild Wheeler Golf Det (2)		1,600,000
100 yr to 1000 yr storm design, testing, environmental concerns, unpermitted cost		
Town expects revised cost estimates after permit approvals.		
Sediment Removal first rough estimate		1,500,000
Also depends on scope of work, permit mitigation, removal/disposal		
Potential B'port cost share? Or additional grants		
Current Cost Estimate		\$6,764,000

A RESOLUTION AMENDING AND RESTATING A RESOLUTION ENTITLED “A RESOLUTION APPROPRIATING \$3,729,800 FOR THE COSTS ASSOCIATED WITH THE REPLACEMENT OF THE DUCK FARM ROAD BRIDGE, AUTHORIZING A GRANT TO REIMBURSE \$2,983,840 OF SUCH APPROPRIATION AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE A PORTION OF SUCH APPROPRIATION” TO INCREASE THE APPROPRIATION TO \$3,819,176, INCREASE THE GRANT AUTHORIZATION TO \$3,023,341 AND INCREASE THE BOND AUTHORIZATION TO \$795,835

WHEREAS, the Town of Fairfield (the “Town”) submitted a local bridge application to the Connecticut State Department of Transportation (“DOT”) under the Federal Local Bridge Program for a grant to fund the construction phase costs associated with the replacement of the Duck Farm Road Bridge (the “Grant Program”). DOT approved such application and offered a grant to the Town under which the Town would be reimbursed for eighty (80%) percent (\$2,983,840) of the eligible construction phase costs associated with the replacement of the Duck Farm Road Bridge, which initial costs were estimated to be Three Million Seven Hundred Twenty-Nine Thousand Eight Hundred and 00/100 (\$3,729,800) Dollars; and

WHEREAS, on November 21, 2022, the Representative Town Meeting (“RTM”) of the Town approved a resolution for the Duck Farm Road bridge project (the “Project”) entitled: “A RESOLUTION APPROPRIATING \$3,729,800 FOR THE COSTS ASSOCIATED WITH THE REPLACEMENT OF THE DUCK FARM ROAD BRIDGE, AUTHORIZING A GRANT TO REIMBURSE \$2,983,840 OF SUCH APPROPRIATION AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE A PORTION OF SUCH APPROPRIATION” (the “Resolution”); and

WHEREAS, the Resolution included: i) an authorization to appropriate funds in the total amount of \$3,729,800, ii) an authorization to reimburse a portion of the appropriation in the amount of \$2,983,840 with grant funds (the “Grant Authorization”); and iii) an authorization to issue bonds for the balance of the appropriation in the amount of \$745,960 to fund the Project; and

WHEREAS, due to overall increased costs of the Project, the cost of the Project will be \$89,376 (the “Cost Increase”) more than originally anticipated for a total cost of \$3,819,176 (the “Amended Appropriation”); and

WHEREAS, the Cost Increase includes \$40,000 of utility costs that are ineligible to be reimbursed through the Grant Program (the “Utility Cost”), and as such, the amended Grant Authorization shall be 80% of \$3,779,176, which amount represents the Amended Appropriation less the Utility Cost, for a total amended Grant Authorization of \$3,023,341 (the “Amended Grant Authorization”); and

WHEREAS, the Town seeks to fund the balance of the Amended Appropriation in the amount of \$795,835 with bond funds (the “Amended Bond Authorization”); and

WHEREAS, it is necessary for the Town to amend and restate the Resolution to reflect the Amended Appropriation, the Amended Grant Authorization and the Amended Bond Authorization; and

NOW THEREFORE, BE IT RESOLVED, that the Resolution is hereby amended and restated to provide as follows:

1. As recommended by the Board of Selectmen and the Board of Finance, the Town of Fairfield appropriates Three Million Eight Hundred Nineteen Thousand One Hundred Seventy-Six and 00/100 (\$3,819,176) Dollars to fund the construction phase costs associated with the replacement of the Duck Farm Road Bridge, including, but not limited to, costs associated with construction labor, equipment, materials, inspection, testing and oversight and all administrative, financing, legal, contingency and other soft costs related thereto (the “Project”).
2. The First Selectman is hereby authorized and directed to negotiate and accept the terms of the Grant from the DOT under the Federal Local Bridge Program in the amount of Three Million Twenty-Three Thousand Three Hundred Forty-One and 00/100 (\$3,023,341) Dollars to fund a portion of the Project. The First Selectman is also hereby authorized to enter into, on behalf of the Town, a grant agreement or other document memorializing the terms of the Grant and to take all action necessary or reasonably required to carry out, give effect and consummate such Grant including executing on behalf of the Town such documents, agreements, contracts and certificates as deemed to be necessary or advisable by the First Selectman.
3. As recommended by the Board of Finance and the Board of Selectmen, the Town shall borrow a sum not to exceed Seven Hundred Ninety-Five Thousand Eight Hundred Thirty-Five and 00/100 (\$795,835) Dollars and issue bonds 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 portion of the appropriation for the Project not paid for by the Grant.
4. 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 provisions 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 interest rate 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, as amended (the "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.

5. The First Selectman 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 agreement, standby marketing agreements, bond purchase agreement, 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.
6. The First Selectman 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.
7. 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 (3) 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.

8. The Committee is further authorized to make temporary borrowings as authorized by the 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 or in anticipation of the receipt of the Grant. Such notes shall be issued and renewed at such time and with such maturities, requirements and limitations as provided by the Statutes. Notes evidencing such borrowings shall be signed by the First Selectman and Treasurer or the 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 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.
9. 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.
10. The First Selectman, the 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.
11. 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 Statutes and the laws of the United States.

12. The First Selectman or other proper Town official is authorized to apply for and accept any available State or Federal grant, in addition to the Grants as defined in paragraph 2 herein, in aid of the financing of the Project, and to take all action necessary and proper in connection therewith. 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.

Duck Farm Road Bridge

Proposed Revised Resolution to match the Final Project Authorization Letter agreement. This involves an increase in total project costs \$ 89,376- an increase in grant funding \$ 39,501 and an increase in Town share funding of approximately \$49,875 BUT does not include credits such as Aquarion reimbursement (\$ 40,000) and any minor to moderate project adjustments. Overall the additional Town share costs are anticipated below \$ 10,000 and could go lower pending unused extra work components and final audits which will be completed in a couple of years.

This revised agreement has included all known construction phase costs and has already been approved by the State and Federal Government for any adjustments related to the project and are eligible for 80% reimbursement with exception of Aquarion Water Company Utility Work.

The original resolution was based on the Consulting Engineers and DOT Estimates for the project and a preliminary project authorization letter was used to obtain funding, so that project could go out to bid. The proposed (final) resolution and project authorization letter are necessary based on additional project costs and additional grant money provided to the Town. These agreements are based on final and close out costs documented from the project and approved by CT Department of Transportation and Federal Bridge Program.

Date Revised:
10/5/2021

PAL ATTACHMENT
STATE PROJECT NO. 0050-0220
FEDERAL-AID PROJECT NO. 6050(015) (CN)
ESTIMATED CONSTRUCTION COSTS

A. Contract Items and Contingencies	\$ 3,052,500.00
B. Incidentals to Construction – Municipal Inspection Services	\$ 272,500.00
C. Incidentals to Construction – Municipal Design Services	\$ 26,200.00
D. Extra Work Allowance – Municipal Services (+/-10% of B)	\$ 27,300.00
E. Total Municipal Cost (A+B+C+D)	\$ 3,378,500.00
F. Incidentals to Construction – DOT Materials Testing	\$ 83,300.00
G. Incidentals to Construction – DOT CLE Services	\$ 83,300.00
H. Incidentals to Construction – DOT Administrative Oversight	\$ 138,800.00
I. Incidentals to Construction – DOT Audits	\$ 13,900.00
J. Extra Work Allowance by DOT Forces (+/-10% of [F+G+H+I])	\$ 32,000.00
K. Total Incidentals to Construction – DOT (F+G+H+I+J)	\$ 351,300.00
L. Total Construction Cost – Participating (E+K)	\$ 3,729,800.00
M. Federal Proportionate Share of the Total Construction Cost (80% of L)	\$ 2,983,840.00
N. Municipal Proportionate Share of the Total Construction Cost (20% of L)	\$ 745,960.00
O. Maximum Amount of Reimbursement to the Municipality (80% of E)	\$ 2,702,800.00
P. Demand Deposit Required from the Municipality for State-provided Services in accordance with Article 3, Paragraph 18(a), of the Master Agreement (20% of K)	\$ 70,260.00

PAL ATTACHMENT
STATE PROJECT NO. 50-220
FEDERAL-AID PROJECT NO. 6050(015) (CN)
ESTIMATED CONSTRUCTION COSTS

	Original	Final
A. Contract Items and Contingencies (Participating)	\$3,052,500	\$3,118,056
B. Incidentals to Construction – Municipal Inspection Services	\$272,500	\$422,500
C. Incidentals to Construction – Municipal Design Services	\$26,200	\$17,000
D. Municipal Tree Clearing for Utilities	\$0	\$4,520
E. Extra Work Allowance – Municipal Services (+/-10% of B)	\$27,300	\$27,300
F. Total Municipal Cost (A+B+C+D+E)	\$3,378,500	\$3,589,376
G. Incidentals to Construction – DOT Materials Testing	\$83,300	\$40,000
H. Incidentals to Construction – DOT Administrative Oversight	\$138,800	\$75,000
I. Incidentals to Construction – DOT CLE Services	\$83,300	\$60,000
J. Incidentals to Construction – DOT Audits	\$13,900	\$14,800
K. Extra Work Allowance by DOT Forces (+/-10% of [G+H+I+J])	\$32,000	\$0
L. Total Incidentals to Construction – DOT (G+H+I+J+K)	\$351,300	\$189,800
M. Total Construction Cost – Participating (F+L)	\$3,729,800	\$3,779,176
N. Total Construction Cost – Non-Participating	\$0	\$40,000
*** Total Construction Costs (M + N)		\$3,819,176
O. Federal Proportionate Share of the Total Construction Cost (80% of M)	\$2,983,840	\$3,023,341
P. Municipal Proportionate Share of the Total Construction Cost (20% of M) + N ***	\$745,960	\$795,835
Q. Maximum Amount of Reimbursement to the Municipality (80% of F)	\$2,702,800	\$2,871,501
R. Demand Deposit Required from the Municipality for State-provided Services in accordance with Article 3, Paragraph 18(a), of the Master Agreement (20% of L) Revised and PAID in 2022		\$74,500

Fee(nearest \$100) = \$3,197,500(2/9/22 low bid) + \$294,400(10% Contingency)

Fee = 10/18/21 WMC CIS Proposal \$299,800 - \$27,300(10% Extra Work) = \$272,500

⁽³⁾ Fee = 7/12/18 Fee Approval, \$0(DSDC)+\$9,800(Review of Shop Drawings). Added \$23,100 (Est. DSDC/Remain. EW Allow)

Estimated Allowance for Municipal Tree Clearing for Advancing Utility Work

⁽⁵⁾ Allowance for DOT Consultant Liaison Engineer (CLE) administrative, engineering & oversight services during construction.

⁽⁶⁾ Non-Participating Costs for Privately Owned Watermain Installation. **Aquarion to reimburse.**

*(NOTE: Depending on the federal, and/or state program and the specific project, the cost sharing between the parties will vary and this attachment will be adjusted accordingly by the initiating unit.

** (NOTE: All costs are participating unless specifically noted otherwise.)

*** Bond Counsel edit 12/14/23

**Board of Finance Special Meeting
Thursday, November 16, 2023, 7:30 pm
Via Webex & In Person at
Fire Training Center Classroom B111
205 Richard White Way, Fairfield, CT 06824**

A recording of this meeting can be found here: [BOF Special Meeting 11/16/2023](#).

DRAFT MINUTES

MEMBERS PRESENT: Chairwoman Lori Charlton, Vice-Chair John Mitola, Secretary Sheila Marmion, Craig Curley, Christopher DeWitt, Mary LeClerc, Kevin Starke, Jack Testani, James Walsh

OTHERS PRESENT: Purchasing Director Adam Tulin, CFO Jared Schmitt

- 1) Call to Order
Chairwoman Lori Charlton called the meeting to order at 7:30 pm.
- 2) Pledge of Allegiance
Chairwoman Charlton led the Pledge of Allegiance.
- 3) To hear, consider and act upon the Purchasing Policy
Sheila Marmion made a motion to bring Item 3 before the BOF. Christopher DeWitt seconded the motion.

Mr. DeWitt said the Purchasing Policy has been under review by the Purchasing Policy subcommittee which includes he and Lori Charlton. The preliminary document was written by the Town's outside Auditor Joe Centofanti. Changes were made and it was circulated to those involved. Members of the BOF, Purchasing, BOE, and the current Administration submitted comments and suggestions. Any comments that were accepted are part of this document. Other comments will need to be answered by the Purchasing Director Adam Tulin. There are some exhibits that are not attached. The document can be approved tonight as is and when exhibits are added, they will need to come before the BOF for another vote. The document was reviewed, edited, and discussed. The full discussion can be found by accessing the link above.

Chair Lori Charlton made a motion to approve amendments made to the Purchasing Policy. Jack Testani seconded the amendments which carried unanimously.

Chair Lori Charlton made a motion to approve the Purchasing Policy as amended. Christopher DeWitt seconded the main motion, as amended, which carried unanimously.

- 4) Adjourn
Lori Charlton made a motion to adjourn. John Mitola seconded the motion which carried unanimously.

The meeting adjourned at 9:22 pm.

Respectfully submitted,

Pru O'Brien
Recording Secretary

Board of Finance Quarterly Review Meeting
Tuesday, November 21, 2023, 7:30 pm
Via Webex & In-Person in Room 295 A/B
BOE Conference Room, 501 Kings Highway East
Fairfield, CT 06825

A recording of this meeting can be found here: [BOF Quarterly Meeting 11/21/2023.](#)

DRAFT MINUTES

MEMBERS PRESENT: Chairwoman Lori Charlton, Vice-Chair John Mitola, Secretary Sheila Marmion, Craig Curley, Christopher DeWitt, Mary LeClerc, Kevin Starke, Jack Testani, James Walsh

OTHERS PRESENT: FPS Superintendent Mike Testani, FPS Executive Director Angelus Papageorge, FPS CFO Courtney LeBorious, BOE Chairwoman Jenn Jacobsen, CFO Jared Schmitt, Controller Caitlin Bosse, Budget Director Frank Magneri, JRIB Chairwoman Carolyn Trabuco, Attorney John Stafstrom, FairTV, members of the public

1. Call to Order

Chairwoman Lori Charlton called the meeting to order at 7:30 pm.

2. Pledge of Allegiance

Christopher DeWitt led the Pledge of Allegiance.

Chairwoman Charlton presented Christopher DeWitt with a plaque from the BOF for his 16 years of service. Ms. Charlton shared Mr. DeWitt's influences and accomplishments while serving on the board. She said Amy Ruggiero will be taking his seat at the 12/6/23 meeting.

3. PUBLIC WORKS DIRECTOR (*requires RTM approval*)

To hear, consider and adopt a bond resolution as recommended by the Board of Selectmen amending and restating a 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," to add equipment to Exhibit A. (15 YEAR)

John Mitola made a motion to put Item 3 before the BOF for a vote. Mr. DeWitt seconded the motion.

CFO Jared Schmitt explained that DPW was adding one piece of equipment to this list. This change is for language only and not additional funding. It is for an over the rail mower that will improve safety for pedestrians by maintaining overgrowth along sidewalks and street corners. The mower is \$150,000 and there is \$110,000 left from a

2023 bond. Bond Counsel John Stafstrom advised the Town to use that money toward the mower. Whenever bond money is leftover, it can only be used for the same main purpose as the original bond. The mower will last 15 years.

The motion carried unanimously.

4. SUPERINTENDENT OF SCHOOLS (*requires RTM approval*)

To hear, consider and adopt a bond resolution as recommended by the Board of Selectmen entitled, “A resolution appropriating \$973,090 for the costs of preconstruction services for Phases II Through V of the air conditioning upgrade project at various schools and authorizing the issuance of bonds to finance such appropriation”. (20 YEAR)

Mr. Mitola made a motion to put Item 4 before the BOF for a vote. James Walsh seconded the motion.

The backup materials for this Item are on pages 8-9 of the packet. This Item is being proposed to help identify and get better cost estimates related to the HVAC project for FPS, Phases 2-5.

The motion carried unanimously.

5. SUPERINTENDENT OF SCHOOLS (*requires RTM approval*)

To hear, consider and adopt a bond resolution as recommended by the Board of Selectmen entitled, “A resolution appropriating \$1,048,706 for the cost of the Roger Sherman Elementary School boiler burner replacement project and authorizing the issuance of bonds to finance such appropriation.” (20 YEAR)

Mr. DeWitt made a motion to put Item 5 before the BOF for a vote. Mr. Walsh seconded the motion.

Page 92 of the backup documents has the full resolution. This is a request to bond two new replacement boilers at Roger Sherman Elementary School. Both previous boilers exceeded 20 years.

The motion carried unanimously.

6. SUPERINTENDENT OF SCHOOLS (*requires RTM approval*)

To hear, consider and adopt a bond resolution as recommended by the Board of Selectmen amending and restating a resolution entitled, “A resolution appropriating \$3,653,150 for the costs of various Board of Education Capital Projects and authorizing the issuance of bonds to finance such appropriation” to increase the appropriation and bond authorization by \$1,061,000 to a total of \$4,714,150. (20 YEAR)

Mr. Mitola made a motion to put Item 6 before the BOF for a vote. Mr. DeWitt seconded the motion.

The bond resolution for Item 6 is on page 96 of the backup. FPS is requesting over \$1 million in addition to the previous approval. The increased cost is a result of the bids that came in.

The motion carried unanimously.

7. CHIEF FISCAL OFFICER (*requires RTM approval*)

To hear, consider and act upon a resolution as recommended by the Board of Selectmen approving the transfer of Fiscal Year 2022-2023 Revenue Surplus (*see full resolution in backup*)

Craig Curley made a motion to put Item 3 before the BOF for a vote. Mr. DeWitt seconded the motion.

The full resolution is on page 101 of the backup. The resolution has been modified from what the BOS passed last week. If the language is modified, it will need to go to the BOS again. The money will now be transferred to the debt service and fund balance so the new administration will be able to spend the money as it sees best. CFO Schmitt went over the different accounts into which the money will be placed. The board had a detailed discussion about this Item and the amounts of the surplus that will be transferred to different accounts.

Chairwoman Charlton made a motion to amend the resolution in Item 7. Mr. Curley seconded the amendment.

The wording from the amended resolution is as follows:

CHIEF FISCAL OFFICER

To hear, consider and act upon a resolution approving the transfer of Fiscal Year 2022-2023 Revenue Surplus:

RESOLVED, that, the Town hereby authorizes, approves and directs the transfer of the Fiscal Year 2022-2023 Revenue Surplus as follows:

The portion of the FY 2022-2023 surplus resulting from actual revenue amounts that were more than budgeted revenue amounts ("Revenue Surplus") shall be appropriated to the Debt Service Reserve Account.

The motion to amend the resolution carried unanimously.

The main motion, as amended, carried unanimously.

8. CHIEF FISCAL OFFICER

To hear, consider and act upon a resolution approving the transfer of Fiscal Year 2022-2023 Spending Surplus (*see full resolution in backup*)

Chairwoman Charlton made a motion to amend the resolution for Item 8. Mr. DeWitt seconded the motion.

The wording from the amended resolution is as follows:

CHIEF FISCAL OFFICER

To hear, consider and act upon a resolution approving the transfer of Fiscal Year 2022-2023 Spending Surplus:

RESOLVED, that, the Town hereby authorizes, approves and directs the transfer of the Fiscal Year 2022-2023 Spending Surplus as follows:

The portion of the FY 2022-2023 surplus resulting from actual expenditure amounts that were less than budgeted expenditure amounts ("Spending Surplus") shall be appropriated to the Town's Unrestricted Fund Balance. The amount of such appropriation to Unrestricted Fund Balance may not exceed an amount that causes the overall Fund Balance to exceed 11.76% of the Town's FY 2022-2023 operating budget. After the appropriation of Spending Surplus to the Unrestricted Fund Balance, any remaining Spending Surplus shall be appropriated to the Debt Service Reserve Account.

The motion to amend the resolution carried unanimously.

The main motion, as amended, carried unanimously.

9. To review the current status of the Town's Pension and OPEB Funds

JRIB Chairwoman Carolyn Trabuco reviewed the backup documents detailing the allocations and funds of the Pensions and OPEB accounts. As of September 30, 2023, the ending market value for the Pension account is \$427,246,137 and the OPEB is \$77,212,855. Allocations are included in the Vanguard packets in the backup. The full review and discussion can be heard on the meeting recording which is linked at the top of this document.

10. To review the BOE FY24 first quarter financial update

The materials for Item 10 are on page 224 of the backup documents. FPS CFO Courtney LeBoriorous, Superintendent Mike Testani and BOE Liaison Jeff Peterson presented this Item. Ms. LeBoriorous went through the financials.

Special Education numbers were better than in past quarters. The state legislature passed a law that will take effect for the 2024-2025 school year that any child entering kindergarten has to be five years old when the school year begins. In the past, it was up to the parent and assessments could be done on children who were going to turn five by December 31st of the year they started kindergarten. This law will likely effect enrollment numbers next year. All the documents and numbers are in the backup documents packet. The full review and discussion can be heard on the meeting recording which is linked at the top of this document.

11. To review the Town FY24 first quarter financial update

Controller Caitlin Bosse reviewed the Town reports included on page 285 in the backup documents. As of September 30, 2023, revenue is favorable at \$1.7 million. Expenses are favorable at \$529,000 for a Net Estimated Variance of \$2.2 million. The budgeted contribution to Surplus is \$1.2 million which makes the estimated increase in Fund Balance \$3.4 million.

Mr. DeWitt asked about the Firefighter hiring budget that was settled in their contract as he didn't see it in the backup. Budget Director Frank Magneri said that will take effect in the 2025 Town budget. There were no other questions for Ms. Bosse.

12. To hear an update from the CFO on Capital / ARPA Projects

Backup documents for this Item begin on page 321 of the posted backup. CFO Schmitt reviewed his lists of projects. Penfield will be \$1.5 million more than originally projected based on bid submissions that have come in. Mr. Schmitt will update the Waterfall for the BOF. There is a full summary of money that has been put away since 2019 for fill pile expenses. An update will be on the December or January agenda.

13. To hear, consider and act upon any communications

CFO Schmitt talked about the time involved estimating the Hold Harmless amount for the surplus funds. Mr. Schmitt suggested the BOF Fund Balance subcommittee could get involved. Mr. Schmitt said he will ask Phoenix Advisors Senior Managing Director Matt Spoerndle to attend the January 2024 meeting.

14. Adjourn

Chairwoman Charlton made a motion to adjourn. James Walsh seconded the motion which carried unanimously.

The meeting adjourned at 9:37 pm.

Respectfully submitted,

Pru O'Brien
Recording Secretary

Board of Finance Organizational Meeting
Tuesday, December 5, 2023, 7:30 pm
Via Webex And
In Person in the BOE Conference Room, #295A/B
501 Kings Hwy E., Fairfield, CT

A recording of this meeting can be found here: [BOF Organizational Meeting 12/5/2023.](#)

DRAFT MINUTES

MEMBERS PRESENT: Lori Charlton, John Mitola, Sheila Marmion, Craig Curley, Amy Ruggerio, Kevin Starke, Jack Testani, James Walsh

MEMBERS ABSENT: Mary LeClerc

OTHERS PRESENT: First Selectman Bill Gerber, Police Chief Robert Kalamaras, Deputy Chief Edward Weihe, Human and Social Services Director Julie DeMarco, Health Director Sands Cleary, Assistant Director for Community Health Santina Jaronko, CFO Jared Schmitt, FairTV, members of the public

- 1) Call to Order
First Selectman Bill Gerber called the meeting to order at 7:30 pm.
- 2) Pledge of Allegiance
Amy Ruggerio led the Pledge of Allegiance.
- 3) To hear, consider and approve 2024 Officers
John Mitola nominated Lori Charlton as the Chairwoman for the BOF. Craig Curley seconded the motion.

Mr. Mitola spoke about Ms. Charlton and her service to the BOF.

The motion carried unanimously.

Chairwoman Lori Charlton nominated John Mitola as the Vice-Chairman for the BOF. Amy Ruggerio seconded the motion.

Ms. Charlton spoke about Mr. Mitola and his service to the BOF and Town.

The motion carried unanimously.

Sheila Marmion nominated Craig Curley as the Secretary for the BOF. Kevin Starke seconded the motion.

Ms. Marmion spoke about Mr. Curley and his service with the Town.

The motion carried unanimously.

Board of Finance 2024 Officers:

Lori Charlton	Chairwoman
John Mitola	Vice-Chairman
Craig Curley	Secretary

Chairwoman Charlton welcomed Amy Ruggerio to the BOF. Ms. Ruggerio thanked the Board and said she is looking forward to working collaboratively with the Board and First Selectman Gerber.

- 4) To hear, consider and act upon the following resolution as recommended by the Board of Selectmen (*requires RTM approval*):

“RESOLVED, that, to achieve the purposes of the Federal Emergency Management Agency’s (FEMA) Port Security Grant (PSG) to maintain or reestablish maritime security, funds be, and hereby are, expended in the amount of \$50,000 to offset the maintenance costs of the Police Department’s marine vessels. 75% (\$37,500) of said maintenance costs be funded by PSG grant and 25% (\$12,500) of said funding to be matched by the Fairfield Police Department over a three-year budget cycle (\$4166.66 FY1, \$4166.66 FY2, \$4166.66 FY3) as administered by the Federal Emergency Management Agency (FEMA); and
FURTHER RESOLVED, that, First Selectman William A. Gerber, is authorized to make, execute and approve on behalf of the Town of Fairfield, any and all contracts or amendments thereof to secure said grant.”

The BOS MADE THE FOLLOWING AMENDMENT AT ITS 12/4/23 MTG:

Chairwoman Lori Charlton made a motion to waive the reading of the motion in the agenda. Jack Testani seconded the motion.

Chairwoman Lori Charlton made an amendment to strike the first paragraph of Item 4 to read:

“RESOLVED, that, to achieve the purposes of the Federal Emergency Management Agency’s (FEMA) Port Security Grant (PSG) to maintain or reestablish maritime security, funds be, and hereby are, expended in the amount of \$43,015 to offset the maintenance costs of the Police Department’s marine vessels, 75% (\$34,412) of said maintenance costs be funded by the PSG grant and 25% (\$8,603) of said grant to be matched by the Fairfield Police Department over a three-year budget cycle (\$2,868 FY1, \$2,868 FY2, \$2,868 FY3) as administered by the Federal Emergency Management Agency (FEMA); and

John Mitola seconded the amendment.

Deputy Police Chief Eddie Weihe referred to the 14 points document in the backup packet. He said there are two Police boats that are used for water patrol, marine rescue and mutual aid. Deputy Chief Weihe took questions from the BOF.

The amended resolution carried unanimously.

- 5) To hear, consider and act upon the following resolution as recommended by the Board of Selectmen (*requires RTM approval*):

“RESOLVED, that, as part of the Fairfield Police Department’s behavioral health services, funds be, and hereby are, expended in the amount of \$190,000 over a two-year period to expand Police Crisis Intervention Teams (CIT) Behavioral Health Programs for proper resources, staffing, training, and equipment to meet the ever-increasing demands for

behavioral health services, and to navigate cultural, financial, and communicative barriers that under-served communities face when attempting to access behavioral health services, 100% of said purchase to be funded by the COPS grant program as administered by the Department of Justice.

FURTHER RESOLVED, that, First Selectman William A. Gerber, is authorized to make, execute and approve on behalf of the Town of Fairfield, any and all contracts or amendments thereof to secure said grant.”

Jack Testani made a motion to put Item 5 before the BOS for a vote. Amy Ruggerio seconded the motion.

The backup is on page five of the packet. This grant is for expanding Crisis Intervention Teams (CIT). This grant will purchase two unmarked vehicles so the Social Worker and Crisis Officer can respond to situations in unmarked vehicles rather than patrol cars.

The motion carried unanimously.

- 6) To hear, consider and act upon the following resolution as recommended by the Board of Selectmen (*requires RTM approval*):

“RESOLVED, to achieve the purposes of the State Department of Aging and Disability Services ARPA grant additional services that could include nutrition, wellness, educational, social, and recreational activities, funds be, and hereby are, expended in the amount up to \$131,000 to build an ADA compliant, outdoor fitness facility that will include a variety of accessible strength, agility, and conditioning equipment that will serve seniors with disabilities or physical limitations; and

FURTHER RESOLVED, that, First Selectman William Gerber, is authorized to make, execute and approve on behalf of the Town of Fairfield, any and all contracts or amendments thereof to secure said grant.

James Walsh made a motion to put Item 6 before the BOF for vote. Mr. Testani seconded the motion.

Backup documents are on pages 3-4 of the posted packet. Human and Social Services Director Julie DeMarco is excited about this outdoor fitness center for adults. It will be ADA compliant. The Town Risk Manager said there is no additional liability than there is on a normal playground or play facility. Ms. DeMarco will get that in writing and forward it to the Board. There will be 10-11 pieces of equipment.

The motion carried unanimously.

- 7) To hear, consider and act upon the following resolution as recommended by the Board of Selectmen (*requires RTM approval*):

“RESOLVED, to achieve the State Department of Economic and Community Development’s purposes of expanded programming, a portion of \$350,000 in funds be, and hereby are,

expended in the amount up to \$140,000 to build an ADA compliant, outdoor fitness facility that will include a variety of accessible strength, agility, and conditioning equipment that will serve seniors with disabilities or physical limitations; and

FURTHER RESOLVED, that, First Selectman William Gerber, is authorized to make, execute and approve on behalf of the Town of Fairfield, any and all contracts or amendments thereof to secure said grant.”

Mr. Mitola made a motion to put Item 7 before the BOF for a vote. Mr. Testani second the motion.

This allocation was received through the state budget. It will pay for the first pieces of the outdoor gym for adults.

The motion carried unanimously.

- 8) To hear, consider and act upon the following resolution as recommended by the Board of Selectmen (*requires RTM approval*):

“RESOLVED, that, as part of the Fairfield Health Department’s immunization activities and media campaigns to promote the importance of vaccinations, funds be, and hereby are, expended in the amount of \$143,667 to support the supplemental staffing to increase vaccination activities for influenza, COVID-19, and routine vaccinations, 100% of said purchase to be funded by Immunizations and Vaccines for Children COVID-19 Supplements and Media Funding with a project period of September 1, 2023 to June 30, 2025, as administered by the State of Connecticut Department of Public Health (DPH); and

FURTHER RESOLVED, that, First Selectman William A. Gerber, is authorized to make, execute and approve on behalf of the Town of Fairfield, any and all contracts or amendments thereof to secure said grant.”

Ms. Ruggerio made a motion to put Item 8 before the BOF for a vote. Mr. Testani seconded the motion.

The backup is on page 10 of the document backup. Assistant Director for Community Health Dr. Santina Jaronko explained the grant and said it pays for one part-time immunization support nurse and one part-time community health worker to assist with giving immunizations for COVID-19 and Flu clinics and other routine vaccines. Since these are part-time positions, they have no benefits and once the grant is finished, the positions will be eliminated.

The motion carried unanimously.

- 9) To hear, consider and act upon the following resolution as recommended by the Board of Selectmen (*requires RTM approval*):

“RESOLVED, that, as part of the Fairfield Health Department’s continued efforts to further workforce development by retaining staff, funds be, and hereby are, expended in the

amount of \$152,729 for the cost of Fairfield's continued efforts to further Fairfield Health Department's workforce development by retaining staff. 100% of said purchase to be funded by the Public Health Workforce Development and Infrastructure Grant as administered by the State of Connecticut Department of Public Health (DPH).

FURTHER RESOLVED, that, First Selectman William A. Gerber, is authorized to make, execute and approve on behalf of the Town of Fairfield, any and all contracts or amendments thereof to secure said grant."

Mr. Testani made a motion to put Item 9 before the BOF for a vote. Ms. Ruggerio seconded the motion.

The backup begins on page 55 of the backup documents. Dr. Jaronko explained that this federal grant will pay for one full-time Health Department Specialist with benefits for five years. Once the grant stops, the position will be eliminated. The position does have benefits, but is not associated with any union.

The motion carried unanimously.

- 10) CHIEF FISCAL OFFICER
To receive an update on the status of ARPA projects

The backup for this item begins on page 89 of the document packet. CFO Jared Schmitt reviewed the ARPA list. There was a discussion about where the Town is with these funds and how to allocate the remaining money. CFO Schmitt went through the list. The most important column is "additional funds needed (excess funds)" which is a projection at this time. The BOF had open discussions about the projects. The ARPA money needs to be encumbered by the end of 2024 and spent by the end of 2026. There was a lengthy and detailed discussion about the High Intensity Wave Study as well as the Town's COVID Recovery Assistance.

- 11) CHIEF FISCAL OFFICER
To receive an update on the status of reserves and the financing of Penfield Pavilion and remediation projects

The backup for Item 11 begins on page 96 of the documents, Townwide Contamination Sources and Uses. CFO Schmitt reviewed the document with the BOF. The estimated cost for this project has increased by \$1.5 million. There was a detailed discussion regarding this project. The full discussion can be accessed by using the meeting recording link here: [BOF Organizational Meeting 12/5/2023.](#)

- 12) To hear, consider and approve 2024 Schedule
Mr. Mitola made a motion to put Item 12 before the BOF for a vote. Ms. Ruggerio seconded the motion.

The dates for the meeting schedule for 2024 was reviewed.

The motion carried 7-0-0 (Sheila Marmion was not present for this vote).

The Board of Finance shall meet the following dates in 2024 at 7:30 pm at the BOE Conference Room, 501 Kings Highway East, Fairfield, CT 06825 and via Webex unless otherwise noted.

January 09	Tuesday	7:30 pm	Regular Meeting
February 06	Tuesday	7:30 pm	Regular Meeting
February 20	Tuesday	7:30 pm	Quarterly Review Mtg
March 05	Tuesday	7:30 pm	Regular Meeting
March 06	Wednesday	7:30 pm	Public Budget Session #1
March 13	Wednesday	7:30 pm	Public Budget Session #2
March 14	Thursday	7:30 pm	Public Budget Session #3
March 20	Wednesday	7:30 pm	Public Budget Session #4
March 21	Thursday	7:30 pm	Public Budget Session #5
March 26	Tuesday	7:30 pm	Budget Follow-Up if needed
March 30	Saturday	9:30 am	Public Budget Comment Session, FLHS Auditorium, 785 Unquowa Rd
April 01	Monday	7:30 pm	Budget Follow-Up if needed
April 03	Wednesday	7:30 pm	Budget Vote-Public Executive Session- No Public Comment
April 09	Tuesday	7:30 pm	Regular Meeting
May 09	Thursday	7:30 pm	Regular Meeting – Set Mill Rate
May 21	Tuesday	7:30 pm	Quarterly Review Meeting
June 04	Tuesday	7:30 pm	Regular Meeting
September 03	Tuesday	7:30 pm	Regular Meeting
September 17	Tuesday	7:30 pm	Quarterly Review Meeting
September 24	Tuesday	7:30 pm	Capital Plan Workshop
October 01	Tuesday	7:30 pm	Regular Meeting
November 6	Wednesday	7:30 pm	Regular Meeting (5 TH is Election Day)
November 19	Tuesday	7:30 pm	Quarterly Review Meeting
December 03	Tuesday	7:30 pm	Organizational/Regular Meeting

13) To hear, consider and act upon the draft minutes of November 1, 2023

Mr. Testani made a motion to amend the minutes of November 1, 2023 in Item 5 to reflect that he was not disappointed that Mr. Bremer was not in attendance to give an update and answer questions regarding the Penfield Pavilion project.

James Walsh seconded the amendment.

Chairwoman Charlton suggested the minutes be amended in the first paragraph after bullet points to say:

Certain board members were disappointed that Mr. Bremer was not in attendance and requested he attend the next meeting to answer the questions above and give any other updates. Mr. Testani was not among the disappointed board members and raised an objection to which the matter was discussed.

The motion to approve the amendment carried 6-0-1 (Ruggerio abstained).

The motion to approve the amended minutes carried 6-0-1 (Ruggerio abstained).

- 14) To hear committee updates
- John Mitola gave an update on the status of the audit report. Mr. Centofanti will have a draft report on Monday 12/11/23.
 - Internal Audit reports were reviewed at the earlier audit subcommittee meeting. Mr. Mitola went through the audits that needed follow-up.
 - Chairwoman Charlton will be reaching out to the Board for BOF subcommittee volunteers.
- 15) To hear, consider and act upon any communications
- There will be a special meeting on Wednesday, December 13 at 7:30 pm by Webex only for an update on the schools HVAC project. The Building Committee wants to move quickly. First Selectman Gerber will also be meeting with the HVAC Building Committee to better understand the process.
- 16) Adjourn

Mr. Testani made a motion to adjourn. Mr. Walsh seconded the motion.

The meeting adjourned at 11:02 pm.

Respectfully submitted,

Pru O'Brien
Recording Secretary