

BOARD OF SELECTMEN MEETING FINAL MINUTES
Monday, January 31, 2022
4:00 pm
Via Webex

A regular meeting of the Board of Selectmen was held at 4:00 p.m. on Monday, January 31, 2022, via Webex in Fairfield, Connecticut.

A recording of this meeting can be found here: [Board of Selectmen 1-31-2022 Regular Meeting - YouTube](#).

MEMBERS PRESENT: First Selectwoman Brenda L. Kupchick, Selectman Thomas Flynn, Selectwoman Nancy Lefkowitz

OTHERS PRESENT: Janice Bouloubasis, Jason Prevelige, Jennifer Kennedy, Sarah Matthews, Susan O'Neill, David Kantor, Kirstin Etela, Peter Hood, Purchasing Director Gerald Foley, Building Manager James Ryan, Police Chief Bob Kalamaras, REJTF Co-Chair Gina Ludlow and members Steve Bogan, Doug Bunnell, Karen Lynch, Ryan Odinak, and Sandra Tallman, Town Attorney James Baldwin, Attorney James Tallberg, Attorney Douglas Varga, Tom McManus, Meghan McGloat, Nick von der Wense, Tim Lynch, James White, Justin Spencer, Greg Taylor, Arlene Carpenter, Jonathan Fernandez, and Anthony Mannello.

1) CALL TO ORDER-First Selectwoman Kupchick called the meeting to order at 4:00 pm.

2) PLEDGE OF ALLEGIANCE-First Selectwoman Kupchick led the Pledge of Allegiance.

3) MINUTES

To consider and act upon the minutes of January 3, 2022 and January 18, 2022
Selectwoman Lefkowitz made a motion to approve Item 3. Selectman Flynn seconded the motion which carried unanimously.

4) RESIGNATIONS (*for information only*)

a) Bike and Pedestrian Committee

Bruce Prangley (D) 8 Bloomfield Drive, term 11/18-11/22
(Resignation Date: January 21, 2022)

b) Burr Gardens Advisory Committee

i. Tara T. Backe (R) 388 Old Post Road, term 11/21-11/24
(Resignation Date: January 11, 2022)

ii. Lisa W. Callahan (R) 290 Beach Road, term 11/20-11/23
(Resignation Date: January 14, 2022)

The Selectmen thanked Mr. Prangley, Ms. Backe and Ms. Callahan for their service.

5) APPOINTMENTS

To hear, consider and act upon the following appointments:
Selectwoman Lefkowitz thanked those who have served on committees and said she would like to advocate for more diversity on boards. Selectwoman Lefkowitz said she will be abstaining from voting on today's appointments. She thanked everyone in advance for their service.

First Selectwoman Kupchick stated she is following the same process as previous Selectmen had in putting residents on town boards. First Selectwoman Kupchick said she also includes the information on board openings in her weekly newsletter so residents can apply to Boards and Commissions and not apply through political parties only. First Selectwoman Kupchick offered to speak with Selectwoman Lefkowitz offline for her ideas on improving the process.

a) Affordable Housing Committee

- i. Janice Bouloubasis (R) 154 Overlook Avenue, term 11/21-11/25 (to replace Cynthia K. Sammarco whose term has expired)

Selectman Flynn made a motion to approve the appointment of Janice Bouloubasis to the Affordable Housing Committee. Selectwoman Lefkowitz seconded the motion which carried 2-0-1 (Selectwoman Lefkowitz abstained).

- ii. Ana Cristina (Nina) Velez (R) 122 Halley Avenue, term 11/21-11/25 (to replace Nancy J. Lyons whose term has expired)

Selectman Flynn made a motion to approve the appointment of Ana Cristina Velez to the Affordable Housing Committee. Selectwoman Lefkowitz seconded the motion which carried 2-0-1 (Selectwoman Lefkowitz abstained).

The Board thanked those whose terms expired and those who were newly appointed.

b) Board of Health

- Jason P. Prevelige (R) 220 Andrassy Avenue, term 11/21-11/25 (to replace Dr. Henry H. Yoon whose term has expired)

Selectman Flynn made a motion to approve the appointment of Jason Prevelige to the Board of Health. Selectwoman Lefkowitz seconded the motion which carried 2-0-1 (Selectwoman Lefkowitz abstained).

The Board thanked both Mr. Prevelige and Dr. Yoon for their service.

c) Burr Gardens Advisory Committee

- i. Jennifer B. Kennedy (R) 39 River Street, term 11/21-11/24 (to fill a vacancy for Tara T. Backe who resigned)

Selectman Flynn made a motion to approve the appointment of Jennifer Kennedy to the Burr Gardens Advisory Committee. Selectwoman Lefkowitz seconded the motion which carried 2-0-1 (Selectwoman Lefkowitz abstained).

- ii. Sarah Matthews (R) 230 Penfield Road, term 11/21-11/24 (to fill a vacancy for Shana T. Wiswell who did not seek a second term)

Selectman Flynn made a motion to approve the appointment of Sarah Matthews to the Burr Gardens Advisory Committee. Selectwoman Lefkowitz seconded the motion which carried 2-0-1 (Selectwoman Lefkowitz abstained).

- iii. Susan O'Neill (R) 153 Old Post Road, term, 11/20-11/23
(to fill a vacancy for Lisa Callahan who resigned)

Selectman Flynn made a motion to approve the appointment of Susan O'Neill to the Burr Gardens Advisory Committee. Selectwoman Lefkowitz seconded the motion. The motion carried 2-0-1 (Selectwoman Lefkowitz abstained).

The Board thanked those who are no longer serving on this committee and those who were newly appointed.

- d) Land Acquisition Commission
David M. Kanter (D) 11 Myren Street, term 11/18 – 11/22 (*alternate*)
(to replace Kasandra D. Marshall who moved to full member)

Selectwoman Lefkowitz made a motion to approve the appointment of David Kanter to the Land Acquisition Commission. Selectman Flynn seconded the motion. The motion carried 2-0-1 (Selectwoman Lefkowitz abstained).

The Board thanked Mr. Kanter for his service.

- e) Solid Waste and Recycling Commission
Kirstin M. Etela (D) 90 South Pine Creek Road, term 11/18-11/22
(to fill a vacancy for Guy Gleysteen who resigned)

Selectwoman Lefkowitz made a motion to approve the appointment of Kirstin Etela to the Solid Waste and Recycling Commission. Selectman Flynn seconded the motion. The motion carried 2-0-1 (Selectwoman Lefkowitz abstained).

The Board thanked both Ms. Etela and Mr. Gleysteen for their service.

- 6) **FIRST SELECTWOMAN APPOINTMENTS (for information only)**
Conservation Commission
 - a) Jay Fain (U) 8 Elm Street, term 11/19-11/24 (*moving from alternate to full member*)
(to replace Jennifer A. Hauhuth who resigned)
 - b) Peter C. Hood (D) 542 Villa Avenue, term 11/19-11/24 (*alternate*)
(to replace Jay Fain who is moving from alternate to full member)

First Selectwoman Kupchick thanked those who are no longer serving on the commission as well as those who were newly appointed.

- 7) **PURCHASING DIRECTOR**
To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with All State Construction, Inc. to provide labor, materials, equipment and all else necessary to perform HVAC upgrades at Police Headquarters, 100 Reef Road [per bid #2022-56R], in an amount not to exceed \$480,000.00. [Account #22809010-57000-022T3 Capital Outlay Funds + 01005030-54370 Materials for Maint/Repair].

Selectman Flynn made a motion to approve Item 7. Selectwoman Lefkowitz seconded the motion.

Gerald Foley said funding has already been approved for this item and the vote is just for the contract. Selectman Flynn asked if the Town Attorney had reviewed the contract. Town Attorney Baldwin said he did review the contract and has no issue with it. Mr. Foley said this went out to bid and the operating account is being used for maintenance and repair. He said these funds will supplement the cost to replace the fan. Due to the supply chain issue, Mr. Foley said delivery is 60 days. Selectwoman Lefkowitz said HVAC is about clean air so she is in support of this item. Mr. Foley said the unit is 12 years old, but because it operates 24/7 it has exceeded its life expectancy. He said the upgrades will significantly improve the air quality at the Police Department.

The motion carried unanimously.

8) **RACIAL EQUITY AND JUSTICE TASK FORCE**
To hear and discuss the Racial Equity Plan

First Selectwoman Kupchick thanked the public for all the emails she and the Selectmen received regarding the Racial Equity Plan. She said the Board unanimously approved the Task Force's Mission Statement (which is included in the backup documents for this meeting) in September 2020.

Steve Bogan, Karen Lynch and Doug Bunnell, all members of the REJTF presented the blueprint for the Town to use going forward. They said Chief Kalamaras, Schools Superintendent Mike Cummings as well as members of the Town participated in the conversations and provided data to form the blueprint. They said there were 16 one-on-one interviews with key figures in the Town also. They said there was also a community roundtable discussion where some residents shared stories of racism within the Town. They said appointing a permanent committee would show a commitment to these issues. They said it was suggested to have a FPD Officer oversee training groups on this issue as it would improve the quality of life for the community.

Selectwoman Lefkowitz said based on the outpouring of support, the community is craving this Task Force. She thanked all the members of the Task Force for challenging everyone to have difficult, but necessary conversations.

REJTF member Sandra Tallman said she and Tameisha Powell-Dunmore who was not able to log into the call, said they both wanted to state for the record that they don't agree with the blueprint and although they had originally voted to approve it, when they requested that their vote be rescinded, they were denied. Ms. Tallman said she doesn't think there is enough data to support the Town being systematically racist. Ms. Tallman said there are many good suggestions that are getting lost in the blueprint. There was a detailed discussion regarding Ms. Tallman's comments and the comments of the other task force members which can be heard in the recording listed at the top of this document.

First Selectwoman Kupchick said she has read the blueprint several times and it has a lot of great information. She said she would like to give it to department heads, the BOE and the PD for their feedback. First Selectwoman Kupchick thanked the REJTF for their commitment to this Task Force and for providing the blueprint that the Town can build on.

First Selectwoman Kupchick motioned for a short recess at 6:10 pm. Selectman Flynn seconded the motion which carried unanimously.

Selectwoman Lefkowitz motioned to resume the meeting at 6:20 pm. Selectman Flynn seconded the motion which carried unanimously.

- 9) To consider and act upon tax refunds as recommended by the Tax Collector in the amount of \$55,282.86

Selectman Flynn made a motion to approve Item 4. Selectwoman Lefkowitz seconded the motion which carried unanimously.

- 10) To hear, consider and act upon any other business which shall properly come before this meeting

First Selectwoman Kupchick asked for public comment at this time. There was none.

11) TOWN ATTORNEY

- a) Executive Session – Pending Litigation – Monroe RE, LLC, et al. vs. Town of Fairfield with Town Attorney James Baldwin
- b) Executive Session – Pending Litigation – Fluor Securities Litigation with Attorney Matthew Tuccillo and Town Attorney Jim Baldwin

Regarding Item 11a, First Selectwoman Kupchick said that Town Attorney Baldwin will speak to the Board and the public to give a history on this case. She said public comment will be allowed after Attorney Baldwin speaks and before going into Executive Session. First Selectwoman Kupchick addressed emails received regarding this case that were inappropriate and aggressive and she asked the public for respect when commenting. She said this lawsuit goes back almost nine years. For Attorney Baldwin's history regarding Newport Academy and the details of the comments of the public, please go to the link at the top of this document.

Public comment was made by Tom McManus, Meghan McGloat, Nick von der Wense, Tim Lynch, James White, Justin Spencer, Greg Taylor, Arlene Carpenter, Jonathan Fernandez, and Anthony Mannello.

After public comment, First Selectwoman Kupchick stated the Town has been transparent and has been arguing this case for years. She said after the Town was served with Federal lawsuits, it was no longer allowed to discuss the situation publicly. First Selectwoman Kupchick said when the Board and the Attorneys come out of Executive Session, they will vote. She said once they are allowed to speak in public, they will have a public discussion. The recording will have all details of the discussions on this item.

Selectman Flynn made a motion to go into Executive Session at 7:05 pm. Selectwoman Lefkowitz seconded the motion which carried unanimously.

Selectman Flynn made a motion to come out of Executive Session at 7:33 pm. Selectwoman Lefkowitz seconded the motion which carried unanimously.

Selectman Flynn made a motion to proceed with the settlement as advised by Counsel regarding Item 11a. Selectwoman Lefkowitz seconded the motion which carried unanimously.

Item 11b. was continued to the next meeting, Monday, February 7, 2022 at 4:00pm.

12) Adjourn

Selectman Flynn made a motion to adjourn the meeting at 7:43 pm. Selectwoman Lefkowitz seconded the motion which carried unanimously.

Respectfully submitted,

Pru O'Brien
Recording Secretary