

BOARD OF SELECTMEN SPECIAL MEETING
Monday, March 21, 2022
3:00 pm
Via Webex

A recording of this meeting can be found here: [Board of Selectmen 3-21-2022 Special Meeting - YouTube](#).

FINAL MINUTES

MEMBERS PRESENT: First Selectwoman Brenda L. Kupchick, Selectman Thomas Flynn
OTHERS PRESENT: Urb Leimkuhler, Jr, Mary Tomey-Streeto, Purchasing Director Gerald Foley, Planning Director Jim Wendt, Buildings Manager James Ryan, Parks and Recreation Director Anthony Calabrese, WPCF Supervisor John Brodie, Engineering Manager Bill Hurley, Tax Collector David Kluczowski, Town Attorney James Baldwin, Assistant Director DPW John Cottell, CFO Jared Schmitt, Executive Director of Operations FPS Angelus Papageorge, Assistant Planning Director Emmeline Harrigan, FairTV, members of the public
MEMBERS ABSENT: Selectwoman Nancy Lefkowitz

1) CALL TO ORDER

First Selectwoman Kupchick called the meeting to order at 3:02 pm.

2) PLEDGE OF ALLEGIANCE

First Selectwoman Kupchick led the Pledge of Allegiance.

3) RESIGNATIONS *(for information only)*

- a) Affordable Housing Committee
Carolyn W. Makover (D) 60 Knollwood Drive, term 11/21-11/25
(Resignation Date: February 14, 2022)
- b) Bicycle and Pedestrian Committee
Karen Secrist (U), term 11/18-11/22
(Resignation Date: March 17, 2022)

First Selectwoman Kupchick and Selectman Flynn thanked Ms. Makover and Ms. Secrist for their service to the Town.

4) APPOINTMENTS

To hear, consider and act upon the following appointments:

- a) Affordable Housing Committee
Urban E. Leimkuhler, Jr. (U) 83 Spruce Street, Southport, term 11/21-11/25
(to replace Carolyn W. Makover who resigned)
- b) Bicycle and Pedestrian Committee
Mary M. Tomey-Streeto (D) 137 Beaumont Street, term 11/18-11/22
(to replace Bruce Prangley who resigned)

First Selectwoman Kupchick made a motion to approve Item 4 a and b. Selectman Flynn seconded the motion which carried unanimously.

First Selectwoman Kupchick and Selectman Flynn thanked Mr. Leimkuhler and Ms. Tomey-Streeto for stepping up to serve the community.

5) PURCHASING AUTHORITY

To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with Fitzgerald & Halliday, LL d/b/a FHI Studio to provide labor, materials, and all else necessary to assist the Town Plan and Zoning Department in the final stages of completion of the Plan of Conservation and Development (POCD) and to modernize and update Fairfield's Zoning Regulations [per RFP #2022-69], for a total amount not to exceed \$151,832.00. [Funding for this contract is available in Account #14501010-59996-81003 – ARPA Funds].

First Selectwoman Kupchick made a motion to approve Item 5. Selectman Flynn seconded the motion.

First Selectwoman Kupchick said ARPA funding was approved to get the POCD up and running. Planning Director Jim Wendt thanked Purchasing Director Gerald Foley and the BOS. He said FHI identified three big issues: transit development, commercial opportunities, and housing. He said their proposal was the most attractive and under budget. Town Attorney James Baldwin said the contract was very good. Selectman Flynn asked where in the process the project is now. Mr. Wendt said there have been outreach sessions, but COVID hit and they were delayed. He said there is a nine-month timeframe for an update. He said the initial phase of regulation work happens in parallel with the update. Mr. Wendt said the later stages of regulation rewrite will be dependent on recommendations of the POCD. He said there will be a website established for this to inform the public.

The motion carried unanimously.

Selectman Flynn made a motion to waive the reading of Items 6-11. First Selectwoman Kupchick seconded the motion which carried unanimously.

6) PURCHASING AUTHORITY

To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with ACV Enviro. to provide labor, materials, equipment and all else necessary to perform underground storage tank removals at the Sullivan Independence Hall facility, 725 Old Post Road and the H. Smith Richardson Golf Course Maintenance Building facility, 385 Hoydens Lane [per bid #2022-41], for a total amount not to exceed \$24,651.90; with additional authority to execute change orders to said contract in an amount not to exceed \$5,000.00; for a combined grand total amount not to exceed \$29,651.90. [Funding for this contract is available in Accounts #22809010-57000-013T1 Capital Account (DPW Underground storage tanks) and #01005030-54320 – Operating Budget (Maintenance /Repair of Buildings & Grounds)].

Selectman Flynn made a motion to approve Item 6. First Selectwoman Kupchick seconded the motion.

Selectman Flynn asked Buildings Manager James Ryan if this item was new information. Mr. Ryan explained that the boilers were replaced with natural gas last year.

He said Independence Hall abandoned the tank and did not replace it. He said the life expectancy of the tanks is driving this removal and, at HSR, concrete was installed for above ground tanks that will hold gas, diesel, and heating oil.

The motion carried unanimously.

7) PURCHASING AUTHORITY

To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with Greenway Property Services to provide labor, materials, equipment and all else necessary to perform athletic field maintenance services [per bid #2022-140], for a total amount not to exceed \$890,050.00; [Funding for this contract is available in Accounts #01007080-54010 Operating Budget Account (Town - Contracted Property Services) and #11-2530-378-003-313-64-6622-B-54870 (FPS – Contracted Services - Grounds)].

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

Parks & Recreation Director Anthony Calabrese said an RFP went out for this. He said there were two submissions and Greenway was the lowest. He said Greenway had a previous contract, and the Town is happy to work with it again. FPS Executive Director of Operations Angelus Papageorge agreed.

The motion carried unanimously.

8) PURCHASING AUTHORITY

To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with Aqua Turf Irrigation, LLC to provide labor, materials, equipment and all else necessary to design, build, supply and install a new splash pad system at Lake Mohegan Park, 960 Morehouse Highway [per RFP #2022-128], for a total amount not to exceed \$171,000.00; with additional authority to execute change orders to said contract in an amount not to exceed \$40,125.00; for a combined grand total amount not to exceed \$211,125.00. [Funding for this contract is available in Accounts #22809010-57000-022TD Capital Account (Lake Mohegan Splash Pad), #01007050 54320 (Recreation Maintenance & Repairs) and; 12407050 57008 10950 (Capital – Park Improvements)].

First Selectwoman Kupchick stated that the necessary process was followed by the Purchasing Department and the contract was reviewed by Town Attorney Baldwin. Mr. Calabrese said this is a separate project that was funded in 2021. He said the RFP states that it needs to be completed by Memorial Day. He said Aqua Turf said there are no supply chain issues as all the parts are in stock. Town Attorney Baldwin said there were details about the contract that need to be corrected and he proposed for the BOS to approve the item with the contingency that terms are satisfactory to the Town Attorney and the Parks and Recreation Director.

Selectman Flynn made an amended motion to approve Item 8 with the contingency that the terms of the contract are negotiated to the satisfaction of the Town Attorney and the Parks and Recreation Director. First Selectwoman Kupchick seconded the motion which carried unanimously.

- 9) **WATER POLLUTION CONTROL AUTHORITY (*requires BOF and RTM approval*)**
To hear, consider and act upon a request from the WPCA to appropriate \$220,000 from the WPCA Fund Balance to complete the Microgrid Project.

First Selectwoman Kupchick made a motion to amend Item 9 to change the appropriation from \$220,000 to \$120,000. Selectman Flynn seconded the motion which carried unanimously.

WPCF Supervisor John Bodie said the Microgrid Project was delayed due to the WasteWater hardening contaminated soil.

Selectman Flynn made a motion to approve Item 9 as amended. First Selectwoman Kupchick seconded the motion which carried unanimously.

- 10) **WATER POLLUTION CONTROL AUTHORITY (*requires BOF and RTM approval*)**
To hear, consider and act upon a request from the WPCA to appropriate \$540,000 from the WPCA Fund Balance to replace the Compost Agitator and Dolly at the Waste Water Treatment Facility.

Selectman Flynn made a motion to approve Item 10. First Selectwoman Kupchick seconded the motion.

Mr. Bodie said the machine is deteriorating and he was hoping to delay it until the upgrade, but that is a few years away. He said if this machine breaks, it cannot be fixed because it is too old.

The motion carried unanimously.

- 11) **ENGINEERING MANAGER (*requires BOF and RTM approval*)**
To hear, consider and act upon a request from the Engineering Department to approve, as part of the Commerce Drive and State Street extension bridge project, an appropriation in the amount of \$200,000 to pay for fees associated with the Right-of-Way process and permanent and temporary easements related to the project, of which 100% shall be covered by a MetroCOG LOTCIP grant.

Selectman Flynn made a motion to approve Item 11. First Selectwoman Kupchick seconded the motion.

Engineering Manager Bill Hurley said this is for the Commerce Drive bridge. He said the Town received a grant for the right of way process. He said design and construction has been approved. He said normally, the Town would have to pay for the temporary and permanent easements, but this is covered by the grant.

The motion carried unanimously.

- 12) **TAX REFUNDS**
To consider and act upon tax refunds as recommended by the Tax Collector in the amount of \$154,873.19

Selectman Flynn made a motion to approve Item 12. First Selectwoman Kupchick seconded the motion which carried unanimously.

First Selectwoman Kupchick asked for public comment. There was no public comment.

15) TOWN ATTORNEY

Executive Session – Pending Litigation – Retirement Program for Employees of the Town of Fairfield, et. al. v. Allianz Global Investors U.S. LLC with Town Attorney James Baldwin

Selectman Flynn made a motion to go into Executive Session at 3:48 pm. First Selectwoman Kupchick seconded the motion which carried unanimously.

Selectman Flynn made a motion to come out of Executive Session at 3:53 pm. First Selectwoman Kupchick seconded the motion which carried unanimously.

First Selectwoman Kupchick made a motion that the Board hereby approves and ratifies the engagement of Silver, Golub & Teitell, LLP by the Retirement Program for the Employees of the Town of Fairfield and the Retirement Program for the Fairfield Police and Firemen's Retirement System (collectively, the "Retirement Programs") and authorizes Silver, Golub, & Teitell, LLP to continue to prosecute the action against Allianz Global Investors on behalf of the Town of Fairfield and the Retirement Programs on the terms set forth in the Retirement Programs' January 24, 2020 engagement letter.

Selectman Flynn seconded the motion which carried unanimously.

16) Adjourn

Selectman Flynn made a motion to adjourn the meeting at 3:55 pm. First Selectwoman Kupchick seconded the motion which carried unanimously.

Respectfully submitted,

Pru O'Brien
Recording Secretary