

BOARD OF SELECTMEN SPECIAL MEETING FINAL MINUTES
Monday, May 23, 2022
4:00 pm
Via Webex

A recording of this meeting can be found here: <https://www.youtube.com/watch?v=wFwB2cMJ2Ig>.

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

OTHERS PRESENT: Tim Callahan, Jose Oromi, Purchasing Director Gerald Foley, Conservation Director Tim Bishop, Senior Director of Science and Conservation for the Connecticut Audubon Society Milan Bull, Tucker Fund founder Karen Secrist, WPCA Inspector John Clancy, WPCF Superintendent John Bodie, Parks & Recreation Director Anthony Calabrese, CFO Jared Schmitt, Engineering Manager Bill Hurley, Community and Economic Development Director Mark Barnhart, Affordable Housing Committee Chair Steve Grathwohl, Executive Director of Finance and Business Services, FPS Courtney Leborious, Executive Director of Operations and Processes, Title IX Coordinator Dr. Zakia Parrish, BOE Chair Christine Vitale

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) **RESIGNATION (*for information only*)**

Bike and Pedestrian Committee

Richard C. Soldano (D) 14 Sterling Street, term 11/20-11/24

(Resignation Date: May 13, 2022)

First Selectwoman Kupchick thanked Mr. Soldano for serving the Town.

4) **APPOINTMENTS**

Bike and Pedestrian Committee

a) Timothy J. Callahan (U) 66 Jackman Avenue, term 11/20-11/24

(to replace Richard C. Soldano who resigned)

Selectman Flynn made a motion to approve the appointment of Timothy Callahan to the Bike and Pedestrian Committee. Selectwoman Lefkowitz seconded the motion which carried unanimously.

There was no public comment.

b) Jose E. Oromi (R) 211 Lloyd Drive, term 11/18-11/22

(to replace Bruce Prangle who resigned)

Selectman Flynn made a motion to approve the appointment of Jose Oromi to the Bike and Pedestrian Committee. Selectwoman Lefkowitz seconded the motion which carried unanimously.

There was no public comment.

Selectwoman Lefkowitz made a motion to waive the reading of Items 5-12. Selectman Flynn seconded the motion, but asked for a brief explanation of the item. The motion carried unanimously.

5) PURCHASING AUTHORITY

To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with RFJ Associates, LLC dba Tomlinson Hawley Patterson for the construction of a bird observation blind structure on Town Open Space land located at 760 Oldfield Road [per Bid #2022-168], for a total amount not to exceed \$31,405.29 [Account #11001230-53200 – Donation Account - Fees and Professional Services]

Selectman Flynn made a motion to approve item 5. Selectwoman Lefkowitz seconded the motion.

Conservation Director Tim Bishop said this is a parcel of wetlands and the intent is to build a bird viewing structure to use with binoculars. He said he is working with Eagle Scouts and the Tucker Fund which donated \$18,000 to fund this, but the bids came in for more. Mr. Bishop said he asked to use money from the Conservation donation fund. He said the Conservation Commission was consulted as well.

There was a discussion about who oversees the money in the Conservation Fund and the policy regarding how it is spent and when permission from the BOS is required.

Senior Director of Science and Conservation for the Connecticut Audubon Society, Milan Bull, thanked the Tucker Fund for its donation and for all it has done throughout Fairfield. Tucker Fund founder Karen Secrist explained that all money used from the Tucker Fund is donated and it will be having its annual fundraiser in June. Ms. Secrist said she will send the information to First Selectwoman Kupchick to put in the newsletter.

The motion carried unanimously.

There was no public comment.

6) PURCHASING AUTHORITY

To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with Vortex Services, LLC to provide labor, materials, equipment and all else necessary to supply sewer system cleaning, closed circuit television (CCTV) and rehabilitation services [per bid #2022-157], in an amount not to exceed \$162,932.00; with additional authority to execute change orders to said contract in an amount not to exceed \$24,439.80; for a combined grand total amount not to exceed \$187,371.80 . [Account #13013010-54360 – Operating Budget - I/I Correctional Improvements account]

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

WPCF Superintendent John Bodie said this is part of an ongoing I & I that comes out of the WPCA operating budget. He said the project is being done in phases and this request is for Phase four.

The motion carried unanimously.

There was no public comment.

7) PURCHASING AUTHORITY

To hear, consider and authorize the Purchasing Authority to enter into a five (5) year [one (1) dollar buyout] lease with PNC Equipment Finance, LLC for the supply of eighty (80) 2023 E-Z-GO RXV Elite Lithium Battery Powered Golf Carts and two (2) 2023 Cushman Hauler 800X Lithium Battery Powered Utility Carts for the H. Smith Richardson Golf Course Facility [per RFP#2022-142], for a total five (5) year lease amount not to exceed \$895,000.00 [Account #01007113-53310 – Operating Budget - Rental and Storage]

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

Parks & Recreation Director Anthony Calabrese said an RFP went out for 80 golf carts and two utility carts. He said the current carts are at the end of their time. He said this would be a five-year lease and then turn them over. Mr. Calabrese said he realizes this is a lot of money, but this was the lowest bid. He said the golf carts bring in approximately \$300,000 in revenue on a yearly basis and will pay for themselves over the leasing period. Mr. Calabrese said H. Smith Richardson golf course currently has 60 carts and a second lease for an additional 20 carts. He said the lead time on the carts is one year so the current leases will be in effect until the new carts are delivered. There was a discussion about the current leases with Purchasing Director Gerald Foley.

The motion carried unanimously.

There was no public comment.

8) PURCHASING AUTHORITY

To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with PKF O'Connor Davies, LLP for annual auditing services [per RFP#2022-123], for the fiscal year 2022 audit period in an annual amount not to exceed \$125,960.00 [Account #01003130-53200 – Operating Budget - Fees and Professional Services]

Selectman Flynn made a motion to approve Item 8. Selectwoman Lefkowitz seconded the motion.

CFO Jared Schmitt said PKF O'Connor Davies was selected by the BOF for auditing services. He said this was the only company to bid which is very common around the State. Mr. Schmitt said PKF O'Connor Davies is the Town's current auditing services company and pricing did go up due to adding the Parking Authority to the audit. He said the Parking Authority will reimburse the Town for the expense. He said this bid will go out again next year.

The motion carried unanimously.

There was no public comment.

9) ENGINEERING MANAGER (*requires BOF and RTM approval*)

To hear consider and act upon a resolution further amending and restating a resolution entitled, "A resolution appropriating \$3,088,000 for the costs associated with construction of berm and pumping station and authorizing the issuance of bonds to finance such appropriation" to

increase the amount of the appropriation to \$10,007,765 and to accept a further state grant in the amount of \$400,000. *(the fully-worded resolution can be found in the backup)*

Selectman Flynn made a motion to approve Item 9. Selectwoman Lefkowitz seconded the motion.

Engineering Manager Bill Hurley said the full resolution is included in the backup. He said the grant will increase by \$400,000 to pay for extra fill quantities and debris that had historic contamination. He said a Connecticut Department of Housing grant will cover the expense 100%.

The motion carried unanimously.

There was no public comment.

10) **ENGINEERING MANAGER *(requires BOF and RTM approval)***

To hear, consider and act upon the following resolution as recommend by the Engineering Manager:

“WHEREAS, Federal monies are available under the Community Development Block Grant - Disaster Recovery Program, administered by the State of Connecticut, Department of Housing pursuant to Public Law 93-383, as amended; and

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Housing is authorized to disburse such Federal monies to local municipalities; and

WHEREAS, it is desirable and in the public interest that the Town of Fairfield accept from the State \$400,000, one hundred percent (100%) of said funds to be reimbursed by the Connecticut Department of Housing, in order to undertake a Community Development Block Grant-Disaster Recovery - Tranche 2 Project, Fairfield Waste Water Treatment Plant Hardening, and to execute an Assistance Agreement therefore, should one be offered; and

WHEREAS, the funding is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of The Connecticut General Statutes; and

NOW, THEREFORE, BE IT RESOLVED, that that First Selectwoman Brenda L. Kupchick be, and hereby is, authorized to accept in the name of and on behalf of the Town of Fairfield, a Grant in the amount of \$400,000 from the Commissioner of the Department of Housing; and

FURTHER RESOLVED, that the First Selectwoman is hereby authorized, on behalf of the Town of Fairfield, to sign and execute any and all necessary documents to secure said grant as well as provide additional information to execute any other documents as may be required by the Commissioner to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered and to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the Town of Fairfield.”

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

There was no need for further discussion as Item 10 relates to Item 9.

The motion carried unanimously.

There was no public comment.

11) **DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT (*requires RTM approval*)**

To hear, consider and act upon the following resolution as recommended by the Director of Community and Economic Development:

RESOLVED, that the applications received under the Neighborhood Assistance Act (NAA) Program are hereby approved, and that the Director of Community and Economic Development is hereby designated as the municipal liaison of the Town of Fairfield for this program.

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

Community and Economic Development Director Mark Barnhart said this program is administered by the Department of Revenue Services. He said the Town solicits and reviews applications and then conducts hearings. He said there are six applications from local businesses and there will be a hearing scheduled. Mr. Barnhart said there is no Town money used for this. He said FTC and Operation Hope are two of the organizations that have applied and have been accepted in the program in the past. He said Fairfield businesses can donate to those organizations and receive small federal tax credits.

The motion carried unanimously.

12) **DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT (*requires RTM approval*)**

To hear, consider and act upon the following resolution as recommended by the Director of Community and Economic Development:

RESOLVED, that the Program Year 48 (October 1, 2022 – September 30, 2023) Community Development Block Grant (CDBG) Annual Action Plan be and hereby is approved in the amount of \$592,000, which includes entitlement grant funds of \$525,640 and program income of \$66,360; and

FURTHER RESOLVED, that Brenda L. Kupchick, First Selectwoman of the Town of Fairfield, be, and hereby is, authorized to execute any and all necessary documents to facilitate the Town's receipt of these funds and participation in said CDBG Program.

Selectman Flynn made a motion to approve Item 12. Selectwoman Lefkowitz seconded the motion.

Mr. Barnhart explained that the Community Development Block Grant program is part of his department's annual action plan. He said he is Fairfield is considered an entitlement community under HUD which means there is no application process. He said the Town meets at least one of the requirements to provide benefits to persons with low to moderate income. He said there will be hearings and Mr. Barnhart said he will present this to the RTM and then this will go to HUD for approval. Mr. Barnhart said he doesn't know the exact amount that will be received from HUD, but it won't be less than last year's amount of \$525,640. Mr. Barnhart also went on to explain other donations and funding received from HUD.

The motion carried unanimously.

There was no public comment.

13) AFFORDABLE HOUSING COMMITTEE

To hear, consider and endorse the Affordable Housing Committee's Affordable Housing Plan

Selectman Flynn made a motion to approve Item 13. Selectwoman Lefkowitz seconded the motion.

Mr. Barnhart said this plan is more than a year's worth of effort with the Affordable Housing Committee (AHC). He said after its review and hearings, the plan was approved unanimously and is being presented to the BOS. Mr. Barnhart said the State requires the Town to submit an affordable housing plan every five years. AHC Chair Stephen Grathwohl said the Committee's goals are to put a moratorium on CT Statute Sec. 8-30g and diversify Fairfield's housing portfolio for the Town to take control of the Town's own future. Mr. Grathwohl said the Town is lucky to have Mr. Barnhart and Planning Director Jim Wendt. He said AHC is working with the Town Plan and Zoning department to help modify legislation. There was a discussion about more effective goals and the 8-30g Affordable Housing Act.

The motion carried unanimously.

There was no public comment.

14) CHIEF FINANCIAL OFFICER – 20 YEARS

To rescind the following previously adopted motion at the May 2, 2022 Board of Selectmen meeting:

To hear, consider and adopt a bond resolution entitled, "A resolution appropriating \$2,400,000 for the costs of the East Trunk Wetlands Crossing project and authorizing the issuance of bonds to finance such appropriation".

Selectman Flynn made a motion to approve Item 14. Selectwoman Lefkowitz seconded the motion.

CFO Jared Schmitt said Items 14 & 15 are related. He said item 14 is to rescind a motion previously voted on by the BOS because the WPCA Commission had not voted on the resolution.

The motion carried unanimously.

15) WATER POLLUTION CONTROL AUTHORITY - SUPPLEMENTAL RESOLUTION

To rescind the following previously adopted motion at the May 2, 2022 Board of Selectmen meeting:

To hear, consider and act upon the following Resolution:

WHEREAS, the Town of Fairfield (the "Town") has adopted at the request of the Water Pollution Control Authority ("WPCA") a Resolution entitled "A resolution appropriating \$2,400,000 for the costs of the East Trunk Wetlands Crossing project and authorizing the issuance of bonds to finance such appropriation" (the "Resolution"); and

WHEREAS, the Resolution appropriated \$2,400,000 for costs associated with the East Trunk Wetlands Crossing Project (the "Project") and authorized the issuance of bonds (the "Bonds"); and

WHEREAS, while the Town is liable for the debt service on the Bonds, for internal accounting purposes, it is appropriate that the costs of the Project including debt service on the Bonds

(the "Costs") be allocated to the WPCA; and

WHEREAS, the Town's WPCA has agreed to pay for the costs of the Project and the debt service on the Bonds authorized by the Resolution.

BE IT HEREBY RESOLVED, That the debt service on the Bonds as it becomes due shall be paid by the WPCA from its own funds and the obligation of the WPCA shall be set forth in a memorandum of understanding with the Town satisfactory to the Board of Selectmen.

Selectman Flynn made a motion to approve Item 13. Selectwoman Lefkowitz seconded the motion.

This Item was discussed with Item 14.

The motion carried unanimously.

There was no public comment.

16) BOARD OF EDUCATION

To hear an update from the BOE on enrollment projections and financial projections for the current fiscal year

Executive Director of Operations and Processes, Title IX Coordinator Dr. Zakia Parrish went through the current enrollment numbers. She said the numbers are updated every week. She said as of May 23rd, there were 148 fewer students enrolled than projected, but enrollment has been increasing. Dr. Parrish said there is usually a surge in July and August from residents moving to town or children starting kindergarten. There was a discussion about the numbers this year and what has been projected for next year.

Selectman Flynn asked about the \$500,000 surplus and if that money will be paid to the Town. Executive Director of Finance and Business Services Courtney LeBorious said the surplus was created by higher than anticipated employee attrition and vacancies. She said she will update this in the fourth-quarter report.

17) To consider and act upon tax refunds as recommended by the Tax Collector in the amount of \$70,680.54

Selectwoman Lefkowitz made a motion to approve Item 17. Selectman Flynn seconded the motion. The motion carried unanimously.

There was no public comment.

First Selectwoman Kupchick went through the Memorial Day weekend schedule of Town events. Selectwoman Lefkowitz asked for a COVID update at the next BOS meeting.

18) Adjourn

Selectman Flynn made a motion to adjourn the meeting at 5:48 pm. Selectwoman Lefkowitz seconded the motion which carried unanimously.

Respectfully submitted,

Pru O'Brien
Recording Secretary