

BOARD OF SELECTMEN REGULAR MEETING
Monday, October 3, 2022, 4:00 pm
Via Webex
and
In-Person in the First Floor Conference Room,
Independence Hall, 725 Old Post Road
Fairfield, CT 06824

A recording of this meeting can be found here: <https://www.youtube.com/watch?v=QzZ0QA84VaE>.

FINAL MINUTES

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

OTHERS PRESENT: William Diaz, William Ferguson, Anne Marie Lagnese, WPCF Superintendent John Bodie, CFO Jared Schmitt, Controller Caitlin Bosse, Purchasing Director Gerald Foley, Director of Operations for Fairfield Public Schools Angelus Papageorge, Security and Building Manager for Fairfield Public Schools Salvatore Morabito, FairTV

1) CALL TO ORDER

First Selectwoman Brenda 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 July 12, 2022, August 1, 2022, August 11, 2022, August 24, 2022, August 31, 2022, September 14, 2022

Selectwoman Lefkowitz made a motion to approve the minutes listed in Item 3 as written. Selectman Flynn seconded the motion which carried unanimously.

Selectwoman Lefkowitz made a motion to move Item 20 to right after Item 6. Selectman Flynn seconded the motion which carried unanimously. *

4) RESIGNATION (*for information only*)

RTM

William A. Diaz, III (D) 49 Melville Avenue, term 11/21-11/23
(resigned on September 27, 2022)

First Selectwoman Kupchick thanked Mr. Diaz for serving on the RTM.

5) APPOINTMENTS

a) Ethics Commission (*requires unanimous BOS approval & RTM approval*)

William A. Diaz, III (D) 49 Melville Avenue, term 07/22-07/24
(to replace Alexander J. Trembicki (D) whose term expired)

Selectwoman Lefkowitz made a motion to approve the appointment of William Diaz to the Ethics Commission. Selectman Flynn seconded the motion.

The Board thanked Mr. Diaz for serving on the RTM and the Ethics Commission.

The motion carried unanimously.

b) FairTV Commission (*requires unanimous BOS approval & RTM approval*)

i. William B. Ferguson (R) 12 Reynolds Drive, term 07/22-07/25

(to replace Alexander Vishno (R) whose term expired)

Selectman Flynn made a motion to approve the appointment of Mr. Ferguson to serve on the FairTV Commission. Selectwoman Lefkowitz seconded the motion.

The Board thanked Mr. Ferguson for serving.

The motion carried unanimously.

There was no public comment.

ii. Anne Marie Lagnese (R) 60 Steep Hill Road, term 07/20-07/23

(to replace Patrick G. Colligan (R) who resigned)

Selectman Flynn made a motion to approve the appointment of Ms. Lagnese to serve on the FairTV Commission. Selectwoman Lefkowitz seconded the motion.

The Board thanks Ms. Lagnese for serving.

The motion carried unanimously.

There was no public comment.

6) **FIRST SELECTWOMAN APPOINTMENTS** (*for information only*)

a. Conservation Commission (Alternate)

David L. Downie (R) 655 Warner Hill Road, term 11/19-11/24

(to fill a vacancy left by a member who moved to full member)

Due to Mr. Downie not accepting this position, the alternate seat remains open.

b. Fairfield Housing Authority

Claudine C. Civitello (R) 1083 Mill Plain Road, term 11/21-11/26

(to replace James D. Kelly (R) whose term expired)

These items were for information only. There was no public comment.

**Item 20 was taken next.*

Selectwoman Lefkowitz made a motion to waive the reading of Item 20. First Selectwoman Kupchick seconded the motion which carried unanimously.

20) **CHIEF FISCAL OFFICER** (*requires BOF and RTM approval*)

To hear, consider and act upon a resolution approving the transfer of Fiscal Year 2021-2022 Revenue Surplus as amended by the Board of Finance:

WHEREAS, the Town of Fairfield (“the Town”) is ending the 2021-2022 Fiscal Year with an approximate \$12,000,000 operating fund surplus (“the Surplus”); and

WHEREAS, \$3.6 million of the Surplus amount is related to actual expenditures that were less than the amount of expenditures budgeted (“Spending Surplus”); and

WHEREAS, 8,400,000 of the Surplus amount is related to actual revenue receipts that exceeded the amount of budgeted revenue (“Revenue Surplus”); and

WHEREAS, the Town continues to be confronted with the impact of fill pile contamination and related costs, which are projected to greatly exceed the amount of the Revenue Surplus; and

RESOLVED, that, the Town hereby authorizes, approves and directs the transfer of the Fiscal Year 2020-2021 Revenue Surplus to the Fill Pile Remediation account as follows:

Increase:	Current Year Levy	\$ 2,000,000	01080-40000
Increase:	Prior Year Levy	\$ 3,000,000	01080-40010
Increase:	Interest on Delinquent Taxes	\$ 2,500,000	01080-40020
Increase:	Town Clerk-Conveyance	\$ 900,000	01001-42312
Increase:	Transfers Out-CNR- Remed Acct	\$ 8,400,000	01011010-58950

Selectwoman Lefkowitz made a motion to approve Item 20. First Selectwoman Kupchick seconded the motion.

CFO Jared Schmitt said the Board of Finance is scheduling a meeting for transfers. He said these are specific accounts of money that the BOS will approve first. He explained there was a \$12 million surplus for FY22. He said this resolution is to figure out where it will be distributed. Mr. Schmitt struck the words, “as amended by the Board of Finance” from the introduction of the resolution.

He also said that the Fiscal Year in the last sentence should read “2021-2022”:

RESOLVED, that, the Town hereby authorizes, approves and directs the transfer of the Fiscal Year 2020-2021 Revenue Surplus to the Fill Pile Remediation account as follows:

He also said that the following sentence should be removed: **WHEREAS**, the remaining Spending Surplus is expected to be deposited into the Town’s Fund Balance; and

Mr. Schmitt said a total of \$8.4 million was recognized as revenue and transferred out of the accounts listed above to a remediation account. He said the money will go into the Penfield Pavilion construction as well as to other remediation costs. There was a discussion about the breakdown of the funds and distribution.

The motion carried unanimously.

There was no public comment.

7) PURCHASING AUTHORITY

To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with Denali Water Solutions to provide cleaning of the primary digester tank at the Water Pollution Control Facility (WPCF) as detailed in Bid #2023-40 for a total fee not to exceed

\$531,600.00 with additional authority to execute change orders to said contract in an amount not to exceed \$53,160.00; for a combined grand total amount not to exceed \$584,760.00. [Account #13011110-59500 – Operating Fund - Authorized Appropriation from WPCA surplus]

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

First Selectwoman Kupchick said Town Attorney Baldwin sent an email saying he read the contract and approved it. Purchasing Director Gerald Foley said that this item was just for authorization to move forward with Denali Water Solutions for the digester cleaning.

The motion carried unanimously.

There was no public comment.

Selectwoman Lefkowitz made a motion to waive the full reading of Items 8-19. Selectman Flynn seconded the motion which carried unanimously.

- 8) **WATER POLLUTION CONTROL AUTHORITY (*requires BOF and RTM approval*)**
To hear, consider and approve a recommendation from the WPCA to approve additional funding of up to \$300,000 from the WPCA fund balance for the design of the Center Street Pump Station including the force main

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

Selectman Flynn asked if Items 8 & 9 were related as they both referred to pump stations. Selectman Flynn also asked why there were additional costs involved and what the original amount had been. WPCF Superintendent John Bodie explained that this was the first time Center Street and South Pine Creek were before the BOS. He said the word “additional” was added in error. There was a discussion about the amounts and how they were determined. Mr. Bodie said an RFP will go out for all the pump stations in the same request.

The motion carried unanimously.

There was no public comment.

- 9) **WATER POLLUTION CONTROL AUTHORITY (*requires BOF and RTM approval*)**
To hear, consider and approve a recommendation from the WPCA to approve additional funding of up to \$300,000 from the WPCA fund balance for the design of the South Pine Creek Pump Station and force main

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

WPCF Superintendent John Bodie said he is hoping to get funding from MetroCOG as well, but needs to be “shovel ready” to qualify.

The motion carried unanimously.

There was no public comment.

- 10) BOARD OF EDUCATION (*requires Board of Finance and RTM approval*)
To hear, consider and adopt a bond resolution entitled, “A Resolution Appropriating \$3,489,757 for the cost of roof replacement projects at Sherman Elementary School and Riverfield Elementary School and design services for the roof replacement project at Holland Hill Elementary School and authorizing the issuance of bonds to finance such appropriation”

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

Executive Director of Operations for Fairfield Public Schools Angelus Papageorge stated that Holland Hill is not part of this item. He said Sherman was on the waterfall last year, but there are now concerns with Riverfield and it is now a priority over Holland Hill.

Selectman Flynn made a motion to remove “and design services for the roof replacement project at Holland Hill Elementary School” from the resolution. Selectwoman Lefkowitz seconded the motion which carried unanimously.

There was a discussion about the waterfall and budget. While looking into the waterfall, there was a difference in the amount budgeted for this item and it was lower.

Selectwoman Lefkowitz made a motion to amend the resolution amount to \$3,481,757. Selectman Flynn seconded the amendment which carried unanimously.

There was no public comment.

The main motion, as amended, carried unanimously.

- 11) BOARD OF EDUCATION (*requires RTM approval*)
RESOLVED, that the Town of Fairfield authorizes the Board of Education of the Town of Fairfield to apply to the Commissioner of Administrative Services and to accept or reject a grant for the Roger Sherman Partial Roof Replacement Project at Roger Sherman Elementary School; and
FURTHER RESOLVED that the Roger Sherman Elementary School Building Committee is hereby established as the building committee with regard to the Roger Sherman Partial Roof Replacement Project at Roger Sherman Elementary School; and
FURTHER RESOLVED that the Town of Fairfield hereby authorizes at least the preparation of schematic drawings and outline specifications for the Roger Sherman Partial Roof Replacement Project at Roger Sherman Elementary School.

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

There was no public comment.

- 12) ROGER SHERMAN ELEMENTARY SCHOOL ROOF BUILDING COMMITTEE
To hear, consider and approve a charge for the Roger Sherman Elementary School Partial Roof Building Committee

Selectman Flynn made a **friendly amendment** to remove the word “partial” from the resolution and approve Item 12. Selectwoman Lefkowitz seconded the motion which carried unanimously.

There was no public comment.

13) FIRST SELECTWOMAN

To hear, consider and act upon the following resolution as recommended by the First Selectwoman: RESOLVED, that the Special Projects Standing Building Committee shall serve as the Roger Sherman Elementary School Partial Roof Building Committee (RSRBC) for the purpose of performing a partial roof replacements at Roger Sherman Elementary School

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

Selectman Flynn started a quick discussion about the Special Projects Standing Committee.

The motion carried unanimously.

There was no public comment.

14) BOARD OF EDUCATION (*requires RTM approval*)

RESOLVED, that the Town of Fairfield authorizes the Board of Education of the Town of Fairfield to apply to the Commissioner of Administrative Services and to accept or reject a grant for the Riverfield Partial Roof Replacement Project at Riverfield Elementary School; and FURTHER RESOLVED that the Riverfield Elementary School Partial Roof Building Committee is hereby established as the building committee with regard to the Riverfield Partial Roof Replacement Project at Riverfield Elementary School; and FURTHER RESOLVED that the Town of Fairfield hereby authorizes at least the preparation of schematic drawings and outline specifications for the Riverfield Partial Roof Replacement Project at Riverfield Elementary School

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

There was no public comment.

15) RIVERFIELD ELEMENTARY SCHOOL ROOF BUILDING COMMITTEE

To hear, consider and approve a charge for the Riverfield Elementary School Partial Roof Building Committee

Selectman Flynn made a motion to remove the word “partial” from the resolution and approve Item 15. Selectwoman Lefkowitz seconded the motion.

The motion carried unanimously.

There was no public comment.

16) FIRST SELECTWOMAN

To hear, consider and act upon the following resolution as recommended by the First Selectwoman: RESOLVED, that the Special Projects Standing Building Committee shall serve as the Riverfield Elementary School Partial Roof Building Committee (RRBC) for the purpose of performing a partial roof replacements at Riverfield Elementary School

Selectman Flynn made a motion to approve Item 16. Selectwoman Lefkowitz seconded the motion which carried unanimously.

17) BOARD OF EDUCATION (*requires RTM approval*)

RESOLVED, that the Town of Fairfield authorizes the Board of Education of the Town of Fairfield to apply to the Commissioner of Administrative Services and to accept or reject a

grant for the North Stratfield Air Conditioning Upgrade Project at North Stratfield Elementary School; and

FURTHER RESOLVED that the North Stratfield Elementary School Air Conditioning Building Committee is hereby established as the building committee with regard to the North Stratfield project at North Stratfield Elementary School; and

FURTHER RESOLVED that the Town of Fairfield hereby authorizes at least the preparation of schematic drawings and outline specifications for the North Stratfield project at North Stratfield Elementary School.

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

Selectman Flynn asked if 17, 18 & 19 were related. Mr. Papageorge said committees are being established and funding is being put together for schematic drawings. He said there is a short timeframe to apply to the State for HVAC project funds. He said the State wants three resolutions for each item. Mr. Papageorge said this is a competitive grant for the air conditioning and all approvals must be made prior to applying for the funds as the projects need to be “shovel ready”. He said the projects have already been funded in Phase 1 and the amounts were on the waterfall. He said ARPA funds will be used for design and then the actual projects will be ready if funds from the State come through. There was a discussion about the wording.

Selectman Flynn made an amendment to insert the word “air-conditioning” to the last “Further Resolved” paragraph after “North Stratfield” and before “projects”. Selectwoman Lefkowitz seconded the amendment which carried unanimously.

There was no public comment.

The main motion, as amended, carried unanimously.

- 18) BOARD OF EDUCATION (*requires RTM approval*)
RESOLVED, that the Town of Fairfield authorizes the Board of Education of the Town of Fairfield to apply to the Commissioner of Administrative Services and to accept or reject a grant for the Osborn Hill Air Conditioning Upgrade Project at Osborn Hill Elementary School; and
and
FURTHER RESOLVED that the Osborn Hill Elementary School Air Conditioning Building Committee is hereby established as the building committee with regard to the Osborn Hill project at Osborn Hill Elementary School; and
FURTHER RESOLVED that the Town of Fairfield hereby authorizes at least the preparation of schematic drawings and outline specifications for the Osborn Hill project at Osborn Hill Elementary School.

Selectwoman Lefkowitz made an amendment to insert the word “air-conditioning” in the last “Further Resolved” after “Osborn Hill” and before “project”. Selectman Flynn seconded the amendment which carried unanimously.

Selectwoman Lefkowitz made a motion to approve the item as amended. Selectman Flynn seconded the motion which carried unanimously.

There was no public comment.

- 19) BOARD OF EDUCATION (*requires RTM approval*)
RESOLVED, that the Town of Fairfield authorizes the Board of Education of the Town of Fairfield to apply to the Commissioner of Administrative Services and to accept or reject a grant for the Fairfield Woods Air Conditioning Upgrade Project at Fairfield Woods Middle School; and
FURTHER RESOLVED that the Fairfield Woods Middle School Air Conditioning Building Committee is hereby established as the building committee with regard to the Fairfield Woods project at Fairfield Woods Middle School; and
FURTHER RESOLVED that the Town of Fairfield hereby authorizes at least the preparation of schematic drawings and outline specifications for the Fairfield Woods project at Fairfield Woods Middle School. Selectwoman Lefkowitz made a motion to insert the word “air-conditioning” in the last “Further Resolved” after “Fairfield Woods Middle School” and before “project”.

Selectwoman Lefkowitz made a motion to approve the item. First Selectwoman Kupchick seconded the motion which carried unanimously.

There was no public comment.

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

First Selectwoman Kupchick asked for a moment of silence for fellow Americans who lost their lives as a result of Hurricane Ian and asked for everyone to keep all those affected by Ian in their thoughts and prayers.

Selectman Flynn shared his personal account of the hurricane.

- 22) Adjourn

Selectman Flynn made a motion to adjourn the meeting at 5:24 pm. Selectwoman Lefkowitz seconded the motion which carried unanimously.

Respectfully submitted,

Pru O'Brien
Recording Secretary