

**BOARD OF SELECTMEN REGULAR MEETING**  
**Monday, December 5, 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=HKGwzuAgbQs>.

**FINAL MINUTES**

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

MEMBERS ABSENT: Selectwoman Nancy E. Lefkowitz

OTHERS PRESENT: Parks & Recreation Director Anthony Calabrese, Parks and Recreation Commission Chair Brian Nerreau, Ken Dalling, Grant Dalling, Don Lamberty, Tree Warden Jeff Minder, Steven Collins, Ted Dezvane, Theodore Luchsinger, Purchasing Director Gerald Foley, DPW Assistant Director John Cottell, IT Director Dave Kelley, BOE IT Director Nancy Byrnes, Fire Chief Denis McCarthy, Community and Economic Development Director Mark Barnhart, Operation Hope Executive Director Carla Miklos, WPCF Superintendent John Bodie, Engineering Manager Bill Hurley, WPCA Project Manager Christine Pacelli, WPCA Vice-Chair Joe D'Avanzo, Town Attorney James Baldwin, FairTV

Selectwoman Lefkowitz asked via email that it be put on record that she is absent due to business travel disrupting her ability to attend the meeting. She also wanted to express her support for the WPCA funding for the Digester Repair.

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 November 9, 2022 and November 21, 2022  
Selectman Flynn made a motion to approve the minutes of 11/9/22 & 11/21/22 as written.  
First Selectwoman Kupchick seconded the motion which carried unanimously.

4) BOARD OF SELECTMEN

To hear, consider and act upon a recommendation from the Parks and Recreation Commission to rename the Sherman Green Gazebo to "Kenneth Dalling Gazebo at the Sherman Green"

Selectman Flynn made a motion to approve Item 4. First Selectwoman Kupchick seconded the motion.

Parks & Recreation Director Anthony Calabrese said the Town has been receiving emails regarding honoring resident Ken Dalling by naming the Sherman Green Gazebo after him. He said it was Mr. Dalling's idea to put the Gazebo on the Green and his contributions to the Town are immeasurable. He said the Parks and Recreation Commission passed the motion to recommend this renaming unanimously.

The motion carried unanimously.

First Selectwoman Kupchick and Selectman Flynn congratulated and thanked Mr. Dalling for his years of service to the Town. Mr. Dalling's son, Grant Dalling, thanked everyone for the naming the Gazebo after his father.

5) REAPPOINTMENTS

a) Flood and Erosion Control Board

Donald R. Lamberty (R) 75 French Street, term 11/22-11/27

Selectman Flynn made a motion to approve the reappointment of Donald Lamberty to the Flood and Erosion Control Board. First Selectwoman Kupchick seconded the motion which carried unanimously.

b) Police and Fire Retirement Board

Bruce C. Ryan (R) 439 Beach Road, term 11/22-11/25

Selectman Flynn made a motion to approve the reappointment of Bruce Ryan to the Police and Fire Retirement Board. First Selectwoman Kupchick seconded the motion which carried unanimously.

c) Tree Warden - Jeffrey M. Minder, term 11/22-11/23

Selectman Flynn made a motion to approve the reappointment of Jeffrey Minder as Tree Warden. First Selectwoman Kupchick seconded the motion which carried unanimously.

Fire Chief Denis McCarthy said as the Emergency Management Director for the Town, Mr. Minder has been critical to the Town, along with DPW, in the recovery of storms and wanted to thank Mr. Minder for his contributions.

Here are two emails sent in support of Jeff Minder, Tree Warden:

December 5, 2022

To the Board of Selectmen,

As members of the Fairfield Forestry Committee, we unanimously and heartily support reappointment of Jeff Minder as the Town of Fairfield Tree Warden. We work closely with Jeff on the many and varied issues concerning maintenance and enhancement of Town trees and the community forest. For example, we work with him to implement the tree planting and commemorative tree programs and all other aspects of the Fairfield Community Forest Management Plan. We see first-hand how he continually interacts in the most professional and knowledgeable manner with individual citizens; other Town bodies such as the Board of Education and Parks and Rec. Department; civic organizations such as the Mill River Wetland Committee, CT Audubon, Aspetuck Land Trust, school PTAs and the Fairfield PTA Council; and with local businesses and the utility companies, United Illuminating, Eversource and Aquarion. In meetings with other towns, we are constantly reminded of the high regard Mr. Minder is held in throughout the state. We appreciate and understand that the Town of Fairfield is truly fortunate to have Mr. Minder as our Town Tree Warden. We look forward to continue working with Mr. Minder and appreciate your re-appointing him as our Town Tree Warden.

Sincerely,

Fairfield Forestry Committee

Misty Beyer Roberta Clark Tom Corell Joe File Amanda Ingrassia Mike Keohane Peter Kraus Karin Layton Ted Luchsinger Beth Negron Mabley Eileen O'Reilly Kathleen Stauffe

Hello BOS,

I wanted to voice my support for our wonderful Tree Warden Jeff Minder. Jeff is not only knowledgeable about trees and the urban canopy here in town, but he also goes above and beyond by looking at each and every tree called into question. Jeff is also very personable and he gives his time to talk with residents and explain his thinking, which shows he is passionate about what he does and he cares about our town.

I also wanted to voice my support for Ted Luchsinger to serve as alternate on the Conservation Commission. Ted is a thoughtful person who will take this job seriously and give his careful consideration to every environmental issue that arises.

Best  
Amanda Ingrassia  
373 Davis Rd

The Board thanked all the re-appointees for their service to the Town.

6) APPOINTMENTS

a) Bicycle and Pedestrian Committee

Steven R. Collins (R) 109 Blue Ridge Road, term 11/22-11/26

(to replace Nathaniel Rex (U) who did not want another term)

Selectman Flynn made a motion to approve the appointment of Steven Collins to the Bicycle and Pedestrian Committee. First Selectwoman Kupchick seconded the motion which carried unanimously.

b) Land Acquisition Commission (Alternate)

Theodore M. Dezvane (U) 360 Hemlock Hills North, term 11/22 - 11/26

(to fill a vacancy created by David M. Kanter (D) who moved to full member)

Selectman Flynn made a motion to approve the appointment of Theodore Dezvane to the Land Acquisition Commission. First Selectwoman Kupchick seconded the motion which carried unanimously.

The Board thanked the appointees for their commitment to the Town and wished them luck.

7) FIRST SELECTWOMAN APPOINTMENT (*for information only*)

Conservation Commission (Alternate)

Theodore R. Luchsinger (D) 729 Cascade Drive, term 11/19-11/24

(to fill a vacancy left by Brian L. McCann (R) who moved to full member)

This is for informational purposes only. The Board thanked Mr. Luchsinger for his service.

8) PURCHASING AUTHORITY

To hear, consider and authorize the Purchasing Authority to enter into the proposed initial two (2) year lease, effective 01/01/2023 through 12/31/2024, and enter into three (3) one-year optional renewal periods, effective 01/01/2025 thru 12/31/2028 with the Boost Sport Performance Academy to provide all labor, materials, equipment and all else necessary for the complete operation of sports performance & athletic services at the Recreation Department's recreation center facility located at 210 Old Dam Road, Fairfield, CT as detailed in RFP #2023-32, for the pricing detailed in the Boost Sport Performance Academy proposal submission.

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

Mr. Calabrese said the building where the tennis bubble is located was the old beanery building. He said Boost Sport Performance has been the tenant there for five years. He said the Town receives 20% of program fees after their expenses. Mr. Calabrese said the bid went out and Boost was the only submission received. He said this was also the case five years ago. He said the Town receives \$32,282 a year as well as 20% of programs, parties and memberships. Town Attorney James Baldwin said he approved the contract.

The motion carried unanimously.

9) PURCHASING AUTHORITY

To hear, consider and authorize the Purchasing Authority to extend the current agreement with We Care Denali, LLC, to operate the Town's leaf and yard waste facility, as detailed in Bid #2017-78, for five (5) years, effective 01/01/2023 to 12/31/2028. We Care Denali, LLC shall pay the Town \$4,250.00 per month (\$51,000.00 annually) for the right to operate the Town's facility. Additionally, prior to the 12/31/2028 expiration date, We Care Denali LLC shall also replace the current truck weigh scale at the leaf and yard waste facility at no cost to the Town.

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

Assistant DPW Director John Cottell said We Care Denali has been operating the facility for the last five years. He said the Town will benefit from this contract as We Care Denali will be purchasing a new truck scale for the facility. He said Harvest New England was given the original contract and then it was acquired by Denali.

Joe D'Avanzo, 1446 Jennings Road, wanted to know if inflation was considered in the renewal. Mr. Cottell said inflation was not considered since We Care Denali was taking on the cost of the scale.

The motion carried unanimously.

10) PURCHASING AUTHORITY

To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with One Diversified, LLC to provide all labor, materials, equipment and all else necessary for the supply, delivery and installation of smart meeting room technology, as detailed in RFP #2022-175, in an amount not to exceed \$345,000.00 with additional authority to execute change orders to said contract in an amount not to exceed \$17,250.00; for a combined grand total amount not to exceed \$362,250.00. [Account 14501010-59996-81020 – ARPA funds and Account #01003110-57000 – Capital Outlay - IT Department].

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

IT Director Dave Kelley said the Smart Meeting Rooms are in the Fire Training Center, FLHS, RLMS Team Room, BOE Conference Room, Old Town Hall Conference Room and Sullivan Independence Hall First Floor Conference Room. He said this program will make running the hybrid meetings easier. First Selectwoman Kupchick said the hybrid meetings have made everything easier since COVID. Town Attorney James Baldwin said there are some minor things in the contract that are being changed.

Selectman Flynn made a motion to approve Item 10 subject to terms approved by Attorney Baldwin. First Selectwoman Kupchick seconded the motion which carried unanimously.

The amended motion carried unanimously.

11) **FIRE CHIEF (*requires RTM approval*)**

To hear and consider and act upon the following resolution as recommended by the Fairfield Fire Chief:

RESOLVED, that the Amended and Restated Interlocal Agreement Fairfield County Hazardous Incident Response Team in the form presented to this meeting (the "Interlocal Agreement") and in accordance with the recommendation of the Chief of the Town of Fairfield Fire Department, is hereby Ratified and Approved; and

FURTHER RESOLVED, that the Chief of the Town of Fairfield Fire Department is authorized to present the Interlocal Agreement to the First Selectwoman for her approval and signature.

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

Fire Chief McCarthy said an agreement was formalized with the Regional Hazmat Team. He said this team started in the 1960's as a foam firefighting research consortium and reformed in 1985 to the Hazmat Team. He said there are 14 towns participating in the Regional Hazmat Team and this will also allow for more grants and funding for the team.

The motion carried unanimously.

12) **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR**

WHEREAS, the Town of Fairfield owns property at 488 Tunxis Hill Road, comprising 0.2902 acres, which is improved with a single-story, 9800sf masonry block building, which has been used heretofore by the Department of Public Works for storage; and

WHEREAS, the Town of Fairfield originally acquired title to said property from the State of Connecticut in accordance with Special Act 01-6, which was approved by the Connecticut General Assembly on July 6, 2001, and which imposes certain restrictions on Town use;

WHEREAS, the existing building is in poor condition, precluding such use and necessitating the Town to seek bids to demolish the building; and

WHEREAS, Operation Hope has expressed interest in this property in order for it to relocate its administrative offices, food pantry and other support operations serving the most vulnerable members of the Fairfield community; and

WHEREAS, the Town of Fairfield is desirous of entertaining a long-term ground lease with Operation Hope to facilitate such use; and

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Selectmen does hereby authorize the administration to pursue a ground lease with Operation Hope and to work with the State legislative delegation to seek such changes as are necessary to amend the aforementioned Special Act to facilitate such use.

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

First Selectwoman Kupchick said this has been discussed several times both publicly and internally. She said this building which she had toured is leaking and in disrepair. She said it has been used as a storage facility for the DPW. She said this building has been on the Town facilities list. She said Operation Hope would like to move its administrative offices and food pantry to this location.

First Selectwoman Kupchick said that the Town will need to work with its legislative delegation to modify the special act by which the Town took possession of the property from the State. She said the present language does not allow the Town to lease or sell the property to Operation Hope for a community, non-profit use. She said that she is hoping to bring this up again this legislative session to make this site work for a non-profit.

Selectman Flynn said this would make what was a Town issue into a Town asset.

Operation Hope Executive Director Carla Miklos said this is a creative solution to a couple of problems. She said if everything comes together she and the Operation Hope Board will be excited about moving this forward. Ms. Miklos thanked Mr. Barnhart and First Selectwoman Kupchick for their hard work.

The motion carried unanimously.

- 13) WATER POLLUTION CONTROL AUTHORITY (*requires BOF and RTM approval*) To hear, consider and act upon a request from the WPCA to appropriate \$1,750,000 from the WPCA Fund Balance to finance the repair of the primary digester.

First Selectwoman Kupchick read what she had written in her recent newsletter - [Fairfield News - Town of Fairfield, Connecticut \(fairfieldct.org\)](http://FairfieldNews-TownofFairfield.Connecticut(fairfieldct.org)) - about the broken digester, foul odor and how it's being addressed. She said that although Selectwoman Lefkowitz couldn't attend, she wanted to express her support for the WPCA funding for the digester repair.

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

Selectman Flynn said he wants to understand costs of this, how they were developed and that the document he received from WPCA Vice-Chair Joe D'Avanzo needs to go into the public record.

WPCF Superintendent John Bodie discussed the project, costs and bids with a bid opening on December 15, 2022. WPCA Vice-Chair Joe D'Avanzo said the Commission has to get approval from the BOS, BOF and RTM before the end of the year. He explained the past few bids regarding the cleaning and the repair of the digester noting there are four components to the bid. He said this issue is causing a foul odor in the area and needs to be fixed as soon as possible. First Selectwoman Kupchick said this is urgent and needs to be decided now.

The motion carried unanimously.

- 14) To consider and act upon tax refunds as recommended by the Tax Collector in the amount of \$76,795.53

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

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

First Selectwoman Kupchick said she attended the annual Sticks for Soldiers lacrosse game the Saturday after Thanksgiving.

She expressed her sincere gratitude to the entire Sticks for Soldiers team including Bob Vitale and was happy to see the great work they are doing in promoting youth awareness of military service. She said she is very proud that our Town's Assistant Fire Chief George Gomola was selected to be this year's keynote speaker. First Selectwoman Kupchick said it was very special to meet this year's honoree, U.S. Marine SSG (Ret.) Brandon Laird, and his wife, Jodi.

First Selectwoman Kupchick said that due to inclement weather this past Saturday, the Town's annual Tree Lighting was rescheduled to Saturday, December 10<sup>th</sup> starting at 4:15 pm on the Green in front of the Old Town Hall. She said to refer to the Town's website for more details.

First Selectwoman Kupchick highlighted that the Town's Holiday Shop & Stroll is this Thursday evening. She said it's a fun evening with good deals and kicks off the holiday season. She hopes people will take the time to shop local and support our businesses.

16) Adjourn

Selectman Flynn made a motion to adjourn. First Selectwoman Kupchick seconded the motion which carried unanimously.

The meeting adjourned at 5:30 pm.

Respectfully submitted,

Pru O'Brien  
Recording Secretary