

BOARD OF SELECTMEN REGULAR MEETING
Monday, June 5, 2023, 4:00 pm
Via Webex & 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: [BOS Regular Meeting 6/5/2023.](#)

FINAL MINUTES

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

OTHERS PRESENT: Samuel Cargill, Sam Goldstein, Lou Heumann, Kathleen Lang, Charlie McDonald, Matthew Oestreicher, Christine Orlando, George Harris, Director of Community & Economic Development Mark Barnhart, Assistant Director of DPW John Cottell, Engineering Manager Bill Hurley, CFO Jared Schmitt, Police Chief Robert Kalamaras, Fairfield Museum and History Center Executive Director Mike Jehle, Attorney John Stafstrom, WPCF Superintendent John Bodie

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) RESIGNATIONS (*for information only*)

a) FairTV Commission

i. Mark Joyella (D) 340 Merwins Lane, term 07/20-07/23
(Resigned April 18, 2023)

ii. Anne Marie Lagnese (R) 60 Steep Hill Road, term 07/20-07/23
(Resigned May 22, 2023)

b) Harbor Management Commission

Samuel W. Cargill (R) 144 Westway Road, Spt, term 11/19-11/23
(Resigned June 2, 2023)

c) Land Acquisition Commission

Nicholas D. Mirabile (R) 125 Sycamore Lane, term 11/21-11/25
(Resigned May 25, 2023)

The BOS thanked those who had resigned for their service to the Town.

4) APPOINTMENTS

Fairfield Arts Commission

i. Samuel W. Cargill (R) 144 Westway Road, Spt, term 06/23-06/26

ii. Connor F. Deane (D) 34 New England Avenue, term 06/23-06/26

iii. Sam R. Goldstein (D) 135 Bayberry Road, term 06/23-06/26

iv. Kevin D. Gosselin (U) 1046 Banks North Road, term 06/23-06/25

v. Clara L. (Lou) Baur (U) 608 Harbor Road, term 06/23-06/25

vi. Kathleen C. Lang (D) 1677 Bronson Road, term 06/23-06/25

- vii. Charles P. MacDonald, Jr. (U) 320 Old Mill Road, term 06/23-06/24
- viii. Matthew J. Oestreicher (U) 70 Dunnlea Road, term 06/23-06/24
- ix. Christine L. Orlando (D) 210 Rockland Road, term 06/23-06/24

Selectman Flynn made a motion to approve the appointments in Item 4 i-ix. Selectwoman Lefkowitz seconded the motion which carried unanimously.

The BOS thanked all the appointees for serving on this new Town committee.

- b) Harbor Management Commission (*requires RTM approval; Terms Effective July 1, 2023*)
 - i. George O. Harris (R) 95 Orchard Hill Lane, term 11/21-11/23 (*alternate*) (to replace Jeffrey S. Warren (U) who's being moved to full member)
 - ii. Jeffrey S. Warren (U) 330 Parkwood Road, term 11/19-11/23 (replacing full member Samuel W. Cargill (R) who's being appointed to Fairfield Arts Advisory Committee)

Selectman Flynn made a motion to approve the appointments in Item 4b i-ii. Selectwoman Lefkowitz seconded the motion which carried unanimously.

The BOS thanked all the appointees for serving the Town.

- c) Western Regional Tourism District Board of Directors
Mark Barnhart* term 07/23-07/26
(Mr. Barnhart is the Town's Community and Economic Development Director)

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

- 5) **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR** (*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.

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

Community and Economic Development Director Mark Barnhart said the Town has participated in this program for years. He said this program provides contributions for businesses from businesses. He said those who donate are eligible to receive a tax credit against the Corporate Estate Tax. Mr. Barnhart said the deadline to apply is July 1, 2023 and the six applications are included in the backup packet.

The motion carried unanimously.

- 6) **COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR** (*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 49 (October 1, 2023 – September 30, 2024) Community Development Block Grant (CDBG) Annual Action Plan be and hereby is approved in the amount of \$537,000, which includes entitlement grant funds of \$492,327 and program income of \$44,673; 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 6. Selectwoman Lefkowitz seconded the motion.

Community and Economic Development Director Mark Barnhart said the Town has received CDBG grants since 1974. The proposed allocation plan is in the backup. Mr. Barnhart said the program provides flexible funding for a variety of programs. He said the Town serves as fiduciary for HUD and the applicant needs to meet primary objectives to receive funding.

The motion carried unanimously.

7) ASSISTANT PUBLIC WORKS DIRECTOR (*requires RTM approval*)

To consider and act upon the following resolution as recommended by the Assistant Public Works Director:

To consider and act upon the attached resolution recommended by the Assistant Public Works Director between the Town of Fairfield and the South Central Connecticut Regional Water Authority to confirm participation in the regional household waste collection center. (See attached Resolution)

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

Assistant Director of DPW John Cottell said the Town has been part of this program since 1990. He said the resolution states a 3-year minimum that he changed to a 1-year minimum for the next year with two 1-year period options. He said the Town has its own House Waste Collection once a year and residents can take waste to a facility in New Haven. Mr. Cottell said MetroCog would like to get communities together to do something similar and this is why Mr. Cottell does not want to commit to three years with South Central Connecticut Water Authority program. There was a discussion about the cost.

Selectman Flynn made the following amendment that is to be placed after the last sentence in the first paragraph under "NOW, THEREFORE, BE IT RESOLVED BY THE Town of Fairfield THAT:"

The budgeted figure of \$63,107 is the cap on spending. Invoicing to be fully placed on a two-part formula. The expense cap for FY24 is \$63,107. Should the service cost more than this, DPW should come back to the BOS for approval.

Selectwoman Lefkowitz seconded the amendment which carried 2-1-0 (Kupchick opposed).

The main motion as amended carried unanimously.

8) **ENGINEERING DIRECTOR (*requires BOF and RTM approval*)**

WHEREAS, the Town of Fairfield, Connecticut (the ‘Town’) will receive grant funds from the Federal Emergency Management Agency (‘ FEMA’) in the amount of \$ 256,335.95 (the ‘Grant Funds’) as reimbursement for money to be spent by the Town’s Department of Public Works and their Contractor in fiscal years 2024 and 2025 related to infrastructure repair caused by storm IDA; and

WHEREAS, the Town desires to appropriate the Grant Funds to the Department of Public Works to be used for said infrastructure repairs;

NOW, THEREFORE, BE IT RESOLVED: the Town hereby appropriates the Grant funds to the Department of Public Works and authorizes the grant funds to be used for infrastructure repair purposes.

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

Engineering Manager Bill Hurley gave the background of this approval request. He said the Town’s infrastructure was damaged by Hurricane Ida which caused extreme stream and pipe overflows. He said after a year and a half, FEMA granted acceptance of these repairs to culverts and stabilizing eroded slopes. The locations are in the backup documents. Mr. Hurley said the amount is based on the approved FEMA amount for reimbursement. He said FEMA will give the Town the funds up front. There was a discussion about other FEMA fund requests. Mr. Hurley said if the project costs less than estimated, FEMA said the Town can keep that money, but if it goes over, DPW has 10% contingency that can be used for this project.

The motion carried unanimously.

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

To hear, consider and approve a resolution appropriating \$148,000 for the costs related to uses of Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund

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

CFO Jared Schmitt gave an overview. He said this is the Fairfield Museum and the Fairfield Police Safe Corridor Program and unallocated ARPA funds are being used. First Selectwoman Kupchick gave the background on this item. All the information on the programs requesting the funding is in the backup documents and the discussion is accessible through the link here: [BOS Regular Meeting 6/5/2023](#).

The motion carried unanimously.

10) **PUBLIC WORKS DIRECTOR (*requires BOF and RTM approval*)**

To hear, consider and adopt a bond resolution entitled “A resolution appropriating \$2,377,000 for the purchase of vehicles and equipment for the Department of Public Works and authorizing the issuance of bonds to Finance such Appropriation”

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

CFO Jared Schmitt said this is the same model from almost three years ago. He said it is a 3-year fund plan of capital projects listed in the backup documents. He said the service life for the equipment is 15 years and the bond request is for 15 years to capture the average service life. Mr. Schmitt said the vehicle list is included in the backup and was reviewed in the discussion.

The motion carried unanimously.

- 11) **WATER POLLUTION CONTROL AUTHORITY (*requires BOF and RTM approval*)**
To hear, consider and approve funding of up to \$70,000 from the WPCA fund balance for the purchase of an Influent Building Transformer.

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

WPCF Superintendent John Bodie said the funding and PO was in place last year, but the WPCA couldn't find a new or used transformer. He said the transformer unit was switched out and the old one was kept just in case anything happened. He said the switch failed so the old transformer was put back. Mr. Bodie said the transformer needs to be replaced. He said it is cheaper and the warranty is better on the refurbished transformer than the new one. (3-years vs. 1-year).

The motion carried unanimously.

- 12) **WATER POLLUTION CONTROL AUTHORITY (*requires BOF and RTM approval*)**
To hear, consider and approve funding of up to \$125,000 from the WPCA fund balance for the purchase of a Trailer Mounted Generator

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

WPCF Superintendent John Bodie gave the background on this Item. He said there are three generators located at the pump stations in town. He said the pump stations are reliant on emergency power. Mr. Bodie said last May, the generator at the Easton Turnpike pump station failed and it took a year to get the parts that were needed. He said the warranty covers parts and labor only. He said this generator can also be used within the Town government if needed. There was a discussion about why ARPA funds weren't used toward WPCF projects. Mr. Bodie said the WPCA fund balance will be \$14.5 million after this project and the current approved projects have been deducted.

The motion carried unanimously.

- 13) **TAX COLLECTOR**
To consider and act upon tax refunds as recommended by the Tax Collector in the amount of \$28,373.52

Selectwoman Lefkowitz made a motion to approve Item 13. First Selectwoman Kupchick seconded the motion which carried 2-0. (Selectmen Flynn was not present during this vote).

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

Selectwoman Lefkowitz asked First Selectwoman Kupchick for an update on the DEI consultant. First Selectwoman Kupchick said that Human Resources has secured Maurice Nelson who is the Chief Diversity, Equity, and Inclusion Officer at Sacred Heart University. She said Mr. Nelson has come in to Town Hall, met with some people in HR and he is reviewing the Racial Equity and Justice Task Force's Blueprint. Selectwoman Lefkowitz said she would like to hear from Mr. Nelson publicly.

First Selectwoman Kupchick announced the following:

- Memorial Day Weekend Events:

We had a very busy Memorial Day weekend and were fortunate to have amazing weather. We had one of the largest Parade attendance in recent history. It was an incredible honor for Selectman Flynn and I to march alongside our Veterans.

On Saturday, I attended the annual Sea Memorial Ceremony which is a very solemn and important day to gather with our Veterans and their families and members of our community. On Sunday, I spoke at the annual Memorial Day Service Mass and Military Remembrance Service at Assumption Church.

- Walk A Mile in Her Shoes:

This past Saturday, I participated in the Walk a Mile in Her Shoes which had been rescheduled from April because of rain. The walk had a large crowd and raises awareness about domestic and sexual abuse and is an important event.

- Half Marathon:

On Sunday, I kicked off the 43rd annual Half Marathon at Jennings Beach. A lot of Fairfield's Firefighters volunteered and the funding goes to their charitable foundation which does a lot of good for our community.

15) TOWN ATTORNEY

Executive Session – Pending Litigation – Roll vs. Town of Fairfield with Town Attorney James Baldwin

Selectwoman Lefkowitz made a motion to go into Executive Session at 5:19 pm. Selectman Flynn seconded the motion which carried unanimously.

Selectman Flynn made a motion to come out of Executive Session at 5:29 pm. Selectwoman Lefkowitz seconded the motion which carried unanimously.

Selectman Flynn made a motion to proceed with handling of the matter by the Town Attorney. Selectwoman Lefkowitz seconded the motion which carried unanimously.

16) Adjourn

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

The meeting adjourned at 5:31 pm.

Respectfully submitted,

Pru O'Brien

Recording Secretary