

BOARD OF SELECTMEN REGULAR MEETING
Monday, February 13, 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 Meeting 2.13.23](#).

FINAL MINUTES

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

OTHERS PRESENT: Planning Director James Wendt, Assistant Planning Director Emmeline Harrigan, Engineering Manager Bill Hurley, CFO Jared Schmitt, Town Attorney James Baldwin, Attorney James Williams, FairTV, members of the public

- 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**
Bicycle and Pedestrian Committee
Steven R. Collins (R) 109 Blue Ridge Road, term 11/22-11/26
(Resigned 02/10/23)

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

- 4) **PLANNING DIRECTOR**
To hear a FEMA CRS progress report on action items outlined in the Regional Hazard Mitigation Plan

Assistant Planning Director Emmeline Harrigan said every year the Town has to meet requirements for the Community Rating System for flood insurance premium coverage for residents. She said this includes looking at ways to make the community more resilient and have less flooding. She said Town staff from multiple departments as well as the Town's Flood and Erosion Control Board (FECB) collaborated on the update of this report. She said the efforts result in a 10% discount for 1,794 policy holders which is a savings of approximately \$221,913. Ms. Harrigan said the Town has made progress on the following action items:

- Riverside Drive tide gate system; and
- Off-shore wave reduction studies, implementation of Downtown Green infrastructure projects, Rooster River water detention through ARPA; and
- Collaboration with CIRCA to reduce flooding at railroad underpasses; and
- Tide gage markings in the marina and beach area with 24-hour remote monitoring; and

- FECB & TPZ working with a Climate Corps intern from UCONN to better understand what is flood compliant or at risk for flood events.

The full Flood Plain Management Plan is included in the backup documents.

5) TOWN ATTORNEY (*requires RTM approval*)

To hear, consider and act upon amendments to the following cell tower leases:

- i. New Cingular Wireless PCS, LLC – 100 Reef Road - Cell Tower Lease
- ii. DISH WIRELESS L.L.C. - 3965 Congress Street - Cell Tower Lease

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

CFO Jared Schmitt said these are two separate agreements. He said a consultant was brought in to negotiate deals as the Town was getting requests to install new equipment on the roofs for the cell towers. He said Bench Strength Partners helped with two contracts. Mr. Schmitt said one is located at 100 Reef Road where AT&T will be adding new equipment and the contract will be for 2023-2046. He said rent to the Town will increase by \$20,000 a year. He said the total amount to the Town at the end of the term will be \$1,098,000. He said the renewals will be in increments of five years. Mr. Schmitt said leases are at market rate. He said the Fire Station at 3965 Congress Street had Sprint & T-Mobile, but since they merged, Sprint was taken off the lease. He said Dish Wireless took over the use of the equipment for a 15-year fixed lease and the term is for 2023-2035 for \$344,000.

The motion carried unanimously.

6) TAX COLLECTOR

To consider and act upon tax refunds as recommended by the Tax Collector in the amount of \$15,277.73

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

7) FIRST SELECTWOMAN

To hear, consider and act upon the following amended date for the Board of Selectmen's public budget hearings for Calendar Year 2023 at 10:00 am via Webex and In-Person in the First Floor Conference Room in Independence Hall, 725 Old Post Road, Fairfield, CT:

a) Board of Selectmen Public Budget Hearing Dates:

February	22 Wednesday	10:00 am (BOS Public Budget Hearing #1)
February	24 Friday	11:00 am (BOS Public Budget Hearing #2)

b) Board of Selectmen Final Budget Deliberations & Vote - Public Executive Session:

February	27 Monday	10:00 am
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Selectwoman Lefkowitz made a motion to amend the BOS budget meeting schedule as listed above. Selectman Flynn seconded the motion which carried unanimously.

- 8) To hear, consider and act upon any other business which shall properly come before this meeting
- First Selectwoman Kupchick said she had a conference call with FEMA and there will be a Town Hall Meeting with FEMA representation regarding the Notices of Violation for Penfield on Thursday, February 23, 2023. She said more information will be sent out as soon as a location and time has been confirmed.
 - First Selectwoman Kupchick gave an update on the status of the arbitration with the fire union.
 - Selectman Flynn thank Ken Dalling’s wife and family for sharing him with the Town. There was a moment of silence for Mr. Dalling who recently passed away.

9) TOWN ATTORNEY

Executive Session – Pending Litigation – Wenzel, William J. vs. Town of Fairfield with Town Attorney James Baldwin and Attorney James Williams

Selectman Flynn made a motion to go into Executive Session at 4:36 pm. Selectwoman Lefkowitz seconded the motion which carried unanimously.

Selectman Flynn made a motion to come out of Executive Session at 4:53 pm. Selectwoman Lefkowitz seconded the motion which carried unanimously.

Selectman Flynn made a motion to approve the settlement per the recommendation of counsel. Selectwoman Lefkowitz seconded the motion which carried unanimously.

10) Adjourn

Selectman Flynn made a motion to adjourn the meeting at 4:54 pm. Selectwoman Lefkowitz seconded the motion which carried unanimously.

Respectfully submitted,

Pru O’Brien
Recording Secretary