



TOWN OF FAIRFIELD
611 OLD POST ROAD
FAIRFIELD, CONNECTICUT 06824-6690
(203) 256-3090

OFFICE OF THE TOWN CLERK

ELIZABETH P. BROWNE, CMC, MCTC
TOWN CLERK

WARNING TO THE MEMBERS OF THE REPRESENTATIVE TOWN MEETING AND RESIDENTS OF THE TOWN OF FAIRFIELD

Notice is hereby given that a **SPECIAL MEETING** of the Town of Fairfield will be held on Thursday, October 10, 2019, at 8:00 P.M. at Osborn Hill School, 760 Stillson Road, Fairfield, for the following purposes:

1. Roll Call - Pledge of Allegiance - Moment of Silence
2. To consider and act upon the following resolution submitted pursuant to Section 4.3-C of the Charter of the Town of Fairfield to be presented to the First Selectman with a request that the item be afforded a discussion and vote for adoption by the Board of Selectmen:

“WHEREAS, it is determined that the processes, policies, and procedures of the Charter have broken down as related to the Fairfield Aggregate Fill Pile Operation and have led to an environmental crisis and allegations of government corruption; and

WHEREAS, there is consensus that the powers to investigate and administer oversight into an investigation should no longer reside with the First Selectman, but instead with an Independent Firm that shall report to the Board of Selectmen, let it here fore be resolved that;

The Board of Selectmen shall contract with a credible outside Independent Firm that specializes in risk, crisis, and business continuity management to:

1. Study the history of the Fairfield Aggregate Fill Pile Operation;
2. Conduct an operational audit to determine operational deficiencies as related to the Town Charter, including but not limited to the bidding process, contract execution, lease procedures, and conflicts of interest;
3. Recommend for hire, and oversee an independent licensed environmental professional to review all fill pile lab tests, including but not limited to the fill pile itself, field, park, sidewalk, conservation area fill lab tests to determine reliability of work performed whether any remaining work is recommended as well as to review remediation work performed, proposed and outstanding and recommend additional remediation, if any;

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4. Review the Charter Written Standards of Ethics, including conflict of interest, and make a recommendation for administrative regulations on whistleblower policies, ensuring that standards of ethics are regularly and appropriately communicated to all employees, external contractors, and board and commission members, and that breaches of ethics are reported, received, kept confidential upon request, logged, pursued and resolved/disposed of through the proper channels;
5. The outside firm shall report to the three-member body of the Board of Selectmen ("BOS"), and it shall be the responsibility of the outside firm to report its findings and recommendations to the BOS, the Board of Finance ("BOF"), and the Representative Town Meeting ("RTM") on a regular basis; and
6. Upon completion of the Independent Firm's findings, and when a final report of recommendations is prepared for action that report shall become a voting item for the BOS, BOF, and RTM.

Let it be further resolved that:

1. The Independent Firm should be interviewed and chosen by the entire BOS not the First Selectman;
 2. Appropriate Department Heads should assist with writing the Request for Services, and that request should be voted upon by the entire BOS so that public input can be sought;
 3. Department Head liaison to the Independent Firm shall be the Conservation Director who shall also report to the entire Board of Selectmen on this matter;
 4. Moving forward any public meetings held by Independent Firm shall include the Department Head liaison and the entire BOS, not just the First Selectman; in addition, the BOS shall request that these meetings be recorded by FairTV and whenever possible presented live on Fair TV; and
 5. Funding for the Independent Firm shall be requested through all proper Town Charter required channels.”
3. To consider and act the following resolution sponsored by Karen Wackerman, District 7:

“WHEREAS, it is in the best interest of the Town of Fairfield to immediately establish an independent, nonpartisan commission to examine the facts around the dumping of hazardous waste at the aggregate pile at the Fairfield Department of Public Works yard and the possible use of that fill in parks, fields and playgrounds around Fairfield despite the fact that the fill is inappropriate for such use, and to make recommendations to ensure that health, reputation, and financial security of the Town of Fairfield is secured;

WHEREAS, the Board of Selectman is the only body in the Town of Fairfield empowered to create such a commission;

WHEREAS, that the bipartisan Board of Selectman has failed to act to establish such a commission;

NOW, THEREFORE, BE IT RESOLVED, that the Fairfield Representative Town Meeting recommends that the Board of Selectman immediately establish an independent, nonpartisan commission to examine the facts around the dumping of hazardous waste at the aggregate

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pile at the Fairfield Department of Public Works yard and the possible use of that fill in parks, fields and playgrounds around Fairfield;

FURTHER RESOLVED, that such commission be composed of residents with appropriate expertise, an equal number of residents from each of the two major political parties in town, and that in order to ensure the political independence of the commission, no member of the commission shall either hold, or be a candidate for, any elected office;

FURTHER RESOLVED, that the commission shall be charged with the following and be provided adequate funding to accomplish said tasks:

The commission shall develop a timeline to determine what happened so that policies and procedures can be put in place to avoid any such problems from reoccurring, including studying the history of the Julian fill pile, the bidding process, contracting, relationships with Department of Public Works employees, and environmental impacts at or near the fill pile site;

In order to ensure confidence in the testing and remediation of playgrounds and fields that may have been contaminated by materials from the fill pile, the commission shall engage an independent licensed environmental professional to review field and fill pile lab tests to determine reliability of work performed and whether any remaining work is recommended, as well as to review remediation work performed, proposed and outstanding and recommend additional remediation, if any;

The commission shall review town policies, procedures, and rules regarding required reviews, oversight, and controls related to purchasing, contracting and performance of town contracts, with recommendations made to bring the Town of Fairfield in line with best practices, and the commission shall review and ensure that roles and responsibilities of town bodies, such as the Board of Selectman, Board of Finance, and RTM, to review and approve contracts are clear and consistently followed;

The commission shall review written standards of ethics, including conflict of interest and whistleblower policies, and make recommendations for ensuring that standards of ethics are regularly and appropriately communicated to all employees, external contractors, and board and commission members, and that breaches of ethics are reported, received, kept confidential upon request, logged, pursued and resolved/disposed of; and

The commission shall prepare a report or series of reports incorporating the results of its work and deliver all such reports to the Board of Selectmen, Board of Finance, and RTM.”

October 3, 2019

Elizabeth P. Browne
Town Clerk