

**Board of Finance Regular Meeting
Thursday, May 4, 2023, 7:30 pm
Via Webex And In Person at the
BOE Offices, Room 295 A/B
501 Kings Highway East
Fairfield, CT**

A recording of this meeting can be found here: [BOF Regular Meeting 5/4/2023](#).

FINAL MINUTES

MEMBERS PRESENT: Chairwoman Lori Charlton, Vice-Chair John Mitola (9:00 pm), Craig Curley, Christopher DeWitt, Mary LeClerc, Kevin Starke, Jack Testani, James Walsh

MEMBERS ABSENT: Secretary Sheila Marmion

OTHERS PRESENT: Tax Collector David Kluczowski, Engineering Manager Bill Hurley, CFO Jared Schmitt, Budget Director Frank Magneri, Attorney John Stafstrom, CFO-FPS Courtney LeBorious, BOE Chairwoman Jennifer Jacobsen, WPCF Superintendent John Bodie, WPCA Vice-Chair Joe D'Avanzo

- 1) Call to Order
Chairwoman Lori Charlton called the meeting to order at 7:30 pm.
- 2) Pledge of Allegiance
Jack Testani led the Pledge of Allegiance.
- 3) To Hear, Consider and Act Upon the Suspense List for Tax Collector

Christopher DeWitt made a motion to put Item 3 before the BOF. Jack Testani seconded the motion.

Backup documents are on pages 1-11.

Tax Collector David Kluczowski presented the Suspense List which is made of open tax accounts that have been determined to be uncollectable for various reasons. He said they remain statutorily collectable for 15 years, but are removed as assets for the Town. He said Motor Vehicle taxes: \$72,570.10, Personal Property: \$7,886.19 for a total of \$80,456.29.

The motion carried unanimously, 6-0-0.

- 4) To hear, consider and act upon the following resolution as recommended by the Board of Selectmen:
WHEREAS, the Town of Fairfield approves the acceptance of an \$1,940,600 Local Transportation Capital Improvement Program (LOTICIP) grant to fund project costs associated with the Kings Highway Pedestrian Improvements Phase 3 Project of which one hundred percent of said project costs are paid by the State prior to construction, based on portion of contract bid by said grant and appropriated \$1,940,600 for said project costs; and

NOW, THEREFORE BE IT RESOLVED, that Brenda L. Kupchick, First Selectwoman, be and hereby is, authorized to accept and sign any agreements between the Town of Fairfield and the federal government or the State of Connecticut related to additional Local Transportation Capital Improvement Program (LOTICIP) grant funding associated with the Kings Highway Pedestrian Improvements Project. *(requires RTM approval)*

Kevin Starke made a motion to put Item 4 before the BOF. Mr. DeWitt seconded the motion.

Backup documents begin on page 12.

Engineering Manager Bill Hurley presented the information for the LOTICIP. He said the State will allocate the money for the above-mentioned Kings Highway Pedestrian Improvements Phase 3 Project. He said Phases 1 & 2 are complete. Mr. Hurley said this phase will cover Villa Avenue to the Bridgeport line and Tunxis Hill cutoff south. He said there will be new walkways and curbs and medians with ADA compliant ramps. Mr. Hurley said the public and Town officials have expressed support for this phase of the project. He said the Town will receive the funding in advance. Mr. Hurley said if the cost increases for any reason, MetroCOG will cover those costs. He said the costs include 10% for contingency and incidentals.

The motion carried unanimously, 7-0-0

5) **ENGINEERING MANAGER– 20 YEARS *(requires RTM approval)***

To hear, consider and adopt a bond resolution as recommend by the Board of Selectmen entitled, “A resolution appropriating \$7,150,000 for the costs associated with the inspection and construction phase of the Turney Creek/Riverside Drive TideGates Project, and authorizing the issuance of bonds in an amount not to exceed \$6,750,000 to fund the balance of such appropriation.”

Mr. Starke made a motion to put Item 5 before the BOF. James Walsh seconded the motion.

Backup documents begin on page 28.

Engineering Manager Bill Hurley presented this item. He said Turney Creek and Riverside self-regulating Tide Gates are broken. He said the retaining wall is deteriorating and the culvert is disjointed causing sink holes on the side. Mr. Hurley said the Riverside bridge is also in need of repair so the projects were combined into one project to save money and time. He said this project is being funded through Conservation, DPW and WPCA. He said WPCA maintains the sewer and siphon. Mr. Hurley said funding through grants hasn't been successful at this point. He said that due to the complexity of the project and the condition of the area, this project is urgent. He said permits are secure and RFP's will need to go out. He said the WPCA will use \$400,000 from its fund to reduce the amount to be bonded.

The motion carried unanimously 7-0-0.

Follow up: Craig Curley would like confirmation on which projects may/may not have escalators. Chairwoman Charlton mentioned that the consultant report is not in the backup materials. Bill Hurley said he will include that for the RTM. Mr. Hurley said he will also get the Tighe & Bond report with the original estimates and send it to Jared Schmitt who will send it to the BOF and RTM.

6) **ENGINEERING MANAGER – 20 YEARS (*requires RTM approval*)**

To hear, consider and adopt a bond resolution as recommend by the Board of Selectmen entitled, “A resolution appropriating \$11,000,000 for the costs associated with the inspection and construction phase of the East Trunk Replacement Project, and authorizing the issuance of bonds in an amount not to exceed \$8,000,000 to fund a portion of such appropriation.”

Mr. DeWitt made a motion to put Item 6 before the BOF. Mr. Walsh seconded the motion.

Backup documents begin on page 136. Page 130 has other materials related to this Item. Engineering Manager Bill Hurley presented this Item. He said a grant has been received for \$3,000,000. He said two-thirds of the Town sewer flow to the sewer plant goes through these pipes which were installed in 1947. Mr. Hurley said there is indication that the pipe has sagged and portions have opened up. He said the new sewer line will be farther away from Ash Creek. Mr. Hurley continued his explanation of the project and background. He said this project has been before all boards recently, but the costs have continued to increase. He said the project went from \$6.6 million in 2020 to \$11 million in 2023. There was a detailed and in-depth discussion about the costs and lack of detailed backup to support the increases in cost. Chairwoman Charlton said she was not prepared to support this project based on the backup for a project that will cost the Town \$11 million. Mr. Hurley went through the timeline of the estimates beginning in 2016 when the original estimate was done. Discussions followed on why this job was not done in 2016. The full discussion can be found here: [BOF Regular Meeting 5/4/2023](#).

The motion carried 6-2-0 (Charlton, Starke opposed).

Chairwoman Charlton made a motion to waive the reading of Item 7. John Mitola seconded the motion which carried unanimously 8-0-0.

7) **ENGINEER MANAGER / WPCA SUPERINTENDENT – 20 YEARS (*requires RTM approval*)**

To hear, consider and adopt the following supplemental resolution as recommended by the Board of Selectmen:

WHEREAS, the Town of Fairfield (the “Town”) has adopted at the request of the Water Pollution Control Authority (“WPCA”) a Resolution entitled “A resolution appropriating \$11,000,000 for the costs associated with the inspection and construction phase of the East Trunk Replacement Project, authorizing a grant to reimburse \$3,000,000 of such appropriation and authorizing the issuance of bonds in an amount not to exceed \$8,000,000 to fund the balance of such appropriation.” (the “Resolution”); and

WHEREAS, the Resolution appropriates \$11,000,000 (the “Appropriation”) for costs associated with the inspection and construction phases of the East Trunk Replacement Project (the “Project”); and

WHEREAS, the Appropriation shall be funded by sources including: 1) \$3,000,000 in grant funds from the State of Connecticut Department of Economic Development’s Communities Challenge Grant (the “Grant”); and 2) \$8,000,000 in bonds issued by the Town (the “Bonds”); and

WHEREAS, the Resolution authorizes the Appropriation, the negotiation and acceptance of the terms of the Grant and authorizes the Bonds in an amount not to exceed \$8,000,000; and

WHEREAS, while the Town is liable for the debt service on the Bonds, for internal accounting purposes, it is appropriate that all costs of the Project including debt service on the Bonds be allocated to, and reimbursed to the Town by, the WPCA; and

WHEREAS, the WPCA has agreed to pay for the costs of the Project and the debt service on the Bonds authorized by the Resolution; and

NOW, THEREFORE, IT IS HEREBY: RESOLVED, 1) That the debt service on the Bonds as such debt service becomes due shall be paid by the WPCA from its own funds and the obligation of the WPCA shall be set forth in a memorandum of understanding (the "MOU") with the Town satisfactory to the First Selectwoman; and 2) That the First Selectwoman is hereby authorized to execute the MOU on behalf of the Town.

Chairwoman Charlton made a motion to bring Item 7 before the BOF. Mr. DeWitt seconded the motion.

Mr. Schmitt said WPCA will pay the debt service to the Town annually.

The motion carried unanimously 8-0-0.

- 8) To hear, consider and adopt a resolution appropriating \$355,370 in FEMA reimbursement funds to the Board of Education and authorizing the expenditure of such funds on school security.

WHEREAS, the Town of Fairfield, Connecticut (the "Town") received grant funds from the Federal Emergency Management Agency ("FEMA") in the amount of \$355,370 (the "Grant Funds") as reimbursement for money spent by the Town's Board of Education ("BOE") in fiscal year 2021 related to the purchase of personal protective equipment; and

WHEREAS, the Town desires to appropriate the Grant Funds to the BOE and authorizes said Grant Funds to be used for school security purposes; and

NOW, THEREFORE, BE IT RESOLVED:

The Town hereby appropriates the Grant Funds to the BOE and authorizes the Grant Funds to be used for school security purposes.

(requires RTM approval; contingent upon 05/15/23 BOS approval)

Jack Testani made a motion to put Item 8 before the BOF. Mr. DeWitt seconded the motion.

The backup is on page 149. BOE Chairwoman Jennifer Jacobsen and FPS-CFO Courtney LeBorious presented this Item. They said the reimbursement is for COVID PPE purchased in 2021 from FEMA. They said the payment will go to the Town and will still need to go through the BOS for approval. They said there are no restrictions for how the money is spent. They said this is scheduled to go before the BOS on Monday, May 15, 2023. They said the BOE will use this money for security upgrades and critical security projects needed in the schools.

Mr. Walsh said he would like a full presentation of the projects and the costs in an Executive Session during a BOF meeting.

The motion carried unanimously 8-0-0.

- 9) To hear, consider and act upon a request from the Chief Fiscal Officer to transfer \$373,274 from General Fund Contingency (01002010-58010) to various accounts in FY23 for PETA settled contract; and \$27,161 from WPCA contingency (13013010-58010) to various WPCA accounts in FY23.

Mr. Walsh made a motion to put Item 9 before the BOF. Mr. Testani seconded the motion which carried unanimously 8-0-0.

- 10) To hear, consider and act upon a request from the Chief Fiscal Officer to transfer \$391,917 from General Fund Contingency (01002010-58010) to various accounts in FY23 for POLICE settled contract.

Mr. Walsh made a motion to put Item 10 before the BOF. Mr. DeWitt seconded the motion which carried unanimously 8-0-0.

- 11) To hear, consider and act upon a request from the Chief Fiscal Officer to transfer \$334,907 from General Fund Contingency (01002010-58010) to various accounts in FY23 for THEA settled contract; and \$18,592 from WPCA contingency (13013010-58010) to various WPCA accounts in FY23.

Mr. Testani made a motion to put Item 11 before the BOF. Mr. Walsh seconded the motion which carried unanimously 8-0-0.

- 12) To hear, consider and act upon a request from the Chief Fiscal Officer to transfer \$145,283 from General Fund Contingency (01002010-58010) to various accounts in FY23 for NURSES settled Contract.

Chairwoman Charlton made a motion to put Item 12 before the BOF. Mr. DeWitt seconded the motion which carried unanimously 8-0-0.

- 13) To hear, consider and act upon a request from the Chief Fiscal Officer to transfer \$371,519 from General Fund Contingency (01002010-58010) to various accounts in FY23 for PUBLIC WORKS settled contract; and \$89,512 from WPCA contingency (13013010-58010) to various WPCA accounts in FY23.

Chairwoman Charlton made a motion to put Item 13 before the BOF. Mr. Walsh seconded the motion which carried unanimously 8-0-0.

- 14) To Consider and Set the Mill Rate for the Fiscal Year Beginning July 1, 2023 and Ending June 30, 2024

Budget Director Frank Magneri went through the list of approved expenses and schedules in the backup documents. Mr. Walsh requested a list from Tax Assessor Ross Murray, a list from the Board of Assessment Appeals to see adjustments in the Grand List with an explanation. Chairwoman Charlton agreed to the request from Mr. Walsh

Mr. Walsh made a motion to adopt a 98.93 collection rate and set the Mill Rate at 27.51 for FY 23-24. Mr. Testani seconded the motion which carried unanimously 8-0-0.

- 15) To hear, consider and act upon the draft minutes of February 7, 2023, February 21, 2023, March 2, 2023, March 8, 2023, March 9, 2023 and March 13, 2023

Chairwoman Lori Charlton made a motion to put Item 15 before the BOF. Mr. DeWitt seconded the motion.

The minutes were approved as follows:

Minutes of 2/7/23 – carried 7-0-1 (Walsh abstained)

Minutes of 2/21/23, 3/2/23, 3/13/23 – Carried unanimously 8-0-0

Minutes of 3/8/23, 3/9/23 – carried 7-0-1 (DeWitt abstained)

- 16) To hear, consider and act upon any communications

CFO Jared Schmitt thanked Mr. Magneri for everything he has done with the Budget.

Mr. DeWitt gave an update on the Purchasing Policy. He said the new policy is currently being reviewed by the Purchasing Policy Committee and will be brought to the BOF for a June vote.

- 17) Adjourn

Mr. Walsh made a motion to adjourn. Mr. DeWitt seconded the motion which carried unanimously.

The meeting adjourned at 10:06 pm.

Respectfully submitted,

Pru O'Brien
Recording Secretary