

Town of Fairfield
2020 Early Retirement Incentive Analysis - Pension

	Baseline		ERIP - Final	
	Early Retirement	Normal Retirement	Early Retirement	Normal Retirement
Actuarial Accrued Liability				
Active Liability	3,540,671	6,066,692	4,097,910	7,617,314
Inactive Liability	-	-	-	-
Total Actuarial Accrued Liability	<u>3,540,671</u>	<u>6,066,692</u>	<u>4,097,910</u>	<u>7,617,314</u>
Market Value of Assets				
Actuarial Value of Assets				
Change in Actuarial Accrued Liability			557,239	1,550,622
Gross Normal Cost	27,465	156,229	-	-
Estimated employee contributions	(10,506)	(58,756)	-	-
Estimated administrative expenses	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
City's normal cost	16,959	97,473	-	-
Amortization of unfunded accrued liability	<u>-</u>	<u>-</u>	<u>48,063</u>	<u>133,743</u>
Contribution before adjustment as of the valuation date	16,959	97,473	48,063	133,743
Fiscal year ending	2022	2022	2022	2022
Adjustment for interest	289	1,663	820	2,281
Actuarially determined employer contribution	17,248	99,136	48,883	136,024

Town of Fairfield
2020 Early Retirement Incentive Analysis - OPEB

	Baseline		10% Retiree Cost Share Rets w100% married, PPO, Med Elig	
	Early Retirement	Normal Retirement	Early Retirement	Normal Retirement
Actuarial Accrued Liability				
Active Liability	832,686	2,005,051	-	-
Inactive Liability	-	-	1,736,063	3,357,788
Total Actuarial Accrued Liability	832,686	2,005,051	1,736,063	3,357,788
Market Value of Assets				
Actuarial Value of Assets				
Change in Actuarial Accrued Liability			903,377	1,352,737
Gross Normal Cost	6,967	51,390	-	-
Estimated employee contributions	-	-	-	-
Estimated administrative expenses	-	-	-	-
City's normal cost	6,967	51,390	-	-
Amortization of unfunded accrued liability	-	-	71,250	106,692
Contribution before adjustment as of the valuation date	6,967	51,390	71,250	106,692
Fiscal year ending	2022	2022	2022	2022
Adjustment for interest	240	1,768	2,452	3,671
Actuarially determined employer contribution	7,207	53,158	73,702	110,363

Retirement & Benefit Assumptions	No Change	No Change	Coded as Retirees, 100% Married, 100% PPO, all Med Elig, 10% RetCostSh	100% Married, 100% PPO, all Med Elig, 10% RetCostSh
----------------------------------	-----------	-----------	---	--

https://www.youtube.com/watch?v=_Qhnoi0u2FY

MEMBERS OF THE PUBLIC: IN LIGHT OF COVID-19, AND PURSUANT TO EXECUTIVE ORDERS 7B and 9H, THE TOWN IS CONDUCTING THIS MEETING VIA WEBEX ONLY.

Public Comment:

- ✓ The public may send their comments before or after the meeting to the following email: bof@fairfieldct.org. As you would in a public meeting, please include your name and home address with your comment. All comments received and verified will be included in the minutes with your name and home address, but your email address will be excluded.
- ✓ Information pertaining to BOF meetings can be found at www.fairfieldct.org/bof.

To View Meeting/Listen Only:

- ✓ FairTV's cable channel (channel 79 for Fairfield Cablevision customers and 6010 for Frontier Cable customers)
- ✓ FairTV's webpage, <https://fairfieldct.org/fairtv/government>
- ✓ If you cannot listen using one of the above options, call: (701) 801-6166

Board of Finance Regular Meeting
Tuesday, November 17, 2020
7:30 pm
Via Webex

A Regular Meeting of the Board of Finance was held virtually on Tuesday, November 17, 2020 at 7:30 pm in Fairfield, Connecticut.

DRAFT MINUTES

Members Present: Jim Brown, Chair, Chris DeWitt, Vice-Chair, Mary LeClerc, Secretary, Ed Bateson, Lori Charlton, Sheila Marmion, John Mitola, Jack Testani, Jim Walsh

Others Present: CFO Jared Schmitt, Attorney John Stafstrom, CAO Tom Bremer, Jim Olsen of Tighe & Bond

1. Call to Order

Chairman Jim Brown called the meeting at 7:32 pm. He reminded the public they can email the Board a comment pertaining to an item before or after the meeting which is being run by Webex.

2. Pledge of Allegiance

Chairman Brown led the Pledge of Allegiance.

3. To hear an update on the fill pile

CAO Tom Bremer gave an overview on the fill pile – he discussed where the Town is today and what the bond resolution is about. He said since April, the Town received a number of NOV's. Mr. Bremer said the Town wanted to make sure that before it moved ahead with any remediation it needed to get State DEEP sign off so negotiated back and forth for 1-2 months. He said the berm didn't have DEEP approval before it was built which caused a number of problems.

Mr. Bremer said negotiations were bogged down over a few months and the Town couldn't get anywhere to the satisfaction of the Administration so the Town entered into a consent order with DEEP which the Town recently signed to clean everything up. Mr. Bremer said as the Town cleans up and gets the LEP to sign off, it is protected by the consent order.

Mr. Bremer said after significant testing on all sites is performed, a remediation plan will be put together to help give a sense on what to do as well as the cost. He said cleanup has started on two sites and then cleanup of the other sites will take place, but there isn't enough funding. He said the \$2.2 million for legal fees, testing, etc. was already used up.

Mr. Bremer said as results are sent to the State, the State typically asks the Town to go back and test specific areas of a test site. He said the Town will write up a remediation plan. He said some sites may need ground water monitoring. He said the last data analysis will cost about \$200,000. He said there needs to be another data analysis on Penfield. Mr. Bremer said if this begins in the next few months, then it will take about another 2-3 months.

Regarding #11, Mr. Bremer said there are about 30-40 small sites that need testing in the amount of about \$70,000. He said the testing will give a definitive sense on how much remediation needs to be performed on these sites. Mr. Bremer said in about a month, he'll come back to the BOF to discuss the cost to write up the remediation plan and after that is done, he'll come back to the BOF to discuss the cost to remediate the remaining sites,

Regarding #10, Mr. Bremer said Selectmen Flynn felt the amount should be split up into two bond resolutions to more effectively look at expenses on an ongoing basis. Mr. Bremer said he felt testing should be done all at once. He discussed what happened at the WPCF where the wall is being built and said PCBs were discovered along the path of the wall requiring remediation of that entire site. He said the Town has worked out with the State to continue to build the wall as long as that area is remediated. He said the State wants an analysis of the entire WPCF site costing about \$200,000. Mr. Bremer said much of the contamination is more historical; the site was built on the old Nike site where lots of contamination was dumped for decades before regulations were put in place. Mr. Bremer said the sheet shows such things as a breakdown of numbers like contractors and where remediation is taking place. He said the most expensive item is taking the bad dirt somewhere else.

Ed Bateson asked if #11 is for consultant and access, but not for cleanup costs making these open ended which Mr. Bremer responded yes. Mr. Bateson asked for a ballpark for these three sites. Mr. Bremer said he can't give an amount for cleanup of these three sites now without having any data or remediation plan. Mr. Bateson asked if the Finance Department can in the future keep a running total on where the Town is with cleanup expenses and not split that up by fiscal year. He said to include in the next schedule what last fiscal year's numbers were and how it was funded. Mr. Bremer said nothing has been bonded yet; it has all been out of operating expenses. Mr. Brown asked if Mr. Bremer can have this schedule for the BOF at its December 1, 2020 meeting. Mr. Bremer replied yes.

Ms. Charlton asked Mr. Bremer to clarify what he means by fixing and if it is going above and beyond what is required by State. Mr. Bremer said all the sites on the list have exceeded the allowable ranges by the State. He said everything on the list is committed to be consistent for what the State requires.

He said Gould Manor Park is not on the list because it is not subject to the consent order because it has nothing to do with the Julian fill except for the sidewalk; contaminants are historical. Mr. Bremer said the question is what level the Town wants to clean up the park. He said he is not aware of any other site the Town has to decide what the level of cleanup should be. He said the Town is cleaning up to the level required by the State.

Mr. Mitola asked if there is a time limit to clean up the sites per the consent order. Mr. Bremer said yes; it would take about a year to put the remediation plans together, but the Town doesn't have to cleanup in a year; it has to move things along. Mr. Mitola asked if #s 8, 9 or 11's costs could be spread out over a number of years. Mr. Bremer said the Town took great lengths to make sure there are no safety concerns at these sites. He said he wants the sites to be cleaned up as quickly as possible, but to be cost efficient too. Mr. Mitola asked if the consent orders are on the Town website. Mr. Bremer replied yes and he will send members the consent orders.

Chris DeWitt asked the reasoning for bonding this. Bond Counsel John Stafstrom said costs are bondable. He said they are long-term costs because the sites will hopefully be remediated forever. He said he is clearly of the opinion that this is bondable. Mr. DeWitt asked about the reasoning for the 20-year bonding. Mr. Stafstrom said the timing of the bonds are related to the life of the infrastructure. He said remediation will hopefully be longer than 20 years.

Mr. Walsh asked about the numbers put together in this document in April of 2020 by the Finance Department. He asked if \$300,000 was added to the total revised budget and if so, when. Mr. Brown asked Mr. Schmitt to confirm with Controller Bosse tomorrow. He said he believes the BOF voted to move this amount from debt service into this fund.

Mr. Walsh asked if Mr. Bremer plans on redoing the forms. He said he needs this document continuously updated so the BOF knows how much was spent on remediation on an ongoing basis to see where the Town stands on the total amount of remediation plus the date of transfers. Mr. Walsh asked when the Jennings Beach parking lot first came to light. Mr. Bremer said this isn't new; the Town has known about this for a while. Mr. Walsh asked Mr. Olsen of Tighe & Bond to get the BOF a summary of remediation at each of these sites and advise why the consultant oversight cost is at least the same amount as the remediation cost. Mr. Olsen explained what the consulting cost consisted of and gave a quick summary of each site.

Mr. Walsh asked if #1-7's remediation costs have anything to do with the alleged Julian contaminated at the fill pile. Mr. Bremer said these are all related to Julian. Mr. Walsh said in regards to #s 8, 9 and 11 if Tighe & Bond needs to figure out what's there. Mr. Olsen explained what the costs are for each of these sites plus #10. Mr. Walsh asked if a 10% contingency is normal. Mr. Olsen said he generally uses a higher percent. Mr. Bremer said he put in the 10% which he is fairly confident about. Mr. Walsh asked what the \$180,000 is for. Mr. Bremer said it's for the lawsuits; the Town is unable to bond litigation fees, but it can bond legal counsel fees. Mr. Walsh asked if money is spent what account has been reimbursed. Mr. Bremer said an account was set up so that when costs are incurred because of the fill pile, the account shows where the money that has been allocated is put and that money will be used for additional expenses. Mr. Walsh asked if the account has a positive balance today. Mr. Bremer said he believes it does, but said it's a small amount left. Mr. Walsh went back to his question about the April 23, 2020 legal fees spent and money encumbered for future legal fees for about \$63,000 more.

Mr. Bremer said Wiggin and Dana is the bulk of the \$180,000 because this is the outside lawyer for the fill pile; he said he is not sure about Coles, Baldwin and Kaiser, LLC. Mr. Walsh asked Mr. Schmitt to get the answer to whether the \$180,000 is an additional amount to get a handle on legal fees. Mr. Walsh said the Town shouldn't bond for money for accounts already set up; it should bond for legal fees the Town will need to pay. Mr. Walsh said he needs an analysis on money spent on legal fees and whether the Town is bonding for future legal fees. Mr. Bremer said he wants the \$180,000 back in the account so if there are expenses for legal fees the Town could use some of that money.

Mr. Walsh asked how much has been spent on some of the sites. Mr. Bremer said money was spent on #5 and #6 – the small ones because the Town doesn't have enough money. Mr. Walsh said he thought when a budget for the fill pile was set up that it was decided costs would not be bonded at that time unless the Town ran out of cash. Mr. Brown asked if money was spent since April that the Town didn't have. Mr. Schmitt replied no. Mr. Brown asked if there is still money in the file pile account that is being utilized to this day. Mr. Bremer replied yes, but it's almost depleted. He said the Town hasn't yet reconciled what was spent since last April from this account.

Mr. Walsh suggested getting a quote from the Town Attorney on what he thinks the legal fees will be related to the pile. He wants to see all fill pile costs broken down. Mr. Bremer said sites will be cleaned up to residential direct exposure. Mr. Walsh asked Mr. Stafstrom if the bonding falls under infrastructure and thinks this Board shouldn't try to change its bonding policy. Mr. Stafstrom said it's up to the Board. He said land is part of infrastructure. Mr. Walsh wondered if another category like hazardous waste could be created. Mr. Brown suggested getting an update on the fund balance at some point.

4. To hear, consider and act upon the following resolution as recommended by the Board of Selectmen: *(requires RTM approval; pending BOS approval on 11/16/20)*

Resolved, that the attached Bond Resolution entitled, "A resolution appropriating \$1,686,000 for environmental testing and remediation costs at various locations in the Town of Fairfield, Connecticut related to contamination at the Town's reclamation yard and authoring the issuance of bonds to finance such appropriation" be, and hereby is, approved.

Mr. DeWitt made a motion to approve the item. Mr. Mitola seconded the motion.

Mr. Brown made an amendment for the bond resolution to be divided into two separate bond resolutions as approved by the Board of Selectmen at the Board of Selectmen meeting on November 16, 2020. Mr. Testani seconded the amendment which carried unanimously.

The Board then voted on each bond resolution separately.

Mr. Brown read the first resolution: To hear, consider and act upon the following resolution as recommended by the Board of Selectmen: Resolved, that the attached Bond Resolution entitled, "A resolution appropriating \$1,484,000 for environmental testing and remediation costs at various locations in the Town of Fairfield, Connecticut related to the contamination at the Town's reclamation yard and authoring the issuance of bonds to finance such appropriation" be, and hereby is, approved.

Mr. Testani made a motion to approve the first bond resolution. Ms. Charlton seconded the motion which carried unanimously.

Mr. Brown read the second bond resolution: To hear, consider and act upon the following resolution as recommended by the Board of Selectmen: Resolved, that the attached Bond Resolution entitled, "A resolution appropriating \$202,000 for the costs associated with an environmental hazard investigation and remediation of the Town's Water Pollution Control Facility and authorizing the issuance of bonds to finance such appropriation" be, and hereby is, approved.

Mr. DeWitt made a motion to approve the second bond resolution. Mr. Walsh seconded the motion which carried unanimously.

The main motion, as amended, carried unanimously.

5. To hear an update on COVID-19 expenses

Mr. Schmitt presented this item. He said the Town submitted about \$399,000 in COVID expenses for reimbursement to FEMA and a fund administered by OPM. Mr. Schmitt discussed what the expenditures were used for. Mr. Walsh asked Mr. Schmitt for a general consensus on some of the COVID expenses. Mr. Bateson requested through Mr. Schmitt that Chief McCarthy send the Board a memo on the \$18,000 federal fire grant related to COVID that the Town didn't receive.

6. To hear an update on the Purchasing Policy

Mr. Brown said the background on this policy is in the September 1, 2020 draft minutes. He said this policy needed to be updated based on the result of the DPW audit. Mr. Brown said a working committee developed this policy with employees and some Board members. He said at some point, this Board will need to vote on this policy.

Mr. DeWitt said he and Ms. Charlton both concluded that the policy didn't show what they expected it would so they asked Mr. Centofanti to review it. Mr. DeWitt shared some of Mr. Centofanti's comments which include there being no section on vendors nor how you get them, no referencing of a document like a Code of Ethics, no direct alignment with audit findings, the structure isn't grouped well and threshold for POs was increased without any analysis. Mr. DeWitt said it may be worthwhile to see how much Mr. Centofanti would charge to review this policy.

Ms. Charlton said an outside auditor should look at this policy before the Board votes on it. She wants to see good internal controls and good practices in place to protect the Town.

Mr. Bremer said he can go through answers to questions the Board has at the December meeting. He discussed the recommendations already implemented. Mr. Walsh said he'd like to see the draft to be prepared for December's meeting. Mr. DeWitt will have the draft sent to the Board tomorrow. Mr. Walsh asked Mr. Bremer if First Selectwoman Kupchick met with Superintendent Mike Cummings about the BOE's purchasing policy. Mr. Bremer said this meeting will be occurring soon. Ms. Charlton said this is not the draft she and Mr. DeWitt won't ultimately be commenting on. She wants Mr. Centofanti to look at this policy before she reviews it. Mr. Brown said after Mr. Centofanti reviews it will be turned back to the purchasing policy working committee. He said the Audit Committee will see Mr. Bremer's draft at its December 1, 2020 meeting.

7. To hear, consider and approve the meeting minutes of September 1, 2020 and September 15, 2020

Mr. Testani made a motion to approve the minutes of September 1, 2020 and September 15, 2020. Mr. DeWitt seconded the motion.

Mr. Walsh said a statement he made at the September 15, 2020 meeting on page three regarding an increase or decrease on home private never received that number that public is requesting but not getting. Mr. Brown said he'll invite the BOE next week to follow-up on this matter.

The motion carried 7-0-1, Ms. LeClerc abstained and Mr. Bateson wasn't present for this vote.

8. To Hear, Consider and Act Upon Any Communications

Ms. Charlton asked if public comment would be included during future BOF meetings like other boards have started to do. Mr. Walsh agreed with having public comment during these meetings and wants the public to see the Board members during the virtual meetings.

9. Adjourn

Ms. Charlton made a motion to adjourn the meeting at 10:47 pm. Mr. Walsh seconded the motion which carried unanimously.

Respectfully submitted,

Jennifer S. Carpenter
Recording Secretary

https://www.youtube.com/watch?v=EOnWn_PW75U

- ✓ To view the meeting, go to FairTV's webpage, <https://fairfieldct.org/fairtv/government>.
- ✓ Back-up documents relating to the agenda items can be found at www.fairfieldct.org/bof.

*****DRAFT*****

**Board of Finance Organizational Meeting
Tuesday, December 1, 2020
7:30 pm**

The Organizational Meeting of the Board of Finance was held virtually on Tuesday, December 1, 2020 at 7:30 pm in Fairfield, Connecticut.

MEMBERS PRESENT: Edward Bateson, Jim Brown-Chair, Lori Charlton, Christopher DeWitt-Vice Chair, Mary LeClerc-Secretary, Sheila Marmion, John Mitola, Jack Testani, James Walsh

ALSO PRESENT: First Selectwoman Brenda Kupchick, CFO Jared Schmitt, Controller Caitlin Bosse, CAO Tom Bremer, Parks and Recreation Director Anthony Calabrese, Fire Chief Denis McCarthy, Building Official Tom Conley, Tax Collector David Kluczowski, Superintendent Mike Cummings, Executive Director of Operations and Processes for FPS Dr. Zakia Parrish, BOE Chair Christine Vitale, BOE liaison to BOF Jeff Peterson, FairTV

1. Call to Order- First Selectwoman Kupchick called the meeting to order at 7:34 pm.
2. Pledge of Allegiance- First Selectwoman Kupchick led the Pledge of Allegiance.
3. To Nominate and Elect Officers for 2021

Jim Walsh made a motion to nominate Jim Brown for Chairman of the Board of Finance. Mary LeClerc seconded the motion which carried unanimously.

Jim Brown made a motion to nominate Chris DeWitt as Vice Chair of the Board of Finance. Jack Testani seconded the motion which carried unanimously.

Chris DeWitt made a motion to nominate Mary LeClerc as Secretary for the Board of Finance. Ed Bateson seconded the motion which carried unanimously.

4. Board of Education: Review of public school withdrawals to private and home school settings

Mike Cummings introduced Dr. Zakia Parrish who presented the item with reports from both October and November for the 2020-2021 school year. She said the total number of student withdrawals from FPS as of November 17, 2020 was 376.

Mr. Brown asked Dr. Parrish how many students we have in our district. Dr. Parrish replied that she did not have the exact enrollment, but she would look it up. She also said there were new registrations in the district this year; last year, at the end of November 2019 there was 261 registrations. She said this year, at the same time, there are 331 and this number reflects July 1, 2020 to the end of November 2020.

Mr. DeWitt asked Dr. Parrish of the 376 children who have withdrawn, if there any financial burdens still on the Town for transportation. Dr. Parrish replied that she thought there would still be a need for transportation if the children are now attending a magnet or charter school. She said for the children who transferred to other districts, those districts would be paying for the transportation. Mr. DeWitt asked if students went to a private school within Fairfield, if the Town is obligated to transport them. Dr. Parrish responded that she was not aware of how transportation is provided to the private schools. Mr. Cummings asked Mr. DeWitt if he was referring to students who have been outplaced. Mr. DeWitt asked if the outplaced students were part of the 376. Mr. Cummings replied that if they are outplaced they can remain duly registered.

Ms. Marmion asked how the data compares to last year, pre-COVID. Referring to the higher number of students who withdrew in the ninth grade, Ms. Marmion said there are many kids who move or go to private school in the ninth grade. She asked if there is documentation on the rationale of why the kids withdrew. Dr. Parrish replied that the reason why students left the district is not typically data that is collected and put into the database. She said Central Office does not collect where students are going as it is required to track where they are going, but the nature of why they left is not something that is in the data. Dr. Parrish said as far as comparison from last year to this year, she hasn't run the same chart that she ran for November 17 for last year. She said she did run the October 23 chart and compared it from last year to this year. She said the total number of kids who withdrew to go to private school last year was 120; this year is 105. She said there was a decrease in the number of withdrawals, but there was an increase in the number of students who withdrew to go to home school. Dr. Parrish said last year there were six students at this time who had gone to home schooling and as of October 23 there are 57. Ms. Marmion asked Dr. Parrish to send last year's equivalent of both charts to see what might be natural changes versus COVID-related withdrawals. Dr. Parrish said she can get it to the BOF.

Mr. Mitola wanted to confirm that as of October 23, 2019 there were 120 students who left to go to private school. Dr. Parrish replied that is was for the entire school year, last year. She said as of October 23, 2020, the number was 105. Mr. Mitola then asked if typically, kids leave in the middle of the school year. Dr. Parrish replied that she will have to pull the data by month to answer this.

Mr. Testani wanted to confirm that there were 331 new registrations for this school year so far and asked how many there were last year for the same time frame. Dr. Parrish responded that there were 261 new registrations. Mr. Testani asked if there is tracking of where the students came from and if they need transportation. He said he wanted to know how much that will cost the Town. Dr. Parrish said they don't track the student's transportation needs. Mr. Testani asked if there is any data to see where the new registrations are coming from. He asked Dr. Parrish if she could get information for transportation costs for new registrations. She replied yes.

Mr. Walsh started with the first report from October 23rd and asked what the acronym LEA stands for. Mr. Cummings replied that it stands for Local Education Agency, which in this case means Fairfield. Mr. Walsh said Out of District All includes Out of District other and Out of District CT, but it doesn't include private. Dr. Parrish replied that it does include private on the 10/23/20 report. She said it also says private withdrawals include Fairfield and outside of Fairfield, but that adding the two double counts the private school numbers. She said the private school numbers are included in the OOD other and the OOD CT because it reflects private schools within and outside of the State.

She said it also does not include those who went to magnet or charter schools or out of the country. Dr. Parrish said the original request didn't ask for extensive information, but the November report is more broken out.

Mr. Walsh said that if he adds the charter, magnet and out of the country and home school amounts in the November report to the number in the October report of total withdrawals, the total number of withdrawals by October 2020 is 275. He said the two reports are very different set ups so doing a straight comparison between the two could result in a double count in some instances. Dr. Parrish stated that within the months of August and September 2020, there were a significant amount of student withdrawals and the majority went to home school, private as well as OOD. Mr. Walsh asked if withdrawals could be compared to last year to which Dr. Parrish said as it has been requested, she will get a report from last year to do a comparison. Mr. Walsh asked Mr. Cummings what the reports show him. Mr. Cummings replied that what he sees is that parents and families are making decisions based on the current educational environment related to the pandemic. He said the increase in the home school, as some parents have told him, is based on structure that the public schools aren't able to offer and it gives them comfort as far as safety too. Mr. Cummings said it reflects the pandemic and is a trend happening across the State. He said there is a great concern across the State that students have withdrawn and they cannot be tracked, but that is not happening in Fairfield. Mr. Walsh then asked Mr. Cummings if he thought students were leaving the district because of the hybrid format and seeking out schools that are in school more. Mr. Cummings said that he does think that is also a choice.

Jeff Peterson thanked Dr. Parrish for putting the reports out and said he understands that it is a theme in discussions as the year moves forward. He said he told the BOF to let the BOE know what they want and the BOE will do its best to accommodate.

Christine Vitale, BOE Chair, reiterated that looking at the younger students, first grade and younger, parents are holding back their children and not starting them or just keeping them home. She said the home school data really stood out to her and it is happening across the State.

5. Quarterly Financial Review Follow-up on Fire Marshal Fees and Building Permit Fees
Mr. Brown said that items five and six stem from discussions at the quarterly meeting last week. He said there is a variance in revenue in Fire Marshal fees this year and the BOF wants to look into how or if it is affecting Building permit fees. CFO Jared Schmitt submitted reports and both Fire Chief Denis McCarthy and Chief Building Official, Tom Conley presented. CAO Tom Bremer and Town Controller Caitlin Bosse were on hand to comment or answer questions.

Mr. Schmitt noted there was a \$300,000 shortfall in Fire Marshal fees on a number budgeted for \$500,000. He said it was still the first quarter and this could change as things are unpredictable and mostly out of our control. He also wanted to reassure everyone that the budget overall is in good shape, but they are looking at smaller things going on.

Chief McCarthy wanted to recognize the three members of the Fire Marshal's office: Fire Marshal Phil Higgins, Deputy Fire Marshal Jeff Edmondson and Inspector Hank Ference for their dedication and commitment. He reviewed a thumbnail of the last five years of fees, concentrating on the comparison of last year versus this year. He pointed out the new fee structure that started in August of 2017. Chief McCarthy said in the last three years, the numbers have jumped dramatically reflecting those new fees. He said there is no trend in commercial construction or defined pattern.

He said the construction at both universities have generated a majority of income received, particularly in 2020. Chief McCarthy went over the procedures used in projecting revenue. He went over the various projects slated for 2021 through plans presented to the Town. Chief McCarthy said it's very different to predict what will happen this fiscal year due to economic complications related to COVID, but he is confident the projects will move forward in the New Year and will have the capacity to reach the budget projection.

Mr. DeWitt said last year, fiscal year 2020, was a booming year for the amount of Fire Marshal fees. He said when the Board is told revenues will be \$300,000 less than the budgeted \$500,000, that's less than the 2018 numbers with building fees. He said in last year's budget, the Board debated on needing an additional Fire Marshal and the late Harry Ackley, as Fire Commissioner, called every other day to say another Fire Marshal was needed. Mr. DeWitt asked if the shortage in fees is related to the Fire Marshal work not getting done.

Chief McCarthy referred to a document that Mr. Schmitt had sent to the Board that was used to review the Fire Marshal workload. He also wanted to recognize Harry Ackley, who devoted 50 years of his life to the town and he will be missed. He said the challenges in the Fire Marshal's office is that there are customers paying permit fees to break ground and build and there is an obligation to do a plan review in 30 days. Chief McCarthy said a lot of effort goes into reviewing the documents so people can keep projects going forward. He said State mandates also need to be in effect for all the residential buildings, condos and assisted living places and educational facilities, daycares and summer camps have to be inspected annually. Chief McCarthy said the Fire Marshals are not able to get to all the 585 various buildings, especially the non-permitted properties. He said the fee structure was set up to offset the cost of adding Fire Marshals and was set up as a one-time fee and it was more than surrounding towns, but it allowed the department to get the money up front and perform annual inspections at no additional cost. Mr. Dewitt commented that in his 14 years here, he never knew the Fire Marshal's office wasn't charging anything other than building permits. The Chief said the Fire Marshals only get involved if it is a three family home or larger, or a commercial property and the Building Department inspects the rest of residential.

Mr. Walsh asked the Chief what was his methodology in coming to the negative \$300,000. Chief McCarthy answered that there was conflicting information since the last meeting. He said he clarified some of the construction that might occur, but projects at FU and SHU were not going to go forward. He said Mr. Conley saw the universities holding back. Chief McCarthy said there were also some big housing contracts being stalled and they were all huge parts of revenue projections and right now, the first quarter only shows \$44,000. Mr. Walsh then commented that according to Chief McCarthy's report it looked like 60% of the projects were not going to be completed, but on the Building Department revenue sheet, he said there was no variance for the same projects. He asked what percent of the budget was from performing inspections. Chief McCarthy went through the various categories for inspections and licenses and the amount that is charged. Chief McCarthy said residential housing is doing extremely well throughout the country and he expects those to go forward in Town. He said he cannot predict if these will happen before or after July 1, 2021. He said 180 out of 585 facilities were inspected; stand-alone three- and four-family homes did not get inspected. Chief McCarthy said when the budget was approved in April, his department didn't anticipate to be in the economic status happening now. He said when Mr. Ackley was calling Mr. DeWitt regarding the position, it was with the thought that the economy would recover by November/December of 2020.

He said Fire Marshals can't get into residences to perform inspections because it is not safe. Mr. Walsh said not filling that position worked out for everyone.

With no other questions for Chief McCarthy, Chair Brown turned the meeting over to Tom Conley, Building Official. Mr. Conley stated he couldn't do his job without the Fire Marshall staff. Mr. Conley stated that the budget will be fine in both the Building department and the Fire Marshall's office. Mr. Conley gave an overview of the document he submitted to the Board. He said he has collected \$859,000 to date from mostly residential properties.

Mr. DeWitt stated that the spreadsheet says \$3.2 million and Mr. Conley replied that it was the total projection for the year, but the actual today is \$859,000.

Mr. Walsh asked if, based on the figures on the spreadsheet, Mr. Conley considered his department to be ahead in residential fees. Mr. Conley replied that he was ahead and very strong. People are staying home adding home offices, playscapes and still submitting pool permits. Demolition permits were strong as well.

Ms. Marmion stated that residential is looking strong in the first quarter, but looking back a year, how does it compare to last year? Mr. Conley replied that last year there was \$2 million in revenue at this time, but the projects were different. He said it is hard to track why people spend money on homes, but he still feels they are doing very well.

Mr. Testani said since last year was an anomaly, if you go back another year, is that more typical for the Town? Mr. Conley said the year before had a very large property that created a large revenue over multiple years. He said it's hard to find a trend as both years were atypical. He added that the last six years were very strong in the beach areas despite the damage caused by Superstorm Sandy.

Ms. Charlton stated there was a lot to go to get to the \$3.2 million from \$859,000 in five months. Mr. Conley discussed the shortfall in getting building to that projected number. He also went over commercial properties that will have permits in Town. He said there are several large projects with the universities that will break ground in the spring and also multi-residential housing complexes. First Selectwoman Kupchick stated that there will be a lot more details in the second BOF quarterly review meeting instead of speculating now what will happen. Mr. Brown said that Mr. Conley sounds confident he will meet his budget. Mr. Conley stated he was confident that he will meet his budget and the Fire Marshal will meet his as well. He also said it is hard to gauge when it will come, but said it will be strong.

6. Quarterly Financial Review Follow-up – Various board requests for additional information:

Mr. Schmitt said there are currently 26 vacancies and most are in the Police Department and there are seven in the ECC. He said the positions were not expected to come online this year, so they are not reflected in the MUNIS list. Mr. Brown said the Board had asked for additional information regarding vacancies. Mr. Schmitt said, for clarification, to let him know what they are looking for and he will get the information. In the forecast, he said vacancies produce approximately \$1 million in positive variance; the numbers were based on actuals. Mr. Schmitt said there is \$1.4 million in vacancies, projecting that it will not roll out and continue to be savings and there could be additional savings.

Mr. Schmitt said the \$1 million savings was projected for the year and not the quarter. Ms. Bosse said 10 of the jobs were based in the ECC and those will remain vacant for the fiscal year.

Ms. Charlton asked if the positions will be will be vacant for half or the full year. Ms. Bosse said eight are police officers and due to the academy being closed, it will take longer. She said some of these savings reflect higher positions leaving and hiring lower positions. Ms. Bosse said he positions at the ECC amount to \$700K-\$800K of savings in addition to the \$1.4 million. Mr. Schmitt told Mr. Walsh that all the DPW staff listed on the report will be hired before the end of the year. Ms. Bosse stated that some of the positions are unfunded positions. Mr. Walsh asked if the BOF had the authority to get rid of the unfunded positions. He also asked for a list of all unfunded positions. Ms. Bosse said that two of the positions were union positions.

Ms. Charlton asked if these open positions had an impact on Town services and if not, what the need to refill them is. First Selectwoman Kupchick answered Ms. Charlton saying she thought the Police Chief or one of the captains should be answering the questions. She also said that DPW is strained, but is doing a great job, especially during the storms.

Mr. Testani asked if there were any resignations over the last 3-6 months pertaining to the Police Accountability Act that was passed in the State. First Selectwoman the Police Department was better suited to answer that, but she was not concerned because many officers in other towns want to make the lateral move to Fairfield.

Mr. Schmitt said that the Police Academy is running a class in January and there are four officers slated for Fairfield. He said by the second quarter, his department will have reports of overtime used to cover the vacancies.

- Golf course revenue projection details

Mr. Schmitt said the numbers have changed a little bit and the projection is \$631,000 over the budgeted amount. He said this is based on a large number of rounds of golf during the first part of the fiscal year. Anthony Calabrese, Director of Parks and Recreation, said 2019 and 2018 were very similar years and the projections were safe. When asked about the pavilion rentals, Mr. Calabrese responded that April, May and June were down due to weddings being shut down with no sign of opening up. He said the budgeted amounts were \$300,000 for Penfield Pavilion and \$125,000 for the Jacky Durrell Pavilion.

- Parking authority revenue update

Mr. Schmitt said there were a few challenges for the Parking Authority. He said the lack of travel has had a severe impact on daily fees and parking permits are down. Mr. Schmitt said the Authority has a sizable fund balance of \$1.9 million and doesn't anticipate cash flow problems.

*There was also a discussion about bonds that the Town has invested which was not on the agenda. Mr. Brown said there is a bond policy that the Town follows and there are three advisors who help with investment policies.

- Accounting for tax collections received after June 30th

Tax Collector David Kluczowski went over dates for the Governor's extension for taxes. He said anything that was postmarked by July 1 was put into FY19-20 and anything postmarked after that was put FY 20-21. He said \$1.5 million was timely even though it was processed through July 1 and anything processed after that, but was due by July 1, went into FY 20-21 as prior year taxes.

7. To Hear, Consider and Act Upon the Minutes of October 6, 2020 and November 5, 2020
Mr. DeWitt made a motion to approve the minutes and Mr. Mitola seconded the motion.

The vote for the minutes of 10/6/20 carried 7-0-2 (abstentions, Mary LeClerc, Jim Brown)

Mr. DeWitt commented on the minutes of 11/5/20 that the top of page two should read 401a and not 401k. **The motion to approve the minutes of 11/5/20 as amended carried unanimously.**

8. To Hear, Consider and Act Upon Any Communications

Mr. DeWitt gave an update on the Purchasing Policy. He said the actual purchasing policy was distributed to the Board with comments. Mr. DeWitt said he drafted a request for quotation to Mr. Centofanti to give an estimate to see how much his firm would charge to develop new purchasing policies. He said Mr. Centofanti will provide a range, but he needs to ask more questions.

Mr. Brown said the BOF Committees need to be filled. He said there are four committees: Fund Balance, Mr. Walsh, Chair; Budget, Mr. DeWitt, Chair; Purchasing, Mr. DeWitt, Chair; Audit, Ms. LeClerc, Chair. He asked the BOF members to think about what Committee they wanted to join next year.

Mr. Brown also said there a Capital Plan Workshop on 12/10/20. He said the Board has been invited to visit the site of the former Giant Steps in Southport. He said there is a deadline for the Town to authorize this purchase and that other parties are interested. Mr. Brown said the BOS will hear a presentation on December 7, 2020, but not act on this until December 14, 2020. He said the RTM will hear this on December 17, 2020 and vote at a special meeting on December 21, 2020. Mr. Brown said the BOF will hold a special meeting on either December 15 or 16.

Ms. Marmion asked about the recommendations coming out of the audit. She said she knew the Audit Committee went over them first and wondered when they'd be available to the full Board. Mr. Brown said the Audit Committee had a meeting at 6:00 pm tonight and only got through 8 out of 75 recommendations. He said there isn't much of an update and the next meeting is on January 5 and members will go over more. Ms. Charlton expressed concern that it would take too long to go through the recommendations if the Audit Committee only meets quarterly.

9. Adjourn

Mr. Testani made a motion to adjourn the meeting at 10:47 pm. Mr. DeWitt seconded the motion which carried unanimously.

Respectfully submitted,

Pru O'Brien
Recording Secretary

<https://www.youtube.com/watch?v=b0pJjNU3Rkw>

MEMBERS OF THE PUBLIC: IN LIGHT OF COVID-19, AND PURSUANT TO EXECUTIVE ORDERS 7B and 9H, THE TOWN IS CONDUCTING THIS MEETING VIA WEBEX AND TAKING LIVE PUBLIC COMMENT VIA WEBEX DURING THE MEETING.

✓ Back-up documents relating to the agenda items can be found at www.fairfieldct.org/bof.

Special Board of Finance Capital Plan Workshop Draft Minutes
Wednesday, December 9, 2020
7:00 pm

A Special Board of Finance Capital Plan Workshop was held virtually on Wednesday, December 9, 2020 at 7:00 pm in Fairfield, Connecticut.

MEMBERS PRESENT: Edward Bateson, Jim Brown-Chair, Lori Charlton, Christopher DeWitt-Vice Chair, Mary LeClerc-Secretary, Sheila Marmion, John Mitola, Jack Testani, James Walsh

ALSO PRESENT: First Selectwoman Brenda Kupchick, Town Attorney Jim Baldwin, CFO Jared Schmitt, Auditor Connie Saxl, RTM Members Sharon Pistilli, Bill Gerber, Pam Iacono and Jeff Steele, DPW Director, John Marsilio, DPW Superintendent Doug Novak, Fire Chief Denis McCarthy, Assistant Fire Chief Kyran Dunn, CAO Tom Bremer, P&R Director Anthony Calabrese, Engineering Manager Bill Hurley, Police Chief Chris Lyddy, Deputy Chief Smith, Human and Social Services Director Julie DeMarco, Superintendent of Schools Mike Cummings, Director of Operations for FPS Angelus Papageorge, BOE Chair Christine Vitale, FairTV

1. Call to Order- Chair Brown called the meeting to order at 7:00 pm.
2. Pledge of Allegiance- Mr. Brown led the Pledge of Allegiance
3. To Review and Discuss Town and BOE Non-Recurring Capital and Capital Projects Planning Document, Their Timing and Related Subsequent Bonding Requirements and Estimated Impact on Debt Service Levels Over the Next Several Years

Ms. Charlton motioned to approve Item 3. Mr. DeWitt seconded the motion.

Mr. Brown started by saying the Board usually have this information in September, but 2020 isn't a usual year. He said this is a meeting to review capital projects and non-recurring capital. He thanked representatives from the BOS, RTM, BOE, and the Town for being on the call during such a busy time of year. Mr. Brown said debt funding scenarios and long-term planning and allocation will be reviewed. He said the Town has a bonding policy which is adhered to and influences decisions. Mr. Brown said the Long Term Facilities and Waterfall Chart and the 10-year outlay to potential costs has not been updated. He said this is related to COVID. He said the 2021-2022 numbers are accurate, but the 2022-2023 numbers will get updated in early 2021 and will need to include any work that needs to be done on the former Giant Steps property. Mr. Cummings said he will have those updated numbers by February 1, 2021 so the BOF can vote in February.

Mr. Papageorge went over the BOE proposed capital and non-re-curing projects.

He said there were a few schools on the waterfall chart. He said he thought that instead of doing a few schools a year, all of them should be done. Mr. Cummings said some of the projects included replacing the roof at Burr Elementary School and the Fairfield Ludlowe High School bathroom renovation which are necessary projects to move forward.

Mr. Mitola asked if the retro air conditioning is permanent and if it is being done because of COVID. Mr. Papageorge said this was done 12-14 years ago with some other buildings. He said only one school had been done since then and the BOE is catching up to where it should be. He said this will benefit schools going forward, but either Mill Hill nor Holland Hill needs it.

Mr. Gerber said the pandemic has changed the way air conditioning is looked at. He said it is a disadvantage to not have it in all schools and asked if the district considered making it a priority and evaluating the schools with partial AC. Mr. Papageorge said the RFP has been sent out and 10 companies sent proposals and there is a timeline to get it on the waterfall chart.

Ms. Vitale said it will cost \$100,000 for a consultant to evaluate the buildings. She said the money from that budget was used for the Osborn Hill roof and then COVID happened. Ms. Vitale said the BOE wanted to get accurate figures to move forward with the AC as it is a priority. She said the pandemic makes it more of a priority as health and safety are at the forefront.

Mr. Walsh asked Mr. Cummings if that was his highest priority to which Mr. Cummings replied that safety and security issues, physical entry plans and how to keep kids safe are his high priorities. Mr. Walsh asked if the vaccine is coming, is the AC still a priority. Mr. Cummings said it is because of the air quality due to mold and not so much the pandemic. Mr. Walsh asked Mr. Papageorge if the updated figures will include the AC. Mr. Papageorge said the work won't be done until the first week of July, so that will be in the next budget.

Selectman Flynn commented that the Burr Elementary School roof is not new, but it's not old. He said the Town has done well with plans and repairs, but he was surprised to see a full replacement for the Burr roof in the budget. He said he wanted to know if the BOE has exhausted options like warranties for the roof. Mr. DeWitt said he looked at last year's waterfall and this year's, but there is nothing for Burr except a warranty. He said there is no mention of Burr and the number on this report is high. Mr. Papageorge said that a big concern is that there is no line for roof or boiler replacements. He said there is a lot of missing data and inaccurate numbers. He said his goal was to make numbers accurate, but COVID delayed the process and opening the schools took priority.

Mr. Brown said he wants to change priorities for the next 10 years so the Board can address them at the February meeting with the understanding of what the priorities are for the next 10 years. Mr. Papageorge said he thought there were shortfalls and he wanted to present to the Town an accurate representation. Mr. Cummings said the BOE is committed to giving the BOF the best numbers going forward.

Mr. DeWitt said he supports AC, but it must be on the report and the numbers must be accurate. Mr. Gerber said AC is important because of health and the Town shouldn't be moving renovations out to get AC; both should be done. Mr. DeWitt responded that it must go on the waterfall.

First Selectwoman Kupchick talked about the next presentation that she asked Selectman Flynn to make.

She thanked Mr. Bremer, Mr. Schmitt and Selectman Flynn for their hard work on the presentation and meeting with department heads to come up with a list.

Selectman Flynn said the presentation is a working document for discussion purposes. He said in the past, the Town was basing things on what would be approved versus the true needs of the Town. He said the information presented to the boards were lacking. Selectman Flynn said the Town was not proactively maintaining town buildings such as Old Town Hall which is a historic building. He said currently, there isn't enough staff or resources to see what needs to be done. He said the Town needs to hire professionals to get those needs addressed. Selectman Flynn said the money is there, but the studies are incomplete and there needs to be more information. He said the numbers are directionally correct, but they won't be right. He said the fill pile will draw on the bonding capacity, but it is unknown until the Town knows what remediation will be like. Selectman Flynn went through the power point presentation. He said the debt service should be less than 10% of the budget. He pointed out the current conditions of the town buildings and bridges by referring to photos in the presentation. Selectman Flynn said there will be difficult choices ahead as the Town looks at almost a \$320 million investment over the next 10 years. He said that number doesn't include the fill pile, but it does have \$400,000 for the study. He also said WPCA funding decisions will need to be made.

Mr. Testani asked if there was updated information on the fill pile costs and potential lawsuits. Selectman Flynn responded that there is no new knowledge on the fill pile and being that there are several lawsuits, it would not be appropriate to discuss in a public format. Mr. Mitola said there were placeholders put on items if there wasn't a number and asked why that wasn't done for the fill pile. Mr. Walsh said the Town needs to go back to the placeholder because a number needs to go there. He suggested to go conservative and put \$10 million there. Mr. Schmitt said that number will be added in and there will be a new version in February.

Mr. Gerber asked if bonding can be done over 30 years or if 20 years is required by rating agencies. Mr. Brown replied that 20 years is the max that the Board set and then asked if the State reimburses for bridge repairs. Mr. Schmitt said there are programs that will reimburse the Town and the cost will determine what program to use.

Mr. Mitola asked about the WPCA project and if it will be paid by WPCA rate payers and who decides that. Selectman Flynn said it would go before the BOS, BOF and RTM. After presenting Exhibit 1, BOE, Town and WPCF, Mr. Schmitt said he will email a breakdown of the WPCF to the BOF.

The Board then reviewed Exhibit 2, Department Basis and Classification for Determining Anticipated Cost of Projects by request year. Mr. Mitola said he thought the Town was reimbursed for some projects and asked why that didn't appear on the report. Mr. Schmitt said that not all projects are reimbursed and suggested he look further down the sheet. Mr. DeWitt asked why capital equipment came with a truck replacement plan. Mr. Marsilio said in reviewing a budget he did not create he was prepared to discuss items like capital equipment. He said he met two times with fleet manager and will have backup for that and prices for something that won't be purchased until April/May. Mr. Walsh commented that trucks appear every year under non-recurring, but it recurs every year. He said a realistic plan is needed and to look at the last plan put together where the Town bonded trucks. Mr. Marsilio said he will share the report when it's developed.

Fire Station renovations were discussed with Chief McCarthy. Placeholders were put for amounts unknown.

Mr. Dick Dmochowski, Flood and Erosion Control Board secretary, had sent an email earlier requesting to comment during the meeting. He read his email below.

Dick Dmochowski
241 Colonial Drive, Fairfield
Member, Flood and Erosion Control Board

-----Original Message-----

From: Richard Dmochowski <r.dmochowski@sbcglobal.net>
Sent: Wednesday, December 9, 2020 9:30 AM
To: Carpenter, Jennifer <JCarpenter@fairfieldct.org>
Subject: Re: BOF meeting Dmochowski_desire to speak

Jen,

I will speak on behalf of the FECB and simply comment that:

We appreciate the opportunity to have worked with DPW, Engineering and Conservation to include the 13 items in the capital plan that will improve our resilience to Coastal storms and severe rain events. The most critical items are the 5 Tide Gate restorations because these are our existing first line of defense against Coastal Storms. We urge you to support all of these 13 storm related items as the Plan works its way through to adoption.

As far as which item I might comment after, not sure? My comments pertain to a few different ones and is more a general comment on “DPW” section. Bill Hurley can speak to all of them individually. So, I’ll be available..”whenever”.

Dick

Mr. Brown thanked Mr. Dmochowski for his comments and said he was the first person to make a public comment at a BOF meeting since March.

Mr. Brown then asked Mr. Calabrese for a background on the Parks and Recreation Master Plan of \$150,000. Mr. Calabrese said he looked back to every Commission meeting to the early 1940’s and never saw anything for a master plan or strategic plan. He said he asked surrounding town directors and they had done a comprehensive master plan. Mr. Calabrese said he tried to evaluate and get an unbiased plan for all the recreation facilities in Town. Mr. Brown asked why the town-wide audit facility plan for \$400,000 can’t cover this. Selectman Flynn said it is specific to town buildings and the \$150,000 is specifically related to recreation. Mr. Testani asked if the master plan will result in lower costs. He referred to light upgrades and also asked about a show mobile. Mr. Calabrese told him a show mobile is a mobile stage that is good for graduations and other events. Mr. Walsh asked about the Jacky Durrell Pavilion upgrades. Mr. Calabrese said they were for kitchen and bathroom renovations for after July 1. Mr. Walsh asked about the splash pad replacement for \$150,000. Mr. Calabrese said it is to replace what the Town already has and is not changing the footprint. Mr. Walsh also asked about the lights at the Dougiello Softball Field.

Mr. Calabrese said there is a commitment from the girls' little league to pay for replacing the lights on the softball field and it will be a net zero. He said the Parks and Recreation Commission approved the funding in August. Mr. Walsh asked about the effect the lights would have on the neighbors and if there would be a zoning issue. Mr. Calabrese said he spoke with the town departments and nothing was needed. He said he hasn't spoken with the neighbors and they would have to be vetted and heard. He said the project would be bonded by the Town, but paid for by the league.

Mr. Mitola asked if the P&R master plan was for programming. Mr. Calabrese said it is an overview of everything the department does including, programming, facilities, fields, staffing, to help plan projects in the future. He said there are some playgrounds on the waterfall chart that need to be replaced. He said they all actually need to be replaced, but he can't come in and ask for that money. Ms. Iacono commented that the master plan is excellent and asked if it is typical for master plans to be bonded. Mr. Brown said there might be examples of bonded plans. Mr. Schmitt said there have been plans bonded and gave the examples of the Rooster River project and the WPCA facilities study so there is a precedent for it. Selectman Flynn said it is typically tied to capital projects. Mr. Calabrese said he is looking for a plan for programs and not facilities. Mr. Walsh asked if the Rooster River plan was reimbursable. Mr. Hurley said the capital project was unable to get grant money for that.

Mr. Mitola asked for an explanation on expanding Burr Mansion. Mr. Marsilio said the History Center wants to extend the building to replace the tent that is there now. First Selectwoman Kupchick stated that a lot of renovations came through a grant because it is a historical building. She said the Town does make money from the rentals, but it needs to prioritize. She said this will change with more priorities she has. She said the profit from the Burr Mansion goes to the History Center. First Selectwoman Kupchick said there will be long-range plans with the Chamber, Burr Gardens Advisory Committee and the History Center for a master plan to improve the grounds of the entire area over a period of time. Ms. Iacono asked if the History Center is willing to contribute to the expense to which First Selectwoman Kupchick responded yes. Mr. Walsh commented that the History Center had almost a million dollars of work done in the kitchen and with adding an elevator. He said now, the History Center is asking for a million more and when that is weighed against AC, the AC is more important. First Selectwoman Kupchick said she just wanted to have this information in front of the town bodies. She said she wouldn't put something like this above more critical needs.

Mr. DeWitt said the 2021 budget is being crafted now and all but two projects are proposed. He said he supports the Old Town Hall renovation and the purchase of the former Giant Steps property. How asked how this is to be handled in the current budget. First Selectwoman Kupchick said it was her understanding that the whole plan be put together and then it will be prioritized. There are still discussions yet to be had, but we know Giant Steps is coming. We will be doing a presentation on that tonight. Mr. DeWitt said he is concerned that 2021 has \$20 million in unfunded projects. Mr. Schmitt said there are a limited amount of projects that could be done this current fiscal year. He said there wouldn't be any budget impact if they are done through bonding in the current year.

Mr. Brown said Exhibit 3, BOE, Town and WPCA Debt Service as a percent of the budget would need to be updated when more information is received from the BOE and regarding the fill pile. He then referred to Exhibit 5, Town of Fairfield changes to the Capital Plan – All projects in October 2019 compared to October 2020. He said there is an increase of \$22 million.

Ms. Charlton asked that in the updated version if dates/years could be added. Mr. Testani commented on the new HVAC for the Police Department and asked if that was the only improvement the building needed. Mr. Marsilio said that is the critical element of that building. He said the building maintenance foreman said this needs to get done. Police Chief Lyddy said the building is in good shape except for the AC and he appreciates the DPW and all its hard work. Ms. Charlton requested the updated version show how debt reconciles to audit to understand the running total.

First Selectwoman Kupchick presented the item regarding the former Giant Steps property. She said this is a long-term solution for the alternative high school. She said the Town looked into purchasing the current location, but the building is not in good condition. First Selectman Kupchick said the price was too high and needed too much repair. She said it was suggested to her to tour the former Giant Steps school. She said originally the price was \$10 million, but it came down. She said it is a large piece of property in Southport and a turnkey building. First Selectwoman Kupchick said there is an outbuilding that is structurally sound, but not in great shape. She said the Town will need to get estimates to demolish or use as useable space for DPW equipment. She said the property could be a potential use for soccer fields and other town needs. First Selectwoman said this is a prime piece of property to give our alternative students a good facility and for the Town to keep the property under Town control and keep it from developers. She said the purchase would be \$4.9 million; the Walter Fitzgerald High School would relocate to the Southport location when the lease expires. First Selectwoman Kupchick confirmed that most of the land is buildable. She said use of this land needs to be discussed as a community. Mr. Cummings commented that there is a lot of opportunity to a turnkey facility. He said it is a significant upgrade to the current site and it is a long-term investment. He said the systems are relatively new, it is already air conditioned and even though it has less square footage than the current property, it is perfectly fine for the needs of the Walter Fitzgerald students. BOE Chairwoman Vitale thanked the First Selectwoman for being so open to this and said she is very happy for the opportunity. She said it will provide wonderful space for the students and she is excited about the possibilities. Ms. Vitale noted there are other offers coming in on the property.

Ms. Charlton asked about moving costs associated with Walter Fitzgerald and if the Town is liable in any way to restore the current building to its original state. Mr. Papageorge said he had conversations with the Bridgeport Archdiocese and there are no concerns. Mr. Testani said over \$200,000 to move seems excessive. Mr. Papageorge said the details are in the capital book based on the numbers seen and used. He said the biggest moving cost is the security upgrades to bring the school up to district standards. Town Attorney Baldwin also said there are no issues or anticipated costs associated with leaving the St. Emery's building. Mr. Brown suggested breaking down the \$200,000 into moving costs and security upgrades. Ms. Vitale confirmed that this amount includes security on the abandoned building on the property. Mr. Cummings pointed out that on page 11 of the presentation, the costs are broken out between the move, security, fencing around the property, landscaping and fiber optics. He said the moving cost is relatively minor. Ms. Marmion said for the discussions next week, she'd like to see specific opportunities for this property. In addition to moving Walter Fitzgerald, she said she would like a list of other ideas for the school space and the other piece of property.

Mr. Brown stated that the total cash flow required stands at \$311 million and it will increase when the Board gets the updated numbers from the BOE. He said other schedules will be adjusted as well, including the waterfall chart.

Mr. Brown said the Board will have a better understanding of the 21-22 capital projects and the next 10 years. He said he looks forward to hearing from the BOE and knows that Mr. Papageorge's plans for the next 10 years will be different. He said the BOF will meet before February and go through all of this.

4. Adjourn

With no further business to come before the board, Mr. DeWitt motioned to adjourn the meeting at 10:07 pm. Ms. Charlton seconded the motion which carried unanimously.

Respectfully submitted,

Pru O'Brien
Recording Secretary

<https://www.youtube.com/watch?v=RL0g3Z58Ars>

MEMBERS OF THE PUBLIC: IN LIGHT OF COVID-19, AND PURSUANT TO EXECUTIVE ORDERS 7B and 9H, THE TOWN IS CONDUCTING THIS MEETING VIA WEBEX AND TAKING LIVE PUBLIC COMMENT VIA WEBEX DURING THE MEETING.

- ✓ Back-up documents relating to the agenda items can be found at www.fairfieldct.org/bof.

**Special Board of Finance Meeting Draft Minutes
Wednesday, December 16, 2020
7:00 pm**

A Special Board of Finance meeting was held virtually on Wednesday, December 16, 2020 at 7:00 pm in Fairfield, Connecticut.

MEMBERS PRESENT: Jim Brown-Chair, Lori Charlton, Christopher DeWitt-Vice Chair, Mary LeClerc-Secretary, Sheila Marmion, John Mitola, Jack Testani, James Walsh

MEMBERS ABSENT: Edward Bateson

ALSO PRESENT: Town Attorney Jim Baldwin, CFO Jared Schmitt, Superintendent of Schools Mike Cummings, FPS Director of Operations Angelus Papageorge, BOE Chair Christine Vitale, BOE Liaison Jeff Peterson, Executive Director Special Education and Student Services Robert Mancusi, FairTV

1. Call to Order

Chairman Brown called the meeting to order at 7:00 pm.

2. Pledge of Allegiance

Mr. Brown led the Pledge of Allegiance.

3. To hear, consider and act upon a request from the Board of Selectmen for a Special Appropriation in the amount of \$5,123,928 for the costs of purchasing land and existing buildings to operate the Walter Fitzgerald High School campus, moving costs, improvements related thereto and authorizing the issuance of bonds to finance such appropriation (See attached bond resolution). *(requires BOF and RTM approval)*
(pending BOS approval on 12-14-20)

Mr. DeWitt made a motion to approve Item 3. Mr. Mitola seconded the motion.

Mr. Papageorge opened the discussion and explained that the BOS had approved this appropriation and he is now before this Board to request funding for the purchase of 309 Bayberry Road in Southport. He said it is 11.74 acres with two existing structures. He said one structure was the former Giant Steps School and the other has been empty for 30 years. Mr. Papageorge said the intent for the purchase is to move the Walter Fitzgerald School from the existing building which is leased from the Diocese of Bridgeport into the building formerly used as Giant Steps for operation of the school. He said the cost includes moving and minor improvements.

Mr. Papageorge said \$14K was removed to move FF&E as that will be done through operating costs. He said there is a breakdown of carrying costs and a summary of carrying costs versus leasing costs that was sent to the Board.

Mr. Mitola asked if the warranties carryover if the property is purchased. Attorney Baldwin said he does believe that is the case, but he will confirm. Mr. Papageorge said the study of hazardous materials on the property is being done and will be finished before the closing. Mr. Mitola asked if the maximum enrollment in the program is 50 because of the program or because of the current facility. Mr. Mancusi said it is the program, but it could change. Mr. Mitola asked if the building is taxed in Fairfield. Attorney Baldwin replied that it was owned by the Bridgeport Archdiocese and was exempt until last year when the assessor sent a bill which is currently being disputed.

Mr. DeWitt asked if the program is limited to 50. Mr. Mancusi said it is not limited to 50, but he said that is the max for the current location. He said the BOE is looking to expand that maximum and looking into having other programs there. Mr. DeWitt said it was clear taking the tour that the building was well maintained and will be very useful to the Town. He said it is very encouraging after going through the current campus that more kids will want to go there. He said he will be voting for this.

Mr. Mancusi said there are no specific education specs for the Walter Fitzgerald program. He said the 50 max was established a few years ago based on student needs and space available. Ms. LeClerc asked if there was any chance for reimbursement for the costs. Mr. Papageorge said the renovations are only to bring the building up to code with the rest of the schools in town. Mr. Mancusi added this could also be an additional revenue generator from students who don't have an alternative high school in their district. Ms. Charlton asked about potential additional revenue at \$35,000 for Walter Fitzgerald and if it will go up in the new location. Mr. Mancusi said that is the base tuition for students who come with a 504 plan or an IEP. He said this is standard and it hasn't changed in a few years because there hasn't been additional students. Mr. Mancusi said it is considered a district program so the BOE wouldn't see an average tuition cost of \$70,000. He said if the students move into the Giant Steps building, there could be an increase. Ms. Charlton asked if \$35,000 was the market rate. Mr. Mancusi replied that once more is charged, there will be outplacement rates.

Mr. Walsh asked how much is paid in the current lease. Mr. Cummings said it is \$110,250 and there are also maintenance costs on top of that. He referred to the sheet that was sent on Monday and said everything was broken down by cost. Mr. Cummings then added that \$143,330.30 includes security and all utilities. Mr. Papageorge said the lease expires on June 30th after having a one year extension. Mr. Mancusi added that the intent is to allow tuition spending students. He said the current location is not inviting. Mr. Walsh stated that the Town is giving the BOE the former Giant Steps building, but wanted to know if everything else on the property would be Town property including the additional building. He said that according to the Town Charter, the RTM would decide who uses it. Mr. Baldwin said all Town bodies would decide and if it requires funding, the BOF would need to approve it. He said the idea as articulated by the First Selectwoman is to have all town bodies, commissions and committees decide what would be the best uses of the property. Mr. Walsh asked if the other building on the property would be a better teaching space since it is bigger. Mr. Papageorge said he wasn't sure if it would be better because it needs work and only has one bathroom. He said it also doesn't have an elevator so it isn't ADA compliant. Mr. Walsh asked if it was big enough to move Central Office to.

Mr. Papageorge said he thought it could be, but didn't know the exact space. Mr. Baldwin said it could certainly be something the Town could look into. Mr. Walsh asked if the Town was under contract for the purchase. Mr. Baldwin said there is a letter of understanding, but no deposit has been made yet. He said the goal for all involved is to close before the end of the year and the seller is motivated by the Town to close sooner.

Mr. DeWitt said when the Town bought the Hoyden's Hill property, there was no intended purpose, but the BOF put the intended use in the bond. He said this bond doesn't say anything about the use of the land. He said he is concerned that the remaining land could turn into open space by the RTM. Mr. Mitola asked if the BOE will have control of the whole property or just the school and asked how much land was around the building. Mr. Baldwin said the BOE will only have control over the school and a fence is going up around the facility to separate it from the rest of the property.

Ms. Marmion wondered if the Town would have liability for the abandoned building and if the Town would need to spend money to keep it safe from people going into the building. Mr. Baldwin said no prices have been set. Ms. Marmion asked if there had been discussions about demolishing the building or if it will be used if it is intact. Mr. Baldwin said the roof has issues, but the rest of the building is in good shape. Ms. Marmion asked what the process was to look at the best use. Mr. Baldwin replied that as he said earlier, all town bodies will decide what the best use is after structural studies are complete. He said the main thing is to move ahead with the BOE needs. Ms. Marmion asked if there is any way to monitor access to the empty building. Mr. Baldwin said it would be wise, but hasn't been vetted. He said the Risk Manager is looking into insurance costs which could add \$1,250-\$2,500 to ongoing costs.

Ms. LeClerc said the bond doesn't mention other potential uses and asked if other town uses could be added. Attorney Baldwin said he will ask Bond Counsel. Mr. Mitola said the BOS already voted on what is written in the bond. Mr. Walsh said looked at the Charter, but couldn't find anything about the RTM. He said he did find article 35-12 that seems to suggest the RTM has the right to designate use of property. Mr. Baldwin said he is looking into it. He said the Town is buying the parcel and even though it is leasing part of it to the BOE, it is up to the RTM. He said how it gets to the RTM and how it reads is up to the town bodies. Mr. Walsh said if it is not designated, it will go to open space. Mr. Baldwin said it is a fair point to put it in the bond resolution. BOE Chair Christine Vitale said she appreciated the conversation, but the BOE is just looking at the property for the Walter Fitzgerald campus. She said discussions about the other building and future land use will go before town bodies. She said she hopes this conversation doesn't stop this project. Ms. Vitale said the BOE needs this location for the students who are most at risk. She said there many opportunities for the Town in the future here. Mr. Walsh agreed that it is the perfect building and after going through the current school he said he was embarrassed. He said it is in bad condition and understands looking for another location because the students deserve to be in a respectful place. He said he doesn't want to add another expense, but it will get the students out of a bad situation and into good space.

Ms. Marmion said she noticed in Ms. Vitale's memo that the BOE also targeted an early literacy program. She asked if that would eliminate outplacng district kids who were in that program already. She also asked if the BOE planned on bringing kids from out of district and will save money by not placing kids outside of district. Mr. Cummings said it would reduce the current outplacement and support kids who need literacy at an early age.

He said it will be more of a cost avoidance than an income generator and could be a significant savings. Mr. Mancusi said he didn't have the figure, but there are many kids who have significant literacy deficits to out of district placement. He said this will be significant cost avoidance. Ms. Marmion asked Mr. Mancusi to get the Board the costs for the last few years.

The motion carried unanimously.

4. To hear, consider and act upon a request from the Purchasing Policy Committee to transfer \$20,000.00 from the General Fund Contingency (01002010-58010) to the Board of Finance- Fees and Professional Services budget (01003130-53200) for the creation of a new Purchasing Policy.

Mr. DeWitt made a motion to approve Item 4. Mr. Mitola seconded the motion.

Mr. DeWitt talked about the current town purchasing policy. He said he and Ms. Charlton asked Joseph Centofanti to write a new purchasing policy for the Town. Mr. DeWitt said he had an informal meeting with Purchasing Director Gerald Foley and CFO Jared Schmitt. He said Mr. Foley delivered a very comprehensive policy which was much improved from the original. He said the document is substantially closer to where the Town needs to be. Mr. DeWitt suggested changing Mr. Centofanti's role from creator to helper and said he would like to move the vote to the January 5 meeting. Ms. Charlton concurred with Mr. DeWitt and said the document is fairly well organized. She said she hopes to still use Mr. Centofanti and agreed that he can go from creator to reviewer. She said Mr. Foley has a great starting point that needs a few more tweaks. She said Mr. Centofanti can give the Board a revised amount to his fees for the January 5th meeting. Mr. DeWitt said Mr. Foley was revising a Procedural Manual for the department and it is 86 pages of good substantial data. Ms. Charlton said she and Mr. DeWitt knew a procedural manual was coming out, but the policy piece was incorporated in this. She said Mr. Foley's team did a nice job, but will still need Mr. Centofanti to look at it.

Mr. DeWitt made a motion to postpone Item 4 to a date certain of the January 5, 2021 meeting. Ms. Charlton seconded the motion. The motion carried unanimously.

5. To Hear, Consider and Approve the 2021 Meeting Schedule

Ms. Charlton made a motion to approve Item 5. Mr. Testani seconded the motion.

Mr. Brown made a friendly amendment to make the February 2nd meeting a regular meeting and the February 16th meeting a quarterly review meeting.

The motion carried unanimously.

6. To Hear, Consider and Act Upon Any Communications - None

7. Adjourn

Ms. Charlton made a motion to adjourn the meeting at 8:23 pm. Ms. Marmion seconded the motion which carried unanimously.

Respectfully submitted,
Pru O'Brien, Recording Secretary

https://www.youtube.com/watch?v=D_965in8GHc

MEMBERS OF THE PUBLIC: IN LIGHT OF COVID-19, AND PURSUANT TO EXECUTIVE ORDERS 7B and 9H, THE TOWN IS CONDUCTING THIS MEETING VIA WEBEX AND TAKING LIVE PUBLIC COMMENT VIA WEBEX DURING THE MEETING.

- ✓ Back-up documents relating to the agenda items can be found at www.fairfieldct.org/bof.

Special Board of Finance Meeting Draft Minutes

Monday, December 21, 2020

6:00 pm

A Special Board of Finance meeting was held virtually on Monday, December 21, 2020 at 6:00 pm in Fairfield, Connecticut.

MEMBERS PRESENT: Edward Bateson, Jim Brown-Chair, Lori Charlton, Christopher DeWitt-Vice Chair, Mary LeClerc-Secretary, John Mitola, Jack Testani, James Walsh

ALSO PRESENT: Town Attorney Jim Baldwin, Bond Counsel John Stafstrom, FairTV

MEMBERS ABSENT: Sheila Marmion

1. Call to Order – Chairman Brown called the meeting to order at 6:04 pm.
2. Pledge of Allegiance – Mr. Brown led the Pledge of Allegiance.
3. To hear, consider and act upon a request from the Town Attorney and Bond Counsel to approve an amendment to the bond resolution associated with the Board's December 16, 2020 approval for a Special Appropriation in the amount of \$5,123,928 for the costs of purchasing land and existing buildings on the property known as 309 Barberry Road. (See attached bond resolution) (*requires RTM Approval*); (*pending BOS approval on 12-21-20*)

He said Bond Counsel recommended an amendment be made.

Mr. DeWitt made a motion to approve Item 3. Mr. Mitola seconded the motion.

Mr. Brown started the discussion by saying wording in the bond resolution was added after the BOF voted on this item last week. He said the wording added is, “and to utilize for future town projects.” He said Bond Counsel recommended this wording be added to the bond resolution.

Town Attorney Baldwin said the bond resolution that was voted on last week didn't fully capture the purpose of the sale as noticed by Mr. Walsh. He said he brought this to the attention of Bond Counsel. Town Attorney Baldwin said it was lost in translation that there was more to the purchase than just the Walter Fitzgerald High School.

He said Bond Counsel thought this additional language was prudent to capture the concept that the other parts of the property were not going to be used by the BOE, but by the Town for future projects. Town Attorney Baldwin said the RTM, pursuant to this resolution, is designating the property by operation of this resolution. Mr. Walsh asked what part of the parcel the BOE will control. Town Attorney Baldwin said that is to be determined; clearly, the Walter Fitzgerald High School is building #1 for the BOE and immediate surroundings. He said this is a hybrid situation and as to where the lines are drawn will be determined by the Administration and BOE for immediate purpose of alternative high school's use; the balance of the property needs to be determined. Mr. Walsh asked if the BOE uses the building, who will control the rest of the property. Town Attorney Baldwin said beyond the use of the building for the school, uses for the rest of the site haven't been fully vetted and determined. Mr. Walsh asked if Bond Counsel was on the call, but Mr. Stafstrom was not on the call. Town Attorney Baldwin said he will attempt to contact him to join the call. Mr. Walsh asked if the resolution could state that the good building is for use by the BOE and everything else is for future Town use until determined.

Mr. Bateson said he agrees with Mr. Walsh. He said the cost of purchasing land and existing buildings for the alternative high school could sound like it would all be for the BOE. Mr. Bateson said the RTM could determine the land is for the Town and the BOE can use the building for the school. He said while he supports the school at this site, for this amount, he want the taxpayers to get the land. He said a specific idea of what is being done with this site needs to be hammered out.

Mr. DeWitt said the word BOE isn't used in the Bond Resolution. He said the Bond Resolution states buying the 11.74 acres to occupy the alternative high school and to utilize for other Town projects. As he reads it, only the Town can use it and the Town designates the use to the BOE.

Town Attorney Baldwin agreed with Mr. DeWitt and said it is intentionally left open. He said the deal is coming together quickly and the immediate purpose is to use the building for the alternative high school. He said the Town will agree with the BOE as to what oversight there would be of the parking lot or it could be limited to just the building.

Mr. DeWitt said he doesn't want it to be used as open space. He said he can support how the resolution now reads with the added language.

Mr. Mitola agreed with Mr. DeWitt and said the Town will own the entire parcel including the building. He said at a later date the RTM can designate other uses on the property.

BOE member Jeff Peterson said he appreciates what Mr. Walsh is saying, but the BOE has never contemplated using any more than it needs - the building and the parking lot and maybe an outdoor recreation area. He said the BOE respects it will use what it needs and the Town will use the rest.

Mr. Walsh said he wants to rest the issue because there have been times when the BOE has put parameters on projects. He said he wants the building itself to be used by the BOE and the rest of the property to be used by the Town.

Ms. LeClerc suggested a sense of the body motion to direct the RTM on what types of things will be done with this purchase. Mr. Baldwin said questions on uses will not be answered tonight; maybe in January.

Mr. Testani said if the BOF were to make a motion asking the RTM to specify exactly what the Town's role would be moving forward that would help alleviate some of these concerns as Ms. LeClerc had suggested with getting a sense of the body.

Mr. Mitola said the RTM could vote tonight with the understanding that the BOE is using the building and any further use will be determined at a later time. He said the RTM will need to reissue a vote on that; but for purposes tonight, the BOE is limited to the building.

Mr. Brown acknowledged that Bond Counsel John Stafstrom called into the meeting. He asked Mr. Walsh to address his concerns to Mr. Stafstrom. Mr. Walsh said in regard to the revisions to the bond authorization that Attorney Stafstrom helped amend, it still keeps the words "the Walter Fitzgerald High School campus and to utilize for future town projects." He asked if language could be put in to state Walter Fitzgerald High School to utilize the non-abandoned building. Mr. Walsh said if the BOE is given additional portions of the property, it controls it. He asked if the BOF can define the Bond Resolution to just state the BOE can use the building and the Town will control everything beyond that.

Attorney Stafstrom replied, "I don't think the resolution turns the entire property over to the BOE. I think how this evolved is that the first resolution didn't reflect that the Town was going to use it for other purposes. But I think the intent of the amended resolution is to say that there is a portion for the BOE and a portion that's not. I honestly think the BOS is probably going to make that determination. My understanding from the Town Attorney and he can speak up, is at some point there will be a division of the property and there will be a property line. The BOE will have a part and the Town will have a part. I don't know that the line of demarcation has been determined yet. I think what this resolution does is clarify that it's not all going to the BOE. This will then go to the RTM and they will ratify the fact that this is not all for the BOE. At some point, the Selectmen will make a determination as to the property line, shall we say. So I think you're reserving your right for the other portion to be used for whatever Town purposes the bodies determine in the future."

Mr. Walsh asked if that was a First Selectman, BOS or an RTM decision.

Attorney Stafstrom said, "I think it's sort of open ended at this point, to tell you the truth, because I don't think people know what the other property is going to be used for. I think that my understanding is that folks think it makes sense to buy that valuable property for future town use. I think to draw the demarcation now between the various uses might be difficult when it's not clear what that is."

Mr. Walsh said he wants to make sure the demarcation is not so broad. "We're talking about a campus for them and not just a building. We're talking about a campus. Those are your words."

Attorney Stafstrom said, "Well, I think that the original resolution, and I know that somebody on the Board of Finance raised this last week which is why we are going through this amendment process, I think the original resolution basically said we're taking the land to operate it as the school's campus. The language we have now limits that so that at the appropriate time, the demarcation will be made to say no, that's not what we're doing. The Board of Education will use the building and five acres and the Town is reserving the other six acres. I think this resolution does that."

Mr. Walsh said it is very broad for him and it's voting on a lot of money for something that's very broad. He said, "We are being asked to vote on it and others will decide how this is all parsed out later on in a way that I might not think is best for the taxpayers."

Attorney Stafstrom replied, "My experience with your various boards is that I would be very surprised if at some point that the other use for that doesn't come back before the Board of Finance."

Mr. Brown asked Mr. Walsh if he could go back to him if something else comes to his mind or if he had another question. Mr. Brown acknowledged Mr. Mitola had a comment.

Mr. Mitola said he thinks it's the RTM that ultimately determines the use of the property. He said when the BOE, Town and RTM determine what the BOE needs to operate the alternative high school, then the RTM at a future date votes on that. He said he understands there is concern, but it can be alleviated at a later date when the RTM votes when it's all figured out.

Town Attorney Baldwin said, "That's correct Mr. Mitola and let's not forget that the purpose and the use of the entire parcel is technically being designated albeit open ended in terms of the other part of the property the use of which is still to be determined. But, for the purposes of satisfying the Town Code and designating use it's been satisfied. And I say that because otherwise it would be designated for open space and that is something that clearly we don't want it to default to, just open space. So that box is checked, so to speak. But you are absolutely correct that later on, the use of that property will be more clearly determined by the Town bodies including the RTM."

Attorney Stafstrom said, "I would agree with that analysis. What we tried to clarify in this amendment is that this entire parcel is not just being used for the campus and at the same time, whatever is not being used for the campus is not just defaulting to open space."

Mr. Walsh said, "Mr. Brown, can I ask through you to ask our clerk to take very detailed minutes of what both town attorneys have basically said, our bond counsel and town attorney, so that there are detailed records in regards to what their legal opinion was, so that if we look back on this it's extremely clear of what we thought we were doing. That the RTM and the town bodies would have their say in regards to what happens later on."

Mr. Brown replied, “Yes, I will reiterate that to Ms. Carpenter and Ms. O’Brien, who’s taking minutes tonight, that the opinions from the Town Attorney and Mr. Stafstrom are basically word for word in our minutes. Are there any further comments or questions in regards to the bonding resolution and amendment?”

Mr. Walsh said, “Based on those legal opinions and based on the fact that the RTM will be able to weigh in on what the future use is, I guess I’m fine with it as long as they get to weigh in on it. So based on the legal opinions, I was going to abstain, but I will vote in favor of it as long as the RTM has full say on what happens. They are expected to have that.”

Mr. Brown asked, “Mr. Baldwin, you’re in agreement with Mr. Walsh in regards to the RTM?”

Attorney Baldwin replied, “Yes, I think I’ve tried to articulate that point that he just made on numerous occasions. I apologize if I wasn’t that clear about it.”

Mr. Brown said he just wanted to get further clarification before the vote.

Mr. Walsh said, “I want to be clear, I don’t think he was being unclear. I might have been misunderstanding it at the end. It might have been my lack of clarity.”

The motion carried unanimously.

Mr. Brown said the resolution passed and proceeds to the RTM.

4. Adjourn

Mr. Walsh made a motion to adjourn the meeting at 6:52 pm. Mr. Mitola seconded the motion which carried unanimously.

Respectfully submitted,

Pru O’Brien
Recording Secretary