

**MEMBERS OF THE PUBLIC: IN LIGHT OF COVID-19, AND
PURSUANT TO EXECUTIVE ORDER 7B, THE TOWN IS
CONDUCTING THIS MEETING VIA TELECONFERENCE ONLY.**

To listen to this meeting:

✓ **Call: 667-776-9044**

Please Note:

- ✓ You will not be heard by the board members and there will be no public comment.
- ✓ Back-up documents relating to the agenda items can be found at <https://fairfieldct.org/bos/agendas>.

**BOARD OF SELECTMEN SPECIAL MEETING
Monday, April 6, 2020**

A special meeting via phone of the Board of Selectmen will be held at 2:00 p.m. on Monday, April 6, 2020 in Fairfield, Connecticut.

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

1) CALL TO ORDER

2) PLEDGE OF ALLEGIANCE

3) TAX COLLECTOR

To hear, consider and approve an abatement of taxes for a portion of the 2018 Grand List taxes due for #s 21-23 and #s 63-65 Durrell Drive in the total amount of \$6,333.81

4) ACTING DPW DIRECTOR (*Requires RTM Approval*)

To hear, consider and act upon the following resolution as recommended by the Acting Director of Public Works:

“RESOLVED, that in accordance with a recommendation from the Acting Director of Public Works, in consideration of \$1.00, the Town grant to Aquarion Water Company of Connecticut a perpetual easement over property owned by John J. Mitnick, Judith A. Mitnick, Maryanne E. Mitnick and the Town of Fairfield Properties at #57 Beaumont Place and #3 Rugby Road, Fairfield, Connecticut” (said easement being shown and designated on certain survey entitled, “Map Showing Easements to Aquarion Water Company from John J. Mitnick, Judith A. Mitnick, Maryanne E. Mitnick and The Town of Fairfield Properties at #57 Beaumont Place and #3 Rugby Road, Fairfield, Connecticut” and prepared by Luchs Consulting Engineers, LLC); and FURTHER RESOLVED, that the First Selectwoman be, and hereby is, authorized to execute on behalf of the Town such documents as may be necessary to effectuate this resolution.”

- 5) FINANCE DEPARTMENT (*Requires BOF and RTM approval*)
To hear, consider and act upon the following Bond Resolution entitled, “A Resolution Appropriating \$6,245,000 for the costs associated with the construction of the Easton Turnpike Pump Station and Force Main Replacement and authorizing the issuance of bonds to finance such appropriation” consisting of three pages, a copy of which is attached hereto.
- 6) FINANCE DEPARTMENT (*Requires BOF and RTM approval*)
To hear, consider and act upon the following Bond Resolution entitled, “Supplemental Resolution” consisting of one page, a copy of which is attached hereto, stipulating that the debt service on the Easton Turnpike Pump Station and Force Main Replacement Bonds as it 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 with the Town satisfactory to the First Selectwoman.
- 7) ACTING DPW DIRECTOR
To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with Kovacs Construction Corporation, Oxford, CT for the Pump Station Replacement at the Easton Pump Station to provide all labor, equipment, and all else necessary to perform the Pump Station Replacement at the Easton Turnpike Pump Station as detailed in the bid #2020-51 [Contract #1] in an amount not to exceed \$3,359,490.00, *subject to bond approval by Board of Finance and RTM*
- 8) ACTING DPW DIRECTOR
To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with True Blue Environmental, Wallingford, CT for the Force Main Replacement at the Easton Pump Station to provide all labor, equipment, and all else necessary to perform the Force Main Replacement at the Easton Turnpike Pump Station as detailed in the bid #2020-51 [Contract #2] in an amount not to exceed \$1,999,382.00, *subject to bond approval by Board of Finance and RTM*
- 9) ACTING DPW DIRECTOR
To hear, consider and authorize the Purchasing Authority to execute an amendment with Wright Pierce for Construction Administration services for the Force Main Replacement and the Replacement of Easton Pump Station projects [bid #2020-51 (Contract #1 and Contract #2)] in an amount not to exceed \$349,700.00, *subject to bond approval by Board of Finance and RTM*
- 10) POLICE CHIEF
To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with Silver Petrucelli & Associates Inc., for Architectural Design Services for the construction of the new Combined Emergency Communication Center (ECC), [per RFP #2020-32], in an amount not to exceed \$52,200.00. Funding for this contract is available in account # 22804150 57000 ECC19

11) PURCHASING AUTHORITY/TAX ASSESSOR

To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with MetroCOG for April, 2020 aerial flyover being performed by Pictometry International Corporation to provide all labor, equipment, and all else necessary for a Spring 2020 aerial flyover event in an amount not to exceed \$17,604.77. Funding for this contract is available in account # 01003050-53200

12) ACTING DPW DIRECTOR

To hear, consider and authorize the Purchasing Authority to enter into the proposed contract with Cisco LLC, New Haven, CT for soil remediation services at: Site #3 – Osborn Hill Elementary School; Site #4 – Mill Hill Elementary School; Site #5 – Sunset Avenue; Site #6 – Old Dam Road Tennis Facility and Site #7 - Southport Beach to provide all labor, equipment, and all else necessary to perform the soil remediation services at these sites as detailed in the bid #2020-65, for a total amount not to exceed \$240,599.75 with additional authority to execute change orders to said contract in an amount not to exceed \$50,000.00 (combined total amount not to exceed \$290,599.75). Funding for this contract is available in account # 22809010-57000-REMED

13) To consider and act upon tax refunds as recommended by the Tax Collector in the amount of \$56,410.83

14) UPDATE ON TOWN'S COVID-19 RESPONSE

15) ADJOURN

Attachment for Item #5:

A RESOLUTION APPROPRIATING \$6,245,000 FOR THE COSTS ASSOCIATED WITH CONSTRUCTION OF THE EASTON TURNPIKE PUMP STATION AND FORCE MAIN REPLACEMENT AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION

RESOLVED:

1. As recommended by the Board of Finance and the Board of Selectmen, the Town of Fairfield hereby appropriates the sum of Six Million Two Hundred Forty-Five Thousand and 00/100 Dollars (\$6,245,000) for the costs associated with the construction of the Easton Turnpike Pump Station and Force Main Replacement which costs include but are not limited to costs of materials, construction, equipment, site work, fixtures, furniture, design, architectural engineering, specialty consultants, environmental, oversight, finance and other costs and expenses that are related thereto (the "Project").
2. To finance such appropriation and in lieu of a tax therefor, and as recommended by the Board of Finance and the Board of Selectmen, the Town of Fairfield may borrow a sum not to exceed Six Million Two Hundred Forty-Five Thousand and 00/100 Dollars (\$6,245,000) and issue its general obligation bonds/bond anticipation notes for such indebtedness under its corporate name and seal and upon the full faith and credit of the Town in an amount not to exceed said sum for the purpose of financing the appropriation for the Project.

3. The Board of Selectmen, the Treasurer and the Fiscal Officer of the Town are hereby appointed a committee (the "Committee") with full power and authority to cause said bonds to be sold, issued and delivered; to determine their form and terms, including provision for redemption prior to maturity; to determine the aggregate principal amount thereof within the amount hereby authorized and the denominations and maturities thereof; to fix the time of issue of each series thereof and the rate or rates of interest thereon as herein provided; to determine whether the interest rate on any series will be fixed or variable and to determine the method by which the variable rate will be determined, the terms of conversion, if any, from one mode to another or from fixed to variable; to set whatever other terms of the bonds they deem necessary, desirable or appropriate; to designate the bank or trust company to certify the issuance thereof and to act as transfer agent, paying agent and as registrar for the bonds, and to designate bond counsel. The Committee shall have all appropriate powers under the Connecticut General Statutes, including Chapter 748 (Registered Public Obligations Act) and Chapter 109 (Municipal Bond Issues) to issue, sell and deliver the bonds and, further, shall have full power and authority to do all that is required under the Internal Revenue Code of 1986, as amended, and under rules of the Securities and Exchange Commission, and other applicable laws and regulations of the United States, to provide for issuance of the bonds in tax exempt form and to meet all requirements which are or may become necessary in and subsequent to the issuance and delivery of the bonds in order that the interest on the bonds be and remain exempt from Federal income taxes, including, without limitation, to covenant and agree to restriction on investment yield of bond proceeds, rebate of arbitrage earnings, expenditure of proceeds within required time limitations, the filing of information reports as and when required, and the execution of Continuing Disclosure Agreements for the benefit of the holders of the bonds and notes.
4. The First Selectwoman and Treasurer or Fiscal Officer, on behalf of the Town, shall execute and deliver such bond purchase agreements, reimbursement agreements, line of credit agreement, credit facilities, remarketing, standby marketing agreements, standby bond purchase agreements, and any other commercially necessary or appropriate agreements which the Committee determines are necessary, appropriate or desirable in connection with or incidental to the sale and issuance of bonds, and if the Committee determines that it is necessary, appropriate, or desirable, the obligations under such agreements shall be secured by the Town's full faith and credit.
5. The First Selectwoman and Treasurer or Fiscal Officer shall execute on the Town's behalf such interest rate swap agreements or similar agreements related to the bonds for the purpose of managing interest rate risk which the Committee determines are necessary, appropriate or desirable in connection with or incidental to the carrying or selling and issuance of the bonds, and if the Committee determines that it is necessary, appropriate or desirable, the obligations under such interest rate swap agreements shall be secured by the Town's full faith and credit.
6. The bonds may be designated "Public Improvement Bonds of the Town of Fairfield", series of the year of their issuance and may be issued in one or more series, and may be consolidated as part of the same issue with other bonds of the Town; shall be in serial form maturing in not more than twenty (20) annual installments of principal, the first installment to mature not later than three years from the date of issue and the last installment to mature not later than twenty (20) years from the date of issuance or as otherwise provided by statute.

The bonds may be sold at an aggregate sales price of not less than par and accrued interest at public sale upon invitation for bids to the responsible bidder submitting the bid resulting in the lowest true interest cost to the Town, provided that nothing herein shall prevent the Town from rejecting all bids submitted in response to any one invitation for bids and the right to so reject all bids is hereby reserved, and further provided that the Committee may sell the bonds on a negotiated basis, as provided by statute. Interest on the bonds shall be payable semi-annually or annually. The bonds shall be signed on behalf of the Town by at least a majority of the Board of Selectmen and the Treasurer, and shall bear the seal of the Town. The signing, sealing and certification of the bonds may be by facsimile as provided by statute.

7. The Committee is further authorized to make temporary borrowings as authorized by the General Statutes and to issue temporary notes of the Town in anticipation of the receipt of proceeds from the sale of the bonds to be issued pursuant to this resolution. Such notes shall be issued and renewed at such time and with such maturities, requirements and limitations as provided by the Connecticut General Statutes. Notes evidencing such borrowings shall be signed by the First Selectwoman and Treasurer or Fiscal Officer, have the seal of the Town affixed, which signing and sealing may be by facsimile as provided by statute, be certified by and payable at a bank or trust company incorporated under the laws of this or any other state, or of the United States, be approved as to their legality by bond counsel, and may be consolidated with the issuance of other Town bond anticipation notes. The Committee shall determine the date, maturity, interest rates, form and manner of sale, including negotiated sale, and other details of said notes consistent with the provisions of this resolution and the Connecticut General Statutes and shall have all powers and authority as set forth above in connection with the issuance of bonds and especially with respect to compliance with the requirements of the Internal Revenue Code of 1986, as amended, and regulations thereunder in order to obtain and maintain issuance of the notes in tax exempt form.
8. Pursuant to Section 1.150-2, as amended, of the Federal Income Tax Regulations the Town hereby declares its official intent to reimburse expenditures (if any) paid for the Project from its General or Capital Funds, such reimbursement to be made from the proceeds of the sale of bonds and notes authorized herein and in accordance with the time limitations and other requirements of said regulations.
9. The First Selectwoman, Fiscal Officer and Town Treasurer are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution.
10. The Committee is hereby authorized to take all action necessary and proper for the sale, issuance and delivery of the bonds and notes in accordance with the provisions of the Connecticut General Statutes and the laws of the United States. The First Selectwoman is authorized to negotiate and enter into grant agreements on behalf of the Town to fund the Project and to accept on behalf of the Town any grant to fund the Project.

The First Selectwoman and other Town officials are authorized to seek grants and other contributions for the costs of the Project and take all such actions necessary or appropriate to obtain such grants and other contributions including execution and delivery of contracts related to such grants. Any such grants or contribution received prior to the issuance of the Bonds authorized herein shall be applied to the costs of the Project or to pay at maturity the principal of any outstanding bond anticipation notes issued pursuant this resolution and shall reduce the amount of the Bonds that can be issued pursuant to this resolution. If such grants and contributions are received after the issuance of the Bonds, they shall be applied to pay the principal on the Bonds or as otherwise authorized by the Board of Selectmen, Board of Finance and Representative Town Meeting provided such application does not adversely affect the tax exempt status of the Bonds or the Town's receipt of such grant or contribution.

Attachment for Item #6:

SUPPLEMENTAL RESOLUTION

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 \$6,245,000 for the Costs Associated with the Construction of the Easton Turnpike Pump Station and Force Main Replacement and Authorizing the Issuance of Bonds to Finance such Appropriation" (the "Resolution"); and

WHEREAS, the Resolution appropriated \$6,245,000 for costs associated with the construction of the Easton Turnpike Pump Station and Force Main Replacement (the "Project") and authorized the issuance of bonds (the "Bonds"); and

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

WHEREAS, the Town's WPCA has agreed to pay for the costs of the Project and the debt service on the bonds authorized by the Resolution (the "Bonds").

RESOLVED,

That the debt service on the Bonds as it 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 with the Town satisfactory to the First Selectwoman.