

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 AND TAKING LIVE PUBLIC COMMENT VIA WEBEX DURING THE MEETING.

Public Comment:

- ✓ **Please email Jennifer Carpenter at jcarpenter@fairfieldct.org by noon on Monday, November 16, 2020 if you wish to make a comment during the meeting pertaining to an agenda item. You will then receive Webex instructions via email.**
- ✓ The public may also send their comments before or after the meeting to the following email: bos@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.
- ✓ Back-up documents relating to the agenda items can be found at <https://fairfieldct.org/bos/agendas>.

Non-Public Comment – To View Meeting or Listen Only:

- ✓ FairTV's cable channel (channel 79 for Fairfield Cablevision customers and 6010 for Frontier Cable customers)
- ✓ FairTV's website, <https://fairfieldct.org/fairtv/government>
- ✓ You can also listen by phone: 667-776-9044

**BOARD OF SELECTMEN AGENDA
Monday, November 16, 2020
4:00 pm**

The regular meeting of the Board of Selectmen will be held at 4:00 p.m. on Monday, November 16, 2020 via Webex 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) MINUTES
To consider and act upon the minutes of November 2, 2020
- 4) REAPPOINTMENTS
To hear, consider and act upon the following reappointments:
Burr Gardens Advisory Committee
Lisa Winton Callahan (R), 290 Beach Road, term 11/20 – 11/23

5) APPOINTMENTS

To hear, consider and act upon the following appointments:

- a) Bicycle and Pedestrian Committee
Sarah E. Roy (D), 3 Buena Vista Road, term 11/20-11/24
- b) Burr Gardens Advisory Committee
Jennifer B. Downing (U) 1197 Mine Hill Road, term 11/20 – 11/23
- c) Historic District Commission (*requires RTM approval*)
Alyssa G. Stack (U), 16 Essex Street, term 11/19/11/24
(alternate to replace Dr. Reyman-Lock who moved to full member)
- d) Parks and Recreation
Robert MacKay Jameson, IV (R), 501 Wilson Street, term 11/20-11/25
- e) Police and Fire Retirement Board
Nicholas A. Caruso (U), 10 Barrister Lane, term 11/20-11/23

6) FIRST SELECTWOMAN REAPPOINTMENT

Fairfield Housing Authority

Rita Waterman (D), 39 Benson Place, term 11/20-11/25

7) CHIEF ADMINISTRATIVE OFFICER (*requires Board of Finance and RTM approval*)

To hear, consider and act upon the following resolution as recommended by the Chief Administrative Officer:

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.

8) INFORMATION TECHNOLOGY DIRECTOR

To hear, consider and authorize the Purchasing Authority to enter into a Master Services Agreement with sCube, Inc to assist the Town with implementation services concerning the Software Consulting Associates (SCA) Muncity software product offering of a Land Use, Permitting and Inspection System, as detailed in RFP #2020-63, for the proposed fees detailed in the revised sCube proposal dated 09/21/2020 and their statement of work document dated 09/28/2020.

9) INFORMATION TECHNOLOGY DIRECTOR

To hear, consider and authorize the Purchasing Authority to enter into the proposed software license and service agreement with Software Consulting Associates, Inc to provide the Town with Muncity software licenses and support services for a Land Use, Permitting and Inspection System, as detailed in RFP #2020-63, for the proposed fees detailed in the revised SCA proposal dated 09/21/2020.

10) To hear, consider and act upon any other business which shall properly come before this meeting

- To hear an update on COVID-19
- To hear an update on any other town matters

11) ADJOURN

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 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 (the “Town”) hereby appropriates the sum of One Million Two Hundred Fifty Thousand and 00/100 Dollars (\$1,686,000) for environmental testing and remediation costs at various locations in the Town related to contamination at and emanating from the Town’s Reclamation Yard, which costs include but are not limited to planning, testing, engineering and environmental services, legal costs, temporary and permanent financing costs and other costs related to the Project (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 may borrow a sum not to exceed One Million Two Hundred Fifty Thousand and 00/100 Dollars (\$1,686,000) 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.