

RTM Meeting
January 7, 2020

The Call

1. To take such action as the meeting may determine, upon the recommendation of the First Selectman, to approve the appointment of Deputy RTM Moderator, Jeffrey Wieser, to serve as the Town's alternate representative to the Western Connecticut Council of Governments per subsection (b) of Section 2-4 of the Code of Ordinances, for the term effective November 2019 through November 2021.
2. To take such action as the meeting may determine, upon the recommendation of the Board of Education, to not reject the Professional Agreement between the Westport Board of Education and the Westport Intermediate Administrators Association for the period covering July 1, 2020 to June 30, 2023.
3. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Director of Public Works, to approve an appropriation of \$2,470,000.00 along with bond and note authorization to the Municipal Improvement Fund Account for the replacement of the Kings Highway North Bridge. The project is eligible for funding under the State Local Bridge Program, that provides 50 percent reimbursement of expenses.

Minutes

Moderator Velma Heller:

We welcome those who are joining us tonight in the Town Hall auditorium, as well as those watching us streaming live on westportct.gov, and those watching on Optimum Government Access Channel 79 or Frontier Channel 99. My name is Velma Heller and I am the RTM Moderator. On my right is tonight is RTM secretary, Jackie Fuchs. Tonight's Invocation will be delivered by Selectwoman Melissa Kane.

Invocation, Selectwoman Melissa Kane:

Good evening! Happy new year! Happy new decade! I feel incredibly honored - and very lucky - to be here giving the invocation for the first RTM meeting of 2020.

And to that end, I've been thinking a lot about new beginnings... and opportunities.

I think we would all agree that a new year is a good time to take a step back and take a fresh approach to the things that aren't necessarily working well for us. I would like to take a fresh approach to the world we live in. Unfortunately - near and far - it is an incredibly fractured world right now. And for our country, it is a fracture based on party tribalism, an 'us and them' mentality, and a tendency to be unable to hear those who we don't agree with on every single issue. Even though I think we in this room all look at ourselves as fairly progressive and thoughtful people, I believe this tendency has - probably inevitably - seeped into the civic life of our community from time to time. It was at the original 'new beginning' for this country when George Washington warned, in his farewell address:

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

So, my hope for those of us who have the great honor of being public officials in the amazing town of Westport - is that we are able to use the excuse of a new year as an opportunity to take a fresh approach to governing; To reassess some of our habits, and ways of communicating; To keep vigilant to the dangers of narrow mindedness or partisanship of any political stripe, and to keep sharply focused on being the accurate voice of our constituents. I wish you all a very happy and healthy year in your private lives, and I wish all of us the continued good fortune to be able to represent Westport with integrity and humility, and the courage to serve with open minds and an eye toward the good of the community and the country above all other bonds.

There were 33 members present. Mr. Mandell, Mr. Kraut, and Ms. Rea notified the Moderator that they would be absent.

Announcements

If there are any corrections to the minutes of the December meeting, please let me or Jackie or Patty Strauss know and they will be corrected.

~~December~~ January birthday greetings to Kristan Hamlin, Jack Klinge, Lou Mall, Brandi Briggs, and Mark Friedman. Happy January everybody!

Our next regularly scheduled RTM meeting will be on Tuesday, Feb. 4. Mark your calendars.

The secretary read item #1 of the call - To approve the appointment of Deputy RTM Moderator, Jeffrey Wieser, to serve as the Town's alternate representative to the Western Connecticut Council of Governments per subsection (b) of Section 2-4 of the Code of Ordinances, for the term effective November 2019 through November 2021.

Presentation

First Selectman Jim Marpe:

I am here as the secretary just announced to request that you accept the appointment of Deputy Moderator Jeff Wieser as our alternate representative to WestCOG. I realize that since we last did this we have a number of new members to the RTM not just since the election but it has been two years since we went through this process. If you'll bear with me, I thought it would be useful to talk a little bit about the Council of governments and what that's all about, particularly since this RTM, under the leadership of my predecessor Gordon Joseloff, was a leader in the state of Connecticut in a part of the Council of governments movement, for lack of a better term, to establish that in Connecticut. We have created an important role and an important function that somewhat substitutes for county government that no longer exists in Connecticut. In any case, the Western Council of Governments (WestCOG) is one of nine regional councils of governments (COGs) established by CT General Statute 8-31b. A COG is a regional authority consisting of the chief elected officials (mayors & first selectmen) of its member municipalities. COGs act as a forum to promote inter-municipal coordination and cooperation and can provide a range of services. The COG structure also supports the Metropolitan Planning Organization (MPO structure) which promotes regional transportation and overall planning – some of you will recall the Southwest Regional Planning Association or SWRPA which Westport was a part of for many years. That organization has migrated into WestCOG and works in tandem with the Housatonic Valley Planning Organization which represents the northern communities of the COG. COGs also play a key role in securing State and Federal funding, particularly for transportation-related projects as well as other strategic and operational studies. While the intent is not to replace county governments, which were eliminated from the CT governance

structure many years ago, they do provide the opportunity to seek regional funding and create operating consortiums that replicate the kinds of services that might be found in a traditional county government structure. WestCOG consists of 18 member municipalities covering the Western 2/3rds of Fairfield County – from Sherman, which is way in the north, a beautiful community, New Milford, Newtown Ridgefield and Danbury to the north to communities in the old SWRPA region, Greenwich, Stamford, Darien, Norwalk and Westport on the South and all the towns in between; communities not included in WestCOG happen to be our neighboring communities Fairfield, Easton, Monroe, Trumbull and Bridgeport. They are in a separate COG, just so you are aware of what the geography is. Some of the current issues and items that are being addressed by the COG are 5-g cellular technology, a regional plan of conservation and development (POCD at a regional level), emergency management planning, transportation programming and engineering, information technology initiatives such as a regional GIS portal, and mapping services and an economic development district, of which I am co-chairman. It also serves as a conduit to pursue State legislative action particularly related to shared services and grant funding opportunities. Westport has specifically benefitted from COG assistance in the recently completed Main to Train traffic, transportation and pedestrian safety study and several municipal services modernization and efficiency studies. As Westport's Chief Elected Official, I am the primary representative to WestCOG, which meets monthly (usually in Ridgefield). I am also Vice Chairman of the Southwest Region Metropolitan Planning Organization which meets in conjunction with the COG. The State statute that established the COG structure calls for an alternate representative to be named from each municipality. The alternate must be an elected official. Westport's ordinance adopting that statute and authorizing the Town to join a COG (sec. 2-4) confirms that the First Selectman shall represent the Town on the COG. In addition, it states that the RTM shall appoint one of its members as an alternative to the COG, serving two years or until the next election of members of the RTM. I respectfully request that the RTM select and confirm the appointment of RTM Deputy Moderator Jeff Wieser as the Town's alternate representative to the Western Council of Governments for the term effective November 2019 through November 2021. Jeff has been serving in this role for the past three years, and I've called upon him four times to stand-in for me at monthly meetings when I could not attend due to other obligations. As you can imagine, Jeff does an exceptional job representing Westport and has quickly earned the respect of my peers when he speaks on my (and our) behalf. Because he is familiar with the kinds of issues that the COG deals with and how they might impact Westport, he is able to easily and quickly work with me to understand the issues and agenda items that might require COG action. I ask that you please confirm Jeff Wieser as Westport's alternate representative to WestCOG. 21.25

Committee report

P&Z Committee, Jay Keenan, district 2:

The P&Z Committee met earlier tonight to consider the reappointment of Jeff Weser as the alternate to WestCOG and those in attendance voted unanimously to recommend reappointment.

Members of the Westport electorate – no comments

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That the appointment of Deputy RTM Moderator, Jeffrey Wieser, to serve as the Town's alternate representative to the Western Connecticut Council of Governments per subsection (b) of Section 2-4 of the Code of Ordinances, for the term effective November 2019 through November 2021 is hereby approved.

Dr. Heller:

I do want to explain that when you received the agenda item it made it seem as though it was coming from the First Selectman and, in fact, traditionally, the First Selectman doesn't have the role of appointing this member it is the RTM's role. Traditionally, the First Selectman has been asked for input because this is his role and he has always explained the background on the COG and certainly, in this case, where Jeff Wieser has been the appointed representative for the past several years, he spoke to it. You will notice that the resolution does, in fact, ask us to make that appointment.

Members of the RTM – no comments

The motion passes unanimously.

The secretary read item #2 of the call - To not reject the Professional Agreement between the Westport Board of Education and the Westport Intermediate Administrators Association for the period covering July 1, 2020 to June 30, 2023. By show of hands, the motion passes 31-0-2; Keenan and Kaplan abstain.

Presentation

Candice Savin, Board of Education:

Good evening everyone. We will be presenting to you the recently approved administrators' contract. It has been approved by the Board of Education, by the Administrators union, We want to thank the members of the community who participated in our negotiations, our negotiating team that included Brian Stern from the Board of Finance and Peter Gold from this body. I'm going to turn it over to John Bayers our Director of Human Services and General Administration for some details on the contract for your consideration.

John Bayers, Director of Human Resources and General Administration:

As our chair mentioned, we had negotiations this past summer that went into the fall with the Westport Intermediate Administrators Association. We met earlier with three of the subcommittees but I know there are a number of new members of the RTM and I just thought I would give some context picking up what First Selectman Marpe was doing with the last presentation. By statute, the teachers' contract and the administrators' contract which is in front of you today have to be brought forward to the RTM and if the RTM does not take action to reject it then the agreement goes into full effect. That is because the teachers' contract and the administrators' contract are typically the largest bargaining groups in any community. The contract that was sent to you and is also available upfront here represents a three-year agreement starting this upcoming summer of 2020 and it represents a 6.75 percent increase over three years, simple increase or a 6.9 percent increase compounded. Total cost of that contract over three years is \$458,504. As I shared with some of the subgroups, just as an example, the statewide average is coming in at 7.05 percent and Fairfield County, 7.21 percent for salaries. Of particular note in the contract with respect to the medical insurance, we did come to an agreement that the medical insurance cost would increase by 1 percent in each of the three years culminating at 22.5 percent in 2022/23, the final year of the contract. We also agreed to not only incorporate language from the memorandum of agreement that moved us into the state partnership plan and into the contract itself but also to keep maintain language that allows us to use the high deductible plan as the baseline should we decide as a district to exit the state partnership plan. That is not our recommendation at this time but we are always watching that to see. For those of you that are not familiar, Fairfield County has recently been hit with the surcharge for the state partnership

plan. There were some language changes including allowing administrators to use personal illness days for family reasons. We updated language with respect to the Janice ruling, the Supreme Court ruling that states that employees who are represented by the bargaining group do not have to be part of the union. Then we had some additional information about the grievance process and also a way for administrators to have further communication about any particular concerns that they may have. Just one final note: the contract represents 42 members of the administrative group which range from the building level administrators. Principals. Assistant Principals. to the coordinators and our Director of Technology. With that, I ask you to not reject this contract agreement. Thank you.

Committee reports

Education and Employee Compensation Committees, Lauren Karpf, district 7:

I'll try not to repeat. We met yesterday morning. We went through the same presentation with a little more detail from John Bayers. We described in the negotiating process that took place. Thank you to Peter Gold for representing the RTM in that process. John explained to us that it was a difficult negotiation. We came close to needing arbitration but after a lot of back and forth, the parties were able to reach an agreement for the three year period. Just quickly by way of background, in case you guys don't know, WIA covers 42 administrators across K-12 including principals, assistant principals, coordinators, and other administrators. The major modifications pertain to the salary schedule increase and the number of days of work for four of the assistant principals, an increase in professional development funds, an increase in the employee's share of the cost of the medical insurance and some minor language changes throughout the agreement. The total incremental contract cost amounts to approximately \$153,000 per year which amounts to \$458,504 over three years. At the current budget, since obviously, we don't know what it is going to be next year, that would amount to approximately a 0.14 percent increase. Specifically, with the salary schedule, this group of administrators has only four steps in their salary schedule unlike teachers who have I believe it is 20 steps. Of the 42 members, during year one of the contract, 29 of the administrators will be at the top step and by the time of the third year of the contract, assuming there is no turnover, all of those members will be at the top step. The simple percentage increase over the three years in terms of salary amounts to a 6.75 percent increase compared to 8.05 in the last agreement. For comparison purposes because I know I got a lot of questions about this, the settlement data for neighboring towns shows that over three years Weston is a 6.6 percent increase, new Canaan is 6.75 percent, Bethel is 6.88 percent, Wilton is 7.6 percent and Darien is 7.0 percent. The increase in the number of days for those for elementary Assistant Principals is from 198 to 202 due mainly to scheduling needs and dates for training, PPT, Special Ed. requirements and increase productivity. This amounts to a total increase of approximately \$12,000 per year, around \$38,000 over three years. The professional development went from \$600 to \$850 per administrator, an increase of around \$30,000 over three years. The medical insurance, the employee contribution rate will increase under the new agreement approximately one percent per year which amounts to a total cost savings over the prior agreement of approximately \$70,000. The new agreement also contains language stating that the Board of Education shall establish a committee to review and make recommendations regarding the process by which administrators may register concerns or complaints about the Superintendent of Schools. The Education Committee, there was a motion and a second, the Education Committee voted unanimously not to reject the agreement 9 – 0 with no extensions; the Employee Compensation Committee also voted unanimously, 5 – 0 with no abstentions.

Finance Committee, Christine Meiers Schatz, district 2:

The Finance Committee met tonight and we voted unanimously to recommend that the RTM take no action with respect to the agreement which is essentially the same result as the resolution but without

the double negative. Lauren went over most of what we discussed in our meeting but I'm going to add a few points that we covered. The first is with respect to the health care contribution for the administrators. We asked what is the percentage that administrators contribute in other towns. As you heard, for us in the new contract, the administrators will contribute 20.5, 21.5, 22.5. In Weston, those figures are 18 percent, 19 percent and 20 percent. In Stamford, those figures are 21.5 percent, 22 percent, and 22.5 percent. In New Milford, the numbers are 24 percent, 24.5 percent and 25 percent. Second, in addition to what Lauren covered, we discussed whether the parties had considered negotiating in advance what might take place if the state pushes pension costs onto towns. For example, maybe the administrators would pay five percent collectively of what the town would be paying. There are any number of things you could negotiate and John explained to us that it is a good point. It would probably make sense to negotiate something like that along with the teachers union if we were to negotiated in advance because they would likely be similar terms and all of the parties would have interest in those negotiations. Brian Stern was at our meeting and he made some comments about the contract for which he was present for the negotiations but I'll leave it to him to talk about that and the only other thing is we talked about the arbitration. The negotiation almost reached arbitration with respect to the wage increase provisions, the 6.75 percent.

Members of the Westport electorate

Brian Stern, Chair, Board of Finance, 1 Panhandle Lane:

I was the other member, non-Board of Ed and administration member with Peter Gold who was on the committee. We spent a lot of time on it and I urge you to support this motion. I think, in good faith, we came to an agreement with the administrators and you should support this. I just want to make three quick points to put some context into this. One, on inflation, the second, on how we compare to other towns and the third, the impact on pensions: If you take the last 10 years of salary increases for this group, they have beaten inflation by 23 percent. It's more than double the rate of inflation. Now, this is a slippery slope that we don't need to have any more case studies on. But, if we are to justify that, the expectation must be increased productivity. Because if you get increase productivity to balance that, then we are okay. If we don't, and that's what we should be looking for in the budgets and the various policies that the folks in our education system have, we will have a cumulative major problem that is not sustainable. The second is how do we compare in terms of our negotiations with the rest of the state. If you take the last 15 years, since 2005 which seems just yesterday, we are in fact, 26 percentage points above the rest of Connecticut. Let me repeat that. Our negotiators are 24 percent worse in terms of final results than the others. Lots of things go into that. It's the total state of Connecticut. If you compare it to the DIRG, the group of towns that we compare ourselves to, and they are getting smaller and smaller. It is basically three towns that should be comparing against, it's Greenwich, New Canaan, and Darien, we are about flat. If you want to be cynical about it, you can say of course they are flat, we have the same lawyer negotiating it. But let's not be cynical. But, that is kind of the state of affairs and we shouldn't get too enthusiastic about how well we have negotiated these. So comparatively, at least with the rest of the state, we are not doing so well. Pension impact: Christine brought this up and I think it's a great point. Just bear with me and I'll take you through an analysis. If you take, for example, one of our middle school Principals, they earn roughly between \$180,000 and \$190,000. That is public information; I'm not giving anything out. It's public. They will receive 6.5 over the next three years. If you take an Excel spreadsheet and you just assume that this person works for another 15 years and if you assume, after that, that they get the 25 years, the cost of that increase, the 6 percent, in present-day contribution to the state pension fund is \$150,000. The cost of that increase is \$150,000. And who pays for that? The State, right? But who is the State? It's us. I think you should support the proposal but it's kind of somber ring to look at the problem that we

are creating for ourselves and we have created for ourselves down the road by approving contracts that look very reasonable but when you accumulate them, it's a bit of a problem.

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Education, the Professional Agreement between the Westport Board of Education and the Westport Intermediate Administrators Association for the period covering July 1, 2020 to June 30, 2023 is hereby not rejected.

Dr. Heller: The resolution has been moved and seconded.

Members of the RTM

Wendy Batteau, district 8:

Just a couple of questions... Given the uncertain status of what our school configuration is going to be and also the prediction of decreasing population, I am wondering if there is anything in this contract or anything that binds us to keeping the number and configuration of the school administrators as it is now?

Mr. Bayers:

The answer is no. With any of our contracts, the Board of Education decides in any given year what our staff levels will be. There will be nothing binding us to the current number.

Ms. Batteau:

Thank you. That's good. With respect to what Brian was talking about and Christine, the 6.8 or 6.9 percent increase sounds good in comparison to the other communities, I'm wondering what that translates to so, for example, if our administrator average is \$190,000 not including benefits, and that will go up 6.9 percent over three years, what will be the basis in Greenwich or New Canaan that will be the increase on? In other words, are they also earning the hundred \$90,000 or are they having to make up by having larger percentages?

Mr. Bayers:

What you were just getting to at the end of your question is really the challenge when you're making comparisons between neighboring communities. Negotiations are a give and take. There is a lot that goes into the discussions. It could be that in one district, they negotiated a higher salary increase because they were going to be paying more in healthcare contributions or there is a lot of give and take back and forth so it is not always apples to apples. So, I think when you're looking, if you compare our salary schedules to the other communities, and I don't have that directly in front of me but I can tell you that we are anywhere near the top or three or four relative to our neighboring districts, part of that has to do with recruitment and retention as well looking at the neighboring communities.

Ms. Batteau:

One final similar question... Our administrators look like they are going to be paying a higher percentage increase in medical insurance contributions. Is that for equivalent benefits or are people going to be getting better benefits so they are paying more?

Mr. Bayers:

That would be equivalent benefits. All of our bargaining units have the same benefits packages. The contribution rates may be slightly different depending on when they negotiated their contracts but the

benefits themselves are comparable whether you are an administrator or a custodian in the Board of Ed budget.

Ms. Batteau:

You gave statistics of what the contribution would be for here or Weston or Greenwich and I wondered if the other communities gave similar benefits since they are paying less.

Mr. Bayers:

It depends. If you look at Greenwich as an example, Stamford, Weston, they do offer the State Partnership Plan so the benefits themselves would be comparable or would be the same. High deductible plans, it could be different depending on what the plan offering is itself and then also with a high deductible what is the contribution towards the deductible? The Board of Education may fund part of it or none of it for that matter. But any of the communities that are accessing the State Partnership Plan, the benefits themselves are the same whether you are in Westport or whether you are in one of those neighboring communities.

Ms. Savin:

I just want to clarify one thing. I may be clarifying something that is clear but just from the way you phrased it I want to make sure: The increase in health care is an increase in the contribution that the administrators are making so they are paying more. We are paying less.

Ms. Batteau:

I understood. I just wondered if they were getting more for their contributions. Anyway, thank you.

Louis Mall, district 2:

The administrators set the tone for our schools. They are very well paid and I think they should be very well paid because we expect the best and the brightest in those positions. They make our schools what they are today. What I wanted to address was a comment that Mr. Stern made and I agree we shouldn't be cynical here. Matt Mandell and I both asked that we take a look at our legal representation and it is my understanding that the Board of Ed is in the process of an RFP and they are going forward with what we had requested. I just want to say that I appreciate the Board of Ed acting in good faith and I will vote to not reject this contract.

Christine Schneeman, district 9:

I just want to make a couple of comments. I am on the Education Committee and so I was one of the folks who voted not to reject the contract. I want to start my comments by saying that I am a very committed supporter of unions. My parents were both members of teacher's unions and I am a big supporter of school employees as Lou said from the teachers to the administrators. The administrators do set the tone in the buildings. I honestly think Dr. Rosen should be getting hazard pay for this year for everything that he has been through this year and last year. I was very supportive of the change to the State Partnership Plan because I think not only was it saving money for the town and the employees but also they are getting better benefits than a high deductible health plan so the fact that they are agreeing to a somewhat higher contribution in this contract, they are paying a higher contribution on a plan that was costing less money when they signed up for it last year. They are getting a better benefits package out of it so it's all excellent. As was pointed out, the administrators only have four steps so the additional part of their salaries that is going to the step increases is fairly minimal other unlike some of the other contracts that we have negotiated and I kind of feel like we have been through a full cycle of contract renegotiations at least from the backend so I have seen a

few of them but I do feel that it is a little frustrating at this point in the process because we cannot have much to contribute; we can only not reject. Folks have made comments that I feel like year after year there are significant increases in salaries. I feel, at some point, there needs to be an interruption in that cycle. It does not feel that that's sustainable. I think at our meeting someone commented that the last three-year contract the interest was more than eight percent both simple and compounded. So, this is lower than that but as has been commented on, we are judging whether our increase is comparable, both higher or lower than other people's increases so while I don't begrudge a good salary to our excellent employees, I'm getting text messages from John Bayers at 5:30 in the morning telling me whether school is open or not, and he's probably been up for a couple of hours at least at that point, so, they are working extraordinarily hard and I'm not one of those people who asks the question every year whether we have too many administrators in the system, I don't believe that that is true but I think that there has to be some tapping on the brakes at some point when people salaries are getting to this level, the expectation that there are these significant increases year after year, it just doesn't seem sustainable to me. I just wanted to make that comment but don't interpret that as any lack of support for these employees or the union.

By show of hands, the motion passes 31-0-2; Keenan and Kaplan abstain.

Dr. Heller:

Thank you very much to the members of the Board of Ed. We appreciate your very detailed presentation on several occasions. It's been very helpful to us.

The secretary read item #3 of the call – To approve an appropriation of \$2,470,000.00 along with bond and note authorization to the Municipal Improvement Fund Account for the replacement of the Kings Highway North Bridge. The project is eligible for funding under the State Local Bridge Program, that provides 50 percent reimbursement of expenses. By roll call vote, the motion passes 25-6-2. (See below.)

Presentation

Pete Ratkiewich, Director of Public Works:

As was stated by the secretary, this topic is about the Kings Highway North Bridge over Willow Brook. Back in 2016, we were informed by the State of Connecticut that this bridge was in disrepair and severely in disrepair. They brought us down to the bridge site because they were pretty concerned with the condition of the bridge and they pretty much directed us to de-rate the bridge down to a level of four tons so that nothing heavier than four tons can go over the bridge. We complied with that request and it has been posted at four tons since 2016. In that time period, it hasn't gotten any better and we have been monitoring it but, at the same time, in 2016, we engaged the services of BL Engineers to design a replacement of the bridge, a complete replacement of the bridge. At this juncture, we have gone through our DEP permitting process which took quite a while; we have applied to the State for 50 percent reimbursement of our expenditures on the bridge. The State has made a commitment to fund that 50 percent reimbursement. As opposed to some other bridges, this bridge is only eligible for 50 percent. Some of the future bridges that we'll be talking about in the coming months will be under a different program that will be eligible for 80 percent reimbursement but this one is only worth 50 percent. The bridge was constructed somewhere between 1910 and 1930. It consists of a concrete deck poured on railroad rails sitting on stacked stone abutments. We don't really know what's underneath the abutments but we are pretty sure that they cannot support a fully loaded bridge at this time. In your packet, you have an estimate of construction costs along with some

contingencies and some incidental items coming up to a total of \$2.7 million. I will say that I expect in this bidding environment that this price will come in better than that but I want to make sure that I have adequate funds moving into this project. The urgency of the project is that it has been going on since 2016. These projects take a while to get designed and permitted and this one is no different. We would like to get this one constructed this year if possible because we have a number of other bridges coming down the line in future years. We can only handle one to two bridges a year in our capacity. That is pretty much the presentation. I will be happy to entertain any questions.

Committee report

Finance and Public Works Committees, Mr. Keenan:

The RTM Finance and Public Works Committees met earlier tonight to discuss the \$2.7 million appropriation for the replacement of the Kings Highway North Bridge. Mr. Ratkiewicz described the process of the design and approval of the last three-plus years. The bridge was de-rated 24 tons in late 2016 which essentially means no large trucks, dump trucks, fire trucks, plow trucks can go over the bridge. Essentially, pickup trucks that happen to be loaded are the max that it can handle. The RTM approved the funding for the design of the bridge in December 2016 and also the permitting of the bridge in 2016. As Mr. Ratkiewicz mentioned, the permitting, especially on this bridge, is a longer process than most permits. It has to go through DEP. It has to go through the State funding approvals. It also is in a waterway and there is Conservation land next to the bridge. The bridge does qualify for the State Local Bridge Program. It does not qualify for a Federal program. This means a 50 percent reimbursement. It is a little bit different from other reimbursements we have gotten from the State or the Feds where we do the project, we finish the project and we wait for the money. With this project, it is progress payments as the project is completed which will probably lessen the amount of bonding that we do for the project. The construction part is \$1.8 million of the \$2.5 million. One of the comments from the committee is we would like to see a further breakdown of future projects. The design of the project was presented to the public in 2017 at a 30 to 35 percent completed level and to the HDC. It goes back to the HDC and to Conservation later this month and for an 8-24 approval in February through the P and Z. Bids are expected back in May with construction starting in June, approximately a six to eight month construction period and during that time the road will be closed to traffic. We were shown a rendering of what the bridge potentially will look like and the committees voted: Public Works voted 7-0-1 in favor; Finance voted 3-1-4.

Members of the Westport electorate

Morley Boyd, 6 Violet Lane:

I had initially hoped that this bridge could be preserved or at least substantially reconstructed. In the fullness of time, I realized that that is not really possible for all the reasons so what is before you could not really be considered a preservation project. In the committee meeting before this, I got to thinking that maybe there is another way to be approaching this that actually does a better job of preserving it and also preserves precious taxpayer funds. Mr. Ratkiewicz had a big point that and, forgive me, Pete, if I am mischaracterizing what you said, but you said that the guardrail that you intended to construct to the approaches of this bridge could conceivably be extended across it and I think you made the comment that you didn't think that it would go over very well so you will probably be surprised to hear this but, as a preservationist, I am sort of looking at this and going well the bridge that is before you right now isn't really a preservation. It's very large, some might argue too large and too high. With the 42 inch high parapets, you wouldn't even see the view down the river or up the river from your car. Maybe the real preservation issue here wasn't the bridge but the setting. So maybe the answer to preservation really is preserving the setting so that brings me around to the idea that after Mr. Ratkiewicz brought it up that maybe the notion here real is really just, I would just

suggest that consideration be given to the notion just a culvert, precast, and a wooden guardrail like the ones we see on the Merritt which was attended to be for the approaches here; just continue across. I actually think it would look really nice and I'm not an engineer but I have the suspicion that it would be less of a burden for the taxpayers. I'd like to throw that out there. Thank you.
I would like to throw that out there

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$2,470,000.00 along with bond and note authorization to the Municipal Improvement Fund Account for the replacement of the Kings Highway North Bridge is hereby appropriated.

Members of the RTM

Seth Braunstein, district 6:

in the meeting that we had this evening to address this, a very interesting question came up, thanks to Dick Lowenstein that tried to get at what some of the drivers of the cost are that comprise nearly \$2.5 million. Frankly, I was startled to learn that 20 percent of that figure is essentially decorative. There was a rendering. The bridge was made to look like it was made of stone, essentially covered in stone. Personally, I feel like \$500,000 for stonework is something that we should consider very closely. I was the lone, dissenting no vote in the committee meeting and I was somewhat confused about what drove that process. I think that Pete was very sensitive to input that was received in some of the early meetings. But, as we learned from what Morley said earlier this evening, the preservation element is really no longer viable. We are replacing a bridge that has more than outlived its useful life. We are really now tasked with coming up with the best solution, a solution that will be in accord with all the safety regulations, up to code, and appropriate for the site; appropriate from a size and scale perspective and appropriate from a design and setting perspective. I actually think Morley sort of hit the nail right on the head. We aren't necessarily thinking about preserving the architectural element, thinking about where this particular bridge is located abutting some of the more picturesque portions of the Westport River waterfront. Maybe it makes sense to consider something that would be of a slightly lesser scale. So, I don't know if the idea of abandoning the stone and the parapets can be replaced by a continuation of the barrier. Quite frankly, that's something that should be reconsidered. So, I would suggest, let me be clear that I am very much in favor of replacing the bridge. We need to do that. And the quicker we can do it the better. Because as Pete made very clear, the State has already told us that the condition of this bridge is not acceptable. It really could be just a matter of time before, a, they come back and tell us we can't use it at all or, b, God forbid, there is a safety issue that impacts the health and well-being of people riding over the bridge. Let me be clear. We need to address this quickly; however, I think it makes a lot of sense to save a half million dollars at minimum and potentially decrease the time that the road will be out of service because I think the stonework is quite elaborate in the plan and it has to be a significant driver not just of cost but also time. So, if we could come up with a redesign, somewhat more streamlined, that might be more enhancing of the views and the surroundings, I think that is something that we should consider. We could possibly save the money; we could accelerate the timeframe and, thirdly, we could maybe make it something that is more appropriate for the setting. So, I have voted against it in committee. I will vote against it this evening but I hope there is some way that we could come up with an expedient solution so that we could be right back here at our next meeting, have a one-month delay, hopefully, and actually reach a better outcome.

Dick Lowenstein, district 5:

I wonder if the administration would consider a motion to consider a postponement to a date certain, like the next meeting, to allow for revisions to the plan taking into consideration some of the things that were mentioned that were also mentioned at the committee meeting this evening.

Point of order, Ms. Hamlin (from the floor): It is not up to the administration.

Mr. Lowenstein:

I am asking the opinion of the administration whether to postpone this to a date certain like next month.

Mr. Ratkiewich:

I would suggest that is a very bad idea at this point. Nothing in design happens in a month. This project has been in design for three years. Changes in the plan could have implications to permitting, implications to our DOT approvals. If the goal is to save money, there are a number of ways that that can happen without any delay. As I stated earlier, the \$2.7 million is a conservative estimate. I fully expect that price to come in a lot less. But if you wanted to take that a step further, we could simply do an add alternate for a form liner that emulates the same appearance. It is ironic that a member of the WPA is asking for this because the HDC meeting that we presented this at, it was the very WPA that asked us to consider utilizing the appearance of the existing bridge instead of what was presented there which was a veneer on a concrete core which would be cheaper. If you want to go another step, simply do an add alternate to do a concrete form liner and stain it but that was not the opinion or the desire of the WPA, Save Westport Now, and other members of the public that did respond in both the HDC meeting and the public information meeting. As I said, there weren't a lot of people there but that was what we took away from that meeting, that this is very close to the downtown area and, contrary to what Mr. Braunstein represented, this is along the riverfront. It is along a lovely section of marshland. The 42-inch parapets are required by code but we can still maintain the park-like appearance of this bridge which is very similar to a lot of bridges in town. As I stated in the committee hearing, the appearance of the bridges in Westport in general, in my experience, has always been to use real stone cladding with the one exception which was the Saugatuck Island Bridge. That had no stone on the parapets; it was trying to emulate the old bridge but we did use a form liner on the abutments and we stained the abutments and it came out pretty good. We have done a number of different applications that would be less expensive than culturing the stone from the old bridge. When I say culture, we take the stone from the old bridge, clean it up, reuse it, and that was what we took from the public comment. So, yes, that is expensive but it is also in our downtown area. It is a nice little park-like bridge and we would like to maintain that appearance. That is, I think, what we have achieved with our design. If you'll indulge me for a second, I would like to show the rendering that I showed to the committee. This is a view looking towards town from the west end of the bridge. The parapets here are 18 inches to two feet off the ground. There are some stanchions along the top of the bridge. It's a pretty little setting. What we try to maintain in the design is the same appearance and, yet, balance that with our code requirements so that we can maintain public safety, the cars that hit this will go through it. Because, while it looks like this is a very sturdy abutment wall, it's not. The way they made walls like this in the past, was that they took a stone on the face inside and out and then they take all their excess mortar and concrete and what other debris they have and they stick it in the center of the wall. So, it is a loose masonry abutment so that if you hit this with the car, it doesn't fall apart. If you hit it hard enough, it will fall right over. That's not acceptable for today's code. What is acceptable for today's code is a crash rated abutment. This is why the earlier suggestion of simply taking a guardrail and running across the face of the bridge, that

really doesn't quite work. You still need a crash rated abutment. The guardrail that leads into the abutment which doesn't exist now, is there to divert cars away from the crash rated abutment so they don't go into it on a blunt end as is the condition of this bridge. I'm going to flip the page now and show you what this is like in a rendering when complete. So, the abutments get taller. Because it has to be crash rated, we get a reinforced concrete core in the abutments and then we are going to take the same stone and add more stone to it to build up the stone appearance of the existing bridge and maintain that park-like appearance. This is a rendering. It depends on your perspective so, yes, the abutment size is going to be increased. The bridge is going to get slightly wider. It is going to get slightly longer because if you took a corner of the bridge, if it were elastic, and stretched it in all dimensions by a couple of feet, the result is a code-compliant bridge. We have 42-inch parapets on this side. We are matching it with 42-inch parapets on this side. If you are driving in an SUV, you can see over the top of that. If you are driving in a regular car, you can pretty much see over that too. We have a 5-foot sidewalk along the south side of the bridge that is bigger than what we have now by a couple of inches. It's going to be in much better condition and we will be able to plow it easily with our existing equipment. The guardrail that was referred to earlier is this right here. Some people call it a Merritt Parkway guard will but what it is is it is a steel guardrail that has a wood face on it. I don't like to call it a Merritt Parkway guardrail because when the contractors see that use what they put on the Merritt Parkway. If you've ever looked at that when you are stopped in traffic, it's really not that pretty when you look at it. So, we are going to try to do a better job than that on this. We need guardrails to divert cars that could go into the end of the bridge and bring them along the side of it. Again, if they do hit this, they are not going to go over because it is reinforced concrete. So, there are a lot of things that go into design. I can do this with a form liner. It's not going to look as good. A form liner is a concrete form that has the reverse of a stone built into its face. So, it's made out of Styrofoam. They actually put Styrofoam up against a wood wall and they get the texture of a stone facing. Then the concrete gets poured into that in that same shape and then you come back to it later and have an artist stay in it so it looks like stone. It's a pretty effective technology, a little bit less expensive. I'm not going to say it's going to save all of the cost of facing the stone. I want to talk a little bit about the comment on the time of facing the stone. Once these are up, the majority of the work, the stonework, is on the outside of the bridge which does not stop traffic. So, once we get these inside faces done, the bridge will go up relatively quickly. The grand majority of the area is on the outside of the bridge. So, yes, there are a number of methods that we can rethink of the design of this project. I think if I asked all 32 members that are here for their ideas on design, I think they would probably have another idea. But, I want to assure you that we put a great deal of thought into this and a great deal of design into this. It's not just a simple thing of saying well we could put a box culvert in. That changes the permits. The changes DOT approval. That changes a lot. That's not going to happen in a month. My goal here is, again, to get this bridge built. I'm doing a lot of things simultaneously, especially this month. We are going to the flood and erosion control board. We are going to conservation commission. We have an 8-24 request before the Planning and Zoning Commission and we have a cam review with the Planning and Zoning Commission as well. I imagine a lot of the same topics are going to come up and get discussed at that hearing but this is a project that I think is appropriate for this setting. I think in the downtown area there are a number of these bridges. There is an effort afoot by HDC to preserve as many of these bridges as we can. This one, we can preserve. It's built of concrete on railroad rails. That was technology that was discovered in 2010 and it wasn't good technology. We can't redo it. We're not going to repair it. The concrete is powder and when we take it out, it is gone. The stone abutments are probably sitting on some sort of **timber cribbing**. They probably don't go down very deep. We are not going to reconstruct those. I can't get a load rating on that type of thing. I can't get a bridge rating on that type of thing. That type of design, no engineering firm that I know will put a stamp on it. On my watch, I'm not going to build a bridge that way. I need to

build a bridge that all legal loads can go over; otherwise, the state's not going to participate with us on that bridge. So, I can offer, if you wish, I can offer to do a form liner solution which will save some money but I think that that goes counter to what we've tried to achieve here by listening to our public. That was what I was asked to do and I think that I did do it as much as I can while balancing that against the requirements of modern bridge design. Our consultant firm had that in mind. We actually did a cultural analysis on this bridge and another one, the one at Myrtle Avenue to determine if there were a lot of other alternatives available to us. What the cultural researcher came back with was that there is an alternative. We can just turn this into a pedestrian bridge and move the road over and then you preserve the existing bridge just like it is. Other than that, it needs to be replaced. I'm hoping that answers your question.

Mr. Lowenstein:

Pete, thank you very much. Between the time I leave this lectern and the time I vote I'll make my mind up. I still haven't. I have one thought that I want to throw on the table. If it's approved, send it out for bids and asked the bidders if they have any counter bids that they would like to make that meet all the standards from a safety point of view but are not as expensive and let them come back with ideas that we might not have thought of that would meet our requirements.

Kristan Hamlin, district 4:

I want very much to fix bridges in Westport and throughout the State of Connecticut. So, I'm very much in favor of fixing bridges; however, I must say that I agree with everything that Seth said in terms of getting it right. I think we have... And I also agree with everything Sherry Gordon said when she voted against this at the Board of Finance meeting. I think we are putting the cart before the horse. I think we are rushing to judgment and I think it takes only a month or so to get bids. We have done no bidding on this whatsoever. We have received not a single competitive bid. That's wrong. We shouldn't be doing that with taxpayer money. We have lots of important things to do with education this year that will need money. This is the first of 10 so it's going to be like \$25 million. For one thing, RFPs, which is what they are doing here, this is not how you use an RFP. I went through my whole procurement policy analysis for two years with the prior Director and Gary Conrad and Gail. It was very clear that the only time that we would use RFPs and get a low bid number was when we had no experience with the particular type of project. Remember we did that kind of underwater tunnel. The reason that it was done without an RFP was because we didn't know how to put together a package to put it out for bidding. This is not that kind of situation. We have plenty of experience with bridges. We should have had a design. It should have gone out for bidding. The reason is problematic to do an RFP like this is because if you go out with a high number and he has acknowledged it is a high number, it acts like a magnet. People say 'Oh, those wealthy Westport taxpayers are willing to pay \$2.5 million for this.' If you think they are going to come in at \$700,000 when there is a \$2.5 million that we have already approved, it doesn't happen. That's why it's very dangerous to do RFPs when you don't. This is in violation of our procurement policy. This needs to be competitively bid. Other towns are doing this for less and the 50 percent contribution is not a guarantee. We are always talking about how the State is in trouble, the State is in trouble. Businesses are moving out of the State. I'll tell you what... When we as the RTM are like 'Oh, the State is going to pay for half so who cares?' Who pays a disproportionate amount of State taxes? Westporters. So there are three basic groups of people here who we can choose from who should bear the cost. First there are the Westport taxpayers and our fiduciary obligation is to them and we haven't done our fiduciary obligation or fulfilled it if we are not requiring this to be compliant with our own procurement policy. Number two, there are the State taxpayers and we are them. Those are the people we represent also. The third group is the contractors who will build this. So, they will make a lot of money but I don't

represent them. And you don't represent them. That is not who's your fiduciary obligation is to and I think we should make them bid this. We should make them bid this first before we give \$2.5 million and get price gouged again. I don't think we are fulfilling our obligation to the taxpayer. The other thing is I heard in the presentation this is going along marshland. Then I really do want a design because we have made such a mess of so much of our waterfront in this town. I want to make sure we have a design first. We don't have the design. We don't have competitive bids. We don't have details. Finally, I want to read to you the public comments that were made by Sherry Gordon which I agree with so I adopt as my own comments. She said that in her opinion it's not right; although there is no question that the bridge should be replaced, the issue is that the request is for \$2.5 million and there are no specifics on what the bridge will be. There was testimony that it could be from 36 inches to 48 inches on the pedestrian side and there were no drawings to show what it would look like. She said she realizes there is a good faith effort to replicate what we have but are we sure that it will not be done in a manner that is inconsistent with the standards we have set for Westport? She mentions that there is no breakdown on the construction cost of \$1.8 million. She mentioned the haphazard approach at the Board of Finance. The Board of Finance generally requires two meetings on anything over \$100,000 and that did not happen here which is not consistent with their procedures. There was also testimony that they would likely be replacing 10 bridges. Can we afford to just allocate \$2.5 million times 10 without understanding the costs? And keep in mind, once we set this bad example by violating our own procedures and putting the cart before the horse, that is going to act as a magnet for those higher costs for all those other bridges as well. She also said that the Connecticut DOT (which I will admit is no shining example of efficiency in most cases) managed to replace a bridge over I – 95 in the course of a weekend. We are going to close our road for almost a year to replace a 20-foot bridge? Was any consideration given to alternatives? She said she wants to move forward with the project as to why and so does Seth but she believes we need more information to get the replacement done efficiently and cost-effectively and we need to follow our procedures. We need to have competitive bidding. This is expedient but it is not the right approach and you have to do it right on this one so the other ones won't be affected negatively. So I hope that someone will move that we put this off for a month or two. I don't think we need to make that motion because I think by our comments if we all say 'Look we are voting against this, not because we don't want the bridge to be done. We want you to do it but you haven't done your homework yet. You haven't done your job yet.' So, I'm not going to vote for this. My fiduciary obligations are to the taxpayer and also to Westporters who want a design. This is near marshland. It's too important to rush through this so let's get it right.

Jeff Wieser, district 4:

We go through this often. This is not a violation of the procurement policy. The procurement policy is very clear that we can allocate money and then go to competitive bid. There is no suggestion, at least from the committee meeting that we just had that there was not going to be a competitive bid on every aspect of this bridge as we go forward but we are allocating appropriate money now to give the department some certainty that there will be funds available when they go through the all the work. We just had our committee meeting a little bit ago and which Seth referred to and had some very good points on some aspects of the design but, as I heard from Pete, this has been looked at since 2016. There have been some public meetings about it. There has been some input from the HDC. I happen to think this looks pretty good. This is the first time I have seen the rendering of what it is going to look like and I kind of like the idea of simplifying it with wooden guard rails but when you think about children walking across that sidewalk there, having a big border there of 42 inches seems to be the right thing to do. I saw Pete reacting to some of the comments there and I wonder if I could invite Pete up to take up some of my time to respond but I think it's important for the new members to know that this is not a violation of the procurement policy. We always have this debate on whether or

not we should have bids before or after we appropriate money. There have been a few instances where we have delayed to have the bids and have decided not to appropriate the money and the department heads go through a whole lot to get the work done and that's frustrating to them. Sometimes it's necessary because sometimes on simple things we might give away our position on bidding and I think there's a lot to be said for that on a complicated matter where there are a couple of people doing things here, I think it is less important and I think it's good to make sure that the funds are there before we go through everything so Pete, yes. Please come up and react if you would. And even review the RTM minutes.

Mr. Ratkiewich:

Thank you, Jeff. I appreciate that. I'm going to repeat what you said. This is not an RFP. We are going out to bid. It is going out to competitive bid. It just hasn't gone there yet. We are looking for an appropriation to ensure that the funds are there. It has never been my experience that when a project has been appropriated before a bid, and there are many of those if you look through the history of this RTM, that the contractors look at the appropriation because the contractors don't know what's in the appropriation. I've never had anyone come in and do a FOIA request of what was discussed at the appropriation. I've never had a contractor that I've heard of even go back and review the RTM minutes. The contractors come in and they bid on the job that we give them. They bid on the specs that we put out. Those specs don't include my contingencies, my worries that I am putting into this appropriation request. As I stated in the committee meeting, I have a record of getting appropriations that are higher than what I actually spend on those projects and that money goes back into the General Fund if it's not spent. It's not like I have this candy store that I can continue to spend the money. I just want to make sure that I have enough money to get the project done and the contingencies that are needed. State funding on this project is guaranteed. I have a letter in my file right here which is called a commitment to fund. The State has committed to fund. In my experience, when the State commits to fund, they have not reneged on that. If they haven't made that commitment, they have reneged, in cases but when we have a letter that has a commitment to fund, I have never seen them not fulfill their obligations. This is compliant with our procurement policy. We do have the design. I didn't bring out the design. We have a fully developed set of plans. I didn't really want to get into it in the committee meeting. I don't really want to get into it now but we have a full-fledged set of plans and a full-fledged design. It's about 90 percent right now. And when it's 100 percent and when we have done our final review, we will go to bid on it and we are on a fast track because I'd like to get this started when the permit allows us to get it started which is June. I think I can get this done by the end of the year. Contractors are pretty innovative. We can give them incentives to finish early. We can penalize them if they finished late. The topic of the bridge in the course of a weekend: that has been brought up about three or four times since I started this project. The course of the weekend is what the public saw. The bridge that was done down in Stamford, the bridge that was done up on Route 25 up in Monroe, those bridges took a year to build and the State has the luxury of having 150 foot right of way adjacent to the bridge. They also have the very convenient fact that they are not building underwater. In effect, the low cord of this bridge meaning the underside of the culvert portion of it is mean high water. Everything else we are doing under the bridge is under the water. That makes it very difficult to do it. That makes it complicated. It's not something that you just pop in on a weekend. And I maintain that the state didn't do their work in a weekend either. So it's a concept that is a good concept to do as much prefabrication as you can when building a bridge so that when you are ready to put the major parts and you can do it quickly. And that, in fact, is what we are doing here with the parts that we can. The stuff that's underwater, we have to dewater, we have to dig down to protect ourselves, pour concrete, but once we get to the point where we have a solid footing, and during the time we are doing that we can have a precast or

building precast sections of this bridge that can come in on a truck and in one or 2 days we can have the superstructure or the upper part of the bridge constructed and then we can backfill, pave, put the parapets up, build the guard rails, finish the project and be done with it but I can assure you it's not going to happen in a weekend. This is not a highway bridge. That's my response thank you very much.

Rick Jaffe, district 1:

I want to provide a voice in support of the project. In the joint Public Works/Finance Committee meeting, we heard from more than one source the desire for more information on this project; more information on cost breakdowns, more information on alternatives. As I understand it, this bridge is the first of a number of bridges that need work. If we slow down this project, we are going to slow them all down. I think that we heard that the Public Works Department can only address one or two bridges per year so that we will be pushing all the other bridges out into time. If you are an optimist like I am, then you would think that all the vacancies on Main Street are going to get better, not worse so now might be a good time to address the traffic issues while we still have all these vacancies. I, too, wish for and expect more information on future bridge projects. For this bridge, as is so often the case in RTM and in life, we are faced with the decision in uncertainty and time pressure. We are charged with using our judgment in cases like this. I urge you to support this project based on all the research and presentation that we've had. It's not perfect but I'm in favor of it. I think it's good enough and I urge you to support it. Thank you.

Ms. Batteau:

I am somewhat incredulous to think that we've gone this far developing a bridge project for building that needs to be done underwater and on conservation land. We obviously need a WPLO permit and, I would imagine, the State version of the WPLO as well. If you're building on the side of the water creating so much more impermeable surface, that could also be a problem. Those are problems that haven't even entered into the conversation yet. I don't think that we should be asked to approve \$2.5 million when it's unclear that these permits will be given. I also don't think it is appropriate for us to be asked to approve a project of this size on the premise that we need to get this done so we can quickly move on to another one. That isn't why or how we do things. We do things because they are the right solution for the problem at hand. When I hear Morley Boyd say it's not a question of preserving the bridge but preserving the view and the environmental aspects of it, that really rings a bell with me. This looks to me and from everything I've heard it's going to be the ultimate bridge. We're going to do stone. I heard earlier we are going to hand wash the earlier stones or the original stone so that we can actually use them and it just seems to me to be an extremely elaborate process for something that just doesn't need it. As I understand from what people are saying, a large part of the reason for coming up with this design was anticipated public opinion but the public opinion that would speak out against it is or speak out in favor of it is speaking out against it and it just seems to me that what we've got here is something that is premature. We don't approve money just to do it in time to get money for other approvals. In addition, we are spending so much money in other areas, mainly for schools. I think everybody here has spoken about the need to really examine closely our priorities in our appropriations and, if we can do this for \$500,000 less and still come up with something code appropriate and acceptable and, perhaps, something more desirable, then that's what we should be doing. It's not just the school appropriations we're going to be looking at. It's everything. We have to prioritize our money. We can't just build, you should pardon the expression, the Trump version of things if it's not appropriate. I'm sorry I said that. In any case, I don't think I can vote for this because I just think, although it's a fine solution to a problem, it's not really the appropriate solution to our problem. I also can imagine that it would take three years to design this. Perhaps it's because we

have taken it to plans which I didn't realize we are doing. The fact that this is taken three years doesn't mean it would take another three years to rescale.

Sal Liccione, district 9:

Pete can you explain the traffic pattern and how long the traffic is going to be backed up and where.

Mr. Ratkiewich:

This is a depiction of the detour that will be used for the bridge. In effect, this detour is already being used because anything over eight tons has to go around this bridge. This is the location of the bridge. This is Main Street. This is Canal Street. And this is Kings Highway north. The detour will involve closing the bridge as depicted here with Jersey barricades on either side maintaining access to all the businesses and residences on either side of the bridge. There will be some staging on the town property which is in this location which is part of a park. There is sort of a pull off in this area. Traffic that wants to go across will have to go up Main Street and down Canal Street. Like I said, right now, our firetrucks and our buses, our plow routes are all avoiding this bridge and going around that detour. We don't anticipate that it is going to be more than a couple of minutes. You can do it today and try it yourself. Unfortunately, that is the only way to do this bridge because it is only about 20 feet wide right now and we need room to work. If I may, I just want to comment on an earlier comment about money on this project and future bridges. I don't want to leave you with the impression that every bridge is going to cost the town \$2.5 million or \$2.7 million because on each of these bridges, if I am doing my job, I am looking for grant money. This is one of only two bridges in town that is only eligible for 50 percent grant money. Probably, the next five bridges that I can think of are eligible for 80 percent reimbursement. In the committee meeting, Mr. Lowenstein did a few rough calculations and found that over a 10 year period, our exposure is approximately \$5 million after you get the reimbursements. It's not the case that we have to finish the bridge, spend the \$2 million and then ask for the money. When we pay a contractor, the procedure is that we immediately bill the State. Then they give us a check for 80 percent or for 50 percent in this case. So, it's a round robin of funding. It affects our bonding ability a lot less then you think when we get reimbursements. That is my goal when I go out to do bridge projects, to seek funding. I have a number of mechanisms to do that. The three years that have ensued since the beginning of this project to now has not been all for design. The grand majority of it has been getting a DEEP permit which we have right now. Our process is to get the State permit first and then go to conservation because as you have stated, Wendy, many of the same concerns come up. We do not anticipate any problem with getting our permit with WPLO because we have gone through this process with a much more stringent organization and hydraulic units have to review the hydraulics of this bridge. So we've gone down this road and we are very confident that we will get approval so it is not that we are coming in willy-nilly and saying, 'Hey, we've got no permits.' We have done that. I hope that answers your questions.

Cathy Talmage, district 6:

I'm not a bridge designer. I'm not an engineer. I have a lot of respect for the Public Works Department and our administration. I do believe I have a sense of aesthetics and I like the look of this bridge. It would be nice if it could be lower but it can't because of the standards so we are looking at an additional \$500,000. The other bridge was built in 1910 didn't you say? So it is 110 years old. So, if we took the whole \$500,000 over hundred 10 years, we are looking at less than \$5000 a year for the town and if we get 50 percent back, I know it's coming from the state; I know that we're paying for it but we are not paying as large a percentage of it, it goes down to \$2,300 a year for the town. I think we need to replace this bridge. We've known it for years. We have been working on it. It's time to go forward.

Jessica Bram, district 6:

I want to echo what Cathy Talmage said which will shorten what I have to say. Just a couple of observations: 1) This is about safety. We all need to keep that in mind that it makes it less of an optional expenditure than something else might be in town. 2) I know one of the issues is there is no design but we are sitting next to a picture of a design which, by the way, and one of the other comments that people have made is 'Can we spend less without aesthetics?' I don't see filigree or special walkways or anything like that. This, to me, looks as basic as you could get and as close to what we had before. Just one point of information, at the Board of Finance meeting, Sherry Gordon did not vote against it. She voted to abstain pending more information on the construction breakdown. As far as the construction breakdown, what is it? \$1.8 million? Not being a civil engineer or a construction engineer or a bridge engineer, if I do get a more detailed breakdown of how much is concrete and how much is hydraulics and how much is stanchions or whatever, I have no basis and I don't think many people on the RTM have a basis unless you are construction engineer, to make decisions at that fine level. So while in the committee meeting, I did vote to abstain, I have changed my mind and I will support it. I think we should really go ahead with it.

Stephen Shackelford, district 8:

Thank you, Pete, for all the hard work that went into this. I think it was a great point that was just made. I don't know how much a stanchion should cost or things like that but I have three questions, based on what I heard today at the committee meetings. First, there was public comment. The public comment or said that the RTM was promised several years back that they would be given several alternatives for this. I don't know if that is true. I wasn't on the RTM then. But, while I can't assess whether 'X' price is the right price for this line item, it sure would have been nice if we had some options for different approaches. Maybe there is still time to do that. I think the bridge looks very pretty on its own. If I were voting whether I liked how it looked, I would vote yes. I like how it looks. But I would like to know, factually, whether your predecessor or someone told the RTM that we were going to get some options and, if so, why we haven't gotten some options for how to approach this? Secondly, my understanding, Pete, is you have worked very hard for a few years now both on the permitting side but also to try and please some constituents who were probably the right folks, you thought, to talk to about how the bridge should look, like historic preservation folks. I don't know all the acronyms just yet. I think you are meeting with some of them later this month and there was some suggestion at the committee meeting that not all the folks at who were at the prior meetings were happy with the suggested designs. I don't know if that is true either. But it sounds like you are going to present this to them in a few weeks and there will be public comment and maybe there will be more interest now in this. If we are only going to be given one design and it's a pretty design but the historical preservation people say 'No, this is not worth what we are spending on it or this is not what we want or we've got to go back to the drawing board', I'd like to know that before I vote on this one design. I understand that this is a bridge that has problems where we have been told that we can put more than four tons on it at a time. Everybody in this room wants to replace the bridge no one has spoken out against replacing the bridge. But those were two questions that I have. Number one, were we told we'd get options and, if so, why are we not getting them? Number two, was there some dissent from even this proposed design or will we find that out in a few weeks? Number three, I thought Dick had a great idea but I'm not well versed in the contracting process. I'd like to hear you respond to Dick's idea to, as part of the bidding process, ask bidders to propose potential changes to the design for the parameters that are within our safety parameters or within whatever parameters you think are non-negotiable; ask them if they can come up with some ideas to save some money on

it. One idea might be with the concrete using other materials or there might be some other ideas. That might be a compromise given that we don't have other options to consider right now.

Mr. Ratkiewich:

Thank you for those questions. I was not at the RTM meeting or the Board of Finance meeting where my predecessor made the comments that were represented by the residents in the committee meeting; however, I don't work in a vacuum. So, I am aware of what went on. The context, at that time, in 2016, was, if I'm not mistaken, in the context was repair or replace. At the same time, there was a lot of comparison with another bridge in town called the Cribari Bridge which is undergoing the same scrutiny. So, there was a very passionate discussion about repair or replace. The reason there is no alternative presented is because there is no repair alternative on this bridge. The stone abutments, as I stated, we can't re-stack them and build another bridge on top of them. We can't take the crumbling concrete and put it back together and put it back on top. If we take the slab off of this bridge the abutments are going to fall in. So, that would be a substandard bridge. If you want me to present that as an alternative, I can, but I don't think that's what you want me to do. The HDC members that this was presented to were a different HDC than we have right now. Many of the members have changed. Some of the members are the same. One of the members asked us as we were walking out the door if we could do a rendering. I did not make any promises to come back to the HDC but I did make a commitment, just recently, to go back to the HDC and the Board of Finance meeting to inform them of the progress of this bridge and to discuss a number of other bridges that they are concerned about. So, that may be moving forward. We can collaborate and come up with some bridges that can be preserved. I'll commit to that publicly now but I'm not committing to yes I can preserve all the bridges in town. I'm committing to I will look at it. I will keep an open mind. There is funding out there for preservation of bridges but many times you just can't preserve the bridge especially when it is 110 years old and was built by the Tax Collector of the time. That is actually who built this bridge. He was also the Public Works Director. As far as contractors putting forth ideas, we do do that a lot. It is called value engineering. It was brought up earlier. But, typically, in my experience, value engineering says 'Yes, we can do that bridge more easily but it is going to be a flat concrete form and a solid parapet. It's not going to look all that good but you will save a lot of money.' Stonemasonry, we can ask for alternatives. I don't know which approval I will violate by doing an alternative because I still have an 8-24 process that they may put some conditions on me so I don't know if that's possible. If we want to redesign the bridge and take away the stone facing, I think we really owe it to the people who asked for that stone facing or made comments that they like that stone facing in the public information process that we are going to go back and tell them 'No, we're not going to do that. But we can get a different price for that.' But we're going to have to go back through that whole process again and see who was in support of that which really is not the process that we are in right now. So, there is an opportunity for value engineering. Often times, I go back to the most recent bridge, Saugatuck Island Bridge. We did take an opportunity for value engineering but it was more of a structural nature, the parts that you don't see, the parts underground. It was looking at the project and saying 'Well, we can cut out 10 feet of sheet piling and that might save us \$300,000. That's the type of thing that we generally get from the contractors. The rest of this project, the precast bridge, the reinforced concrete foundation, the reinforced concrete parapet core and stone masonry, there's not a whole lot else that you are going to do unless you change that design completely from what it is and, again, that design is the result of input. A lot of the elements of the design are the results of permit requirements from the DEP. There are some things that I would rather not do on this bridge but I am required to do by the DEP. So, I hope that answers your questions.

Ellen Lautenberg, district 7:

I would like to support the process that has already taken place and I appreciate the expertise that has already been taken into consideration for this. Obviously, most of us are not engineers and don't really have the technical expertise to analyze this process. I also appreciate the questions that have been asked but, it seems to me that the process has been followed. Public input has been taken into consideration. I, in this case, would like to defer to what has already occurred. I don't want to see us slow this down if we can avoid it while taking into account some of the things that have been said here tonight. It does sound as if future projects will not necessarily be impacted by the price tag that we put on this particular bridge which I think is also very important. So, I would like to see this project proceed and I hope that, as Pete has alluded to, that some of these comments can be taken into account and incorporated without having to either spend more money or more time on doing any serious redesigns and perhaps be incorporated into the project.

Jack Klinge, district 7:

I'm not sure where to begin but I first want to ask you all to please listen to what Pete has been saying for the past hour. He has taken a lot of time and effort to answer all the questions, dealt with misconceptions, misperceptions, misinformation, and provided you with a professional rationale for this project. Do not forget what this gentleman who runs Public Works in this town has told us in response to all the many comments. Okay, a couple of thoughts from me. This bridge is the entrance to downtown Westport, probably one of the more scenic entrances through a nice marshland. It deserves to look attractive. I happen to know the couple who own the home to the right of that bridge. They are happy with it. They are lovely people and they are pretty discerning. This bridge deserves to be safe. When I hear things like the State doesn't want firetrucks on it or plows on it, that makes me nervous. I go across that bridge once in a while. I can't imagine any of us saying to our constituents 'Well you know, I wanted to put it off for three or four months to look at a few more aesthetic designs. I'm really sorry it fell in January 2021 but we had to put it off until May of that year. Timing is important when it deals with safety. The economics of the bridge, the \$1.8 million, a vast majority of that is being spent underwater, underground. It's not visual. It's not anything you or I will deal with as far as how we do it, how we value engineer it; it's none of our area of expertise. It's underwater, underground. We have certain requirements from the State of Connecticut to get their \$1.2 million. One of them is the height of the side of whatever we put there. I can't imagine a Merritt guardrail, definitely not aluminum. The one that kind of looks like wood is really the answer. This happens to be, I think, darn attractive. Forty-two inches high is about there. I can see over it riding a bike, riding in a car. Down there, I can see a kid falling over it, reaching over it. Who needs that kind of a risk? Mainly, who needs turning down 50 percent from the State of Connecticut? It's crazy. It makes no sense. So, we want a safe bridge, on time, that looks attractive. This meets all those requirements. I don't need any more study or evaluation to tell me that that is not going to be a welcome addition to people driving into the town of Westport. I will conclude with this thought for you all. I can't imagine, how would you like Styrofoam coating that wall? Wouldn't that just be great? Stained Styrofoam on a Westport bridge driving into town. Please support this. Thank you.

Ms. Meiers Schatz:

Pete, I have a follow-up question. I just want to make sure I heard correctly at the meeting. I have a question about the public feedback that was given. I thought I heard you say that it was around 2016? Is that right? Could you tell us about when that happened and who was there, how many people?

Mr. Ratkiewich:

At our 30 percent design stage in 2017, we presented a public information meeting right here and I would say there were fewer people in the room than are here right now, probably less than 1/3. But

we did receive feedback from them. I believe that one individual represented Save Westport Now; several individuals represented the Preservation Alliance; there was a member of the HDC, the Chairman at the time, all provided comments. There were several adjacent property owners that provided comments. Toward the end of 2017, we presented for information purposes to the HDC at one of their regular meetings to present the bridge to them and it was maybe a little bit further along in design at that point but not much further. So, basically, we took the input from the HDC and that public meeting and decided that we weren't going to use a veneer on the side of the parapets. We were going to expand them and use a full course of stone to face the bridge. That's about all I remember from that.

Ms. Meiers Schatz:

I think a lot has changed since 2017 especially with respect to the economic state and the budget that we are going to be facing this season with the extra expenses that we have. I just think we have to be careful not to let the opinions of a small group of people in 2017 have too much of an influence on what we are doing now, especially when we are in a time where we need to be tightening our belts. I'm not sure where that leaves me on this matter. The other thing that I wanted to point out is that it doesn't matter if I'm an engineer or not. It doesn't matter if you or you or you can understand the renderings or a more specific breakdown of the costs, I really think it is important that we are given that and not just that we are given that but it is included in the packet because part of our responsibility is taking things when we don't understand it to people who do and getting feedback so we can make an informed decision. Number two, there are people in the public who have that expertise and they should be able to have the materials that they need to provide input at a meeting like this. I guess the third thing I would point out, I mean there is no question that we need to have a safe bridge. I'm not sure how I'm going to vote but however I vote, I am in favor of having a safe bridge but I still don't understand what the time pressure, specifically, with June is.

Peter Gold, district 5:

I agree with a lot of the points that were made here. I am fully cognizant of the need to spend money wisely; however, I do think the Department of Public Works and Pete have the expertise they need to design a bridge. I would like to say that we are building something that will hopefully last for decades. So, in my opinion, it is worth investing that extra now to make something that is going to look good for the long term. And last, this is a safety issue. The bridge has been declared unsafe three years ago. It may last another month; It may last another two months; It may last another year but it may collapse tomorrow. So I'm not really in favor of taking a chance that the bridge will collapse.

Ms. Schneeman:

Pete, I just want to make sure that I'm clear and we're all clear on the reimbursement situation. You said that this project is eligible for 50 percent reimbursement. It has been suggested that that is not a for sure and certain occurrence. Could you just let us know what the facts are there, whether we are sure to get the reimbursement or whether it is conditional? Let's assume the State is not collapsing in the next two years.

Mr. Ratkiewich:

The letter I brought that I just pulled out of my file is a letter from the State of Connecticut to the Honorable James Marpe, First Selectman, Subject: Local Bridge, Fiscal Year 2019 Commitment to Fund. This is a commitment from the Department of Transportation:

I am pleased to inform you that the project qualifies for funding under the Local Bridge Program. The State of Connecticut hereby commits to fund 50 percent of the eligible project

costs through a State grant. This commitment is subject to program regulations and statutory requirements, in particular, as follows...

There are several pages of requirements but most of those requirements refer to an agreement that the town of Westport has executed with the State of Connecticut for both State and Federal local bridge projects. What that commitment says is we will seek funds from you and we will do what you ask in order to get those funds. Generally, what that means is we will comply with the State DOT design criteria which refers to Federal criteria that are widely accepted across the country. They don't want to spend money on bridges unless they get a bridge which is going to last 75 to 100 years. That makes a lot of sense to me.

Ms. Schneeman:

That's very helpful. Again, and a number of things could happen to make that money go away but that seems like a fairly clear commitment. I'm just curious about the bonding, then, in a situation like this. I know we are only giving the town the authority to bond up to \$2.47 million for the project but it seems to me that we are really only interested in bonding the portion that we are paying for; especially if we are going to get reimbursed in a fairly finite period of time. Is that your expectation? Is that what we would end up bonding, about half?

Mr. Ratkiewich:

I'm not a financial person. I am only repeating what I have heard from our Finance Director in the past and that is that we bond what we need to bond for in the present. I'm sure there is a periodic issuance of bonds but the point is that we are going to get that money back as quickly as possible so it's a revolving fund. Generally, a payment to a contractor can be \$100,000 if he had a bad month or \$300,000. So, as soon as we pay that contractor, we put in an invoice into the state; they make sure that we complied with their requirements and they pay us back 50 percent of it.

Ms. Schneeman:

Just from a finance perspective, since we are assured of the funding, assuming the State does not go *gaflooy*, this, for me, puts my mind at ease about voting in favor of this project. And I will say I have certainly seen Pete, even in the short time I have been on the RTM, be very responsive to feedback from all sorts of constituents whether they are individuals or other actors. So, I do appreciate that. The traffic issues, obviously, are going to be an ongoing concern and you will hear from a lot of us as the project unfolds about how to try and mitigate that because that is a big deal. I live on that triangle that you showed on Main Street so I go this way every day and I am one of the people who uses this as the cut off to not go on Canal Street. At rush hour, Canal Street backs up to Kings Highway, backs up to 33 and that takes into account that people like me are already using this as a cut off to go around the corner so that's going to get a lot worse and we just need to realize that is going to happen. This was also recently disrupted with the Aquarion water main replacement and I just wanted to ask you how the timing; I assume there was some plan to repave after they did that project and is part of the reason you wanted, other than it is not safe, to do this in a sensible way, to not have to repave and then tear stuff up. How does this fit with that project? Two of the items on the cost summary list were the relocation of sewer and temporary and permanent easements, rights-of-way easements of rights-of-way. I am interested in any permanent easements that might be necessary there if you might just quickly elaborate on those two, the relocation and the easements.

Mr. Ratkiewich:

(Pointing to the map) This is the bridge. This is Willow Brook. The west side is the property of Aldrich. On this side, the driveway to this house is right adjacent to the bridge. So, the parapet wall has to

curve into the property and then feather down. So, that's a permanent easement. On each of the corners, a similar situation occurs but not necessarily for the parapet wall but for maintenance of the bridge once we are done. We need to be able to access the underside of the bridge so we want a small permanent easement so that we can go underneath the bridge. The temporary easements would be basically for construction: one, two, three; TD Bank owns the center of the bridge so that's the fourth one. All of those property owners have indicated that they will grant the easements. We have to go through the State process to do that.

Ms. Schneeman: Anything on the sewer that is material?

Mr. Ratkiewich:

There are actually two sewers associated with this bridge. One is a force main on the north side of the bridge and the other is a force main going across the bridge on the south. We have put in a generic amount of \$50,000 to relocate that sewer which should cover any temporary work or permanent work that we have to do.

Harris Falk, district 2:

As far as safety issues go, it is currently four tons? Two Escalades weigh six tons so if you had two escalades going on that bridge at the same time, they are not meeting the weight requirement. There is kind of an issue there. The stone facing, I know it would be on the inside would it also be on the river side? Would that mean that the whole outside would be concrete or whatever?

Mr. Ratkiewich:

This is a picture of the stone facing today and this is a picture of the stone facing when it is complete it will be on the entire outside of the bridge.

Mr. Falk:

What I'm asking is if we decide not to do the stone parapets, what would happen to the outside? If the inside would be wood, what would the outside be?

Mr. Ratkiewich:

The guardrail is only used to divert traffic before the parapet. There needs to be a parapet on the bridge. So, while it was suggested by a resident that we could simply run a guardrail across the bridge, that's not, in fact, the case. It has to be a crash rated system. We could run guardrail if we had a crash rated backing for the guardrail. Again, there's a myriad of different designs that could be implemented, probably, as many as the number of people in this room.

Mr. Mall:

I always think that government's primary role is public safety. One of the things that Pete mentioned is that the fire trucks can't use this road right now to get to the Old Hill area. The Old Hill area is my district and if my constituents said to me 'You postponed the vote because you didn't think it was important for public safety to get a fire truck across Kings Highway and you are waiting for a better proposal than what Public Works has already come up with?' That would be a hard one to explain to them. When we have these capital expenditure proposals brought to us, the numbers usually are big. You have to swallow hard but I always come back to parking lot number one at the train station. We debated until midnight on parking lot number one for some of you who weren't here. Part of it was Jessica Bram and Lisa Parelli Gray were on the spot with a great idea. Why don't you add a right-hand turn and also an entrance to the parking lot so things don't bottle up? On the spot, people said,

'I think we can do that.' Others wanted to study it more. We need more time. We need more time. We decided that night to add a right-hand turn and another entrance and get the job done. It was done on time, under budget that summer. Boom. Nobody has ever said another word about it, parking lot number one. It's a beautiful parking lot. It's done. Let's move on. That's exactly what we have to do here. We have hired Pete Ratkiewich as Director of Public Works to get the job done. Four years ago, the State said you have a public safety problem here. Your bridge is going to collapse. Connecticut has a bad history with a bridge collapsing. So, we have a history. We are taking care of our infrastructure and I think what is really important is our Public Works Department is taking care of infrastructure and taking care of public safety. I will vote to approve this tonight and get the job done.

Ms, Karpf:

I also have full faith in Pete and our administration and I do want to approve this but I really have frustration in not getting the detail that I do think we need. Christine Meiers Schatz and Stephen Shackelford said it perfectly that we are approving a bridge; we don't know the construction details. I understand we have not gone out to RFP. The nature of this whole process is frustrating to everyone. I forget who said we go through this debate every time because we do. Until we have the RFP, we don't know the details but how do we approve it without knowing the details? This is a chicken and egg type situation and it's very difficult but I guess what really bothers me is what Seth said about the \$500,000 stone cost as an example that came out of the committee meeting. Sitting here tonight, I never would have known that. I wasn't at the committee meeting. Had it not been raised there, it wouldn't have been raised here. I think a lot of crucial details were missing from the presentation at the Board of Finance. More were given tonight which I was pleased to see. But, I guess, I implore you or anyone else to give as many of those details upfront for the next eight bridges at the Board of Finance meeting as well as here. Seeing the rendering, hearing more of the information is helpful and I do wish we had a breakdown of the construction costs. While it might not mean as much to me, something like \$500,000 I would have known about. We could have asked questions. They could have asked questions at the committee level if we were given this information ahead of time and we could have reviewed it in our packet and been able to make more of an informed decision. So, I'm truly torn after an hour and a half of debate. I really don't know how to vote. Maybe I could have looked into it and asked those questions if we had gotten more information. I just wanted to bring that up so, hopefully, we can better that for the next few bridges and other things.

Karen Kramer, district 5:

Every time someone gets up and speaks, it sounds good to me. We have a problem. We don't understand everything but at the end of the day, the safety is going to win me over every time. We can't afford to say we need more details and someone dies. It's that simple. But we would like more details for the other ones before we come to vote and we really have to get that. But this one, I think we are right, we have to get it going. That's my opinion. I vote yes.

Ms. Hamlin:

Like my colleague, Lauren Karpf, I also agree with the comments that were made by Christine and Steve Shackelford and also the comments of Wendy and of Lauren. I'm glad to get clarification from Pete that the plans are now 90 percent finished. I do agree that we should be proceeding apace. I also agree with Wendy that you don't need an appropriation to get a Conservation permit and the fact that we are actually looking for funding before we even know whether we're going to get a Conservation permit or the details of that Conservation permit are problematic. We do need to be proceeding apace. Safety is important. We should be fixing these bridges. We should be fixing this bridge. We need to be proceeding apace with the 8-24 process, with the Conservation permitting; we

should get the 90 percent finished plans completed plans. And we should immediately be going out for competitive bidding. All those things have to get done anyway. We are not delaying anything at all by requiring those things to happen first. We are just actually doing what we're supposed to do from a responsibility standpoint. Under our Charter, the Board of Finance has recommendation authority. The only priority in town for projects of this size who has the actual authority to make appropriations is us. So, the buck stops with us. The reason that this is problematic is because if you award this money first and then it goes out to competitive bidding, what happens is this: Under our competitive bidding rules, we are entitled to take into account a number of things: quality, experience, value, price. It's not only price that dictates it, okay? So, we have the obligation as legislators to exercise oversight. We are the oversight on appropriations. So if the competitive bid is awarded after we give the money, we award money and then the competitive bidding process happens and somebody chooses their cousin or their uncle, or they choose somebody who has lower experience at a much, much higher price, we will never get an opportunity to review that. So we have been taken out of that oversight. That's the reason that this is, I think the phrase is "*arse backward*". That's why this is putting the cart before the horse. You are walking away from your oversight responsibility when you allow this to happen. I am the only one in this room who met nine times with Steve Edwards, Gary Conrad and Gail. I had colleagues who did some of those meetings as well. Jeff was not part of a single one of those meetings. You were not part of a single one of those meetings.

Dr. Heller: Let's not argue.

Ms. Hamlin:

I might be the only person who has ever had to defend a competitive bidding lawsuit for the government. So, I'm very sensitive to doing it the right way and we can get sued for not following our own policies. So, one of the issues here is usually the time you do it this way is when you need to go out for an RFP. Pete has now clarified that this is not an RFP. What he is doing has nothing to do with the exception to the competitive bidding rule which is you get an RFP first. He's just asking for the money first and then he's going to do a competitive bid and then we are completely cut out of the process of oversight which is an abdication of our responsibility. So, I am completely, 100 percent behind building and rebuilding all of our bridges. I guess it wasn't very urgent because it has taken four years so this kind of fear factor of 'Oh, it's going to fall tomorrow' doesn't seem to be something that Public Works was concerned about. But, what I would say is let's not delay. Let's go through the 8-24 process. Move apace with getting Conservation permitting. Let's go immediately to competitive bidding and then come back here. It takes like, what, an additional two weeks? But, we shouldn't be abdicating our responsibility. When you let this happen over and over and over again, you create bad habits from all of the departments. Folks come back and they do this all the time because we've created bad habits. On the parking lot number one issue, there was some debate about that and you know what? The parking lot number one issue was also a safety issue because there were bad potholes and people were tripping and twisting their legs and it was a problem. There are potholes and there were problems and they were safety issues there too. Do you know what the difference is? They did a competitive bid before they came to us. They did it the right way. So, I would say, Pete, I actually like the stone. I'm not objecting on that grounds. I like the idea of coming up with alternatives. Everything you have done so far I completely appreciate and support. I completely appreciate and support getting this done. I don't think what I am talking about will delay this. It is a process. It's the way things are supposed to proceed. You put 1 foot in front of the other. You get it done but the process is that we come at the end so we can actually satisfy our obligations to Westporters. We need to see what the real design is, not 90 percent. We need to have all of the questions answered. We need to know whether Conservation permitting occurred. We need to have the 8-24 process. All

of that needs to happen first and the competitive bidding should happen. Same pace, same speed, just the right steps happening first. Then I will approve it but I am not going to abdicate our responsibility.

Ms. Batteau:

How many other bridges in Westport have been declared in bad shape by the State? If any?

Mr. Ratkiewich:

I don't have my bridge list with me. Offhand, there are at least five major bridges that are in a condition that warrants the State asking us to prepare a replacement plan. None are as urgent as this bridge. But, at least five and that does not include the under 20-foot bridges. Those are the over 20-foot bridges, primarily, the ones that are eligible for Federal funding. And we have initiated the process on all of those bridges so, as I stand here tonight, I have four other bridge projects that are already in process in one phase or another. You will see them on the capital forecast in the ensuing years when that is presented. As far as bridges, there are a lot more bridges in Westport than I just mentioned, probably 25 or so. It's hard for me to recall that information offhand but I will get the information for you if you like.

Ms. Batteau: But this one and the Cribari are the most urgent?

Mr. Ratkiewich:

I didn't mention anything about the Cribari Bridge. I don't know how this compares to Cribari. They are two different classes of bridge.

Ms. Batteau: As far as safety goes.

Mr. Ratkiewich:

Again, I have bridge reports for all the bridges under my jurisdiction. I don't have the bridge report for the Cribari Bridge.

Ms. Batteau:

It's not that important. It occurs to me to ask a question that I should have asked a lot earlier. We are looking here at the version where all the stone would be replaced, some of the original stones would be used and some replaced. That is going to cost \$1.8 to construct and there are ancillary costs that pop it up. The bridge that you mentioned would be concrete with simply stone facing, how much less money would that be? Or, is there another kind of bridge that you are familiar with that would meet all the safety requirements and still be as good-looking, relatively, as these are that would be less costly? Can you give an estimate?

Mr. Ratkiewich:

The answer is no. I can't give an estimate on the spot. That would have to be dependent on the method that you choose. There are a variety of methods of facing bridges. The cheapest is usually using the forms and concrete and not doing anything with it. If you want an example of that, you look at the culvert work that they did on Compo Road at the Clinton/Compo crossing. I don't think that's a very attractive structure but that's the cheapest way to do it.

Ms. Batteau: How much less, roughly, would that be?

Mr. Ratkiewich: I don't have those figures at this point.

Ms. Batteau:

It wasn't a quiz. It's just that we are throwing around this \$500,000 number and I am wondering if that is a real number. So, the State reimburses us for half of the \$1.8, so if the \$500,000 were taken out of the \$1.8, the State would be reimbursing us for half of the \$1.3, no? Wrong? I'm just trying to get at the number that we are really talking about saving.

Mr. Ratkiewich:

The State reimbursement is 50 percent of the cost of the bridge. Everything. I can even back into the design costs. So, it's not taken out of the bridge.

Ms. Batteau:

I'm just trying to figure out if we are really trying to think about this in terms of saving money because obviously we want safety; we've got other bridges that are having safety problems but not as severe as this one. It's just very hard to know because, of course, safety is our first priority. But there isn't anybody here in their little blurb about what they are concerned about for Westport in the next year is how we are going to prioritize our expenditures. If it's simply a matter of using whole stones versus half stone facing, it seems to me that might be one kind of criteria. It's hard to figure out the financial versus the risk safety analysis without knowing but it seems to me that probably that amount of money isn't going to make a critical difference; but, at the same time, this group really does have to take seriously the fact that we are going to have to not just say yes to everything because it looks good or someone tells us is a rush or that they don't have time to give us enough information to make a usual decision. We are in a budgetary crisis, as well. So, now, I'm thinking I don't know what I will do.

Jimmy Izzo, district 3:

I want to thank you, guys. You guys participated in a great way, a lot of wonderful conversations. When the \$130 million school budget comes before us, less or more, I want to see this group get involved. I don't want to see a cameo; let's just pass it. I want to see us dig into the Board of Ed the way we have dug into Pete Ratkiewich tonight and we dig into everybody else. No more free passes like Wendy said. The big part of our budget is education. They want to come with big bucks, we've got to do our due diligence there, as well. A lot of great questions tonight. Under this circumstance, I'm going to vote for this appropriation tonight but going forward, I think the message is clear. But, when the time comes for the Board of Ed, I want to see everyone participate and raise their hands. Because tonight Brian Stern gave us some very, very real numbers that are pretty scary. That's all of us and all of our tax dollars. Thank you very much.

Mr. Shackelford:

What I would like to have and I'd like to have it for this tonight and I'd like to have it for the future bridges that we are going to be presented with, I'd like to know what is the cost of the ugly, basic bridge? And what would it look like? If I can point people to Compo Road and say it would only save \$200,000 and save half of that, that would be a great data point. I would also like to know how much the reasonable cheaper version would be and you mentioned you could get us this data, the concrete facing dressed up to look like stone facing. If the answer is if we do it cheaply and it looks okay, and it saves us \$100,000 which is only \$50,000 after the grants, that's great information. That's what I want to be able to tell my constituents. We are choosing to do the river stone because a lot of people from the area think that it will immensely add to how the bridge looks and is appropriate for this area and

draft

the money we have saved by doing it a lot cheaper is not worth it. That's the information that we don't have tonight and why I just don't feel comfortable voting for tonight but I understand all the safety arguments about it. I assume if we felt the bridge was going to collapse tomorrow we would close it but I understand we can't put this off indefinitely but whatever happens tonight and it sounds like you're going to get the votes to get the appropriation approved, I still would like to have that information. I think it would help us sell it to the community.

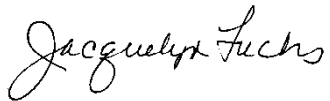
By roll call vote, the motion passes 25-6-2. (See below.)

The meeting adjourned at 10:23 p.m.

Respectfully submitted,

Patricia H. Strauss

Town Clerk

A handwritten signature in cursive script that reads "Jacquelyn Fuchs".

by Jacquelyn Fuchs

ATTENDANCE: January 7, 2020

DIST.	NAME	PRESENT	ABSENT	NOTIFIED MODERATOR	LATE/ LEFT EARLY
1	Richard Jaffe	X			
	Matthew Mandell		X	X	
	Kristin M. Purcell	X			
	Chris Tait	X			
2	Harris Falk	X			
	Jay Keenan	X			
	Louis M. Mall	X			
	Christine Meiers Schatz	X			
3	Mark Friedman	X			
	Arline Gertzoff	X			
	Jimmy Izzo	X			
	Amy Kaplan	X			
4	Andrew J. Colabella	X			
	Kristan Hamlin	X			
	Noah Hammond	X			
	Jeff Wieser	X			
5	Peter Gold	X			
	Dick Lowenstein	X			
	Karen Kramer	X			
	Greg Kraut		X	X	
6	Candace Banks	X			
	Jessica Bram	X			
	Seth Braunstein	X			
	Cathy Talmadge	X			
7	Brandi Briggs	X			
	Lauren Karpf	X			
	Jack Klinge	X			
	Ellen Lautenberg	X			
8	Wendy Batteau	X			
	Lisa Newman	X			
	Carla Rea		X	X	
	Stephen Shackelford	X			
9	Velma Heller	X			
	Sal Liccione	X			
	Kristin Schneeman	X			
	Lauren Soloff	X			
Total		33	3		

Roll Call Vote: Item #3

DIST.	NAME	ABSENT	YEA	NAY	ABSTAIN
1	Richard Jaffe		X		
	Matthew Mandell	X			
	Kristin M. Purcell		X		
	Chris Tait		X		
2	Harris Falk		X		
	Jay Keenan		X		
	Louis M. Mall		X		
	Christine Meiers Schatz			X	
3	Mark Friedman				X
	Arline Gertzoff				X
	Jimmy Izzo		X		
	Amy Kaplan		X		
4	Andrew J. Colabella		X		
	Kristan Hamlin			X	
	Noah Hammond		X		
	Jeff Wieser		X		
5	Peter Gold		X		
	Dick Lowenstein		X		
	Karen Kramer		X		
	Greg Kraut	X			
6	Candace Banks		X		
	Jessica Bram		X		
	Seth Braunstein			X	
	Cathy Talmadge		X		
7	Brandi Briggs		X		
	Lauren Karpf			X	
	Jack Klinge		X		
	Ellen Lautenberg		X		
8	Wendy Batteau		X		
	Lisa Newman			X	
	Carla Rea	X			
	Stephen Shackelford			X	
9	Velma Heller		X		
	Sal Liccione		X		
	Kristin Schneeman		X		
	Lauren Soloff		X		
Total			25	6	2

Appendix I - #3

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$2,470,000.00 along with bond and note authorization to the Municipal Improvement Fund Account for the replacement of the Kings Highway North Bridge is hereby appropriated.

BOND RESOLUTION

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the "Town") hereby appropriates the sum of Two Million Four Hundred Seventy Thousand and 00/100 Dollars (\$2,470,000) to pay costs associated with the replacement of the Kings Highway North Bridge over Willow Brook including deck, abutments, parapets and wing walls, which costs include construction, utility relocation costs, administrative, engineering, financing, contingency and other related costs (the "Project").

Section 1. As recommended by the Board of Finance and for the purpose of financing Two Million Four Hundred Seventy Thousand and 00/100 Dollars (\$2,470,000) of the foregoing appropriation, the Town shall borrow a sum not to exceed Two Million Four Hundred Seventy Thousand and 00/100 Dollars (\$2,470,000) and issue general obligation bonds 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.

Section 2. The First Selectman, Selectmen and Finance Director 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, 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 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) to issue 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 other applicable laws and regulations of the United States and the state of Connecticut, to provide for issuance of the bonds in tax exempt form, including the execution of tax compliance and other agreements for the benefit of bondholders, 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 and the filing of information reports as and when required and to execute Continuing Disclosure Agreements for the benefit of holders of bonds and notes.

Section 3. The Bonds may be designated "Public Improvement Bonds of the Town of Westport," 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 (3) years from the date of issue and the last installment to mature not later than twenty (20) therefrom, or as otherwise provided by statute. The bonds may be sold at 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, or notes, on a negotiated basis, as provided by statute. Interest on the bonds shall be payable semiannually or annually. The bonds shall be signed on behalf of the Town by the First Selectman and the Finance Director, and shall bear the seal of the Town. The signing, sealing and certification of said bonds may be by facsimile as provided by statute. The Finance Director shall maintain a record of bonds issued pursuant to this resolution and of the face amount thereof outstanding from time to time, and shall certify to the destruction of said bonds after they have been paid and cancelled, and such certification shall be kept on file with the Town Clerk.

Section 4. The Committee is further authorized to make temporary borrowings as permitted by the General Statutes and to issue a temporary note or 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 times and with such maturities, requirements and limitations as provided by statute. Notes evidencing such borrowings shall be signed by the First Selectman and the Finance Director, 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 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.

Section 5. Upon the sale and issuance of the bonds authorized by this resolution, the proceeds thereof, including any premium received upon the sale thereof, accrued interest received at delivery and interest earned on the temporary investment of such proceeds, shall be applied forthwith to the payment of the principal and interest of all notes issued in anticipation thereof or shall be deposited in trust for such purposes with a bank or trust company, or shall be applied or rebated as may be required under the provision of law. The remainder of the proceeds, if any, after the payment of said notes and of the expense of issuing said notes and bonds shall be applied to further finance the appropriation enacted herein.

Section 6. In each fiscal year in which the principal or any installment of interest shall fall due upon any of the bonds or notes herein authorized there shall be included in the appropriation for such fiscal year a sum equivalent to the amount of such principal and interest so falling due, and to the extent that provision is not made for the payment thereof from other revenues, the amount thereof shall be included in the taxes assessed upon the Grand List for such fiscal year and shall not be subject to any limitations of expenditures or taxes that may be imposed by any other Town ordinance or resolution.

Section 7. Pursuant to Section 1.150-2 (as amended) of the federal income tax regulations the Town hereby expresses its official intent to reimburse expenditures paid from the General Fund, or any capital fund for the Project with the proceeds of the bonds or notes to be issued under the provisions hereof. The allocation of such reimbursement bond proceeds to an expenditure shall be made in accordance with the time limitations and other requirements of such regulations. The Finance Director is authorized to pay Project expenses in accordance herewith pending the issuance of the reimbursement bonds or notes.

Section 8. The Town of Westport, or other proper authority of the Town, is authorized to take all necessary action to apply to the State of Connecticut, and accept from the State or other parties, grants, gifts and contributions in aid of further financing the Project. Once the appropriation becomes effective, the First Selectman, or other appropriate official of the town, is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the Project and is specifically authorized to make, execute and deliver any contracts or other documents necessary or convenient to complete the Project and the financing thereof.

Section 9. 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 Town Charter, the Connecticut General Statutes, and the laws of the United States.