

Revised RESOLUTIONS

(1)

RESOLVED: That upon the recommendation of the Board of Finance, and a request by the Public Works Director, the sum of \$320,750 from the Capital & Nonrecurring Expenditure Fund Unassigned Fund Balance to the Capital & Nonrecurring Expenditure Fund (C&NEF) Account (Repairs: Hurricane Irene) to fund various repair projects resulting from Hurricane Irene damages is hereby appropriated (75% reimbursable by FEMA).

(2)

RESOLVED: That upon the recommendation of the Board of Finance, and a request from the Town Attorney, the sum of \$34,908 from the Heart & Hypertension Reserve Fund for the settlement of the Workers' Compensation claim brought by Michael Gudzik is hereby appropriated.

(3)

RESOLVED: That upon the recommendation of the First Selectman and the approval of the Non-Union Supervisory Pension Board, an amendment to the Retirement Plan for Non-Union Supervisory Employees of the Town of Westport, Connecticut (the "Plan"), such that the entire Plan, including pension and retiree health insurance benefits, shall not be available to employees hired on or after January 1, 2012 is hereby approved.

(4)

RESOLVED: That upon the recommendation of the First Selectman and the approval of the Non-Union Non-Supervisory Pension Board, an amendment to the Retirement plan for Non-Union Non-Supervisory Employees of the Town of Westport, Connecticut (the "Plan"), such that the entire Plan, including pension and retiree health insurance benefits, shall not be available to employees hired on or after January 1, 2012 is hereby approved.

(5)

RESOLVED: That upon the recommendation of the First Selectman the ordinance adopting Connecticut General Statutes, Sections 4-124i through 4-124p as amended, providing for the formation of a regional Council of Governments, authorizing the town to join such Council when duly established, designating the First Selectman as the representative of the Town of Westport on such Council and authorizing the Representative Town Meeting to designate an alternate representative from its members for a two-year term or until the next election of the RTM is hereby approved. First reading, full text is as follows.

Regional Council of Governments

Adoption of state law; Authority to join

The Town of Westport hereby adopts Connecticut General Statutes, Sections 4-124i through 4-124p, as amended, providing for the formation of a regional council of governments, and does hereby join such regional council of governments when and as such council is duly established in accordance with said statutes, upon the adoption of said statutes by not less than sixty percent of all municipalities within the Southwestern Connecticut planning region as defined by the Secretary of the Office of Policy and Management or designee, and upon certification by the Secretary or designee that a regional council of governments has been duly established.

Designated Representative

The First Selectman shall represent the Town on the regional council of governments. In addition, the Representative Town Meeting may appoint one of its members as an alternate representative to the regional council of governments, which alternate shall serve a term of two (2) years or until the next election of members of the Representative Town Meeting.



WESTPORT CONNECTICUT

DEPARTMENT OF PUBLIC WORKS

TOWN HALL, 110 MYRTLE AVE.

WESTPORT, CONNECTICUT 06880

Approved BOF 1/4/12
\$320,750 Appropriation
to C+NEF Account
(Hurricane Irene Repairs)

To RTM 2/7/12

BACK UP MATERIAL
RTM ITEM # 1

December 19, 2011

The Honorable Gordon F. Joseloff
First Selectman
Town Hall
Westport, CT 06880

Re: Request for Appropriation – Hurricane Irene Damage Repairs

Dear Mr. Joseloff:

Hurricane Irene hit the area over the weekend of August 27-28, 2011 causing considerable damage to the shoreline infrastructure. The Department of Public Works (DPW) and the Parks and Recreation Department (P&R) worked around the clock to stabilize the area to reopen the beach areas to beach goers for the Labor Day holiday weekend. Since that time, we have met with representatives of the Department of Energy and Environmental Protection (DEEP) and the Federal Emergency Management Agency (FEMA) to review the extent of the damage and agree on the scope of the repairs that would fit within the FEMA guidelines for reimbursement.

This office in cooperation with P&R have identified four specific projects that have been approved by FEMA and are currently being designed for completion in early spring before the 2012 beach season. The following four projects have received FEMA authorization.

Hillspoint Road Revetment and Sidewalk Repairs. Estimate \$90,000.00

Replace and reset slope pavement that was displaced by the storm surge
Replace sidewalk base and repave the washed out section of sidewalk
Replace washed out gutterline and repave

Longshore Seawall Estimate \$150,000.00

Replace 393 lf of former timber retaining wall at Longshore pool/sailing school
Repair 10 ft section of cement rubble masonry wall

Page 2

The Honorable Gordon F. Joseloff

December 19, 2011

Harbor Road Revetment and Gutterline Repair Estimate \$62,000.00

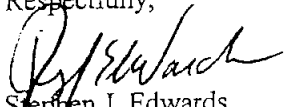
Replace and/or reset stone as necessary along 800 lf section of stone revetment
Replace washed out gutterline and base of revetment

Burying Hill Beach Estimate \$18,750.00

Replace 385 lf of timber seawall
Repair a 43 ft section of washed out seawall

This office herein requests an appropriation of \$320,750.00 for the purpose of repairs from Hurricane Irene. This work has already been approved by FEMA and as such the work is 75% reimbursable.

Respectfully,


Stephen J. Edwards
Director of Public Works

cc: John Kondub, Finance Director

GAPW_OFFSJEVFSIAPP\Hurricane Irene Repairs

Approved for Submission to the
Board of Finance (1/4/12)



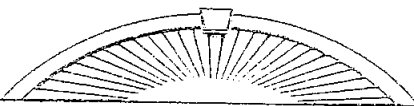
Gordon F. Joseloff
First Selectman

STORM DAMAGE REPAIRS - SUMMARY SHEET											
	STATUS	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	COMMENTS					
Hillspoint Road Revetment	BID	1	LS	\$83,929.25	\$83,929.25	SEE BID SPREADSHEET					
Longshore Seawall	DESIGN	2948	SF	\$50.00	\$147,400.00	393 LF X 7.5' TALL (3.5' DOWN+4.0' EXPOSED) = 2948 SF OF FACE APPROX 10'X2'X3' CEMENT RUBBLE MASONRY WALL REPAIR; APPROX 2 cy = 4 TON					
		4	ton	\$150.00	\$600.00						
Harbor Road Revetment	DESIGN	400	ton	\$150.00	\$60,000.00	surface area per plan=5.65'+4'+9.2'=18.85sf/lf;chlnk 25% of Surf area x 1.5' deep; 18.85x1.5'x.25x800lf/27=206cy; say 400 ton fill voids under revetment Harbor Road side - 0.5' deepx1.5' wide x 800lf/27=22cy; say 40 ton					
		40	ton	\$50.00	\$2,000.00						
Burying Hill Beach	DESIGN	385	lf	\$30.00	\$11,550.00	385lf timber seawall stone seawall washout 15' x 43'=645sf x 1' deep/27=24cy; say 48 ton					
		48	ton	\$150.00	\$7,200.00						

1cy=2 ton; Use \$150/ton

BID RESULTS - BID #12-668T; HILLSPPOINT ROAD STORM DAMAGE REPAIRS																				
Vendor	Address	Total Bid Cost	Item #1		Item #2		Item #3		Item #4		Item #5		Item #6		Item #7		Item #8		Item #9	
			per sq yd	800 sq yd	per sq yd	400 sq yd	per sq yd	125 sq yd	4 per 1 ft	110ft	per sq yd	22 sq yd	per c yd	50 c yd	per c yd	20 c yd	per c yd	40 c yd	per sq yd	340 sq yd
FGB Construction	Norwalk, CT	\$83,929.25	\$40.00	\$32,000.00	\$80.50	\$32,200.00	\$53.75	\$8,718.75	\$10.00	\$1,100.00	\$67.75	\$1,490.50	\$53.00	\$2,650.00	\$50.00	\$1,000.00	\$50.00	\$2,000.00	\$14.00	\$4,760.00
Fred N. Durante Jr	Stamford, CT	\$110,895.00	\$67.00	\$58,600.00	\$95.00	\$38,000.00	\$67.00	\$8,375.00	\$12.00	\$1,320.00	\$95.00	\$2,090.00	\$53.00	\$2,650.00	\$43.00	\$860.00	\$32.00	\$1,280.00	\$8.00	\$2,720.00
NAC Industries	Oxford, CT	\$150,015.00	\$100.00	\$80,000.00	\$100.00	\$40,000.00	\$95.00	\$11,875.00	\$15.00	\$1,650.00	\$95.00	\$2,090.00	\$100.00	\$5,000.00	\$100.00	\$2,000.00	\$100.00	\$4,000.00	\$10.00	\$3,400.00
Reliable Excavating	Danbury, CT	\$188,278.00	\$82.00	\$85,600.00	\$174.00	\$89,600.00	\$146.00	\$18,250.00	\$8.00	\$880.00	\$184.00	\$3,008.00	\$54.00	\$2,700.00	\$65.00	\$1,300.00	\$85.00	\$2,600.00	\$11.00	\$3,740.00
Sound Construction	Easton, CT	\$88,848.00	\$41.00	\$32,800.00	\$72.00	\$28,800.00	\$72.00	\$9,000.00	\$12.00	\$1,320.00	\$88.00	\$2,158.00	\$58.00	\$2,900.00	\$54.00	\$1,080.00	\$54.00	\$2,160.00	\$18.50	\$5,630.00

Approved BOF 2/1/12
\$34,908 Appropriation
(from the Heart and
Hypertension Reserve Fund):
Michael Gudzik
TO RTM
2/7/12


BERCHEM, MOSES & DEVLIN, P.C.
ATTORNEYS & COUNSELLORS AT LAW

ROBERT L. BERCHEM
MARSHA BELMAN MOSES
MICHAEL P. DEVLIN†
STEPHEN W. STUDER*
RICHARD J. BUTURLA
FLOYD J. DUGAS
ROLAN JONI YOUNG
JACOB P. BRYNICZKA
DA W. BLOOM
JONATHAN D. BERCHEM*
MICHELLE C. LAUBIN†
WARREN L. HOLCOMB‡
MARK J. KOVACK
BRYAN L. LEClerc†
BRIAN A. LEMA
DOUGLAS E. LOMONTE
BRIAN W. SMITH

OF COUNSEL
JOHN W. HOGAN, JR.

75 BROAD STREET
MILFORD, CT 06460
TELEPHONE (203) 783-1200
FACSIMILE (203) 878-2235

27 IMPERIAL AVENUE
WESTPORT, CT 06880
TELEPHONE (203) 227-9545
FACSIMILE (203) 226-1641

PLEASE REPLY TO
WESTPORT OFFICE
WWW.BMDLAW.COM

MICHAEL P. BURDO†
RICHARD C. BUTURLA
MARIO F. COPPOLA
AMY CORBETT DION
JODIE L. DRISCOLL†
RYAN P. DRISCOLL†
CAROLYN MAZANEC DUGAS
GAIL L. KELLY
MICHELLE DEVLIN LONG
JEFFREY P. MOGAN
MEGAN A. SMITH
JUSTIN STANKO
SHELBY L. WILSON

RECEIVED
JAN 17 2012
TOWN OF WESTPORT
SELECTMAN'S OFFICE

January 13, 2012

* ALSO ADMITTED IN CALIFORNIA
* ALSO ADMITTED IN MASSACHUSETTS
* ALSO ADMITTED IN NEW JERSEY
† ALSO ADMITTED IN NEW YORK
* ALSO ADMITTED IN PENNSYLVANIA

Hon. Gordon F. Joseloff, First Selectman
Town of Westport
110 Myrtle Ave
Westport, CT 06880

Re: Michael Gudzik

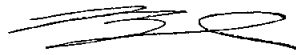
Dear Mr. Joseloff:

I respectfully request that you add the following to the agenda of the February 1, 2012 Board of Finance agenda:


“Request by the Town Attorney for an appropriation in the amount of \$34,907.60 for the settlement of the Workers' Compensation claim brought by Michael Gudzik.”

Thank you.

Very truly yours,


Bryan LeClerc, Esq.

Approved for submission to the
Board of Finance (2/1/12)


Gordon F. Joseloff
First Selectman



WESTPORT, CONNECTICUT

GORDON F. JOSELOFF
First Selectman

BACK UP MATERIAL
RTM ITEM # 3

MEMORANDUM

To: Non-Union Supervisory Employees' Pension Committee
Attn: Avi Kaner

From: Gordon F. Joseloff, First Selectman *GJY*

Date: December 22, 2011

Re: Closing the Non-Union Supervisory Pension Plan to New Hires

As you are aware, for the past two years, there has been a great deal of discussions at all levels of town government about "closing out" the defined benefit plans to new hires, and transitioning them to a new town-defined contribution plan. Given recent revelations regarding the town's OPEB liability, I believe it is also prudent to also eliminate retiree health benefits for new hires.

Accordingly, I hereby direct the Non-Union Supervisory Employee Pension Committee to call a special meeting for purposes of "closing" the plan to new hires, i.e. amending and/or partially terminating the plan to provide that effective January 1, 2012, newly hired employees shall no longer be eligible for either pension or retiree health benefits under the Retirement Plan for Non-Union Supervisory Employees of the Town of Westport, Connecticut.



WESTPORT, CONNECTICUT

GORDON F JOSELOFF
First Selectman

MOTION

The Retirement Plan for Non-Union Supervisory Employees of the Town of Westport, Connecticut (the "Plan") shall be and is hereby amended and/or partially terminated, such that the Plan, including but not limited to, pension and retiree health insurance benefits, shall not be available to employees hired on or after January 1, 2012.

DRAFT

**MINUTES OF THE JANUARY 11, 2012 MEETING
OF THE NON-UNION SUPERVISORY PENSION BOARD**

A special meeting of the Non-Union Supervisory Pension Board was held on Wednesday, January 11, 2012 at 9:30 A.M. in Town Hall Room 309.

PRESENT : Avi Kaner, Chairman of the Board of Finance and Chairman of the Non-Union Supervisory Pension Board, Gordon Joseloff, First Selectman, Edward Brennan and Peggy Klein, Tax Collector, all members of the Board; John Kondub, Finance Director and Acting Personnel Director, Gail Bernstein, Recording Secretary, Barry Hammonds, Nate Gibbons, John Broadbin, Steve Castro, Town employees; Marjorie Cion, Helen Garten, Robert Parziale, Council 4 AFSCME, Richard Lowenstein, Charles Haberstroh and Thomas Lasersohn.

The Chairman called the meeting to order at 9:35 A.M.

APPROVAL OF THE MOTION TO APPROVE THE AMMENDMENT AND/OR PARTIAL TERMINATION OF THE RETIREMENT PLAN FOR NON-UNION SUPERVISORY EMPLOYEES OF THE TOWN OF WESTPORT, CONNECTICUT (THE "PLAN"), SUCH THAT THE PLAN, INCLUDING BUT NOT LIMITED TO, PENSION AND RETIREE HEALTH INSURANCE BENEFITS, SHALL NOT BE AVAILABLE TO EMPLOYEES HIRED ON OR AFTER JANUARY 1, 2012.

Item 1. Upon motion by Avi Kaner, seconded by Gordon Joseloff and passed unanimously, it was:

RESOLVED: That the motion as stated in the call be amended to read as follows: To approve the amendment and/or partial termination of The Retirement Plan for Non-Union Supervisory Employees of the Town of Westport, Connecticut (the "Plan"), such that the entire Plan, including ~~but not limited to~~ pension and retiree health insurance benefits, shall not be available to employees hired on or after January 1, 2012.

NOTE: Underscore indicates new language. Strike through indicates language to be deleted.

**Minutes of Non-Union Supervisory Pension Board
January 11, 2012
Page Two**

Item 2. Upon motion by Avi Kaner, seconded by Gordon Joseloff and passed unanimously, it was:

RESOLVED: That the amended motion: To approve the amendment and/or partial termination of The Retirement Plan for Non-Union Supervisory Employees of the Town of Westport, Connecticut (the "Plan"), such that the entire Plan, including pension and retiree health insurance benefits, shall not be available to employees hired on or after January 1, 2012, be APPROVED.

Upon motion by Gordon Joseloff, seconded by Avi Kaner and passed unanimously, the meeting was adjourned at 10:35 A.M.

ATTEST:

Gail Bernstein, Recording Secretary



WESTPORT, CONNECTICUT

GORDON F. JOSELOFF
First Selectman

BACK UP MATERIAL
RTM ITEM # 4

MEMORANDUM

TO: Non-Union Non-Supervisory Employees' Pension Committee
Attn: Avi Kaner

FROM: Gordon F. Joseloff, First Selectman *pr*

DATE: December 22, 2011

RE: Closing the Non-Union Non-Supervisory Pension Plan to New Hires

As you are aware, for the past two years, there has been a great deal of discussions at all levels of town government about "closing out" the defined benefit plans to new hires, and transitioning them to a new town-defined contribution plan. Given recent revelations regarding the town's OPEB liability, I believe it is also prudent to also eliminate retiree health benefits for new hires.

Accordingly, I hereby direct the Non-Union Non-Supervisory Employees Pension Committee to call a special meeting for purposes of "closing" the plan to new hires, i.e. amending and/or partially terminating the plan to provide that effective January 1, 2012, newly hired employees shall no longer be eligible for either pension or retiree health benefits under the Retirement Plan for Non-Union Non-Supervisory Employees of the Town of Westport, Connecticut.



WESTPORT, CONNECTICUT

GORDON F. JOSELOFF
First Selectman

MOTION

The Retirement Plan for Non-Union Non-Supervisory Employees of the Town of Westport, Connecticut (the "Plan") shall be and is hereby amended and/or partially terminated, such that the Plan, including but not limited to, pension and retiree health insurance benefits, shall not be available to employees hired on or after January 1, 2012.

DRAFT

MINUTES OF THE JANUARY 11, 2012 MEETING
OF THE NON-UNION NON-SUPERVISORY PENSION BOARD

A special meeting of the Non-Union Non-Supervisory Pension Board was held on Wednesday, January 11, 2012 at 9:30 A.M. in Town Hall Room 309.

PRESENT : Avi Kaner, Chairman of the Board of Finance and Chairman of the Non-Union Supervisory Pension Board, Gordon Joseloff, First Selectman, and Edward Brennan, all members of the Board; John Kondub, Finance Director and Acting Personnel Director, Gail Bernstein, Recording Secretary, Barry Hammonds, Nate Gibbons, John Broadbin, Steve Castro, Town employees, Helen Garten, Robert Parziale, Council 4 AFSCME, Richard Lowenstein, Charles Haberstroh and Thomas Lasersohn.

The Chairman called the meeting to order at 9:35 A.M.

APPROVAL OF THE MOTION TO APPROVE THE AMMENDMENT AND/OR PARTIAL TERMINATION OF THE RETIREMENT PLAN FOR NON-UNION NON-SUPERVISORY EMPLOYEES OF THE TOWN OF WESTPORT, CONNECTICUT (THE "PLAN"), SUCH THAT THE PLAN, INCLUDING BUT NOT LIMITED TO, PENSION AND RETIREE HEALTH INSURANCE BENEFITS, SHALL NOT BE AVAILABLE TO EMPLOYEES HIRED ON OR AFTER JANUARY 1, 2012.

Item 1. Upon motion by Avi Kaner, seconded by Gordon Joseloff and passed unanimously, it was:

RESOLVED: That the motion as stated in the call be amended to read as follows: To approve the amendment and/or partial termination of The Retirement Plan for Non-Union Non-Supervisory Employees of the Town of Westport, Connecticut (the "Plan"), such that the entire Plan, including ~~but not limited to~~ pension and retiree health insurance benefits, shall not be available to employees hired on or after January 1, 2012.

NOTE: Underscore indicates new language. Strike through indicates language to be deleted.

**Minutes of Non-Union Non-Supervisory Pension Board
January 11, 2012
Page Two**

Item 2. Upon motion by Avi Kaner, seconded by Gordon Joseloff and passed unanimously, it was:

RESOLVED: That the amended motion: To approve the amendment and/or partial termination of The Retirement Plan for Non-Union Non-Supervisory Employees of the Town of Westport Connecticut (the "Plan"), such that the entire Plan, including pension and retiree health insurance benefits, shall not be available to employees hired on or after January 1, 2012, be APPROVED.

Upon motion by Gordon Joseloff, seconded by Edward Brennan and passed unanimously, the meeting was adjourned at 10:43 A.M.

ATTEST:

Gail Bernstein, Recording Secretary