

RTM Special Meeting  
November 12, 2012

**Minutes**

Moderator Hadley Rose:

This meeting of Westport's Representative Town Meeting is now called to order. We welcome those who join us tonight in the Town Hall auditorium as well as those watching us streaming live on [www.westportct.gov](http://www.westportct.gov), watching on cable channel 79 or ATT channel 99. My name is Hadley Rose and I am the RTM Moderator. On my right is our RTM secretary, Jackie Fuchs. Tonight's invocation will be by Reverend Alison Buttrick Patton.

Invocation, Reverend Alison Buttrick Patton, Saugatuck Congregational Church:  
Good evening friends. It is a real privilege to be with you this evening and I want to begin by saying thank you as the person who came in after the fire from which Saugatuck Congregational Church suffered a year ago November. I came in just in time to receive the warm wishes of this entire Westport community and to hear the stories of the way so many of you rallied around our congregation in the days and the weeks following the fire. I have continued to experience your support in so many ways. It is a great privilege to get to stand here and say thank you for being a community that stood behind my particular part of Westport community, Saugatuck Congregational Church. I'm the newbie in town and as such I come this evening, not so much with pearls of wisdom for you as with questions, questions that I look forward to exploring with you. So, I wonder tonight, what matters to you? I wonder what brings you to this room again and again. I wonder what it is that keeps you up late nights or awakes you early in the morning. I wonder what it is that keeps you at the table when you find your disagreements are intense. I wonder what it is that matters to you that you would pour your time and your energy and your hearts into this important labor of being the governing body in Westport. I wonder what matters to you about the fact that this RTM is such a unique way of governing. There are so few towns in Connecticut now that govern by RTM. I wonder what matters to you about that. I wonder what matters about the fact that you are a nonpartisan body. You bring your deeply held convictions, I imagine across a whole spectrum that you bring them here and bring them to the table and you agree to be in conversation with each other to make important decisions for the town. I wonder what those important decisions are. I look forward to witnessing the ways that you work together when you bring the best of who you are, when you bring the things that matter most to you the things that stir your hearts and your passions to this place because I imagine when you bring those things your highest ideals, your convictions, the skills that you have honed here together that you must do remarkable stuff for this remarkable town. I look forward to witnessing that remarkable stuff. Blessings on the work that you do and thank you for doing it.

There were 28 members present. Ms. Kane, Mr. Underhill, Mr. Suggs, Mr. Urist, Mr. Arthurs, Ms. Schine and Mr. McCarthy notified the Moderator that they would be absent. Mr. Rossi was also absent. Ms. Calise, Ms. Talmadge and Mr. Bomes notified the Moderator that they would be late and Ms. Feller was also late.

Mr. Rose:

We are going to skip the usual RTM announcements tonight hoping for a little brevity. I will say one thing, though. As most of you are, I'm sure, aware, yesterday was Veteran's Day. So, I think it would be inappropriate to start the meeting without thanking those who have served both in war and in peace, whoever they may be. Thank you all for your service.

Tonight's meeting is going to be a little different than a standard RTM meeting. Just so you understand, we are going to first hear a presentation from various members of the administration, the Baron's South Committee. We are then going to have three presentations from people who responded to the RFP. They have each been given 10 minutes to address their issues. We will then turn to the public. Your comments will be limited to three minutes. I will remind of you of that when the public speaks. Finally, to the RTM. One thing a little different tonight, we will be taking no action tonight. There will be no votes taken. Just to be clear.

Presentation

First Selectman Gordon Joseloff:

Thank you for coming. Thank you for surviving Sandy. Thank you Baron's South Committee for being so patient. Thank you RTM members for postponing. Let me just give you a quickie on Sandy. I hope you all survived well. We had 260 homes that were damaged by Sandy. There were seven that were destroyed. We have at least 25 homes that were damaged by trees some so severely that they are no longer inhabitable. If you had a home that was damaged by flood, by trees or some other means, FEMA is in town or available. You need to go online to fill out an application. FEMA will be sending out inspectors soon to individual homes. There is government aid. There are loans for small businesses. I urge you, please, take advantage of what's available. If you have any questions, call my office, call the Fire Department and we will connect you as best we can. This was a storm that was widely anticipated by our staff in that we knew the big one was coming; we just didn't know when. I did urge everyone to prepare for a week or more of power outages. Unfortunately, my preparation message came true. Anyone who can afford a generator who has not had a generator, please, please get a generator, if you can, small or large. If you have natural gas near you, please put it on natural gas so you don't have to worry about refueling. I think this is a scenario that we are going to face repeatedly. I don't have confidence that the power company is going to improve its ways. Certainly, we were better off than many communities than what's going on in Long Island, New Jersey, New York City, etc. We came back a lot faster. That's no comfort to those who are still out. I was without power for eight days as were my neighbors but I had put in a generator so I had that to rely on. So, if you can, put in a generator. We've had

hundreds of applications since last year and I expect we are going to have hundreds as soon as people can get their lives together again.

I am delighted that the RTM is holding this session. As many of you know, I was an RTM member for 14 years and prior to becoming First Selectman, was Moderator, the role that Hadley has for 10 years. I always considered the RTM the supreme body of the Town, the people's voice. So many times where other bodies, whether it's P&Z or Board of Finance, have expressed or voted one way or another, it's the RTM who were truly representative of the people. We've worked with the RTM from the outset, particularly, with the Long Range Planning Committee. The Long Range Planning Committee, as its name implies, is the committee that plans for the future. I founded the Long Range Planning Committee about 10 years ago. Its job is to look out. The RFP and the proposal that we put out are very much a product of working with the RTM and its committees over many months and years. We also want to engage the public. As I've said repeatedly, the project cannot go forward unless it has public support. It's not going to have 100 percent but I hope it will have overwhelming support and we've tweaked it as we went along. There is much confusion out there about what the project involves. We'll clear that up tonight. I'm very excited about this and I know that many people in this room are excited, as well. So many people have asked me and asked Shelly Kassen and others over the years, 'When is this going to happen?' I think we are closer than ever and, with the RTM's help, I think we're going to get there. Only the First Selectman in the Town of Westport has the authority to bring any action pertaining to town-owned land. This ranges from purchase, to sale and any uses of the land. Our vision of Baron's South is focused on mixed income rental housing for seniors. We got this way, as you'll hear from the history, after long study of what other uses this property could be put to. We are looking for an independent living facility with services readily available and accessible through an on-site coordinator and paid for only as needed. Over the years that this initiative has been refined, the focus has remained the same. Why? Because that is where the need is. We will review this again over the course of the presentation this evening. As First Selectman, it is my responsibility to look at using the land for its best purposes. I believe truly that it is to fulfill the need to create an expanded housing option for our growing senior population. I'm thrilled that we have the opportunity. I want to keep seniors in town who otherwise would go elsewhere. Where are we now and what are we hoping to come out of this meeting? The Baron's South Committee has recommended a proposal from Jonathan Rose Companies to fulfill this vision. Details would be explained later. The committee brought its recommendation to me and I, in turn, brought it to the Board of Finance. We were asked to reset the process by them, push the reset button because the financial return, solid as it is, was deemed insufficient by the Board of Finance. The Board of Finance which has stated that it is unanimous in its support for senior housing on Baron's South wants to see a better financial return and this may come from lowering the 60 percent affordability which is in the text amendment; this is the threshold. The Baron's South Committee has recommended to me in the past week that we

reissue the RFP with a significantly lower the affordable component. I'm absolutely willing to do this to keep the vision of mixed income rental housing for seniors alive. I know that, even with less affordability, these units will be full. We will look toward maximizing the financial return to the Town while retaining as many affordable units as possible. Even though we're planning to rebid this project, tonight we will go through the process and review the proposals we received in the first round with you. In fact, the developers behind the proposals, as Hadley said, will introduce themselves to you. We are doing this so as to better explain the vision we have for mixed income rental housing and to add to the understanding of the community of what we are trying to have built there. We would like affirmation of this body in some form to move ahead with this vision for mixed income rental housing for seniors. Setting the clock back to revisit the uses of the property as some have suggested will result in the property remaining, pardon the pun, barren on Baron's South. We have the opportunity now to fulfill an important need on the property. Let's not lose it. We plan to meet with the Board of Finance on Wednesday night to review the outcome of this meeting and achieve a consensus on reissue of the RFP. With that, I will turn this over to the committee and Shelly will start off.

Shelly Kassen, Second Selectwoman:

Eileen will be on her way to try to fix the PowerPoint.

I'd like to begin by recognizing Gordon, our First Selectman, Gordon Joseloff, for all his terrific leadership during Sandy. It wasn't easy. I watched it unfold. I want to thank him because he has thanked everyone else, our first responders, our health district, our Human Services Department, all town employees contributed in one way or another toward the response that Westport had. I think we should be proud of that response. Thank you Gordon.

I'm speaking to a blank screen and I'm sorry about that. The question that I'm going to start with is how did we get to this point? So many people in this community seem to have the sense that this proposal came out of nowhere. In fact, the process began in 1998. It's many years as Gordon said. I also want to recognize that over the last couple of years, we have had many new members in the RTM, changes in leadership in our boards and commissions and, in earnest, this process has been in the works for the last five years, at least. Of course, there are many changes in that time. It didn't come from nowhere. In 1998, we purchased Baron's South. For \$7 million, we bought, basically, 23 acres in the middle of town. I was proud to be a Board of Finance member at the time of that decision so I can speak first hand about what we were thinking. The size was terrific, the money was right, the location could not be more central. It is a beautiful piece of property but it also has great challenges topographically. Why did we purchase it? We purchased it to control it. We did not purchase it to sell it. We did not purchase it for its financial return. We purchased it to control it for future municipal uses. We were not sure at that point what those uses might be. Nevertheless, after that purchase which was handily agreed to by the funding

bodies, Diane Farrell, First Selectwoman at the time, established a committee to establish potential municipal uses. The committee came back with the recommendation that the land be banked, that there were enough needs of the town that we didn't need to turn to the Y. There was a lot of discussion about the Y. There continues to be in some quarters, whether we should lease this piece of property to the Y. That was not why we purchased it. We also did not purchase it strictly for open space. While I view open space as a perfectly legitimate municipal use, we did not purchase it for that use alone. We purchased it to control it and for future municipal needs. Flip forward a few years to 2004 and the Senior Center opens. Of course, that took a couple of years to go through the various bodies, the funding bodies and the land use bodies. That, too, was controversial, not a controversial as this but it was controversial. Because I was on the Board of Finance at the time that we questioned; we're taking Federal money here; will too many non-Westporters be here and will Westporters benefit from this, mirrored in the discussion we are having on this project. I don't think there is anyone in this room who would say the Westport Senior Center is not a great asset to this town. It is oversubscribed. It is greatly utilized and it brings great joy to so many seniors in this community and, indeed, some from other communities but we have always prided ourselves in being an open community. So in 2004, the Senior Center opened and we flip forward now to 2007, the Town Plan of Conservation and Development was finalized. Of course, that was in the works for two years before the final version was approved by the Planning and Zoning Commission. The town POCD, as it is known, is looked at as the bible of land use. I want to tell you what some of the goals of the Town Plan of Conservation and Development were. I'm going to paraphrase.

1. A goal of the plan is to seek way to expand the variety of housing choices and options in Westport to help meet the needs of existing and future residents while maintaining the character and integrity of this town.
2. That Westport should continue efforts to help seniors who may not want or need large single family houses to remain in Westport and provide opportunities for others. We were to look to, strategies that they asked us to look at, was to allow for additional multi-family housing opportunities in and near Westport center along and near route one. Smart growth, some would have it. Second, to seek ways to create more housing units with deed restrictions on income through new rental housing units on town-owned property and elsewhere in Westport.

Those are in the POCD. At the same time as the POCD came out, Gordon and I engaged Westin and Sampson Engineers to look specifically at the Baron's South, knowing we had a lot of uses but what would this land be good for. We actually began the process thinking that perhaps we could have a new combined public safety facility on this property, one that would combine fire and police allowing us to perhaps move the police station from its current location to Baron's South, seeing whether the Y could go on Jesup Green. We had a lot of ideas and we had a lot of options we were looking at. When Westin and Sampson came back they said you should focus on housing and you should work with the land. You shouldn't work against it. This was not a good space because of egress and

ingress and the topography to put a public safety facility. Of course, starting from back then, we were mindful of the neighbors and what they could live with because, after all, Baron's South is residential. In 2008, I have the pleasure and the honor of seeking a partner in this endeavor and that is Barbara Butler who you will hear from later. Barbara and I were the core team that moved this project starting back in 2008. Our first pass recognizing the needs of the community was for a blended development of senior housing and workforce housing. It didn't drive us but we were mindful of 830-g. I think most of the RTM were understanding of what the Connecticut General Statutes 830-g are in terms of reaching a goal of 10 percent housing that was deed restricted affordable in order to avoid or avert the entrée of developers who could receive a different view of density other than the one, who could, in common parlance, "zone bust." Westport was around 2.17 percent at that time in true affordable housing. I don't think we've progressed much since that time. I know we hover at about 2.5 percent area and not above it. But that didn't drive us. What drove us was the real need, the need that we could see for workforce and for senior housing. We looked at these two together on that property and we brought that in early meetings to Long Range Planning. Raise your hands. Maybe some of you remember those meetings, blended work force and senior housing. The message that we took home that was very clear to us was to focus on the seniors. The Senior Center is there. If the goal is to bring subsidy in the form of housing to the town employees, we're really not interested. This was 2008 so think about what was happening to the economy and jobs in the community. Think about the people on the RTM and others in the community who did not have job security. So, we got the message. We said we are going to go back and focus on senior housing, mixed income senior rental housing on the Baron's. If I could put a slide up here, I really wish I could, I was listing 15 individuals who Barbara and I turned to early on to help us. We knew we had a concept but we were smart enough to know that we didn't know a whole lot. We didn't know a whole lot really about 830-g and moratorium points work; we didn't know a whole lot about independent living facilities; we sure didn't know about skilled nursing facilities; we didn't know a whole lot. This entire presentation will be on the Baron's South website. We wanted to save paper so we didn't print it out in its entirety. These were individuals who later on in the process when it came before P&Z for concept approval came with us. We were transparent and open about them from the very beginning, one of whom was Rick Redniss. I have to say I have a feeling, just a feeling that his name will come up later on in the conversation. I was proud that Rick agreed to work when Barbara and I asked him to because he is a national expert in zoning. He has done a lot of wonderful things in this town. When you look at Hales Court; you look at a whole host of projects in this town, Rick assisted in them. Barbara and I and the team have nothing to hide about Rick. On the contrary, we're proud that he worked with us. Moreover, we did not spend a dime. From the beginning, we said that we would not spend a dime of taxpayer money in preparing the concept, developing a proposal, building this project, operating this project in any way. Anyone that Barbara and I turned to we said, please help us. There will be a committee formed later on

whose job it will be to review the bids on this project. This project will be opened for all. So we took it. We learned a lot. We learned enough to develop a request for the conceptual use for this property known as Baron's South. We brought it in kind of an innovative way to the P&Z in the form of an 8-24. What we were asking, what we were looking for at that point was a green light. We said to the P&Z that we're going down the Post Road. We know that we are going through a lot of lights. If you give us a red light and say that you see this property as only open space, then we are going to go away. If you say, we don't want anything other than the Y, we're still going to go away. But, if you give us a green light and you like the concept we're going to take it further. We disclosed as I mentioned before back then who had helped us and, in fact, those individuals answered P&Z questions ranging on a whole host of topics. We got our approval 6-0 and here are some of the key points that came out in November 2010:

1. The approval of firms the community needs for affordable senior housing.
2. The commission finds that town owned land should be used to meet town needs and a balance should be sought between competing town needs.
3. The commission recommends that future development of the land should allow preservation and enhancement of as much open space as possible.

We took those recommendations seriously as we proceeded.

In March 2011, the First Selectman formed the Baron's South Committee whose mission was to assist the First Selectman in accomplishing the vision of a senior living community on Baron's South. We could not have been more honored to have as its chairs Steve Daniels and Marty Hahuth. Again, I really wish I had the PowerPoint up here because as RTM member Eileen Flug said, it is a blue chip committee. I'm just going to say their names. Many of you know who they are. Beyond Steve and Marty, Ken Bernhard, an attorney in town with too much community activism to list, The Reverend Ed Horne from the Westport /Weston United Methodist Church, Jo Fuchs Luscombe, five term Representative in the Connecticut State House of Representatives, Sharon Rosen, M. A. and Ph. D. in health psychology and elder care lawyer, Dr. Yvonne Senturia who is a fellow in the American Academy of Pediatrics, a retired pediatrician and epidemiologist, John Thompson, a New York Certified CPA and member of the bar, formerly with KPMG and Paul Van Orden, a retired executive Vice President with GE. It is a stellar group who entered with no bias. We have gone through this before and executed their mission with no bias. In May 2011, we brought text amendment 625 to the P&Z. The purpose of the text amendment was for bidders, developers, to come in and to know that they weren't taking an enormous risk, that the town had changed the density of this residential property to allow for multi-family housing units. We got that density and we got the ability to subdivide the property, both of which enhanced the flexibility of this land making the RFP and the plan that would come more flexible. We also received some constraints. One constraint was the amount of affordable units. The text amendment read, "No less than 60 percent of any independent living facility unit with zoning certificates of compliance" so no less than 60 percent affordable and the other part that was a constraint was that 35 percent of the independent living units had to be built before anything else could happen on the property. That text amendment was

appealed to the RTM in June 2011. I think it was a two-night meeting and it was a pretty rigorous debate. The result of that text amendment appeal was that it was upheld 25-4. We took that as a pretty good sign that the RTM was with us on this project and the RTM truly understood the need for mixed income senior rental housing. With that, the RFP process was off and running. I invite Steve Daniels up. I think we will give it another shot to get the PowerPoint working.

Steve Daniels, Co-chair of the Baron's South Committee:

Since 2002, I have been involved with pursuit of affordable housing in Westport, initially at the request of Diane Farrell. I am surprised and elated with the fact that we have gotten to the point that there is actually a proposal on the table. The committee was put together and I have to say that one of us was a health care expert but the fervor in the room as we approached this project was extraordinary. The need is great. The time is right and I hope that everybody will give our proposal a very fair evaluation. We started out researching best practices, trends and benefits of having affordable housing in Westport. We toured 17 senior living facilities in Connecticut, Massachusetts and Pennsylvania. They included skilled nursing facilities, independent living facilities; they included in some cases, some new concepts that had never been tried before but had been done successfully in Massachusetts. These are some of the places we visited. From that we gleaned several things. Number one, seniors are more and more independent each and every growing year, independent in the things that were of interest and independent in terms of decisions they were going to make and they were leaving home as late as possible. What that meant is that if we were going to develop the RFP to satisfy those needs, it had to be something where the choices were theirs, places that they like to live, in the community in which they had their physicians, their families, their restaurants, things of interest. Those were the important things for them. In order to achieve that, we had to take the things that we learned and incorporate those with the guidelines of the 8-24 and the text amendment. We didn't do that alone. We developed the RFP with the assistance of the Town Attorney, with the assistance of the subcommittees of the RTM which included Long Range Planning and P&Z, with the assistance of the Architectural Review Board. Over September and October and November 2011, there were nine revisions of our RFP, all based on the input of those bodies. The RFP was finally released Dec. 8, 2011 with a deadline for its return March 30 of 2012. What were the essential elements of the RFP?

1. One hundred mixed income rental units
2. Must conform to the text amendment
3. Unbundled services with a coordinator
4. Financial return to the Town
5. Long term lease
6. Universal design, by that we meant the entire building could accommodate up to and including people with wheelchairs
7. informal gathering spaces, Why? Because we wanted each of the seniors out of the apartment and into the community in which they now reside. Informal gathering spaces is not the one community room but it may be a



little area at the end of the corridor where they can sit down and have a conversation, have tea or coffee, play cards and do the things that would make them comfortable where they live.

8. We also said there had to be a community room totally outfitted to be converted to a full service kitchen. What I mean by that, although we wouldn't start out by serving meals, in the future, to be able to accommodate serving meals on a singular basis or what the residents insist upon. That's an important point when you think in terms of your own kitchens and you think what you put in it. A commercial kitchen is very, very different. When you say to a developer this has to be incorporated so it is easily converted, that's an expense but it is something we insisted upon.

On Jan. 11, 2012, we held informal information sessions for potential bidders. They asked questions to make sure we had clarity in terms of the things that we wanted and the things that were important to us. In January and February, we conducted tours of the grounds of Baron's South including the Westport Center for Senior Activities. We insisted that there must be synergies between the Senior Center and the residences that they were building. So, each of the builders made sure that they went and interviews to see how they could augment whatever that center offered into their program. On March 30, we received three proposals: one from Jonathan Rose Companies, one from Becker and Becker and one from Westport Capital Partners. Interesting to note that they had done their homework. If you notice here, for construction, Suffolk Construction was the first choice of both Becker and Becker and Affirmative Hillspoint. From a property management standpoint, Jonathan Rose and Becker and Becker both chose Winn Residential. From an architect standpoint, Perkins Eastman was chosen by Jonathan Rose and Affirmative Hillspoint. I'll tell you that Bruce Becker is his own architect. The only time there was a difference was the service coordinator. That's an important point. We divided the proposals among our team. A group of two had to have intimate knowledge of each proposal and bring back questions to our total committee which we would then go forth and ask of each bidder. That was the way we decided to do it. Two submissions very much adhered to the guidelines of the RFP. One had major deviations. That was fine because we still had to interview the developers. On May 4, 11, and 18, we brought individual bidders in to give a presentation, for Q & A and an in depth analysis of their proposal. In many instances they resolved or answered some of our questions and they raised as many questions as they answered. We gave them a list of questions and things to be resolved and asked that they respond back to us in writing. At the end of May, parts of June, we received those responses. We analyzed them carefully and then made some decisions. In the case of Becker and Becker and Jonathan Rose, we scheduled site visits. In the case of Affirmative Hillspoint, we decided that the deviations were far too numerous for us to continue. Here are some of those: We asked for 100 units. We got 220. We were told we could not begin to have any of the skilled nursing beds in the project until 35 percent of the residences were occupied. They proposed building it

simultaneously. They proposed a buy in of between \$400,000 and almost \$900,000 as entrance fees into the property. When we looked at the monthly fees, they came to \$6,000 plus; although, rent was clearly part of that. They had 14 percent affordable and they had another 40 units that had \$400,000 buy in that we believe does not allow it to be considered to be affordable. They bundled the services and they had limited experience as far as we could tell in terms of being a CCRC operator. They used the entire campus although we twice asked for their entrance fee refund policy, we still do not know it. With that in mind, we decided to go ahead and proceed with site visits and also to review the financing of the property, the timetable of its completion and the return on investment with Becker and Becker and Jonathan Rose. That grew intense. Here we are talking about all the things we thought had to be incorporated into the final building. In one case, we insisted on the location of the building being changed; we eliminated studios which were part of one proposal; we increased parking which we thought was inadequate; we insisted on a greater return on investment than initially proposed. In the end, Becker and Becker had the lowest return on investment, was the most limited in terms of building affordable housing and had a significant dependence on grants. That is significant because what that would have meant was a longer period before there could be a spade in the ground. That conclusion and looking back at Hillspoint and deciding that we didn't want to proceed with that, we decided that it made sense to recommend Jonathan Rose as a successful bidder. What is in the Jonathan Rose proposal that makes it the right bid for Westport.? First, they had the greatest return on investment. During the time when we were going through the approval process, before we can begin to put a spade in the ground, they were giving us \$500,000 up front. Once the building became operational, they were giving us \$250,000 annually. I want you to keep in mind that there are 60 percent affordable housing units in this proposal. He made the largest personal investment in construction. We talked to officials in New York and officials in the State of Connecticut all who had glowing reviews of his ability to obtain state financing to build very fine buildings. He also had the most experience in developing affordable housing. What do we get? Ninety-nine mixed income units, 59 of which are affordable, unbundled services, and I'll go back to what seniors want, they don't want to be told what services they need. They want to make their own selection; a full-time wellness coordinator, a part time activities coordinator, and it does not use the entire campus. Fifty-nine affordable one bedroom units will rent for on average around \$1084. We haven't built them yet so we don't know the actual construction costs but they will be around that neighborhood. Twenty-four market rate one bedroom units will rent for around \$2,200 and 16 two bedroom market rate units will rent for about \$2,800. The full-time wellness coordinator will do health care planning, home care, partner with the Department of Health Services to offer services to not only the residents of this facility but to the entire Westport community. Transportation services which includes a shuttle bus that goes to Town Hall and through downtown and coordination with things like ITN for doctors visits and any of the things that the residents need. The part-time Activities Coordinator will be responsible for developing and coordinating all social activities and coordinating

with the Westport Senior Center with any activities they have or, better yet, with any of the activities that the residents of this facility will have that they can share. The synergies should be of great significance. Finally, the part-time activities coordinator will coordinate any activities involving the community room and kitchen both of which will be open to the Westport community at large.

Marty Hauhuth, Co-Chair of the Baron's South Committee:

I am proud to serve with the fine people you've seen listed.

Jonathan Rose Companies' proposal is a great partner for Westport. This is a company that has tremendous experience in this field developing this kind of housing. They have a remarkable depth of management team. They have demonstrated success in getting this kind of project funded. They are, and if you are all familiar with it, affordable housing law is difficult and convoluted, they are experts in affordable housing law and taught us a lot when they spoke with us.

The last bullet is the most important one to me and to the committee because when we saw that Jonathan Rose doesn't feel that he builds buildings or builds apartment complexes, but that what he does is he creates communities, we knew we had found somebody who had the same values as we did. This is a community of people who want to be in our town and want to be together. This is important. There is, and Barbara will talk about this in a minute, there is a proven and critical need for mixed income housing designed for seniors to age in place with unbundled services choosing the services they need and the service provider that they want. This is a downtown location. Our most recent Town Plan of Development talks a lot about encouraging people living downtown so that you have a mixed use center. This will provide people the opportunity to walk to CVS, to Trader Joe's, Gold's, downtown. It is immediately adjacent to the Senior Center. It is important to keep people moving and important for the town to have people walking in our center. So, this proposal vitalizes our community and vitalizes the seniors who will be living there. The location leverages the Center for Senior Activities, a wonderful facility, well-used but this will bring even more return on investment because you will have a group of people coming to use it. It will allow seniors to access services and programs there more easily and more often. This is a map of the facility as it is cited on the property. What you see here is the Senior Center, the buildings we propose and you will see that they do not use all of the property. There are several spaces that are available for future use. This proposal leaves acres available for other uses. It leaves decisions for the future for future administrations, even for future generations. So, the community can continue to decide how to use this beautiful property in the best interest of the citizens. Right now, it provides for open space in addition to the housing. We could provide even more open space in the future by leaving undeveloped spaces. We could decide to build additional housing on this property. We could build a skilled nursing facility or if we really wanted to optimize revenue, we could sell some pieces of property. Having this community based in this particular location allows people to be together and compare their experiences. So, it provides efficiencies in care of seniors. People talk. People sit and have a cup of coffee and talk about their lives, talk about good service

providers, their experience with others. They can learn what really works best for them. Transportation services are more efficient because they can pick up groups of people. There is a service coordinator who will work closely with Town departments so that we can provide efficiencies of service there. Certainly, the efficiency of working with perhaps our most at risk population during natural disasters, we've all had that experience and how wonderful it would have been to have so many of these seniors who needed help and assistance to be this close to the Senior Center and to the services that would have come to help them. Jonathan will repair and maintain the roads and walking trails on the property providing passive open space but which will not preclude future uses. The result is there is not cost to the town. There are no increased taxes. There are no town subsidies. Our goal, from the beginning, is to meet a critical community need and provide a fair financial return to the town. We focused on that throughout our deliberations. The Jonathan Rose proposal provides considerable revenue to the town, \$500,000 up front and \$250,000 per year escalating annually with the mill rate. I know the Board of Finance and some others don't think that this is enough revenue but it's sure a lot more revenue than we are seeing now which is nothing from a piece of property that is lying barren and is largely unmaintained. This is not a simple dollar and cents decision. How can you quantify our commitment to seniors, the benefits of keeping them here active and contributing to our community. How do you quantify the value of the Senior Center, the high school, the library, Longshore, Compo? Westport has always been a town that cared about its kids, its families, and people who need a little help to live their lives in dignity. This is a chance to help people who have contributed years of time and taxes to Westport stay in a community they love. There is not metric that measures that. There are metrics, however, that can measure need and Barbara Butler can tell you about those.

Barbara Butler, Human Services Director:

There have been some questions about how much Westport really needs senior housing so I thought I would give you a few statistics. The Municipal Agent Report is a report our department files annually with the state about senior needs in our community and the Municipal Agent Report for 2011-2012 stated 83 unduplicated requests for assistance in finding affordable and appropriate housing; the Center for Senior Activities logged another 142 requests, a total of 225 requests in our department. The 211 Infoline reported 22 calls from Westport seniors looking for help in finding affordable housing and the Westport Housing Authority's waitlists for its various properties have 51 Westport seniors on their waiting list. So, our total senior requests for 2011-12 is just under 300. Another way to look at this is our department currently serves 670 seniors in households with ages 60 + and approximately 250 of these households would meet the 830-g affordability income guidelines which is in the neighborhood of \$50,000 per year. As Steve mentioned, the approximately \$1,000/month rent for an affordable unit, the rents are dependent as a percentage of your income and the income is dependent on the median income for the area. So, we can only give you approximate numbers right now. In addition to the 250 who would meet the 830-g

affordability income, we have another 300 + in the 670 senior households who are above the affordability income but not wealthy enough to afford an expensive condominium. I think that's important because we are throwing around terms like affordability and mixed income but I think what our vision is is a mixed income facility that would allow for people who have a little bit higher incomes to qualify also. So, our specific request for housing assistance was 225. Our Claritas data which was collected in 2010 for the update of the tax relief program and, at that point, two years ago, they projected 856 senior households in 2014 with incomes less than \$50,000. So, all of those numbers are really just to say, however you count the senior households in this town, there are many more who would qualify for this housing than the units that are proposed. There is also a need for housing choices. There is an overall shortage of rental housing in Westport regardless of your age or income. The only rental housing affordable for low and moderate income residents is the Housing Authority stock which has wait lists of 282 households, 51 of whom are seniors and the Saugatuck on Bridge Street which is a 36 unit cooperative for moderate income seniors. There is no housing at any price that is designed for aging in place that is housing using universal design. Universal design is a design that is adaptable as people age and illness may require wheelchair accessibility, for example. There now also are many community resources offering services to help seniors stay in their homes, home health care, companions but the homes that people live in are not easily adaptable to accommodate their changing needs. Who are the people behind these numbers? They are, for the most part, long time Westport residents, usually in their mid to late 70s or 80s. They are retirees living on Social security and modest pensions, usually having been one income households. As one of our Westport residents said in a couple of meetings that we've had, he was an advertising guy. He made \$70,000 a year in his day. In those days, that was a good income. He now has a modest pension but he doesn't have a huge savings account or investments that he can live on for the rest of his life. They are also artists, teachers, writers, therapists, advertising copywriters and account executives, business people, college professors. They are all of us. They are our friends and neighbors. Why do they want and need this housing? Their houses have become a burden. The cost of repairs and routine maintenance is more than their incomes can support and they are often borrowing against the house for things like a new roof or furnace. There is a serious medical need that is draining resources to pay for care and the house can't accommodate the sick spouses mobility needs. A spouse has died and now there is only one Social Security check, not enough to cover expenses or simply because they raised their families here, have friends here and want to grow old near these people they love. We also have a demographic imperative. These figures come from the Connecticut Commission on Aging. We are a state and nation growing older at unprecedented rate. In Connecticut, there are approximately one million baby boomers which is 1/3 of Connecticut's population. The Connecticut 65+ population is expected to increase 65 percent from 2006 to 2030. People are choosing overwhelmingly to stay in their homes and communities as they age. This demographic change will affect housing, economic development,

healthcare, transportation, community support systems and civic engagement. What kind of community are we? I think we are a community that recognizes the intrinsic value of keeping our older residents here where they continue to contribute as well as enjoy the community they helped build. I think we respect the common good, a community supports the well-being of all its citizens regardless of age. I couldn't resist a couple of lessons from storm Sandy. One is the value of having our seniors in a central location where it is easy to support them and keep them safe during an emergency. Another is recognizing as we did that a couple of weeks ago, the benefit of companionship and social interaction, good food, people who care about your health and safety especially during difficult times and most important, I think, is the recognition for all of us that we are a community that cares for each other. This last lesson is not new. In my 23 years as Human Services Director in this town, this has been my experience over and over again whether it's a recession or a hurricane or a fire. We have many generous spirited citizens who are generous in giving of their time and resources to improve the lives of their neighbors whether these are neighbors next door or down the street or New York, New Orleans or Chicago. I would conclude by saying that I think we have a vision and an opportunity. All my experience over the last 23 years and particularly in the last three or four years as we have done the research for this proposal, all of this has led me to believe that this is the right vision for our future. We have an opportunity to do something wonderful, to build a community for our older residents can thrive and continue to enrich our lives. I hope that you, the RTM, will support this proposal, support the work that has been done to bring us to this point. It has been a privilege to work with Shelly and with Gordon and the Baron's South Committee. I believe that the committee listened to the community and crafted an RFP based on that input. It thoroughly and carefully reviewed the bids that they received and recommended the developer they felt best able to deliver this model. Now, it comes back to the community represented by you to refine the details so that we can build a senior living community to make us all proud.

Mr. Rose:

Now we are going to hear from the three people who responded to the RFP. We will start with Marshall Breines.

Marshall Breines with Jim Eagan, Partners in Affirmative Hillspoint, 90 Post Road West:

Our business is development of senior living facilities. We thank the RTM for having us here tonight to be able to provide some information about our proposal. It is our intent to try to stay to the 10 minutes and to highlight the things that are different about our proposal. We will provide specific responses that we made to what were the core objectives of the RFP which were not discussed in the earlier presentation. We also found out tonight for the first time, on one page, the reasons that our proposal was not considered beyond a certain point. During our presentation there are many points that will illustrate where those points were

inaccurate or provide the proper information that the committee said they didn't have.

Mr. Eagan:

I will quickly address the project team. Affirmative Hillspoint, our firm is a real estate development firm. We specialize in planning, development and financing of senior housing, specifically continuing care retirement communities for both non-profits and for profit owners around the country. These projects combine elements of residential living with hospitality type amenities, health care services, usually in an environment and many times in a mixed use setting that will provide access to retail and other amenities. Marshall and I collectively have over 70 years experience in senior housing, health care management, real estate development and project financing. Westport Capital Partners, our financial partner, they are a \$1.3 billion discretionary equity capital fund. They are heavily invested in senior living having put over \$400 million into 46 properties across the country. Continuing Care Management will be our operator. They are a wholly owned subsidiary of the Solomon Health System out of Westborough Massachusetts. Solomon is a fantastic company. They are a family owned business that has been in operation for 60 years. They operate six campuses in Massachusetts as well as providing assisted living, skilled nursing, memory support, and adult day care, home health and hospice throughout the region. They also manage 30 55 and older condominium communities, a tremendous amount of experience. Of course, Suffolk Construction, which was mentioned earlier is our builder. They are our builder in Annapolis Maryland. We are doing a major project. They have over 1,100 professionals. Almost everybody in the building is LEED certified. They are, in my opinion, the best construction company in the country. Their experience in senior housing is unprecedented. They have constructed over 70 facilities to date.

Mr. Breines:

Briefly, our proposal has three major elements. It is a Continuing Care Retirement Community of 220 independent living units ranging from 805 to 1,610 square feet. It also includes a 48 bed healthcare facility which includes skilled nursing care, assisted living, rehab and memory support. This is the ultimate in aging in place. This is more than just a design of a facility that can accommodate people's needs as they change. It also provides services of health care at no additional cost. The people who live here can transition from independent living to home care services to any form of nursing service as their needs may change. It is a refundable entrance fee model. The slide that was up earlier did correctly say from \$400,000 to \$850,000 entrance fee. It is 90 percent refundable. At those levels, there is a 75 percent and 25 percent refundable program. As the refundability is lower, the buy-in is lower so the numbers that were quoted were the highest of all the numbers. The affordability factor, we are offering 70 affordable units, 30 of which, there are no entrance fees and 40 with a cap of an entrance fee of \$400,000. There was a slide that was put up earlier which said, 'who are the people who would be served in this project?' The first thing that it

said, it was a homeowner who can't any longer maintain a house. There isn't a home in Westport, as small as it may be, that is less than \$400,000 so that the concept is for the person who is a homeowner, it would be generally the sale of that home that would provide the funds for the buy in. The monthly fees which were quoted were wrong. They do go as high as \$6,000 in the largest unit which is 1,600 square feet for a couple. They start at slightly under \$3,000. The services that are included in those is the health care, meals, all utilities, cable; there is a whole list of services provided. What is important in our proposal is that the 70 units will be able to be rent subsidized so the occupants do not pay more than 30 percent of their income. The balance is made up through a scholarship program. We are proposing to pay \$1.250 million to the town for the ground rent for the ground rent for the property and a budget of \$1.018 million for real estate taxes. From that \$2.5 million, we calculate about \$800,000 would be used to make the subsidy on monthly fees. Thirty units would be made available to people who are not homeowners with no ability to make a deposit. Forty units would be available at a discounted entrance fee, sized to be the most modest home in Westport. Their monthly fees would be 30 percent of their income with 50 of the 70 units able to accommodate people of zero income to 55 percent of median income and 20 units for people between 55 to 75 percent of median income. Those are the salient points of our proposal. We are next going to go into how our proposal responds to the core objectives of the RFP.

Mr. Eagan:

One of the core objectives was for the community seniors to live with a maximum level of independence, thereby allowing residents to age in place and offering residents who require little or no care the opportunity to live alongside residents who require increasing levels in care. The CCRC is the ultimate form of aging in place because it provides onsite health care facility services at little or no extra charge coupled with in home support for those who need minimum through extensive services. For just housing, the coordination of health services through a coordinator, to me, means home health. Home health can cost \$50 to \$90/hour for services. Included in the CCRC model are those services. Both market rate and scholarship residents will have the same sized units, the same finish. They will be scattered throughout the building. No one will know who is a scholarship resident and who isn't. It will provide for all income levels. Another need was to increase the available inventory of below market rate housing and enhance the type of housing choices available to Westport seniors. Our proposal offers the opportunity to both increase availability of below market senior housing and enhance the types of housing choices to Westport seniors of all income levels. Here we have something for everyone. The proposed scholarship program allows the Town of Westport to establish eligibility requirements that dedicate 100 percent resources to Westporters and their families. Because we are not using any federal or state funding or tax credits, there is no mandate for advertising to draw people from outside the local area. Through our scholarship program, 100 percent of the affordable units will go to Westport residents. There are significant numbers of Westport residents now, because they don't have a



CCRC here who are at Edge Hill, Meadow Ridge, 3030 Park or they go to other parts of the country. The third was meet a growing community need for skilled nursing beds for short-term rehabilitation and long-term care including advanced dementia and hospice care. This was a phase two objective which we incorporated because the CCRC is all encompassing as part of just one phase. Right now, there has been a moratorium and there has been for years on providing new nursing beds. The one exception is that you can do it with a CCRC. In the future, how Westport will provide new nursing beds on this campus remains to be seen. Another concept I want to throw out is that in 2008, the state of Connecticut passed legislation for a CCRC without walls. We fully intend on having home and community based services. Continuing Care Management provides all those services including hospice care including hospice care and would do the same down here. We never got to discuss that much with the committee but there is a real opportunity here to create a CCRC without walls and be able to charge lower entrance fees and service people while still in their home but have access to the assisted living and skilled nursing at this facility.

Mr. Breines:

This is the proposed site plan. This is the main CCRC building that includes residences and the health care facility. This is the existing Senior Center. The building is two stories. There is an entrance at grade 50. This is a four story entrance at grade 70. The mansion is at grade 130. The building will be lower than the mansion. These are three 16 unit buildings and these are individual cottages. This is the mansion. We are showing a greenhouse and five acres of botanical gardens to be maintained and open to the public. It would be our intention to donate the operation of that facility. We met with the town Historical Commission. Our plan would be one non-profit organization would take management of that facility and use the facility as an income producing asset. Earlier on, there was a question about the extent of our services. There are two pages of the included services of living in a CCRC, many services replace costs that a person would have living in their own home. So affordable living is more affordable because there are things included like utilities that you don't have to pay for. The revenue is \$100 million over the life of the lease. There were selected quotes from the RFP. One of them is that the RFP does not address phase two; however, the town invites interested parties to include their vision which we did. The second is that the town expects that the proposal will have a good revenue stream. Preference will be given to the proposal that will have the highest revenue stream. Preference will be given to proposals that provide for care and maintenance of the remaining property. How much more care and maintenance can there be than renovating the mansion building, making botanical gardens and donating the assets to a charity. Finally, that's pretty self explanatory. It says the Baron's South Committee reserves the right to change anything, override, to waive informalities or irregularities in the response to the RFP and award the RFP to the proposer that meets the objectives of the town. I appreciate the time. We tried to go through as fast as we can.

Bruce Becker from Becker & Becker:

I am a Westport resident and live down by Compo Beach and was pleased to have Gordon looking out for us with the storm. I have an unusual professional organization which combines design as well as development. Our focus is on housing both affordable housing and market rate housing and senior housing. What I would like to do, first of all, is commend the Town of Westport and also reinforce my pride in the town from seeing the volunteer committee do such an incredibly thorough job in looking at this challenge of bringing senior affordable housing to Westport. My firm has created over 3,000 units of housing in Connecticut and New York and Massachusetts and I don't think I have ever been through a selection process that was as rigorous and thorough and showed so much compassion and respect for the town's interest as the process that I went through. It wasn't the shortest that I have been through. It started almost a year ago and was more protracted than what was normal but I think that was done to be thorough and be sure there were no stones unturned. Even though we weren't the final recommended firm, I fully respect the process. I know Jonathan Rose's firm quite well and respect it and, as a Westport resident, I would feel happy by the process. As a resident, my greater concern is not who is picked for the project but that it goes forward in a timely way. The need is urgent and it is a beautiful piece of land sitting waiting for some senior housing to be developed. I think time is of the essence here. I encourage my own representatives and the town as a whole to realize that there is a cost to not moving things along. Almost a year has already been taken up in the selection process. If the RFP is reissued, I guess I would respond but I don't see any flaws in the process and commend the First Selectman and the team of the Baron's South Committee for their great work. This is an overview of the process which we felt we got a fair shake. I apologize for the fonts here but I'm going to show you some pictures of my work so in case we end up talking again, you'll have some perspective. On the right you'll see a project my firm just completed in New Haven. It is the largest apartment building in the state. It is called 360 State street in downtown New Haven. It has 50 affordable units. It was developed during the depth of the recession. We are proud that we accomplished that. You'll also see some other projects that we have done. There is the Octagon on Roosevelt Island which actually did have some flooding. It has also got 20 percent affordable units. The Marvin, which is the building in the upper left, came about through a similar process that you are going through now where there was publicly available land, an old school, and a need for affordable senior housing and we developed that in partnership with a new non-profit that we formed to create 50 units of affordable senior congregant housing also with an onsite child daycare center. Also we have done supportive housing and regular affordable housing in Bridgeport and Norwich, Connecticut. So, we do have quite a range of experience with housing. It sort of has been my professional focus. Again, I commend Westport for recognizing that this need exists and for marshaling so much effort in trying to address that need. I am translating the fonts. These are pictures of the site. The real strength of the site is that it is close to town and also adjacent to the Senior Center. Our concept was to have connected building and connected to the

Senior Center so it could be fully integrated and left the vast majority of the site open for walking trails and for future use. I know there has been a lot of concern about trying to monetize the value of this site. I should say that pretty much every other affordable housing project I have been involved in with municipal land, the land was donated so there was little expectation of any kind of ongoing return. It is appropriate here because you have to balance values. If the objective is to get the maximum cash flow, you might as well develop condominiums and forget about affordability. But if the purpose is to bring an asset to the community that is affordable to seniors that maintains open space, I would put that low on the list and maximize the qualitative things. Any project that is going to have affordable housing and not have a CCRC because the nursing homes are the cash cow and that changes the equation if the city wants to go that way then it is appropriate to look for significant cash contributions. In the absence of that, affordable senior housing is a matter of bringing in grants and subsidies which is something we do a great deal of. I know that Jonathan Rose has good experience with that as well. I think I don't want to take any more of your time. It is not that dissimilar to the Jonathan Rose concept. We had a combination of one and two bedroom apartments. Sixty percent were affordable and I think would bring the kind of housing option that Westport needs. I think it can be done a number of ways. Thanks for inviting me. It's pretty rare that the runner up get to come in after someone is selected but I appreciate the openness to that. I'm available to share my professional views if I can be of help. As a resident, I'm grateful to be part of this process. Who knows? Maybe someday I'll be living in this building so I want to make sure it goes smoothly.

Jonathan Rose, Jonathan Rose Companies:

I'm very grateful to be here tonight. I thank the RTM and everybody else who is involved, particularly the Baron's South Committee. Our firm does four things. We do development. We develop affordable mixed income housing projects which are all very, very green. As noted earlier, we focus on community development. We have a planning group that works on working with communities so we know a lot about what communities want because we are often working on the side of communities. We work with not-for-profits to help them build community facilities and we have an investment group that particularly focuses on buying and developing housing. This is a shot of a project in Denver, Colorado. This is film night. It is a 27 acre project. It is a whole urban infill village that mixes affordable, green and market rate senior housing, all kinds of housing town houses, single families, etc. We really focus on our projects in just building individual buildings but building communities of those buildings. The firm has a mission which is to repair the fabric of communities while preserving the land around them. So, this site was very, very attractive to us because first of all we see Westport as an extraordinary community. We saw the assets of the Senior Center which was so close by that we could build a relationship with and the beautiful land that we also felt, in addition to our project, could be preserved. We have extensive experience in affordable housing and in senior housing. One of the things that I wanted to point out though is that we have worked in many

communities that are similar to Westport which are high income communities but also have a strong service sector such as Aspen, Colorado; Pleasantville, NY and East Hampton. These are all places with some very, very high home values but there are many people who have worked long and hard lives who do not have a lot of money to retire on. In fact, in the demographics of Westport, we have studied carefully, there are seniors who are working now in managing the stores on Main Street, who work in the health care industry, etc. who cannot afford to long-term stay here. The architect for the project is Perkins Eastman. They are actually the ones who introduced us to this project. When it was going through the planning process, they informed us that this was an opportunity. We had been working with them on other projects in Connecticut. This is some of the work that they have done. They, in fact, were the architects for the Westport Senior Center. This is a vision of our concept. It is a three story building, lower rise. It is for 100 units. We break it up by a series of entrance ways. You'll see gabled roofs to try and have it fit both to feel like a Westport building and have it fit into the land. By the way, it is a challenge to fit 100 units into the site. Here is the site plan. We take up about 28 percent of the overall site for this project. We think that is very important. You'll see our building is in the center. The Senior Center is on the upper part of the slide. What this does is it leaves the town with a lot of future choices. The town could leave it open space. The town could choose to sell some parcels. See the 2.1 acres to the side which is on the Post Road. That could be sold or developed separately. This plan and the way the parcels are set up gives the town a lot of choices. They can fulfill the issues which Steve and Barbara talked about to really create 100 units of affordable and mixed income rental senior housing with a la carte services but also have many, many other options in the future. We were asked to address a potential phase two to think about how a second building would fit on the site, if there was to be a second one. I want to give you a sense of who we are serving. Our goal is, we made it 59 units. The RFP was for 60 percent and we would make that 60 units that is aimed at 50 percent of area's median income. I wanted to give you a sense about who that is because in a previous meeting I felt there was some concern about what was affordable in this area. These are people who are earning about \$48,000 to \$51,000 a year. Those are families that as we heard often, a single person or as seniors, sometimes a couple, and they have some resources but not necessarily enough resources to long-term maintain a home or they would rather be living in rental apartments. The second category is market rate apartments and those rent between \$2,200 and \$2,800 a month. That is another option that we felt and the Baron's South Committee felt was missing from the market. This is just a list of A through R of what was in the RFP. Because I have only 10 minutes, I am not going to go through these in great detail. The point that we were asked to address was how did we fit the RFP requirements. The RFP asked for 100 units and that's what we provided. It asked for 60 percent to be affordable. It asked that they would all be rental. It asked for a reserve area for public recreation which we did. It asked for on-site services but it asked for them to be a la carte. They would not be obligated to the residents so that as the residents aged in place they could enter without the obligation of a

cost but with the opportunity of access to the services since the whole goal was to be affordable. We believe our proposal is extremely compliant with the RFP. I'm going to go to the bottom which is the green/LEED design. We were asked to have a green design. Our firm has only built green buildings. We think it is extremely important. In this particular category of senior affordable and rental, we think it is very important. Seniors are living on lower budgets. It is very likely as we look into the future of the next 30 or 50 or 75 years, that energy prices are going to be rising. We think that buildings that lower the energy costs for their residents is very important. But we also focus, as we focus, on green buildings, very much on health, on individual health. There are many things in contemporary construction that are not good for people's health. That new car smell that you get from paint and carpet and glues, etc. are called volatile organic chemicals. They are not good for you. We build buildings with low VOC's, very healthy materials, healthy for the environment in terms of they are recycled, low energy content but they are also very healthy for the residents. We just completed a project in Stamford Connecticut, very, very green. A family moved in and the mother came to me and said, 'For the first time in months my child is no longer going to the hospital with emergency room calls because of asthma.' This is because she is living in a healthier environment. We know, as seniors age, their immune systems get weaker so this is a very important part of the proposal. The last thing is that our firm only does public private partnerships. We work with communities such as Westport all over Connecticut. Our main office is based in Stamford but also all over the country. This is an iterative process. It is a process in which a community puts out an RFP as Westport did with such careful thought. Earlier tonight, we heard such a wonderfully thought through iterative process which defines its goals. We respond. Sometimes we win. Sometimes we don't. But what we have found is that's not the end of the process, that's the beginning of the process. So, if the RTM or others will affirm our selection, what we pledge is to continue to listen to what your needs are and to make adjustments. If the community would prefer more income versus more affordability, we are happy to address that. We will often will look at dozens of ranges of options within the parameters of what the original concept was to develop a proposal which is a win/win, that meets the greatest needs of the community but is also a financially viable project. We thank you very, very much for having been affirmed to this point. We recognize that the process is still open, that there is much, much more to talk about and work on. We are eager to do that with you. Thank you.

Mr. (Hadley) Rose:

Thank you everybody and thank you to the presenters. We are going to turn to the public now. Just a few guidelines...When you get up, please spell you last name and give your address. Limit yourselves to three minutes please. We have obviously a lot of people here this evening. Try not to be repetitive. You can certainly state your agreement but try not to repeat word for word what someone else has said.

### **Members of the Westport electorate**

Martha Aasen, 31 Ellery Lane:

We'll go from the beginning of the alphabet. My husband and I bought our house and our children moved into Westport in June 1963, 49 years ago. Westport is the town we loved and both of us have been involved in many things in this town for many years. Both of us served on the RTM. The up and down of Westport is that we get involved. We fuss and we fight about the things we believe in, the directions we think the town should go and the projects we feel about strongly. When we moved here in 1963, parents were jumping on the roof at Hillspoint School to see if it would hold up the snow. I have stood before this RTM speaking for Project Return. I have spoken on behalf of the Conservative Synagogue to build on that same Hillspoint Road. This is Westport. Tonight, I want to ask the RTM, our legislative body, to give your most careful consideration to our town using a small part, only four to seven acres, of public land for mixed income rental housing for our senior citizens. We have in Westport, I looked on the town website, a population of 25,749 folks. According to data from the 2010 census, there are 4,226 of us who are 65 or older. That's over 16 percent of our total population. We have 628 over 85. I'm 82. I'll be 83 in January. My husband Larry is in his 90<sup>th</sup> year. Larry and I and most of the senior citizens, we want to stay in Westport. It's a town we love where we have raised our children, taken part in our civic life, our religious life. We have paid our taxes. Now we are proud owners, many of us, of our homes. But many of us, again, are house poor. We live on fixed incomes. We pay our taxes and pay our bills. We do not have a waiting list for those hoping for housing on Baron's South but our Human Services Department does keep a list of people waiting to hear, hoping that they can move there some day and live in reasonably affordable, close to town, comfortable homes on public land which Westport has made available to our citizens. When I last checked that interest list, these are just people who have called up and asked, I see people at the Senior Center every week in my exercise class who ask 'When am I going to be able to sell my house? I can't keep it up.' On that list there were 175 names. Barbara Butler gave us 298 names of people who were interested in this kind of housing. So, tonight, I just want to add my voice to that of many others in support of this housing proposal that has been carefully planned, studied and designed to meet the physical and financial needs of a vital segment of Westport's community. I'm sure that you, the RTM, our elected, selected representatives will give this proposal most careful attention.

Mr. (Hadley) Rose:

One thing I did not mention, if you can avoid applauding or cat calling. It can be intimidating. You can nod. You can smile, but please, no applause.

Mike Stashower, 321 Lansdowne:

For information, I am a member of the Commission for Senior Services. I am not representing them. I am speaking strictly as a senior citizen. I am also a Westport representative on SWRPA. I am not speaking for them; although, they have indicated and shown a need for housing for seniors. I was also on the

Board for the Jewish Home for the Elderly for 18 years. I am still on the Finance Committee. I speak solely as a resident of Westport and not in any capacity. I fully support and the commission has supported previously, the statement that Barbara Butler made previously on what she submitted to the RTM. I am speaking tonight for myself as a senior citizen. I want to express my strong approval for the project. There has been a lot of dedicated and hard work by the bi-partisan Baron's South Committee consisting of community involved individuals, both past and present, including a former Democratic First Selectwoman, two former Republican state representatives and others who have been on many town boards and committees. I do not understand some of the opposition to the project. Some people have stated there is a better use for this land. However, we've owned the Baron's South for almost 15 years. There has been a lot of talk about return on investment of these projects. What has been the return on investment on a cash basis on Baron's South up to now? Zero. If we keep raising questions and delaying and delaying, it will keep doing that. This project does provide some return on investment. In the 15 years, except for the very successful Center for Senior Activities, the land is lying fallow. It is getting more decrepit every year. It's hardly used at all. I would also have to say that with my involvement with SWRPA, I have met with representatives with the seven other towns in the area, every one of them, whenever they see our Senior Center, they tell me it is a really terrific place. So, at least we can be proud of one of the things we have done on Baron's South. Some people seem to be opposed to senior housing itself; however, Westport, as well as all of Connecticut and most of the country has an aging population including many individuals with limited income as has been described today who would like to stay in Westport. While we can't limit this to Westporters, we can give Westporters preference and this project will benefit many of them. To the extent that these are affordable units, under the state statute 830-g definition, this project will help us meet this onerous statute. Some people have objected to the bid process and the many meetings that the committee had in executive session but anyone who has ever been in business knows that evaluating proposals does require privacy and you have to be very careful about that. There are probably other reasons for opposition to the project but I feel most people can answer them. Some people have recommended a new RFP. Apparently the committee has already started that. I am concerned about that. I hope it doesn't delay it in any way. I want to say I fully support the project and hope that the RTM will also.

Julie Belaga, 196 Newtown Turnpike:

I have lived in Westport for well over 40 years. One of my claims to being here tonight is that I served as Chair of the Planning and Zoning Commission for four years back in the 70's. There were some really important concepts that I learned back then that have stood me in good stead all these years. One of them was this extraordinary opportunity for municipal land banking. It is a viable tool for communities. They must be careful not to violate that. We bought this property along with other properties with the idea in mind that emergencies arise and there are opportunities for us to build something that is explicitly for the use of the

community, not for an individual purpose but for the community. There are things like school buildings, transfer stations and fire stations, police headquarters, ball fields, senior center, affordable housing. Those are the things that a land bank is addressing itself to. I will say to you that it was never conceived as a program to give private enterprise an unfettered opportunity to make a buck. It is here to help the community. I have no intention to go into the numbers of people who really qualify for affordable housing or for whom we should be looking to serve. The truth is you wouldn't be here if you didn't understand the enormity of the need that Barbara Butler relates to you. I don't want to go through it again. There is another policy that I learned back in my P&Z days and that was the powerful tool of scale. You want to have a project that is in scale with this community. I think that it is very pivotal to know that whatever you build on town property has a *raison d'être*, that it should be a part of the community and look like the community. Remember when some group proposed a six story building that was going to be a movie theater or something? Everybody in this town knew immediately that it was an inappropriate use of downtown property. It was out of scale. Keep that in mind when you are looking at anything. What is the scale and who are we trying to serve. Actually, the reason I am here has nothing to do with planning. I take you to the world of serendipity. Back in the fall of 2007, I was appointed to a Blue Ribbon Commission on the sustainability of the MTA, the Metropolitan Transit Authority in New York, that has oversight over all the bridges and the railroads. It includes Metro North. I was appointed along with Emil Frankel who was the Commissioner of Transportation under Lowell Weicker. He and I were the two representatives on this commission. It was an amazing commission looking at all the details particularly environmental protection, air quality issues. The reason I'm telling you is, I'm reading all the news about this project that is coming forth here in Westport. (By the way, don't let anyone tell you they never knew what was going on. I could read what was going on. It was very visible.) All of a sudden, I read that one of the finalists is a man named Jonathan Rose. Jonathan Rose was the Chairman of the Commission that I served on for over two years. I will just tell you that this is a man of integrity and intelligence and he brings to every project he builds a real concern and an interest in the environment and the total picture. He said it better than I could but I will tell you if we are so lucky to have this man build our project for us, we should thank our lucky stars

Lynn Graham Goldberg, 10 White Woods Lane:

I think tonight we have seen remarkable people who have given hours and hours of their time to work on the Baron's South Committee. We have heard the history of how this project developed into a proposal and an RFP. We are lucky to live in a community where people unselfishly contribute their time. This makes Westport special. Now we have a tremendous opportunity before us. We have a chance to create something wonderful. We can take a part of an underutilized piece of land and build senior housing near an existing senior center. We can produce much needed affordable and market rate housing. We can create an asset which will generate money for the town, which will open an area which is currently unsafe



for walking and will provide an opportunity for our seniors to remain in Westport. The proposal uses about 1/3 of the property so that the flexibility to do more in the future exists, land that can be further developed if more senior housing is desired, or land that can be sold for income, or land that can be home for mini-golf, bus parking or any number of things. We cannot predict what we will want or need in the future but can be prepared by leaving options open today. So today, using a reputable builder to create the housing is the best use of this portion of Baron's South. The need for more affordable housing is clear. The benefit to seniors, their friends and family is clear. The entire town will be a better town if we can add this asset which will pay back in more than monetary terms. We have a unique opportunity. Let's not delay. Let's start the process now. Please help us, RTM.

Stan Witkow, 5 Foxfire Lane:

I am known as "NIMBY Stan". I am probably more affected by this proposal than anyone else in the room in that I am an emerging senior and if the Hillspoint plan is adopted, I will be sharing a wall with number five Whispering Glade. What I want to talk to you about today is process. This has gone on for quite a long time. When we bought our property 15 years ago, I spoke to the head of Planning and Zoning at the time. She said things take a long time in Westport but you can be assured that the situation will not be as good for you as it is right now. But back to process. It took a long process to get where we are today which has resulted in an RFP that I can reasonably support. What I say to you is that the process established a non-partisan blue ribbon committee that helped to develop an RFP and helped to select a particular plan and particular developer which they recommended. If you go back from that, it reminds me of turning back Simpson-Bowles in a way in that we are starting all over again. For me, that's great. The status quo for me is great but I can live with the proposal. It has gone through the process. The time has come to go forward and build this project as recommended by the blue ribbon panel that has gone along the way that has been proposed. So, turn me not into NIMBY Stan.

Fran Reynolds, 6 Placid Lake Lane (for 50 Years):

I served as Senior Services Coordinator for the town for about 25 years. When I retired, I didn't retire completely. I serve as a board member of the friends of the Center for Senior Activities and a board member for the Visiting Nurse and Hospice of Fairfield County and a board member for Southwestern Connecticut Agency on Aging and a board member of Links Connection for Independent Living and a couple of other organizations focusing on seniors. I really have enjoyed the work that I did before and the opportunities I have now. All of this makes me sure that the housing we're planning is good for our town of Westport. That's why I'm standing here. Thank you for this.

Ken Olsen, 79 Easton Road:

I guess I'm here to speak because I am a developer of affordable housing. One of the people I despise competing against is Jonathan Rose. I haven't competed

against Bruce Becker. I'd probably despise competing against him, as well. We chose not to reply to this RFP for a completely different set of reasons but I can speak to the need in Westport and speak specifically to some of the things I have heard said and read. It is absolutely absurd that this process has not been open. I got involved very early in the process. I tried to help with some basic information. I met with members of the committee early on. I have bid projects in 140 of the 169 communities in Connecticut and none of the processes that I have been involved in, not in Norwalk, not in Stamford, not in Stonington and I can go on and on, mirror the kind of process that went on here. I admire the fact that it was open. I don't see any relationship to the selection of professionals other than the respondent himself. The idea that somebody was picked because they were involved early on, when I come to the town and bid a project, we like to find local knowledge. It helps to have people who know the community and know the community we're working in so the selection of some of the professionals is appropriate because they know the town and work in the town. But I think, most importantly, it is this town's obligation to house its seniors and mostly to house those who cannot otherwise afford to live in this community. It is the town's obligation to use its municipal assets to find ways to house the people who could not otherwise afford to live here any more. The idea that people are going to move here from the outside, I can tell you how difficult it is to get people to move from one building I own three blocks away to another building I own, particularly young people and seniors. They are a very immobile group. So, if this project gets built and I believe it should be built, we will house the people who live here who should be able to continue to live here. Jonathan Rose builds a very high quality project. That's why I hate competing against him and he runs a very professional operation. I think the whole conversation about return on investment other than a return to the community of a community asset is absurd. The idea that there is a measure of finance associated with the return of this property is offensive to me as a resident. I care about fiscal responsibility. We own the land already. That money is long gone, sunk cost as we would say. The opportunity here is to do something that you can't otherwise do on private land. I think, I believe, I know that this is an absolutely an important use and an important use to this town.

Judith Guthman, 42 Terra Nova Circle:

I am a member of the Human Services Commission and I am a co-founder and Co-President of Independent Transportation Network of Coastal Connecticut and I am speaking in representation of none of them. I wanted to say a few of things about this RFP and the decision that was made. We are talking about the citizens who created Westport through supporting and participating in civic matters, through volunteerism, through foresight, creativity and desire to leave future generations of Westporters an increasingly better place to live. It is this group which has created and supported an outstanding school system, an exemplary library, a model recreation center, an arts center and a teeming intellectually stimulating community. It is also these citizens who have supported our town's institutions with their taxes and volunteer participation in order to keep our

interest strong. Serious discussion of the need for senior housing and the development of the plan had begun seven years ago, as you all know. I won't bother you with my details. I have met seniors who are searching for affordable housing in Westport so that they can stay in their community. Many have had to leave already because nothing was available for them. Some have had to take in boarders. Others have chosen to work well into their 70's and beyond in order to stay in the town they love in the place that they had developed ties since their children began school. There are those living on pensions that in no way reflect the realities of today's costs even though they promised continued wealth at the time they were developed. There are also those who are living only on Social Security payments. The history of the development of the Baron's South proposal is known to you. Some have suggested that the process was not as pure as Caesar's wife. I disagree. I hope that you will have heard tonight that such is not the case. I know some of the people on the Baron's South Committee and others by reputation. I know them to be honorable and honest men and women. To suggest otherwise is shameful. They used instructions and parameters given to them by P&Z and that is the plan you have before you. Please do not delay the development of affordable housing for our senior citizens. They are our friends, people who we work with, people we pass on the street every day. They resemble us in all our variety. Someday, we will become them.

Stanley Nayer, 77 Clinton Avenue:

I am Chairman of the Westport Commission for Senior Activities. Our commission has sent a letter of support to the RTM written by a member and long term resident of our commission, Gene Cederbaum:

We now have a chance to do something extraordinary for all of Westport and for our seniors. We did it with Longshore Park. We did it with our library. We did it with our schools and we did it with our Senior Center. We can excel again as a town doing for its citizens by going forward with the Baron's South project.

David Newberg, Punchbowl Drive (26 years):

I have also been privileged to serve as Chairman of the Board of Commissioners of the Westport Housing Authority and rise, of course, to speak in favor of this project, the way it has been developed and in support of all of the honorable people who form a part of this team. Just a couple of things to reflect...

I would never presume to contradict Barbara Butler in anything but I would want to share with the RTM that the numbers reflected on her slide with respect to those people seeking low income housing at Canal Park which is the low income senior portion of the Westport Housing Authority is actually far greater than the numbers there because we have had to close our waiting list. It has been closed for a year. Make no mistake, while I can't give you accurate numbers beyond that, they are not less. There are lots more. That also does not include, I was talking to my staff, we get five calls a day every business day that we are opened, from people seeking housing. A substantial number are senior citizens. Let there be no mistake, 99 units with a substantial number of them affordable is

great. It's barely scratching the surface of that which is required here in Westport. It is not people coming from any place else. As well, I would support and speak in favor of the process as I have come to understand it just a little bit having been through this over the course of a couple of years with Hales Court which is a similar kind of funding, similar kind of financing, a similar kind of process. It takes a long time. It is worth the effort. It is certainly worth the effort for the population here and I echo our friends and neighbors. Make no mistake, it's important to move and to do that now because the shovel in the ground is not going to come next week if you move now. There is lots to do. I simply urge on behalf of all of us, our friends and neighbors. Make no mistake. The need is there. The time is now. I urge all of you to support this to the full extent you are able.

Ellie Lowenstein, 372 Green's Farms Road:

I am a former member of the Planning and Zoning Commission and was on the commission when we passed the regulation for the senior housing that could be built here in Westport. I'm really very happy to have heard the Baron's South Committee and Barbara Butler and the wonderful presentation that they made. Julie Belaga has said that public land should serve the community. Absolutely. That is what it was bought for. Also, I understand we are looking at less affordability, I don't think so. You have heard the statistics. We need affordable housing and moderate housing. I serve on a board of low income housing in Stamford. I have to say, when it was mentioned that there would be a community area where people can get together, how important that is. We have a community room in the project that I am involved with. We have a social worker part-time that works with the residents, gathers them together. That's what's keeping them together, keeping them young. I'm very glad that you have basically have followed the direction of the Planning and Zoning Commission regulation. Thank you very much for the presentation. Please, RTM, give a good recommendation for this.

Ross Burkhardt, 34 Clinton Avenue:

I have lived in this town for 33 years. I have been a member of the Planning and Zoning Commission, also on the Westport Housing Authority and served in a variety of other capacities. I would just like to express my support for the proposal. I am a little disappointed that there is a recommendation that it go back for a rebid. I think that the process that everybody went through, having been one of the people who was brought in very early in the process to talk about the project, I really think that there is a lot of things that the town has gone through before and I feel like in some ways we are repeating some of the discussions that have been going on over the last 10 years. My experience is also in the area of owning and developing affordable housing. I am another one of those who views Jonathan Rose as a competitor. You cannot do better by selecting him as a developer for this project. You do want a developer who will work with you going through all of the phases and who will work to understand what the real needs of the community are. There are going to be things that you are going to have to deal with as you go through the more detailed design phase that you really want

to be able to work very closely with the developer. I think that the team that has been proposed and selected is among the best if not the best that you could go with. I strongly support that we continue forward with this project.

Jonathan Steinberg, 1 Bushy Ridge Road:

I would like to start off by thanking the RTM for holding this hearing tonight. I think we have not only heard the proposals that perhaps the public has not heard before, we have had a chance for a lot of people to weigh in. I think this is the RTM at its best as the people's court where issues can be explored. I think it's perhaps a model we should be using going forward when we have issues of great magnitude for the town that can be contentious in this regard. I think this has been an effective public hearing but we should remember that this is not the beginning of the process. The process has been going on for some time. It's not really that it has been going on but we've had a number of public inputs, we've had any number of opportunities for input from town bodies. The fact that this RFP is as narrow as it is reflects the input from the Planning and Zoning Commission, the Board of Finance, the RTM Long Range Planning Committee. We all weighed in on this. We should not be surprised with the outcomes that come from it. The chosen applicant, among the three, fulfilled the obligations that were in the RFP very closely. We should be pleased that process worked as planned. I find it somewhat ironic that the blue ribbon committee has been chastised for not having an open, fair process. If anything, they bent over backward to observe the integrity of the process which meant for some months they didn't come up for air. Because of that people imputed some sort of conspiracy or evil intent. If anything, they were trying to serve our needs as well as they could. If we are going to talk about a reboot of the RFP, I think we need to be very clear why we are looking at that. If we are really critiquing the process, the process was followed but if it is important enough for the town, then we may want to reconsider it. But we can also be very clear on the other major factor here which is the revenue side. It's fair for us to be talking about this at this point in time. The world has changed. The town's fiscal situation has changed. It's appropriate for it to be a priority in the context of how we use a significant town asset. Having said that, it was built into the RFP. It was discussed as something we should take into consideration. But I find it ironic, again, that we are now making that the pre-eminent factor in our decision process. The chart that I found most compelling from Jonathan Rose was the map of the property and how much property they were proposing to use and the size and location and potential utility of the other pieces of property they were not intending to use. We have the opportunity as a town to continue a dialog that can run parallel with this to look at complementary uses. We can agree that affordable senior housing is good for the community but we can also talk about sale or swap of land on the Post Road. We can talk about the use of valuable land on Imperial Avenue. We can talk about preserving open space and creating passive recreational use. We can have our cake and eat it too. We can have everything. We can have revenue. We can serve our seniors. We can have multi-generational. We can sell land or rent land for revenue generation. We may have all these things. It's a decent piece of

property. We need to stay together as a community to have a conversation even while we're talking about affordable housing. I invite everybody in this town to continue this dialog. We need to be having more meetings of this sort so we talk about things that go beyond affordable housing but please do not stop this process. I'm not in favor of a reboot. I think that we have a good proposal on the table. If that's the decision of the committee and this body and the Board of Finance, so be it. Good things take time and are worth doing in that fashion. I would say, let's have a conversation of how we use all Baron's South as per its original intent for the greater benefit of the community. If we do that, we can all be satisfied; not everybody is going to be perfectly satisfied but we are all going to have something we are going to be proud of with this property.

Jeffrey Mayer, 88 Partrick Road:

I know many of you from having addressed you as a member of the Board of Finance for many years so I thought it might be useful for me to underscore a couple of things which might enter into your deliberations later on. First, I want to underscore that when this property was purchased, it was purchased without conditions. I was there. I was on the Board of Finance that voted for the acquisition. There were many discussion of how to put the property and the buildings to best use. That was a time, you may recall, when we were looking at school buildings, expansion of the library, putting new resources into storage, into combining town and school activities, storage facilities. There were a lot of potential uses that we considered for the various buildings on that property. There were a number of proposals brought forward. None of them made it to the final vote because we were advised by the Towns Attorney that we could not vote with conditions. We had to approve this up or down and make a recommendation to the RTM. So, while there were lots of discussions, the financial viability of this was not part of it. I also want to emphasize that we never discussed getting the best possible value for the property. We never discussed breaking it up. There were some people who said, 'Wouldn't it be nice if we could sell some of it?' but that was never part of the final vote when we decided to buy it for open space. I think that's very important for you to remember. I want to reiterate what Jonathan said a moment ago that it's not all about financial returns. What we were looking for was buying this for town use, the best public use. You have in front of you now a terrific proposal, in my view. Whatever you determine, it is perfectly within the parameters for the use for that property when it was purchased. Let me just address one other factor which could come before you. You might think the Board of Finance view on this matter is conclusive and dispositive. I would urge you to reconsider that. I actually was the foremost advocate of the Charter revision that required that the Board of Finance review dispositions of public property. It was very carefully crafted over many months. The purpose of it was to create transparency in the disposition of our property whether we were to lease it sell it or buy it. We didn't want the First Selectman of our town ever making a decision that could be questioned because of the influence of voters or donors or anybody in or out of town. Prior to this charter revision, the First Selectman could make a decision that would bind the rest of

Westport, could enter into a contract and we would never know what sorts of back table bargainings had taken place. Can't happen. This is the process. The process is not to give the Board of Finance a veto. The process is to have the Board of Finance comment and have it go to the RTM. You folks make that final decision. This is the very transparency that we were after. I think it's marvelous that the Board of Finance expressed its views. When I chaired the Board of Finance for several years, we weighed in on a number of projects. I didn't endear myself to a number of First Selectmen because of strong views about a couple of properties. Sometimes they took our advice. Sometimes they didn't take our advice. The RTM is the ultimate arbiter on these matters. Good luck. You're doing a terrific job. I want to emphasize that I was watching this process as Jonathan has. I have been very concerned about it. I was relieved to hear Ken Olsen talk about the thoroughness of the process because it underscored for me that the process here was extremely comprehensive and far reaching and I think it gives it a lot of credibility.

Mr. (Hadley) Rose:

Before we turn to the RTM, I'll review what the process is. As I indicated earlier, we are not going to take any votes tonight. This was noticed as a special meeting. If we do nothing at all, it is still in the administration's hand. They can go ahead with the current RFP. They can submit a new one if that's what they choose to do. At this point, we are essentially out of it. The options may be, and Ira can correct me if I'm wrong, if, for some reason, the proposal is made to the Board of Finance and the Board of Finance rejects it, it can come back to the RTM and we can overturn them by I believe by a 70 percent vote. If there are changes made in the text amendment or in the map amendment because of changes in the new RFP, it can also be appealed back to us. So, there are not going to be any votes tonight. Nothing we are going to do tonight has anything to do with that. Right now it is in the administration's hands.

### **Members of the RTM**

Matthew Mandell, district 1:

As a matter of professional courtesy for a colleague who is not here tonight, I am reading a letter from John McCarthy of district 9. These are his words and not mine. It's a professional courtesy to help him out and get his concept across.

Dear Fellow RTM Members:

I wish I could be there in person tonight but I am most likely on an airplane flying to San Francisco while Matt is reading this to you. I will be brief. I believe that because the Baron's South Committee did not address certain ethical issues and areas of potential conflict of interest, that it should be disbanded and a new committee made up of elected members of the P&Z, Board of Finance and RTM be appointed by the First Selectman to take over the process. I want to emphasize that I am not accusing any member or members of the committee of benefiting financially from the committee's recommendation. I am accusing them of ignoring some very basic ethical responsibilities that they had as a committee. And saying

that by ignoring these responsibilities, they have lost the public confidence and the legitimacy needed to continue as an appointed town body. As the facts clearly show, a consultant who actively worked for the town to shape the zoning and limit the future use of Baron's South is a member of the Rose Group's winning proposal for use of the Baron's South. Earlier, direction-setting contributions by other members of the Rose Group's winning bid are also troubling. I believe that this type of behavior clearly violates the spirit, if not the letter, of the State of Connecticut Ethics Codes, specifically, the code's discussion of "Side Switching":

A former state official or employee may never represent anyone other than the state regarding a particular matter in which he or she was personally or substantially involved while in state service and in which the state has a substantial interest. This prevents side-switching. Conn. Gen. Stat. §1-84b (a). Page 8 under Lifetime Ban.

I acknowledge that this state statute does not apply to Westport. But applying this concept, which seems to me to be a bedrock principle of government ethics, to Westport and its officials, employees, volunteers and consultants, I believe that the Baron's South Committee should not have considered the Rose Group proposal without first publicly disclosing that there was potential conflict of interest., and getting and publicizing an opinion from an independent ethics committee. A few questions which could have been addressed by such an independent ethics committee include:

1. Could the participation of this consultant as a member of the Rose Group team have deterred other potential bidders from submitting a proposal? Was this a reason why only three bids were received from 30 bid packages requested?
2. Was the consultant chosen by the Rose Group because of benefits it expected to derive from the consultant's material involvement in setting the explicit direction for the development of Baron's South and/or his ongoing relationship with members of town government and members of the Baron's South Committee?
3. What ongoing activities does this consultant have with the Town of Westport and should they have been publicly disclosed by the Baron's South Committee?
4. Could the participation of this consultant as a member of the Rose Group proposal been expected to create the appearance of a conflict of interest which could harm the public's perception of the fairness of the bidding process and town government?

In order to have this matter looked at and reported on in a systematic fashion, I have formally asked that the Town's Internal Auditor to look into the process used by the committee. I understand that the Baron's South Committee may be proposing tonight that it go back out with a new RFP, one with a smaller percentage of affordable units that might bring more money to the town. This would be the wrong thing to do. We need a new set of hands running the process. We need to insure that the public trusts



the process and on a practical level sends the message to potential bidders that the playing field is level. I would like the First Selectman to appoint a committee made up of elected members of the P&Z, Board of Finance and RTM to take over the process. Anything short of this will send the wrong message and have a very negative impact on the overall level of trust people have in our town government.

Sincerely, John McCarthy, RTM District 9.

Again, this is read as a courtesy to my colleague, John McCarthy.

Don Bergmann, district 1:

I have been following this process prior to becoming an RTM member. When I became an RTM member last year, I have been involved in seeing all the developments and attending most of the meetings of the Baron's South Committee. One of the things that came up, a couple of years ago, was the role of the RTM. I presented my view when I was not on the RTM that the RTM should vote on this proposal. I continue to favor that. The way to do that, in my judgment, is through a sense of the meeting resolution. At some point, I will be proposing that there be a sense of the meeting resolution on this proposal. While I say that because I think it's very important in itself, on its own to do that, I think it's very, very important, I also think it's particularly important now because of the position the Board of Finance has taken with respect to this project and their insistence on certain things that I think many of us feel are simply wrong. So, for me, an RTM sense of the meeting resolution, which I assume will be raised at some point at a near term meeting, will also serve an important purpose in that regard to convey the position of the RTM to the Board of Finance. Ultimately, the Board of Finance's role is simply pass upon a lease. They do not approve or disapprove this project. I think, if the RTM is strongly behind it, that will cause them to simply deal with the lease. My guess is if it is a sound lease, they will approve it and I think that is a good thing. Secondly, I have a question for someone in the administration as to the Rose proposal in that it initially contemplated its facility up near the Baron's mansion but then was relocated. I'm pretty sure I know the reason why but I would like to have a little bit of commentary on that proposal and the response to it. The third point I would like to bring up for the future is the importance of, in my judgment, of addressing Baron's South as park space in some context in the context of this proposal. If you go back to read the RFP you will see a lot of references to enhancing the park land, trying to do things to make that park space more usable. I think that's an important thing. I think that is something that the Rose firm should be asked about. What I'm talking about there is some trails, some maintenance and some funding to provide for the Baron's South parklands simply not to be the wasteland that it is. Could someone answer my question about the Rose proposal. By way of background, near the mansion, that was changed, I believe because of discussions by the committee.

Mr. (Jonathan) Rose:

In our discussions with the committee, we had originally located the building near the old mansion because we had thought that was what the town had wanted to do. What the Baron's South Committee said to us is 'Number one, we'd like the building to be closer to the Senior Center so people could walk back and forth' which we actually feel makes a lot of sense. It is much less impactful on the land. It concentrates the development in one area and preserves more open space for future opportunity. That was really a very good suggestion of theirs and we readily accepted that. The second thing, with regard to the open space, in our proposal we have said and I affirm, we have said that it is our responsibility we would maintain all the trails and improve the trails. We think that actually having it left as woods and nature but providing public access is very important. I should just say that there has been mention of future development. In that case, we wouldn't be maintaining trails any more.

Jack Klinge, district 7:

I actually didn't know what to expect tonight. I couldn't be happier. I thought it was a terrific meeting. I almost want to address my comments to the Board of Finance more than to the RTM. I was actually almost appalled at the Board of Finance reaction to the first proposal. It was almost a month ago. Something that came to mind, if I were talking to them now, they had asked where is the support from seniors? You certainly heard it tonight. They were out in force including competitive bidders, all supporting not just the project but chosen contractor. Money. This land was never about money. You've heard it over and over tonight. It was about the betterment of Westport, its citizens and for public. It was never about a return on investment. The pension issue may or may not be affecting the Board of Finance. Westport is bigger than our pension problems. This has nothing to do with that and it can't be held hostage to that problem. One hundred units makes perfectly good sense. It leaves a chance to see how it works, a test market. If we want to expand it later on, it's fine. You want flexibility. It's there. That's why it is an appropriate quantity of units. The RTM, as you know, vetted the RFP and decoupled the nursing care from the housing. That's what the RFP did. The RTM basically said 100 units. We, in a sense, wrote the RFP and it's hard not to say it was the right one after the fact. Lastly, anecdotally, about three and a half years ago, the Rainwater Group from Phoenix who owns 3030 Park and some others in this area came to Westport. We invited him to the Senior Center to a meeting with Gordon and Shelly, myself and some others, Barbara Butler was there. We talked about our ideas. They were very supportive. We asked him why are you here? He replied that he was meeting with the Jewish Home for the Elderly because we consider them the best operators in the area. They are non-profit and that is who we are considering another deal with. This does not need a restart. It needs to get going.

Diane Cady, district 1:

I would just like to say as this unfolds, I hope it will be remembered that dogs are man's best friend. They need to be allowed and not just itty bitty dogs. There is a wonderful American Kennel Club test called "Canine Good Citizen". That could

be run for somebody who wants to come with their dog. The test includes being friendly to other dogs, to being tied to a post and the owner goes out of sight. If the dog doesn't yip and yell for loneliness, that is a very good sign for living with people.

Jonathan Cunitz, district 4:

I am also chair of the RTM Long Range Planning Committee. For a start, I'd like to acknowledge Jack Klinge, the former chairman of the Long Range Planning Committee, who worked extensively on this project and the planning for it. Don stole a little of my thunder. He pre-empted a little of what I was going to say. I was intending to introduce a sense of the meeting motion at the regular RTM meeting tomorrow evening for a vote supporting the selection of the chosen bidder without a rebid. The motion would consider modification of two parameters in the proposal: One, the number of units to be built and two, the percentage of affordable housing. I'd like to hear discussion among the RTM members as to how they feel on these parameters versus the proposal and the P&Z regulations as it now stands. The sole purpose of modifying these parameters would be to generate greater revenue to the town. It's a trade off in terms of what we are giving up to get that greater revenue. Of course, if the parameters are changed, we would have to go to the P&Z to revise the regulations. It is my feeling that the Board of Finance needs to hear a message from the RTM. I understand the Board of Finance members are all over the place when it comes to this proposal. The discussion at our meeting tomorrow night and a sense of the meeting vote would send a message to the Board of Finance. We ultimately need a 70 percent vote to override a decision by the Board of Finance so let's see where the support of RTM stands tomorrow night.

Arthur Ashman, district 7:

Two points that I think are important: I am not so much concerned about the process of who we really chose for this to be done. Let me comment if we needed trails for our dogs and cats, we have Winslow Park across the street. That's not my issue either. I think the main issue is you look at a piece of land that we all own as members of this town and, philosophically, we have to get over the fact that this land, we should get a wonderful return. If this land is for the town and owned by us, we should be very happy to be able provide our elderly and not so much look at return. I think that return is nice but we have to get over the fact that it is a \$24 million property and we should get some return on that. I love a return. Most people I speak to, feel that as the future goes on, the town gets more and more in debt, more spending so they tend to be looking at this piece to make up for that spending. I personally think it's a bad idea.

Wendy Batteau, district 8:

When I was looking at the different proposals a question that kept coming up in my mind was why does the Jonathan Rose proposal contemplate a purchase fee and the others proposal contemplated lease fees. It's just a vocabulary slip. Jonathan Rose is also a lease fee. A question I had, I'm not sure who I can ask:

Is there any different effect on what the town receives when it receives a payment in lieu of taxes versus property taxes? Why would someone opt to give a payment in lieu of taxes?

Ms. Hauhuth:

Payment in lieu of taxes is a mechanism for a non-profits who don't ordinarily pay property taxes to provide payment to the community.

Ms. Batteau: That's an easy answer. Good.

Mr. (Jonathan) Rose:

The town owns the land so it doesn't tax itself. So, we are making a payment in lieu of taxes

Ms. Batteau:

So, I understand the RFP is being redrawn. I understand the part that is being redrawn is lowering the affordable component from 60 to 30 percent. Is that correct?

Ms. Kassen:

We have said publicly and Gordon introduced this, by saying that we have offered the flexibility of going back to the P&Z and changing the parameter within it. We don't want to do that. Don't make a mistake. We don't want to do it but we have offered to do it because we wanted to bring the Board of Finance and the community together to do so. But we are going to listen to the RTM as Dr. Cunitz proposed and we'll regroup and take a measure. What we don't want to do is lose more time. It has taken years to get to this point. You've heard tonight by some seniors and you understand that there are many who don't speak and can't speak for themselves. We don't want to waste any more time. We have offered to be flexible. We have offered to go back to 30 percent because that is the standard for 830-g. Anyone who comes in and does a development in certain areas and has 30 percent affordable, they can then zone bust. We thought that would be fair thing to do. We have been pressured by some members of the Board of Finance to go out and rebid. You heard that publicly. I have been told that maybe even 30 percent may not pass muster. Maybe we should go out and rebid with maybe no affordable units. We don't want to do that. Personally, I think I have made this clear time and time again that I, personally, believe strongly that this is town owned land and it should be used for a town purpose. That purpose, I can't say it as eloquently as people who spoke earlier tonight, the purpose should be to allow those people who want to stay in this town to remain in this town. The land was never purchased for its return, albeit, we are getting a fine return. One thing that was not mentioned earlier, in present value terms, when you take a 75 year lease, you take the payments that Jonathan Rose Companies has said we would get and you escalate them, you add the \$500,000 initial payment, it's not a purchase price, the net present value of that stream of income is more than we paid for the entire piece of property. That's for a portion

of the property that houses the seniors and leaves significant acreage either as open space, future development, or for sale. The net present value from that income stream from Jonathan Rose exceeds the purchase price for the property. So, we don't want to go back for rebid. We think we did pretty well here. Better than I, in my wildest imagination, thought we would. That being said, we could go back for rebid or we could go back and negotiate with the recommended developer and look for maybe adding some units, taking away a few affordable for a better return. We are perfectly willing. That's part of the negotiation process. We would have done it anyhow. But it would be great to have some direction from this body. What should we do? Rebid it or negotiate?

Ms. Batteau:

I would reiterate what Shelly said. I would hate to lose that 30 percent affordable particularly given the statistics that we heard today. Maybe there is even some way we could add units. My final question has to do with the nursing facility. One point that we have heard over and over again is that there are no available nursing beds left in the state, that there can be X nursing home beds and no further. I understand that we can add them now because this is a continuing care facility. If the nursing facility beds are not built simultaneously with the housing facility, does that mean that we would be taking away somebody else's beds? Would we still be able to have those nursing beds because it would be attached to a continuing care facility? Does somebody understand the question I am asking? I am asking about whether or not we would be able to build the nursing care facility as a second stage as per the state's requirements that no new beds be built unless they are attached to a continuing care facility.

Ms. Kassen:

Are you talking about the Jonathan Rose proposal? It would be totally separate to bring a skilled nursing facility in.

Ms. Batteau:

I am just asking if we would be able to bring in those nursing facility beds if they are not built simultaneously.

Ms. Kassen:

We would have the same restrictions. If there is a moratorium and we would want to bring in nursing beds, we would have to take them from somewhere else. This is not a Continuing Care Retirement Community which is apart from the moratorium. There is no moratorium when it applies to a CCRC because those beds are there and designed to service the inhabitants. Perhaps they can serve others but they are designed to serve the inhabitants.

Ms. Batteau: If we build the nursing facility simultaneously with the living?

Ms. Kassen:

It would be the same. No matter what we did. If we want to build an independent living facility and a skilled nursing facility, whether you do it now, 10 years from now, 100 years from now, so long as there is a moratorium, it means that you are taking beds from somewhere else. It's one of the reasons why we said, step back aside from all the things happening with health care industry, Medicare reimbursements and everything else. We said if we want to do something, we want to do it well. We want to do one thing well. We didn't want to get tied up talking about everything else that can happen on the rest of this property. There are many things that can happen on the rest of this property. The point is to fulfill the need we have now, to do it well and to stay focused. Usually, most people know, companies and people that stay focused do pretty well.

Ms. Batteau:

I understand. Building the nursing facility now does not give us any more beds.

Bill Meyer, district 3:

Once again, I'm so proud. We are the panel of last resort. People seem to be afraid to go before the Board of Finance. This is democracy at its best, people coming out and fighting for what they want. This is shared values in Westport. We have the best schools and now we want the best thing for the seniors. Go for it.

Dewey Loselle, district 5:

First, I'd like to thank the committee. I thought the committee did a good job. The committee is what I call the one-percenters of Westport. Those are the one percent of people who do all the work in this town. We know who they are. The other 99 percent kind of observe and go along for the ride. I thank them very much for all their hard work. I have gone to most of the meetings that were open after the review process was finished. I'd like to say that I am in favor of senior housing. I am in favor of senior housing on Baron's South. The question is is this the best deal for senior housing in this town that we can get. I think that this is what the discussion is really going to be about. My comments are different than they would have been since the First Selectman has announced that we would rebid the project. I think that is the right decision. This project has been going on a long time. It's true. Over that time, though, many factors have changed. The economy has changed. Town finances have changed. We have learned about new things about our pensions and OPEB obligations. All these things are factors that need to be considered. That's why I think rebidding and looking at the requirements going forward is a good idea. As a professional consultant working in the public sector myself for many years for KPMG and DeLoitte Consulting, I responded to hundreds of RFP's. Quite often, this same sort of scenario happened where proposals came in. Client looked at the proposals and said that they liked this or that, maybe their requirements were a little off and then they do a rebid. Basically, it becomes a best and final, usually, among the last bidders or finalists which is my best way to go because that gives the people who put the work into the proposals the best chance among themselves and not opening it up

to anyone else. But that is a decision to be made by the committee. I would recommend that and I think that would give us a good result. I guess the final thing I was going to say is if we are going to have a rebid, I think we have to think about who is in charge of the rebid process. I would be an advocate of a super committee. Some people kind of mentioned it a little bit, representatives from P&Z, Board of Finance, RTM and the Baron's South Committee. Then we will be able to build a consensus of what we think the requirements are now that make sense in this environment and take the best of what we saw in those proposals and build a consensus among those bodies who are going to have to approve it rather than going down a path again and having an all or nothing type decision making happen. I think that is the best way to do it. I would be in favor of a new bid with a revised review body.

Ms. Kassen: I'm sorry I just have to respond to that. It sounds like a good idea...

Mr. (Hadley) Rose:

Shelly, I'm sorry. I thought you were responding to a question.

Eileen Flug, district 9: I'd like to invite Shelly Kassen to respond.

Ms. Kassen:

Thank you Dewey for your support. I'd like respond to what seems like a good idea at the time. If we were to propose a super committee of Board of Finance members and P&Z members to review the proposal, those are the same people who have to advocate and vote on the proposals. It's a fundamental bedrock rule of the P&Z that you can't be part... If you trace the history of this, we had wanted Larry Bradley to help put into context our vision of this community and we were told that even the staff can't be part of working with the administration on a proposal when they have to advise a group of elected people on said proposal. So to put people on the committee who would later have to vote on it is a fundamental conflict of interest. We've talked a lot about conflicts of interest. That's why we chose carefully the people on the Baron's South Committee that we have now. They are all former P&Z people or former selectmen or former what have you because we need to keep that separation. We can't have the Planning and Zoning Commission go out and choose a bidder, choose a project and then turn around and vote on it. Ira Bloom our Town Attorney is here. Do I have it right? Absolutely.

Jeff Wieser, district 4:

I think it's hard to say we believe in the committee and then say we've got to change the committee. They are the one percenters. You put all these guys, line them up and if somebody has a lack of ethical problem, somebody else is going to kick them in the knees. I think the committee is great and they should finish their work. If you want affordable housing, if you want senior housing, this is a spot that has been determined over the years that this is where we want to do it. This is a great spot for seniors to do it. It is my business to espouse affordable

housing so I'm biased. I don't have a conflict of interest but my profession informs my decision, my thoughts. The one great thing about this spot is its location. Seniors can walk around. They can get jobs. They can work at CVS, all those things across the street. I personally like the fact that we are keeping some of this space as a land bank. I think that's a good thing. I think it's a good thing that 60 percent is affordable housing. That's something that no other town around here would do. Fair enough, maybe that means that we shouldn't do it either. But no other town around here has supportive housing and we have 25 units of supportive housing in town. No other town has a homeless shelter and we do. Westport does things that other towns don't do. To go back to 30 percent affordable housing here kind of makes this whole grand thing go out the window. I think 60 percent is a noble, good thing to do. It's a great thing to put on a portion of this property because there can be other things that can go on around it. I think if I were on the Board of Finance, I would vote against it. I'm not. I'm on the RTM. I do what I do and I think it's a great thing. I don't think we should go back to the drawing board. I think we should just push forward and go ahead with it.

Mr. (Hadley) Rose:

I'm sorry Ms. Flug. This is actually your second turn. You can't go yet. No good deed goes unpunished, Eileen.

David Floyd, district 4:

I have to start my apologies to Eileen for taking her time. I was one of the people, when I started seeing the process, I was as steamed as anybody. I went to one of the meetings at 10 o'clock in the morning, took time out of work and was told I couldn't sit in on the meeting even though I told them I was an RTM member. That said, I do generally feel it was a fair process. They took everybody's thoughts into consideration. I think, absolutely, one of the worst ideas is to go out on a scattershot approach and put a new RFP together and get a whole bunch of other people. I know, for a fact, what happens is people like Mr. Rose, people like Affirmative Hillspoint say 'These people don't know what they are doing, I'm not going to waste my time. I'm not going to put together a 200 page proposal.' I do think this is about money to a large extent. I think that through the process, it has been a long time. We should not be hemmed in by something that was decided 15 years ago, five years ago, these are the parameters. Now we have some hard numbers to go back and say, look, 60 percent was a great idea, but 30 percent works better. We can get more money. Here's the difference. My suggestion would be, it's obviously up to the committee but my suggestion would be to go back to Affirmative Hillspoint and Jonathan Rose negotiate or get a best and final. I think that we shouldn't stop at 100 units. One of the things I liked about Affirmative Hillspoint was that the 220 units, or a larger number of units, served the seniors better. So, those are my thoughts

Mr. Mandell:

These are my words. The entire concept of doing a redo seems to me was to assuage the Board of Finance. To me, it seems it was more as capitulation to a



body that is only interested in the money aspect. They are the Board of Finance but this is a planning decision for the town where we are supposed to be deciding what we do with the land, not how much we gain from it. I completely reject the concept that the piece of land was bought for us to make a profit from. The piece of land is a piece of town land to be used as we feel. If that is to benefit the community from having some affordable and senior housing then that's what we do regardless of the financial impact. If we can make some money from it, if we can get some offset, then that's all well and good. I am a little disturbed about the pieces that are being set aside that we're not deciding upon now. Mr. Steinberg mentioned that we'll have these other pieces. What will we do with those? Will we be here five or 10 years from now looking at greater development? Mr. Floyd just came up here and said 'I like the Hillspoint concept. It's 220 units.' I have been standing here for eight years on the RTM and prior to that in this town saying we must be wary of overdevelopment. I think here, in terms of this piece of land, 100 units is what the P&Z and the RTM decided upon. We cannot be the Board of Finance looking at it and becoming the developers. We can't be saying 'Let's maximize what we do' because that's what every developer comes to P&Z and says. I want to do this. Look at the amount of money I can make from this. They don't tell us that but that's what they will be doing. We can't look at it the same way. We can't suddenly say that we are looking at 220 units and saying that's a good amount of units for us to make a profit upon. That's my basic concept.. We should be looking at what is good for the community, affordable and senior housing is what we strived for. The RFP that was made was developed initially by the P&Z in making the text amendment. It was vetted by the RTM fully when it was appealed to the RTM and accepted by the RTM. It then went to the Long Range Planning and the P&Z Committees and I remember an evening with Mr. Klinge co-chairing a meeting and my taking an email from Jonathan Cunitz because he couldn't be there. We spent about three hours going through it, point by point by point, creating the RFP. That's what we put out. That's the answer we got back. That, having been said, there are some concepts from the Hillspoint proposal that are intriguing. We can use some of those concepts. We don't have to move forward and ask them again. We can go to Jonathan Rose and say what pieces can you use to get us a better deal? The Baron's South Committee has not selected Jonathan Rose. They made a recommendation for Jonathan Rose. Jonathan Rose is not accepted until the Board of Finance, RTM and P&Z say okay. So, Mr. Rose, I think you can do a little better. You can figure out ways to make some people more comfortable. I don't want to tell the Board of Finance we're not going to do anything you said. I want to help them get somewhere. So, I think there are some things that we can do. So, how do we do that? First, how did we get here? A mistake was made by the committee. They came out of executive committee too early. There was pressure to have them come out because there was lack of transparency. The answer to the lack of transparency was bringing in the Board of Finance and RTM Committees sitting in and seeing what was going on and helping them decide having a clear new vision on what it was. You guys did a phenomenal job. You were so close to it. You knew what you wanted but you couldn't see, maybe,

some of the outside issues that may have been occurring. This can still be done. Now, I think you were trying to say that the Board of Finance if they are making a decision and P&Z if they are making a decision cannot be involved but the RTM does not have that constraint. The RTM is a legislative body. The RTM can't conflict themselves by being involved. The RTM can sit with the Baron's South Committee and negotiate. We can sit down and talk with Mr. Rose and you and move forward. That's how we can do this. We don't need to do a reset. We need to sit down with a group of people who are already involved and people who have a new vision or a cleaner vision at this time and let's work a better deal.

Lou Mall, district 2:

First of all, I'd like to thank John McCarthy for standing up at the Board of Finance and having the courage to speak and say a lot of things that a lot of us were thinking. You might not agree with him or you might agree with him but one thing I felt was totally inappropriate was for someone to stand up and shame John for raising a yellow flag. All he was doing was raising a caution flag. He wasn't accusing anyone of anything inappropriate. John's a big guy and he can defend himself but I did not think it was appropriate to shame a member of the RTM for voicing their opinion. One of the things that I would like to say about this Baron's South property was there was always that little earmark of the property close to the Post Road that I believe Michael Rea and Elaine Whitney have identified as a possible use for parking our school buses. One of the things that got my attention four years ago was the fact that we can save \$250,000 per year by finding the appropriate parking for school buses. My daughter was in sixth grade then and she's in 10<sup>th</sup> grade now. I'm concerned that we won't get it done by the time that she graduates. That is money that we are letting slip through our hands. I think we need to get that done and utilize other pieces of the Baron's South property. One other point that I'd like to make is I'd like to see this property become an asset of the pension plan and earmark the cash flows from it to go to retiree benefits. That way seniors win, taxpayers win, also our town employees by guaranteeing that their benefits are going to be funded.

Gil Nathan, district 9:

I'll be very quick. I read all the RFP's and one of the things that differentiated them. Mr. Rose, you guys are using public money for your grants. By taking public money, it's affecting how we can determine who goes into this facility. The Hillspoint proposal uses private money; therefore, we can deem that everyone must be a resident of Westport. One of your competitors mentioned that he has trouble getting people to move three blocks. While that's great, anecdotally, I'm just wondering, from your experience, can you tell us, in past projects have you had this situation where you've taken public money? What's the experience of having residents? My concern is that we are talking about an asset of Westport. Are we really benefiting the people of Westport? What I don't want to see happen is that we take in a lot less money monetarily and it does not benefit the Town of Westport.

Mr. (Jonathan) Rose:

That's a very important question. Remember, there are two parts of our proposal. There is the market rate rental where we can set a priority absolutely for Westport residents and then there is the affordable portion. You are absolutely right. Because of the taking of public funds, we have to make that open to all applicants. In our experience, we do this all over the country, and the result is that the projects are filled just with local residents. The reason is that somebody who lives farther away doesn't want to move. They are not part of this community. They don't know about the project. That's not where their family and their friend and their residents, you heard tonight how many people want to live here, so, how many people of Norwalk want to live there? What is interesting is, typically, what we find is not only do the super majority, very, very few people come from outside, that typically the ones from outside are parents or people related to people in the town we are in. That's how it usually works out. That's how it always works out. There is one other point that I do want to address though. That is, if we do move forward with a direct negotiation without a rebid, our policy is that we will be completely transparent. We'll actually do it open book. The question about should there be more affordable, less affordable, more market rate, more units, less units, we will model everything that the town wants in that discussion so that you can see the advantages and disadvantages of each to come up with a solution.

Mr. Nathan:

The last piece of this is what is the process for applying for the state/federal money? What is your experience. I know you have done it successfully. I'm just wondering what is the biggest hiccup. We don't want to be sitting here, approve a project, and not get it.

Mr. (Jonathan) Rose:

The most critical piece of the financing is called the low Income Housing Tax Credit. It is a federal credit that is allocated to the states. So first we must be designated, have site control and then we apply for it. It is very competitive. We have never started a project that requires low income housing tax credits and not received it in any project, anywhere in the country, or in any project, anywhere in Connecticut. It can be hard. There have been times when we have applied the first time and not won and had to reapply a second time. In every single case when we have been selected by a town to do a project, we have put together all the financing and completed the project. Typically, by the way, from the time we get selected, it takes some time to negotiate; it takes over a year for the design; another year to put together the financing, a couple of years to build. Typically, from the time we are selected to the time the last resident moves in is about five years.

Katherine Calise, district 2:

Mr. Rose, there is just something I'd like you to clarify for us. In the affordable section of the project, does that mean a Westporter who has lived in Westport

their whole life and applies for the affordable section to stay in Westport could conceivably be bumped out by someone who lives in Bridgeport, New Haven, California, as the federal funded aspect of the project, would that take their bed, their seat in the house?

Mr. (Jonathan) Rose:

Let me go through the process in a little more detail. Presuming we are selected, remember, I said there are a couple of years where we are designing the project, putting together the financing, etc. During that time, we will go to community organizations, the Senior Center, the Housing Authority, other Westport organizations and start building a waiting list of potential applicants. There will be a later time in the process where we are required to open that list up to anybody who wants to apply. In my experience, what happens is the waiting list is so deep from that pre-process that the waiting list is filled with Westport residents. That list is open to others. As I've also said, what we typically find is the others are often parents of people from the community that we're in because they reach out to their parents. I have never seen where someone from out of state has applied in my experience. They just don't know about it. I've just never seen that happen. There are times where you get people from neighboring towns who apply. As I said, that's a very, very small percent. This is a requirement that comes with all affordable housing. Another important thing is that we then go through the waiting list, we have to follow Fair Housing laws. We cannot discriminate against race, creed color or anything else. What you'll find in the process is the biggest area of selection is income qualification. People are not earning enough money or earning too much money. We go through the list literally in the order they came in. We select according to income qualification. There may be other characteristics or preferences that we work out with the town.

Ms. Calise:

Does that mean even though, in your experience, you haven't had much experience with that happening, that risk is definitely there that somebody who through income and has lived in Westport their whole life can lose out to someone that has not lived in this town?

Mr. (Jonathan) Rose:

The technical possibility does exist. For example, we've just finished two projects in Stamford. Typically, by the way, what we hear is not just town preference but neighborhood preference. Often, we are asked that people who live close to the project have more priority than the town. The way we manage the process following all of the laws usually even that priority turns out to work.

Stephen Rubin, district 7:

On what Ms. Calise is saying, I think that I'm hearing that it's affirmative that, in fact, somebody from Norwalk or Bridgeport can get this as opposed to that gentleman or that lady that need it who have been living all their lives but you didn't add the criteria that is important to me that the applicant has to have. I am

a resident of one of the Westport Housing Authority houses as everybody here knows. We have to show things like 401-K's, social security, pensions, investments, real estate. Will those people have to do that also in fulfilling that criteria? If so, will they have to do that on a continuing basis?

Mr. (Jonathan) Rose:

The answer is absolutely yes. The resident must be income qualified. They must disclose their assets and their income. Yes, that qualification gets redone every single year.

Mr. Rubin:

Let's go back many, many years. Before, we were talking about a Hales Court, a Hidden Brook, a Canal Park, a Sasco Creek. If we were having this conversation then and were thinking about putting this off a year or two or six months, there would be people who wouldn't have homes. There would be people that would not be living in Westport who are contributing to Westport every day. I think that stinks. We have an organization which we just labeled the one percent which I salute, a committee that can't be duplicated again for another zillion years. It's our job to oversee what goes on in this town but it is not our job to micromanage everything that goes on in this town. It's our job to send signals to the Board of Finance to help them make a decision and let them know what the RTM thinks, but a sense of the meeting resolution means nothing and they know it means nothing. Bill, I agree with you. Let's get on with it. Everyday we wait on this, it is going to cost money, more money for the construction, more money for the steel, more money for the labor, more money for everything we do. Please, let's do everything in our power to get this going.

Velma Heller, district 9:

As I sit here, I have lots of things I'm thinking about and then people get up and I say I was thinking of that. I don't want to repeat it but what I do want to do is sum up all that I've seen tonight. It's really been a great night. It kind of gives me a feeling of *It's a Wonderful Life*. We have an opportunity to do something really profound tonight that can make a real difference, long term. As I looked at the committee, I was so impressed. This has been a long, thoughtful, comprehensive process. It's been well studied. It's been carefully researched. Clearly, this proposal is responsive to very openly established needs of our seniors. Start with that. Those are people we know. It is us. An extremely capable committee of highly intelligent committed citizens who have given their best efforts and acted with clear integrity, let's not forget that. These people were smart enough to know what they didn't know and to seek answers from experts who could give them expert opinions, who could give them the kind of answers that make it really work. I am impressed with their recommendations, with their expertise and the high quality recommended proposal. They began with a worthy goal of providing mixed cost rental housing for seniors using town land purchased for municipal purposes, very clear. I believe it is in the best interest of our community as a whole to focus on that senior housing goal as a priority over revenue generation.

Revenue generation isn't a bad thing. There are opportunities for revenue generation in this recommendation. But that's not the main goal. It's what are we about? Again, I ask this question which I've asked before, who do we want to be as a town? There is a rare opportunity to support an initiative that will have a positive long-term impact on our citizens. I, for one, would prefer not to redraw the parameters of this bid, to go with the recommended proposal and to negotiate modifications that can improve it as we go along, in some way. I would not be in favor of some new committee formed because the only real purpose of that is to slow it down. Let's get to work on this project now.

Eileen Flug, district 9:

It's very hard to follow Velma. It's also hard to be the last one because a lot of what I'm saying has been said before. Just to summarize, I think the RTM should send a clear message to the committee that they should move forward with the recommendation that they have already given to the Board of Selectmen. I don't think there's any point to issue a new RFP. We might get a different proposal but I'm not sure we'd get a better proposal. The big risk is the delay. It took almost a year to get where we are now from the last RFP. It will take another year and delay everything. I think it was essential and really important and I thank the people who called the meeting tonight that we were all able to be here and hear the clear and pressing need for this housing that Barbara Butler presented to us. I think it was important to hear Jonathan Rose speak and I think somewhat more important for us to hear from some of his competitors who got up and spoke about how lucky we are to have him doing this project for us. If there were some concern about conflict of interest, if there was concern about the process, I think his competitors would be the first ones to tell us about it. They didn't. They got up and were enthusiastic about his proposal. I had concerns going in about the financial aspects of this proposal. I'm convinced that \$250,000 per year on a four or five acre parcel as payment in lieu of taxes, that's a lot of taxes. That's \$40,000 to \$50,000 per acre which is a lot going forward if we index based on the mill rate. I'm happy with the financial return but, as Velma said, it's not about the financial return. It's about serving our seniors and having a place for people to live and stay in Westport. I was concerned about whether this was going to be available for Westporters to stay here but I am also convinced that Westporters will be the first ones to hear about the openings or else maybe it's going to be our parents who are going to be the first ones from here. I am not concerned that there are going to be a lot of people from California deciding to retire in Westport. So, in summary, I think that this has been an excellent presentation, an excellent evening for everybody to learn about the process, have their questions answered. It's up to the RTM to send a clear message to the committee to go forward to get the thing done.

Mr. Rubin:

A quick question that I forgot to ask you before about the basis that an applicant has to apply every single year to qualify, what happens if somebody in their

family leaves them some money and now they have a little bit more money and they don't qualify, or they get less money, are they thrown out?

Mr. (Jonathan) Rose:

Good question. First of all, the residents don't reapply. Once they are in, they are in but they recertify. If their income goes up above the 60 percent of area median income limit, typically what we do is move them into market rate units. That's why it's good to have both. If their income goes too low, remember I said that we would like to work with the town to come up with a modification. We are very concerned about that. We would actually like to come up with a few units of lower income, lower than the 50 percent that we provided, exactly for those circumstances. If someone's income goes down, they actually will move into a few of those lower category units. That's why we would like to sit down with the town and work out a refined proposal that meets all of your needs.

The meeting adjourned at 11:11 p.m.

Respectfully submitted,  
Patricia H. Strauss  
Town Clerk

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

by Jacquelyn Fuchs  
Secretary

**ATTENDANCE: November 12, 2012**

<b>DIST.</b>	<b>NAME</b>	<b>PRESENT</b>	<b>ABSENT</b>	<b>NOTIFIED MODERATOR</b>	<b>LATE/ LEFT EARLY</b>
1	Don Bergmann	X			
	Diane Cady	X			
	Matthew Mandell	X			
	Cornelia Olsen	X			
2	Catherine Calise	X		X	8:00 p.m.
	Jay Keenan	X			
	Louis Mall	X			
	Sean Timmins	X			
3	Jimmy Izzo	X			
	Melissa Kane		X	X	
	Bill Meyer	X			
	Hadley Rose	X			
4	Jonathan Cunitz, DBA	X			
	David Floyd	X			
	George Underhill		X	X	
	Jeffrey Wieser	X			
5	Dewey Loselle	X			
	Richard Lowenstein	X			
	Paul Rossi		X		
	John Suggs		X	X	
6	Hope Feller	X			7:15 p.m.
	Paul Lebowitz	X			
	Catherine Talmadge	X		X	7:10 p.m.
	Christopher Urist		X	X	
7	Arthur Ashman, D.D.S.	X			
	Allen Bomes	X		X	9:00 p.m.
	Jack Klinge	X			
	Stephen Rubin	X			
8	Lee Arthurs		X	X	
	Wendy Batteau	X			
	Carla L. Rea	X			
	Lois Schine		X	X	
9	Eileen Flug	X			
	Velma Heller, Ed. D.	X			
	John McCarthy		X	X	
	Gilbert Nathan	X			
<b>Total</b>		<b>28</b>	<b>8</b>		