

RTM Meeting
October 6, 2020

The Call

1. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Director of Parks & Recreation, to approve an appropriation of \$310,000, along with bond and note authorization, to the Municipal Improvement Fund Account to replace the field lights at the Greens Farms field.
2. To take such action as the meeting may determine, upon the recommendation of the Conservation Commission and the Flood and Erosion Control Board, pursuant to Section 148-12 of the Town Code, to approve the WPLO application by the Town of Westport for the replacement of Cavalry Road Bridge over Saugatuck River approximately 0.66 miles west of Weston Road. (Application IWW-WPL #11047-20).
3. To take such action as the meeting may determine, upon the recommendation of the Conservation Commission and the Flood and Erosion Control Board, pursuant to Section 148-12 of the Town Code, to approve the WPLO application by the Town of Westport for the replacement of the Bayberry Lane Extension Bridge over the Aspetuck River. (Application IWW-WPL/E #11049-20).
4. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Director of Public Works, to approve an appropriation of \$150,000, along with bond and note authorization, to the Municipal Improvement Fund Account for Power Redundancy and IT Security Upgrades at Town Hall and Parks and Recreation.
5. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Director of Public Works, to approve an appropriation of \$71,500, along with bond and note authorization, to the Municipal Improvement Fund Account to design the replacement of underground fuel tanks, fuel system, and heating oil tanks at Parsell Public Works Center at 300 Sherwood Island Connector.
6. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Director of Public Works, to approve an appropriation of \$278,000, along with bond and note authorization, to the Municipal Improvement Fund Account for the Replacement of Heavy Equipment and Specialized Vehicles:
 - a. Requesting \$178,000.00 for the replacement of Truck #38 – F550 Plow Truck and Vehicle #44 – Kubota Mini-Excavator that are used together for culvert cleaning and excavation.
 - b. Requesting \$60,000.00 for the replacement of half of the Parsell Public Works Center, truck bay doors and waste oil storage shed.
 - c. Requesting \$40,000.00 for the replacement of the 40-year-old, non-functional Transfer Station Doors.
7. To take such action as the meeting may determine, upon the request of at least two RTM members, to adopt a sense of the meeting resolution asserting that racism is a public health crisis affecting Westport and all of Connecticut.

The Meeting

Moderator Velma Heller:

We're ready to begin. Will RTM members please mute their mikes; remember to unmute when recognized to speak and then mute after you comment. Please be sure to notify the secretary or the Moderator if you arrive late or need to leave the meeting and that your vote is being taken.

This meeting of Westport's Representative Town Meeting is now called to order and we welcome those who are joining us the evening. My name is Velma Heller and I'm the RTM Moderator. [Procedures for this Electronic Meeting](#): Pursuant to the Governor's Executive Order No. 7B, this meeting is being held electronically. It will be live streamed on westportct.gov, and shown on Optimum Government Access Channel 79 or Frontier Channel 6020. Members of the electorate who wish to have their comments read during the public comment period for each agenda item may email their comments to RTMcomments@westportct.gov. We will make every effort to read comments if they state your full name and address and are received during the comment period for each agenda item. Public comments will be limited to three minutes. Let me just say, you don't have to wait until other people's comments have been read in order to get your comments in. You can email your comments as soon as that discussion item starts. That way we're sure to get people's comment in. Please note that meeting materials are available at westportct.gov along with the meeting notice posted on the Meeting List and Calendar page. Tonight's invocation will be delivered by our very own Noah Hammond from district 4.

Noah Hammond, district 4:

I would first like to say that I am not only honored to be one of the newest members of the Westport Representative Town Meeting, but I am almost equally honored that our Deputy Moderator Jeff Weiser has enough confidence in me to not fall on my virtual face while delivering tonight's invocation. It is truly an honor and privilege to open tonight's meeting.

As I sit here tonight I look at the Zoom Brady Bunch that is now our new normal for the RTM meetings I am comforted with our nonpartisan body's ability to have open dialogue, civil discourse and decorum across party lines, interests and personalities. It is a refreshing confirmation of my beliefs in the principles of American Governance and a testament to the dedication and purpose of the RTM that is embedded in the bedrock of Westport. Speaking of the new normal and our elusive pursuit of the normalcy that COVID so abruptly stole from us, I would like to take the time to thank each and every one of our town employees, first responders and educators. I have been impressed with the town's strides to balance resident's safety, both young and old, with the need for community, activity and again normalcy. Our children have their school routines back in a safe and thoughtful manner, and while we sadly missed seasons at the Westport Playhouse and the Levitt Pavilion, our town jewels of compo beach, longshore, senior center and the library continue to provide a much needed outlet for our residents and guests and we are all well informed about the status and approach of the town as information unfolds. I would also like to thank all of the local businesses, their employees and the Westport/Weston Chamber of Commerce for all of their efforts in reopening and

continuing to provide the vibrant atmosphere the Town is known for. There is no way that anyone could have prepared for the last seven months, but with the efforts of the entire community we have emerged stronger, more united and more compassionate as a result. We are better equipped to handle the challenge that COVID has presented and continues to present and must remain vigilant and dedicated to continuing to protect our friends, neighbors and families. Again, thank you to everyone in both the public and private sectors working tirelessly to ensure the continued success of Westport. I would also like to take this time to welcome all of the new residents throughout town that have joined our community. It is great to see the momentum within our local real estate market and is not surprising given everything Westport has to offer. We are an inclusive community that promotes diversity of thought, gender, race, religion and orientation. I encourage all of our new residents to get involved in the community as much as possible, whether it be through schools, sports, government or other interests. Our continued success as a town is directly correlated to the individual efforts and participation of the public. Lastly, as we head into election season, I urge each and every eligible member of our town to exercise their civil right to vote at every level. Whatever your party line, whoever your candidate, whatever your cause, voting is the foundation of our country. Elections matter. Let your voice be heard. Thank You.

Dr. Heller:

Thank you so much for your very thoughtful, very relevant remarks. You really touched all bases right now. Thanks again.

Again, the Pledge of Allegiance which follows presents a montage of RTM members compiled by Matt Mandell, District 1 Representative.

There were 31 members present. Ms. Meiers Schatz, Ms. Bram, Ms. Talmadge and Ms. Soloff notified the Moderator that they would be absent. Mr. Kraut was also absent. Ms. Batteau notified the Moderator that she would be late and Ms. Briggs notified the Moderator that she would be leaving the meeting and then returning.

Dr. Heller:

We have received both July and September minutes. Thank you Jackie, again. There are no corrections to the minutes right now. If you later find any corrections, please contact Jackie, Town Clerk, Patty Strauss, or myself.

Announcements

Birthday greetings to Karen Kramer, Greg Kraut, sorry you're not here, and First Selectman, Jim Marpe. Congratulations to all.

A special welcome back to Jackie Fuchs. I know that Jessica Bram did appear the other night at the Finance Committee meeting. We're happy to have you both with us again and I'm hoping we'll see Jessica with us again.

Our next scheduled RTM meeting will be Tuesday, Nov. 10 with Election Day on Nov. 3.

RTM Announcements

Matthew Mandell, district 1:

I have two announcements. It certainly shouldn't be a surprise.

Dr. Heller: No. It's not a surprise.

Mr. Mandell:

The first announcement is that today, we did our first debate for the Chamber of Commerce and Library with State Representatives. It went very smoothly. We are all wondering about debates these days but this one ran very civilly and smoothly. So, we are running a second one next Tuesday at noon. It will be for the State Senators for the two districts that represent Westport. So, you can sign up. You must register to get it. Go to westportwestonchamber.com on the front page, there is a link to be able to watch the debate. To watch the debate we had this morning, there is a link on the same page which we've already posted. So, if you want to see what the State Representatives had to say and the State Senators will say, you can do this. We also had Patty Strauss on who talked about how can you get your ballot, how you can vote with an absentee ballot, how you can get an absentee ballot and still vote; so, a lot of information on how to vote. It wasn't just who you should vote for, once you have that idea, how you can vote. Both of those are being offered.

The other thing is this summer, we've been running concerts and they came to a close on Saturday, but the Chamber of Commerce is donating its time to do one more show and that's for CLASP Homes. They lost their ability to have A Taste of Westport, which everybody goes to; they lost the ability to have their indoor concert at FTC because of the pandemic, as well. So, we stepped up and said "Take our concept and let's do one more show." On Oct. 15, there will be a concert starting at 6 p.m. on the Imperial parking lot and it is a benefit. All the money goes to CLASP Homes so I'm hoping that everybody can dig into their pocket and come on out and see Band Central play. They'll be doing an '80's and '90's retrospective. It will be one last time, outside, before the winter comes and it will help CLASP Homes, which is a wonderful organization that helps children with need.

Those are the two announcements and we'll see how the rest of this goes tonight.

One quick thing: In terms of birthdays, it's not just the month of Karen Kramer's birthday but today is actually her birthday. So, Karen, happy birthday.

Many Members: Happy birthday Karen.

Dr. Heller:

It's a wonderful way to spend your birthday, Karen. I have done it many times.

The secretary read item #1 of the call - To approve an appropriation of \$310,000, along with bond and note authorization, to the Municipal Improvement Fund Account to replace the field lights at the Greens Farms field.

Presentation

Jen Fava, Director of Parks and Recreation:

This request is for \$310,000 to replace the field lights that are at the Greens Farms field. The lights that are currently there are outdated and don't meet current standards and they create a safety issue. The current lights that we have are much older MUSCO system. What we are looking to do is to replace it with a new LED system. The field is used by a number of different entities: Little League, adult softball, youth football, men's flag football and, clearly, if we have other needs for it, we will use it, as well. That field has significant use of approximately 142 nights per year. The replacement lights are MUSCO TLC for LED system. In your packet, you should have received some brochures and detailed information on it. This project includes new poles as well as new light fixtures. There are currently eight poles. We will be going down to six. The new technology that they have is actually quite amazing. It does a great job lighting up the field; however, the spillage is very little. Where it is lit, it is lit and right outside of that it is dark so it doesn't interfere with anything outside of the field itself. That tends to be a concern of people so that is a huge improvement. MUSCO is a leader in field, court and other types of lighting systems. In my past, every place I've been, we've always had MUSCO lights. They are the best lighting and the one that everybody goes for. One of the really great things is there is a 25-year product maintenance and product assurance warranty which means that 100 percent of maintenance costs for 25 years is taken care of. We won't have to shell out money for anything that comes up. Along with it, it includes Control Link which is remote access and monitoring which will allow us to do things remotely; scheduling, we can schedule in advance. If there is a rain storm that comes up, we can turn the lights off remotely. The controlling system, MUSCO, are monitoring it 24/7 so if they think there is a problem, they will notify us and we can check it out and call them out to fix it if there is an actual problem. I think some of that information is also included in the brochure. We're doing this project utilizing Sourcewell which is a Cooperative Purchasing entity as allowed by section 3a-iii of the Towns' Purchasing Procedure and Policy. This is a method that is approved. This project is part of the Capital Plan. It has been on Capital five-year plan for some time. It was listed for completion FY'20 at \$290,000. Just to give you a little bit of cost comparison. This project includes demolition, the lights, the poles and installation. The bid price on it is \$283,784. Milford did the same project, same exact system. Their bids were in January, 2019 and theirs did not include any demolition. Their winning price was \$287,775. They only received three bids on their project: \$287,775, that I mentioned; \$291,317 and the top one was \$345,000 so I think we're getting a better price; especially since ours includes demolition when theirs did not. It's a really good comparison. In terms of support for this project, included in your packets, there were letters of support from Westport Baseball and Softball and also a parent cited a safety issue that I mentioned. Also, at the Board of Finance, they wanted to make sure that people used the system and we did get feedback from Little League that some teams played at the field in Ridgefield that used the system and they were very happy and liked the lights. We have had great luck with MUSCO lights. We have MUSCO lights at Staples Stadium and also at Longshore tennis courts. Everyone has been very happy with them in those locations. To get some additional feedback, I spoke with the Interim Director in Milford, CT to find out how they like the lights. They said it is the best lit facility in the city. The players love them;

umpires love them. They make it easy to see and call the game and they are simple to use with no light spillage. So they highly recommend them. I spoke with person who put them in Brookfield High School. They also love them and had rave reviews. I received feedback from Ridgefield Little League. They too are thrilled with them, love the lighting, lack of light spill and energy efficiency. I am going to turn it over to Steve Edwards who we brought on to help with this to take you through more of the detailed specifications.

Steve Edwards, former Public Works Director, recycled supporter of the venue here tonight:

I had never dealt with Sourcewell in my 30 some-odd years with the town. We had not had experience with them so I did a little digging to see what the actual process was for a bid and a selection. Sourcewell is a very large organization. They have been in business for more than 40 years. They support over 50,000 government, education and non-profit organizations. They are not a recent fly-by-night organization. They've got 100 competing soliciting contracts presently out there. Each year, they put out another 40 or 50 or 100 different contracts. The contract that we are interested in was bid on July 16, 2019, RFP 71619 in the State of Minnesota. The contract term was for a four year term and it dealt with field lighting. This is field lighting for football fields, softball fields, baseball fields or tennis courts so it is a wide range of products that they are soliciting prices for. From their bid process, we received nine proposals. Those proposals came in house and were reviewed by a team of Sourcewell employees; three individuals sat down and, using a 1000 point matrix, went through and rated each of the individual proposals. Out of the proposals, they identified three individual corporations: CHM Industries, Eden Industrial and MUSCO. Those three were selected based on their total points and identified as potential contract awardees. Of the 1000 points, MUSCO had 868, Eden has 849 and CHM Industries had 839. The lowest had 718 points. So, the range was from 718 to 868 points. The individuals were graded on price; the individuals were graded on their warrantee coverage, financial stability, their expertise in the field; a wide range of points, a wide range of criteria were used to grade the companies. MUSCO was the highest selected one so that was the one we chose to go forward with. We again reached out to MUSCO and asked MUSCO to give us a proposal for a specific project. The specific project was the Greens Farms School athletic field. They were familiar with it because they were the ones, about 30 years ago, who put in the present lighting system. One nice thing about MUSCO is that they have been around for a long time. So, when they talk about giving us a 25 year warrantee, they've been here for 25. They certainly anticipate being here for another 25. That's not something that could be said for all the companies who did bid on the project. The MUSCO quote came in, as Jen indicated at \$283,784. That was based on a design standard that we provided to them. That was based on the minimum lighting standards. We used the Little League standards which is 50 foot-candles on the infield and 30 foot-candles on the outfield. Currently, we have 40 - 50 foot-candles on the infield but the outfield is drastically below that. They also provided a control link system which, as Jen indicated, provided remote control of the system. It provides feedback if a light is out. It provides a mechanism to let the contractor know when they have to perform a maintenance. There is, again, no spillage. Their proposal came back with six pre-cast concrete bases with galvanized steel poles which replaces the eight that are there presently. One point that Jen did not indicate was that the safety issues that we

have there with the wooden poles. They were installed 30 years ago to the standards current 30 years ago. We have no idea what that standard is. The current pole standard is a 150 mph wind standard. That is far in excess of what the poles were designed for 30 years ago. That's for sure. The new poles will be 60 ft. in height versus 47 ft. This is an advantage to provide no spillage. The lights are shining down directly on the field. The concern we have now with the additional usage across the Post Road with the former Kowalski property going into residential/commercial property over there, light spillage would be a concern for future consideration. This avoids all of that. The issue that we've got going forward is the timetable to begin construction in November. There is a rebate program that we are applying for which will be somewhat contingent on when they get completion of the work. Unfortunately, the rebate will not be that extensive because it has intermittent use. But we do expect we will get several thousand dollars rebate for LED. The advantage of the LED, we're looking at about \$175,000 savings over a conventional halite. That was part of the consideration to go back with a halite, we would be looking at something in the neighborhood of 74 kW of energy consumption. The Led gives us something in the neighborhood of 35 kW. That will translate, over the 25 years, with the maintenance issues, control link, we are looking at a savings of about \$185,000 over the 25 year period of the warrantee based on Led lighting, based on the maintenance that being over the traditional halites. We feel that this is a good investment for the town, the safety issues, in and above themselves, and the cost factor. We feel it's appropriate to go forward with the project at this time.

Ms. Fava:

Just to wrap this up, you'll notice that we did ask for \$310,000 which is for contingency. We don't know, when they go to put in the concrete bases, what type of soils and things we are going to run into so we included that contingency. Hopefully, we don't need to use all of it but we wanted to make sure that money is there because we don't know what we're going to find. There may also be some additional repairs to the backstops because we are going to have to remove one wing in order to replace a pole so there may be some expenses. That would have to be taken out of this as well. So with that, we would be asking for the appropriation of \$310,000.

Committee report

Finance and Parks and Recreation, Seth Braunstein, district 6:

For the Finance and Parks and Recreation Committees, I will just provide a quick summary. Jen and Steve did a comprehensive job in laying out the details so I'll do my best not to be repetitive. We met jointly on Tuesday, Sept. 29. RTM Finance Committee Members Present: Jeff Wieser (Chair), Seth Braunstein, Cathy Talmadge, Richard Jaffe, Stephen Shackelford, and Jessica Bram. RTM Parks & Recreation Members Present: Chris Tait (Chair), Seth Braunstein, Jimmy Izzo, Lauren Karpf, Lisa Newman, Karen Kramer, Jack Klinge, Sal Liccione, and Jessica Bram. It was very nice Jessica was able to join us. Others present besides Jennifer Fava and Steve Edwards were Peter Ratkiewich, Velma Heller and Kristin Schneeman. To add a bit of context to what Jen and Steve provided is that the existing lights are somewhere in the neighborhood of 30 plus years old and are no longer compliant with current safety standards. Jen mentioned that there have been injuries that have resulted on that field from the poor existing light system

quality. For me, one of the interesting takeaways is that the field at Greens Farms actually gets played on over 140 nights of the year. I'm sure we've all driven by and seen baseball, softball. I've seen football there, soccer. I think that field get an awful lot of use year round so it's important that the quality of the lighting is A+. The only other thing that I find particularly noteworthy was the way which the town contracted for this project. As Steve mentioned, there was a cooperative purchasing organization, Sourcewell, that Steve had mentioned. We believe that the town got a better deal than they would have if the town had bid it out separately. Anything else that I would say would be repetitive so I will ignore it. It is detailed in the report that we have submitted. For Parks and Recreation, Sal Liccione made a motion which was seconded by Jack Klinge. The Parks and Recreation Committee passed this request by a unanimous vote of 9 - 0. For Finance, Cathy Talmadge made a motion which was seconded by Rick Jaffe. The Finance Committee passed this by a unanimous vote 6-0.

Members of the Westport electorate – no comments

Jeff Wieser, district 4:

Velma, if I can reiterate. I will be reading comments that are sent to comments@westportct.gov not emails that were sent to the whole RTM and that we all received. I am just reading comments that come to us for each individual item while we are doing the presentation or any time but I don't see anything right now.

Dr. Heller:

The only limitation on that is that it has to happen within the context of the item.

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Parks & Recreation, the sum of \$310,000.00 along with bond and note authorization, to the Municipal Improvement Fund Account to replace the field lights at the Greens Farms Elementary School field is hereby appropriated.

Members of the RTM

Peter Gold, district 5:

I've got a couple of quick questions. You said that the new lights will reduce spill. Does that mean they are dark sky compliant?

Ms. Fava: I believe they are.

Mr. Gold:

The report from the committee meeting said, I believe, one of the lights will illuminate the parking lot. [That is correct.] The reason I ask that is I vote at the Greens Farms School and by 7:30 or 8:00 the parking lot is pitch black on election night. So, I'm glad to know that in the future, we'll be able to see people coming and going and not have to worry about hitting people.

Mr. Edwards:

Let me correct that. This will not light the Greens Farms parking lot. This will light the parking lot behind the backstop umpires. It's not to light up the Greens Farms parking lot.

Mr. Gold:

You might consider adding some lights up there when you get a chance. You mentioned, Steve, that there is going to be a \$185,000 savings over the 25 year life of these things. The committee report said \$110,000. Which is the right number?

Mr. Edwards: The right number is \$185,000 over the life.

Mr. Gold: So the committee report is inaccurate in that regard?

Mr. Edwards:

It is \$110,000 in energy savings. The maintenance and control adds another \$75,000. I think it was a misinterpretation. \$110,000 is for energy.

Mr. Braunstein:

An apology. I authored the report. I probably should have been more specific in how I characterized that \$110,000.

Mr. Gold:

I just wanted to confirm the number since I listened to the presentation and I was confused. The rebate is from Eversource.

Mr. Edwards:

That is correct. That would be part of their energy fund. We've done parking lot projects over the past year and we've been able to pick up a little bit of money on the conversion. Right now, since they are going through November, they are installing a new program so they couldn't give me a definitive number. I don't plan on having these installed in place by November.

Mr. Mandell:

As a softball player and someone who has been playing there for the last 12 some-odd years, the new lights would be very beneficial. The problem with the lights being 47' is the balls are lost in the outfield because the lights are too low. I have seen some crazy things happen so this will be a very welcome change and I support it wholeheartedly. Also, just to add, the girls' varsity softball team plays there a couple of times a year so the girls can have a night game, most importantly, Senior Night. My daughter played softball so I know the field well. Thanks guys for putting in all the time and effort.

Dr. Heller: Thank you all for all your hard work.

Ms. Fava: Thank you.

By show of hands, the motion passes unanimously 30-0.

The secretary read item #2 of the call - To approve the WPLO application by the Town of Westport for the replacement of Cavalry Road Bridge over Saugatuck River approximately 0.66 miles west of Weston Road. (Application IWW-WPL #11047-20).

Presentation

Keith Wilberg, Town Engineer:

We are here to finalize the approval from the Flood and Erosion Control Board and Conservation Commission for two bridges. This is the first. We were at Flood and Erosion Control Board on Sept. 2 and we were at Conservation Commission the week following on the ninth. We were also at the DPW Subcommittee of the RTM last week and got a favorable vote there. The first bridge I'm going to talk about is Cavalry Road Bridge which is over the west branch of the Saugatuck River. This is a location map. You are looking at the northwest corner. This bridge is about 175' north of Crooked Mile Road. It is about 260' south of West Branch Road which is in Weston. On the slides, you'll see that this bridge is half in Westport and half in Weston. On this slide, this is the road that goes to Weston. The road is in the center and above that is Weston and below is Westport. Down here is Crooked Mile Road. This is the plan view. The current bridge was built in 1957 so it is 63 years old according to DOT records and it has been rated by the DOT as needing to be replaced, structurally deficient with leaks and cracks. We'll show some of the geometry of the new bridge. The old bridge had three spans with a parapet in the middle. It had two spans and three parapets. The total length from one bank to the other is 63'. The new bridge is going to open it up a little bit. It is going to be 72' wide. The old bridge is 25 ½ ' wide this way as you're driving down left and right. The new bridge is going to be slightly wider, 28' wide with one additional detail. Right now there is a gas and a water line outside the bridge. Those are going to be tucked underneath the bridge. When you look at the bride when it's all said and done, it's going to look much wider than the existing bridge. Let me show you a profile. This is the old bridge with the two span, the old parapet which is to be removed. The new bridge is one single 72' span. That was per DEEP comments. They wanted to open up the river with one single span. They also wanted us to replace some river holders having to do with some fishery requirements. If you look at the cross-section, as I explaining before, It's going to be replaced with pre-stressed concrete beams which is this T pattern and the utilities are going to be tucked up under the bridge. They are not going to be on the outside of the bridge, as before. So, we'll have a nice 24' wide curb to curb here with the railings on the outside of that so, while the bridge is going to be wider, the utilities will be tucked underneath and it won't seem too much wider. In terms of hydraulics, the existing bridge right now is such that if there is a 10 year flood event which is 5 ½ " of rain in 24 hours, this bridge is passable. Anything larger, it's not. The proposed conditions for the new bridge, it will be passable for a 25 year storm. It's called modest improvements in the hydraulic capacity of the bridge. The reason why you can't get better hydraulics on a bridge, in other words, you could raise it higher for, say, a 100 year flood, is you'd have to build up the road on either side; you'd have to build up driveways and it actually becomes highly impractical. In terms of methodology as to how this is going to get built, we are going to install cofferdams around the existing parapets including the old one in the middle, silt fencing, sedation and erosion

control measures, take out the old bridge, take out the old deck, take out the old parapets; put the piles in and build the concrete new parapets, two parapets on either side and put the new deck on. The last thing is the utilities will get tucked up underneath. Scheduled construction is scheduled to start in the spring of 2021. This bridge has actually gone through and gotten most of its permitting from the State DOT, from the town of Weston which includes the Conservation Commission and they've got a P&Z 8-24. With this bridge, I've gone through local permits: P&Z 8-24, as I said, Flood and Erosion Control Board, and Conservation Commission, which is why we're here tonight. So this is the last stop on the trail of local permitting, hopefully. We are going to start in the spring of 2021 and it will take six to eight months in what we call "construction season" to get it built. The last two things I want to touch on are the detour plan. Obviously, when the bridge is being built, Cavalry Road will be closed in this place. Take Crooked Mile Road up to Broad Street and down Cavalry Road. This plan was looked at by both Nate Gibbons in the Fire Department and Al Damura in the Police Department and they were fine with it. It was also looked at by the Weston Police Department and the Weston Fire Department. Last, but by no means least, is the cost of the bridge. The bridge is estimated to be about \$2.5 million. The reason we are doing it is it falls under the Federal Local Bridge Program in which the State pays 80 percent and the town pays 20 percent. Of that 20 percent, per Connecticut General Statutes, the 20 percent is apportioned between Westport and Weston. There has been some back and forth on this. Basically, Westport is paying 74 percent of that 20 percent. That's been hashed out earlier. Of that \$2.5 million, Westport's share is \$275,000. If anyone has any questions, I will be glad to answer them.

Committee reports

Public Works Committee, Jay Keenan, district 2:

This report is for both the Cavalry Bridge and the next item on the agenda, the Bayberry Lane Extension Bridge. Public Works met on Sept. 29. Keith presented pretty much what you just saw for both bridges to the committee. One thing to note, the RTM has already approved the funds for the design of both of these bridges. Just a note on the WPLO, the RTM is the last hurdle on the WPLO approval process. The work has already been approved by P&Z, Flood and Erosion Control and Conservation. The RTM can either approve this, disapprove or take no action. If we take no action, after a certain amount of time, it is deemed approved. There wasn't a lot of discussion. The Public Works Committee unanimously approved recommendation to the full RTM approval of both of the bridge budgets.

Members of the Westport electorate – no comments

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Conservation Commission and the Flood and Erosion Control Board, pursuant to Section 148-12 of the Town Code, the WPLO application by the Town of Westport for the replacement of Cavalry Road Bridge over Saugatuck River approximately 0.66 miles west of Weston Road (Application IWW-WPL #11047-20) is hereby approved.

Dr. Heller: We have a motion which has been made and seconded.

Members of the RTM

Mr. Gold:

I'm just a little bit confused about something. Keith, the cost, you said Westport's share would be \$374,000 and Jay mentioned that we had previously approved the design costs. Is the \$374,000 the construction cost that you'll come back to us later to approve or is it the design cost or is it the total cost?

Mr. Wilberg:

That includes the construction costs. It's not just the design costs.

Pete Ratkiewich, Director of Public Works:

That does not include the design costs that you have already approved.

Mr. Gold:

You are going to come back to us to approve construction costs of \$374,000 at some point.

Mr. Ratkiewich:

Yes. Probably very soon because they are looking to go to bid this coming spring if I'm not mistaken.

Harris Falk, district 2:

I remember this bridge from the whole us getting hosed on the price. But I don't remember if this came through before because I don't remember this coming to the Environment Committee and I'm wondering what effect this is going to have on the river if it's a little bit larger and if there are any changes to the flow or even while it's being built.

Mr. Wilberg:

No. No changes to the flow. That's what I outlined very quickly in the methodology how they are going to put down cofferdams and how we're going to build this. That's why we're going through getting Conservation permitting, DEP permitting, etc., DOT permitting.

Mr. Ratkiewich:

If I might add, the DOT hydraulic analysis process includes a requirement that there are no changes to the flow within a zone of influence of the bridge. In fact, because they are opening the orifice of this bridge by making it slightly higher and slightly longer, the flow will be smoother so it won't be backed up upstream and the changes are so small, it will have a small effect downstream; within about 1,000 feet, there will be no change. The process is such that they do not allow that changing this bridge will modify the hydraulics of the river so much that it will have adverse effects either upstream or downstream. But there is a zone of influence of the bridge both before and after construction.

By show of hands, the motion passes unanimously, 30-0.

The secretary read item #3 of the call - To approve the WPLO application by the Town of Westport for the replacement of the Bayberry Lane Extension Bridge over the Aspetuck River. (Application IWW-WPL/E #11049-20).

Presentation

Mr. Wilberg:

I swear this is a different bridge even though it looks like the same presentation. Bridge #2, Bayberry Lane Bridge over the Aspetuck River. This is on the extreme other side of Westport in the northeast corner on Bayberry Lane and just north of Easton Road. It's literally just south of Newman Poses Preserve. It is the bridge, if you've driven up in the last 2 ½ years which is now a single lane usage. It has been downgraded because of the loading. It has fallen apart. This bridge needs some help. This bridge was built the same year according to DOT records, 1957, so it is 63 years old. It is also critically structurally deficient. The decking is leaking and cracking. There was some work done on this bridge in the 80's; there was also some work done in 2014, we scoured at the base of the abutments in 2017. DOT downgraded this bridge to single lane traffic loading only and it has been waiting to be replaced ever since. On the site plan, Newman Poses is to your right. Easton Road is to your left. This bridge is narrow. The span from abutment to abutment is just shy of 20'. The new bridge is going to be 45'. The width of the bridge is 24' wide and the new bridge is going to be 30.5', about six feet wider. This bridge now has utilities that are outside the bridge and they will be tucked up underneath the bridge. In terms of flow dynamics, this bridge is passable for only a five year storm. Any more and it overtops. The proposed bridge will make it passable for a 10 year storm. Again, as with the other bridge, a modest improvement in the hydraulic capacity. Methodology for this is going to be pretty much the same as the other one. Here is a cross section of the existing bridge. You can see right inside, the new bridge span on top of that. This one is not going to have those T shaped beams. It is designed with box beams. The utilities will be tucked in the end beams. In terms of methodology for building this, we are going to put in a cofferdam on either side. This bridge has the unique feature that the existing parapets are so narrow that we can leave those in and use them as a shoring and a protection while we build the new parapets behind them. When the new parapets are build, they'll take out the old ones and put in a new deck, put in utilities and pave the road. This bridge is also scheduled to start next spring of 2021 with a similar timeframe, six to eight months. There is a detour plan. This bridge will be closed during construction, Bayberry going to White Birch in Weston. The idea is to come down Coleytown, Lyons Plains Road and then this way. Some people have asked why not use North Avenue? This road is bigger and a much better collector road. It is also the detour that was used when the North Avenue Bridge was done several years back. In terms of cost, we could not, unfortunately, get Weston to pay any part of this. It's not bordering Weston. The total estimated cost is about \$2 million. It's \$1.999 million. It's 80/20 Federal Local Bridge Program. Twenty percent of that is about \$400,000. Again, it's construction costs, not just the design. That's my presentation.

Dr. Heller: We already had the committee report from Public Works.

Members of the Westport electorate – no comments

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Conservation Commission and the Flood and Erosion Control Board, pursuant to Section 148-12 of the Town Code, the WPLO application by the Town of Westport for the replacement of the Bayberry Lane Extension Bridge over the Aspetuck River (Application IWW-WPL/E #11049-20) is hereby approved.

Dr. Heller: Thank you. The motion has been made and seconded.

Members of the RTM

Mr. Falk:

I assume the answer is going to be the same as the last time, the 1,000' away from it and no change to the river.

Mr. Wilberg:

That's a good question. It came up in Conservation: If you open these up, are you actually bringing more flow downstream? We checked with our hydraulic engineer and no, it does not.

Mr. Falk: I hadn't even thought about all the way downstream.

By show of hands, the motion passes unanimously.

The secretary read item #4 of the call - To approve an appropriation of \$150,000, along with bond and note authorization, to the Municipal Improvement Fund Account for Power Redundancy and IT Security Upgrades at Town Hall and Parks and Recreation.

Presentation

Mr. Ratkiewich:

This proposal is to put in an uninterruptable power supply (UPS), a secondary transfer switch and building access controls at various IT resources at our Parks and Rec. facilities. This originally started back in 2018 with an IT audit where there were certain vulnerabilities identified. We have since looked at events that have happened to our server system and identified three distinct events that have caused us to say that we absolutely need a global system, an uninterruptable power supply. Back in 2015, we had a circuit breaker that failed that caused the server room to go down that caused several hours of backup for the IT staff. Christmas eve of 2018, we had a transfer switch failure. The generator actually went on. Then when the power came back on, the transfer switch failed to go back into full street power mode and caused the system to think that the street power was on so the generator turned off and there was no power to the server room. That caused a shut down after 10 minutes of individual UPS systems that were on the

computers and essentially was a situation where we did not have the time to respond. The UPS that we are proposing will provide a backup power supply as well as a power filter, if you will, for the server room and the switch room that will last for two hours, at least, in a power outage; two hours at full load. It may be longer at half load. Two hours is what we think is prudent to allow us to respond with both personnel and equipment, if necessary, to address any issues with the backup generator or, if the backup generator cannot be addressed, to bring in an alternate backup generator and connect it to the manual transfer switch that's part of the proposal. At least, at that point, we have unlimited time to recover. That's in a nutshell what we are looking for. We did go out to an electrical engineer to have this system designed before we proposed it. We went out to bid and had several bids on this project. The low bidder is still willing to hold his price even though that was over a year ago. We originally proposed this in June 2019. It is now a year later and we did experience a third problem. That was when we had tropical storm Isaias which turned out the power at Town Hall for several days. Town Hall was running on a generator, very successfully, all systems go and when the power came back on there was a major surge. We don't have the full building back up right now but the major surge went through and blew out several of the individual UPS's that we had on the servers to try to protect them. So, in effect, we had a failure of several servers that required IT to go back in. We actually lost some data and had to go to backup units. It was just the day before the primary election. Our print servers went down. We were unable to do any printing. It was really touch and go for quite a while. IT came through and got the minimum that we needed for the primary but we had financial systems down for several days. We also had phone system failures. So, a lot of things can go wrong and we came back to the conclusion that we still need this backup system. If you read through the literature dealing with the UPS system, it covers nine different types of failures. We have experienced three different types of failures so far and I'd rather not experience the rest of them. This system will cover all the servers in Town Hall which covers several of the Board of Ed. servers, as well, as well as our switch gear that connects us to data sources in the cloud. Even if we took all servers and put them in the cloud, we still have equipment here at Town Hall. We really need a redundant system to maintain our business practice. In your packet, you should have an estimate that is based on our actual bid from Banton Construction and a hard quote from Security Solutions as well as a 10 percent contingency because Town Hall is a very old building and we're not sure what we're going to find when we start going through it but I'm sure we'll be able to cover it with that. The total comes to \$149,407 and I rounded it up to \$150,000. I'll be happy to answer any questions.

Committees report

Stephen Shackelford, district 8:

The RTM Finance Committee and Public Works Committee met on September 29, 2020 to review the request. Finance Committee members present were Jeff Wieser, Chair, Seth Braunstein, Jessica Bram, happily, Richard Jaffe, myself and Cathy Talmadge. Public Works Committee members present were Jay Keenan, Chair, Andrew Colabella, Peter Gold, Jack Klinge, Richard Lowenstein, Louis Mall, Matthew Mandell, Chris Tait and

Cathy Talmadge. Other RTM members present were Madam Moderator Velma Heller, Karen Kramer and Kristin Schneeman. Mr. Ratkiewich made a presentation to us which was very similar to what he just presented to the entire RTM. I'm not going to go back over all of that. RTM members asked various questions, including about the benefits of the UPS system. Mr. Ratkiewich explained that UPS guarantees clean power, regardless of the source, and also guarantees servers don't go down during a changeover, because it gives the Town a two-hour window of backup power to bring portable generators on site if needed (whereas the current non-UPS solution only provides a few minutes of power, not enough to get a portable generator on site). The UPS solution will cover computer and communications equipment at Town Hall. We already have UPS backup for our Fire and Police systems. The appropriation will also cover recommended improvements to access controls to certain IT equipment at Parks & Recreation. At the conclusion of the discussion, Mr. Jaffe moved that the Finance Committee approve the requested appropriation and bond and note authorization, Mr. Braunstein seconded, and the Finance Committee approved 6-0. Mr. Gold then moved that the Public Works Committee approve the requested appropriation and bond and note authorization, Mr. Klinge seconded, and the Public Works Committee approved 9-0.

Information Technology Committee, Rick Jaffe, district 1:

The Information Technology Committee met yesterday to discuss this issue. I was there, Noah Hammond, Harris Falk. That is a quorum because we're a lean and mean committee. Where we are is that for both governmental agencies and companies, as the online accesses and the business systems become more and more important how we get our jobs done. We go through a series of increasing sophistication with how we try to make our systems available all of the time. So, first, it's resiliency so we're looking for single points of failure and you have plenty of single points of failure when all you have is street power running through switches. Single point of failure would be a bridge going out with no detours. All of a sudden, your transportation system is out and it's stuck until you fix the bridge. We don't want that so resiliency includes security, no unauthorized people coming in and you want clean power. So, uninterruptable power supply is a big battery and it steps in to make our systems more resilient in the event of certain kinds of failure. There are two very significant differences between uninterruptable power supplies and generators. First, UPS is like a big battery so it drives our electrical equipment. Therefore, if the power goes out, there is no crash. There is no downtime while a generator kicks in because the battery has been supplying power all along, it simply continues to supply power without being refilled until the electricity comes back on. Secondly, Pete mentioned that there are eight or nine other things that UPS does for us but mainly it gives us clean power. When the power comes back on with a power surge to burn out your equipment or a power dip comes to burn out your equipment, UPS takes care of that by providing clean power all along. Next in line after resiliency, and Information Technology people and Public Works are already thinking about this, next comes disaster planning so with a hurricane you can recover and keep going and then comes business continuity planning so, if one day, Town Hall disappears from the face of the earth, how do you keep going? Where is your data? Where are your systems? and so on. So, we do think of those things and we're getting there. UPS is the first stage so when our systems are down, in addition to the accompanying business interruption, extra time is lost. Our staff has to drop what

they're doing. They have to bring the equipment back online, reset it, reboot it. If data has been lost they have to go for transactions that have been lost. That's a lot of time but, even more than that, it's a stress on our Information Technology people that we don't need to put on them. Finally, what will happen during this two hours that the UPS is protecting our systems and keeping them running? One of three things will happen: the power will come back online and we'll live happily ever after; or we'll have time to bring in portable generators up and tested and running and take over; or, in the worst case, we get to make an orderly shutdown of our systems which is very important when bringing them back. A motion was made by Harris Falk in favor of supporting this request, seconded by Noah Hammond and passed unanimously.

Dr. Heller:

Thank you Mr. Jaffe. We certainly have had thorough explanations of what this expenditure is for by all involved.

Members of the Westport electorate – no comments

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works the sum of \$150,000.00 along with bond and note authorization, to the Municipal Improvement Fund Account for Power Redundancy and IT Security Upgrades at Town Hall and Parks and Recreation is hereby appropriated.

Members of the RTM - No comments

By show of hands, the motion passes unanimously, 29-0. (Ms. Briggs left.)

The secretary read item #5 of the call - To approve an appropriation of \$71,500, along with bond and note authorization, to the Municipal Improvement Fund Account to design the replacement of underground fuel tanks, fuel system, and heating oil tanks at Parsell Public Works Center at 300 Sherwood Island Connector.

Presentation

Mr. Ratkiewich:

This request is for a design of the fuel tanks at the Parsell Public Works Center. Right now, we have three fuel tanks and a fueling system that is approximately 29 or 30 years old as well as a heating oil tank that supplies the Public Works Highway Building with heating oil. We have been working for the last 10 or 15 years to try to get our tanks out of the ground to avoid liability. We have completed back in 2018 removal of the Police Department tanks and replacement above ground. So, we are looking to do the same thing here at Parsell Public Works. We want the heating oil tanks out of the ground. We want the fuel tanks out of the ground and a modern system. Right now, the system works

but DEP regulations require us to replace them and they are due to be replaced according to those regulations right now. They are on the capital forecast. This particular stage is the design stage. Design and construction is listed in the capital forecast at a price of \$400,000. We'll have to refine that as soon as we get a design and opinion of the cost from the engineer. We went out to RFP for this project so that we'd get some accurate costs. We came in with three bidders. The low bidder was CLA Engineers out of Norwich, Connecticut at \$61,300 with a \$6,000 contingency on that so I just left it at \$71,500. There were two other bidders; the next bidder above CLA was \$88,200 and Weston and Sampson of Rocky Hill did \$106,000 on this project. CLA Engineers, you may recognize the name because at the last RTM meeting I requested an appropriation for pump station #3 design and they were also the winning engineer. CLA has been successful on a lot of bids in Westport lately. The two most recent were parking lots and the pump station #3 main bid. They are experienced in fuel design and they have partnered with a fuel design specialist in this case. So we feel confident that they are going to do a good job. We anticipate the design process to be completed in the winter of 2020/21. Then we will request funds based on the opinion from the engineer. We anticipate it will be on the \$350,000 range based on some of the projects in other areas of the state. I'll be happy to answer any questions.

Committees report

Mr. Jaffe:

The two committees met jointly on Sept. 29 to discuss this issue. Finance Committee Members Present: Jeff Wieser, Chair; Jessica Bram, Seth Braunstein; Rick Jaffe; Stephen Shackelford; Cathy Talmadge. Public Works Committee Members Present: Jay Keenan, Chair; Andrew Colabella; Peter Gold; Jack Klinge; Richard Lowenstein; Louis Mall; Matthew Mandell; Chris Tait; Cathy Talmadge. I congratulate Cathy for being there twice. Other Town Officials Present: Pete Ratkiewich, Public Works Director; Velma Heller, RTM Moderator; Karen Kramer and Kristin Schneeman, RTM. The new system will consist of above ground tanks, which will reduce our environmental liability. The existing tanks are due for replacement because of age and liability issues, but also according to Department of Energy and Environmental Protection (DEEP) regulations that say we should replace them. The existing, underground, fuel tanks are estimated at 25-27 years old. The current fuel system, though functional, is out of date. And the current heating oil tank is also in need of replacement. To date, Public Works has replaced about 70 percent of the town's formerly underground tanks. The new tanks are to be double wall tanks, which will reduce the town's liability. Risk of contamination will also be reduced because above ground tanks can be inspected, whereas underground tank problems are detected when they appear. The requested "design" funding of \$71,500 consists of the \$65,000, the expected cost, expected cost, plus a 10 percent contingency. The \$65,000 design cost is from the low bidder, and is in line with previous cost estimates. DPW is comfortable with the low bidder, an engineering firm with extensive experience both on previous town projects, and with fuel system projects in particular. The requested design funds represent the first stage of the overall design and construction, which is listed in the capital forecast at a total expected cost of \$400,000. The current estimate for the remaining construction phase is \$350,000. The expected total cost, \$71,500 for design

plus \$350,000 for construction, or \$421,500, is close to the forecast of \$400,000, which was made approximately five years ago so we are comfortable with that. Public Works expects the design work to be completed during the winter '20/'21.

Motions in favor of supporting the requested funding were made and seconded for Public Works (Cathy Talmadge / Peter Gold) and Finance (Cathy Talmadge / Seth Braunstein). Both motions passed unanimously: Public Works: 9-0 and Finance: 6-0.

Members of the Westport electorate – no comments

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$71,500.00 along with bond and note authorization, to the Municipal Improvement Fund Account to design the replacement of underground fuel tanks, fuel system, and heating oil tanks at Parsell Public Works Center at 300 Sherwood Island Connector is hereby appropriated.

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

Members of the RTM

Mr. Falk:

I'm pretty sure I'm going to know the answer to these questions but I'm on the Environment Committee and we're trying to get away from gas engines. Have we looked at electric replacement vehicles?

Mr. Ratkiewich:

Yes. We have. We have an active program ever since 2018. Unfortunately, we have applied twice for electrical vehicle grants under the Volkswagen Digital Division's settlement that the State has made available to us and, unfortunately, without having a fleet that I can replace all at once, it's very difficult to compete with trucking companies that can replace with high energy diesels. They can add a little more money to the occasion. My last request was last year, 2019, for an all-electric sweeper when we were trying to replace some of our equipment. The diesel benefit that was realized from that was overwhelmed by the diesel benefits from some other applicants. When I talked to fleet managers from school bus companies, regular bus companies, trucking companies, these are the ones that are getting the grants. But, as we move forward, looking into this on an active basis, we realize that there are lots of opportunities coming up as the technology improves. For instance, we purchased three, what we call low pro trucks on our truck buying spree in 2018 and now there is a prototype of those trucks in an all-electric vehicle. I don't know if it will be available this year or next year; since we replaced all our fleet of heavy trucks, we probably don't need one but that's an example of how the technology is coming along. We're keeping our ear to the ground. I'm a former member of Sustainable Westport so I am always looking for opportunities to improve our fleet.

Right now, the technology isn't there yet but I am hoping it will come along quickly and heavy equipment will soon be in the realm of being affordable.

Mr. Falk:

Thank you. That's pretty much exactly what I thought was going to happen. They do make really cute excavators. Really tiny ones.

Mr. Ratkiewich: I have looked at them.

Mr. Gold:

Velma, are we still on the fuel tanks? [Yes] Harris' question seemed to go to the next item. I was confused.

Mr. Falk:

I was doing a little bit of both for the next one and this one and I got myself confused.

By show of hands, the motion passes unanimously, 29-0.

The secretary read item #6 of the call – To approve an appropriation of \$278,000, along with bond and note authorization, to the Municipal Improvement Fund Account for the Replacement of Heavy Equipment and Specialized Vehicles:

a. Requesting \$178,000.00 for the replacement of Truck #38 – F550 Plow Truck and Vehicle #44 – Kubota Mini-Excavator that are used together for culvert cleaning and excavation.

b. Requesting \$60,000.00 for the replacement of half of the Parsell Public Works Center, truck bay doors and waste oil storage shed.

c. Requesting \$40,000.00 for the replacement of the 40-year-old, non-functional Transfer Station Doors.

Dr. Heller: Those appear in the resolution as one \$278,000 item.

Presentation

Mr. Ratkiewich:

Truck #38, the F550 plow truck and vehicle #44, the Kubota Mini-Excavator: The plow truck is ending its useful life and the excavator is over 25 years old. We use this equipment year round. We use them to clean culverts. We use them to clean streams, general excavation work. This is a mini-excavator, very important to our operations. It's got steel tracks on it, not rubber tracks so it is much more useful to us in a trench situation. Rubber tracks are not really very friendly in mud. They often fall off. The thing with 25 year old equipment is that you want to make sure that you're on top of it because we could have failures of all sorts of the components of that equipment and, if you recall, we had a 710 backhoe that was over 25 years old and the hydraulic system failed and one of our workers got hurt. We can repair this equipment at this point for the cost of about \$11,000 and its salvage value on the market after repair is about \$13,000 or \$14,000. It's not really good business practice for us to do that. I think we're at the point where we need to get

rid of it and purchase a new one. The second part is the Parsell Public Works Center truck bay doors. The truck bay doors that house the freight liners and house our plows do not have any doors on them. This results in a lot of issues with birds in the spring nesting within the garage doors; the lack of garage doors also makes us pull the trucks in forward in the winter time to keep the motors a little bit more warm. What we are proposing is to replace half of them this year and wait a year or two to replace the other half of them so that all of our doors close. This will allow us to pull front forwards out during a storm and it will keep the birds and the vermin out of the sheds and help us maintain our equipment. Currently, we go through a lot of plastic tarps to do the same thing and we generally keep the trucks outside the truck bays because the tarps are usually not that successful. In addition, with the \$60,000 appropriation for the truck bay doors and the waste oil shelter, is the waste oil shelter itself. Currently, we have to store the waste oil that we collect. It has to be in a container that if one of the 55 gallon drums ruptures, it will hold the oil so we can go in and clean it up. Right now, the structure that they are in does not meet those requirements which puts us outside of our compliance with our spill prevention control and counter measures plan for the highway garage. We have DEEP regulations for what we can do, what we can store and how that is stored and this is out of compliance so it needs to be replaced. The third part of this request is our transfer station doors. I apologize because, at the committee hearing, I incorrectly stated that there were two doors. There are three doors. The cost of replacing the three doors is \$40,000. The cost in the capital forecast is \$75,000. These three doors are the three doors facing the public at the transfer station. None of the three work at this point. So, two are open and one is closed. We need the flexibility to close all of them or open two, close one, etc., etc. because that allows us to do flow control. When we're in that transfer station, we often get clogs in the compactors and we need to service those compactors. At that point, we may shut down one bay door to service the compactor to try to unclog it. In the meantime, the trash keeps coming into the station so we would open another door and put the trash on the floor and push it to another compactor with one of the bucket loaders. So, it's an operational thing. In addition, these are three of seven doors on this station that have not worked for quite some time. By DEEP permit, we are actually required to have all doors closable. Right now, we do not have a violation and, for \$40,000, I can fix half of the doors. When these folks come in and replace these three doors, I want them to look at some of the larger doors which are 25' tall and much more expensive and maybe they will be able to repair them. Our goal, overall, within the next couple of years is to try to repair all the doors so we are in compliance with our permit. This is a first start and it's a good start. I think this is a safety issue, as well, to be able to shut the doors on the front of the bays. I'd love to be able to shut all the doors right now but, as I said, I will have this company get them repaired. As far as bids on this project, we actually went out to bid for these doors to four suppliers last year and we got one supplier responding. At the Board of Finance hearing, the Board of Finance told us to try again and we did. We sent it out to four or five other suppliers and we got two bids in. Crawford Door was still the low bid on these industrial doors. The second bidder was significantly higher. Overhead Door was the second bidder. Their cost was about \$6,000 higher than Crawford Door per door. So, bottom line is this building, which is very critical to the town of Westport because it's where all the solid waste flows through, really needs to have the ability to be secure. We are asking to replace these doors for security and it's also a safety measure for the

transfer station. We realize that the entire transfer station is fenced in but with the doors open we have had breaches of our fenced in area. There is equipment in this building that can kill people if it's improperly activated. We are working towards compliance at the highway garage and also at the transfer station. We are trying to get everything closed up so we can secure everything.

Committees report

Mr. Keenan:

This is an appropriation of \$278,000 for four items broken down into three separate line items. These items are in the five year capital forecast and will be funded to the Municipal Improvement Account with Bond and Note Authorization. The first item was the replacement of an F550 Plow truck and Kubota Mini-excavator. Both pieces of equipment are beyond their useful life and are in need of replacement. These items are bundled together as they are typically used together for stream and culvert cleaning as well as general excavation. The second item was the Garage Door/Shed Replacement – Replacement of half of the garage doors at the Public Works Center and the waste oil shed storage shelter on Sherwood Island Connector. The current waste oil enclosure does not meet spill standards and must be upgraded to a shelter which can contain an oil spill. The Garage Doors are a two part project to install doors on the truck bays. They will be coming back to us at a later date for the remainder of the doors. The current plastic tarps are ineffective at keeping the birds out and they are a constant problem causing damage and man hours to deal with the problem, clean up the trucks and clean out all the nests. Additionally it will keep the winter elements out of the building will keep the diesel trucks in ready/warmer condition. The next item was replacement of the 40 year old Transfer Station Doors, which currently do not work at all. New working doors would allow DPW to better control the flow of people who access the facility and in a safer manner should the need arise when one of the compactors is down for maintenance. This will also allow DPW to secure the building at night. Regarding the transfer station doors, Dick Lowenstein made a motion from the Public Works Committee to eliminate the transfer doors, the \$40,000. After a motion, the Public Works Committee voted 4-4. We didn't get Andrew Colabella's vote due to a technical glitch. Since that did not pass, a motion was made for each committee for three individual appropriations. The excavator and the truck passed unanimously by both committees. The garage door replacement passed unanimously by both committees. The transfer station garage doors passed unanimously by the Finance Committee and 6-2 by the Public Works Committee.

Members of the Westport electorate – no comments

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$278,000.00 along with bond and note authorization, to the Municipal Improvement Fund Account for the Replacement of Heavy Equipment and Specialized Vehicles is hereby appropriated.

Dr. Heller: We have a resolution and a second.

Members of the RTM

Kristin Schneeman, district 9:

Thanks Pete and to the committees for all the information about all of these items. I think because we were talking about two sets of building doors, I may have gotten myself confused so I apologize if this was answered. I have two questions: Pete, I think you mentioned about the truck bay doors in the public works center that you were requesting funding for only some of the doors, not all. So, my question was why not all at this point?

Mr. Ratkiewich:

We just felt if we split the doors over a couple of years, it would be less painful financially.

Ms. Schneeman:

It doesn't totally solve the birds or the cold trucks. It's better than what you've got but...

Mr. Ratkiewich:

We built the building in 1998 so another year or two isn't going to hurt.

Ms. Schneeman:

That segues into my second question about the transfer station doors. I don't remember what you said in the committee meeting about how long those had not been operational. My second question that I don't remember you mentioning in the committee meeting was about the DEEP and that we are out of compliance. Could you say a little bit more about what we should be compliant with.

Mr. Ratkiewich:

In between the committee meeting and now, me and Scott Sullivan, our Highway Superintendent and Equipment Superintendent, and Solid Waste Superintendent met with Dick Lowenstein to review the condition of the doors. Mr. Sullivan mentioned that we also have a DEEP compliance issue because that requires that all doors should close. DEEP doesn't necessarily go around issuing tickets for this but, if they were given the opportunity, they could. If I were to come to you with a proposal to bring us into 100 percent compliance with the doors, it would be around \$300,000 so these three are the low hanging fruit that I can get right off the bat. They are only \$40,000. I am going to try to repair two doors. The remaining two doors, we will take a look at, as well. The remaining two doors are where the trailers come in and back into the compactors. Most of the time, the compactors are attached to the trailers but we do need to have the ability to close those. Those and the main doors where the commercial trucks come in are things that I'm going to have Crawford Door look at and see if they can do some repairs rather than do a full replacement which would be very expensive.

Richard Lowenstein, district 5:

Pete mentioned that he invited me to come down to the transfer station yesterday to take a walk around. The folding gate doors, which I had suggested, would not work because the DEEP, not only want to keep people out, they want to keep vermin and birds out, as well. Gates don't work as well as doors. What bothers me, and it is not a reflection on Pete or anybody in town, is the way the State establishes requirements without any kind

of recommendations. There's always the threat of money which the State holds over the towns, as well. I would like to see a more conciliatory approach by the DEEP when they

say something is not required but is nice to have. So, I'll support this even though at the meeting last week, I was one of the people who objected to it.

Carla Rea, district 8: I'm okay. I got my answers. Thank you.

Mr. Falk:

I basically jumped the question with the last question and you've already answered regarding electric cars to get us away from fossil fuels. This is why the comment about the cute little excavator.

By show of hands, the motion is approved unanimously, 29-0.

Item #7

Ms. Batteau joined the meeting. Ms. Briggs returned to the meeting. Thirty-one members present

Dr. Heller:

Before we begin this next item, I just want to clarify. We are dealing with a sense of the meeting resolution. For those of you who have not participated in one of these before, just let me make some points on it. A sense of the meeting resolution represents a consensus of opinion of the members of the RTM on an issue that does not fall within the authority of the RTM to affect. Examples of past sense of the meeting resolutions that have been endorsed by the RTM are:

- 2017 – The New Zero by 2050
- 2013 – Gun control legislation
- 1998 – Telecommunication sites which was about those towers
- 1992 – Nuclear arms freeze which had to do with Cockenoe Island
- 1972 – The Viet Nam war

While such resolutions represent a statement of agreement or accord among members, they are non-binding and do not require any specific action by the town. Eileen Flug, I wonder if there is anything you'd like to add on that?

Eileen Flug, Assistant Town Attorney:

No I think you've covered it. I will be here to answer any questions.

The secretary read item #7 of the meeting - To adopt a sense of the meeting resolution asserting that racism is a public health crisis affecting Westport and all of Connecticut.

Presentation (Sponsors: Amy Kaplan, Harris Falk, Sal Liccione)

Amy Kaplan, district 3:

Thank you Madam Moderator, members of the RTM and members of the public. When Harris first spoke to me about proposing this resolution, it was after a year where we

heard from many black and brown voices in our community telling us they don't always feel comfortable here; that the sting of racism is, in fact, here in Westport. We heard from high school students, so eloquently expressing their truth of how it feels to be in Westport in a dark skin. We heard from someone who worked here in town, about being racially harassed while on the job. I have spoken with a Black business owner here in town, about how the n-word has been thrown at her, here in this town. The *Black Lives Matter* sign at the Unitarian Church has been vandalized at least three times, here in town. And every time we hear these stories, we shake our heads and say 'How terrible! That's not Westport!' When a Pro-Publica article about Westport called us racist, people said, 'No, we're not racist! You just don't know us.' And I thought, that also is true. Most people here in town are not racist, and would never think of themselves in that way. Many of them commit themselves to building a more just and equitable society in their work and their actions. But, it is also true that Westport has, over the years, not acknowledged that our history includes the histories and contributions of Black and Brown people, enslaved and free. And this is still, as we have heard, a difficult place for Black residents, employees, and passers-through to feel confident that they will be received on equal terms. And so I thought that this resolution is a good thing, a way to make a public affirmation that Westport is a place where we commit to not only saying we're not racist, but that we commit, on the public record in what is essentially a statement of intent, to actively work toward combating racism, and valuing all people as deserving of equitable treatment in the way we do business as a town. And I thought that, in this moment of time, as divisions and inequalities are wracking the country, this is the right time to make this statement. I, perhaps naively, thought that this would not be controversial. But I heard- though rumor and second-hand, that some of you had objections, or, at least, concerns. The first raised was that this was a political move, or that it would be perceived as a political move. Speaking for myself, I will tell you all that although I am a registered Democrat, I am not a member of the DTC, I don't attend meetings, and I'm not at all sure that they even have a position on this. This is an RTM resolution, and the RTM is supposed to be non-partisan. I have never asked the DTC for direction on issues before the RTM, and I did not start now. In that spirit, I would ask you all, whatever your political leanings, to just bring it back to the words and the intent here, which is to express that we as a town are not blind- that we see the world around us and recognize the negative effects of racism, and that we commit, in all the ways possible to us, to conduct our business always with efforts toward promoting equity and justice. I don't believe that this is about politics, it is about humanity. Next, I heard that asserting racism is a public health crisis was overstepping and not factual. Additionally, the somewhat stilted language of the "Whereas" clauses was mentioned as a problem, perhaps unnecessarily long for reading out. Where did that language come from? What authority has legitimately asserted that racism is a public health emergency? In the June 15 2020 issue of Stateline, a Publication of Pew Trust Research, I learned that the American Public Health Association, the American Medical Association, the American Academy of Pediatrics and the American College of Emergency Physicians have all declared institutional racism a public health emergency. They have made that determination after much research, study and analysis. The website for the American Public Health Association has much of the information online. The statements in our resolution are backed by those studies and drawn from that analysis. We had a framework to use for this resolution- municipalities across the nation have

passed very similar statements. The language *is* very formal and stylistic. They all assert that racism is a public health crisis in our nation, in our state, in our towns. They use the *whereas* clauses to explain the various ways that racism negatively affects the health of people of color. Some are ordinances and some are resolutions or sense of the meeting type of statements, many versions of the same Resolution Against Racism have passed in towns, counties and states including Ohio, Wisconsin, and Michigan, Cleveland, Denver, Indianapolis, and 16 Connecticut towns: Bloomfield, Bridgeport, Colchester, Easton, Glastonbury, Hamden, Hartford, Manchester, Middletown, New Britain, New Haven, New London, Simsbury, South Windsor, West Hartford, Windham, and Windsor. Each has added relevant material or specific proposals and modified as they felt appropriate, but they kept the language and structure all very much the same. This resolution is in that same mold. It is modified to include steps that Westport has already taken to begin to address this issue, and as a sense of the meeting resolution it can't compel any specific actions. It is a statement of our values, and a promise to continue work we've already begun, with some suggestions to quantify and evaluate our progress. In passing this resolution, Westport will be standing in solidarity with all of those other communities across CT and across the nation, and importantly, with our residents, friends and neighbors who are people of color. Letters to the RTM, in response to this agenda item, have been overwhelmingly in favor of passing the resolution. Some have suggested that it is not strong enough, or should include more specific action items. On the other side, I know some RTM members have been working on an alternate resolution that is broad and non-specific. When I hear that, from both sides, so to speak, it makes me think that we are in just about the right place. Let's not complicate this by attempting to craft a statement that mitigates its relevance to the current moment by lumping racism in with other forms of discrimination. Let's be clear with our messaging, and consistent with other communities across the nation and our state in making a statement that speaks strongly and specifically to racism, which has been denied and glossed over for far too long. I urge you all to pass this resolution and make this public statement of our values to our residents, our neighbors, and our visitors.

Now, we'd like to read into the record a statement from the Executive Director and the Board of Westport Museum for History and Culture, for some historical context for the resolution before us. Harris?

Mr. Falk:

October 6, 2020 Statement Re: Resolution to address Racism as a Public Health Crisis
The Westport Museum for History & Culture has been asked by both those in favor of and against to make a statement about the proposed resolution asserting that racism, specifically, is a public health crisis affecting the town of Westport and the State of Connecticut. With respect to those requests, we are providing a statement of historical context for the resolution on the table. In 1939, a health survey commissioned by the town of Westport said "housing of Negroes" was a "disgrace" contributing to "unsanitary conditions" in the town. This is but one example of how long established institutionalized racism in the healthcare system toward Black Americans has today resulted in Black Americans being disproportionately affected by the COVID-19 and other health crises. In the 1940s, Westport's RTM considered "Negro Housing" at 22 ½ Main Street an

embarrassment to the town engendering vigorous public debate. After a fire in early 1950, residents largely left Westport after Town promises to find them affordable housing were unfulfilled. Westport continues to debate affordable and equitable housing opportunities for those considered “lower income”—a population disproportionately represented by people of color. In 1968, following a year of dramatic protests demanding Civil Rights, The Kerner Commission, empaneled by President Lyndon Johnson, noted: “Our nation is moving toward two societies, one black, one white—separate and unequal... What white Americans have never fully understood but what the Negro can never forget — is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it.” In 1996, in the case of Sheff vs. O’Neill, the Connecticut Supreme Court found that Hartford schools were racially, ethnically, and economically isolated, despite Connecticut’s constitutional directive to provide all students with racially integrated and substantially equal educational opportunities. Questions of equitable, educational integration arose in Westport as early as the 1970s and continue today. In 2017, the National Academies of Sciences, Engineering, and Medicine produced an extensive and continually updated report on health disparities which noted: ...“race and ethnicity are extremely salient factors when examining health inequity. Therefore, solutions for health equity need to take into account the social, political, and historical context of race and ethnicity in this country.” 1) In 2018, The Sentencing Project submitted a lengthy report to the United Nations Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia, and Related Intolerance in the United States of America. 2) Municipalities nationwide are taking a proactive posture for eliminating racial inequity by acknowledging the long history of systemic inequality and bias built into their laws, regulations and administrative policies. The American Public Health Association has compiled an ongoing list of municipalities by state who have adopted such measures. 3) What we have provided are a merely a few points of the millions on the timeline of local and national history that illuminate how healthcare, housing, schooling and policing are all affected by precedents of racial bias. We hope these points demonstrate for the RTM that history is a compilation of events that continually influence the rules that govern our communities not simply things that happened in the past. The resolution before you is a recognition of the historical fact that racial bias and structural racism, however unconscious, has created and continue to create inequality in how members of our society are treated. Such recognition provides the RTM an opportunity to demonstrate to local constituents, State neighbors, and fellow American citizens that this is a community with its eyes open to the past as a way of building a more equitable future. Thank you, Ramin Ganeshram, Executive Director Cheryl Bliss, Chairperson on behalf of the Board of Directors of Westport Museum for History & Culture.

Dr. Heller:

Let me just say one thing to those who are watching: If you would like to write an email while these are being read, you can certainly get an email in to us during this comment period.

Members of the Westport electorate

Daniel Burgin, Staples High School Sophomore:

Good evening ladies and gentlemen of the RTM,
My name is Daniel Burgin and I am a resident of the Westport community and sophomore at Staples High School. Recently I was sent the resolution proposed to the Board this evening and I unequivocally believe in its need to be passed. I moved from Brooklyn, New York to Westport last summer and it was a culture shock, reckoning with the difference in the acceptance of culture and diversity. By no means was my community perfect but there was a respect for everyone and their culture no matter where they came from. I can share stories of my time here in Westport beginning with beginning called the n-word my first day of school and ending with the small comments by well-intentioned people that come off rude and demeaning. Most of you tonight may never fully understand what it is like being a minority in a majority town but you can empathize with the experience. As citizens of this town, this state, this country we have a responsibility to our peers and every constituent of our communities to make sure that they feel welcomed in their homes. It starts with each of us individually and continues with people that have the power to create change, doing their part in ensuring both equity and equality. This is the first step, acknowledging racism and how it has influenced this town. We have the ability to do better than the people before us, for both ourselves and those after us. I implore you to vote for the resolution, it may not directly affect you but somewhere on the food chain it does reach you. But aside from that, it is just a human principle, respect and acceptance because at the end of the day we are all human beings, no matter nationality, race, gender, sexual identity, socioeconomic class, or favorite TV Show, each of us contribute our gifts and talents to this world.

Thank you for your consideration. Daniel.Y.Burgin

Tom Foran, 4 Beachside Common:

My name is Tom Foran, of 4 Beachside Common in Westport. Westport is a town that has historically been on the right side of history when it comes to social justice. This is exactly the right moment to take a formal stand against racism and bias in all its forms, and to set a compelling example for other towns to follow. While the Amendment's principles are noble, it lacks any kind of actionability. The Resolution provides a far clearer set of measures, which, to quote Dr. Martin Luther King, Jr. who visited Westport in 1964, underscores 'the fierce urgency of now'. I strongly support the passing of the Resolution.

Best regards, Tom Foran

Mr. Wieser:

There are two from Harold Bailey. I think they are the same. I am reading the second one. If that is not the case, Harold, email me real fast and we'll figure it out.

Harold Bailey, Jr., 15 Regents Park, Chair of TEAM Westport (speaking on behalf of TEAM Westport):

This note is to affirm TEAM Westport's support for the RESOLUTION OF THE REPRESENTATIVE TOWN MEETING ASSERTING THAT RACISM IS A PUBLIC HEALTH CRISIS AFFECTING THE TOWN OF WESTPORT AND ALL OF CONNECTICUT. We are declaring this support since of the seven action oriented clauses headlined "BE IT FURTHER RESOLVED that" within the resolution, TEAM Westport and

its partner organizations are already effectively engaged in all seven. TEAM Westport's core mission is to proactively dismantle racism in all its forms for the town. For over two years, we have utilized Antiracist principles to do so. In effect, Antiracism = 'proactively dismantling racial inequities'. Doing so is a town mission and value that is neither political nor unpatriotic....neither Democratic nor Republican in nature. We would hope that the RTM would not vote down aspirations to applaud and support our work that is already well underway. Work that this body has missioned TEAM Westport to pursue and effectively address since 2005. Such a vote would clearly be a step backwards re: Westport's image as a welcoming community for people of color, in general, and Black people in particular. Overall, we are working to create conditions that ensure all Westport residents, employees and visitors are accorded equal courtesy, respect, consideration and opportunity. While we understand that 'aspirations regarding race relations' are not in the wheelhouse of the RTM, it is clearly in ours. As such, TEAM Westport strongly encourages approval of the fore stated resolution.

Sincerely, Harold Bailey, Jr., Chair, TEAM Westport

Mr. Wieser: We've got a couple more.

Rev. Alison Patton, Pastor, Saugatuck Congregational Church:

Good evening, I am writing to address the resolution identifying racism as a public health issue in our community. I am a resident of Westport and Pastor at Saugatuck Congregational Church, UCC. I'd like to thank the RTM for taking up this resolution and encourage its passage. I see this as the continuation of an important conversation that we've been having in the Westport community, in several settings - in churches, synagogues, at the library, in our public schools, at the Westport Playhouse and in the public square - about the legacy and continuing impact of racism in our culture. This is an invitation for us to exercise our curiosity, especially concerning the experience of black and brown residents in our community (and to take that experience seriously). It's an invitation to explore our history and to thoughtfully consider the steps we could take, collectively, to ensure greater equity in Westport. I am grateful to serve in a town with residents committed to confronting the damage caused by systemic racism, to learning and growing together. Thank you for your time and attention.

Rev. Alison Patton, Pastor, Saugatuck Congregational Church

Point of order, Kristan Hamlin, district 4:

The Darcy Hicks one was sent to the whole RTM.

Mr. Wieser:

We were saying we weren't reading the ones sent to the whole RTM but she sent a second one to RTM comments.

Darcy Hicks:

The anti-racism resolution is addressing an urgent need to attend to the racism that is swelling uncontrollably throughout the country. Our school children in Westport are looking for assurance and hope and Westport is in a position to offer it. The amendment to change the language about racism to general discrimination is familiar. While all

discrimination is bad, the idea of sweeping aside this topic of racism by swallowing it into a general bucket of topics is insulting to all those who experience racism. Furthermore the amendment does not address the fears of children of color living in Westport. They have requested change. Change is reflected in the specific language of the original resolution proposed - not the amendment.

Thank you, Darcy Hicks

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the request of at least two RTM members, the following sense of the meeting resolution is hereby adopted:

RESOLUTION OF THE REPRESENTATIVE TOWN MEETING
ASSERTING THAT RACISM IS A PUBLIC HEALTH CRISIS AFFECTING
THE TOWN OF WESTPORT AND ALL OF CONNECTICUT

WHEREAS, racism is a social system with multiple dimensions: individual racism that is interpersonal and/or internalized or systemic racism that is institutional or structural, and is a system of structuring opportunity and assigning value based on the social interpretation of how one looks; and

WHEREAS race is a social construct with no biological basis; and
WHEREAS racism unfairly disadvantages specific individuals and communities, while unfairly giving advantages to other individuals and communities, and saps the strength of the whole society through the waste of human resources, and

WHEREAS racism is a root cause of poverty and constricts economic mobility; and

WHEREAS racism causes persistent discrimination and disparate outcomes in many areas of life, including housing, education, employment, and criminal justice, and is itself a social determinant of health; and

WHEREAS racism and segregation have exacerbated a health divide resulting in people of color in Connecticut bearing a disproportionate burden of illness and mortality including COVID-19 infection and death, heart disease, diabetes, and infant mortality; and

WHEREAS Black, Native American, Asian and Latino residents are more likely to experience poor health outcomes as a consequence of inequities in economic stability, education, physical environment, food, and access to health care and these inequities are, themselves, a result of racism; and

WHEREAS more than 100 studies have linked racism to worse health outcomes; and

WHEREAS the collective prosperity and wellbeing of Westport depends upon equitable access to opportunity for every resident regardless of the color of their skin: and

WHEREAS in August 2005, recognizing the need to achieve and celebrate a more welcoming, multicultural community, the Town of Westport established the TEAM Westport Committee to advise Town officials; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Westport asserts that racism is a public health crisis affecting Westport and all of Connecticut;

BE IT FURTHER RESOLVED that the Town of Westport will work to progress as an equity and justice-oriented organization, by continuing to identify specific activities to enhance diversity and to ensure antiracism principles across our leadership, staffing and contracting;

BE IT FURTHER RESOLVED that the Town of Westport will promote equity through all policies approved by the Town of Westport and enhance educational efforts aimed at understanding, addressing and dismantling racism and how it affects the delivery of human and social services, economic development and public safety;

BE IT FURTHER RESOLVED that the Town of Westport will improve the quality of the data Westport collects and the analysis of that data—it is not enough to assume that an initiative is producing its intended outcome, qualitative and quantitative data should be used to assess inequities in impact and continuously improve;

BE IT FURTHER RESOLVED that the Town of Westport will continue to advocate locally for relevant policies that improve health in communities of color, and support local, state, regional, and federal initiatives that advance efforts to dismantle systemic racism;

BE IT FURTHER RESOLVED that the Town of Westport will further work to solidify alliances and partnerships with other organizations that are confronting racism and encourage other local, state, regional, and national entities to recognize racism as a public health crisis;

BE IT FURTHER RESOLVED that the Town of Westport will support community efforts to amplify issues of racism and engage actively and authentically with communities of color wherever they live; and

BE IT FURTHER RESOLVED that the Town of Westport will identify clear goals and objectives, including periodic reports to the Representative Town Meeting, to assess progress and capitalize on opportunities to further advance racial equity.

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

Additional comment from the **Westport electorate:**

Ngassam Ngnoumen, 17 Adams Farm Rd:

Good evening, Voting for this resolution is a statement of who we are. Our absence on this matter or silence would speak volumes. This is the time to show leadership and reaffirm our collective values. Thanks for your time.

Ngassam Ngnoumen

Members of the RTM

Carla Rea, district 8:

This is very close to home. As a grandmother of a half-black beautiful granddaughter, I find the proposed resolution with all those *whereas* to be racist against her. She is a human being like everybody else. The way this resolution is written only increases division.

Mr. Jaffe:

The idea of this resolution is a good one. I'm a relatively new RTM member so I haven't seen many sense of the meeting resolutions. I guess we are being asked to apply a much lower standard to this sense of the meeting resolution than to our normal RTM business. I would register a complaint that this resolution, as written, demands that we apply a very much lower standard. So, I mentioned that the idea of the resolution is a good one but words matter and so do the lack of words and so do the ramifications of those words. For example, we are asked to focus on racism to the exclusion of other forms of discrimination such as sexual preference. I haven't had time to think through what it means to put racism ahead of sexual preference. They are both problems that we should be dealing with as a community and I believe we are dealing with them as a community. Secondly, the eighth *whereas* refers to 100 studies that support the ideas in this resolution. Dear constituents, we live in a world of alternative facts and fake news. When we see words like "100 studies" without supporting documentation, we are contributing to the alternative facts and the fake news. We should be working to make things better, not worse. So, I do support the idea so I suppose I should vote in support of this resolution because my constituents would favor it but it is not a well written resolution.

Mr. Lowenstein:

I'm going to take a very technical approach to this. I am talking mostly about the "therefore's". Everything there that it says we will do is something that the town will do in its executive capacity. There is nothing there that the RTM can do. Perhaps the way to handle this is to say that 'the RTM recommends to the Board of Selectmen it...' and list all the items there and say they should do that because there is no ability of the RTM to do any of the things that are stated in there as the town of Westport will. I defer to the Assistant Town Attorney to say whether I am right or wrong on that but I can't see what we can do. This is very similar to something that happened last year as to what the RTM can and cannot do with respect to executive responsibilities.

Attorney Flug:

Dick, which part of the resolution were you having a question about?

Mr. Lowenstein:

“...the Town of Westport will promote equity through all policies.” We don’t establish policies. The executive does. “...will improve the quality of the data Westport collects and the analysis of that data.” We don’t collect data. We analyze data. “...solidify alliances and partnerships with other organizations that are confronting racism and encourage other local, state, regional, and national entities” to get involved. We don’t do that. That’s not a legislative responsibility. That’s an executive responsibility. I don’t know how you handle it. If this thing passes, what does it mean really?

Attorney Flug:

As your Moderator explained at the beginning of the meeting, sense of the meeting resolutions are expressions of the RTM’s intent or feelings about something but it’s not enforceable. So, you’re right, Mr. Lowenstein. The specific provisions would not be enforceable against any employee or staff member or elected or appointed officials of the town. So, they are an expression of the RTM’s desires and intent but there’s no enforcement of any of these provisions.

Lou Mall, district 2:

Madam Moderator, I have several questions. There was nothing that went to any committee, is that right?

Dr. Heller: Sense of the meeting resolutions do not go to committee.

Mr. Mall:

I have a problem with these sense of the meeting resolutions because either they say too much or they say not enough. I sort of feel like you’re damned if you do and damned if you don’t. Then they are also often very controversial and political. The third thing is what I am seeing appears to be partisan. Any time I feel partisanship is starting to creep into the RTM, I get a little taken aback because we are a non-partisan body and it’s important that we keep it that way. I want to make it perfectly clear: I condemn racism. Black lives do matter. Brown lives do matter. But talk is cheap and it is more important to judge me by what I do, not what I say.

Andrew Colabella, district 4:

After reading the resolution, as posted, as first noticed on *westportnow*, talking with my colleagues who were also unaware of this resolution, the *whereas* clauses, factual statements that are either not accurate or not yet established, the facts matter. You are trying to proactively, progressively act like Westport has in the past. So, I don’t feel comfortable signing onto a resolution that contains factually incorrect statements. Furthermore, this divisive move made without regard to consultation with their colleagues is not conducive to an effective, efficient leadership of this non-partisan body. I would have to agree with my colleagues that this resolution is not very well written.

Mr. Izzo:

I am looking at this resolution and it's missing so much. We're forgetting so much. If you look at this whole world that we live in, people are looking at things that are going on. None of us is racist. Are there acts of racism? Absolutely, throughout the world, there are acts of racism. We don't condone them. When you look at this resolution, we are a non-partisan body that is based here to do the town's business. I tried to do a resolution on marijuana. It got political. I look at it. I learned my lesson. Not again. This one, I can't vote for this. Seventy percent of people below the poverty line are women and children; yet this resolution doesn't address sexism as a factor in poverty. There are so many things in here. There are so many things that lead to poverty. There are so many things that lead to divisiveness. This resolution is misleading. I cannot vote for this as is.

Ellen Lautenberg, district 7:

I find myself a little bit confused by the resolution in that I would love to see the RTM support an anti-racist resolution. I am a little bit confused that it focuses in the title on the health aspect when I really feel like there are many aspects and some of them are mentioned in the body of the resolution. It is not encompassing to focus on the health aspect issue which is potentially one aspect. I would like to have seen more input from, perhaps, more RTM members in the creation of this resolution and perhaps more people outside the RTM. I do appreciate that it is based on a template that has been used by other towns but I feel that Westport is also unique. I would like to see it crafted in such a way that it hones in on some of the more specific issues that are specific to Westport or where, perhaps, people feel the various weaknesses are in addition to health effects. So, I'm not sure that I will support this.

Mr. Wieser:

Velma, can I read one more from the public? It's kind of unusual. We don't allow that but, given that people are coming in late or do you want to cut it off?

Dr. Heller: It's awkward. I think we should read it.

Point of order, Mr. Gold: I was not permitted to ask a question...

Dr. Heller: But, we had already started to vote, Peter.

Additional comment from the **Westport electorate**:

Max Kaplan, 7 Fillow Street:

Dear members of the RTM: My name is Max Kaplan. I am a lifelong resident of Westport and graduate of Staples High School. This resolution is necessary to make it known that this town stands against racism. If you do not pass it, you are telling the world you do not care about racism in our community. I strongly urge you to pass this resolution as written. Sincerely, Max Kaplan

Dr. Heller:

Peter, I'm sorry that you didn't get to comment at that time but we really had started the vote.

Mr. Gold: It's alright, Velma. I just wanted to raise the point of order.

Additional comments from the **members of the RTM:**

Candace Banks, district 6:

I see a lot of strained faces here on the Brady Bunch screen we have right now and I wasn't dreading this conversation. I actually think it is relatively simple. To Lou's point that this is all talk, no action, I get it. I get it because of all these aspirational things that are listed in the resolution that we do not have the power to do but we have heard from Harold Bailey who is on TEAM Westport. Before I got elected to the RTM, I have been going to TEAM Westport for a couple of years. It meets every Tuesday at 8:00 a.m. You can zoom in now from the comfort of your home and I have to tell you that the work that is going on at TEAM Westport to put our town on a better track on these issues is like five of those points. Harold said and it needs repeating, a lot of the things that are in this resolution are happening. It's not just talk. Maybe we can only express it as a statement of our values through talk but it is happening. The TEAM Westport meetings are open to the public and I invite you to join me there to listen and learn. It's pretty fantastic what they are doing. I will go into it: They are talking about doing an equity audit in school. They are talking about an anti-bias hotline so people who have these terrible, hateful experiences in our town have somewhere to report it. They are talking about changing the signage around town---at the train station, at Town Hall to be more inclusive of the history of Westport but not just from the white settlers' perspective. Building bus shelters along the Post Road. There is a lot. We can't do this as the RTM because it's not our role but it's not just all talk. There is action. I invite all of you there because this is really important stuff that happens at TEAM Westport. For those who think this isn't necessary, why are we putting this divisive thing out there, I think we heard from the people of color through the public comments. We've heard from people who have directly experienced racism. What I'm about to say is not meant to be provocative, I'm not being judgmental. This body of 36, we are not a racially diverse group. So, for me, when people of color take the time to offer their perspective and maybe share incidents with me and a lot of people just put out in writing to the whole town...'This is what happened to me at school.' 'This has been my experience as a person of color living in Westport.' I think that should be afforded a great amount of weight. I've never had that experience and I won't have that experience but they did and they're brave enough to share it and get behind this resolution. It should make us all sit up a little straighter. The other point that maybe was raised that maybe this doesn't go far enough. It doesn't condemn sexism. It could go further in protecting all forms of discrimination. There is nothing preventing us from doing that at a later time and I'm happy to help. For something like sex discrimination, something that is not in the resolution, that's a great thing to condemn. I identify as a feminist talking about gender inequities. I live for that. My poor husband can attest to that. But this isn't about me. This is about racism. We can talk about sexism or other discrimination through more sense of the meetings but this, we have had people of color in our town stand up and say, 'Hey, this is a good thing.' We should listen. That's all I have to say. Thank you.

Wendy Batteau, district 8: Candace, do you think there's an ERA in America?

Ms. Banks: No.

Ms. Batteau:

There isn't an ERA in America. They keep saying 'Women, wait a little longer.' Women didn't have the right to vote. Women don't technically, legally, have equal opportunity. When we speak about the moment, we are approaching a moment, probably in a couple of weeks when women and children and the elderly who are already the most seriously health disadvantaged people as are Black and other ethnic minorities but women, in particular, are going to probably lose many, many, many protections. Elderly people have probably more pre-existing conditions than anybody. For women, pregnancy is a pre-existing condition and so on. I don't see a reason to say 'Let's do this one now and wait until later.' Maybe we should wait another 40 years which is how long the ERA has been out there and not been voted on. This is not to say I don't want to endorse something condemning racism. This is not an anti-racist sense of the meeting resolution. This says that black and specific other ethnic minorities have particularly bad health outcomes and we have to act against that. I agree with that but I also don't see a reason not to include other minorities or other disenfranchised people like women, like the elderly, like kids. I see no reason not to include that. I certainly support TEAM Westport. My husband, who is an ethnic, multi-racial kind of guy was on it for a while until his traveling schedule got too complicated. When we have traveled and when we've been in town, we've experienced other issues and so have I, as a woman. I've experienced that at the RTM. I would say something sitting next to Matt Mandell and he would repeat it and say 'She just said that.' People heard it when he said it. I think that many of the statements that Amy made in her introduction could easily be sense of the meeting resolutions that I would support. They were eloquent. They were to the point and that was fine but this is a very specific resolution and it says very specific things. I don't see the reason not to include other groups that are going to need the help now in it. Further, I don't know if you've seen the TEAM Westport mission statement in charge but it says we should be responsible for changing attitudes. Why don't we add health to that? Why don't we give them a budget? Why don't we charge them with getting specific actions done? I think that would be one vehicle for doing specific things. Similarly, amongst our hardest working departments is Health and Human Services which has among the lowest budgets of any in town. We should put our money where our mouth is. You can tell a town's priorities not from what it says but what it does. I've said this for years. We should better fund Health and Human Services. I was talking with a friend of mine who works with underprivileged multi-racial, bi-racial, and black at DCF at the State level. She said they can't get anywhere near enough foster parents for those kids. Everybody else, they don't have too much trouble with. Making a statement like this, which is pretty exclusive, and I have to say which has problems in how it's written, and I don't say that to put down Amy or Kamala Harris, this is basically taken from a statement by Kamala Harris in the Senate and people have introduced in State Legislatures and it's not really tailored to what we might want to say and about Westport. I would certainly be glad to work with anybody, a widely published 40 year author, not necessarily under my own name, and editor, I'd be glad to work with anybody if we want to rewrite something; although I gather there is something which is rewritten which will be introduced. I don't mean to offend anybody but I don't think this does what many people think it says it's doing.

Mr. Gold:

I always complain when people start off by saying 'I think the person before us had a great idea in favor of the schools and parents but...' I think we should start with the 'but' and shorten the meetings. However, the preamble, like anyone else in this meeting, I do not endorse racism in any form or shape; however, I do not think this is an appropriate resolution for the RTM to take up. I generally oppose sense of the meeting resolutions of the RTM; they are statements of value but I don't often think they are appropriate for the RTM. It's not within our jurisdiction. Despite Amy's statement that this is not a political resolution, it, in fact, is a political resolution. If we hear this resolution, we should also hear a resolution saying we should take all steps to outlaw abortion, we should cooperate with ICE or we should be a sanctuary city. This is a political thing like those are political things. I don't think those are appropriate for the RTM to discuss. I think to limit this to health care is absurd. If we are against racism in healthcare, we should be against racism in all spheres not just health care. I think that's a problem. This is kind of a feel good, mom and apple pie resolution. We are favor of peace, love and happiness. Or to paraphrase, we could pass a resolution that says 'All people are created equal; that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness and healthcare.' This does not commit the town to any concrete action. If the people behind this resolution can point, the piece that Harris Falk read in from the Museum for History & Culture had a statement:

As municipalities nationwide are taking a proactive posture for eliminating racial inequity by acknowledging the long history of systemic inequality and bias built into their laws, regulations and administrative policies...

I am not aware of current laws, regulations or practices that are discriminatory on the basis of race particularly in the area of public health which is the focus of the resolution. If anyone can point to specific instances with respect to the town's current laws and regulations and practices that do discriminate on the basis of race or, in fact, on sex, gender or anything else, we, as an RTM, pass ordinances which is in our power to do, I'll be among the first to pass such an ordinance. This is a feel good thing and it accomplishes nothing. If you want to accomplish things, this points out in this resolution that this is a problem in all of Connecticut, this is an election year for State Representatives and State Senators. Make sure you write to your Senators and Representatives and the candidates running for office and make your views known there. They can change laws on a State-wide basis. If you are concerned on a personal level to do it, make sure you pay your gardeners, housekeepers, nannies, whatever, enough money so they can have healthcare. I think this is not an appropriate resolution for the RTM. Candace, if you want to talk to me about bus shelters, I spent two years looking at bus shelters and they are not possible on the Post Road for sundry reasons. I'll be happy to explain whenever you want to call me.

Ms. Schneeman:

I wanted to address some of the things that I have heard some of my colleagues raise and express my support for voting in favor of this resolution. As Amy said, I think it's important just to look at the resolution in front of us and its intent and not to impute motives to it that aren't on the paper in front of us. I am certainly sympathetic with those who would also bring to people's attention other forms of discrimination, whether its gender and other

types, other locus' of poverty, whether it's women and children, etc. and I would encourage people to bring actions forward or resolutions forward to focus on those issues but that is not the intent of this resolution and I don't think these things should be conflated necessarily. There were some points made that we live in a world of alternative facts and I have enormous respect for Mr. Jaffe's command of the facts. I suppose the proponents of the resolution could have provided us with copies of the more than 100 studies on world health outcomes but because this is close to the work that I do on a daily basis, I can assure you that there are many more than 100 studies, rigorous scientific studies in scientific journals, not from specious internet websites about the facts related to the health impacts of racism, where people live, where they go to school, the quality of the air they breathe, their income, their wealth, their access to food, their access to healthcare has an impact. The prevalence of asthma, heart disease, stroke is higher among black Americans. Those are just facts. They are more than over likely to be uninsured. There are just reams and reams of very reliable data around these issues and facts do matter to me, as well. I don't see that there is any open naked partisanship in any of this. Sometimes it feels like people take these things personally. I don't think this whole conversation is meant to point fingers at people and say that you are racist, that any of us are racist around this hall, that any particular people in Westport are racists. I think the movement that is happening in this country is to understand that the system and the history that has been built up over many, many, many years and the very real outcomes that it has in people's lives and it's not just about hurting their feelings. That is a very real phenomenon and one that we should be attuned to. There are very real implications in terms of how long they live their lives, the quality of lives that they lead, their children's prospects in life and I feel like that's the moment we're in now to all collectively understand the facts behind that, the history, to be awake to it and obviously to try to address it. I am also fully aware that sense of the meeting resolutions at the RTM have no enforceability. It's just a fact. They never do. They never will but they still exist and they exist for a reason which is to give us a venue to express some collective values that we have on behalf of the residents of the town that we represent. It seems to me, from my limited knowledge of the ones in the past, that they are often used to express sentiment about national issues, not necessarily local issues...the Viet Nam war or nuclear power, etc. Are there imperfections in the words on this piece of paper? Probably. There are imperfections in everything we pass here on a monthly basis. But I, personally, overall, feel entirely comfortable supporting this resolution and I hope many of my colleagues will, as well.

Seth Braunstein, district 6:

Much of what I had intended to say has been said this evening so I will try to keep my comments brief and to the point. I'd like to invoke the words of one of the wisest men our country has ever known. The words I'm about to say were spoken by Dr. Martin Luther King, Jr. when he accepted the Nobel Peace Prize in 1964.

But with patient and firm determination, we will press on until every valley of despair is exalted to new peaks of hope, until every mountain of irrationality is made low by the leveling process of humility and compassion; until the rough places of injustice are transformed into a smooth plane of equality of opportunity;

and, until the crooked places of prejudice are transformed by the straightening process of bright eyed wisdom.

I felt that what Dr. King was expressing here was important, particularly the need to press on until every valley of despair is exalted to new peaks of hope. Despair is, unfortunately, something that far too many in our society encounter on a regular basis. Systemic racism has generated far too much despair; yet, it continues to exist. There's no question that this must change. Sexism is a problem that continues to exist. Women clearly encounter despair when they are not counted equally in the workplace or are denied equal opportunity. People of different religious beliefs are made to feel despair when they are made to feel they can't practice their beliefs in safety. People of different genders or differing sexual preferences are made to feel despair when they are made to feel they do not belong. Immigrants feel despair when they are maligned instead of treated with respect. I'd truly like to see our community send a clear message that everyone belongs, that Westport is truly welcoming and inclusive. We must work to make sure that all of these "crooked" places of prejudice that Dr. King referred to are transformed. I would encourage you this evening to apply some of Dr. King's bright-eyed wisdom to come up with a resolution or an amended resolution that makes a statement that will make all of the people in our community feel that we are keen to provide them with a basis for equality. I'd like to see this body come up with something broader, something that is plainspoken, something that is unequivocal, something that we can get behind that sends a very clear message that any form of prejudice or discrimination is simply unacceptable. When I think about what a sense of the meeting resolution is intended for, I actually feel we would be missing an opportunity here if we weren't more encompassing in our intent. I do absolutely agree that racism is a problem and that we need to overturn previously institutionalized instances of discrimination. But we need to do that for all of these different ills that we're facing as a society. Racism is obviously at the very top of a very important list. But I think we should be more inclusive in our aspirations here this evening.

Ms. Hamlin:

I have been working in the discrimination field for more than three decades and it's a passion for me to fight for victims. I've fought for victims of crime, for victims of discrimination for more than three decades. When I see other people care about it like the proponents of this resolution clearly have, I admire it so I just want to say thank you to the proponents for bringing this discussion forward. What you are doing as European Americans, you Sal and Harris and Amy, all clearly white people, European Americans and, yet, you're talking about other people of other races which is what I see in Westport all the time. I see Westport as a welcoming, tolerant community. But we can always do better. I happen to think there is bigotry in every community even the best, most open, most welcoming. We can always do better. Every race, every community, every country has some bigotry. I will say with respect to this particular resolution, I have procedural, factual, legal concerns. I have concerns that it is insufficiently inclusive and I think that we should not miss the opportunity, however, to make a statement about bigotry and make a commitment to it. But I want to talk about why this resolution is procedurally, factually and legally flawed and insufficiently inclusive. In reviewing this sense of the meeting resolution, there are numerous *whereas* clauses that involve elaborate findings of fact which may or may not be accurate. In fact, some of the findings are inaccurate but none

of which have been vetted at the RTM committee level. Sense of the meeting resolutions are not the proper procedural mechanism for asserting unvetted findings of fact that have not been subjected to RTM committee review. Sending this resolution to an RTM committee, however, is also problematic because so many of the factual assertions in the *whereas* clauses, involve findings regarding national and state issues over which RTM committees have no jurisdiction. Some of the findings, in fact, would involve medical findings and I note for the record that there is no present RTMer, including the petitioner, who has a medical license. (I think we had a dentist like six years ago and Jimmy keeps saying he was a doctor but no one believes that.) Also, sense of the meeting resolutions are typically aspirationally framed about issues the RTM cannot directly affect such as the anti-Viet Nam war or anti-nuclear arms, sense of the meeting resolutions that this RTM passed in decades prior. However, sense of the meeting resolutions are not for setting binding town policy. That can be done, for example, by petition and the RTM passing an ordinance that affects or sets policy but not through a sense of the meeting resolution which is more loosely framed as an aspirational non-binding statement. That's one of my procedural problems with this. From a factual standpoint, there are statements of fact in this, for instance, it addresses numerous races, among them economic discrimination against Asian Americans. In point of fact, if you look at Census Bureau data, Asian Americans are, by far, the most economically advantaged race that there is. The median average income of Asian Americans is about \$20,000/year higher than white Americans. So, we've included a group in this sense of the meeting resolution that is allegedly economically disadvantaged but, actually, they're not. It's \$87,000 for Asian Americans but the subset of Asian Americans that are doing the best of anyone economically in the whole country are Asian Indians. We can note that the average Asian Indian is darker skinned than the average Asian American or the average Japanese American and, yet, they're making on average household income \$13,000 more than other Asian Americans. Asian Indians are the largest growing minority group moving into Westport. So, that's a factual problem. The other thing that is a factual problem is 70 percent of the people living under the poverty line are women and children. There is data that I can provide to all of you that makes absolutely clear, the median income of households maintained by women is \$45,000; married couple households are \$93,000 and households run by men are \$61,000. Households run by women are lower than African-American households so you have included the race that is making more money than anybody and you've excluded the group that makes up 70 percent of the impoverished people. We are at the precipice of a sixth Justice being appointed by an impeached President who is trying to take away healthcare options for women; who is interested in rolling back our rights to birth control and to decisions about our own bodies at the same time they are going to be imminently in November hearing oral arguments about taking away the Affordable Care Act for 20 million Americans. Many of those most impoverished Americans are women. For people to say, 'This is not your moment. I haven't been personally discriminated against', being a single mother is the number one predictor of poverty. That's what they said to women in the 1860's. They said 'You don't have to have 14th amendment protection.' We're just going to do it for African-Americans. It took 100 years and a woman named Ruth Bader Ginsburg to change that and finally, in my lifetime, we get women covered under equal protection under the law. Moreover, they said the same thing in the 1860's about the right to vote. It took another 60 years to

get around to women. This concept that we should exclude women and give them their own sense of the meeting separately is Jim Crowism (Jane Crowism). You are basically saying 'You bide your time. Maybe you'll get 60 years later the right to vote, 100 years later, the 14th amendment. But you don't need to be in this.' Well, you know what, yes we do. It's very important that we be inclusive, that we actually talk about the real causes of poverty. If we are going to do something, then let's get it right. For people to say it's watering it down, maybe it's just second nature to me because I've been doing this for three decades but the 1964 Civil Rights Act, the 1991 Civil Rights Act included gender discrimination, racial discrimination, national origin discrimination, ethnicity discrimination, disability discrimination, discrimination against Viet Nam vets. That's not watering it down. That's the way you actually pass these things. I think I am going to suggest instead that we have the following motion to amend which reads as follows:

Whereas, racism, sexism, and all forms of discrimination have negative health and educational consequences, create division in our communities, violate principles of fairness and a meritocracy and are contrary to the American ideal; Therefore, be it resolved that the Westport RTM hereby condemns racism, sexism and discrimination in all its forms and commits to working to end any racism, sexism and discrimination, should it be encountered, in our community, local government or policies.

Seconded by Mr. Colabella.

Point of order, Mr. Falk:

I do not believe this amendment is germane to the current resolution. The current resolution is about racism. It's not adding to all ills of society and trying to blanket racism and hide it. Everyone has been effected and that is unfortunate but today we are talking about racism. The purpose of this is to declare racism as a public health crisis. That is what has been the call of the meeting and has been noticed to the public.

Dr. Heller:

Thank you Mr. Falk. I believe that an amendment can, in fact, include adding to the concept. Ms. Flug could you give some background on that.

Attorney Flug:

Robert's Rules allows amendments that are germane to the original main motion. That is the proper analysis. The RTM will need to decide whether they think this amendment is germane or not. Because it has to do with discrimination and includes racial discrimination, in addition to other forms of discrimination, it includes some of what the original resolution did include. It expands upon it. I think the RTM members will need to decide if they think it's germane or not.

Dr. Heller:

Our vehicle for doing that would be to vote either for or against the motion or to vote on whether this is germane.

Attorney Flug: You could do it either way.

Dr. Heller:

It could be voting on the motion itself could decide whether it's germane.

Mr. Falk:

My point is that the public was told that this would be about racism. The public wasn't notified that it was about sexism or any other *isms*. It was just about race. The public will not have a chance to respond to this at all.

Dr. Heller:

The public actually will have the chance to respond should this amendment be approved.

Mr. Falk:

This was not part of the call. This was not placed on the agenda. This was not noticed to the public. This is just being placed right now in this meeting.

Point of order, Ms. Hamlin:

You can make motions that amend, that are not noticed. You do not have to notice motions to amend. That is absolutely wrong.

Attorney Flug:

Also, it's not unusual to go back to the public for comment when you have an amendment on the floor. I would recommend opening it up for public comment again.

Mr. Wieser: We do have a comment.

Dr. Heller: That's how we will handle it.

Mr. Gold:

It is my understanding that new agenda items can be added by the RTM members at the meeting without giving public notice. There is procedure for that in the RTM rules, I believe. So, I don't understand how Harris' concern could be valid if we could add a whole new agenda item without noticing the public. We can certainly amend this resolution.

Dr. Heller: Particularly if we are allowing for public comment at this point.

Attorney Flug:

I'd just like to respond to that. The Freedom of Information Act, in addition to the RTM rules does allow adding to the agenda. One of them, I think it's FOIA, requires a 2/3 vote. That's not necessary here. I think the RTM can resolve the question of whether the amendment to the main motion is germane. It addresses discrimination. It includes racial discrimination. I'm not sure that it would be beyond the public's imagination that the resolution might be amended to include other forms of discrimination.

Mr. Gold:

All I am suggesting is maybe an alternative route, if the RTM wanted to go that way, would be to reject the existing resolution and then add by 2/3 vote, if required, a new resolution along Kristan's lines.

Dr. Heller:

I think the point is the approval or rejection of the amendment is in a sense accomplishes the same thing but, to me, the most important thing is that the public will have an opportunity to comment on the amendment.

Point of order or clarification, Ms. Schneeman:

I just wanted to ask Ms. Hamlin if this is in addition to the existing resolution or a replacement of the existing resolution. I didn't understand that.

Ms. Hamlin:

It's a replacement for the existing resolution because the existing resolution has, as I made clear, has incorrect facts...

Ms. Schneeman: I understand. That was a yes or no question.

Ms. Hamlin:

I would ask, Velma, that we have a vote on the amendment as read in place of the proposed resolution.

Dr. Heller:

It is a replacement. It has been stated and seconded. At this point, we have public comment and I would like that to be heard at this point.

Point of information, Mr. Mandell:

I would just like to make it clear that we would normally go to the public here. We are not doing anything special. After a resolution is stated, we go to the public.

Dr. Heller: Yes. Right.

Attorney Flug:

I sort of misspoke when I said we usually go to the public. When I was the Moderator, we would always go to the public.

Dr. Heller: Yes. And we do have some comments, one comment.

Members of the Westport electorate

Michael Kaplan, 7 Fallow Street:

Regarding the proposed amendment, it hardly seems an amendment, rather a completely different resolution. As such, it can be brought forward for consideration by any two RTM members as its own agenda item at a different meeting. While I don't object to what it says, quite honestly, it doesn't say much. If its authors wish the RTM to address sexism

or any other form of discrimination they are free to put forth their own resolution and produce their own reasoning for asking the RTM to opine on it now.

The original resolution was proposed now, and written in this way because of the moment we are in as a country. And Westport is part of that moment. This isn't about politics. And it's not about sexism. It's about racism, which is real and more present than we'd like to admit. Some of our more than 3,000 residents who identify as non-white have told us that. Racism can be obvious and it can be subtle, but it is always harmful and it is always wrong. I feel that attempting to convert this targeted and specific resolution into a theoretically inoffensive pablum is a whitewash, and a slap in the face to those wishing to make a strong statement against racism in all of its insidious forms. I strongly urge the RTM to pass the resolution as originally submitted.

Michael Kaplan

Ms. Hicks:

I'm astonished. What I am hearing during this discussion of the antiracism resolution is a desperate game of tossing red herrings. First, I am a white woman. A feminist. I will NEVER, however, latch my agenda as a seeker of equal rights onto a resolution about racism. And I am shocked to be listening to members of the RTM doing just that. I also have two gay sons who grew up in this town. I would NEVER latch the LGBTQ agenda onto a resolution about ~~resolution~~ racism. I am horrified to watch a mud-fight positioning women's rights against racial justice. Jane Crowism? Really? If you want to address women's rights, do it. Gay rights? Go for it. But sweeping racism aside and preaching "what-about-isms" is a transparent move to reject the agenda of fighting racism. And racism is the house on fire. Claiming that you will only make a move if you are able to include every form of discrimination - a "broad," as one of you called it, amendment - is the oldest game in the book when someone wants to avoid starting the real work. The other thing I am hearing from my RTM members is the declaration that there are no racists in Westport! What I am hearing tonight calls that claim into question. Racism has been extensively reported by members of this town, including many students in our schools. **You are not listening**. The focus on how much money each minority makes is ridiculous. When did that become the focus? Being house-rich does not prevent an Asian-American family from experiencing the horror of watching a school play portray them in caricature. Also, the language in the resolution, while not perfect, is being used as a distraction for members of the RTM who simply do not want this passed. Please. Stop seeing this resolution as an accusation. Lean into change. It is needed. Your discussion tonight made that abundantly clear.

Darcy Hicks

Mr. Bailey (speaking on behalf of TEAM Westport):

The subject for consideration this evening is race. Its discussion should be addressed fully head-on and not diluted by an expansion of scope to discrimination in general. Approval of this amendment will have similar deleterious media impact to Westport's reputation as flat out rejection of the Public Health proposal.

Harold Bailey, Jr., Chair, TEAM Westport

Discussion of the amendment:

Members of the RTM

Ms. Kaplan:

We cannot practically address all the ills of society in one sense of the meeting resolution. Right now, in 2020, racism is a topic of extreme relevance and deserves our focus and full attention. Those wishing to enlarge the focus to other forms of discrimination are using the same rhetorical device used by people who say that 'all lives matter' in response to the statement that "Black Lives Matter." If any of my colleagues would like to propose a sense of the meeting resolution to address sexism, I would be interested in supporting it. As far as all the rhetoric about excluding women and women being told to wait their turn, that sounds a bit ironic, I'm sure, to many Black people who have been told to wait for more than 400 years. This is the time for us to address racism, head on, unequivocally and strongly. This is the time for Westport to reaffirm its values, the values that we espouse and to reassure our friends, our neighbors, that we are not a racist town; that we welcome diversity and we are working towards more equity and more justice.

Karen Kramer, district 5:

First, I was hearing both sides (but that's the joy of being a Libra.) But, at the end, I guess I have to go with I am against racism and they want their time on their own. Maybe we have to honor that.

Dr. Heller:

Are you speaking against the amendment? Is that what you're saying?

Ms. Kaplan:

I think the amendment is good but I understand the people that presented this and why they want it to stand alone.

Lauren Karpf, district 7:

I raised my hand a long time ago. The landscape has changed drastically from what I was going to speak to a while ago. The exclusivity was something I couldn't get over in the original resolution. Ellen and Wendy spoke a long time ago and they covered pretty much exactly what I wanted to say. I think sense of the meetings are very slippery slopes. I've said it every time we've had a sense of the meeting and I will continue to say it. I don't want the RTM to turn into anyone who has a specific point of view coming forward with sense of the meetings. That said, I do think this is an important issue and I'm glad the amendment was raised because I do think it is something we should address and because I had a problem with a lot of the factual assertions and I found it a little too limiting. I'm glad there is an amendment on the table and will support it even though I'm not a huge fan of sense of the meeting resolutions in general.

Mr. Shackelford:

When I first heard about the amendment, I thought it could work but, actually, Harris' procedural point makes sense to me. In some of our normal business, we wouldn't have a proposal for \$150,000 for a bridge and then amend it to say 'Why don't we amend it to spend another \$50,000 for another bridge across town.' That is not really putting the town on notice for what we're going to talk about. I get the point that if the town only expected

us to be considering a resolution about racism that, even though discrimination is a broader topic, we are introducing really a different resolution here that is significantly broader than what the town was originally told we were going to be talking about tonight. So, I get that procedural point. I assume, Madam Moderator, that we don't often have to worry about the amendment rules when it comes to a sense of the meeting resolution because they don't actually end up leading to action. It is different from a resolution to appropriate money for a bridge but it still bothers me. Harris' point makes sense to me. I also get the history behind wanting to focus on racism versus broader discrimination. What I also want to say about the topic more generally, I absolutely believe racism is a public health crisis and I think there is an admirable effort behind this resolution. But, I can't support this specific resolution and I'm also not sure I can support the amendment. To be clear, I agree with much of the resolution. I think most of it I agree with but I don't understand some parts. To take one example, I don't understand what it means for us to ask the town to admit to "engage actively and authentically with communities of color wherever they live." I'm not sure what we're asking the town to do. Amy Kaplan, your opening statement, certain pieces of that were so much better than the language in this proposal. It was authentic. It was simpler. It was to the point. You had your own *whereas* clause. I wish I had known to be typing it as you said it but I assume you have it somewhere. You had a very simple commitment that we could make as a town to address racism. When I heard that, I thought that was something we could get a super-majority rallying around in spite of people's misgivings about the process in general. Candace, all the action that you said is happening in town, it sounds promising but I don't see where we need to adopt this resolution with all its *whereas*' and *therefore*'s to support those efforts. In fact, some of the items you mentioned and we've received emails about, the RTM, were not mentioned at all in the resolution. But they sound like great ideas and I would proudly support if we had a chance to support it. Also, I have no problem adopting a resolution tonight focused on anti-racism and considering other resolutions in future meetings. Our colleagues brought this resolution to us tonight to this meeting. We should give it our consideration. I don't think addressing this resolution or another, more along the lines of what Amy said earlier, I don't think addressing that means we don't recognize the other problems including other forms of discrimination. Any one of us, at any time, including tomorrow, can put up another sense of the meeting resolution that we can consider and pass on the other issues. I don't think it takes away from those other issues that some of our colleagues went through the trouble of proposing this resolution and we can consider it. That's what we have before us. Justice Ginsburg, may she rest in peace famously said something that many of us probably heard recently. She said "Fight for the things you care about but do it in a way that will lead others to join you." I believe everybody on this RTM believes everybody in our town should work against racism in all forms. Surely, we can agree on a plain-spoken statement that, as one of my colleagues said earlier, that has meaning, that has force and that moves us forward together as a body. I happen to think, again, something along the lines of what Amy said in her own words in her opening statement would work very well for that and I would support that tonight.

Mark Friedman, district 3:

I want to thank Amy, Harris and Sal for sponsoring this resolution. It has furthered Westport's dialogue about racism and bigotry thereby raising awareness of these societal ills in the context of our own community. I think there is great merit in this resolution. I also want to thank my RTM colleagues for this thoughtful and heartfelt discussion tonight, and I'd like to thank Kristan Hamlin for her amendment, which asks us to address sexism and other forms of discrimination. I see tonight as an important one for the RTM and for Westport, and an opportunity to continue the work of John Lewis and Ruth Bader Ginsburg. When sworn into office to the RTM, we each took an oath to preserve, protect, and defend the Constitution of the United States and the laws of Connecticut. I felt exhilarated and proud to take this oath; it is one of the great honors of my lifetime. I am reminded of it each time the RTM meets when we say the Pledge of Allegiance. And tonight, the words of the Pledge took on a fuller meaning still:

I pledge allegiance to the flag of the United States of America. And to the republic for which it stands, one nation, under God, indivisible, with liberty & justice for all.

Many years ago, in what seems like almost different lifetime, I created and taught a course entitled American Identity which explored our national self-concept through the lenses of history, law and literature. This year, I realized that I would have to teach it differently if I were to recreate the class. I see and understand America differently after George Floyd's murder and the stories I have heard about racist incidents in Westport, after reflecting on the work of RBG and that of so many other patriots. The evil of racism still haunts us to a degree I had not imagined. The evil of sexism still haunts us in ways that I had not fully considered. The evils of anti-Semitism and religious discrimination still haunt us. Even after the Civil Rights Act of 1964, the Voting Rights Act of 1965, the Women's movement, and the election of an African-American president, bigotry and hate persist to a degree that I had not really fathomed. Moreover, the disparate impact of the coronavirus raises questions about the harmful legacy of structures and paradigms created many years ago. In Connecticut, African Americans die from coronavirus at a disproportionate rate. Nationally, women are leaving the workforce at four times the rate of men during the Coronavirus crisis. This deadly virus threatens the health and economic well-being of all Americans, but the harm falls disproportionately on African-Americans and women. Why? This resolution, as amended, is an important step for Westport, but it is only one step. There is much work to do to ensure continued progress towards liberty and justice for all. We are raising awareness...What do we do with this awareness? Speaking personally, I can say that I will continue to reflect on my own heart, and my own thinking, a task I endeavor to pursue with an open mind. As America fought the Nazis during World War II, Judge Learned Hand, reminded America that liberty lies in the hearts of men and women. This remains so true today, and I will consider the contents of my own heart. In addition, I will continue to be part of Westport's dialogue about bigotry. Martin Luther King taught that "injustice anywhere is a threat to justice everywhere." Through some hard lessons, I have come to understand this wisdom in new ways. America aspires to equal treatment before the law even as we fall short too often. Since justice is a cornerstone of our freedom, I have come to understand that the liberty of every American citizen is at stake when the rule of the powerful corrupts the rule of law. This resolution is just a step in our journey, and, as this community conversation continues, I pledge to listen with an open mind and an open heart, to reflect, and to work towards justice and empathy. Abraham Lincoln taught us that "a house divided cannot stand." Tonight, I

reflect on the converse of that statement: What can we do when we unite? I support the amendment to the original resolution because it highlights the need to address bigotry in all of its forms and to work together towards justice. There is such strength in this unity. I have seen too much hate, and I have seen that one form of bigotry morphs too easily into another. I believe that we must stand together in our demands for equal justice before the law, pass the amendment to the resolution—and continue the work of John Lewis and Ruth Bader Ginsburg in Westport, and beyond.

Brandi Briggs, district 7:

I have to go after Mark and that eloquent speech that you just gave but I was happy to hear Amy's opening comments and had that been more what the resolution said, I think more people would have been able to get behind it. I was going to speak a little bit ago but all of that has been said because I was opposed to the resolution for many of the reasons that have already been addressed. I am opposed to all forms of discrimination but I didn't feel that particular resolution got to what it was intended to say. So, I am leaning to voting for this new amendment. But one of the things that I wanted to say was I have been here for about 10 years now and one of the things I appreciate about living here is that many people are involved and they are working to make sure this town and this country are better. So, because I'm not supporting the original resolution, because of the language, it's not the idea. I'm encouraged that we all are having this conversation. We want to do it. We're not running from it. That's the way to change, to face the problem. So, I appreciate this conversation tonight and I'm leaning towards voting for the new amendment.

Mr. Mandell:

Tomorrow morning in the paper, it will read, if we adopt this resolution, 'Westport has condemned racism, it has condemned sexism and it has condemned discrimination.' What a powerful statement to come from our town. We're not shirking our responsibility and looking at racism that exists. We're expanding what we're doing and making it clear that Westport does not stand for any of these things. We can either choose to adopt this resolution as it is or, if we don't, we go back to the original resolution that was proposed and if you just look at the numbers. It will be denied. And how will Westport look denying something that talks about racism. We would look bad. I didn't speak in the first resolution because I was waiting for this. I knew it was coming. I didn't want to talk about what seemed to be a boiler plate manifesto that no one could seem to grab onto because it was too dense. We got it only four days ago. It was in the press before we even got it. It can't go to committee because we can't talk about it. There are ordinances that we parse to the word three times and this hugely dense document, we can't even take the time to look at and understand. There are phrases there that I even question, what does it mean? We have the opportunity to take that first step that Mark just talked about. There's more work to be done. And we can do it. But this first step is taking this and moving forward with it. Tomorrow morning when we look at the press, it's going to say Westport condemns racism. Mark, Amy, Sal, you can feel proud that you brought it forward. The RTM took it, modified it a bit but it was you who brought it forward and you should now support this as well. I urge all RTM members at this point to vote for the amendment and make us look

proud for what we're doing. Racism is an abomination. So is discrimination and sexism. We should be voting for this and make sure that is what is in the press tomorrow morning.

Ms. Schneeman:

If this amendment to the resolution had been the only resolution before us tonight, of course I would support it. But, that is not the context in which it arose. I have to say I am deeply troubled that as part of this conversation we have been pitting women, myself as a woman, against communities of color and the challenges of minority communities. I'm not sure how Dr. King would feel about having his words which, admittedly were very broad and very lofty, be used as a way to deflect attention from the very community that he lived his life and gave his life to help set free. I would just like to point out to Ms. Hamlin's point about women and poverty, that women of color are enormously more likely to live in poverty than white women. So, you are conflating those two communities in your comments about women in poverty. I feel the need to point that out. I think I'll leave my comments at that.

Ms. Batteau:

I feel the need to point out that it's not people supporting the amendment who are pitting anybody's rights against anybody else. I was deeply upset by the public comment in which somebody said they would never try to hand one cause on the back of another or succeed by the tails of another. By putting disenfranchised people into silos, that's how disenfranchisement continues. That's divisive. That doesn't promote anything that Dr. King or any of our other heroes, Ruth Ginsburg, I won't name any of my others not to offend anybody, it's not what they're talking about. Unity and rights for all, that is what we're talking about. When one group is disenfranchised, when one person is hurt, everybody is disenfranchised and hurt because everybody is up for it, whether it's religion, sex, gender, whatever. I very much appreciate what Seth said. I very much appreciate what Mark said. I very much appreciate what Stephen said. In fact, I will point out that he said what he said first, which is 'that this woman said' 'what that man said first', which is that he would gladly endorse many of the statements that Amy made in the beginning. If we want to solely focus on racism, then we can decide to do that. Some people in this group and the public seem to think that this is an anti-racism resolution. It's not. It's a resolution that says systemic racism causes very bad health outcomes. It's a public health crisis. If we want to make an anti-racism statement, that's what we should do: say "Westport condemns systemic racism and individual racism in all its forms and incarnations and manifestations and we commit to working towards obliterating it" or something more eloquent than that. That's not what this does. So, I think we have two choices. We can either go with the larger, more inclusive statement or we can go with something very specific. But, the one we have now, well-meaning and clearly worked on as much as it was, not only by our members but people around the country, it doesn't necessarily do what we want it to do.

Arline Gertzoff, district 3:

I very much support Kristan's amendment because I think it's more inclusive. I think it has more clout rather than making three or four resolutions about all the different *isms*. I totally condemn racism. I have more history in this town than anyone else on the RTM. I know

there are some other natives, but I'm older. I won't give you the gory details but I have seen the effects of racism for the entire 64 years (next week) that I have been in this town and my family has been here for more than 80 years. So, I've seen all the manifestations over a very, very long period of time but I think Kristan's amendment covers a much broader range and I think it has a lot more clout. That's why I would very much support her amendment.

Ms. Rea:

You all know the way I felt about the proposed amendment. I really felt it was not inclusive and that's why, in many ways, I was offended. I happen to know very much about racism because I am an immigrant. When I came to Westport, people did not like my accent. Some people told me that I could not be elected to office because I could not be understood whenever I was speaking. So, there is prejudice that goes against every nationality. I feel very comfortable with Kristan's amendment because I feel that it is very inclusive and actually tells the truth and the RTM does not have the ability to enforce any of the *whereas*' that the original resolution that was in front of us. We don't have a committee. We don't pay anybody from the town to find out and do something about it and I felt it was very divisive for the original reason I gave to you guys when I first spoke. I am in favor of this amendment. I urge everyone to vote for this amendment. It includes racism, sexism, discrimination and really is inclusive and not divisive.

Mr. Izzo:

Kristan, I want to thank you for bringing up that amendment. Amy, great job. Harris, I understand your points. This amendment, as Matthew said, covers it all. When I look to a God, and many of us are of different religions, our Gods are loving Gods. We don't believe in murder. We don't believe in judging people. When I go to church on a Sunday, I believe we're all the same. When I go to a temple, I believe we're all the same. We're all God's kids. This is an opportunity for all of God's kids to get under one umbrella, work together. The amendment works and it covers everything. So, I will be totally in support of Kristan's amendment.

Mr. Falk:

Unfortunately, what actually is going to be put in the press tomorrow morning is that Westport was given the opportunity to support the bill that has been passed throughout Connecticut and the country. What it will actually say is Westport was given the opportunity to say "Black Lives Matter" and instead it said "all lives matter." Westport took racism and wrapped it up in all these other inequities, yes, that women face, religion, it's wrapping it all and, basically, hiding racism. Just whitewashing it. It's just another thing. That's all that is going to be said. What will be said is Westport was given a chance to show they were against racism but they weren't even able to support people of color that much. That is what is going to be said.

Mr. Tait:

Amy, Harris, Sal, thank you for bringing this to the floor. This is a discussion that needs to be spoken about. Everybody who has spoken already, there are a lot of things I agree with. The question I had is, as a sense of the meeting, this should be coming from

Westport. I did have a problem that this is something that came to us four or five days ago. If I bring this to my constituents and they say, 'What studies? What hundred studies?' and I've got nothing to show them, so why did I vote that way? I think I needed more time to digest a lot of that information. Everybody else has 'racism is a cancer on our society.' From the perspective of being born and raised in Westport, there are a lot of things that Westport has done and a lot of things Westport should be proud of and knowing the community that we were and an arts community, a community that is inclusive. I had African American friends; I had Jewish friends in beautiful neighborhoods. They were successful families and moved to town for their kids. I, personally, think education is lacking. Education is a huge, huge problem in the community of people of color. I think in whatever towns they may be in, it results from corruption, lack of oversight, lack of government enforcing these rules and that should be in there that we also stand with them too, the people who are getting pretty much screwed every day from their education. We are not fighting for their education that they deserve. I think that is something that we should be also talking about in the sense of the meeting resolution. I don't think we can do another resolution for women and religious and it becomes watered down so it really doesn't mean anything. These things are pretty serious. It's coming from the town. It should be all inclusive. If we have 10 different resolutions for 10 different groups of people, it doesn't mean anything. It's watered down, the person who cries wolf. So, I think right now a resolution should come from the town, it should come from the RTM in our terms, in what we believe in. I think that's the best way to roll. From the press perspective, who cares? The press will say what they say. But if we believe in what we're doing, the statement that we're making, that's what matters and that's what we'll get out. So guys, Sal, Harris, Amy, seriously, thank you. It's a just cause. You did a lot of work on this and I appreciate your bringing this forward.

Mr. Lowenstein:

So, I've heard everything. I was unhappy with the wording in the proposed resolution. You know, the Declaration of Independence wasn't written in one night. The complexities of the original motion are such that it is very hard to resolve in an open meeting with almost 35 people talking in an orderly way. The amendment is not perfect either and I will support it. One of the problems I had with the original proposal is that it did not address the main issue which is Black Lives Matter. Of all the minorities in this country, none are more discriminated against, at least in the northeast, than Blacks. By bringing in many other groups, it almost diminishes the idea that Black Lives Matter. I hope that the amendment is passed and, if it doesn't and we go back to the original resolution, it needs a wording change too.

Ms. Banks:

When you put the resolution and the amendment next to each other, I will defer to the folks who say you can't change a two page resolution with a two line amendment. They are not just changing words, they are replacing something that was two long pages which we have heard from TEAM Westport and other people is important to them, it seems we're replacing it with two lines. I feel we are letting down a lot of people including people of color who wrote to us that the lengthy resolution was important to them. But I also want to point out that this is exactly why representation at the table matters. What we have

managed to do, with this amendment, is make this about ourselves. It's supposed to be about people of color. That's all I have to say.

Lisa Newman, district 8:

I have had four different prepared things to say over the course of several days now and they've all be scrapped because everything has kind of gone off the rails with this resolution. I want to point out two things that have left me concerned just in the last hour or so here. Harris, this resolution, your desire and, truly, mine, as well, was to make a statement that Black Lives Matter because they do. The problem is that's not what the resolution is saying. I would have loved to support a resolution that said:

Be it resolved, we believe, in the town of Westport, that Black Lives Matter.

We could have done that. It could have been that simple but it gets into a level of detail that gets in the way. There are some inaccuracies that people are taking umbrage with and we're left with a very long resolution that not enough people support and there are revisions that need to be done. I am hoping for something more simplified because, at the end of the day, we are hopefully working toward the same goal. For me, that was something simple to say: "Black Lives Matter". But that is not what we were presented here tonight. What I'm struggling with is anybody saying 'all lives matter.' That's not really the point. But I wish the resolution as presented stood up and said "Black Lives Matter". The inclusion of the health crisis and other subgroups, it's not speaking to the matter at hand as poignantly as it could. That's where I struggle with the original resolution. Having said that, I'm also struggling, hearing some of my colleagues tonight saying we're pitting disadvantaged against each other. I am a big believer in listening and this year has taught many of us that we need to listen to live the experience and we need to listen to those who are going through things that we can't wrap our heads around. One thing I have paid close attention to this year, more than ever before, is Black women and Black women activists. When you start to listen and learn from Black women, you'll often hear the term "intersectionality". These *isms* and discrimination, they don't exist in a tunnel. Black women are discriminated against not just because of their race but because they are women. Black women can be Jewish. Black women can be all sorts of other... mixed race or other religions but if we do something that is exclusive to Black people, that doesn't go far enough. If you talk to discriminated against women who are women of color, often, they will say 'Those efforts don't go far enough to protect Black women.' So in keeping with being an intersectional ally which I'm working harder and harder to be, one thing I've learned is to listen to those people who have lived the experience. Unfortunately, looking at our screens right here, there is nobody who can boast lived experience. So, we're a group of white people who say, we can't introduce sexism because it will devalue racism but no one is a Black woman on this call. I say we're playing a dangerous game by not acknowledging intersectionality in this conversation.

Mr. Wieser:

As a co-host, I can't raise my blue hand. We did have one more comment from the public. If I could read that and then make some comments.

Additional comments from **the Westport electorate**

Shannon McAvoy Mann, 9 Robin Hill Road:

I am listening to the arguments against the proposed resolution. I am so upset and aghast that this is even an argument. If anyone within the RTM or in Westport believes that it racism does not exist here is sorely mistaken. My oldest daughter is a POC and I have witnessed first-hand how she is treated in Westport - like she doesn't belong. It is horrifying that on a board of white, and often privileged, people wouldn't consider this as important as it is. This isn't about all *isms*. We are better than this and we should absolutely pass a statement to stand up against racism. Words do matter. And so does taking action to stand up.

Shannon McAvoy Mann

Mr. Wieser:

I came in tonight fully intending to vote for something. What we are trying to do here is really good and noble. It is the right thing to do. I was bothered by a couple of things in the original resolution. First of all, when we have a resolution, we seldom have one with so many *whereas*'s. The fact of the matter is, it makes an argument before we get to the resolution, before we get to have the discussion here. So by the time you get through all the *whereas*'s, you have people saying 'I don't know about this. I don't know about that.' It clouds the issue and I wish we hadn't had all that. I was also bothered by the fact that there were so many things that seemed to commit Westport to acting. One of the things I didn't like was while it said we were going to act on things, there were a lot of things I'm pretty sure Westport wouldn't be willing to act on. If we really got to the root cause of racism, we would really find a lot of things that cause racism and economic inequality. I was a little bit bothered by that and the disingenuousness in some respects but mainly the fact that it said Westport would do these things. The wonderful thing about these debates and I've found this really interesting and enlightening and stimulating and challenging but tonight, I was really focused on the letter from Mr. Daniel Burgin who is at Staples High School who just moved here, as you'll recall, as a person of color and was not welcomed and felt discriminated against. That just pisses me off. That is so beneath what I want this town to be. And then Harold Bailey's comments and Candace's reinforcing what TEAM Westport has been doing. I've been to a couple of their meetings. It has been great. He said that Westport is basically already doing these seven things that are in the resolution section. So that once we get beyond the resolution saying

That Westport asserts that racism is a public health crisis affecting the town of Westport and all of Connecticut.

I sort of intuitively think that's pretty accurate. All the rest of it that says it will promote equity, will improve equality, will continue to advocate locally for relevant policies that improve health in communities of color, will support community efforts and identify clear goals. That's what we want to do. So, I'm not going to suggest that I think it's really good but it will lead to a good discussion. I'm going to vote one way or the other. If we got rid of all the *whereas*'s and simply said that "Westport asserts that racism is a public health crisis" and then assert "and will continue to do what TEAM Westport is doing."

I would love that resolution. I would love to vote on that. I think it does sort of skirt the issue that we move from saying Black racism, and this is not where I came in tonight, but these couple of things speak to me. By expanding it, it does say more of us talking to ourselves and not to a problem that is really, really challenging to America and not so

much in Westport because we are not too diverse a town. We should be more diverse but it is a really challenging problem in America.

Point of order, Mr. Braunstein: Did the Deputy Moderator make a motion?

Mr. Wieser: No.

Dr. Heller:

Recognize if you had made a motion, that would be an amendment to the amendment. I'm just trying to spell out how that all works.

Ms. Lautenberg:

I promise to be brief. It is very late. This is going to piggy back a little on what Jeff and a couple of people said. First, I would like to praise the intent of the resolution. Despite what I said about the language or, perhaps, the way it was constructed, I do believe that this is the moment in time for us to deal with this issue of racism in Westport and I think that's what we need to do. I don't know procedurally how this would work or whether this would work at all. I am going to propose a kind of solution in the hopes of reaching some kind of consensus because I we are divided and it's hard to say which way things are going to go. I would like to see us reach some kind of conclusion, if possible, and in many ways the original resolution addresses the issue of racism which does exist in Westport and there's no doubt about that even though many of us don't feel that we're racist or don't experience it ourselves on a regular basis. I would be more comfortable with a revision of the original resolution after consulting with TEAM Westport which focuses on these issues every day in order to better frame the issues in a way that can support their work, a consensus expressing our strong condemnation against racism while at the same time supporting concrete action. Not to take away from the intent of the resolution, I just wonder if they would be willing to make some simple revisions that we could consider, again, in conjunction with TEAM Westport so that perhaps it could be framed in such a way that takes into account some of the comments that were made here this evening and some of the problems that we had. Maybe that would be one option. I also think it would be great to consider Kristan's amendment as a separate sense of the meeting resolution at another time. But I do think they are separate things and I do feel like it's really time to address racism as a sole issue. That is my suggestion and I don't know how that would work.

Dr. Heller:

We currently have an amendment on the floor. If you wish to make an amendment to that amendment, we could deal with that.

Ms. Lautenberg:

I think it's related to the amendment so I think we should just vote on the amendment and then...

Point of order, Mr. Gold:

Was Ellen Lautenberg and, perhaps Jeff, suggesting that we table this until we can get a better worded resolution in the future?

Ms. Lautenberg: Yes. I would say that that is my proposal.

Dr. Heller: We can't table an amendment.

Ms. Lautenberg; Not the amendment. The original resolution.

Dr. Heller:

We have an amendment on the floor and we need to deal with that. Is that correct Ms. Flug?

Attorney Flug:

I think the motion is not to table that which is to put it aside to a later time at the meeting. The motion would be to postpone to a date certain. It could be the next meeting or the following meeting. I'd have to look it up but I think you can postpone with the amendment and you'd take it up with a discussion of the amendment when you come back. But I'd have to look it up.

Dr. Heller:

In my book it says: "To table, postpone or refer an amendment to the main question is the same as tabling, postponing or referring the main question itself."

Attorney Flug: So you can postpone this debate about the amendment.

Dr. Heller:

So if we were to have a motion to postpone the amendment, that would postpone the entire thing to a later date.

Mr. Gold: Is that what Ellen was trying to do?

Ms. Lautenberg:

I think the amendment needs to be voted on as is. I am suggesting that the initial resolution, perhaps, be reworded to gain consensus around the goals that they are trying to achieve.

Dr. Heller: We need to discuss the amendment.

Attorney Flug:

You don't need to vote on the amendment at this time. There could also be two amendments pending. If you want to reword the proposal, it could be introduced as another amendment to the first amendment. It would be a vote on whether to amend the amendment and then whether to amend the main motion with that amendment.

Dr. Heller:

What I was trying to say before is if you had another idea, that could be an amendment to the amendment.

Ms. Kaplan:

I would like to make a motion to amend the amendment. I propose that we pass a resolution stating:

The Westport RTM, recognizing racism as a public health crisis condemns racism in all its forms and hereby commits to actively working toward combatting racism and valuing all people as deserving of equitable treatment in the way we do business as a town. We see the world around us and recognize the negative effects of racism on the health, welfare and lives of Black people and people of color. We commit to continue work we've already done and ask the town of Westport to develop means to quantify and evaluate our progress in the area of racial equity and justice.

Seconded by Mr. Liccione.

Members of the RTM

Ms. Kramer: Are we going to vote on something?

Dr. Heller:

Karen, right now, there was an amendment to the amendment. Do you have any comment on that at this point?

Ms. Kramer:

I just really still feel that all that is important; Kris Hamlin's presentation was great. I would rather have her on my side than against but I'm going to vote, again, we have to let racism have its place in this one.

Dr. Heller: You'll need to wait and listen to this.

Ms. Kramer:

How about this, I do like Ms. Kaplan's amendment to the amendment. (I think I've got that right.)

Ms. Rea:

The amendment to the amendment is only racist against Black people? So this is Black Lives Matter? So, this becomes political? I don't like the idea that it's only against Black and colored people. Racism is all races, all nationalities, all walks of life. God made us all equal and alike. That's all I have to say.

Point of information, Mr. Mandell:

Is it possible for Ms. Kaplan to email all of us what her wording is because I don't have the faintest...

Dr. Heller:

I would like to take it down myself so if she would email it. This is a little bit of a different...

Attorney Flug: She could type it up and share the screens.

Mr. Wieser:

If she could send it to the RTM, that would be good. While we're at that, there is a brief comment:

Members of the Westport electorate

Mr. (Michael) Kaplan:

I fully support the amended amendment. I urge all members to vote YES.

Attorney Flug:

I recommend that if Amy is typing up the amendment and sending it to all RTM members, that someone share the screen so that the public can see it as well.

Dr. Heller: Perhaps Amy could share the screen. [Yes.]

Point of information, Mr. Mandell:

If there is discussion of this new amendment, we can't make changes but she can modify it based on suggestions?

Mr. Gold: We can amend it.

Mr. Mandell:

No. It's three deep. We can't go three deep. So, if we have a discussion, at this hour, to modify this, to have her change it if we believe this is reasonable, can she modify it on her own, take it back and change it so we don't go three deep, take it back and modify it? Which basically says this should have gone to committee way back when.

Dr. Heller:

Matthew, this is out of order. We've already said that sense of the meetings do not go to committee and I understand your point. Let's see if we can resolve this. That's kind of a fine point about modifying it on the floor. Ms. Flug, if you have something on that?

Attorney Flug:

It's already been seconded, right? I think you have to vote on the second amendment and then she can present a new modified amendment. You can't go three deep and, since it's already been seconded, she can't change it now.

Point of information, Mr. Mandell:

To be honest, I thought it was a little bit extra. So, we could vote it down and come back with it modified. Ms. Flug? [Yes.]

Attorney Flug:

From *Robert's Rules*, you would have to vote it down and then she would offer another secondary amendment which would replace it. Amy could propose what her revised amendment would be without actually moving it and no second, saying, this is what I

would propose next if you vote down my first amendment. Then she could make her second amendment which you could debate and agree upon.

Ms. Kaplan:

I don't know why I can't share the screen but I did just send you all to the RTM email list the text of the proposed second amendment.

Several members reported that they received the email.

Ms. Fuchs: I need Kristan's amendment written out as well.

Ms. Hamlin:

I sent it to Dr. Heller before the meeting. Should I send it to you, Jackie? [Yes.]

Dr. Heller: I can't send it to you while all this is going on.

Ms. Rea: I would like to make an amendment to this amendment.

Dr. Heller: Carla, you can't. We have two amendments on the floor.

Ms. Rea:

This would be fine if it did not have the sentence "...Black people and people of color". That's racist. It is entirely one community. What happened to the brown people? The yellow people?

Mr. Wieser: They're people of color, aren't they?

Ms. Rea: No. They're not. That sentence, can you please remove it, Amy.

Ms. Kaplan:

Velma, I will not read it without that sentence. I will read it in its entirety again, if you would like me to.

Dr. Heller: Yes. Please read it again.

Ms. Kaplan:

The Westport RTM, recognizing racism as a public health crisis condemns racism in all its forms and hereby commits to actively working toward combatting racism and valuing all people as deserving of equitable treatment in the way we do business as a town. We see the world around us and recognize the negative effects of racism on the health, welfare and lives of Black people and people of color. We commit to continue work we've already done and ask the town of Westport to develop means to quantify and evaluate our progress in the area of racial equity and justice.

Ms. Batteau:

Amy, editorially speaking, the way it's constructed, it looks to me like "recognizing racism as a public health crisis" is a qualifying clause; in other words, it is saying we are "condemning racism in all its forms" and racism is a public health crisis. I would rather condemn racism because it's wrong. Do we actually need to say "recognizing racism as a public health crisis" when we are saying RTM "condemns racism in all its forms?"

Ms. Kaplan:

I think the fact that racism is a public health crisis is an important point. I would like to keep it in.

Ms. Batteau:

Is there another place you could put it in so it doesn't make it seem like we're doing it because it is a public health crisis? Like, in your second sentence, "We see the world around us and *recognize racism is a public health crisis*"...

Ms. Kaplan:

Yes. We could say: "We see the world around us *and recognize racism as a public health crisis* having negative effects on the health, welfare and lives of all people of color." Is that better?

Ms. Batteau:

It's better for me. I don't know about anybody else. The next question would be, are we separating Black people out from people of color?

Ms. Kaplan: They are both included.

Dr. Heller:

What I need to deal with now is you stated a resolution and it was seconded with that wording. Eileen, do we need to vote it down before we can go into this machination?

Attorney Flug:

If you want to change Amy's proposed amendment, you need to vote on Amy's proposed amendment first and then make changes to a new proposed amendment.

Mr. Wieser: Can we talk about what we would accept if she changed it?

Attorney Flug: She shouldn't make a motion that's seconded.

Mr. Gold:

Can she withdraw the motion and discuss what would be more acceptable and then have her re-propose it?

Point of order, Ms. Hamlin:

Eileen, on the written version that Amy sent, she accidentally made two separate sentences between welfare and health. She put a period instead of a comma. I don't know if she wants to correct that.

Attorney Flug:

I really think it's important that if Amy has shared anything with the RTM by email, somebody needs to share it on their screen so that the public can see it. I have not seen it.

Point of order, Mr. Braunstein:

I believe that only the people designated as co-hosts are able to physically...

Attorney Flug:

Right. So Jeff can do it and Velma can do it. I don't know if anybody else can. If you received it as an email, you can copy and paste it into a word document and share your screen so the public can see what you're talking about.

Ms. Newman:

If Jeff can enable screen sharing for participants, I am happy to share my screen.

Point of order, Mr. Tait:

If we are going to rewrite this, should we table the amendment, work it through and come back to it?

Dr. Heller: Not necessarily. Let's just take a look at it.

Mr. Mandell:

May I throw a monkey wrench in? What's the possibility of removing discrimination and sexism from Kristan's and then moving forward with that?

Dr. Heller:

I understand what you're saying but right now we're dealing with a different amendment.

Mr. Mandell: Understood. I was just throwing it out there as an alternate possibility.

Attorney Flug:

At this point, you're debating whether to adopt Amy's amendment to Kristan's amendment. You'll go to public comment, if there is any. Once you finish debating that, you'll vote on Amy's amendment.

Dr. Heller: We really have to deal with one at a time.

Point of order, Ms. Hamlin:

So, obviously Amy's amendment is just two or three sentences and it is completely different from what she originally proposed. There were arguments made by her co-proponent that having something shorter and very, very different is not an appropriate

motion to amend. Those of us who have been on the RTM for a long time, we know that you can make a motion to amend on the general subject matter. It can be much shorter. It can add sexism and general discrimination, as well. I'm not sure that you ever directly addressed the comments that were made by Stephen Shackelford that he didn't think that we could do my motion to amend which I think, from *Robert's Rules* perspective, he was completely wrong about that. You can do it that way. You can also do it this way, the way Amy's done it. Both of them are completely appropriate motions to amend and the comment that we can't do something much shorter, like that, is just not true; so, I would like you to clarify that for Mr. Shackelford.

Attorney Flug:

The length of the amendment is not relevant. The test is whether it is germane or not and the language in *Robert's Rules* for whether it's germane or not is:

To be germane, an amendment must, in some way, involve the same question that is raised by the motion to which it is applied.

It also says:

There are borderline cases where a presiding officer [that would be Velma] would find it difficult to judge the germaneness of an amendment. Whenever it doubt, he/she should admit the amendment or, in important cases, submit the decision to the assembly and the assembly will decide if it is germane.

Velma, in this case, made the determination that it is germane, especially when she was informed of the fact that the public has the right to comment on it. It, in some way, involves the same question. But the length of the amendment is not what's relevant. It's whether it involves the same question.

Mr. Shackelford:

Just to clear it up, I was not suggesting that Ms. Hamlin's amendment was too short to be germane. I thought it changed the subject matter in a lot of ways but I don't think the public cares so much about that. I understood where Ms. Hamlin was coming from. I strongly support this amendment which is clearly germane. I support it whether the "condemn racism" clause is in the first sentence or the second. I'm happy to have it in the second. I think, now, any other changes we would make to this amendment but now I strongly support it. I think we should decide what language we want in here and, if we need to, vote down this wording and immediately vote on the finalized wording and get that approved. I don't think we should vote this down now and get back into the earlier amendment. We are all talking about this amendment. We should change it up a little bit. I strongly support it. I think it does what most of us said we were trying to do and it takes care of most of the problems that most of us have with the original proposal. Thank you, Ms. Kaplan, for making this significant change and simplification to your proposal. I appreciate that.

Dr. Heller:

Why don't we have people speak if anything ought to be modified so that we have that information available.

Mr. Mandell:

I would do what Wendy said. I would remove the “recognizing racism as a public health crisis” and stick it in later.

The Westport RTM, condemns racism in all its forms and hereby commits to actively working toward combating racism and valuing all people as deserving of equitable treatment in the way we do business. We see the world around us and recognize the negative effects of racism on health.

I would end it right there. I think that’s really significant. Carla doesn’t want it to just be Black people, people of color. We can tinker with that but it does seem to omit some people. Are Native Americans considered people of color? I don’t want to lose them in this. Clearly, they are some of the most discriminated people in the world. On a reservation, they live in squalor. So, let’s just keep it all people who are having racism against them. The RTM doesn’t have already work so we commit to continue to work; we’re not working yet so I’m not sure how that works. “... Town of Westport to develop means to quantify and evaluate our progress.” I don’t know if we can do that. So, I would end it at “the negative effects of racism on health.” It says it. I think it’s pretty clear and it’s good. If you want to add in that other part about Black people and people of color, we need to massage it because I don’t want anyone left out, as Carla says.

Mr. Braunstein:

I guess I would just weigh in with a couple of follow up points. I certainly appreciate the effort to make a more plain-spoken direct effort to condemn racism. I share the same sense of the identification of a public health crisis, quite frankly, almost takes away from the power of a pure statement that condemns racism. So, I do want to say this is a positive step. I never felt comfortable with what I perceived to be the highly politicized partisan, highly agenda-ized boiler plate that has been propagated for purposes of other people and other movements. I don’t think that is what a sense of the meeting is intended for. I think making a broad statement is exactly, and if you look at what has been done specifically in our town before, it’s been to tackle broad issues like anti-war, nukes. So, I think that is a better way for us to handle it. However, I still feel it’s still important that we recognize and make a statement that is equally strong and, quite frankly, if we need to do it in two steps to appease the people who don’t believe we are considerate anti-racists, then maybe it has to be done in a two-step process. It’s not about the appearance. It’s about the end goal and what we can actually put into effect. I think it is an admirable goal for us as a town to have a definitive position that clearly opposes all forms of discrimination. If we need to do it in a two-step process, where we separate racism out from other forms of discrimination, so be it.

Mr. Colabella:

A lot of people have been bringing up a discussion of we don’t want to leave certain people out and things of that nature. The amendment to the resolution that Kristan Hamlin has already written says:

Therefore, be it resolved that the Westport RTM hereby condemns racism, sexism and discrimination in all its forms.

That pretty much applies to everything. I think that’s very important what we’re specifying. We’re not just picking out one race; we are picking out all races. We’re not just picking out one gender; we’re picking out all genders that people feel that they are. As an effective

and efficient leadership, you are to be proactive, not reactive. Yes, we have seen other towns adopt such resolutions. Who's to say that in October, November, December as this other Justice comes on board, our rights are once again put at fear, are we going to come out with a resolution then condemning these outrageous things that are going on that women's rights are going to be in jeopardy. It's better to be proactive than reactive. I think the amendment that is on the floor right now, that Kristan has written and I have co-sponsored, is appropriate, it's fair, it's equal and it applies to all who have been discriminated against and who have felt prejudice and have been racially incriminated to.

Dr. Heller:

Mr. Colabella, we are discussing this particular one right now. We are discussing any changes that people want made in this particular resolution.

Mr. Colabella:

This amendment, everyone is talking about how maybe we should change this in all of its forms. It's pretty much what Kristin Hamlin's resolution already says.

Mr. Falk: Should we stop sharing Lisa's screen so people at home can see us?

Dr. Heller: Yes. That's a good idea.

Mr. Tait: I was just about to read that. Where did it go?

Mr. Braunstein: It's in your inbox.

Mr. Tait:

I guess I just want to amplify what Matt was saying. We definitely want to make a statement here. We have 35 members of the RTM who collectively want to feel good here and that we are speaking as one. So, I agree with Matt, taking out the "public health crisis" where it says "racism on health". It is a health issue. For me, it gives me a feeling of comfort that we are covering, making a statement for all. I think, as an RTM, 35 of us, we have to coalesce around a statement that we all may not like to the tenth degree but we all can wrap our arms around that makes a statement for the town. I think cutting the end, as Matt said, I would support as the resolution to vote on.

Jack Klinge, district 7:

I will try to be brief and, at the same time, cut through all the conversation. I think in this day and age, meaning the last year, when people think of racism, it comes down to ethnicity, color and that's the only *ism* that is at the top of the list right now. I originally thought it would be nice for the town of Westport to have a town philosophical statement which is much like the amendment that is now on the table that covers all the isms and I could live with that but it has to prioritize racism as we know it is being practiced today on the streets of this country. If you want to move into other forms, that's fine. We should try to get it done tonight so we can move forward. But that's where I'm coming from. We should prioritize racism and then move into sexism and other kinds of isms and try to get it done in one paragraph.

Mr. Gold:

This is just a matter of wording. I think that taking “public health crisis” out of the first sentence would be a good thing. It makes this like ‘Oh geez, we just got knocked over the head with something and it’s also picked up later.’ It is better when we say “negative effects of racism on the health.” I like that we include “welfare and lives of ...” because it also includes effects such as income inequality which is also due to racism. That would be saying we recognize those things, as well. To Carla’s point about lives of Black people and people of color, I understand that people want to say Black people because of what’s going on around these days. Color includes Black people. I think people would realize when they read this that when we say people of color, we are including Black people. I think we can just add “welfare and lives of people of color” which would, again, get more consensus because of Carla. The last part gives me a little bit of qualms. I don’t know how you quantify our progress. What numerical metric would you use to quantify progress---the number of complaints you get on a hotline? I don’t know how you quantify that. You might want to say “working to progress in the areas of racial equity and justice” and leave it at that. Those are my thoughts. And correct the typos.

Mr. Tait: Madam Moderator, can we see it rewritten that way?

Mr. Mandell:

I just sent a rewritten one of Amy’s and a rewritten one of Kristan’s that we can work with. What Peter added, “...health and welfare of people of color”, I think that’s good. I think that’s where it should stop. This working business, we’re already saying it earlier on where it says “actively working toward combatting”. So, we’re already talking about the work concept in it. We don’t have to repeat it that we’re looking to do that, so, it’s there. I think what I wrote in the email and add to it “the health *and welfare*”. End it on “the health and welfare of people of color.” I think that would probably work or we could do Kristan’s modified removing the sexism and discrimination part and there we’ve got it on racism, straight up.

Mr. Gold: It’s working, not work. “...Commits to *working towards*”

Mr. Mandell:

Someone fix the grammar. I think either of these would work. I think the modifications to Amy’s would work. Either one.

Mr. Wieser: Just a few public comments since we’re talking about this.

Additional comments from **the Westport electorate**

Mr. (Max) Kaplan:

I find it absurd that a member of the RTM does not know that People of Color includes non-black minority groups who are not white. I hope for the sake of this body, their constituents take note.

Mr. Wieser:

I read that fairly quickly because it doesn't really add to the conversation. I'm sorry about that Mr. Kaplan but we're getting down to some brass tacks here.

Josh Koskoff, 1 Harding Lane:

I fully support the amendment to the amendment to the anti-racism resolution as written by Amy Kaplan.

Josh Koskoff

Mr. Bailey:

Ms. Kaplan's amendment of the amendment works effectively. The term that covers all people of color is BIPOC (Black, Indigenous and People of Color).

Harold Bailey

Mr. Wieser:

Just to be clear, Mr. Kaplan stated People of Color includes non-black minority groups who are not white.

Dr. Heller: So, we have heard from some members of the public on this.

Members of the RTM

Ms. Batteau:

I think that everybody is in the right direction. I like the version Peter ended up with. I support that but I ask every single person on this committee tomorrow or sometime soon, watch *The Notorious RBG* and say an apology to her.

Ms. Hamlin:

This is what I would say about Amy's amendment with all the various fixes that everyone is making on the fly about it. It's much better that the initial resolution which, I don't even know where that initial resolution came from. Did it come from developers? Did it come from...

Dr. Heller: Stick to the amendment.

Ms. Hamlin:

At least this amendment to the amendment is written by an RTM member. I still have problems with it and I draw on my nearly 35 years of working in the discrimination field when I say this. I want to bring to everyone's attention a national issue that we should all be aware of. You all might remember more than four years ago, there was a slaughter in Charleston, South Carolina of African Americans who were in church praying. It was because of racism and hate and it was horrible. Rest assured that everybody on this RTM was horrified. During this presidency, after stirring the pot about caravans, Latinos coming, and Jews, some crazy person went where Jewish people were praying and he slaughtered those Jewish people. That is just as horrifying. They are both horrifying. Anti-Semitism is horrifying. There have been genocides that members of this RTM lived through, are old enough to remember. To talk about discrimination includes Anti-Semitism. To talk about sexism is to include one of the largest and most discriminated

groups which has ever suffered discrimination. I feel like what I'm hearing from some people in this community that somehow, including women and including other groups in this statement dilutes it. That's horrifying. That what was said to the women in the 1860's about the right to vote when African American men said, 'No. Right now is our time. The vote is for us. Wait.' And the same thing about the 14th amendment. Oh, yeah, sure, we'll get around to sexism and Anti-Semitism later. But, do you know what? It's unbelievable that anybody on this RTM thinks there's a competition of speaking out against one form of discrimination and another. There's no race to the bottom where my kind of discrimination as an African American is worse than another kind. I know because I've been doing this for 35 years that discrimination rears its ugly head in very different ways for different groups. There's more threshold discrimination in employment against African Americans. There happens to be more glass ceiling and leadership discrimination against women because, for whatever reason, men don't like to have female bosses. Discrimination rears its ugly head in very, very different ways but it's all horrible. And the fact that 51 percent of the population is female; that's a very broad group that should be covered. Single mothers, there's so much we could do in this town to support single mothers. It might be that there are one or two RTMers whose husbands are working and they are staying home and they don't know what it feels like, but there are a number of women in this town who are single mothers and they can't get childcare. It's absolutely right, right now, during COVID-19, the people who are affected in terms of employment the most are women. It is absolutely right that we are on the precipice of women losing significant reproductive rights. To say that women can't be included because it somehow diminishes Black people, how bloody outrageous is that? To say that including Anti-Semitism as something we want to speak about somehow dilutes the value of racism is really outrageous. I can't believe any of you are saying that. The 1964 Civil Rights Act included all of them. Nobody felt diluted. The 1991 Civil Rights Act included all those groups. Nobody felt diluted. You don't dilute African American people's rights when you speak favor of women. I can't even believe I've heard some women in this community and on this RTM say 'No. We're going to have a backseat for some other day.' I've been hearing that for a long time. I'm actually writing a whole book about it. We had to wait 100 years to be included in the 14th amendment. Talk about intersectionality, African American women only got the right to vote when white women did because African American men told them to take a back seat. Intersectionality is very, very real. It's very important. And I think that Amy's amendment that we're changing on the fly because it is not as clean as what I wrote, the problem with it is it doesn't make a statement that reflects us. In Westport, we speak out against all discrimination. I don't know who this group is that is saying 'It has to be a particular way, you can only say a certain thing.' You know what? We're not part of that group. This is us and our moment to speak out on all forms of discrimination: Anti-Semitism, sexism, racism of all sorts, discrimination of all sorts. Instead of making these changes on the fly, we have something that truly embraces our values as a town. That's why I think Amy's is deficient.

Mr. Tait:

It seems to me that we have a framework here to really bring this resolution around to make all RTM members feel they are a part of this. From what I'm hearing from what Carla and Wendy and Kristan have said, if that was somehow added to what Peter has

done would that solidify the resolution as an RTM tonight. It seems like those three are outstanding issues, valid issues that need to be addressed by the full RTM. We all want to be behind this 100 percent. We don't want to do something tonight and have some RTM members not be supportive. The goal would be to put out something we all could agree on.

Mr. Wieser:

I'd love to have Amy make her motion so we could vote on hers and if it passes, we win and if it doesn't pass, we go to Kristan's and if that doesn't pass, we go to the original motion. I'd like to see where we stand and do that by voting on Amy's motion that has been reworked. Maybe you could read that to us Amy?

Mr. Tait: With Peter's changes?

Mr. Wieser: Is that appropriate?

Dr. Heller:

What she is reading is what she said the first time. There will not be any changes. What we need to do is, should we want to see changes in that motion, we'll vote it down and then she will put in a substitute, a replacement to that as her actual motion incorporating some of the things that were there.

Attorney Flug: Anyone else can make the second motion.

Dr. Heller: Absolutely.

Mr. Wieser:

Can I ask her to read what she will do for the second motion if the first doesn't pass?

Dr. Heller: Amy, do you have, at this point?

Ms. Kaplan: Yes. I would propose as the final wording:

The Westport RTM, condemns racism in all its forms and hereby commits to actively working toward combating racism and valuing all people as deserving of equitable treatment in the way we do business as a town. We see the world around us and recognize racism as a public health crisis having negative effects on the health, welfare and lives of all Black, indigenous people of color. We ask the town of Westport to commit to continue work we've already begun, and ask the Town of Westport to develop means to evaluate our progress in the area of racial equity and justice.

Dr. Heller:

And you have changed things from your original in that one. Is that correct?

Ms. Kaplan: Yes. I have incorporated several of the suggestions.

Mr. Mandell:

What Peter was saying is all that secondary stuff after we say there's a "health crisis for people of color", that it should end there. That's what Peter was talking about. That's what I think we should have done because then we are talking about what we really have no control over. It's a clear statement: We see racism as a problem. We believe it's a health crisis for all people of color. Boom.

Mr. Wieser:

Except Harold Bailey said we are already working on a lot of those things and it's worth recognizing that we are working on some things.

Ms. Kaplan: Correct.

Mr. Shackelford:

I do think Ms. Kaplan's revised resolution addresses Mr. Mandell's concern because it's changed the wording, Matt. We ask the town of Westport to commit and ask the town of Westport to develop. I tried to draft a little bit of a cleaner one. We can use Amy's or Lisa can share the one I tried to clean up a little bit. I think having the last part is useful. Yes, you're right, Matt. We can't do that but we can ask the town to do it and I think it's useful. I still strongly support this resolution. It doesn't mean I don't support resolutions to condemn other forms of discrimination. Nobody is asking anybody to wait five or six years. All of us, because we are on the RTM have the ability to put a resolution up, to find one other person to put it up with us. If this one passes tonight, which I strongly support in this form, we could do it next month if two of you want to do it. Clearly, large groups of us favor different approaches here. That's obvious. So, we're going to have to settle on something and it doesn't mean it's the end. We can do something else next. I'd like us to respect the work that our colleagues did that actually brought this to us and tried to do something that our colleagues who brought this to us have been trying to modify the resolution. I strongly support it.

Dr. Heller:

We have had people speaking more than once and it's been more of a conversation than usual. I'll ask that this be the last one and then we'll vote on the original second amendment that was proposed.

Mr. Gold:

Without value judging anything here, a grammatical error in Amy's most recent language:

We see the world around us and recognize racism as a public health crisis having negative effects...

That means the public health crisis has the negative effects, not racism having the negative effects. She's got the modifier in the wrong place. Also, I don't think that anybody will know what BIPOC means. I certainly never heard the term until Jeff read Harold Bailey's letter. If we want this to be understood by other people, I don't think they'll understand the acronym.

Point of information, Ms. Schneeman:

I believe I heard Ms. Flug said earlier that Ms. Kaplan could withdraw her current second amendment and then we could move to...

Dr. Heller: I'm not sure that's true. I think because it was seconded...

Attorney Flug:

She wouldn't withdraw it. You would vote against it and then she or anyone else could propose another second amendment.

Dr. Heller:

I am suggesting we vote on the original amendment that Ms. Kaplan proposed and if, in fact, that is voted down, then, perhaps, we would have another amendment that incorporates some of the changes.

Point of information, Mr. Falk:

We could actually vote either way for it and then re-amend it. If it goes back up, then it goes back down. Whether this amendment passes or fails, we go back up to the first amendment and then that could be amended on the way down, no matter what.

Dr. Heller:

There can be an amendment to the first amendment. That's the point. If this is voted down, Mr. Gold, there can be an amendment to the first amendment. Mr. Falk, is that what you're saying?

Mr. Falk:

It doesn't matter. If we are going to re-amend it anyway, it doesn't matter. Either way, it can be re-amended.

Mr. Wieser: So, let's vote.

Mr. Gold: No. If we pass it, we're done.

Point of order, Mr. Mandell:

Harris is correct. If we vote for it, we can re-amend it but I don't think we should vote for something that is not grammatically correct. That's wouldn't be good for the RTM. We vote this down as it stands and let her come back with something that is grammatically correct.

Attorney Flug:

I just wanted to affirm that I agree with what Mr. Falk said. Regardless of how you dispose of the second amendment, whether you approve it or vote it down, you are still left with one amendment pending, which is Ms. Hamlin's, whether that has been amended or not and that can be further amended. I also recommend that before anyone seconds Ms. Kaplan's new amendment, that she wordsmith it a bit, put it up on shared screen and wordsmith it before it is seconded.

Dr. Heller: So that we don't get into the same bind.

Mr. Braunstein:

I just wanted to make sure I understood and Assistant Town Attorney Flug was heading in that direction, the way this will work relating to the original amendment that Ms. Hamlin proposed. So, if we vote down because we don't agree or we're looking to refine the content of Ms. Kaplan's amendment, what happens then with Ms. Hamlin's amendment?

Attorney Flug:

If Ms. Kaplan proposes a new second amendment, then you would debate the new second amendment. That would be the new pending motion on the floor.

Mr. Braunstein:

So, Ms. Hamlin's amendment won't get a vote because there will still be another amendment that needs to be discussed.

Attorney Flug:

Right. There can be as many second amendments as anybody wants as long as anybody wants to stay up. You can't have a third amendment pending but there can be multiple second amendments. Once all the second amendments have been disposed of, then you go back to the first amendment, whether it has been amended or not, and you vote on that and then you go back to the main motion, whether it has been amended or not, and you vote on that.

Point of order, Ms. Hamlin:

My question, Eileen, is if she doesn't have the second amendment done in time, is there anything that would keep us from voting on the first amendment and, if that gets voted down, she can do a second amendment after that?

Attorney Flug:

If she proposes a second amendment, and it should be in pretty final form before it's seconded, but if she proposes a second amendment and it's seconded, then that's what is on the table. If she doesn't propose another second amendment, then Velma would ask if anyone has another amendment and, if no one does, she would go back to your amendment.

Dr. Heller:

I think the other thing is, if she proposes a second amendment and prior to its being seconded, asks for any other recommendations...

Attorney Flug: I wouldn't let that go on very long.

Dr. Heller:

We've had a lot of discussion on this already. It would appear to me that, hopefully, by the time the second amendment comes around, it ought to be in pretty final form and certainly by the time it's seconded.

Point of order, Mr. Gold:

It's getting rather late. When anybody proposes any further amendments, can they please put them up on the screen so we can read them.

Dr. Heller: Lisa will put it up on the screen as she did last time.

Mr. Wieser:

Just in case the voting goes as quickly as we all hope, I just have one correction. Most recently I read an email that I said was from Michael Kaplan. It was from Max Kaplan. There are other comments but I think we're beyond public comments at this point.

Dr. Heller:

I think at this point, I will call this question and we are voting on:

The Westport RTM, recognizing racism as a public health crisis condemns racism in all its forms and hereby commits to actively working toward combatting racism and valuing all people as deserving of equitable treatment in the way we do business as a town. We see the world around us and recognize the negative effects of racism on the health, welfare and lives of Black people and people of color. We commit to continue work we've already done and ask the town of Westport to develop means to quantify and evaluate our progress in the area of racial equity and justice.

The vote on the second amendment, unrevised, fails: 4-24. Those in favor: Ms. Kramer, Ms. Banks, Mr. Falk, Ms. Kaplan.

Dr. Heller: The original second amendment was defeated.

Ms. Kaplan:

I propose a new amendment:

The Westport RTM, condemns racism in all its forms and hereby commits to actively working toward combating racism and valuing all people as deserving of equitable treatment in the way we do business as a town. We see the world around us and recognize racism as a public health crisis having negative effects on the health, welfare and lives of Black and indigenous people of color. We ask the town of Westport to commit to continue work we've already begun, and ask the Town of Westport to develop means to evaluate our progress in the area of racial equity and justice.

Mr. Wieser:

One little change, looking at Mr. Bailey's email, it might read: "Black, indigenous and people of color." That's how it is reported in his email.

Mr. Gold: Actually, it should be "indigenous₁ ,,,," [comma]

Mr. Braunstein: There should also be a comma between health and welfare.

Ms. Batteau:

Could I make just a couple of little bitsy things.

“The Westport RTM, condemns racism in all its forms and hereby commits to actively working toward combating ~~racism~~ *it* and valuing all people as deserving of equitable treatment in the way we do business as a town.”

I don’t know why we need to say “in the way we do business as a town.”

“We ask the town of Westport to commit to continue work we’ve already begun, and ~~ask the Town of Westport~~ to develop means evaluate our progress in the area of racial equity and justice.”

It’s not critical. It’s not meeting sensitive. It just sounds better. We don’t need to say racism in the first line and the second line.

Ms. Kaplan:

I’m fine with repeating it twice. I will change the wording of “Black, indigenous, and people of color.” Thank you Lisa. You already changed that.

Mr. Gold:

The phrase

We see the world around us and recognize racism as a public health crisis having negative effects on the health, welfare and lives of Black and indigenous people of color.

Means that the public health crisis has those negative effects, not racism. If you want to keep the word crisis, you could say:

We recognize racism as a crisis having negative effects on public health, welfare and lives of Black and indigenous people of color.

Ms. Kaplan:

How about if we say

...racism is a public health crisis having negative effects on the health, welfare and lives of Black and indigenous people of color.

Mr. Gold:

That says the public health crisis has the negative effects, not racism.

Various members: I agree with Peter.

Mr. Gold:

You need to say

...recognize racism is a crisis having negative effects on the health, welfare and lives, etc.”

Ms. Batteau:

It doesn’t take anything out. It just rearranges it to make sense.

Mr. Gold: Take out the words “public health” there

Mr. Mandell:

Indigenous and people of color, do they need to be capitalized? I'm not positive.

Ms. Kaplan: I believe different publications have different opinions on that.

Ms. Schneeman:

I think it should be "Black, indigenous, and *other* people of color" because Black and indigenous are already included in the people of color appellation.

Ms. Kaplan: So add "other" before people? [Yes.]

Mr. Mandell: What does BIPOC mean?

Member: Black, indigenous, and other people of color. It's a common term.

Ms. Batteau:

I would like to make another pitch for deleting "in the way we do business as a town"

Ms. Kaplan:

It's just using some of the phrasing that you all appear to like in the initial comments.

Ms. Batteau:

Don't we value all people as deserving equitable treatment in everything, not just in the way we do business as a town?

Mr. Braunstein:

If I may? I echo Wendy's sentiment because I think when you specify only "in the way we do business as a town", it's actually diminishing the effectiveness of the statement. People deserve equitable treatment, period, across all different ways in which they are dealt with; not just as a town but in a more general sense. That is my own personal opinion.

Various members: I agree.

Mr. Braunstein: Just say "deserving of equitable treatment, period."

Mr. Gold:

Another question for you: The phrase "Black, indigenous, and other people of color" is not really grammatical. It should be "Black *people*, indigenous *people*, and other people of color."

Member:

That term was provided by TEAM Westport and I believe they would know the correct phrasing.

Mr. Gold: It's grammatical; that's all.

Ms. Kaplan: It doesn't change the meaning.

Member: Peter is the English teacher!

Mr. Mandell:

Quick question: Should it not be "commit to work that *they've* done" rather than *we've* done. We're the RTM. So, we're talking about the town, it's they, rather than us.

Mr. Gold: Take out the "we've" entirely.

Member:

That was my question too. It is not to evaluate our progress as an RTM, but the town's progress.

Member: How do you evaluate that?

Member: Certainly not from the RTM's standpoint.

Various members: Get rid of the word "we've".

Mr. Gold: "...continue work already begun."

Member: How do we evaluate progress?

Dr. Heller:

It is up to the town of Westport to develop means to evaluate progress.

Member: How about "to evaluate *the town's* progress."

Dr. Heller: It's already there.

Member: You have to leave it up to the town.

Member:

I liked it better when it said "to evaluate *our* progress" because we're all part of the town in some way.

Member: The town does the active day to day business.

Mr. Shackelford:

We are not asking them to evaluate progress in the universe. We are just asking them to evaluate progress in our town. So, can we just say "the town's progress"

Ms. Schneeman: How about "the *community's* progress"?

Mr. Shackelford: That's great too.

Mr. Wieser: Evaluate "*our community's* progress"?

Attorney Flug:

I just had a grammar point. In the last sentence, because it's a compound sentence, you have to add "we" after "and".

Member:

Boy, did I miss English class. I'm glad I went to Long Lots instead of Bedford, Velma.

Mr. Mandell: Should it be "develop *the* means to evaluate"?

Dr. Heller: It's sufficient.

Attorney Flug: Should area be plural? "*areas* of racial equity and justice?"

Various members: Yes.

Ms. Kaplan:

The New York Times refers to them as Black, indigenous and other people of color.

Mr. Wieser: So does TEAM Westport. I'm going with TEAM Westport.

Mr. Liccione: Can I second this already?

Dr. Heller: Hang on Sal.

Mr. Gold:

They refer to this as Black people, indigenous people and other people of color. That's fine. I'll cede.

Ms. Batteau:

I would like to make one more point. The very original resolution made the point that not only did this hurt Black people, indigenous people and other people of color, but the effect of it hurt all of Westport and all of Connecticut and we could argue, all the world. This now only says that it hurts Black, indigenous and other people of color. Do people understand what I'm saying?

Mr. Wieser: I think we could talk all night.

Member: I think Wendy has a point there.

Member: You might say something like "and society as a whole."

Member:

But the sentence is about the public health and lives of Black, indigenous and other people of color. I think the thing that Wendy is referring to is making the additional point that by doing this, racism, therefore, diminishes all of us.

Dr. Heller: I think that's an important point too.

Mr. Mandell:

Don't we already say earlier "valuing all people". Doesn't that carry forth into the next sentence that all people are involved?

Member:

I don't think that's the point that Wendy's trying to make. I think she is trying to say that racism as a concept has cost to society. And Wendy, I don't need to put words in your mouth. Correct me if I'm wrong.

Mr. Gold:

The more thoughts you put into this, the less powerful and clear it's going to be.

Member: I think Wendy's point is valid. I think it's a small add on.

Dr. Heller: Wendy, what would you put in there?

Member: "And all society as a whole"

Ms. Schneeman:

I might suggest a stand alone sentence. Before we ask the town, just make a sentence, "It diminishes us all."

Member: Racism.

Ms. Schneeman: "Racism diminishes us all."

Dr. Heller: I like the concept.

Mr. Gold: Do you want to put the word "therefore,"?

Attorney Flug: Is Amy satisfied with the motion?

Ms. Kaplan: Yes. I'm satisfied with the changes. I think they're good.

Ms. Fuchs: Can we forward this to the RTM? Thank you, Lisa.

Mr. Wieser: Sal is champing at the bit. Sal, go for it.

Mr. Liccione: I second the motion.

Dr. Heller:

We have an amendment that has been moved and seconded. I am going to ask you to read it Jeff because it hasn't come through on my I-phone yet.

Ms. Fuchs:

I have it:

The Westport RTM, condemns racism in all its forms and hereby commits to actively working toward combating racism and valuing all people as deserving of equitable treatment. We see the world around us and recognize racism as a crisis having negative effects on the public health, welfare and lives of Black, indigenous and other people of color (BIPOC). Racism diminishes us all; therefore, we ask the town of Westport to commit to continue work already begun, and ask the Town of Westport to develop means to evaluate our progress in the area of racial equity and justice.

Dr. Heller: The motion has been made and seconded.

By roll call vote, the motion passes 28-0-0. (Mr. Jaffe and Ms. Gertzoff left.)

Dr. Heller: There are two more votes on this.

Attorney Flug:

You are voting on the main motion to replace it with the amendment proposed by Amy Kaplan.

Dr. Heller:

We are voting to replace the main motion with the amendment that we just approved. The second vote is on the new main motion. Once we replace it, then we have to vote on it.

A vote on replacing the main motion with the approved second amendment passes unanimously 27-0-1; Mr. Falk abstained.

Mr. Mandell:

Wonderful collaboration. When we put smart people together we can do wonderful things. Also, Kristan Hamlin, you spoke wonderfully today. Your words were taken. I heard them loud and clear about sexism and Anti-Semitism as well. Thank you for what you tried to do tonight. I think we all owe you a debt for your effort.

Ms. Hamlin: Thank you.

Dr. Heller:

We are voting on the following resolution which is the main motion:

The Westport RTM, condemns racism in all its forms and hereby commits to actively working toward combating racism and valuing all people as deserving of equitable treatment. We see the world around us and recognize racism as a crisis having negative effects on the public health, welfare and lives of Black, indigenous

and other people of color (BIPOC). Racism diminishes us all; therefore, we ask the town of Westport to commit to continue work already begun, and we ask the Town of Westport to develop means to evaluate our progress in the area of racial equity and justice.

The motion passes unanimously 28-0.

Dr. Heller:

Ladies and gentlemen. I just want to say that this has been one of the most interesting meetings I've ever attended. It was complicated. It was complex. It was collaborative. Three C's. I must say I agree with much of what Matt said and much of what all of you have said. This is a very complicated issue to deal with. To be able to deal with it on the floor of the RTM is challenging. I think that you all really rose to the occasion and I'm so proud of us, as a body, and I'm so proud of the people who put in the extra effort to make something happen that's positive and through which we could get a unanimous consensus. I just think it's wonderful. Again, I appreciate all of you and your dedication. So, hear, hear, everybody. Well done.

Mr. Lowenstein: Was this the longest RTM meeting ever?

Ms. Fuchs: I think so.

Dr. Heller: Certainly one of the longer ones.

Mr. Mandell: It's only 1:59. We have to make it to 2:00!

Ms. Hamlin:

If this were a real live RTM meeting, Matt Mandell would have a restaurant for us to go to for some drinks right now.

Dr. Heller:

It was really worth the time that you put in everybody because what you've come up with is very positive. Great work. Eileen, thank you for all your help. It got a little hairy there for a while!

Good night!

The meeting adjourned at 2:00 a.m.

Respectfully submitted,

Patricia H. Strauss

Town Clerk

Jacquelyn Fuchs

by Jacquelyn Fuchs

ATTENDANCE: October 6, 2020

| DIST. | NAME | PRESENT | ABSENT | NOTIFIED MODERATOR | LATE/ LEFT EARLY |
|--------------|-------------------------|----------------|---------------|-------------------------------|-----------------------------|
| 1 | Richard Jaffe | X | | | Left 1:30 a.m. |
| | Matthew Mandell | X | | | |
| | Kristin M. Purcell | X | | | |
| | Chris Tait | X | | | |
| 2 | Harris Falk | X | | | |
| | Jay Keenan | X | | | |
| | Louis M. Mall | X | | | |
| | Christine Meiers Schatz | | X | X | |
| 3 | Mark Friedman | X | | | Left 1:30 a.m. |
| | Arline Gertzoff | X | | | |
| | Jimmy Izzo | X | | | |
| | Amy Kaplan | X | | | |
| 4 | Andrew J. Colabella | X | | | |
| | Kristan Hamlin | X | | | |
| | Noah Hammond | X | | | |
| | Jeff Wieser | X | | | |
| 5 | Peter Gold | X | | | |
| | Dick Lowenstein | X | | | |
| | Karen Kramer | X | | | |
| | Greg Kraut | | X | | |
| 6 | Candace Banks | X | | | |
| | Jessica Bram | | X | X | |
| | Seth Braunstein | X | | | |
| | Cathy Talmadge | | X | X | |
| 7 | Brandi Briggs | X | | | Left 8:30./ Arr. 9.40 |
| | Lauren Karpf | X | | | |
| | Jack Klinge | X | | | |
| | Ellen Lautenberg | X | | | |
| 8 | Wendy Batteau | X | | X | Arr. 9:40 |
| | Lisa Newman | X | | | |
| | Carla Rea | X | | | |
| | Stephen Shackelford | X | | | |
| 9 | Velma Heller | X | | | |
| | Sal Liccione | X | | | |
| | Kristin Schneeman | X | | | |
| | Lauren Soloff | | X | X | |
| Total | | 31 | 5 | | |

Appendix I – Item #1

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Parks & Recreation, the sum of \$310,000.00 along with bond and note authorization, to the Municipal Improvement Fund Account to replace the field lights at the Greens Farms Elementary School field is hereby appropriated.

BOND RESOLUTION

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport (the “Town”) hereby appropriates the sum of Three Hundred Ten Thousand and 00/100 Dollars (\$310,000) for the costs associated with replacing the field lights at Greens Farms field including the purchase and installation of an LED lighting system, warranty program and a system that allows for remote access, advanced scheduling and monitoring and administrative, engineering, financing, contingency and other related costs (the “Project”).

As recommended by the Board of Finance and for the purpose of financing Three Hundred Ten Thousand and 00/100 Dollars (\$310,000) of the foregoing appropriation, the Town shall borrow a sum not to exceed Three Hundred Ten Thousand and 00/100 Dollars (\$310,000) and issue general obligation bonds for such indebtedness under its corporate name and seal and upon the full faith and credit of the Town in an amount not to exceed said sum for the purpose of financing the appropriation for the Project.

The First Selectman, Selectmen and Finance Director are hereby appointed a committee (the “Committee”) with full power and authority to cause said bonds to be sold, issued and delivered; to determine their form, including provision for redemption prior to maturity; to determine the aggregate principal amount thereof within the amount hereby authorized and the denominations and maturities thereof; to fix the time of issue of each series thereof and the rate or rates of interest thereon as herein provided; to designate the bank or trust company to certify the issuance thereof and to act as transfer agent, paying agent and as registrar for the bonds, and to designate bond counsel. The Committee shall have all appropriate powers under the Connecticut General Statutes including Chapter 748 (Registered Public Obligations Act) to issue the bonds and, further, shall have full power and authority to do all that is required under the Internal Revenue Code of 1986, as amended, and other applicable laws and regulations of the United States and the state of Connecticut, to provide for issuance of the bonds in tax exempt form, including the execution of tax compliance and other agreements for the benefit of bondholders, and to meet all requirements which are or may become necessary in and subsequent to the issuance and delivery of the bonds in order that the interest on the bonds be and remain exempt from federal income taxes, including, without limitation, to covenant and agree to restriction on investment yield of bond proceeds, rebate of arbitrage earnings, expenditure of proceeds within required time limitations and the filing of information reports as and when required and to execute Continuing Disclosure Agreements for the benefit of holders of bonds and notes.

The Bonds may be designated “Public Improvement Bonds of the Town of Westport,” series of the year of their issuance and may be issued in one or more series, and may be consolidated as part of the same issue with other bonds of the Town; shall be in serial form maturing in not more than twenty (20) annual installments of principal, the first installment to mature not later than three (3) years from the date of issue and the last installment to mature not later than twenty (20) therefrom, or as otherwise provided by statute. The bonds may be sold at not less than par and accrued interest at public sale upon invitation for bids to the responsible bidder submitting the bid resulting in the lowest true interest cost to the Town, provided that nothing herein shall prevent the Town from rejecting all bids submitted in response to any one invitation for bids and the right to so reject all bids is hereby reserved, and further provided that the Committee may sell the bonds, or notes, on a negotiated basis, as provided by statute. Interest on the bonds shall be payable semiannually or annually. The bonds shall be signed on behalf of the Town by the First Selectman and the Finance Director, and shall bear the seal of the Town. The signing, sealing and certification of said bonds may be by facsimile as provided by statute. The Finance Director shall maintain a record of bonds issued pursuant to this resolution and of the face amount thereof outstanding from time to time, and shall certify to the destruction of said bonds after they have been paid and cancelled, and such certification shall be kept on file with the Town Clerk.

The Committee is further authorized to make temporary borrowings as permitted by the General Statutes and to issue a temporary note or notes of the Town in anticipation of the receipt of proceeds from the sale of the bonds to be issued pursuant to this resolution. Such notes shall be issued and renewed at such times and with such maturities, requirements and limitations as provided by statute. Notes evidencing such borrowings shall be signed by the First Selectman and the Finance Director, have the seal of the Town affixed, which signing and sealing may be by facsimile as provided by statute, be certified by and payable at a bank or trust company incorporated under the laws of this or any other state, or of the United States, be approved as to their legality by bond counsel,

and may be consolidated with the issuance of other Town bond anticipation notes. The Committee shall determine the date, maturity, interest rates, form and manner of sale, including negotiated sale, and other details of said notes consistent with the provisions of this resolution and the General Statutes and shall have all powers and authority as set forth above in connection with the issuance of bonds and especially with respect to compliance with the requirements of the Internal Revenue Code of 1986, as amended, and regulations thereunder in order to obtain and maintain issuance of the notes in tax exempt form.

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

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

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

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

The Committee is hereby authorized to take all action necessary and proper for the sale, issuance and delivery of the bonds (and notes) in accordance with the provisions of the Town Charter, the Connecticut General Statutes, and the laws of the United States.

Appendix II – Item #4

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works the sum of \$150,000.00 along with bond and note authorization, to the Municipal Improvement Fund Account for Power Redundancy and IT Security Upgrades at Town Hall and Parks and Recreation is hereby appropriated.

BOND RESOLUTION

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the "Town") hereby appropriates the sum of One Hundred Fifty Thousand and 00/100 Dollars (\$150,000) to pay costs associated with the Power Redundancy and IT Security Upgrades which costs include the installation of an uninterruptible power supply and secondary transfer switch, access controls to various IT resource areas at both the Town Hall and Parks and Recreation offices, and related equipment controls and connections and related design, engineering, analysis, auditing, administrative, financing, contingency and other soft costs (the "Project").

Section 1. As recommended by the Board of Finance and for the purpose of financing One Hundred Fifty Thousand and 00/100 Dollars (\$150,000) of the foregoing appropriation, the Town shall borrow a sum not to exceed One Hundred Fifty Thousand and 00/100 Dollars (\$150,000) and issue general obligation bonds for such indebtedness under its corporate name and seal and upon the full faith and credit of the Town in an amount not to exceed said sum for the purpose of financing the appropriation for the Project.

Section 2. The First Selectman, Selectmen and Finance Director are hereby appointed a committee (the "Committee") with full power and authority to cause said bonds to be sold, issued and delivered; to determine their form, including provision for redemption prior to maturity; to determine the aggregate principal amount thereof within the amount hereby authorized and the denominations and maturities thereof; to fix the time of issue of each series thereof and the rate or rates of interest thereon as herein provided; to designate the bank or trust company to certify the issuance thereof and to act as transfer agent, paying agent and as registrar for the bonds, and to designate bond counsel. The Committee shall have all appropriate powers under the Connecticut General Statutes including Chapter 748 (Registered Public Obligations Act) to issue the bonds and, further, shall have full power and authority to do all that is required under the Internal Revenue Code of 1986, as amended, and other applicable laws and regulations of the United States and the state of Connecticut, to provide for issuance of the bonds in tax exempt form, including the execution of tax compliance and other agreements for the benefit of bondholders, and to meet all requirements which are or may become necessary in and subsequent to the issuance and delivery of the bonds in order that the interest on the bonds be and remain exempt from federal income taxes, including, without limitation, to covenant and agree to restriction on investment yield of bond proceeds, rebate of arbitrage earnings, expenditure of proceeds within required time limitations and the filing of information reports as and when required and to execute Continuing Disclosure Agreements for the benefit of holders of bonds and notes.

Section 3. The Bonds may be designated "Public Improvement Bonds of the Town of Westport," series of the year of their issuance and may be issued in one or more series, and may be consolidated as part of the same issue with other bonds of the Town; shall be in serial form maturing in not more than twenty (20) annual installments of principal, the first installment to mature not later than three (3) years from the date of issue and the last installment to mature not later than twenty (20) therefrom, or as otherwise provided by statute. The bonds may be sold at not less than par and accrued interest at public sale upon invitation for bids to the responsible bidder submitting the bid resulting in the lowest true interest cost to the Town, provided that nothing herein shall prevent the Town from rejecting all bids submitted in response to any one invitation for bids and the right to so reject all bids is hereby reserved, and further provided that the Committee may sell the bonds, or notes, on a negotiated basis, as provided by statute. Interest on the bonds shall be payable semiannually or annually. The bonds shall be signed on behalf of the Town by the First Selectman and the Finance Director, and shall bear the seal of the Town. The signing, sealing and certification of said bonds may be by facsimile as provided by statute. The Finance Director shall maintain a record of bonds issued pursuant to this resolution and of the face amount thereof outstanding from time to time, and shall certify to the destruction of said bonds after they have been paid and cancelled, and such certification shall be kept on file with the Town Clerk.

Section 4. The Committee is further authorized to make temporary borrowings as permitted by the General Statutes and to issue a temporary note or notes of the Town in anticipation of the receipt of proceeds from the sale of the bonds to be issued pursuant to this resolution. Such notes shall be issued and renewed at

such times and with such maturities, requirements and limitations as provided by statute. Notes evidencing such borrowings shall be signed by the First Selectman and the Finance Director, have the seal of the Town affixed, which signing and sealing may be by facsimile as provided by statute, be certified by and payable at a bank or trust company incorporated under the laws of this or any other state, or of the United States, be approved as to their legality by bond counsel, and may be consolidated with the issuance of other Town bond anticipation notes. The Committee shall determine the date, maturity, interest rates, form and manner of sale, including negotiated sale, and other details of said notes consistent with the provisions of this resolution and the General Statutes and shall have all powers and authority as set forth above in connection with the issuance of bonds and especially with respect to compliance with the requirements of the Internal Revenue Code of 1986, as amended, and regulations thereunder in order to obtain and maintain issuance of the notes in tax exempt form.

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

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

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

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

Section 9. The Committee is hereby authorized to take all action necessary and proper for the sale, issuance and delivery of the bonds (and notes) in accordance with the provisions of the Town Charter, the Connecticut General Statutes, and the laws of the United States.

Appendix III – Item #5

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$71,500.00 along with bond and note authorization, to the Municipal Improvement Fund Account to design the replacement of underground fuel tanks, fuel system, and heating oil tanks at Parsell Public Works Center at 300 Sherwood Island Connector is hereby appropriated.

BOND RESOLUTION

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the "Town") hereby appropriates the sum of Seventy-One Thousand Five Hundred and 00/100 Dollars (\$71,500) for the initial costs of replacing the underground fuel tanks, fuel system, and heating oil tanks at the Parsell Public Works Center at 300 Sherwood Island Connector including engineering, design and inspection services, and related consultant, administrative financing and other soft costs (the "Project").

As recommended by the Board of Finance and for the purpose of financing Seventy-One Thousand Five Hundred and 00/100 Dollars (\$71,500) of the foregoing appropriation, the Town shall borrow a sum not to exceed Seventy-One Thousand Five Hundred and 00/100 Dollars (\$71,500) and issue general obligation bonds for such indebtedness under its corporate name and seal and upon the full faith and credit of the Town in an amount not to exceed said sum for the purpose of financing the appropriation for the Project.

The First Selectman, Selectmen and Finance Director are hereby appointed a committee (the "Committee") with full power and authority to cause said bonds to be sold, issued and delivered; to determine their form, including provision for redemption prior to maturity; to determine the aggregate principal amount thereof within the amount hereby authorized and the denominations and maturities thereof; to fix the time of issue of each series thereof and the rate or rates of interest thereon as herein provided; to designate the bank or trust company to certify the issuance thereof and to act as transfer agent, paying agent and as registrar for the bonds, and to designate bond counsel. The Committee shall have all appropriate powers under the Connecticut General Statutes including Chapter 748 (Registered Public Obligations Act) to issue the bonds and, further, shall have full power and authority to do all that is required under the Internal Revenue Code of 1986, as amended, and other applicable laws and regulations of the United States and the state of Connecticut, to provide for issuance of the bonds in tax exempt form, including the execution of tax compliance and other agreements for the benefit of bondholders, and to meet all requirements which are or may become necessary in and subsequent to the issuance and delivery of the bonds in order that the interest on the bonds be and remain exempt from federal income taxes, including, without limitation, to covenant and agree to restriction on investment yield of bond proceeds, rebate of arbitrage earnings, expenditure of proceeds within required time limitations and the filing of information reports as and when required and to execute Continuing Disclosure Agreements for the benefit of holders of bonds and notes.

The Bonds may be designated "Public Improvement Bonds of the Town of Westport," series of the year of their issuance and may be issued in one or more series, and may be consolidated as part of the same issue with other bonds of the Town; shall be in serial form maturing in not more than twenty (20) annual installments of principal, the first installment to mature not later than three (3) years from the date of issue and the last installment to mature not later than twenty (20) therefrom, or as otherwise provided by statute. The bonds may be sold at not less than par and accrued interest at public sale upon invitation for bids to the responsible bidder submitting the bid resulting in the lowest true interest cost to the Town, provided that nothing herein shall prevent the Town from rejecting all bids submitted in response to any one invitation for bids and the right to so reject all bids is hereby reserved, and further provided that the Committee may sell the bonds, or notes, on a negotiated basis, as provided by statute. Interest on the bonds shall be payable semiannually or annually. The bonds shall be signed on behalf of the Town by the First Selectman and the Finance Director, and shall bear the seal of the Town. The signing, sealing and certification of said bonds may be by facsimile as provided by statute. The Finance Director shall maintain a record of bonds issued pursuant to this resolution and of the face amount thereof outstanding from time to time, and shall certify to the destruction of said bonds after they have been paid and cancelled, and such certification shall be kept on file with the Town Clerk.

The Committee is further authorized to make temporary borrowings as permitted by the General Statutes and to issue a temporary note or notes of the Town in anticipation of the receipt of proceeds from the sale of the bonds to be issued pursuant to this resolution. Such notes shall be issued and renewed at such times and with such maturities, requirements and limitations as provided by statute. Notes evidencing such borrowings shall be signed by the First Selectman and the Finance Director, have the seal of the Town affixed, which signing and sealing may be by facsimile as provided by statute, be certified by and payable at a bank or trust company incorporated under the laws of this or any other state, or of the United States, be approved as to their legality by bond counsel, and may be consolidated with the issuance of other Town bond anticipation notes. The Committee shall determine

the date, maturity, interest rates, form and manner of sale, including negotiated sale, and other details of said notes consistent with the provisions of this resolution and the General Statutes and shall have all powers and authority as set forth above in connection with the issuance of bonds and especially with respect to compliance with the requirements of the Internal Revenue Code of 1986, as amended, and regulations thereunder in order to obtain and maintain issuance of the notes in tax exempt form.

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

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

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

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

The Committee is hereby authorized to take all action necessary and proper for the sale, issuance and delivery of the bonds (and notes) in accordance with the provisions of the Town Charter, the Connecticut General Statutes, and the laws of the United States.

Appendix IV – Item #6

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$278,000.00 along with bond and note authorization, to the Municipal Improvement Fund Account for the Replacement of Heavy Equipment and Specialized Vehicles is hereby appropriated.

BOND RESOLUTION

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the "Town") hereby appropriates the sum of Two Hundred Seventy-Eight Thousand and 00/100 Dollars (\$278,000) to fund costs associated with the replacement of: i) one F550 plow truck and attached Kubota mini-excavator; ii) half of the Parsell Public Works Center, truck bay doors and the waste oil storage shelter; and iii) the Transfer Station doors, including related administrative, financing and other soft costs (the "Project").

As recommended by the Board of Finance and for the purpose of financing Two Hundred Seventy-Eight Thousand and 00/100 Dollars (\$278,000) of the foregoing appropriation, the Town shall borrow a sum not to exceed Two Hundred Seventy-Eight Thousand and 00/100 Dollars (\$278,000) and issue general obligation bonds for such indebtedness under its corporate name and seal and upon the full faith and credit of the Town in an amount not to exceed said sum for the purpose of financing the appropriation for the Project.

The First Selectman, Selectmen and Finance Director are hereby appointed a committee (the "Committee") with full power and authority to cause said bonds to be sold, issued and delivered; to determine their form, including provision for redemption prior to maturity; to determine the aggregate principal amount thereof within the amount hereby authorized and the denominations and maturities thereof; to fix the time of issue of each series thereof and the rate or rates of interest thereon as herein provided; to designate the bank or trust company to certify the issuance thereof and to act as transfer agent, paying agent and as registrar for the bonds, and to designate bond counsel. The Committee shall have all appropriate powers under the Connecticut General Statutes including Chapter 748 (Registered Public Obligations Act) to issue the bonds and, further, shall have full power and authority to do all that is required under the Internal Revenue Code of 1986, as amended, and other applicable laws and regulations of the United States and the state of Connecticut, to provide for issuance of the bonds in tax exempt form, including the execution of tax compliance and other agreements for the benefit of bondholders, and to meet all requirements which are or may become necessary in and subsequent to the issuance and delivery of the bonds in order that the interest on the bonds be and remain exempt from federal income taxes, including, without limitation, to covenant and agree to restriction on investment yield of bond proceeds, rebate of arbitrage earnings, expenditure of proceeds within required time limitations and the filing of information reports as and when required and to execute Continuing Disclosure Agreements for the benefit of holders of bonds and notes.

The Bonds may be designated "Capital Equipment Bonds of the Town of Westport," series of the year of their issuance and may be issued in one or more series, and may be consolidated as part of the same issue with other bonds of the Town; shall be in serial form maturing in not more than twenty (20) annual installments of principal, the first installment to mature not later than three (3) years from the date of issue and the last installment to mature not later than twenty (20) therefrom, or as otherwise provided by statute. The bonds may be sold at not less than par and accrued interest at public sale upon invitation for bids to the responsible bidder submitting the bid resulting in the lowest true interest cost to the Town, provided that nothing herein shall prevent the Town from rejecting all bids submitted in response to any one invitation for bids and the right to so reject all bids is hereby reserved, and further provided that the Committee may sell the bonds, or notes, on a negotiated basis, as provided by statute. Interest on the bonds shall be payable semiannually or annually. The bonds shall be signed on behalf of the Town by the First Selectman and the Finance Director, and shall bear the seal of the Town. The signing, sealing and certification of said bonds may be by facsimile as provided by statute. The Finance Director shall maintain a record of bonds issued pursuant to this resolution and of the face amount thereof outstanding from time to time, and shall certify to the destruction of said bonds after they have been paid and cancelled, and such certification shall be kept on file with the Town Clerk.

The Committee is further authorized to make temporary borrowings as permitted by the General Statutes and to issue a temporary note or notes of the Town in anticipation of the receipt of proceeds from the sale of the bonds to be issued pursuant to this resolution. Such notes shall be issued and renewed at such times and with such maturities, requirements and limitations as provided by statute. Notes evidencing such borrowings shall be signed by the First Selectman and the Finance Director, have the seal of the Town affixed, which signing and sealing may be by facsimile as provided by statute, be certified by and payable at a bank or trust company incorporated under the laws of this or any other state, or of the United States, be approved as to their legality by bond counsel, and may be consolidated with the issuance of other Town bond anticipation notes. The Committee shall determine the date, maturity, interest rates, form and manner of sale, including negotiated sale, and other details of said notes consistent with the provisions of this resolution and the General Statutes and shall have all powers and authority as set forth above in connection with the issuance of bonds and especially with respect to compliance

with the requirements of the Internal Revenue Code of 1986, as amended, and regulations thereunder in order to obtain and maintain issuance of the notes in tax exempt form.

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

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

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

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

The Committee is hereby authorized to take all action necessary and proper for the sale, issuance and delivery of the bonds (and notes) in accordance with the provisions of the Town Charter, the Connecticut General Statutes, and the laws of the United States.