

RTM Meeting
December 4, 2012

The call

1. To take such action as the meeting may determine to elect a Moderator of the Representative Town Meeting.
2. To take such action as the meeting may determine to elect a Deputy Moderator of the Representative Town Meeting.
3. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Superintendent of Schools to approve an appropriation of \$142,412 to the 2011-2012 Budget, BOE Rentals & Reimbursements Expenditure Account, as follows:
 - \$110,140.41 is deemed appropriated in accordance with Section 10-222a of the Connecticut General Statutes; and
 - \$32,271.59 is appropriated to fund the cost of union personnel reimbursements
4. To take such action as the meeting may determine, to adopt a sense of the meeting resolution regarding the Barons South Senior Residential Community.

Withdrawn.

5. To take such action as the meeting may determine, upon the request of at least 20 electors, to adopt an ordinance providing for an Ethics Code such as that prepared by the League of Women voters of Westport. (First reading. Full text available in the Town Clerk Office.) **Withdrawn.**

Minutes

Moderator Hadley Rose:

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

Maxine Bleiweis, Library Director:

Growing up in a small town in northern Rhode Island prepared me for Westport. The Westport I refer to is the small town, caring place that sometimes shows it in feisty, surprising ways. My father was the local newspaper reporter and my mother was the local hairdresser. Between them, my home reflected the heartbeat of the community. Two of their early hopes for me, their only child, were that I had curly hair, like Shirley Temple, and that I could play the piano well. No amounts of Tonette permanents make straight hair curly and all I managed to master at the piano was *Heart and Soul*. But that was okay, because heart and soul is really what life is all about. I'll be marking my 15th anniversary here next month. I'll never forget my first public experience in Westport. It was right here in this auditorium. Former Second Selectwoman Betty Lou Cummings had members of the community lined up around the perimeter with placards to pay tribute to Westport's heritage and the River of Names tile wall. The heart and soul

of the community was alive in Westport...something I get to see each day at the library each day. People bring their hopes and dreams with them to a place in a community that doesn't dash them, but instead opens their eyes and minds to new possibilities. My long ago hometown experience and the present one could be worlds apart, but the spirit is the same. There was one Rhode Island textile mill owner who brought music lessons, theater productions, and, of course, funding for the public library to the community, but like here, it was the citizens who looked out for each other every day. And it all starts in this room, as it did for me 15 years ago, where the heart and soul of the community comes together with fiscal responsibility. I'd take heart and soul over curly hair any day. Thank you for representing that critical aspect of Westport.

There were 28 members present. Mr. Keenan, Mr. Timmins, Ms. Feller, Ms. Talmadge, Ms. Schine, Ms. Flug, Dr. Heller, and Mr. McCarthy notified the Moderator that they would be absent.

Announcements

Mr. Rose:

There were no corrections to the minutes of Nov. 13. Please send any corrections to Mr. Rose, Ms. Fuchs, or Ms. Strauss.

Birthday greetings this month:

We have the new father, Mr. Urist; Mr. Arthurs, who is an older father; Ms. Talmadge; Mr. Rossi and Colleen Tarpey in the Town Clerk's Office.

The next RTM meeting is scheduled for Jan. 8 at 8 o'clock. You will all receive an email in the next few days seeing if we can start changing RTM meetings to 7:30. I would appreciate receiving your responses as soon as possible because I would like to make that change for the upcoming calendar for the year.

RTM Committee meetings

- Finance, Dec. 11, 7:30 in room 309.
- There will be a meeting announced shortly for the Ethics Committee.

RTM Announcements:

Mr. Rose:

It's December, which means First Night must be coming up, which means Mr. Meyer must be coming up and Allen Bomes and George Underhill.

Bill Meyer, 3 St. George, near Hadley Rose's place:

You know, it's 5 o'clock my time. I just got off a plane from L. A. That's "lower Alabama", isn't it? No Los Angeles. You know, we are going for our 20th year of First Night. I want to thank Steve Rubin. He's such a great supporter. There are two people beside me who are also involved in First Night. This is our treasurer, Allen Bomes. He bailed us out nine years ago. We were going broke. He's going to join Enron one of these days. George joined us five years ago and does some of the fundraising for us, etc. You know we are very lucky. First Night was in eight

towns and now it's just in Westport. Gordon, nothing fails in Westport, right? Yes! We have one lady who is not here tonight, Barbara Rack Pierson, our president. Here's a new button.

Allen Bomes, district 7:

It's going to be really exciting this year, some great new acts coming. So, please, don't miss it. The buttons are \$10 until Dec. 14 and then go up to \$15 so get them while they're hot and cheap.

Mr. Meyer: We need volunteers.

Arthur Ashman, district 7:

With a music report...there are two very nice jazz concerts coming up. The Westport Community Band is playing this Sunday at the Stamford Mall, at three o'clock. The music is really quite terrific. If you happen to be shopping, stop by. Also, Brian Torff, who is Music Director at Fairfield University, has his Jazz Ensemble Concert, Thursday night at Gonzola Hall. It's at 7:30. They have a couple of wonderful guest artists, as well. All are welcome.

Jack Klinge, district 7:

Hearing about music reminds me that Friends of the Senior Center have their first music concert of the winter season, Sunday, Dec. 16, 2 o'clock. It's free to all. We don't even check your ID's for age. There will be some light refreshments served. It features Broadway tunes, some light opera and a holiday sing-along. So, Sunday, Dec. 16, 2 o'clock, at the Senior Center, the first of five concerts sponsored by the Mortimer Levitt Foundation and talent provided by the Levitt itself.

Mr. Rose:

Just so everyone knows, we are taking items four and five off the agenda for this evening. They are both being withdrawn. Item five will be a technical correction to an announcement of the last meeting which we no longer need. The First selectman will address item four and why we are withdrawing it at this point.

Gordon Joseloff, First Selectman:

Thank you for this brief opportunity to bring the RTM an update on the Baron's South proposal. Earlier today, I sent you copies of some memos by email from the Town Attorney and Town Planner that I hope you would find useful. If you did not receive them, I have extra copies at the front of the auditorium and, if they are all gone, I can make some more. Those of you who have been following closely know that I sent a Nov. 20 memo to the Board of Finance outlining my points acceptable for a rebid of the project, as expressed to that board. I said I hoped that board would conclude that they represent a reasonable compromise and endorse them. There was a lengthy discussion and the board then issued a PowerPoint response. It, essentially, laid out once more, their support for senior housing on Baron's South and their ideas and desires that they would like to see in a rebid. You have all received copies of their presentation. I am grateful to the Board of Finance for the time and effort they have put into a review of the project

and plan to incorporate their viewpoints, verbatim, in a rebid proposal for Baron's South. There had been talk about having a Sense of the Meeting Resolution on your agenda tonight. You talked about that at your last meeting but that has been withdrawn with my support. I and the Baron's South Committee certainly want to have additional RTM input on a rebid. But, if the seven-member Board of Finance had trouble agreeing various points, I know that the 36-member RTM would have even more difficulty agreeing on every point. I leave it up to your members and committee chairs to find the best means to convey, to me and to the committee, that input. It certainly can be done individually, some of you have already expressed your views in memos; in a memo from committees or reports; or in oral presentations at a time and place of your choosing.

Meanwhile, following the Board of Finance meeting and publication of its "Viewpoints", the Baron's South Committee met last Friday. They considered the input from the Board of Finance and responded with their own recommendations for a rebid. Let me go over them. The points are important. They asked for:

- A minimum of 30 percent affordable housing to meet the minimum standards of Statute 8-30g. This was the subject of the two memos forwarded to you earlier today. I should also point out that State Rep. Jonathan Steinberg, who joins us tonight, told the Baron's South Committee last Friday that he would have a difficult time in pursuing legislative changes to 8-30g if a 20 percent level is used or anything less than 30 percent. The Board of Finance, as you know, in their Viewpoints PowerPoint, spoke of a 20 to 30 percent range.
- The Baron's South Committee also asked for a total of 150 units in the first phase. The Board of Finance spoke of a 100 to 200 unit range.
- Rental units only.
- Maximum utilization of eight acres.
- Some increase in unit size is permissible.
- No Continuing Care Retirement Community known as a CCRC. The Board of Finance, on this point, said simply said a new RFP should be clear as to whether a CCRC model is within its parameters.
- No entrance fees.
- Unbundled services.
- Easy access to the Westport Center for Senior Activities, obviously.
- A second phase recommendation.

Even before receiving your input, I can tell you that I, too, favor a minimum 30 percent affordability component. At the same time, however, in consideration of the Board of Finance input, I think the RFP should indicate that any bidder should be able to submit financials showing, for instance, a 20 percent affordability component so everyone can make comparisons. I agree with the Board of Finance that any bid should indicate use of the land that would benefit the entire community and be open to all. To sum up, I welcome RTM input on a rebid, just as we have had input from the Board of Finance. Your members heard some powerful testimony in this room at your meeting on Nov. 12 about the need for senior housing on Baron's South particularly the proposal by Jonathan Rose Companies; in fact, many of you, at that time, urged us to go ahead with the recommended bidder, Jonathan Rose Companies and there is a petition in your

packets with about 100 signatures urging the same thing.. But, as I have said repeatedly, the only way this project is to go forward is with broad community support. In Westport, as you know and I know, it's a long process. So, I ask your indulgence in helping us shape a rebid, one that you, the Board of Finance and all Westporters can embrace in total, if not in each individual detail. We are now seeing in Washington an inability to compromise of some very important issues. Let's not repeat that in Westport. Let's demonstrate support for seniors, those who seek affordable units and those who would like market rate by moving ahead together. Thank you very much.

Mr. Rose:

Before we turn to the call, traditionally, at the mid-term meeting of the session, the Deputy Moderator of the RTM takes the stage and conducts the portion pertaining to the election of a Moderator. However, Ms. Flug is unable to be here this evening. So, we will turn to the senior member of the RTM as we do at the start of the session. We actually have two members with the same number of years of service. We have Mr. Rubin and Mr. Meyer who have both served for 17 years. This is their ninth term. Last time Mr. Meyer took the stage. This year, the honor, if it's an honor, goes to Mr. Rubin. Mr. Rubin, will you please take the stage.

Stephen Rubin, district 7:

Thank you Mr. Rose. Will the secretary please read item #1 of the call.

The secretary read item #1 of the call – Election of the Moderator of the RTM.

Mr. Rubin:

Under section A162-11 of our Rules and Procedures, voting for Moderator or Deputy Moderator is by signed ballot; however, if only one candidate is nominated or only one accepts the nomination, then the vote for Moderator or Deputy Moderator may be conducted by showing of hands. At this time, the floor is open for nominations for the position of Moderator of the Westport Representative Town Meeting. The chair recognizes Mr. Mandell.

Matthew Mandell, district 1:

I first met Hadley Rose about 10 years ago. At the time, he was just this guy sitting across the table from me at the Brown Bag Lunches that then First Selectman Diane Farrell held weekly. He'd eat a salad, sometimes a couple slices of pizza and he'd sit and listen. When it came for his turn to speak, often, he wouldn't say much, but sometimes he'd focus on a point about education or the town that was always interesting and to the point. He wasn't on the RTM then, just a concerned citizen taking advantage of the opportunity, a lost opportunity in my mind, to discuss in an open forum issues about the town with the First Selectman. Clearly, he had a passion to help out and, a year later, he won a seat on the RTM. He continued to come to the brown bag lunches and what I most noted about him was his even handed and might I say, moderated approach to things. When I joined the RTM two years later I found, in Hadley, someone who I could work with easily. And while none of us agree on everything, we saw many things the same

way. And I always listened hard to what he had to say when he stepped up to the podium. When he became Moderator five years ago it made perfect sense to me. He's fair, he's dedicated and has a passion to make sure things are done with respect and in the best interests of the town. But there is one drawback to having him as Moderator, both for him and for us. He doesn't get to step up to the podium and give us his take on any issue. Sadly, he's sacrificed his tongue for the betterment of this body. But that's really a good thing. So, its my honor and my pleasure to nominate Hadley Rose to return as the Moderator of the RTM for the 2012-2013 session.

Mr. Rubin:

Is there any other member of the RTM who would like to speak to this nomination?

Jimmy Izzo, district 3:

I am honored to second the nomination of Hadley Rose for another term as Moderator of the RTM. It takes a person of honesty, integrity and ability to run a meeting of 36 individual members all trying to reach a common consensus on doing the right thing for our town. Hadley Rose possess these qualities. As we all know, sometimes the process is lengthy. Hadley has proven to have the ability to keep the process running smoothly, again, not an easy task when dealing with the many challenging issues facing our town. I have known Hadley Rose over 15 years. He is a person I have great respect for. Hadley is one who truly cares about the RTM, it's representatives and the way we go about town business. For me, personally, Hadley has always been a great mentor, one who has always been available to help simplify, what sometimes can be very complicated issues. We are lucky to have him as our RTM Moderator. I hope you will all join me in re-electing Hadley Rose as Moderator of the RTM. When election time comes again, Hadley, as always, you will have front billing at Crossroads Hardware for your re-election campaign.

Mr. Rubin:

Are there any other nominations for the Moderator of the RTM? Since there is only one nominee, we can go ahead with a show of hands. By show of hands, the Moderator Hadley Rose is re-elected unanimously. Please come up and take your seat.

Mr. Rose:

Thank You, Mr. Rubin. It is hard to believe that this is going to be my 6th year as Moderator. I'd like to, of course, thank you all for your continuing confidence and support. I'd especially like to thank Matt, I actually forgot about the brown bag meetings with you, and Jimmy for their kind words. We've just come through a national election and that reminded me, yet again, how fortunate we are to be members of a non-partisan body. Having seen the constant barrage of personal attacks and blatant falsehoods unleashed by office seekers just really makes me grateful that we don't do that here in Westport. When we do run in a contested race, you never hear of anyone attacking their opponents, but, rather, we spend time, whether on the phone, going door to door, or just speaking to our neighbors

as we run into them, and explaining our vision for Westport, the direction we think things should be taking. It is invariably a positive not a negative message. No one runs for this body for the glory, the recognition or (most obviously) for the money. But we do it because we care for Westport; it is our town, and our home. We all bring different strengths to the RTM. Each of us has our own background. We bring experience in finance, education, business and the arts and so many other areas. We all may have different views of the role of government. We can all look at the same set of circumstances and come away with different impressions. We all have our own ways of gathering and interpreting information. Whether by attending meetings, reading reports, doing our own research or by speaking to various parties, we all have our own ways. No one approach is perfect. But at the end of the day, no matter our approach, we all vote for what we truly believe is best for the Town. Very few things are stark black and white. Reasonable people can, in fact, disagree. I would hope you all continue to keep that in mind as we move forward with the Town's business. So, thank you all once again and if the secretary would please read item 2 of the call.

The secretary read item #2 of the call – Election of the Deputy Moderator of the RTM.

Mr. Rose:

Without repeating what Mr. Rubin just said, same rules apply to the Deputy Moderator.

Jeff Wieser, district 4

I am honored to place in nomination for re-election as the Deputy Moderator of the RTM, a good friend to all of us: Eileen Flug. Eileen has been an active member of this body since her election to represent District 9, first, in 2005. She has served on the Education, Parks and Recreation and Transit Committees, and her experience as a lawyer has made her a valuable member and, since 2007, Chair of the Ordinance Committee. We all have seen her in action as the Deputy Moderator over the past year, and we have all witnessed the commitment to the work of this Body that Eileen represents in all she does. But, of course, there is much more to our Deputy Moderator. Eileen is smart. She was valedictorian of her law School class and Editor-in-Chief of the Pepperdine Law Review. We don't need to know that credential to know the intelligence we have experienced, but that fact sure impresses me on her resume. Eileen is committed to service to Westport. She has served in various ways with the LWV; with the PTA Council; the Food Services Advisory Committee; the Health and Wellness Advisory Committee; the Green Village Initiative and Friends of Westport Parks & Rec. Department. Eileen is committed to the Environment. Besides the Green Village Initiative, she helped create the Wakeman Town Farm and the Edible Garden at Staples High School. For many years, she was an active gardener at the Community Gardens at Long Lots. Beyond all these credentials, Eileen is a delight to work with. While holding her opinions strongly and firmly, she is able, with an open mind and thoughtful approach, to work through contentious issues and provide a reasoned argument for her own position. I will add that, responding

to one of the key roles as Deputy Moderator, Eileen really sprints up here when it is time to read a resolution, and for that I believe we are all very grateful just as her predecessor did. I thank Eileen for being willing to continue in the role of Deputy Moderator, and I thank her children, Alex and Katherine for sharing her with us. I am honored to nominate Eileen Flug for re-election as Deputy Moderator.

Melissa Kane, district 3

It's always tough to have to speak after Jeff. That said, it is with great delight that I second the nomination of Eileen Flug for another term as Deputy Moderator.

I am extremely lucky to count Eileen, not only as a mentor, but as a dear friend. On numerous occasions, and in various settings, I have benefited, as I'm guessing many of us have, from Eileen's pragmatism, from her ability to listen well and to see both sides of an issue, and from her impressive ability keep even a heated meeting in order and stay cool-headed. These abilities, as well as her natural instincts as an attorney, have served her, and us, well on the RTM, and the many other committees and boards that Jeff mentioned, that she has strengthened as an involved Westport citizen. Eileen really embodies the qualities that make a great Deputy - or not deputy - Moderator. And, of course, no one reads a resolution like Eileen! So I hope this evening you will all join me in voting for my friend, Eileen Flug, to continue on as our very able Deputy Moderator.

Mr. Rose:

Seeing no other nominations for Deputy Moderator, we can vote by show of hands. By show of hands, Eileen Flug is unanimously elected Deputy Moderator of the RTM.

Eileen, as you know, cannot be here tonight so she asked me to read her acceptance speech. So, I am going to quote it: "Thank you." We are trying to make the meetings short. That is as good as I can do.

The secretary read item #3 of the agenda - To approve an appropriation of \$142,412 to the 2011-2012 Budget, BOE Rentals & Reimbursements Expenditure Account, as follows:

- **\$110,140.41 is deemed appropriated in accordance with Section 10-222a of the Connecticut General Statutes; and**
- **\$32,271.59 is appropriated to fund the cost of union personnel reimbursements**

Mr. Rose:

I know the Board of Education members are upstairs in negotiations. So, let's take a two minute break and Elaine Whitney will be down. Let's have the committee report first then we can have Ms. Whitney.

Committee report

Finance Committee, Lee Arthurs, district 8:

Elaine Whitney, on behalf of the Board of Education, requested that net appropriation adjustments to the Board of Education budget in amount of \$32,371.59 representing all revenues received from the Westport Education Association in payment of the president of the teacher's union for the fiscal year. The \$32,371.59 is the net of the Total Funds Received, \$142,411.98, and Funds deemed appropriated Per CGS 10-222a, \$110,140.39. This net appropriation adjustment is pursuant to a policy approved by the Board of Education based on an agreement with the Board of Finance. It was discussed that the Board of Education should meet with Gary Conrad to see if changes can be made to make these adjustments unnecessary in future fiscal years. The vote by the committee was unanimous: 7-0 to recommend this appropriation.

Presentation

Elaine Whitney, Board of Education:

I just wanted to highlight...This is a routine accounting matter. We are just asking for \$32,371.59 to be appropriated. It's just really transferring it into this account. I'll be happy to answer any questions. The only differential from previous years essentially is the salary adjustment from the prior year for that 40 percent; it is the 40 percent income that is reimbursed for the WEA representative.

Members of the Westport Electorate – no comments

Mr. Rose read the resolution and it was seconded by Mr. Rubin.

RESOLVED: That upon the recommendation of the Board of Finance, and a request by the Superintendent of Schools, the sum of \$142,412 to the 2011-2012 Budget, BOE Rentals & Reimbursements Expenditure Account is appropriated, as follows:

- \$110,140.41 [corrected amount] is deemed appropriated in accordance with Section 10-222a of the Connecticut General Statutes; and
- \$32,271.59 is appropriated to fund the cost of union personnel reimbursements

It has been moved and seconded by Mr. Rubin.

Point of Information, Ken Alexander, Finance Department:

The resolution calls for \$110,1140. The correction of the amount in the resolution is .41.

Mr. Rose: I'm sure this change can be accepted by unanimous consent.

Members of the RTM

Dick Lowenstein, district 5:

I wish Lois Schine could be here tonight because this is something very important to her. Several years ago, she started to ask questions as to why the school system was not renting its facilities to non-Westport organizations. The Finance Committee took up her cause in our reports to the RTM on each one of these annual presentations of the rentals and reimbursements. For those of you who

watch the Board of Education meeting last night, you may know that the board approved unanimously a change in its rentals policies. There were two important changes that were made. The first one was to increase the fees charged for what they call category 2 and category 3 users. These are mostly local organizations that use the facilities of the Westport School system. In addition, they established a new category, category 4, which allows for non- Westport organizations to use the facilities. I'm not exactly 100 percent happy but in the spirit of compromise we've talked about all evening so far, I'm pleased to say there is an improvement. What they've done is they have established three levels of rental. One is for the Staples field house and auditorium, another one is for the Staples auditorium and the third one is for the auditoriums in four of the other elementary and middle schools. So, this is a good first step for the Board of Education. I hope that in future years, the rental income coming from these sources will be much higher than it has been. I hope that other RTM members will ask the board to expand its rental facilities for non-Westport organizations to include not just auditoriums but also classrooms as is done for in-town organizations. So, it's been a little struggle but it's been worth the struggle. I'm glad to see there has been some progress made. I think we should all help the board by finding some people to rent the facilities.

Don Bergmann, district 1:

I just would like to echo and support Dick Lowenstein for his efforts in this regard to try to cause additional revenue to be generated. I know he will continue to do so. I think he's done a fine job. He's on top of it and doing the best he can. It's sometimes a little difficult. I do hope others on the RTM will join with him in trying to generate, through this vehicle additional funds.

By show of hands, the motion passes unanimously.

Mr. Rose:

Please look for the email about the changing of start times to 7:30 and go have a nice night.

The meeting adjourned at 8:39 p.m.

Respectfully submitted,
Patricia H. Strauss
Town Clerk



by Jacquelyn Fuchs
Secretary

ATTENDANCE: December 4, 2012

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