

RESOLUTIONS

(1)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Finance Director, the sum of \$42,000.00 into Hurricane Isaias Accounts, to cover additional storm expenses incurred is hereby appropriated.

(2)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Parks and Recreation, the sum of \$436,000.00 to the Capital and Non-Recurring Account for Improvements to Riverside Park is hereby appropriated.

(3)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Parks and Recreation, the sum of \$95,000.00 to the Capital and Non-Recurring Account for Professional Services related to the Longshore Capital Improvement Plan.

(4)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$1,492,000.00 along with bond and note authorization to the Municipal Improvement Fund Account for the reconstruction of the Baldwin Lot (accessed from Elm Street) is hereby appropriated.

TOWN OF WESTPORT, CONNECTICUT

A RESOLUTION APPROPRIATING \$1,492,000 FOR COSTS ASSOCIATED WITH RECONSTRUCTION OF THE BALDWIN PARKING LOT AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION.

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the "Town") hereby appropriates the sum of One Million Four Hundred Ninety-Two Thousand and 00/100 Dollars (\$1,492,000) for costs associated with the reconstruction of the Baldwin parking lot including, but not limited to, site preparation and demolition, soil erosion and sediment control, earthwork, storm drainage, utilities, site

improvements, and related engineering, administrative, financing, legal and other soft costs (the "Project").

Section 1. As recommended by the Board of Finance and for the purpose of financing One Million Four Hundred Ninety-Two Thousand and 00/100 Dollars (\$1,492,000) of the foregoing appropriation, the Town shall borrow a sum not to exceed One Million Four Hundred Ninety-Two Thousand and 00/100 Dollars (\$1,492,000) 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," 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) years 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.

(5)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$290,600.00 along with bond and note authorization to the Municipal Improvement Fund Account for funding Westport's share of the Construction and Engineering expenses to replace the Cavalry Road Bridge over the West Branch of the Aspetuck River is hereby appropriated.

TOWN OF WESTPORT, CONNECTICUT

A RESOLUTION APPROPRIATING \$290,600 FOR THE TOWN'S SHARE OF COSTS ASSOCIATED WITH THE REPLACEMENT OF THE CAVALRY ROAD BRIDGE DECK AND ABUTMENTS AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION.

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the "Town") hereby appropriates the sum of Two Hundred Ninety Thousand Six Hundred and 00/100 Dollars (\$290,600) for the Town's share of costs associated with the replacement of the Cavalry Road bridge deck and abutments over the West Branch of the Saugatuck River, including, but not limited to, construction costs, as well as, related engineering, inspection, administrative, financing, legal and other soft costs (the "Project").

Section 1. As recommended by the Board of Finance and for the purpose of financing Two Hundred Ninety Thousand Six Hundred and 00/100 Dollars (\$290,600) of the foregoing appropriation, the Town shall borrow a sum not to exceed Two Hundred Ninety Thousand Six Hundred and 00/100 Dollars (\$290,600) 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," 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) years 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.

(6)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$220,000.00 along with bond and note authorization to the Municipal Improvement Fund Account for the purchase of one Four Wheel Drive Front End Loader is hereby appropriated.

TOWN OF WESTPORT, CONNECTICUT

A RESOLUTION APPROPRIATING \$220,000 FOR COSTS ASSOCIATED WITH THE PURCHASE OF A FOUR-WHEEL DRIVE FRONT END LOADER AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION.

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the "Town") hereby appropriates the sum of Two Hundred Twenty Thousand and 00/100 Dollars (\$220,000) for the costs associated with the purchase of one four-wheel drive front end loader, and related administrative, financing and other soft costs (the "Project").

Section 1. As recommended by the Board of Finance and for the purpose of financing Two Hundred Twenty Thousand and 00/100 Dollars (\$220,000) of the foregoing appropriation, the Town shall borrow a sum not to exceed Two Hundred Twenty Thousand and 00/100 Dollars (\$220,000) 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," 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) years 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.

(7)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$154,000.00 to the Capital and Non-Recurring

Account for the purchase and installation of standard street furniture in the Downtown Area is hereby appropriated.

(8)

RESOLVED: That upon the request of at least 20 electors, a Civilian Police Review Board Ordinance is hereby adopted. (First reading. Full text is as follows).

Sec X-XXX. - Civilian Police Review Board.

(a) Establishment.

There is hereby established a civilian police review board ("Review Board") to investigate complaints concerning members of the Westport Police Department ("WPD"), to participate in hiring decisions for officers of the WPD, and to receive and make recommendations for service awards for officers of the WPD who are nominated by civilians for their outstanding contributions to the community. It is in the interest of Westport residents and the WPD that investigations of complaints concerning police officers and hiring decisions be thorough, transparent and impartial.

(b) Composition.

(1) The Review Board shall be comprised of five voting members appointed by the Representative Town Meeting (RTM) by a majority vote of a quorum of the RTM. The RTM shall also appoint two alternates. Except as provided in subsection (b)(5) below, each member shall serve for a term of four-years or until his successor is appointed and sworn in.

(2) The appropriate RTM committee, as appointed by the Moderator, will interview candidates for the Review Board; the recommended nominees will be considered and voted on by a quorum of the entire RTM. Relevant considerations for Review Board candidates include, amongst other considerations, those with legal and evidentiary skills, investigative skills, and diverse backgrounds. Subject to the approval by vote of a quorum of the entire RTM, TEAM Westport shall either nominate one of its members to be one of the five members of the Review Board, or shall nominate a Westport resident from outside TEAM Westport. If the RTM does not approve TEAM Westport's nominee, TEAM Westport shall submit subsequent nominees, until one TEAM Westport nominee is approved.

(3) Review Board members shall be electors of the Town who are at least 21 years of age and who have no felony convictions. Review Board members shall not be current employees of the WPD or the Town of Westport, elected officials of the Town of Westport or an immediate family member of a current WPD employee.

(4) Party Affiliation of Members. In accordance with CGS § 9-167a and Chapter 2 of the Town Charter, no more than a bare majority of members of the Review Board shall be members of the same political party.

(5) Staggered Terms. Board members will serve staggered terms. For the term beginning in November 2021, three members shall each be appointed for four-year terms and two members shall be appointed for two-year terms. The RTM will make the initial appointments before March 15, 2022. Beginning in 2023, appointments, except those filling the vacancy in accordance with subsection (c), shall be for four-year terms.

(6) Review Board members shall be sworn to the faithful performance of their duties and shall serve without compensation and will not be reimbursed for personal expenses such as travel or paper/ink for home printing. Any actual expenses and disbursements such as expenses for stenographer, transcripts and subpoena service costs incurred in the

- performance of the Review Board's duties shall be paid from the Westport Town treasury.
- (c) Resignation.
Any member of the Review Board who misses three consecutive regularly scheduled Review Board meetings or four regularly scheduled Review Board meetings in a twelve consecutive month period shall be considered to have resigned. Any vacancy on the Review Board occasioned by resignation, death, inability to serve, or otherwise shall be filled for the unexpired term in accordance with Section C38-3 of the Town Charter.
- (d) Powers, Jurisdiction and Duties Regarding Complaints.
- (1) With the assistance of the WPD as indicated in subsection (e), the Review Board shall review, investigate and have jurisdiction over all citizen complaints against WPD officers. The Review Board, as a Board within the Town government, shall have the authority and responsibility to review and investigate civilian allegations of police misconduct, and to review input from WPD's Professional Standards Division to ensure that reports and conclusions are complete, accurate and factually supported, to hold hearings and make credibility determinations, and to make recommendations to the Chief of Police or Acting Chief of Police ("Chief") in connection therewith.
- (2) The Review Board and WPD shall inform all complainants that complaints should be filed contemporaneously with both the WPD and the Review Board. Upon receipt of a complaint, the WPD and Review Board shall promptly share such complaints with each other in order to ensure both have been contemporaneously notified of a new complaint. The WPD shall post a sign in the lobby of WPD headquarters and on the WPD website informing complainants of the dual-filing requirement. The WPD and Review Board complaint forms must have the same dual-filing instructions clearly printed at the top of the complaint forms, along with notification that the Review Board will investigate and respond to the complaint. Complaints are to be filed with the WPD in accordance with CT Gen Stat § 7- 294bb.
- (3) The Review Board shall have the power to issue subpoenas to compel witness attendance before the Review Board and to require the production of records it deems relevant to any matter under investigation or in question.
- (i) The person to whom such subpoena is issued may, not later than fifteen days after service of such subpoena, or on or before the time specified in the subpoena for compliance if such time is less than fifteen days after service, serve upon the board written objection to the subpoena and file such objection in the Superior Court which shall adjudicate such objection in accordance with the rules of the court.
- (ii) If the person to whom such subpoena is issued fails to appear or if having appeared refuses to testify or produce the evidence required by such subpoena, the Superior Court, upon application of such board, shall have jurisdiction to order such person to appear or to give testimony or produce such evidence, as the case may be.
- (4) The Review Board may take measures, as permitted under the law, to promote independent testimony and to deter witness intimidation. Except as provided under the Law Enforcement Officers Safety Act (LEOSA), 18 USC §§ 926B and 926C, and other applicable law, no firearms will be permitted at a Review Board hearing.
- (5) The Review Board may refer to the Connecticut Rules of Evidence for guidance during all hearings, proceedings, and in determining the scope of subpoenas. The Review Board may refer to the Connecticut Rules of Civil Procedure for guidance in proceedings to the extent the Board members consider it useful or necessary.
- (e) WPD Support for the Review Board
- (1) The WPD shall provide members of the Review Board with copies of the policies, procedures and directives of the WPD relevant to the WPD's duties.
- (2) The Review Board and WPD's Professional Standards Division shall have access to the same files and reports to the extent legally permissible.

- (3) When requested by the Review Board, the Chief shall assign the Captain of Professional Standards to advise the Review Board as to police policies and procedures and to attend any meetings at which the Review Board requires his or her presence, and to assist with Board investigations of complaints pursuant to (e)(5), below.
- (4) All aspects of the investigation of the complaint shall be delegated to the WPD to perform with the following exceptions: as provided in (g)(3) below, the Review Board will conduct the interviews and take the sworn testimony of the complainant and his or her identified and designated witnesses, and the accused police officer and the identified and designated police or respondent witnesses. The oath for such sworn testimony shall be administered by either a Connecticut admitted attorney who is a member in good standing of the Connecticut Bar, an officer of the Superior Court, a justice of the peace, a notary public, the town clerk, assistant town clerk, or anyone else qualified to administer such oaths under CGS1-24.
- (5) If, prior to the Board's determination and final recommendation, the complainant objects to any portion of the investigation that was performed by the police, the Board will review the portion of the police investigation complained of, and determine whether it was done appropriately, and will have the power to conduct that portion of the investigation directly, when the Review Board deems it necessary to do so. As necessary in accordance with this provision, the WPD shall assist the Review Board with the Review Board's investigations when reasonably requested to do so by the Review Board.

(f) Evaluation of Prospective Police Hires.

The Review Board shall be included in the evaluation process for prospective police officer hires and will make recommendations to the First Selectman and Chief in connection therewith. Solely for purposes of hiring decisions, the Chief shall serve as an *ex officio* non-voting member of the Review Board.

(g) Operations.

The Review Board shall elect one (1) of its members to be Chair and one (1) of its members to be Secretary on an annual basis. It shall hold regular monthly meetings whenever there are open complaint investigations or hiring decisions to be made and shall keep written records of all meetings. Such monthly meetings can be cancelled with advance notification if there is no business to be conducted. When sufficient cause exists, the Review Board may convene special meetings, in accordance with its policies and procedures, with advance published notice as required by FOIA. A majority of the members of the Review Board shall constitute a quorum.

(1) The Review Board shall designate a spokesperson for, and as liaison between, the Review Board and the First Selectman with respect to each decision, recommendation and finding, as described further herein.

(2) The meetings of the Review Board shall be open to the public, except that the Review Board may hold executive sessions in accordance with state law. Meetings of the Review Board shall be held at Town Hall or at such other place, or electronically, as determined by the Chair of the Review Board and permitted by state law. The Review Board can adopt rules and regulations for its operation, so long as they are not inconsistent with this legislation.

(3) In the course of its proceedings with respect to citizen complaints, the Review Board may take testimony from witnesses concerning the alleged conduct which is the subject of the complaint. All testimony by witnesses before the Review Board shall be sworn under oath, and recorded or transcribed. The Review Board may require a WPD officer to participate in a meeting where the Review Board is evaluating a complaint against that

officer, provided that no such WPD officer shall be compelled to testify in the event his or her Fifth Amendment right is implicated.

(4) Following the review of a citizen complaint, the Review Board will determine whether or not the citizen complaint is upheld and make its recommendation for or against disciplinary action. The Review Board will promptly report its findings and determinations to the Chief. A copy of the complaint and the Review Board's findings and determinations shall be maintained by the Review Board. Final decisions upheld by the Chief shall be maintained in the WPD officer's personnel file.

(5) (i) The Review Board will use its best efforts to complete its review of every civilian complaint within sixty (60) days of receipt thereof. In the event that circumstances prevent the completion of a review of a civilian complaint within sixty (60) days, the Review Board will submit written cause for the delay and reason(s) for the same to the office of the First Selectman.

(ii) The Chief shall consider the findings and recommendations of the Review Board and decide whether to accept or reject the recommendation within two weeks of the Chief's receipt of the Review Board's decision. In the event that the Chief seeks an extension, the Board may grant it if good cause is shown. Within two weeks of receipt of the Review Board's decision, or upon the end of any extension granted by the Review Board if later, the Chief shall notify the Review Board in writing of his or her decision and the reasons for said decision related to each specific civilian complaint.

(iii) The Chief must impose the discipline, if any, as soon as possible, after notifying the Review Board of his or her decision, unless the Chief determines that public safety requires discipline to be imposed earlier.

(6) Nothing herein shall prevent the Chief from immediately placing an employee on administrative leave, should circumstances so warrant.

(h) Continuous Improvement of Complaint Process. The Review Board may also make recommendations to the Chief and First Selectman for revision of specific police department policies and procedures related to the civilian complaint process.

(i) Accountability.

(1) The Review Board shall prepare an annual report to the First Selectman indicating: the total number of complaints filed, the number of each type of complaint filed, the names of police officer(s) about whom complaints were filed, the name and number of complaints filed against each police officer against whom multiple complaints were filed, and the disposition of the complaints.

(2) The Chief shall prepare an annual report to the Review Board and the First Selectman indicating any disciplinary actions taken and training offered to police officer(s) against whom civilian complaints were received.

(j) Police and Citizen Awards.

Westport citizens may also submit to the Review Board any recommended commendations of WPD officers whose conduct goes above and beyond the call of duty. Each year, the Review Board shall determine whether to recognize WPD officers for commendable service, to be announced at an annual awards ceremony.

(k) Effective date.

This ordinance shall be effective November____, 2021.

(9)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$320,000.00 along with bond and note authorization to the Sewer Reserve Fund Account for the replacement and upgrade of

the existing Gravity Main Sewer Line on Riverside Avenue into Pump Station #3 is hereby appropriated.

TOWN OF WESTPORT, CONNECTICUT

A RESOLUTION APPROPRIATING \$320,000 FOR COSTS ASSOCIATED WITH UPGRADING AND REPLACING SEWER MAIN LINE AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION.

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the "Town") hereby appropriates the sum of Three Hundred Twenty Thousand and 00/100 Dollars (\$320,000) for costs associated with upgrading and replacing the existing sewer main line that discharges into Pump Station 3 on Riverside Avenue including related site work, administrative, financing and other soft costs (the "Project").

Section 1. As recommended by the Board of Finance and for the purpose of financing Three Hundred Twenty Thousand and 00/100 Dollars (\$320,000) of the foregoing appropriation, the Town shall borrow a sum not to exceed Three Hundred Twenty Thousand and 00/100 Dollars (\$320,000) 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. As part of the final sewer construction costs, the Town may levy a benefit assessment for the Project costs upon the properties bounding the Project which are especially benefited thereby.

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" or "Sewer Bonds" 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) years 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.

~~Item 6~~

BOF Approved 7/7/21



Gary G. Conrad – Finance Director

BACK UP MATERIAL
RTM ITEM # 1

June 29, 2021

Mr. James Marpe
First Selectman
Town Hall
Westport, CT 06880

Re: Appropriation of Funds – Hurricane Isaias

Dear Mr. Marpe:

This office hereby requests an additional appropriation of \$42,000 into Account Number 10101980 – Project 10005 to provide for additional expenses that were not submitted with the original appropriation of \$780,000 in February 2021 for expenses incurred during Hurricane Isaias. This amount is for damages at the Longshore Golf course net of insurance reimbursement for other damages to the course due to a motor vehicle accident.

These storm related expenses are eligible for 100% reimbursement by FEMA and have been submitted for reimbursement.

If you should have any questions, please do not hesitate to contact me.

Regards,

Gary G. Conrad
Finance Director

Gary G. Conrad Finance Director
Phone: 203.341.1095 Fax: 203.341.1179 Cell: 203.650.7661
gconrad@westportct.gov

250.

00031120
06/09/2021



TOWN OF WESTPORT
FINANCE DEPARTMENT
110 MYRTLE AVENUE
WESTPORT, CT 06880

Replaces 31044

TURCO GOLF, INC.
212 ORANGE AVENUE
P.O. BOX 627
SUFFERN NY 10901

Town of Westport			Check Number: 00031120	
Invoice Date	Invoice Number	Description	PO#	Invoice Amount
08/20/2020	138952 TOWN INV	BUNKER AND GREEN REPAIR	20213658	\$75,667.50
Vendor No.	Vendor Name	Check No.	Check Date	Check Amount
2911	TURCO GOLF, INC.	00031120	06/09/2021	\$75,567.50



TOWN OF WESTPORT
FINANCE DEPARTMENT
110 MYRTLE AVENUE
WESTPORT, CT 06880

Vendor Number: 2911
Check Date: 06/09/2021
Check Number: 00031120

\$75,567.50

Pay Seventy Five Thousand Five Hundred Sixty Seven Dollars and 50 cents *****

To The Order Of
TURCO GOLF, INC.
212 ORANGE AVENUE
P.O. BOX 627
SUFFERN NY 10901

EFT COPY
NON-NEGOTIABLE



GOLF COURSE DEVELOPMENT

430 Montclair Avenue
 Pompton Lakes, New Jersey 07442
 Phone: (845) 357-9300 | Fax: (845) 357-0966

August 20, 2020

Ms. Jennifer A. Fava, MBA, CPRP
 Department of Parks and Recreation
 260 Compo Road South
 Westport, CT 06880
 jfava@westportct.gov
 203-341-5090

Ref. Proposal for Repairs at the Longshore Golf Course,
 260 Compo Rd. S, Westport, CT 06880

Dear Ms Fava,

Thank you very much for the opportunity to provide the following proposal for repairs to the golf course. If you have any questions or need additional information, please let us know.

Item	Description of Work	Estimated Quantity	Unit	Unit Price	Total Value
	Repairs Required Due to Damage Caused by Car Accident: Hole # 14 3,500 SF Bunker				
	Demolition				
A	Remove Existing Sand	75	CY	\$30.00	\$2,250.00
B	Remove Fabric	3,500	SF	\$.25	\$875.00
C	Strip Existing Damaged Sod Surrounds	3,000	SF	\$.30	\$900.00
	Rebuild Bunker				
D	Install Bunker Fabric	3,500	SF	\$1.35	\$4,725.00
E	Supply Valley Forge Bunker and	109	TNS	\$110.00	\$11,990.00
F	Haul Bunker Sand from Staging Area	75	CY	\$10.00	\$750.00
G	Place, Compact Bunker Sand	110	TNS	\$35.00	\$3,850.00
	Sod Bed Preparation				
H	Rototill Existing Topsoil	3,000	SF	\$.15	\$450.00
I	Sod Bed Preparation	3,000	SF	\$.35	\$1,050.00
J	Supply Sod	3,000	SF	\$.45	\$1,350.00
K	Sod Installation	3,000	SF	\$.60	\$1,800.00
	Total				\$29,990.00



Repairs Required Due to Storm Damage					
Hole #17 3,750 SF Bunker					
Demolition					
A	Remove Existing Sand	80	TNS	\$30.00	\$2,400.00
B	Remove Fabric	3,750	SF	\$.25	\$937.00
C	Strip Existing Damaged Sod Surrounds	3,000	SF	\$.30	\$900.00
Rebuild Bunker					
D	Install Bunker Fabric	3,750	SF	\$1.35	\$5,062.50
E	Supply Valley Forge Bunker Sand	117	TNS	\$110.00	\$12,870.00
F	Haul Bunker Sand from Staging Area	78	CY	\$10.00	\$780.00
G	Place, Compact Bunker Sand	117	TNS	\$35.00	\$4,095.00
Sod Bed Preparation					
H	Rototill Existing Topsoil	3,150	SF	\$.15	\$472.50
I	Sod Bed Prep	3,150	SF	\$.35	\$1,102.50
J	Supply Sod	3,150	SF	\$.45	\$1,417.50
K	Sod Installation	3,150	SF	\$.60	\$1,890.00
Subtotal					\$31,927.50
3 #17 Green Repair 4,000 SF					
A	Strip Existing Green	4,000	SF	\$.35	\$1,400.00
B	Float Green to Existing Grades	4,000	SF	\$.65	\$2,600.00
C	Supply 007 Greens Height Bentgrass	4,000	SF	\$1.65	\$6,600.00
D	Install 007 Bentgrass	4,000	LF	\$.65	\$2,600.00
E	Hand Watering While Installing Sod	1	LS	\$450.00	\$450.00
Subtotal					\$13,650.00
Total for Repairs Due to Storm Damage					\$45,577.50

Summary:

Total for Repairs Due to Car Accident: Hole #14: \$29,990.00

Total for Repairs Due to Storm Damage: Hole #17: \$45,577.50

Please feel free to call me directly if you should have any questions or require additional information.

Sincerely,

Dennis Turco

Dennis Turco, President
Turco Golf, Inc.
Off. Direct: 201-373-2448
Cell: 845-263-2448
dennis@grasskeepers.net

**Joint RTM Finance Committee Meeting
August 24, 2021**

BACK UP MATERIAL
RTM ITEM # 1

RTM Finance Committee Members Present:

Finance Committee: Jeff Wieser, Chair; Rick Jaffe; Jessica Bram; Christine Meiers Schatz

Other Town Officials Present: Gary Conrad, Westport Finance Director

RTM Finance Committee met to consider the following:

“Upon the request of the Finance Director, to approve an appropriation in the amount of \$42,000.00 into Hurricane Isaias Accounts 10101980 – Project 10005, to cover additional storm expenses incurred.”

Gary Conrad presented this request.

We had previously appropriated funds totaling \$780,000 for expenses associated with Hurricane Isaias, confident that they will be reimbursed by FEMA. While we continue to be assured of the reimbursement, the funds have been delayed as that Agency struggles to catch up with the number of recent disasters, as well as the effects of COVID on the Federal bureaucracy.

Since that initial appropriation, the Town has identified an additional set of expenses totaling this \$42,000 which brings the total to \$822,000.

Our request has been submitted to FEMA, for this \$822,000 as well as an additional amount of “soft dollars” that will bring our total expected reimbursement from FEMA up to \$1.2 million.

Gary explained that despite the delays mentioned, our request for reimbursement was put to the government well ahead of many other towns, so that we expect our reimbursement to be returned as quickly as possible.

By the time of this late hour vote, the Finance Committee had lost its quorum for the meeting, but the remaining four member, Jeff Wieser, Christine Meiers Schatz, Jessica Bram and Rick Jaffe, provided a unanimous sense of the committee in favor of this request.

Jeff Wieser

Finance Committee Chair and Reporter



WESTPORT CONNECTICUT
PARKS AND RECREATION DEPARTMENT
LONGSHORE CLUB PARK
260 SOUTH COMPO ROAD, WESTPORT, CT 06880
(203) 341-5090

BACK UP MATERIAL
RTM ITEM # 2

July 23, 2021


The Honorable James S. Marpe
First Selectman
Town Hall
110 Myrtle Avenue
Westport, CT 06880

Dear Mr. Marpe:

The Parks and Recreation Department respectfully requests to be placed on the Board of Finance Agenda for an appropriation of \$436,000.00 from the Capital Non-Recurring Fund.

This request is for improvements to Riverside Park.

Respectfully,



Jennifer A. Fava
Director of Parks and Recreation


cc: Gary Conrad



WESTPORT

WESTPORT CONNECTICUT
PARKS AND RECREATION DEPARTMENT
LONGSHORE CLUB PARK
260 SOUTH COMPO ROAD, WESTPORT, CT 06880
(203) 341-5090

MEMO TO: Board of Finance

MEMO FROM: Jennifer A. Fava, Director of Parks and Recreation 

DATE: July 23, 2021

RE: **Appropriation Request for Riverside Park Improvements**

Riverside Park is zoned as a DOSRD 3 property and therefore is limited to passive use. The goal is to utilize as many resources available on site and to maintain a natural environment while making enhancements to improve accessibility and create multiple vistas throughout the property. Additionally, this plan will create ecological improvements to the park by removing invasives and creating habitats such as a pollinator garden.

SLR Consulting was hired to develop a design plan for improvements to Riverside Park. The development of this plan has been a focus of the Parks Advisory Committee over the past several months. SLR has met with the PAC on five separate occasions since March 2021 to gather input and make adjustments based on feedback received during these public meetings. The plan was reviewed and approved unanimously by the Parks and Recreation Commission during its July 21, 2021 meeting, along with proceeding with the appropriation request.

The conceptual design plan (attached) has been broken out into three (3) separate areas for ease of discussion. You will also see an area noted as "future phase improvements." This portion includes an overlook platform, as well as a boardwalk that traverses through the marsh area and would connect with the walkway that already exists along the river. Due to the cost of this item and state permitting requirements, it was determined that it should be looked at for a future phase.

The attached budget breaks out the current portion of improvements related to the three (3) areas, as well as the future phase. The total cost for the plan of improvements we would like to proceed with at this time is \$510,000.00. However, the portion related to the sidewalk and parking lot in the amount of \$73,350.00 will be covered by the DPW operating budget and sidewalk capital appropriation.

Therefore, we are asking for an appropriation in the amount of \$436,000.00 to the Capital and Non-Recurring Account #31508810-500339-10121 for Improvements to Riverside Park.

attachments

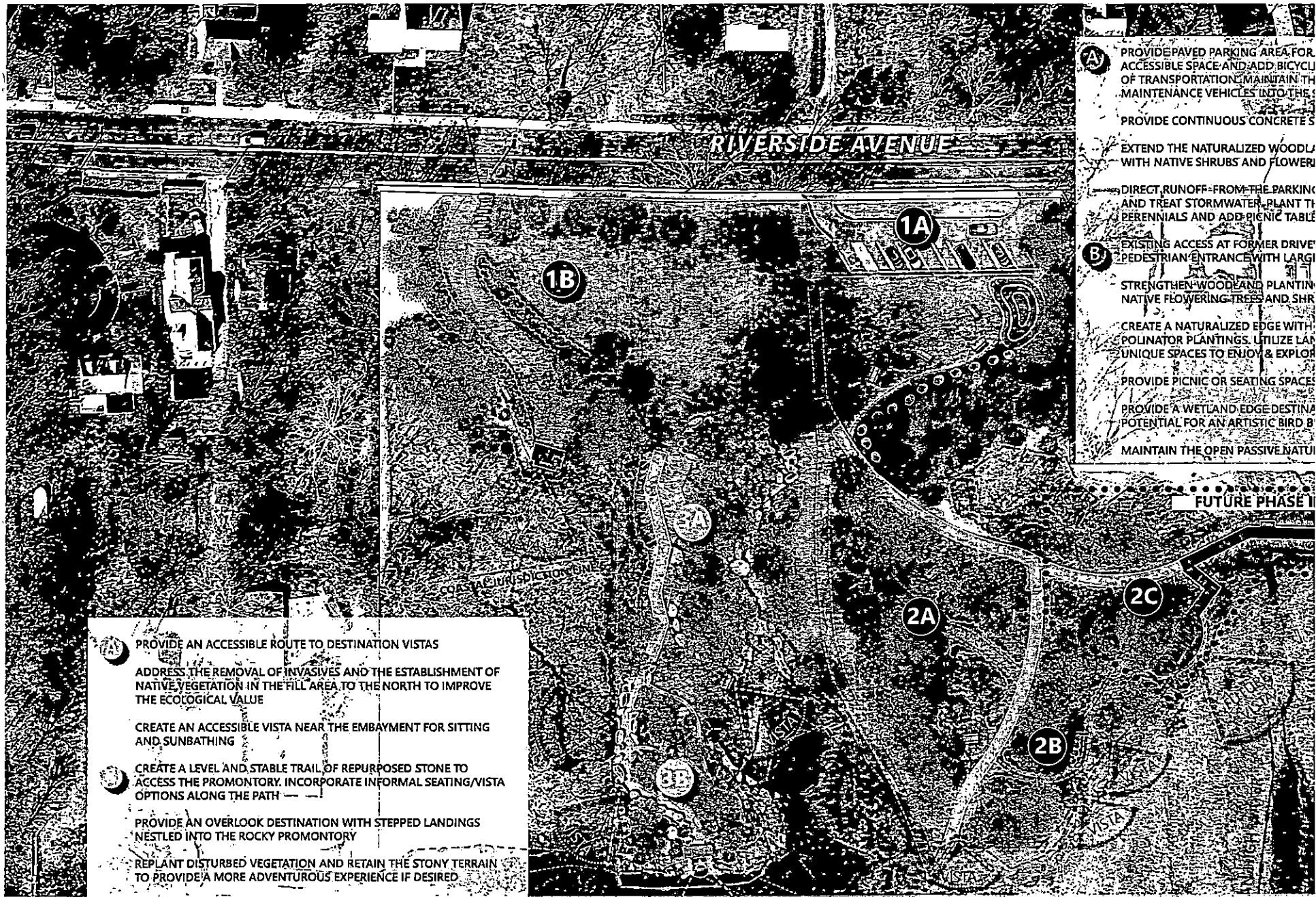
Riverside Park
Conceptual Budget for Improvements

Item	Quantity	Unit	Unit Cost	Totals	Remarks
Area 1: Riverside Avenue Interface and Landscape Improvements (Appx. 1.6 Acres)					
					<i>Subtotal:</i>
					\$104,790
Constructed Improvements:					
Parking Area - repave and maximize use	700	SY	\$50.00	\$35,000	<i>Includes site prep/removals</i>
Demo & Removals of existing bituminous sidewalk	1	LS		\$8,000	
Concrete Sidewalk Infill (assume 5" over 8")	1900	SF	\$11.00	\$20,900	
Curbing - concrete	240	LF	\$30.00	\$7,200	
Road repair	30	SY	\$75.00	\$2,250	
Timber guardrail/cobble filtration shoulder	140	LF	\$60.00	\$8,400	
Bicycle Rack	2	EA	\$1,800.00	\$3,600	<i>Support alternative transport modes</i>
Pedestrian Entry at former driveway - stone slab pavers	180	SF	\$28.00	\$5,040	<i>Formal entrance feature for walkers</i>
Wood picnic tables and benches	6	EA	\$1,200.00	\$7,200	
Platform Destination at wetland (10 x 15)	150	SF	\$48.00	\$7,200	
					\$96,750
Landscape Remediation - Invasive Management and Native Plantings					
Bioinfiltration swale-custom soil mix and plantings	1000	SF	\$4.00	\$4,000	<i>Direct & filter runoff from paved parking area through naturally low area</i>
Landscaped Buffer adjacent to residential parcels	4000	SF	\$12.00	\$48,000	<i>Clear invasives, make screening more robust with native vegetation</i>
Meadow Planting / Pollinator Plantings	3500	SF	\$3.50	\$12,250	<i>Ecological & aesthetic feature in wet areas unsupportive of lawn</i>
Gully behind boulders - remediation	1	LS		\$10,000	<i>Invasives clearing and new native plantings for ecological value</i>
Upland Wetland area - remediation	1	LS		\$12,500	<i>Invasives clearing and new native plantings for ecological value</i>
Lawn Area - amend existing as needed	4000	SY	\$2.50	\$10,000	
Sub Total				\$201,540	
Area 2: Northern Peninsula Recreational and Landscaping Improvements (Appx. 1.2 Acres)					
					\$66,300
Constructed Improvements:					
Constructed Lawn Path with gravel base	3500	SF	\$4.00	\$14,000	<i>Build up over existing irregular terrain</i>
Accessible Trail - stabilized aggregate	3200	SF	\$9.00	\$28,800	<i>ADA Accessible trail</i>
Vista destination, riverfront	2	EA	\$1,500.00	\$3,000	
Vista destinations - northern perimeter	2	EA	\$4,000.00	\$8,000	
Rustic Seating/Picnic areas (Inland)	5	EA	\$2,500.00	\$12,500	<i>Utilize existing stone for seat walls</i>
					\$38,000
Landscape Remediation - Invasive Management and Native Plantings					
Northern perimeter and tidal marsh	1	LS		\$20,000	<i>Necessary to locate and develop river vista points and boardwalk</i>
Inland	1	LS		\$18,000	<i>Inland, related to seating/picnic destinations</i>
Sub Total				\$104,300	

July 15, 2021
MMI #17460.00002

Riverside Park
Conceptual Budget for Improvements

Item	Quantity	Unit	Unit Cost	Totals	Remarks
Area 3 - Landscaping and Ecological Improvements (Appx. 75 Acres)					
Constructed Improvements:					\$47,860
Accessible trail 6' wide - stabilized aggregate on grade	840	SF	\$9.00	\$7,560	At-grade trail link from lawn area
Accessible trail 6' wide - stabilized aggregate over riprap	900	SF	\$9.00	\$8,100	Rocky promontory area
Stone Overlook Destination	1	LS		\$25,000	
Wood deck platform destination - embayment	1	LS		\$7,200	Accessible destination feature located above tidal embayment
Landscape Remediation - Invasive Management and Native Plantings					\$46,500
Rubble/woodland area	1	LS		\$24,000	Potential future rock scramble feature
Peninsula, related to trail construction	1	LS		\$10,000	Rocky promontory clearing for construction and repopulation
Southern perimeter and tidal marsh	1	LS		\$12,500	Perimeter adjacent to and within tidal flatlands
Sub Total				\$94,360	
Subtotal - Future Phase Improvements				\$400,200	
5% Minor Items				\$20,010	Site signage, other incidental items
20% Contingency				\$80,040	
Total				\$900,250	
Rounded Total				\$910,000	
Note:					
This conceptual budget is intended to provide an order of magnitude suitable for planning purposes. Detailed planning and design will require refinement of costs shown. Conceptual costs do not include allowances for design, engineering, land acquisitions, easements, or construction inspection. Budget estimates for these items may be developed during detailed design.					
Future Phase Improvements					
Elevated Boardwalk through tidal marsh - State Permitting Required					
Accessible Trail - stabilized aggregate	800	SF	\$9.00	\$7,200	
Custom overlook platform - timber decking, accessible	240	SF	\$130.00	\$31,200	
Elevated Boardwalk (pedestrian only, elevation TBD)	300	LF	\$1,000.00	\$300,000	Provides link to existing riverfront walkway to the North
Sub Total				\$338,400	
5% Minor Items				\$16,920	
20% Contingency				\$67,680	
Total				\$423,000	
Rounded Total				\$430,000	



A PROVIDE PAVED PARKING AREA FOR ACCESSIBLE SPACE AND ADD BICYCLE OF TRANSPORTATION. MAINTAIN THE MAINTENANCE VEHICLES INTO THE S

PROVIDE CONTINUOUS CONCRETE S

EXTEND THE NATURALIZED WOODL WITH NATIVE SHRUBS AND FLOWER

DIRECT RUNOFF FROM THE PARKING AND TREAT STORMWATER. PLANT TH PERENNIALS AND ADD PICNIC TABLE

B EXISTING ACCESS AT FORMER DRIVE PEDESTRIAN ENTRANCE WITH LARGE

STRENGTHEN WOODLAND PLANTING NATIVE FLOWERING TREES AND SHR

CREATE A NATURALIZED EDGE WITH POLINATOR PLANTINGS. UTILIZE LAND UNIQUE SPACES TO ENJOY & EXPLO

PROVIDE PICNIC OR SEATING SPACES

PROVIDE A WETLAND EDGE DESTINA POTENTIAL FOR AN ARTISTIC BIRD B

MAINTAIN THE OPEN PASSIVE NATU

A PROVIDE AN ACCESSIBLE ROUTE TO DESTINATION VISTAS

ADDRESS THE REMOVAL OF INVASIVES AND THE ESTABLISHMENT OF NATIVE VEGETATION IN THE FILL AREA TO THE NORTH TO IMPROVE THE ECOLOGICAL VALUE

CREATE AN ACCESSIBLE VISTA NEAR THE EMBAYMENT FOR SITTING AND SUNBATHING

B CREATE A LEVEL AND STABLE TRAIL OF REPURPOSED STONE TO ACCESS THE PROMONTORY. INCORPORATE INFORMAL SEATING/VISTA OPTIONS ALONG THE PATH

PROVIDE AN OVERLOOK DESTINATION WITH STEPPED LANDINGS NESTLED INTO THE ROCKY PROMONTORY

REPLANT DISTURBED VEGETATION AND RETAIN THE STONY TERRAIN TO PROVIDE A MORE ADVENTUROUS EXPERIENCE IF DESIRED



WESTPORT

WESTPORT CONNECTICUT
PARKS AND RECREATION DEPARTMENT
LONGSHORE CLUB PARK
260 SOUTH COMPO ROAD, WESTPORT, CT 06880
(203) 341-5090

July 19, 2021

The Honorable James S. Marpe
First Selectman
Town Hall
110 Myrtle Avenue
Westport, CT 06880

Dear Mr. Marpe:

The Parks and Recreation Department respectfully requests to be placed on the Board of Finance Agenda for an appropriation of \$95,000 from the Capital Non-Recurring Fund.

This request is for professional services related to the Longshore Capital Improvement Plan.

Respectfully,

Jennifer A. Fava
Director of Parks and Recreation

cc: Gary Conrad


Approved for submission
To Board of Finance (07/19/21)

James S. Marpe
First Selectman



WESTPORT CONNECTICUT
PARKS AND RECREATION DEPARTMENT
LONGSHORE CLUB PARK
260 SOUTH COMPO ROAD, WESTPORT, CT 06880
(203) 341-5090

MEMO TO: Board of Finance

MEMO FROM: Jennifer A. Fava, Director of Parks and Recreation 

DATE: July 22, 2021

RE: **Appropriation Request for Longshore Capital Improvement Plan**

Prior to the pandemic shutdown, an RFP was issued for architectural and engineering services to establish a Capital Improvement Plan for Longshore Club Park. This project is included in the Parks and Recreation Department Five Year Capital Forecast in the amount of \$85,000.00 in FY20/21.

The objective of this project is to create an overall capital improvement plan for the park that will best meet the needs of the multiple user groups that utilize this facility.

Selection Process

Eight (8) proposals were received with proposed costs ranging from \$69,500.00 to \$122,000.00. All eight (8) proposals were reviewed with three (3) firms granted interviews. Two (2) firms were then selected for a second interview. Based upon the proposals and information garnered from the interviews, it was determined that Stantec is best suited for the needs of this project. The provided references were contacted. All gave excellent comments/reviews of their work with Stantec.

Selected Firm

Stantec Consulting Services (based out of New Haven, Connecticut) is an interdisciplinary landscape architecture, engineering, and architecture design and environmental services practice with an extensive portfolio of park planning experience. They have significant experience with coastal projects.

The core on-staff team includes expertise in assessment, engagement and design; civil engineering; traffic planning; buildings/architecture; code analysis; and dock/marine/coastal engineering.

Attached is a selection of pages from Stantec's proposal to provide you with additional background information and relevant project experience.

Timeframe & Cost

This project is expected to take approximately six (6) months once underway. It will include an evaluation of existing conditions, the gathering of public input through a variety of methods,

the development of concepts, preliminary cost estimates for each improvement, and the phasing of improvements.

The fee for Stantec is is not to exceed \$95,000.00.

Project Deliverables

Project deliverables will include:

- Public Involvement Report— documentation as to how public input was sought as well as the resulting information
- Existing conditions assessment
- Conceptual annotated plans with improvement recommendations
- Anticipated regulatory schedule
- Order-of-magnitude opinion of probable construction cost
- Final preferred plan
- Capital plan for phased improvements along with probable construction costs

The Parks and Recreation Commission unanimously approved proceeding with this appropriation request during its July 21, 2021 meeting. Therefore, we request an appropriation of \$95,000.00 to the Capital and Non-Recurring Account #31508810-500345-10122 for Professional Services related to the Longshore Capital Improvement Plan.

attachments

3. Our Firm, Your Team

Who we are

Stantec

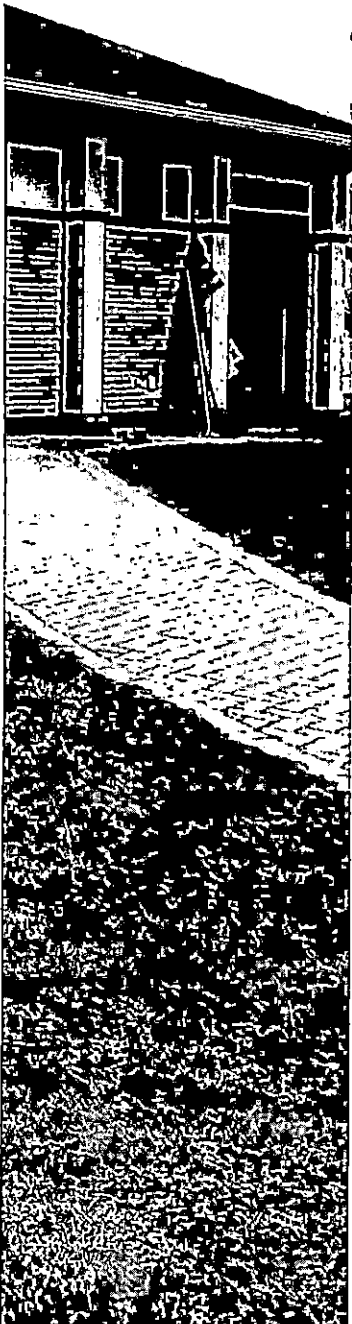
Parks, especially our waterfronts, are desirable destinations and one of the most precious public resources that we all share. Recognizing this importance and responsibility is why it's our mantra to design with community in mind.

Our team of award-winning landscape architects has earned a reputation as leaders in public park planning, design and implementation. We lead projects that range from neighborhood vest pocket parks and community based athletic facilities, to premiere waterfront, cultural, educational, and historic park sites. We provide creative and technical expertise to our clients from our New Haven office, with the resources of our interdisciplinary regional practice and backed by our award-winning national portfolio.

Since 1954, our local strength, knowledge, and relationships, coupled with our world-class expertise, have allowed us to go anywhere to meet our clients' needs in more creative and personalized ways. We collaborate across disciplines to the benefit of our clients. Our work—professional consulting in planning, architecture, engineering, landscape architecture, and environmental sciences—begins at the intersection of community, creativity, and client relationships. With a long-term commitment to people and places, Stantec has the unique ability to connect to projects on a personal level and advance the quality of life in communities across the globe.

Key personnel and team organization

Each staff person identified in our Organization Chart meets and exceeds the qualifications stated in the Request for Proposals, including a minimum of five (5) years of park and capital improvement planning for multi-use parks in the State of Connecticut and throughout the region. Our combined interdisciplinary skills, complimentary design and technical backgrounds, large public park and public works experience, and ability to identify physical needs, define improvement strategies, prepare effective and highly communicative graphics, and accurately reflect cost in capital improvement plans will be a valuable resource to the Town of Westport. The Longshore Club Park plan will require high-end illustrative plans and graphics and a comprehensive layering of improvement strategies to guide the Town in park capital planning in the years to come. Limits of work, priorities and phased implementation, and limited disruption to park use will be keys to success. Our team and respective staff are well-prepared to provide these services.





4. Relevant Projects and References

Stantec and our dedicated team members have direct relevant project experience in park planning and design. As Principal-in-Charge, Gary Sorge, FASLA, AICP, has led many assignments similar in scope to and as endearing to its patrons and stakeholders as is Longshore Club Park. Over his 30+ years with Stantec, Gary's work has focused on park planning and design, infrastructure design in public space, and coastline resiliency. Representative projects include, but are not limited to:

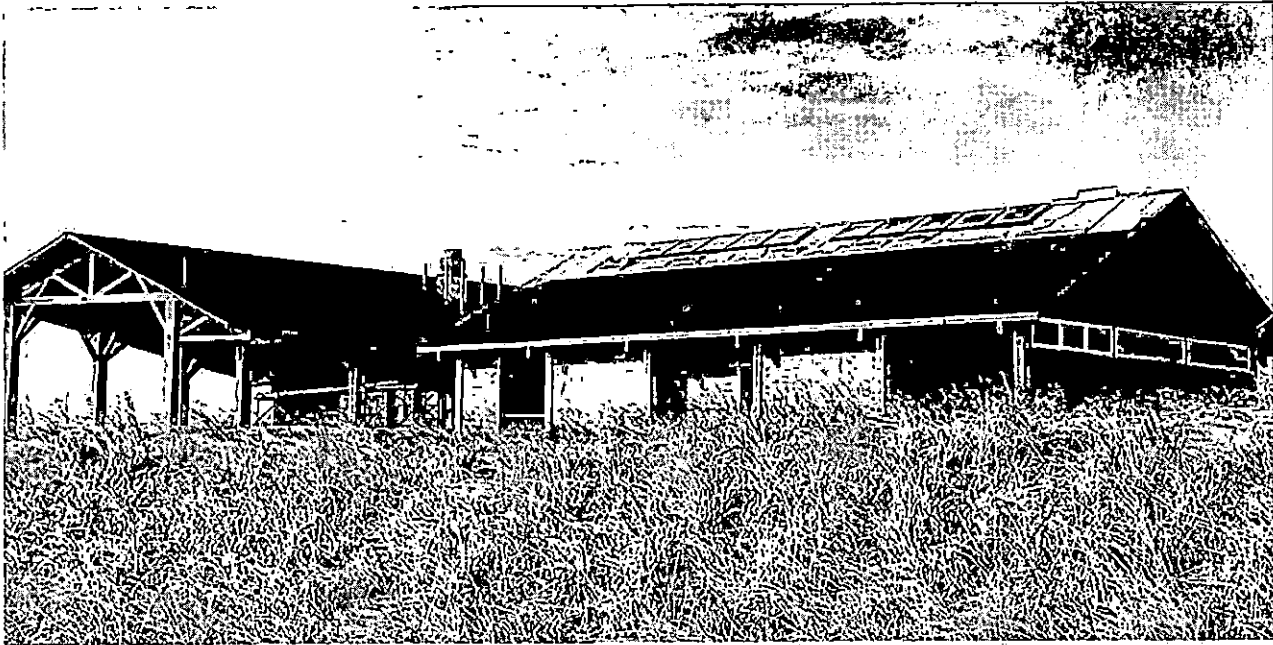
- Silver Sands State Park, Milford, CT
- Cummings Park/West Beach, Stamford, CT
- J. Boccuzzi Park, Stamford, CT
- Greenwich Point Park, Greenwich, CT
- Bushwick Inlet Park, Brooklyn, NY
- Clute Park, Watkins Glen, NY
- Corning Preserve Park, Albany, NY
- Cranbury Park, Norwalk, CT
- Pleasure Beach Park, Bridgeport, CT
- Eisenhower Park, Milford, CT
- Great Lawn, Central Park, New York, NY
- Open-Hearth Park, Sydney, Nova Scotia

Key Team members, Jeff Olszewski, RLA and Travis Ewen, RLA, have participated on many of these assignments. Mr. Olszewski has over 18 years of relevant experience in Connecticut and has participated as project manager on our J. Boccuzzi Park Master Plan, Cummings Park Post-Master Plan Phased Implementation, and Greenwich Point Park Capital Improvement Plan. Mr. Ewen is lead designer, bringing over 18 years of national and international interdisciplinary design expertise for parks and public spaces, most recently for Clute Park in Watkins Glen, NY. Phil Katz, PE, will lead our engineering team, bringing his most recent experience at Silver Sands State Park in Milford, CT, encompassing a new beachfront pavilion, a maintenance facility, gateway, circulation and parking upgrades, and regulatory approvals.

A distinguishing characteristic of our team is our interdisciplinary approach as demonstrated in the expertise represented on our team Organization Chart. Our Organization Chart identifies key personnel, their roles, and relationships for the Longshore Club Park Site Plan. Resumes provided also highlight our key staff along with their years of relevant park design experience, titles, and representative projects. Park planning requires interdisciplinary thinking. Our landscape architects routinely lead teams comprised of our in-house planners, engineers, architects, and environmental scientists and have the representative portfolio of completed works and references to demonstrate our success.

References

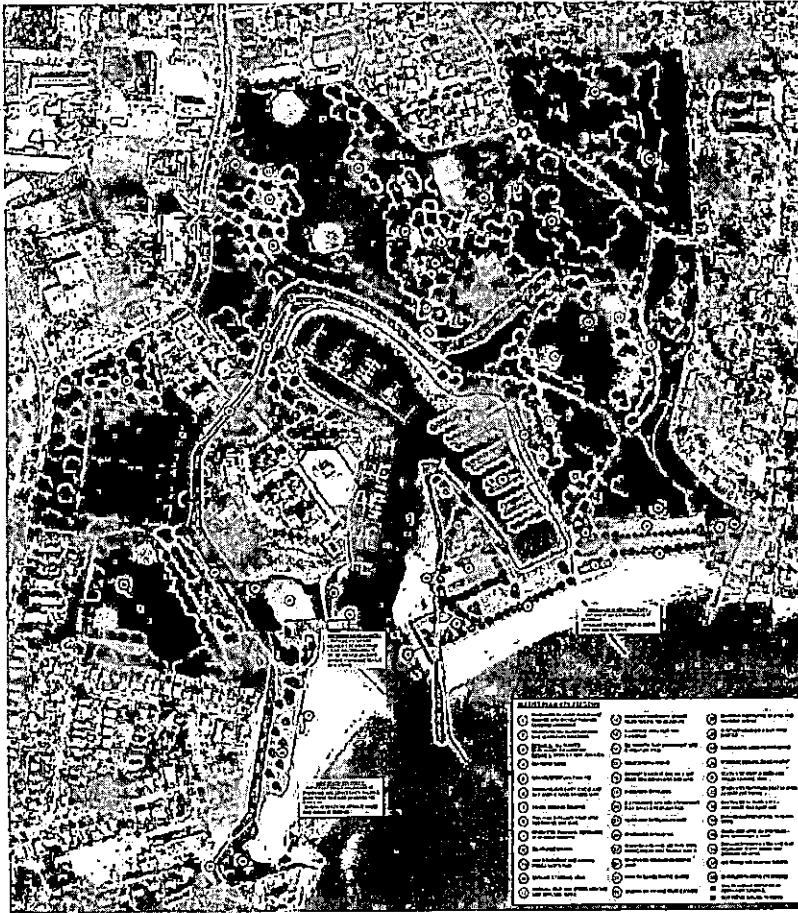
Our clients say it best! From planning to design and construction, contacts from three (3) of our select representative projects have been included at the end of this section. We welcome you to reach out.



Silver Sands State Park // Milford, CT

For the State of Connecticut Department of Construction Services and the Department of Energy and Environmental Protection, Stantec lead the \$4.2M renovation of circulation and parking facilities, landscape, utility upgrades and the design of a new bathhouse and maintenance facilities.

The design factors storm resiliency and flood impacts. Located on Long Island Sound, Silver Sands State Park is constructed on fill and nestled among vast areas of upland and tidal wetlands. Visitation to the State park has increased in recent years and renovations are needed to accommodate demand, enhance the visitor's experience and provide the requisite staff and emergency response facilities much needed at the popular waterfront destination.



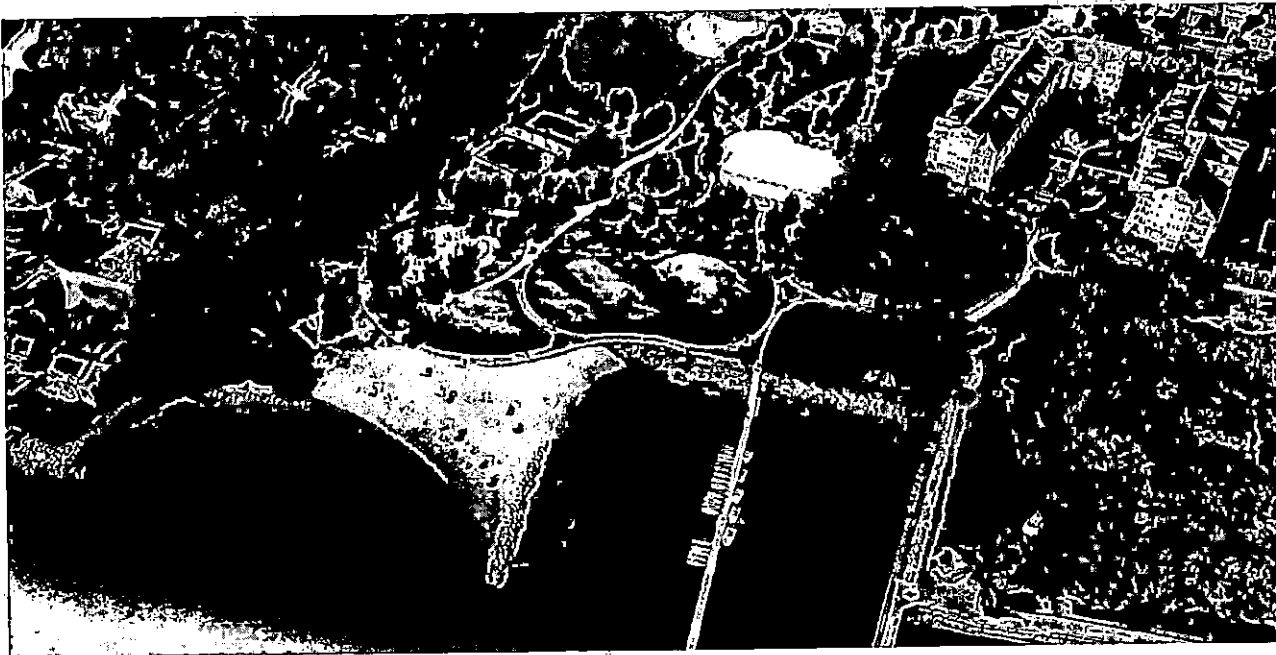
Cummings Park and West Beach Facilities Master Plan // Stamford, CT

We collaborated with City staff and residents to design one of Stamford's most popular recreation destinations. When completed, the 100-plus acre property will provide a little bit of everything, from a beach and coastal habitat to shady wooded uplands.

Our team performed the site analysis, extensive public outreach and park facilities master planning services for Cummings Park and West Beach in Stamford, Connecticut. Located along Westcott Cove, the park contains two beaches, shoreline promenades, pavilions, walking paths, multiple sports fields and courts and a marina. The master site plan addresses needed improvements to circulation patterns and existing structures as well as overall aesthetic and passive recreation enhancements. Stamford's Facilities Master Plan proposes a phased implementation strategy, including a renovated promenade and concession

area, enhanced vehicular and pedestrian access with designated bike lanes, adaptive reuse of existing structures, reorganized parking, sports fields and play areas, re-established natural habitat and tree canopy, and overall landscape and aesthetic improvements.

In response to severe damage from recent storms, additional services included new marina design, boat launch facility improvements, beach resiliency studies and nourishment programs and sea level rise impact exhibits determined the basic requirements of the project and how they could best be met.



John J. Boccuzzi Park Master Plan // Stamford, CT

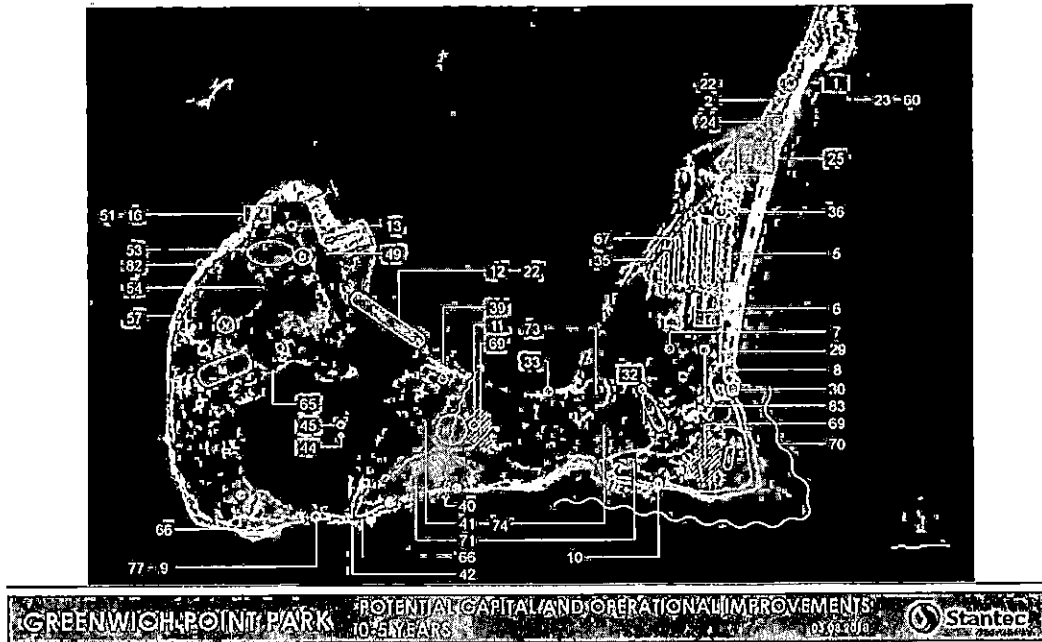
This master plan lays the groundwork for Phase 1 Design and reactivates Boccuzzi Park's waterfront.

An 11.7-acre waterfront park nestled in the residential Waterside Neighborhood in south Stamford. Like many parks located in densely populated areas; it serves as a destination for passive and active recreation and as a relief from everyday life. Additionally, Boccuzzi Park is unique by functioning as both a marine educational hub, and a southern terminus of an interconnected path system that will connect north to the Mill River Greenway.

Our team evaluated the entire park, looking at all aspects of passive and active recreation, and the challenges and opportunities regarding sustainability and resiliency associated with a coastal park. Keeping these in mind and assessing the desired uses from various stakeholder groups, we developed a master plan that expands the

functions and aesthetics of the park, meets the needs of the end users while enhancing its use as a revenue generator for the City.

The master plan balances the presence of after school programming and an environmental education facility with the needs of all residents. Proposed improvements and amenities include an updated comfort station, cohesive and compact circulation and parking design to provide more open space, a more accessible waterfront, with Eco-revetment to address storm events and sea level rise, passive and active recreation, playgrounds, and seamless connections to the neighborhoods and greenway to the north.



Greenwich Point Park Capital Improvement Plan // Greenwich, CT

Through extensive collaboration with the Town of Greenwich, residents, and stakeholder groups, Stantec was charged with the development of a capital improvement plan and magnitude of costs for the phased improvements at Greenwich Point Park.

In our team's intensive investigation and outreach it was clear to see how important and popular this gem is to the Town of Greenwich. Additionally, it was obvious to see how the park's own popularity has taken a toll on its amenities and where additional facilities would enrich the park visitor's experience. Phase I of the work included an asset management and facilities enhancement plan. Woodlands; parking; shared paths and roads; circulation pathway capacity, delineation and congestion; shoreline protection; invasive species control and access controls appear to be critical conditions that require mapping, evaluation, and strategy for improvement and sustainable management.

Phase II of the work included a prioritized capital improvement plan and magnitude of cost. Each improvement item identified a priority ranking derived from Town and public feedback, approximate cost to execute the work, and a project champion that would help facilitate the funding and implementation.

This work provided a road map for the Town of Greenwich to gain community approval, critical project funding, phased implementation and, most importantly, greatly enhanced recreational experiences for residents and visitors.



Pleasure Beach Park Master Plan // Bridgeport, CT

Since a fire destroyed the only wooden access bridge in 1996, conditions of the park's amenities steadily declined while nature gradually reclaimed portions of the abandoned 65-acre peninsula island. The City of Bridgeport has begun to restore the park as passive and active recreation space while protecting environmentally sensitive tidal wetlands, dunes, and wildlife habitat.

As part of the environmental component to the overall master plan being developed, Stantec's assignment included providing federal species monitoring for a proposed piling-supported fishing pier in Bridgeport Harbor as a part of the overall waterfront improvement plan. Species include least tern (*Sterna antillarum*) and piping plover (*Charadrius melodus*), both of which are state-listed threatened species (plover are also federally listed). It was the depth of the qualified staff at Stantec that allowed for a rapid reaction to the permit conditions and maintained the construction schedule.

Stantec's master plan included a feasibility report outlining and illustrating existing opportunities, alternative design concepts, an implementation plan and a strategy for generating revenue to support the park's staff, security, and maintenance needs as well as future improvements. Phased improvements commenced in 2012 and access to the park was restored in 2014. New trails, renovated pavilions and restrooms, water tanks, a shoreline playground and new plantings were completed in initial phases of the master plan implementation.



Eisenhower Park Master Plan // Milford, CT

The objective of the project was to create a four-season park with recreation amenities, as well as preservation of woodlands, topography and wetlands. Safety, maintenance, aesthetics and stormwater management were key planning issues.

Following extensive study, a Master Plan was prepared for the development of this 350-acre recreational park with amenities appealing to all age groups.

The park currently contains a softball field, community garden, playground, fishing pond, tennis courts, walking trails and a 3/4-mile length of the Wepawaug River. Stantec presented many passive and recreational amenities to be considered by the City of Milford as enhancements to the current park.

To prepare the Master Plan, Stantec took inventory of the site, provided a detailed map, studied the environmental implications of redevelopment and, with the City, determined the basic requirements of the project and how they could best be met.

RTM Parks & Recreation Committee Report

Meeting Date: August 24, 2021

Attendance - Chris Tait, Jimmy Izzo, Karen Kramer, Seth Braunstein, Jack Kling, Lauren Karpf, Lisa Newman, Sal Liccione, Jessica Bram, and Jen Fava.

- Jen Fava Dir of Parks & Rec gave overview of the riverside park design \$436,000
- Plan is part of the overall capital plan to " take the river back " and provide access for residents to the river.
- Improving parking lot for 10 spaces and extending sidewalk.
- clean up and get rid of invasive plants
- Dogs will be allowed in park - Extra Dog waste bags will be available.
- Erosion along river was corrected/fixed last year.
- Create vistas and access to river.
- Keeping the natural look of the park.

Vote : Unanimous in favor.

Longshore Capital Improvement plan - Agenda \$95,000 professional services .

- Jen Fava Dir of Parks & Rec discussed how the firm StanTec was picked.
- Received 8 proposals
- 3 different firms picked
- 3 firms interviewed

Firm will come up with design concept with public input provide a vision and execution with cost estimates.

Vote: Unanimous in Favor



WESTPORT, CONNECTICUT

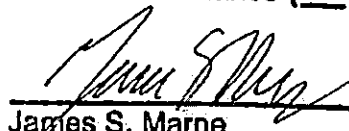
DEPARTMENT OF PUBLIC WORKS
TOWN HALL, 110 MYRTLE AVE.
WESTPORT, CONNECTICUT 06880
(203) 341 1120

BACK UP MATERIAL
RTM ITEM # 4

Approved for submission
To Board of Finance (6/21/21)

June 18, 2021

Mr. James S. Marpe
First Selectman
Town Hall
Westport, CT 06880


James S. Marpe
First Selectman

Re: Request for Appropriation of \$1,492,000.00 along with bond and note authorization to the Municipal Improvement Fund Account for reconstruction of the Baldwin Lot, (accessed from Elm Street).

Dear Mr. Marpe,

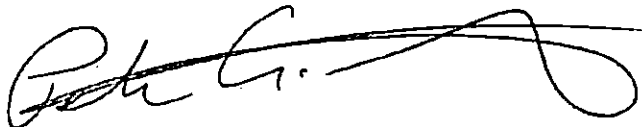
This office herein requests an appropriation of \$1,492,000 along with bond and note authorization to the Municipal Improvement Fund Account for reconstruction of the Baldwin Lot. The parking lot is poorly drained and often floods, due to its dysfunctional drainage system, and the fact that much of the lot sits below the 25-year flood level. The pavement is approximately 45 to 50 years old, is potholed and alligator-cracked in many areas. The existing parking layout does not meet current P&Z standards. Effectively this lot needs to be completely rebuilt.

The new design will replace the drainage system, provide water-quality management, elevate the lot to get most of the parking out of the flood zone, install new lighting, landscaping, and Public Safety measures, along with the installation of ten electric vehicle chargers. The geometry of the parking layout will conform to current P&Z parking standards, and improve circulation as much as possible.

The design provides for the possibility of having a crossover in to the adjacent private Avery Lot, as the administration is currently in negotiations with the private lot owner to create a mutually beneficial passageway that will provide an additional egress for both parking lots.

We anticipate the project will go out to bid in the fall of 2021 and construction will start after the Winter holidays, weather permitting. The project is in the 5-year Capital forecast at a level of \$1.3M for Fiscal year 2022.

Respectfully,



Peter A. Ratkiewich, P.E
Director of Public Works

cc: Gary Conrad, Finance Director
G:\Pw_off\PAR\APPRQST\AveryBalwinCON.docx

RECEIVED

JUN 18 2021

TOWN OF WESTPORT
SELECTMAN'S OFFICE

BALDWIN PARKING LOT - ENGINEER'S ESTIMATE

Section	Item #	Description	Qty	Unit	Unit Cost	Total Cost
I.	SITE PREPARATION/DEMOLITION					
	A.	Mobilization	1	LS	\$ 10,000.00	\$ 10,000.00
	B.	Site Demolition	1	LS	\$ 75,000.00	\$ 75,000.00
	C.	Reclaim Existing Parking Lot	6000	SY	\$ 7.00	\$ 42,000.00
	D.	Clearing and Grubbing	1	LS	\$ 20,000.00	\$ 20,000.00
		Subtotal				\$ 147,000.00
II.	SOIL EROSION AND SEDIMENT CONTROL					
	A.	Mud Tracking Pad	1	LS	\$ 10,000.00	\$ 10,000.00
	B.	Catch Basin Inserts	10	EA	\$ 100.00	\$ 1,000.00
	C.	Erosion Control Fence	1200	LF	\$ 3.00	\$ 3,600.00
		Subtotal				\$ 14,600.00
III.	EARTHWORK					
	A.	Rough Grading	1.5	AC	\$ 10,000.00	\$ 15,000.00
	B.	Fine Grading	1.5	AC	\$ 10,000.00	\$ 15,000.00
	C.	Remove and replace unsuitable subbase material	1	LS	\$ 40,000.00	\$ 40,000.00
	D.	Import Fill	2450	CY	\$ 20.00	\$ 49,000.00
						\$ 119,000.00
IV.	STORM DRAINAGE					
	A.	Reconstruct catch basins	3	EA	\$ 4,000.00	\$ 12,000.00
	B.	Construct Yard Drain	1	EA	\$ 1,500.00	\$ 1,500.00
	C.	Construct Headwall	1	EA	\$ 3,500.00	\$ 3,500.00
	D.	Storm Drainage Pipe	390	LF	\$ 75.00	\$ 29,250.00
	E.	Rain Garden Underdrain	160	LF	\$ 35.00	\$ 5,600.00
	F.	Construct Infiltration swales and raingarden	1	LS	\$ 15,000.00	\$ 15,000.00
						\$ 66,850.00
V.	UTILITIES					
	A.	Telecom Conduit (Blueight, callboxes and security cameras)	590	LF	\$ 25.00	\$ 14,750.00
	B.	Electric Vehicle Supply Equipment Conduit	270	LF	\$ 25.00	\$ 6,750.00
	C.	Heavy Duty Pull Boxes for EV Charging Stations	2	EA	\$ 2,000.00	\$ 4,000.00
	D.	Handhole	6	EA	\$ 1,000.00	\$ 6,000.00
	E.	Security Camera	8	EA	\$ 2,500.00	\$ 20,000.00
	F.	Blueight Security Station	4	EA	\$ 7,500.00	\$ 30,000.00
	G.	Fiber Optic Conduit run from Avery to Elm	600	LF	\$ 50.00	\$ 30,000.00
	H.	Fiber Optic Pull Boxes	3	EA	\$ 2,000.00	\$ 6,000.00
	I.	NVR and mounting box	1	EA	\$ 5,000.00	\$ 5,000.00
						\$ 122,500.00
VI.	SITE IMPROVEMENTS					
	A.	Extruded Concrete Curb (6")	1650	LF	\$ 15.00	\$ 24,750.00
	B.	On-Site Asphalt Top Course (2" Thick)	677	TON	\$ 140.00	\$ 94,780.00
	C.	On Site Asphalt Base Course (2" Thick)	677	TON	\$ 140.00	\$ 94,780.00
	D.	On-Site Densely Graded Aggregate (DGA) (6" Thick)	5650	SY	\$ 7.00	\$ 39,550.00
	E.	Traffic Painting	1	LS	\$ 15,000.00	\$ 15,000.00
	F.	Traffic/Parking Signs	10	EA	\$ 500.00	\$ 5,000.00
	G.	Bollard	10	EA	\$ 1,500.00	\$ 15,000.00
	H.	Topsoil/Mulch	1	LS	\$ 15,000.00	\$ 15,000.00
	I.	Plantings	1	LS	\$ 40,000.00	\$ 40,000.00
	J.	EV Charging Station	10	EA	\$ 10,000.00	\$ 100,000.00
	K.	Light Fixtures (Pole)	14	EA	\$ 7,000.00	\$ 98,000.00
	L.	Modular Block Retaining Wall	1000	SF	\$ 30.00	\$ 30,000.00
	M.	New Portion of Stone Wall	1	LS	\$ 10,000.00	\$ 10,000.00
	N.	Timber Post & Beam Guiderail	230	LF	\$ 55.00	\$ 12,650.00
	O.	Wooden Fence	370	LF	\$ 35.00	\$ 12,950.00
	P.	Compactor Slab, 3 Ph Transformer, Conduit, Enclosure	1	LS	\$ 220,000.00	\$ 220,000.00
						\$ 827,460.00
		TOTAL CONSTRUCTION COST				\$ 1,297,410.00
		CONTINGENCY (15%)				\$ 194,611.50
		GRAND TOTAL				\$ 1,492,021.50
				Say		\$ 1,492,000.00

Submitted by:
 Peter A. Ratkewich, P.E.
 Director of Public Works

JUSTIFICATION FOR A CAPITAL PROJECT

DEPARTMENT INFORMATION

DEPT NAME: Department of Public Works Date: 6/18/2021

PROJECT NAME AND DESCRIPTION
Reconstruction of the Baldwin Parking Lot

IS IT LISTED IN THE 5-YR CAPITAL FORECAST? YES NO
If no, why not?
If yes, answer the following two questions:
Which FY was the project first proposed? 2019
Which FY was the project first planned? 1998

APPROXIMATE COST:	\$1,297,410	COST IN CAPITAL FORECAST:	\$1,300,000
CONTINGENCY (15%):	\$194,611.50		
	\$1,492,021.50	←TOTAL	REQUEST→ \$1,492,000

SOURCE OF FUNDS:

CAPITAL BOND <input checked="" type="checkbox"/>	GEN'L FUND <input type="checkbox"/>
CNR <input type="checkbox"/>	GRANT <input type="checkbox"/>
STATE <input type="checkbox"/>	OTHER <input type="checkbox"/>

OTHER, DESCRIBE:
PAYBACK PERIOD: N/A

EST. COMPLETION
PROJECTED START DATE: February 2022 DATE: July-August 2022
ESTIMATED USEFUL LIFE: 30 years

Is this project part of a larger capital project? NO

Has an RFP been issued? YES NO Bid will be advertised November 2021
Have bids been received? YES NO Number of bids received: see above
Was the lowest bid the winner? YES NO If not, why? see above

Who will benefit from the project? The downtown area as a whole will benefit from this project, but on a larger scale, the entire Town will benefit from the enhancement of this lot, as it will convert what is now an eyesore in to a modern, inviting parking lot that will compliment the general development that has occurred in the area

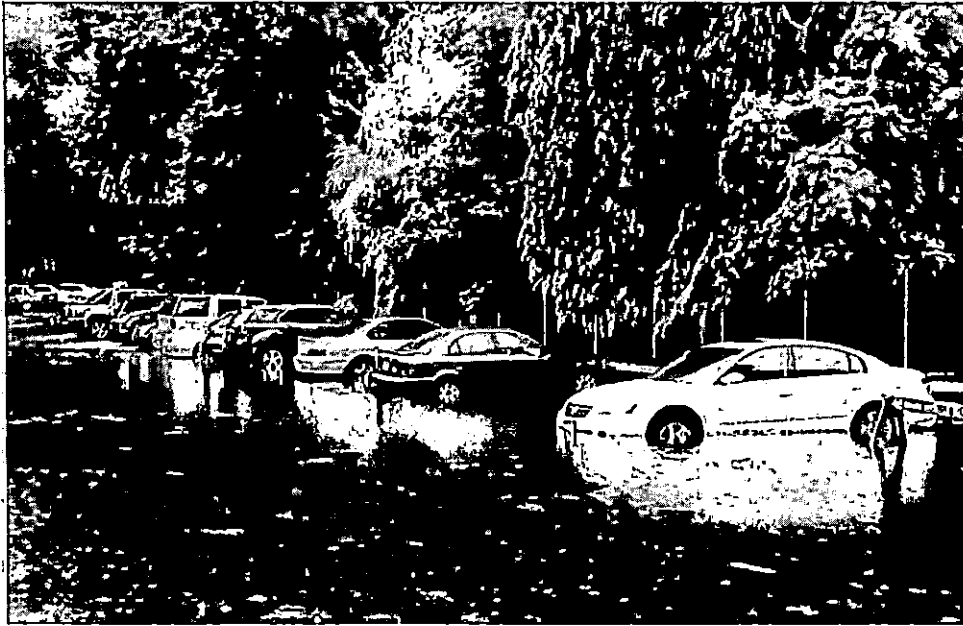
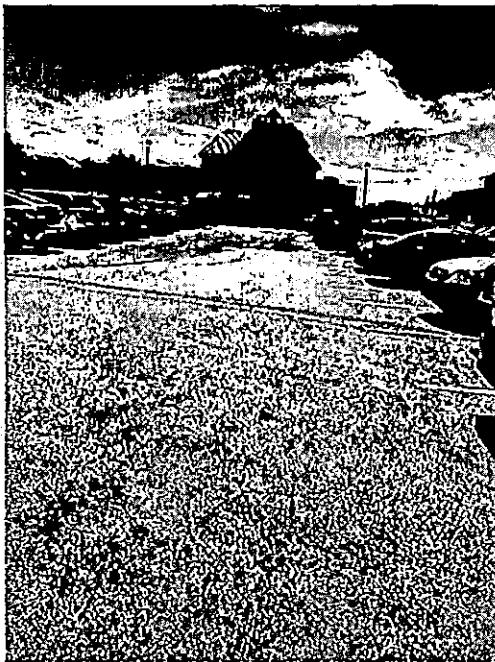


Photo of flooded lot due to dysfunctional drainage system



Cracked deteriorated pavement



Poor Drainage area rear of lot



Ditch along West side of lot

**Joint RTM Finance and Public Works Committees Meeting
August 24, 2021**

RTM Finance Committee Members Present:

Finance Committee: Jeff Wieser, Chair; Rick Jaffe; Jessica Bram; Seth Braunstein; Cathy Talmadge; Christine Meiers Schatz

RTM Public Works Committee Members Present:

Jay Keenan, Chair; Andrew Colabella; Peter Gold; Jack Klinge; Lou Mall; Chris Tait; Cathy Talmadge, Dick Lowenstein, Matt Mandell

Other Town Officials Present: Pete Ratkiewich, Public Works Director; Sal Liccione, RTM

RTM Finance and Public Works Committees met to consider the following:

“Upon the request of the Director of Public Works, to approve an appropriation of \$1,492,000.00 along with bond and note authorization to the Municipal Improvement Fund Account 30503310-500337-10119 for the reconstruction of the Baldwin Lot (accessed from Elm Street).”

Pete Ratkiewich presented the request by providing a schematic drawing of the Baldwin lot, and as was discussed at length the abutting Avery Lot.

We had previously appropriated funds for the design of this odd-shaped area. The lot currently does not conform to a number of P&Z regs, so in upgrading the lot we will need to satisfy those deficiencies. Pete noted that the lot will be raised in some spots to avoid pooling during heavy storms. The town will also build conduits and biofiltration water treatment into the design of the area to allow for better drainage, and a blue light facility to provide security.

These P&Z requirements will allow the addition 20 more parking spots in the area deemed to be resistant to 25 year floods, but they will take away 50 spots in the flood zone. As a result there will be at all times 30 fewer spots in the Baldwin lot, and while this was not enthusiastically received, it is the price of getting an upgraded facility.

On questions, Pete discussed the great thought that has gone into coordinating the Baldwin and Avery lots. There continue to be discussions with the Avery Trust holders and there remains a possibility that there can be a cut through between the two lots. This is built into the design that we are contemplating, but there are contingencies for the decision to go either way.

It is anticipated that with this approval, the RFP for this work will go out by the end of October with an award by December. The plan is for the lot to be closed soon after the New Year with

demolition beginning in February. Randy Herbertson of the Downtown Merchants Association reminded the committees that the Imperial lot will be available throughout this work. While a longer walk to the downtown stores, that lot has been available and its use encouraged for the all-day employees downtown. He is hoping that they will recognize its convenience during this experience.

On another question, Pete confirmed that nothing that is currently being done would preclude a second deck from being added to the lot, but that there is nothing in the design that anticipates, or encourages, that eventuality.

On a motion by Seth Braunstein and second by Christine Meiers Schatz, the Finance Committee recommended approval by the full RTM with a unanimous vote of 6-0.

On a motion by Peter Gold and second by Chris Tait, the Public Works Committee recommended approval by the full RTM with a unanimous vote of 8-0-1, Dick Lowenstein abstaining.

Jeff Wieser
Finance Committee Chair and Reporter



WESTPORT, CONNECTICUT

DEPARTMENT OF PUBLIC WORKS
TOWN HALL, 110 MYRTLE AVE.
WESTPORT, CONNECTICUT 06880
(203) 341 1120

BACK UP MATERIAL
RTM ITEM # 5

July 19, 2021

Mr. James S. Marpe
First Selectman
Town Hall
Westport, CT 06880

Re: Request for Appropriation along with bond and note authorization to the Municipal Improvement fund, for funding Westport's share of the Construction and Construction Engineering expenses for replacement of the Cavalry Road Bridge over the West Branch of the Aspetuck River

Dear Mr. Marpe,

This office herein requests an appropriation along with bond and note authorization to the Municipal Improvement fund, in the amount of \$290,600 for funding Westport's share of the Construction expenses for replacement of the Cavalry Road Bridge, (Bridge #04964), over the West Branch of the Saugatuck River. The work will be a complete replacement of the bridge deck and abutments.

The existing bridge was constructed in 1956 and straddles the Town Line between Westport and Weston. The Connecticut DOT determined in 2016 that the bridge requires replacement, and assigned the task of replacement to the Town of Weston. The bridge is eligible for funding under the Federal Local Bridge Program, which provides 80% reimbursement of expenses to the Town(s).

Because the Bridge spans the Town line, both Towns must share the remaining 20% of associated costs. There are two ways to split the cost according to State Statute. 1) Execute an interlocal Agreement between the Towns, or 2) use the default formula provided in CGS 13a-238, which apportions the cost according to the two town's tax revenue. During the design phase the Town opted to use the default formula under the Statute.

The Westport Share of the Local funding is approximately 73.16% and the Weston Share is approximately 26.84%. This is subject to change every year as the grand list and the resulting calculation will change from year to year. To be conservative, this office has estimated Westport's share to be 75%

The attached backup information shows how we arrived at the figure of \$290,600. In the current capital forecast, we carried a figure of \$350,000.

Letter to J. Marpe, Cavalry Road Bridge Construction Appropriation, 7-19-21

The project was bid by the Town of Weston in December of 2020. The low bid came in at \$1,474,105.00. The Construction Engineering costs were negotiated with the State DOT. The maximum charge that the Engineering firm, WMC Engineers, can charge is \$286,400.00. The grand total for construction and Construction Engineering is \$1,761,505.00. Westport's 75% of the 20% local share calculates out to \$290,648.33. We are requesting \$290,600.00.

The project is currently underway and should be completed by the end of November.

Respectfully,

A handwritten signature in black ink, appearing to read "Peter A. Ratkiewich", with a long horizontal line extending to the right.

Peter A. Ratkiewich, P.E
Director of Public Works

cc: Gary Conrad, Finance Director
G:\Pw_off\PAR\APPRQST\CavalryRdBrgCON.doc

JUSTIFICATION FOR A CAPITAL PROJECT

DEPARTMENT INFORMATION

DEPT NAME: Department of Public Works Date: 7/19/2021

PROJECT NAME AND DESCRIPTION

Construction and Construction Inspection of the Cavalry Road Bridge

IS IT LISTED IN THE 6-YR CAPITAL FORECAST? YES [X] NO []

If no, why not? If yes, answer the following two questions: Which FY was the project first proposed? 2019 Which FY was the project first planned? 2013

APPROXIMATE COST: \$284,226.00 COST IN CAPITAL FORECAST: \$350,000 CONTINGENCY (10%): \$ 26,423.00 \$290,649.00 <TOTAL REQUEST> \$290,600.00

SOURCE OF FUNDS:

Table with 2 columns: CAPITAL BOND, GEN'L FUND, CNR, GRANT, STATE, OTHER. Includes checkboxes for each category.

OTHER, DESCRIBE:

PAYBACK PERIOD: 20 years

PROJECTED START DATE: April 1 2021 EST. COMPLETION DATE: Dec. 1 2021

ESTIMATED USEFUL LIFE: 75 years

Is this project part of a larger capital project? No

Has an RFP been issued? YES [X] NO [] This project was bid by and is being administered by the Town of Weston. The costs are the result of a bid process overseen by the State DOT

Have bids been received? YES [X] NO [] Number of bids received: 10

Was the lowest bid the winner? YES [X] NO [] If not, why?

Who will benefit from the project? All residents of Westport who traverse Cavalry Road

[Empty box]

Is it a replacement? YES NO

The existing bridge is intact but is in a condition of "plano key" deterioration of the precast planks that form the

If yes, describe condition of what is to be replaced: bridge deck

Pictures attached? YES NO

What other approvals/reviews are necessary to begin this project?
The Project has already begun. It is being administered by the Town of Weston and started last April. The funding request will need to be accepted by the RTM

FINANCE

This section to be completed by the Finance Director.

EFFECT ON TOWN FINANCES, INCLUDING DEBT SERVICE:
IF APPROVED:
IF NOT APPROVED:

REVIEW/SIGN-OFF

DEPARTMENT HEAD [Signature] DATE: 7-19-21
FINANCE DIRECTOR [Signature] DATE: 3/20/2021
FIRST SELECTMAN [Signature] DATE: 7/20/2021

CAVALRY ROAD BRIDGE CONSTRUCTION EXPENSE BREAKDOWN

Low Bid for Bridge Reconstruction	\$1,475,105.00
Maximum CEI Fee per ConnDOT	\$286,400.00
Subtotal - Construction Costs	\$1,761,505.00
Federal Share @ 80%	\$ 1,409,204.00
Town Share @ 20%	\$ 352,301.00
Weston Share - est. at 25% of Town Share	\$ 88,075.25
Westport Share - est. at 75% of Town Share	\$ 264,225.75
10% Contingency	\$ 26,422.58
total	\$ 290,648.33

REQUEST \$ **290,600.00**



STATE OF CONNECTICUT

2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546



November 24, 2020

Mr. Jonathan Luiz
Town Administrator
Town of Weston
56 Norfield Road
Weston, Connecticut 06883

Dear Mr. Luiz:

Subject: Consultant Inspection Services Selection Approval
State Project No. 157-085
Bridge No. 04964
Cavalry Road over West Branch Saugatuck River
Town of Weston
Federal Project No. 6157(009)
Master Agreement No. 3.11-02(13)
CORE ID No. 13DOT0226AA

The Department of Transportation (Department) has received and hereby approves the selection by the town of Weston (Town) to have WMC Consulting Engineers, Inc. (WMC) provide Construction Inspection Services for the subject project. The Department is also in receipt of your October 16, 2020 e-mail (copy enclosed), which indicates the Town's concurrence with WMC's construction inspection man-hour and fee proposal (copy enclosed).

The Department hereby approves a \$286,400 inspection fee, which includes \$17,400 for Direct Costs and an extra work allowance of \$26,000. A Department-approved Town/Consultant Construction Inspection Services Agreement will be transmitted to you under a separate cover for execution by the Town and WMC.

If you have any questions or require additional information please contact the Project Engineer, Marc P. Byrnes, at (860) 594-3489 or Brian J. Reilly of BL Companies, 860-760-1911.

Very truly yours,

Bartholomew Sweeney, P.E.

Digitally signed by Bartholomew Sweeney, P.E.
DN: cn=Bartholomew Sweeney, o=State of Connecticut,
ou=Department of Transportation, ou=Division of Bridges, ou=Bureau of
Engineering & Construction, o=State of Connecticut,
email=Bartholomew.Sweeney@dot.state.ct.us
Date: 2020.11.24 12:34:53 -0500

Bartholomew P. Sweeney, P.E.
Division Chief of Bridges
Bureau of Engineering and Construction

Enclosures
cc: Jay A. Costello – WMC

December 7, 2020

Mr. Jonathon Luiz
Town Administrator – Town of Weston
Weston Town Hall
56 Norfield Road
Weston, CT 06883

Re: **CONSTRUCTION BIDDING – RECOMMENDATION OF AWARD**
Replacement of Bridge No. 04964, Cavalry Road over West Branch Saugatuck River
Weston, Connecticut
State Project No. 157-085 ~ FAP #6157(009)

Dear Mr. Luiz:

We have reviewed the bids received on November 18th, 2020 for construction of the above referenced project. Enclosed please find the following:

- Copy of transmittal for pre-award documents list sent to apparent low bidder in accordance with section 11 of the Guidelines for Municipalities Advertising, Bidding & Award of Contracts for the Federal Local Bridge Program
- Pre-award documents submitted to date by NJR Construction LLC
- Bid Analysis Summary and Bid Packages
- Bid analysis and justification for accepting the low bid of NJR Construction LLC
- WMC Consulting Engineer's recommendation to accept the low bid of NJR Construction LLC

Bid Summary

Following is a list of all bidders submitting to the bid opening on November 18th, 2020, along with the total bid amount. All bids were checked for correctness.

• <u>NJR</u>	\$1,475,105.00
• <u>Dayton Construction Company</u>	\$1,494,330.00
• <u>Nagy Brothers</u>	\$1,514,120.00
• <u>Guerrera</u>	\$1,539,318.50
• <u>Hemlock</u>	\$1,630,253.95
• <u>Loureiro</u>	\$1,722,645.00
• <u>McNamee</u>	\$1,847,650.00



• <u>New England Infrastructure</u>	\$1,943,557.00
• <u>PJF Construction</u>	\$1,947,559.50
• <u>Brunnalli</u>	\$1,987,016.50

Bid Analysis

No errors were found in the first two low bids. The third bid had a math error on the total amount which changed the bid from \$1,513,720.00 to \$1,514,120.00. Since the apparent low bid of \$1,475,105.00 from NJR Construction LLC is not, more than 20% under or 10% over the Engineer's construction estimate of \$1,759,523.71, a bid analysis is not required for acceptance of the bid. Bid tabulation sheet has been attached for reference.

Award Recommendation

The low bidder has successfully completed the construction of bridge rehabilitation/replacement projects for municipalities in Connecticut of similar size and scope to the proposed bridge project. These include recent projects for the Connecticut Department of Transportation, including work for but not limited to municipalities of Marborough CT, Winchester CT, Easton CT, Norwalk CT, Stamford CT, New Canaan CT, and Litchfield CT.

- The information submitted by the contractor and results of random reference checks with State and municipal agencies indicate that supervisory personnel to be assigned to the project have sufficient experience in all of the work elements required for the project and that the contractor has the equipment and other resources to perform the work.

Based upon our evaluation of the above information, we find no outstanding reason for the Town of Weston not to award construction of the above referenced project to the apparent low bidder, NJR Construction LLC for the amount of \$1,475,105.00.

Attached is a draft letter to the CTDOT CLE requesting concurrence of the Town's wish to award the project to NJR Construction LLC.

If you have any questions or require additional information, please call at your earliest convenience.

Sincerely, Edward H. Scoville Jr. P.E.L.

Digitally signed by Edward H. Scoville Jr. P.E.L.
 DN: cn=Edward H. Scoville Jr. P.E.L.,
 o=WMC Consulting Engineers, ou,
 email=EScoville@wmcengineers.co
 m, c=US,
 Date: 2020.12.08 09:21:03 -0500

Edward H. Scoville Jr. P.E.L.
WENGELL, McDONNELL & COSTELLO, INC.

Cc: Marc Byrnes, P.E, State of Connecticut Local Bridge Program
Brian J. Reilly, P.E., BL Companies

**RTM Finance and Public Works Committee Joint Meeting
August 24, 2021
Replacement of the Cavalry Road Bridge**

Finance Committee Members Present (four of nine): Jeff Wieser, Chair; Jessica Bram; Rick Jaffe; Christine Meiers Schatz

Public Works Committee Members Present (eight of nine): Jay Keenan, Chair; Andrew Colabella; Peter Gold; Jack Klinge; Dick Lowenstein; Louis Mall; Matt Mandell, Chris Tait

Other Town Officials Present: Gary Conrad, Finance Director; Randy Herbertson, Chair, Downtown Plan Implementation Committee; Pete Ratkiewich, Director, Public Works Department; Karen Kramer, RTM; Sal Liccione, RTM

Others Present: Members of the public Jaime Bairaktaris and Jay Walshon

The RTM Finance and Public Works Committees met jointly to consider the following:

“Upon the request of the Director of Public Works, to approve an appropriation of \$290,600.00 along with bond and note authorization to the Municipal Improvement Fund Account 30503310-500339-10120 for funding Westport’s share of the Construction and Engineering expenses to replace the Cavalry Road Bridge over the West Branch of the Aspetuck River.”

In his presentation Pete Ratkiewich indicated that, historically, costs to maintain the bridge, which is situated on the Westport-Weston town line, have been shared equally by Westport and Weston. The significantly higher cost to replace the bridge led Weston to make use of a state statute that apportions the cost of the two towns’ shares by the tax revenues of the two towns. Under the state statute, Westport’s share of the previously funded bridge design was 73% of the total cost because, at that time, Westport’s tax revenue was 73% of the combined tax revenues of Westport and Weston. Not yet knowing the exact apportionment between the two towns, and planning conservatively, Public Works is requesting construction funding for Westport’s share at 75% of the contracted cost to be borne by the two towns. Weston is the project’s manager, and, as such, Weston fronts the money, and Westport then reimburses Weston for Westport’s share.

Cavalry Road Bridge reconstruction is to be paid, 80% by a federal grant, and 20% by the two communities. Westport’s share of the total cost, therefore, will be approximately 75% of 20%, or 15% of the total cost of the new bridge.

Note that, under Weston’s project management, bridge construction is already under way, with expected completion this year. This funding request, therefore, is for a project to which Westport is already committed. Not discussed in committee was what would happen if the RTM turns down this funding request.

Actions:

- **Finance:** In the absence of a quorum, no vote could be taken. A “sense of the committee” poll showed 4-0 in favor of supporting the requested funding.
- **Public Works:** A motion in favor of supporting the requested funding was made and seconded (Colabella/Klinge), and passed unanimously, 8-0.

Respectfully submitted,

Rick Jaffe
Finance Committee and RTM District 1

Item 7

BOF Approved 7/7/21

BACK UP MATERIAL
RTM ITEM # 6



WESTPORT, CONNECTICUT

DEPARTMENT OF PUBLIC WORKS
TOWN HALL, 110 MYRTLE AVE.
WESTPORT, CONNECTICUT 06880
(203) 341 1120

June 18, 2021

James S. Marpe
First Selectman
Town Hall
Westport, CT 06880

Approved for submission
To Board of Finance (6/21/21)


James S. Marpe
First Selectman

Re: **Request for Appropriation along with bond and note authorization -- Purchase of one (1)
Four Wheel Drive Front End Loader**

Dear Mr. Marpe:

This office respectfully requests an appropriation of \$220,000 for replacement of our 2006 Front End Loader #57. This is a front-line piece of equipment assigned to the Solid Waste Division. It is used for loading brush and yard waste at the Bayberry facility, maintaining the demo and fill yard at Maple Lane and all-around maintenance of the town yards. The machine is also a back up to the Highway Loader and is used during storm events for loading salt during snowstorms, plowing roads during large snowstorm, clearing roads during wind events (Nor'easters, Hurricanes, severe wind events, etc.).

Currently Loader #57 is showing signs of fatigue and wear. The roll over protection system, (ROPS), that is integrated with the cab unit is showing severe rusting. Recently we had a welder come in and make temporary repairs to that safety system by cleaning up the rusted, rotted areas and welding in some steel reinforcements, but this is a temporary fix. A proper repair of the ROPS would entail removing the current cab, wiring, hydraulics, etc. and reinstalling in a new cab which will cost upwards of \$40,000 to \$50,000 dollars, and that is if we can find a new or used cab. In addition, the Hydraulic system and electrical system are as old as the machine and in the same environment. We have had dry rotted wires, connections, terminals, etc. to the electrical system and the hydraulic has had pump and hose issues. We anticipate numerous other repairs to these systems will also be needed soon. Rather than invest that kind of money in a 15-year-old machine it is recommended to replace it.

This loader is scheduled for replacement on the 5-year Capital forecast in FY 2022 at a value of \$280,000. The current State contract number 16PSX0151 price for the replacement loader is \$207,454.20 for the base model Loader. Additional accessories and outfitting the unit will cost approximately \$13,000 so our request is rounded to \$220,000

Respectfully,

A handwritten signature in black ink, appearing to read "Peter A. Ratkiewich".

Peter A. Ratkiewich, P.E.
Director of Public Works
cc: Gary Conrad, Finance Director

TOWN OF WESTPORT, CT

JUSTIFICATION FOR A EQUIPMENT/VEHICLE

DEPARTMENT INFORMATION

DEPT NAME: **Public Works - Highway** Date: **6/16/21**

EQUIPMENT OR VEHICLE NAME AND DESCRIPTION

Front End Loader #57

IS IT LISTED IN THE 5-YR CAPITAL FORECAST? YES NO

If no, why not?

APPROXIMATE COST: **\$220,000** COST IN CAPITAL FORECAST: **\$280,000**

Source of funds: **MIF - Bond**

ESTIMATED USEFUL LIFE: **15 years**

Has an RFP been issued? YES NO pricing off of State Bid

Have bids been received? YES NO Number of bids received: _____ State Bid

Was the lowest bid the winner? YES NO If not, why? _____ State Bid

How will the equipment/vehicle be used?
Existing Loader #57 is a front line piece of equipment for the Solid Waste Division. Loading brush and yard waste at the Bayberry facility, maintaining the demo and fill yard at Maple Lane and all-around maintenance of the town yards. The machine is also a back up to the Highway Loader and is used during storm events for loading salt during snowstorms, plowing roads during large snow storm, clearing roads during wind events (Nor'easters, Hurricanes, severe wind events, etc.).

Is it a replacement? YES NO

Currently Loader #57 is showing signs of fatigue and wear. The roll over protection system, (ROPS), that is integrated with the cab unit is showing severe rusting. Recently we had a welder come in and make temporary repairs to that safety system by cleaning up the rusted, rotted areas and welding in some steel reinforcements. This is a temporary fix. A proper repair of the ROPS would entail removing the current cab, wiring, hydraulics, etc. and reinstalling in a new cab which will cost upwards of \$40, 000 to \$50,000 dollars, if we could find a new or used cab . In addition the Hydraulic system and electrical system are as old as the machine and in the same environment. We have had dry rotted wires, connections, terminals, etc. to the electrical

If yes, describe condition of what is to be replaced: system and the hydraulic has had pump and hose issues.

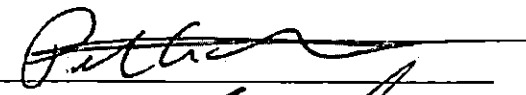
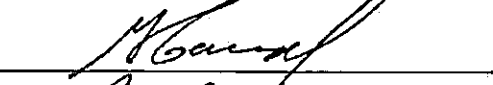
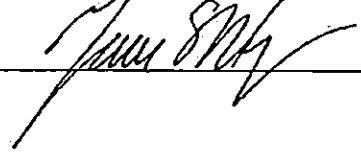
Pictures attached?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
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FINANCE

This section to be completed by the Finance Director.

EFFECT ON TOWN FINANCES, INCLUDING DEBT SERVICE:
IF APPROVED:
IF NOT APPROVED:

REVIEW/SIGN-OFF

DEPARTMENT HEAD		DATE: 6/18/21
FINANCE DIRECTOR		DATE: 6/21/2021
FIRST SELECTMAN		DATE: 6/21/21

THE W.I. CLARK COMPANY

CONSTRUCTION AND INDUSTRIAL EQUIPMENT
30 BARNES INDUSTRIAL PARK ROAD
WALLINGFORD, CT 06492
203-265-6781

June 17, 2021

Mr. Scott Sullivan
Highway Superintendent
Town of North Haven
300 Sherwood Island Connector
Westport, CT 06881

Re: State of Connecticut 4WD Loader Contract
Dear Mr. Sullivan,

The W.I. Clark Company is pleased to extend to the Town of Westport Connecticut the same governmental discount on a new John Deere 544P four wheel drive loader, and John Deere options, as offered in the State of Connecticut DOT contract number 16PSX0151 (Supplement #3). The discount is 35% off of list price for the base machine and John Deere factory installed options and/or accessories. Non-John Deere (allied) accessories, are 15% off of list price. John Deere parts ordered with this unit are 12% off of list price.

The W.I. Clark Company would accept responsibility for the administrative duties associated with this order, as well as any warranty work should that become necessary.

Please find the attached price schedule with all the options you were interested in. Upon receipt of your purchase order to the W.I. Clark Company, we will place your order with John Deere.

Your purchase order or letter of intent to purchase must reference the State of Connecticut contract number 16PSX0151.

You may expect delivery to the Westport Highway Department in approximately 180 days after receipt of order.

The unit will be delivered with the standard twelve (12) month / unlimited hour full machine warranty. Your machine will be fueled and ready to go to work. Payment in full is due within thirty (30) days after delivery of the machine. Please be advised pricing is based on current John Deere list prices and are subject to change without notice. Dealer discounts and allied equipment prices are subject to change without notice. Trade-in allowances where applicable are good for 30 days only.

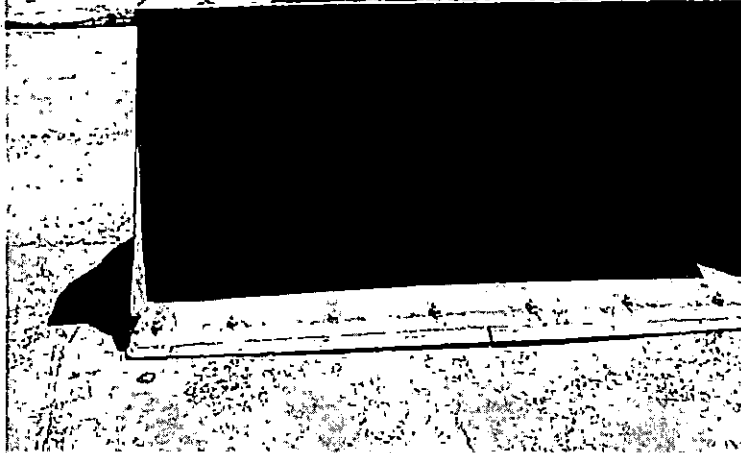
We look forward to being of service to you.

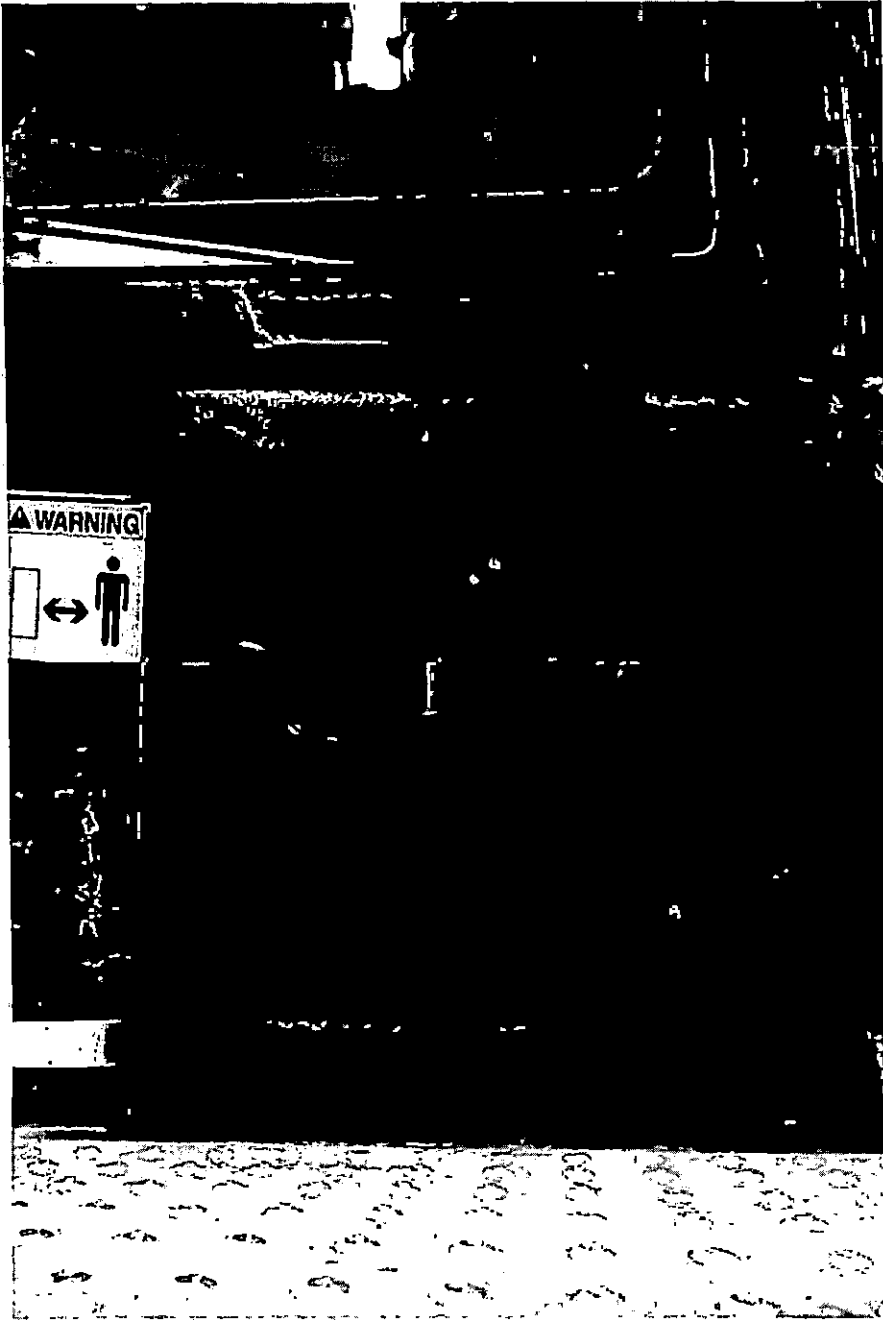
Sincerely,


Jerry DeRubbo
Governmental Sales
The W.I. Clark Company
860-212-4216
jderubbo@wiclark.com













WESTPORT, CONNECTICUT

DEPARTMENT OF PUBLIC WORKS
TOWN HALL, 110 MYRTLE AVE.
WESTPORT, CONNECTICUT 06880
(203) 341 1120

BACK UP MATERIAL
RTM ITEM # 7

Approved for submission
To Board of Finance (6/21/21)

James S. Marpe
First Selectman

June 18, 2021

James S. Marpe
First Selectman
Town Hall
Westport, CT 06880

Re: **Request for Appropriation – Downtown Streetscapes Street Furniture**

Dear Mr. Marpe:

This office respectfully requests an appropriation from the Capital Non-Recurring Fund for \$154,000.00 for purchase and installation of standard street furniture in the Downtown Area.

Part of the Downtown Master plan includes the standardization and upgrade of the Street Furniture in the Downtown Area. (Plan reference P17). The Downtown Plan Implementation Committee, (DPIC), has selected the attached group of Street Furniture to install within the public spaces of the Downtown area. The street furniture selected includes new benches, trash and recycling receptacles, bike racks, and tables in common areas. The selected Vendor, Forms+Surfaces, was chosen from several vendors that were vetted by the Streetscape subcommittee of the DPIC. The form and aesthetics of the furniture as well as the practicality and durability of the items selected were the primary criteria used.

The five year Capital forecast includes this item under the Downtown project grouping as "Implement/Install Standard Streetscapes throughout Town"; at a funding level of \$275,000. The current proposal is for approximately \$140,000, with a 10% contingency of \$14,000.00, totaling the appropriation request at \$154,000.00.

Respectfully;

Peter A. Ratkiewich, P.E.
Director of Public Works

RECEIVED

JUN 18 2021

TOWN OF WESTPORT
SELECTMAN'S OFFICE

JUSTIFICATION FOR A CAPITAL PROJECT

DEPARTMENT INFORMATION

DEPT NAME: Department of Public Works Date: 6/18/2021

PROJECT NAME AND DESCRIPTION
Install standard street furniture in the Downtown Area

IS IT LISTED IN THE 5-YR CAPITAL FORECAST? YES NO
If no, why not?
If yes, answer the following two questions:
Which FY was the project first proposed? 2013
Which FY was the project first planned? 2001

APPROXIMATE COST: \$123,000 - purchase
\$17,000 - install
CONTINGENCY (10%): \$ 14,000
COST IN CAPITAL FORECAST: \$275,000
\$154,000.00 ←TOTAL REQUEST→ \$154,000

SOURCE OF FUNDS:

CAPITAL BOND <input type="checkbox"/>	GEN'L FUND <input type="checkbox"/>
CNR <input checked="" type="checkbox"/>	GRANT <input type="checkbox"/>
STATE <input type="checkbox"/>	OTHER <input type="checkbox"/>

OTHER, DESCRIBE:
PAYBACK PERIOD: n/a

PROJECTED START DATE: November 2021 EST. COMPLETION DATE: May 2022
ESTIMATED USEFUL LIFE: 15 years

Is this project part of a larger capital project? no

Has an RFP been issued? YES NO Project will be bid in October for November build
Have bids been received? YES NO Number of bids received: see above
Was the lowest bid the winner? YES NO If not, why? see above

Who will benefit from the project? This project will enhance the appearance of the Downtown area, in accordance with the downtown plan. it will benefit all that visit the Westport downtown area

[Empty box]

Is it a replacement? YES NO some locations are replacements and some are new installations

If yes, describe condition of what is to be replaced: Benches and trash receptacles will be replaced; bike racks are new

Pictures attached? YES NO please see map/representative proposal

What other approvals/reviews are necessary to begin this project? RTM, BOS

FINANCE

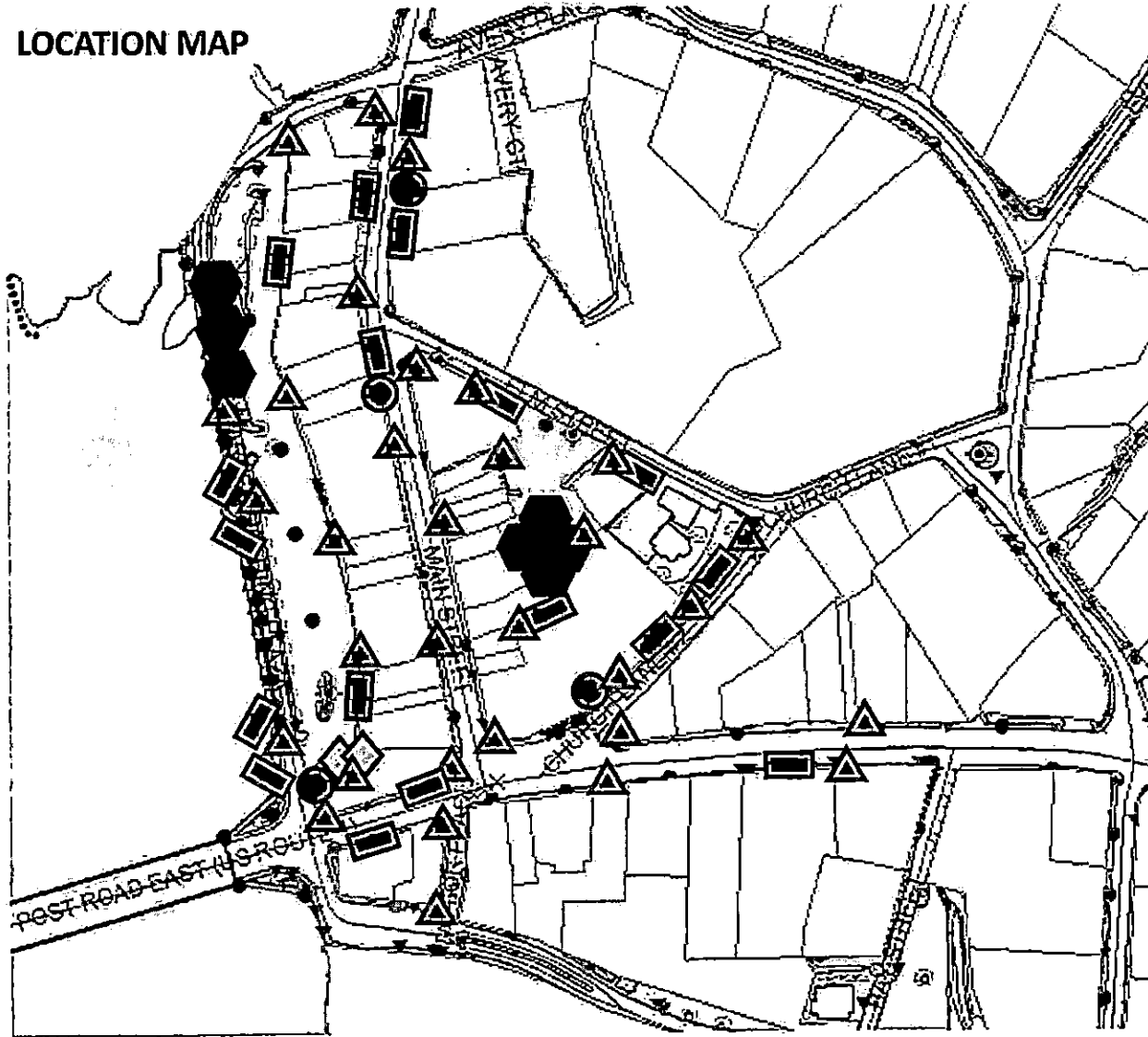
This section to be completed by the Finance Director.

EFFECT ON TOWN FINANCES, INCLUDING DEBT SERVICE:
IF APPROVED:
IF NOT APPROVED:

REVIEW/SIGN-OFF

DEPARTMENT HEAD [Signature] DATE: 6-16-21
FINANCE DIRECTOR [Signature] DATE: 6/21/2021
FIRST SELECTMAN [Signature] DATE: 6/21/2021

LOCATION MAP



LEGEND

FORMS+SURFACES*

-  Receptacles
-  Benches
-  Bike Racks (4 per location)
-  Fixed Table and (6) Chairs
-  Café Table and (4) Chairs

QUANTITIES

- (18) Benches
- (32) Receptacles
- (16) Bike Racks
- (7) Fixed Tables with (6) Chairs per Table
- (2) Café Tables with (4) Chairs per Table

Benches: Page 2

Receptacle: Page 3

Bike Racks: Page 4

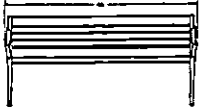
Fixed Table & Chair: Page 5

Café Table & Chair: Page 6

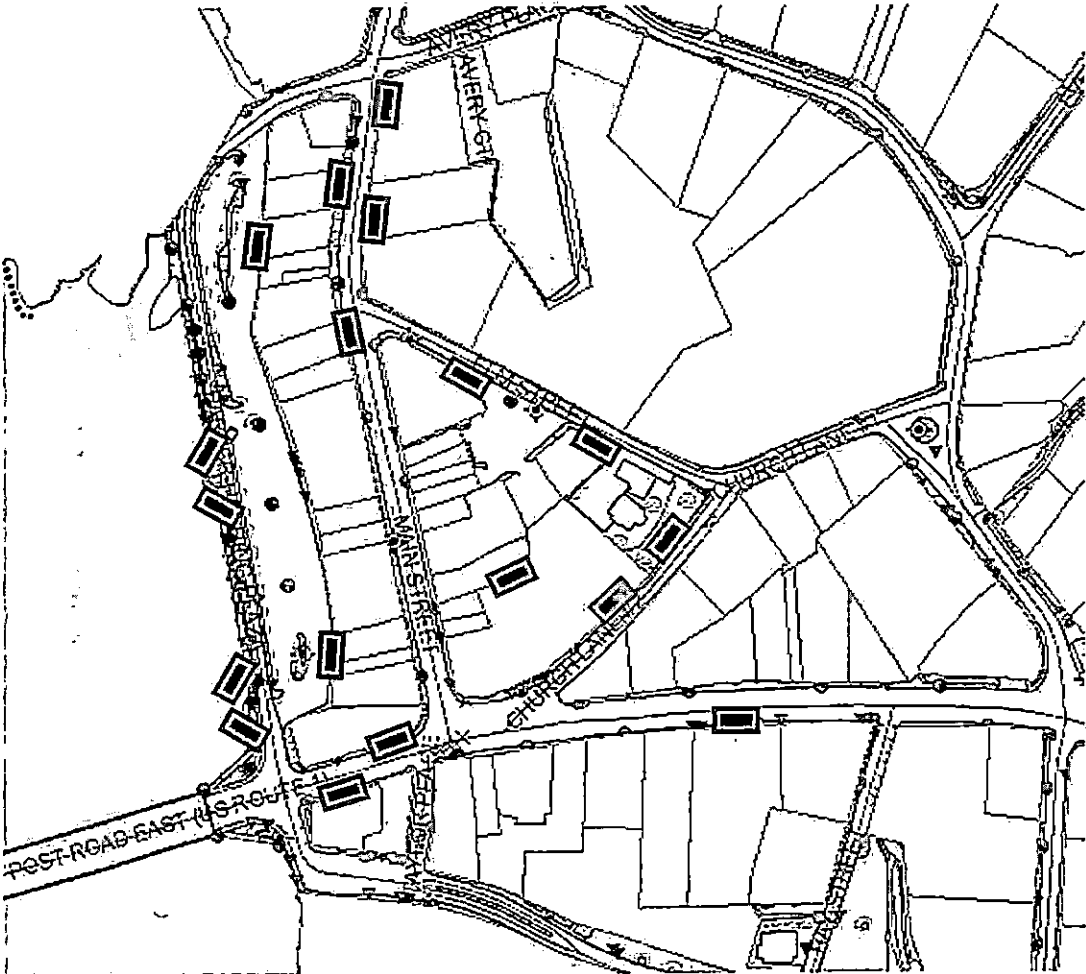
Powder Coat Colors: Page 7

BENCHES

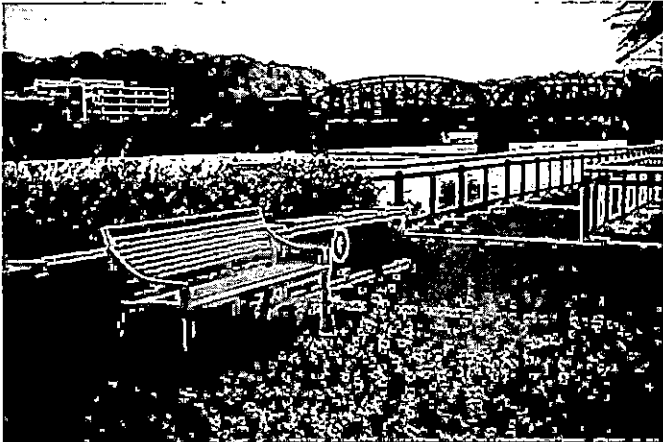
Cordia



QTY: 18

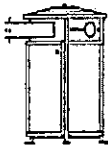


6' Backed Bench
Cast Aluminum Frame and Slats

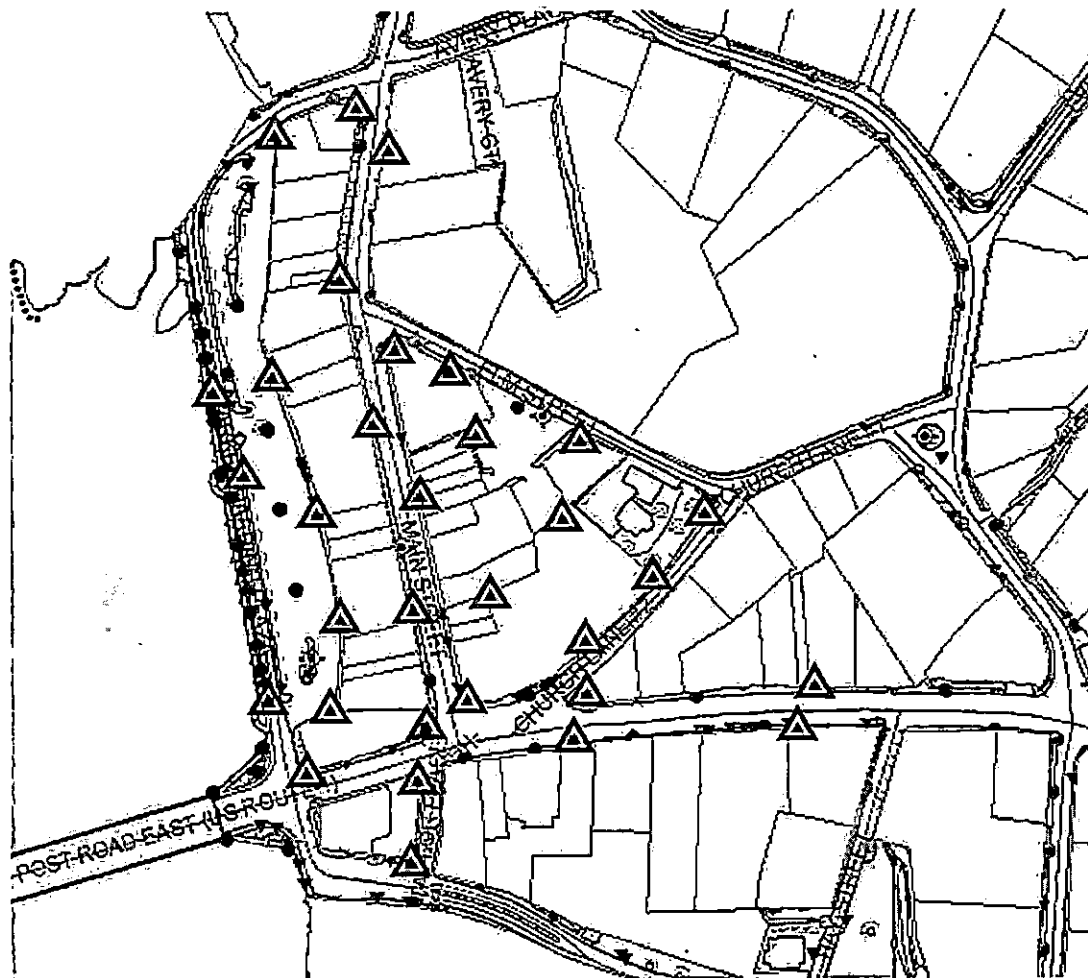


RECEPTACLES

Urban Renaissance



QTY: 32



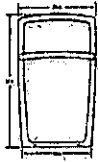
FORMS+SURFACES®

45-gallon split-stream for Litter and Recycling
Stainless Steel Frame and Body

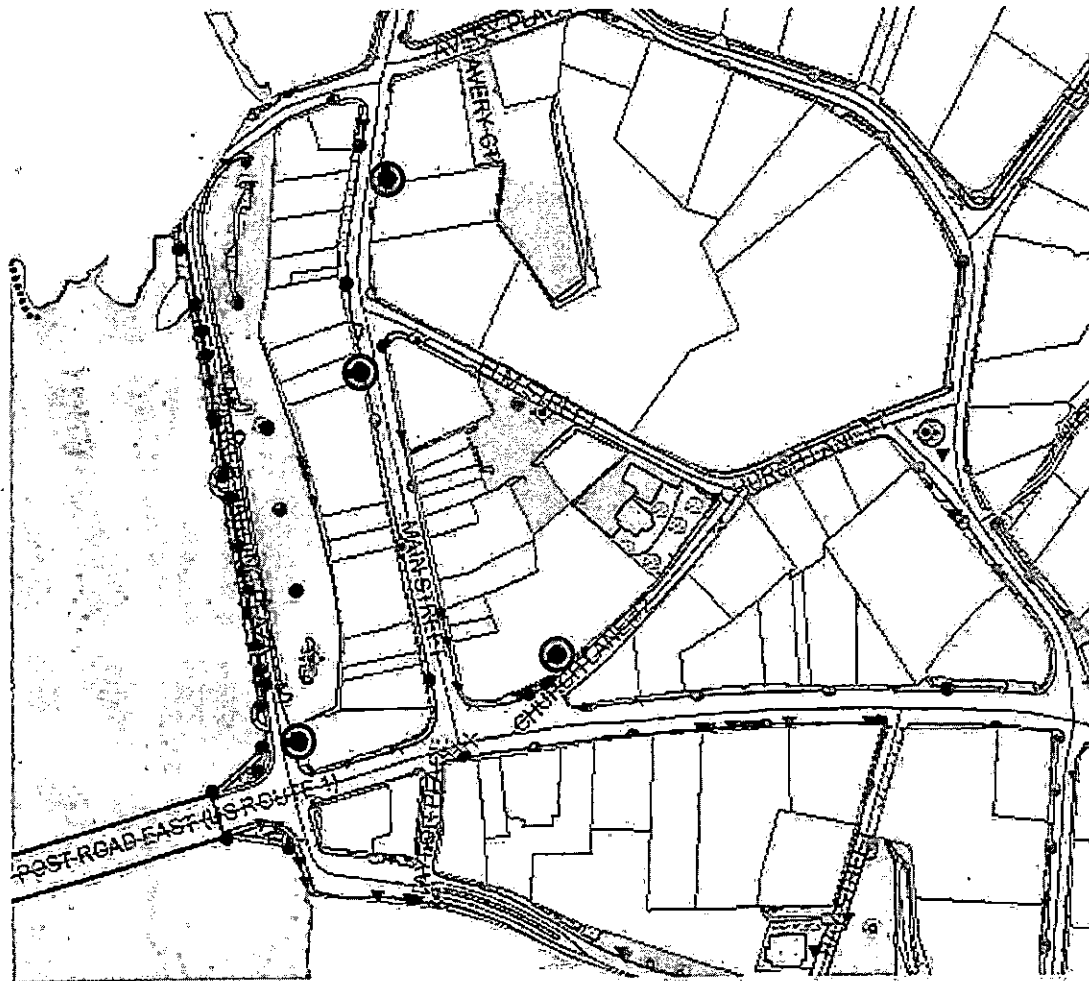


BIKE RACKS

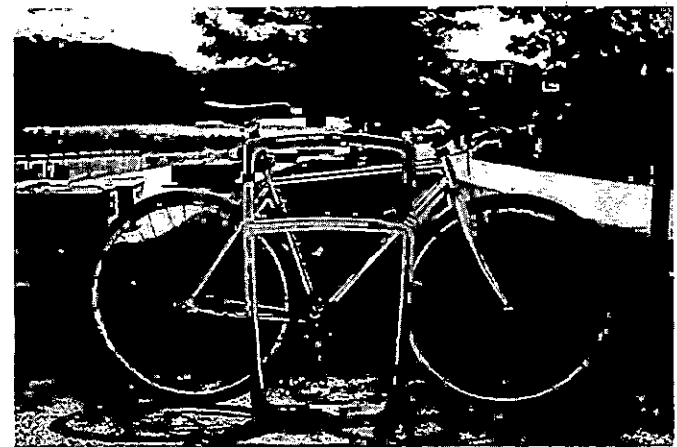
Cordia



QTY: 16 (at 4 locations)



Cast Aluminum Frame



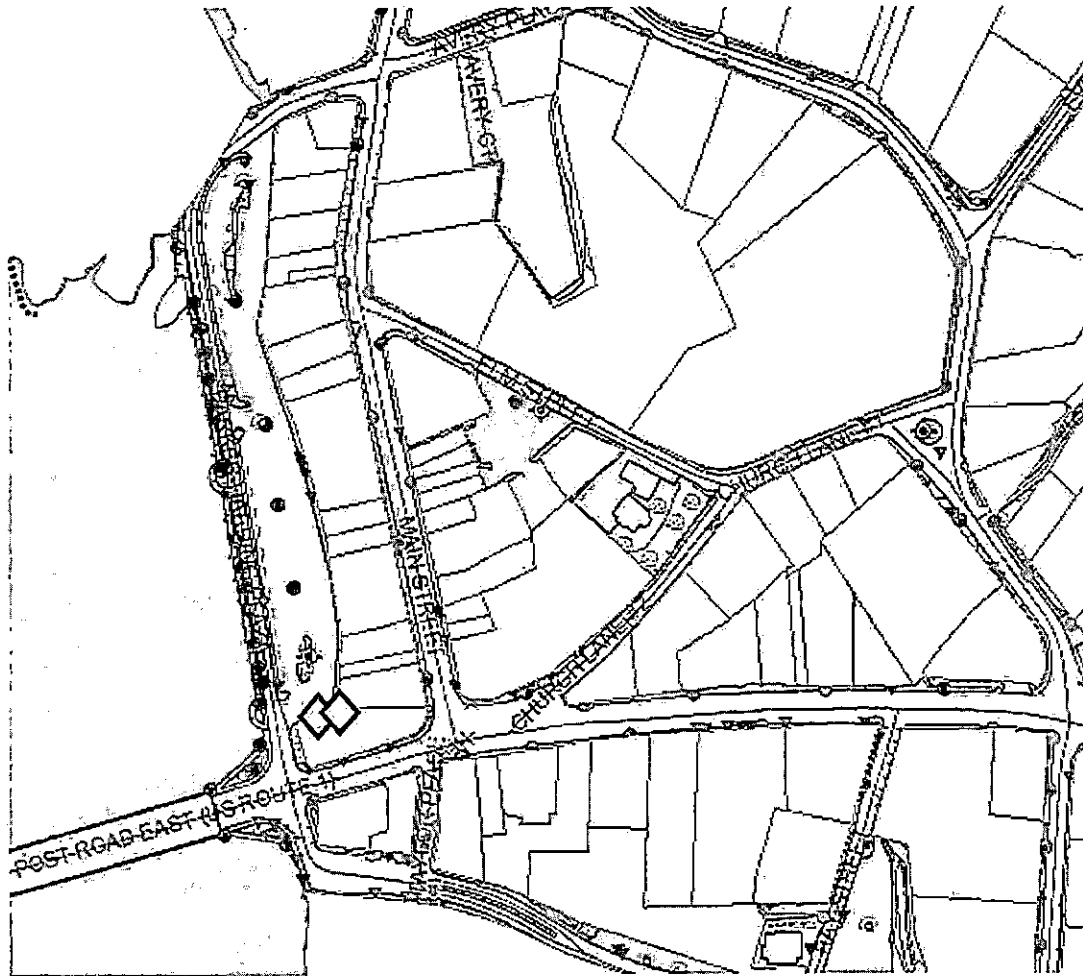
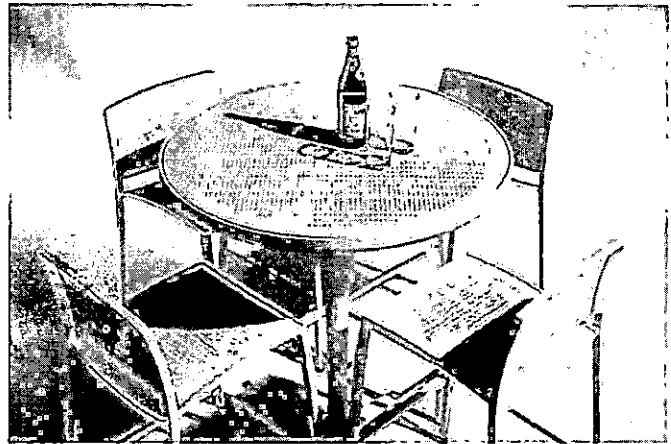
CAFÉ TABLE & CHAIRS

Avivo



QTY: (2) Tables with (4) Chairs ea.

36" dia. Aluminum Table Top
Perforated Aluminum Seats and Seat-Backs



FIXED TABLE & CHAIR

Tangent Ensemble



QTY: 7



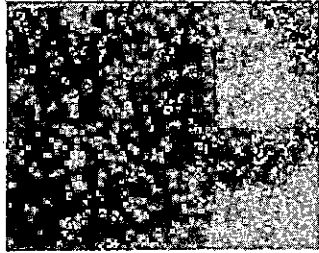
FORMS+SURFACES®

6-Seat Configuration with Backless Aluminum Seat
Stainless Steel Table Top

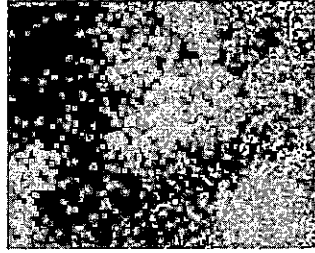


POWDER COAT COLOR OPTIONS

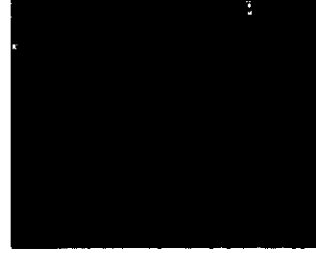
STANDARD TEXTURES



ALUMINUM TEXTURE



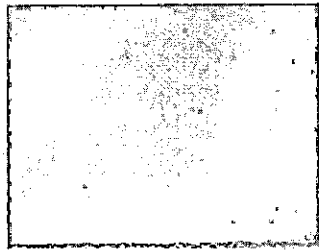
ARGENT TEXTURE



BLACK TEXTURE



BLUE TEXTURE



CREAM TEXTURE



DARK ESSENCE METALLIC TEXTURE



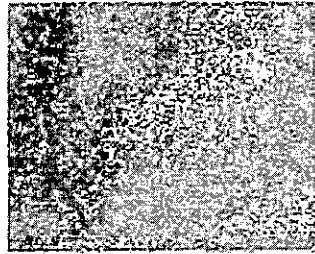
DARK GREY METALLIC TEXTURE



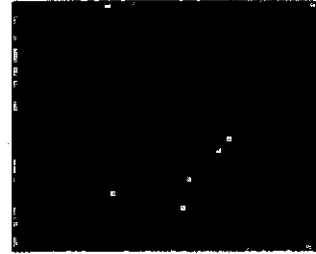
EVERGREEN TEXTURE



INK BLUE TEXTURE



SILVER TEXTURE



SLATE TEXTURE

WHITE TEXTURE

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QUOTATION

232923-00

Quotation No: 232923-00
 Project: DOWNTOWN WESTPORT
 Specifier: THE VISUAL BRAND
 Territory Manager: DUSTIN DEBERNARDI

To:
 ALL BIDDERS

Quote Date	05/25/2021
Quotation Valid Thru	10/31/2021
Terms	50%DEP,BAL NET30 OAC

Attention	ESTIMATING DEPARTMENT
Contact Phone	
Contact Fax	

****SALES TAX NOT INCLUDED. SALES TAX WILL BE ADDED TO ORDER IF APPLICABLE****

Item	Part / Rev / Description / Details	Quantity	Unit Price	Extended Price
001	972361 Rev: 000 U/M: EA SLURB-45SSE,NSEC ASSEMBLY: URBAN RENAISSANCE RECEPTACLE SPLIT STREAM FOR LITTER & RECYCLING CAPACITY: 45 GALLON LITTER & RECYCLING OPENINGS: SIDE (2) CIRCULAR OPENINGS FOR BOTTLES & CANS (1) RECTANGULAR OPENING FOR LITTER SKIN PATTERN: GRILL WORK **TBD** LATCH TYPE: STANDARD LIFT LATCH BAG SLOTS: YES DRAIN HOLE IN LINER: **PLEASE CONFIRM** POWDERCOAT COLOR: ** TBD ** MOUNTING: SURFACE MOUNT F+S STANDARD MOUNTING HARDWARE INCLUDED NOTE: Complete standard surface mounting hardware is included in product pricing. Please review installation instructions for surface mounting details and to ensure compatibility with your application. ** FREIGHT CHARGES ARE INCLUDED IN THE COST **	32.0000	2,064.00	66,048.00
002	906-00045 Rev: 000 U/M: EA SBCOR-72BA,BK,PC,SFM PRODUCT: CORDIA BENCH CONFIGURATION: BACKED NOMINAL DIMENSIONS: 72.6"L X 23.8"D X 34.1"H SLAT MATERIAL: EXTRUDED ALUMINUM SLAT POWDERCOAT COLOR: F+S STANDARD TEXTURE **TBD** FRAME MATERIAL: CAST ALUMINUM FRAME POWDERCOAT COLOR: F+S STANDARD TEXTURE **TBD** ARMRESTS: TWO INTEGRAL ARMRESTS (EXTERNAL) SEAT DIVIDERS: NONE MOUNTING: SURFACE MOUNT NOTE:	19.0000	2,510.00	47,690.00

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QUOTATION				# 232923-00		
<p>Complete standard surface mounting hardware is included in product pricing. Please review installation instructions for surface mounting details and to ensure compatibility with your application.</p> <p>Due to the inherent nature of metal castings, gloss powdercoat colors are not offered.</p> <p>** FREIGHT CHARGES ARE INCLUDED IN THE COST **</p>						
003	911-00031	Rev: 000	U/M: EA	16.0000	575.00	9,200.00
<p>SKCOR,AL,PC,SFM</p> <p>PRODUCT: GORDIA BIKE RACK BODY MATERIAL: CAST ALUMINUM COVER PLATE MATERIAL: STAINLESS STEEL BODY & COVER PLATE POWDERCOAT FINISH: F+S STANDARD TEXTURE **TBD**</p> <p>DIMENSIONS: 20" L X 3.5" D X 34.5" H (508MM X 89MM X 876MM) MOUNTING: SURFACE MOUNTED WITH EMBEDDED ANCHORS</p> <p>NOTE: Complete standard surface mounting hardware is included in product pricing. Please review installation instructions for surface mounting details and to ensure compatibility with your application.</p> <p>Due to the inherent nature of metal castings, gloss powdercoat colors are not offered.</p> <p>** FREIGHT CHARGES ARE INCLUDED IN THE COST **</p>						

Total Items Price US\$ 122,938.00

Grand Total US\$ 122,938.00

DESIRED SHIP DATE: For scheduling purposes, it is critical to establish an accurate Desired Ship Date at time of order placement. If the necessary deposit and approvals are not provided in-time to meet the customer-confirmed Desired Ship Date, pricing is subject to change at the discretion of F+S.

If a Desired Ship Date is not provided by the purchasing party at time of order placement, pricing for orders not approved and released to manufacturing within four months of order placement is subject to change at the discretion of F+S.

Your F+S order administrator will provide a general timeline of approval milestones necessary to release your order to manufacturing and for the manufacturing lead time to begin.

LEADTIME: Shipment from our facility will be apx 8 weeks from receipt of 50% deposit, signed F+S Order Acknowledgment and signed F+S Approval Drawings, as applicable. All ship date references are estimated and are not guaranteed.

F+S lead times apply to standard F+S products and offerings. Orders involving non-F+S, third-party finish materials may be subject to longer lead times. F+S does not assume liability for delays in order completion caused by third-party finish material suppliers.

PRICING AND CONFORMITY: Values are based on the specific scope of supply and timing quoted. Should scope or timing requirements change, values may be subject to change.

Pricing reflects our understanding of the requirements based on the information provided to us from the quoted or ordering party. The quoted or ordering party is responsible for confirming quantities, sizes, finishes and conformity with any relevant plans and specifications. These considerations are independent of any prior F+S specification efforts, drawings or engineering details that may have previously been issued by F+S or otherwise obtained by the quoted or ordering party or any involved third-party.

Payment terms are per most recent Quotation or F+S Order Acknowledgment and are not contingent upon any Condition Precedent stipulations by the

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QUOTATION

232923-00

buyer. F+S rejects any Condition Precedent or Retainage clauses from buying parties.

Any fees associated with customer-stipulated construction management software or billing services will be charged back to customer on invoice.

Pricing assumes fabrication in accordance with F+S standard or recommended manufacturing methods.

DELIVERY: Receiving parties are responsible for off-loading all materials from the carrier which may require a forklift, pallet jack or other specialized equipment, tools and appropriate manpower. Receiving parties are responsible to document via digital images, notate on delivery receipt prior to signing, and immediately notify an F+S representative of any visible damage to the exterior of crating or packaging. Actual inspection of goods must be completed and any damage claims filed within five business days of delivery. Unpacking, assembly or installation are the responsibility of the buying party or their assigns. All deliveries are curbside if no loading dock is available or accessible at delivery site.

BY SIGNING A SALES ORDER ACKNOWLEDGEMENT, YOU ARE AGREEING TO THE EXPANDED FORMS+SURFACES, INC TERMS & CONDITIONS OF SALE THAT CAN BE VIEWED AT: WWW.FORMS-SURFACES.COM/TERMS

For questions regarding lead times, deposits, approvals, etc. please contact your F+S Project Sales Coordinator.

PROJECT SALES COORDINATOR: Emily Anderson
EMAIL: Emily.Anderson@Forms-Surfaces.com
PHONE: (724) 448-8481 (Mobile)

TERRITORY MANAGER: Dustin DeBernardi PHONE: 860.944.1640 (Mobile)

PAYMENT INSTRUCTIONS:

USA (from foreign entities outside of USA or Canada remitting in USD)
Account Name/Beneficiary: Forms+Surfaces, Inc
Bank Name: Wells Fargo N. A.
Bank Address: 420 Montgomery Street
San Francisco, CA 94104
ABA Number: 121000248
Account Number: 4122155138
Swift Code: WFBUS6S.

For Letter of Credit Transactions
Contact Your F+S Order Administrator

**ALL WIRE TRANSFER FEES ACCRUE TO REMITTER'S ACCOUNT.
DOCUMENT LEGALIZATION REQUIREMENTS ARE RECOMMENDED TO BE PERFORMED IN DESTINATION COUNTRY BY BUYER'S AGENTS.
THIS IS A REQUIREMENT IF PAYMENT IS VIA LETTER OF CREDIT. ANY
DEDUCTION AGAINST LETTER OF CREDIT FUNDS TO BENEFICIARY'S ACCOUNT FOR DOCUMENT LEGALIZATION WILL BE OFFSET BY
EQUIVALENT ESTIMATED AMOUNT BILLED ON ORDER INVOICE AND INCLUDED
IN LC TOTAL.**

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September 9, 2021

BACK UP MATERIAL
RTM ITEM # 8

The RTM Public Protection Committee met on Wednesday September 8, 2021 at 7:30 pm via Zoom to discuss and vote on a proposed town ordinance to create a Civilian Police Review Board (CPRB) for the town of Westport.

Objective: to investigate complaints concerning members of the Westport Police Department (WPD), to participate in hiring decisions for officers of the law of the WPD, and to make recommendations for service awards for our officers of the law who are nominated by civilians for contributions to our Westport community.

Background: Two years ago town resident Jason Stiber as lead petitioner proposed the CPRB Ordinance. In that time frame we have had 4 RTM Public Protection Committee meetings and 5 RTM Ordinance Committee meetings to discuss, reshape, and try to come up with an Ordinance that would be acceptable to be discussed in even greater detail, at the full RTM level.

The PPC debated for over two hours. A lot of good points were brought up by both our Police Chief Foti Koskinas and members of the PPC. The main issue that members of the PPC have concerns investigation power (this will be explained in detail at RTM meeting) and subpoena power of CPRB.

As Proxies for the petitioner, Steven Shackelford and Kristan Hamlin both had very strong opinions that subpoena power belonged in CPRB, while other members of the committee had a different take on the need for such.

The vote went as follows - Izzo - NO Mall -NO Braunstein - NO Banks- NO
Colabella - NO Hamlin - YES Hammond -YES
Lowenstein - Abstain Jaffee - Abstain

The majority of this PPC is recommending the full RTM reject the CPRB Ordinance as proposed.

In Attendance - PPC- Jimmy Izzo, Louis Mall, Kristan Hamlin, Noah Hammond. Rick Jaffee, Candace Banks, Seth Braunstien, Dick Lowenstein. Andrew Colabella. Police Chief Fotis Koskinas, Deputy Police Chief Samuel Arciola, Captain Ryan Paulson, Captain, David Farrell, Cpl. Kevin Smith, David Perez, RTM members Jack Klinge, Steven Shackelford, Wendy Batteau, Harris Faulk, Brandi Briggs, Lauren Karpf, Kristen Schneeman, Town Attorney Eileen Flug, Attorney Floyd Dugas, BOF Vice Chair Andrea Moore, Tom Prince, Gretchen Webster. (If I forgot anyone, my humble apologies)

Respectfully Submitted,

Jimmy Izzo - Chair RTM Public Protection Committee

Sec X-XXX. - Civilian Police Review Board.

(a) Establishment.

There is hereby established a civilian police review board ("Review Board") to investigate complaints concerning members of the Westport Police Department ("WPD"), to participate in hiring decisions for officers of the WPD, and to receive and make recommendations for service awards for officers of the WPD who are nominated by civilians for their outstanding contributions to the community. It is in the interest of Westport residents and the WPD that investigations of complaints concerning police officers and hiring decisions be thorough, transparent and impartial.

(b) Composition.

(1) The Review Board shall be comprised of five voting members appointed by the Representative Town Meeting (RTM) by a majority vote of a quorum of the RTM. The RTM shall also appoint two alternates. Except as provided in subsection (b)(5) below, each member shall serve for a term of four-years or until his successor is appointed and sworn in.

(2) The appropriate RTM committee, as appointed by the Moderator, will interview candidates for the Review Board; the recommended nominees will be considered and voted on by a quorum of the entire RTM. Relevant considerations for Review Board candidates include, amongst other considerations, those with legal and evidentiary skills, investigative skills, and diverse backgrounds. Subject to the approval by vote of a quorum of the entire RTM, TEAM Westport shall either nominate one of its members to be one of the five members of the Review Board, or shall nominate a Westport resident from outside TEAM Westport. If the RTM does not approve TEAM Westport's nominee, TEAM Westport shall submit subsequent nominees, until one TEAM Westport nominee is approved.

(3) Review Board members shall be electors of the Town who are at least 21 years of age and who have no felony convictions. Review Board members shall not be current employees of the WPD or the Town of Westport, elected officials of the Town of Westport or an immediate family member of a current WPD employee.

(4) Party Affiliation of Members. In accordance with CGS § 9-167a and Chapter 2 of the Town Charter, no more than a bare majority of members of the Review Board shall be members of the same political party.

(5) Staggered Terms. Board members will serve staggered terms. For the term beginning in November 2021, three members shall each be appointed for four-year terms and two members shall be appointed for two-year terms. The RTM will make the initial appointments before March 15, 2022. Beginning in 2023, appointments, except those filling the vacancy in accordance with subsection (c), shall be for four-year terms.

(6) Review Board members shall be sworn to the faithful performance of their duties and shall serve without compensation and will not be reimbursed for personal expenses such as travel or paper/ink for home printing. Any actual expenses and disbursements such as expenses for stenographer, transcripts and subpoena service costs incurred in the performance of the Review Board's duties shall be paid from the Westport Town treasury.

(c) Resignation.

Any member of the Review Board who misses three consecutive regularly scheduled Review Board meetings or four regularly scheduled Review Board meetings in a twelve consecutive month period shall be considered to have resigned. Any vacancy on the Review Board occasioned by resignation, death, inability to serve, or otherwise shall be filled for the unexpired term in accordance with Section C38-3 of the Town Charter.

(d) Powers, Jurisdiction and Duties Regarding Complaints.

(1) With the assistance of the WPD as indicated in subsection (e), the Review Board shall review, investigate and have jurisdiction over all citizen complaints against WPD officers. The Review Board, as a Board within the Town government, shall have the authority and responsibility to review and investigate civilian allegations of police misconduct, and to review input from WPD's Professional Standards Division to ensure that reports and conclusions are complete, accurate and factually supported, to hold hearings and make credibility determinations, and to make recommendations to the Chief of Police or Acting Chief of Police ("Chief") in connection therewith.

(2) The Review Board and WPD shall inform all complainants that complaints should be filed contemporaneously with both the WPD and the Review Board. Upon receipt of a complaint, the WPD and Review Board shall promptly share such complaints with each other in order to ensure both have been contemporaneously notified of a new complaint. The WPD shall post a sign in the lobby of WPD headquarters and on the WPD website informing complainants of the dual-filing requirement. The WPD and Review Board complaint forms must have the same dual-filing instructions clearly printed at the top of the complaint forms, along with notification that the Review Board will investigate and respond to the complaint. Complaints are to be filed with the WPD in accordance with CT Gen Stat § 7-294bb.

(3) The Review Board shall have the power to issue subpoenas to compel witness attendance before the Review Board and to require the production of records it deems relevant to any matter under investigation or in question.

(i) The person to whom such subpoena is issued may, not later than fifteen days after service of such subpoena, or on or before the time specified in the subpoena for compliance if such time is less than fifteen days after service, serve upon the board written objection to the subpoena and file such objection in the Superior Court which shall adjudicate such objection in accordance with the rules of the court.

(ii) If the person to whom such subpoena is issued fails to appear or if having appeared refuses to testify or produce the evidence required by such subpoena, the Superior Court, upon application of such board, shall have jurisdiction to order such person to appear or to give testimony or produce such evidence, as the case may be.

(4) The Review Board may take measures, as permitted under the law, to promote independent testimony and to deter witness intimidation. Except as provided under the Law Enforcement Officers Safety Act (LEOSA), 18 USC §§ 926B and 926C, and other applicable law, no firearms will be permitted at a Review Board hearing.

(5) The Review Board may refer to the Connecticut Rules of Evidence for guidance during all hearings, proceedings, and in determining the scope of subpoenas. The Review Board may refer to the Connecticut Rules of Civil Procedure for guidance in proceedings to the extent the Board members consider it useful or necessary.

and finding, as described further herein.

(2) The meetings of the Review Board shall be open to the public, except that the Review Board may hold executive sessions in accordance with state law. Meetings of the Review Board shall be held at Town Hall or at such other place, or electronically, as determined by the Chair of the Review Board and permitted by state law. The Review Board can adopt rules and regulations for its operation, so long as they are not inconsistent with this legislation.

(3) In the course of its proceedings with respect to citizen complaints, the Review Board may take testimony from witnesses concerning the alleged conduct which is the subject of the complaint. All testimony by witnesses before the Review Board shall be sworn under oath, and recorded or transcribed. The Review Board may require a WPD officer to participate in a meeting where the Review Board is evaluating a complaint against that officer, provided that no such WPD officer shall be compelled to testify in the event his or her Fifth Amendment right is implicated.

(4) Following the review of a citizen complaint, the Review Board will determine whether or not the citizen complaint is upheld and make its recommendation for or against disciplinary action. The Review Board will promptly report its findings and determinations to the Chief. A copy of the complaint and the Review Board's findings and determinations shall be maintained by the Review Board. Final decisions upheld by the Chief shall be maintained in the WPD officer's personnel file.

(5) (i) The Review Board will use its best efforts to complete its review of every civilian complaint within sixty (60) days of receipt thereof. In the event that circumstances prevent the completion of a review of a civilian complaint within sixty (60) days, the Review Board will submit written cause for the delay and reason(s) for the same to the office of the First Selectman.

(ii) The Chief shall consider the findings and recommendations of the Review Board and decide whether to accept or reject the recommendation within two weeks of the Chief's receipt of the Review Board's decision. In the event that the Chief seeks an extension, the Board may grant it if good cause is shown. Within two weeks of receipt of the Review Board's decision, or upon the end of any extension granted by the Review Board if later, the Chief shall notify the Review Board in writing of his or her decision and the reasons for said decision related to each specific civilian complaint.

(iii) The Chief must impose the discipline, if any, as soon as possible, after notifying the Review Board of his or her decision, unless the Chief determines that public safety requires discipline to be imposed earlier.

(6) Nothing herein shall prevent the Chief from immediately placing an employee on administrative leave, should circumstances so warrant.

(h) Continuous Improvement of Complaint Process. The Review Board may also make recommendations to the Chief and First Selectman for revision of specific police department policies and procedures related to the civilian complaint process.

(i) Accountability.

(1) The Review Board shall prepare an annual report to the First Selectman indicating: the total number of complaints filed, the number of each type of complaint filed, the names of police officer(s) about whom complaints were filed, the name and number of complaints filed against each police officer against whom multiple complaints were filed, and the disposition of the complaints.

(e) WPD Support for the Review Board

- (1) The WPD shall provide members of the Review Board with copies of the policies, procedures and directives of the WPD relevant to the WPD's duties.
- (2) The Review Board and WPD's Professional Standards Division shall have access to the same files and reports to the extent legally permissible.
- (3) When requested by the Review Board, the Chief shall assign the Captain of Professional Standards to advise the Review Board as to police policies and procedures and to attend any meetings at which the Review Board requires his or her presence, and to assist with Board investigations of complaints pursuant to (e)(5), below.
- (4) All aspects of the investigation of the complaint shall be delegated to the WPD to perform with the following exceptions: as provided in (g)(3) below, the Review Board will conduct the interviews and take the sworn testimony of the complainant and his or her identified and designated witnesses, and the accused police officer and the identified and designated police or respondent witnesses. The oath for such sworn testimony shall be administered by either a Connecticut admitted attorney who is a member in good standing of the Connecticut Bar, an officer of the Superior Court, a justice of the peace, a notary public, the town clerk, assistant town clerk, or anyone else qualified to administer such oaths under CGS1-24.
- (5) If, prior to the Board's determination and final recommendation, the complainant objects to any portion of the investigation that was performed by the police, the Board will review the portion of the police investigation complained of, and determine whether it was done appropriately, and will have the power to conduct that portion of the investigation directly, when the Review Board deems it necessary to do so. As necessary in accordance with this provision, the WPD shall assist the Review Board with the Review Board's investigations when reasonably requested to do so by the Review Board.

(f) Evaluation of Prospective Police Hires.

The Review Board shall be included in the evaluation process for prospective police officer hires and will make recommendations to the First Selectman and Chief in connection therewith. Solely for purposes of hiring decisions, the Chief shall serve as an *ex officio* non-voting member of the Review Board.

(g) Operations.

The Review Board shall elect one (1) of its members to be Chair and one (1) of its members to be Secretary on an annual basis. It shall hold regular monthly meetings whenever there are open complaint investigations or hiring decisions to be made and shall keep written records of all meetings. Such monthly meetings can be cancelled with advance notification if there is no business to be conducted. When sufficient cause exists, the Review Board may convene special meetings, in accordance with its policies and procedures, with advance published notice as required by FOIA. A majority of the members of the Review Board shall constitute a quorum.

- (1) The Review Board shall designate a spokesperson for, and as liaison between, the Review Board and the First Selectman with respect to each decision, recommendation

(2) The Chief shall prepare an annual report to the Review Board and the FirstSelectman indicating any disciplinary actions taken and training offered to police officer(s) against whom civilian complaints were received.

(j) Police and Citizen Awards.

Westport citizens may also submit to the Review Board any recommended commendations of WPD officers whose conduct goes above and beyond the call of duty. Each year, the Review Board shall determine whether to recognize WPD officers for commendable service, to be announced at an annual awards ceremony.

(k) Effective date.

This ordinance shall be effective November____, 2021.

Sec X-XXX. - Civilian Police Review Board.

(a) Establishment.

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(2) The appropriate RTM committee, as appointed by the Moderator, will interview candidates for the Review Board; the recommended nominees will be considered and voted on by a quorum of the entire RTM. Relevant considerations for Review Board candidates include, amongst other considerations, those with legal and evidentiary skills, investigative skills, and diverse backgrounds. Subject to the approval by vote of a quorum of the entire RTM, TEAM Westport shall either nominate one of its members to be one of the five members of the Review Board, or shall nominate a Westport resident from outside TEAM Westport. If the RTM does not approve TEAM Westport's nominee, TEAM Westport shall submit subsequent nominees, until one TEAM Westport nominee is approved.

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(3) Review Board members shall be electors of the Town who are at least 21 years of age and who have no felony convictions. Review Board members shall not be current employees of the WPD or the Town of Westport, elected officials of the Town of Westport or an immediate family member of a current WPD employee.

(4) Party Affiliation of Members. In accordance with CGS § 9-167a and Chapter 2 of the Town Charter, no more than a bare majority of members of the Review Board shall be members of the same political party.

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(6) Review Board members shall be sworn to the faithful performance of their duties and shall serve without compensation and will not be reimbursed for personal expenses such as travel or paper/ink for home printing. Any actual expenses and disbursements such as expenses for stenographer, transcripts and subpoena service costs incurred in the performance of the Review Board's duties shall be paid from the Westport Town treasury.

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(c) Resignation.

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(3) The Review Board shall have the power to issue subpoenas to compel witness attendance before the Review Board and to require the production of records it deems relevant to any matter under investigation or in question.

- (i) The person to whom such subpoena is issued may, not later than fifteen days after service of such subpoena, or on or before the time specified in the subpoena for compliance if such time is less than fifteen days after service, serve upon the board written objection to the subpoena and file such objection in the Superior Court which shall adjudicate such objection in accordance with the rules of the court.
- (ii) If the person to whom such subpoena is issued fails to appear or if having appeared refuses to testify or produce the evidence required by such subpoena, the Superior Court, upon application of such board, shall have jurisdiction to order such person to appear or to give testimony or produce such evidence, as the case may be.

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(e) WPD Support for the Review Board

- (1) The WPD shall provide members of the Review Board with copies of the policies, procedures and directives of the WPD relevant to the WPD's duties.
- (2) The Review Board and WPD's Professional Standards Division shall have access to the same files and reports to the extent legally permissible.
- (3) When requested by the Review Board, the Chief shall assign the Captain of Professional Standards to advise the Review Board as to police policies and procedures and to attend any meetings at which the Review Board requires his or her presence, and to assist with Board investigations of complaints pursuant to (e)(5), below.
- (4) All aspects of the investigation of the complaint shall be delegated to the WPD to perform with the following exceptions: as provided in (g)(3) below, the Review Board will conduct the interviews and take the sworn testimony of the complainant and his or her identified and designated witnesses, and the accused police officer and the identified and designated police or respondent witnesses. The oath for such sworn testimony shall be administered by either a Connecticut admitted attorney who is a member in good standing of the Connecticut Bar, an officer of the Superior Court, a justice of the peace, a notary public, the town clerk, assistant town clerk, or anyone else qualified to administer such oaths under CGS1-24.
- (5) If, prior to the Board's determination and final recommendation, the complainant objects to any portion of the investigation that was performed by the police, the Board will review the portion of the police investigation complained of, and determine whether it was done appropriately, and will have the power to conduct that portion of the investigation directly, when the Review Board deems it necessary to do so. As necessary in accordance with this provision, the WPD shall assist the Review Board with the Review Board's investigations when reasonably requested to do so by the Review Board.

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(f) Evaluation of Prospective Police Hires.

The Review Board shall be included in the evaluation process for prospective police officer hires and will make recommendations to the First Selectman and Chief in connection therewith. Solely for purposes of hiring decisions, the Chief shall serve as an *ex officio* non-voting member of the Review Board.

(g) Operations.

The Review Board shall elect one (1) of its members to be Chair and one (1) of its members to be Secretary on an annual basis. It shall hold regular monthly meetings whenever there are open complaint investigations or hiring decisions to be made and shall keep written records of all meetings. Such monthly meetings can be cancelled with advance notification if there is no business to be conducted. When sufficient cause exists, the Review Board may convene special meetings, in accordance with its policies and procedures, with advance published notice as required by FOIA. A majority of the members of the Review Board shall constitute a quorum.

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- (1) The Review Board shall designate a spokesperson for, and as liaison between, the Review Board and the First Selectman with respect to each decision, recommendation

and finding, as described further herein.

(2) The meetings of the Review Board shall be open to the public, except that the Review Board may hold executive sessions in accordance with state law. Meetings of the Review Board shall be held at Town Hall or at such other place, or electronically, as determined by the Chair of the Review Board and permitted by state law. The Review Board can adopt rules and regulations for its operation, so long as they are not inconsistent with this legislation.

(3) In the course of its proceedings with respect to citizen complaints, the Review Board may take testimony from witnesses concerning the alleged conduct which is the subject of the complaint. All testimony by witnesses before the Review Board shall be sworn under oath, and recorded or transcribed. The Review Board may require a WPD officer to participate in a meeting where the Review Board is evaluating a complaint against that officer, provided that no such WPD officer shall be compelled to testify in the event his or her Fifth Amendment right is implicated.

(4) Following the review of a citizen complaint, the Review Board will determine whether or not the citizen complaint is upheld and make its recommendation for or against disciplinary action. The Review Board will promptly report its findings and determinations to the Chief. A copy of the complaint and the Review Board's findings and determinations shall be maintained by the Review Board. Final decisions upheld by the Chief shall be maintained in the WPD officer's personnel file.

(5) (i) The Review Board will use its best efforts to complete its review of every civilian complaint within sixty (60) days of receipt thereof. In the event that circumstances prevent the completion of a review of a civilian complaint within sixty (60) days, the Review Board will submit written cause for the delay and reason(s) for the same to the office of the First Selectman.

(ii) The Chief shall consider the findings and recommendations of the Review Board and decide whether to accept or reject the recommendation within two weeks of the Chief's receipt of the Review Board's decision. In the event that the Chief seeks an extension, the Board may grant it if good cause is shown. Within two weeks of receipt of the Review Board's decision, or upon the end of any extension granted by the Review Board if later, the Chief shall notify the Review Board in writing of his or her decision and the reasons for said decision related to each specific civilian complaint.

(iii) ~~The Chief must impose the discipline, if any, as soon as possible, after notifying the Review Board of his or her decision, unless the Chief determines that public safety requires discipline to be imposed earlier.~~

(6) Nothing herein shall prevent the Chief ~~from~~ immediately placing an employee on administrative leave, should circumstances so warrant.

(h) Continuous Improvement of Complaint Process. The Review Board may also make recommendations to the Chief and First Selectman for revision of specific police department policies and procedures related to the civilian complaint process.

(i) Accountability.

(1) The Review Board shall prepare an annual report to the First Selectman indicating: the total number of complaints filed, the number of each type of complaint filed, the names of police officer(s) about whom complaints were filed, the name and number of complaints filed against each police officer against whom multiple complaints were filed, and the disposition of the complaints.

Deleted: The Chief may depart from the Board-recommended discipline when the Chief articulates, in writing, "good cause" for departure from the findings and recommended discipline. "Good cause" is defined as a reason that is based on the merits of the complaint, is reasonable and is not frivolous.

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Commented [FD2]:

(2) The Chief shall prepare an annual report to the Review Board and the First Selectman indicating any disciplinary actions taken and training offered to police officer(s) against whom civilian complaints were received.

Commented [FD3]:

(j) Police and Citizen Awards.

Westport citizens may also submit to the Review Board any recommended commendations of WPD officers whose conduct goes above and beyond the call of duty. Each year, the Review Board shall determine whether to recognize WPD officers for commendable service, to be announced at an annual awards ceremony.

(k) Effective date.

This ordinance shall be effective November 2021.

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WESTPORT

DEPARTMENT OF PUBLIC WORKS

TOWN HALL, 110 MYRTLE AVENUE
WESTPORT, CONNECTICUT 06880
(203) 341 1120 www.westportct.gov

Item 6

BOF Approved 9/1/21

BACK UP MATERIAL
RTM ITEM # 9

August 12, 2021

Mr. James S. Marpe
First Selectman
Town Hall
Westport, CT 06880

Re: Request for Appropriation for Construction
15" Gravity Sewer Main Sewer Line Upgrade, Riverside Avenue

Dear Mr. Marpe:

This office herein requests an appropriation in the amount of three hundred and twenty thousand dollars (\$320,000.00) for the replacement / upgrade of the existing 60 +/--year-old gravity main discharging into Pump Station #3. This project is being completed to improve an existing hydraulic inadequacy. The pipe segment (310 linear feet) that discharges into pump station #3 (225 Riverside Avenue) is currently a ten inch (10") diameter asbestos concrete pipe that is undersized and cannot handle the upstream flow during peak flow conditions. The new pipe has been designed to be a fifteen inch (15") diameter that will handle both current peak flows and future flows from the upstream sewer shed. This is one of many main replacement projects that has been conducted over ten years to address infrastructure needs of the Westport Water Pollution Control Facility collection system.

The recommendation of this office is to bond the project and pay the debt service out of the Sewer Reserve Fund. Funds have been projected in the Sewer Reserve Fund for this work, as part of a larger approximately \$1M project to upgrade Pump Station #3 and its associated piping.

Respectfully,

Peter A. Ratkiewich,
Director of Public Works

cc: Gary Conrad, finance Director
G:\Pw_off\SEWER CONTRACTS\CON72B - PS#3 15 Gravity Upgrade\BOF Funding Request.doc

JUSTIFICATION FOR A CAPITAL PROJECT

DEPARTMENT INFORMATION

DEPT NAME: Department of Public Works August 12, 2021

PROJECT NAME AND DESCRIPTION

SANITARY SEWER CONTRACT 72B, Bid #21-030T 15" Gravity Sewer Upgrade, Riverside Ave

IS IT LISTED IN THE 5-YR CAPITAL FORECAST? YES [X] NO [] This is part of the approx.. \$1M project in the capital forecast for replacement of Pump Station #3

If no, why not? If yes, answer the following two questions: Which FY was the project first proposed? 2018 Which FY was the project first planned? 2015

Table with columns: APPROXIMATE COST, CONTINGENCY (10%), COST IN CAPITAL FORECAST, and REQUEST. Values include \$268,400.00, \$28,840.00, \$315,040.00, and \$320,000.00.

SOURCE OF FUNDS:

Table with 2 columns: CAPITAL BOND, GEN'L FUND, CNR, GRANT, STATE, OTHER. Includes checkboxes for each category.

OTHER, DESCRIBE: Sewer Reserve Fund

PAYBACK PERIOD:

PROJECTED START DATE: October 2021 EST. COMPLETION DATE: December 2021

ESTIMATED USEFUL LIFE: 75 years

Is this project part of a larger capital project? Yes - this will lead to Sewer Construction contract #72 The Upgrade of Pump Station #3, Original Pump Station built 1959, Last Upgraded 1982

Has an RFP been Issued? YES [] NO [X] Engineering staff developed bid documents. Have bids been received? YES [] NO [X] Number of bids received: Was the lowest bid the winner? YES [] NO [] If not, why?

Who will benefit from the project? Residents within the associated sewer-shed

[Empty box]

Is it a replacement? YES NO

If yes, describe condition of what is to be replaced: _____

Pictures attached? YES NO

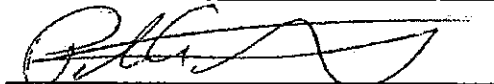

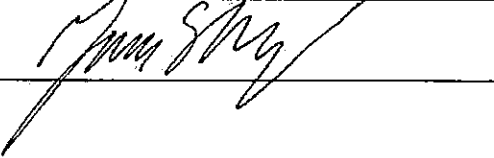
What other approvals/reviews are necessary to begin this project? RTM, BOS

FINANCE

This section to be completed by the Finance Director.

EFFECT ON TOWN FINANCES, INCLUDING DEBT SERVICE:
IF APPROVED:
IF NOT APPROVED:

REVIEW/SIGN-OFF

DEPARTMENT HEAD		DATE: 8/13/2021
FINANCE DIRECTOR		DATE: 8/23/2021
FIRST SELECTMAN		DATE: 8/13/2021

SANITARY SEWER CONTRACT #72B

15 " Gravity Sewer Upgrade

Engineer's Probable Cost Estimate

Date: August 12, 2021

PROJECT: Sanitary Sewer Contract #72B, 15" Gravity Sewer Upgrade, Riverside Ave				1	
Bid # 2021-030T					
AT: Pump Station #3, 225 Riverside Ave (Pasacreta Park)				<u>Engineer's Estimate</u>	
DATE: August 12, 2021					
ENG/ARCH: Town of Westport					
<u>ITEM #</u>	<u>DESCRIPTION OF ITEM</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>ITEM TOTAL</u>
1	Site Preparation / Mobilization / Clearing & Grubbing	1	LS	\$25,000.00	\$25,000.00
2	15" SDR35 Gravity Sanitary Sewer Main	300	LF	\$250.00	\$75,000.00
3	10" SDR35 Gravity Sanitary Sewer Main	5	LF	\$250.00	\$1,250.00
4	16" C900 PVC Gravity Sanitary Sewer Main	25	LF	\$250.00	\$6,250.00
5	Sanitary Sewer Manhole 4ft Dia	1	EA	\$15,000.00	\$15,000.00
6	Sanitary Sewer Manhole 6ft Dia	1	EA	\$20,000.00	\$20,000.00
7	Connections to PS#3 and Garvity MH Discharge	1	EA	\$20,000.00	\$20,000.00
8	Force Main Bypass Connection	1	EA	\$25,000.00	\$25,000.00
9	16" Gate Valve	1	EA	\$20,000.00	\$20,000.00
10	Trench Excavation - ROCK	25	CY	\$250.00	\$6,250.00
11	Trench Excavation - Unsuitable	50	CY	\$30.00	\$1,500.00
12	Borrow	50	CY	\$50.00	\$2,500.00
13	Additional Foundation Stone	50	CY	\$50.00	\$2,500.00
14	Additional Gravel Fill	25	CY	\$30.00	\$750.00
15	Additional Process Aggregate	10	CY	\$50.00	\$500.00
16	Pavement Restoration State Rd	25	SY	\$100.00	\$2,500.00
17	Pavement Restoration Town Driveway	100	SY	\$75.00	\$7,500.00
18	Bit Concrete Sidewalk	50	SY	\$50.00	\$2,500.00
19	Bit Concrete Lip Curb	20	LP	\$20.00	\$400.00
20	Trafficmen	1	ALLOW	\$25,000.00	\$25,000.00
21	Class "A" Concrete	10	CY	\$200.00	\$2,000.00
22	Restoration	1	LS	\$25,000.00	\$25,000.00
				Bid Total	\$286,400.00
				10% Contingency	\$28,640.00
				Grand Total	\$315,040.00
				Total Funds Request	\$320,000.00