

RTM Meeting February 2, 2021

The Call

1. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Director of Public Works, to approve an appropriation of \$600,000.00 to the Sewer Reserve Fund Account for the replacement of the existing Force Main Serving Pump Station #5, located at Canal Street.
2. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Director of Public Works, to approve an appropriation of \$59,400.00 along with bond and note authorization to the Municipal Improvement Fund Account for the engineering design of a proposed extension of public sanitary sewer system for Whitney St, Roseville Road, Fernwood Rd, Plumtree Lane, Pamela Place and Ledgemoor Lane.
3. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Director of Public Works, to approve an appropriation of \$295,000.00 to the Capital and Non-Recurring Account for the reconstruction of the Library Upper Parking Lot.
4. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Director of Public Works, to approve an appropriation of \$320,000.00 to the Capital and Non-Recurring Account for the reconstruction of the Senior Center Parking Lot.

The meeting

Moderator Velma Heller:

Good evening. This meeting of Westport's Representative Town Meeting is now called to order and we welcome those who are joining us the evening. My name is Velma Heller and I'm the RTM Moderator. Pursuant to the Governor's Executive Order No. 7B, this meeting is being held electronically. It will be live streamed on westportct.gov, and shown on Optimum Government Access Channel 79 or Frontier Channel 6020. I want to talk to you about public comments: Emails may be sent before the meeting to RTMmailinglist@westportct.gov, which goes to all RTM members. These emails that are received before the meeting will not be read aloud during the meeting. Comments to be read aloud at the meeting, during the public comment period for each agenda item, must be emailed to RTMcomments@westportct.gov. We will use our best efforts to read public comments if they are received during the public comment period for each item and if they state your full name and address. Comments will be limited to three minutes. Please note that meeting materials are available at westportct.gov along with the meeting notice posted on the Meeting List and Calendar page.

Tonight's invocation will be delivered by Tom Scarise, Westport's Superintendent of Schools. Thomas Scarise, Westport Superintendent of Schools, has been with us since July of 2020. He was formerly School Superintendent in Madison, CT and prior to that he served as Assistant Superintendent of Curriculum and Instruction in Weston. He attended the University of Connecticut and Southern Connecticut State University.

Tom has been described as a highly regarded educational leader who brings a wealth of experience and a strong legacy of accomplishment to Westport. BOE Chair Candice

Savin went on to say that, “Tom is a strategic thinker who recognizes the excellence of Westport Public Schools and embraces the challenge of guiding our district to an even brighter future.” And judging by the experience of recent months, there have been no shortage of challenges.

Invocation, Thomas Scarise, Westport Superintendent of Schools:

Thank you, Velma. I appreciate your giving me time this evening. I appreciate the opportunity to spend a few minutes with the Representative Town Meeting. As Velma indicated, Monday marked seven months that I have been in the position. There are some days that it feels like it has been seven years, given the way the pandemic has unfolded. I’ve been quite humbled by the level of engagement in the community, the level of support and the in the aspirations. As I have said a number of times, I am incredibly driven as an individual so I find a driven community to be a good match for me. This is certainly a very driven community. I suspect we’ll be seeing lots of each other over the next few months so I really appreciate the invitation just to share a couple of comments. I had a moment yesterday with Jeff Wieser. He had mentioned that three to five minutes which is just an overview. I see myself coming into a role standing on some very strong shoulders, generations of success and the high expectation of the community that we hold for our school district. My prior district, in Madison, viewed the schools the same way and I can say, just north of here in Weston, also the same. School districts, the local control in small New England communities, are usually the focal point of the community and I take that very seriously. I understand how the community views their schools and I also understand how folks outside the community views those schools which has held them in the highest regard. Obviously, my goal is to maintain that and, hopefully, surpass that, as well. A couple of words about me: This is not the destination that I had intended when I pursued higher ed. As a young adult, I had intended to go a whole different route. I was looking at law school during my senior year at the University of Connecticut and a friend of mine had started an endeavor, unusual for most 20 year olds at the time. He started to coach a Little League team. Every time I visited my parents or family, he asked me if I would be willing to help out and volunteer. It just became such a pleasure of mine to do it that I found myself driving home during the spring of my junior year to help him and work with these seven, eight or nine year olds. That summer, I had my first young adult crisis of conscience and I realized that everything I had intended to do was changed and I really wanted to work with kids. I talked about it with my dad and I changed majors and started to pursue the profession of working with kids. My career started off working with special needs students. In that part of my career, I also did some work in the social, emotional realm of it with some counseling. I became an administrator for Special Ed. for a brief period of time and then became Assistant Principal and Principal and had the opportunity to take a Central Office role in Weston in the summer of 2008. That really changed things for me. I became very of enamored with this part of the state, the years of achievement, how closely families were affiliated with the schools, and I got to see some amazing work. I wanted to venture off on my own. I had a vision for what I could do as an educational leader. I had the opportunity to go to Madison, fell in love with the community. My family moved here. I am raising my three kids there now. I have a daughter who is a junior now, my son is a freshman and I have a seventh grader here. When I told my wife that I was in touch with a head hunter for Westport, a couple of eavesdroppers asked me, ‘Does this mean we’re moving again?’ I said, ‘I don’t think so but dad really wants this job.’ Lo and behold, in the matter of a month or so, I was offered the position. That was pre-pandemic.

It was in February and we knew that something was happening but couldn't really wrap my mind around, along with my superintendent colleagues, what the magnitude was. I do recall some very basic training during the H1N1 scare, 10 or 12 years earlier, but the idea of a pandemic was very conceptual to us and just a few weeks after I was offered the position, all the schools in Connecticut were closed. We went on remote learning and we began the process of reinventing education in a pandemic. We've been doing that for almost a year now. I think that our schools in Westport have come a long way. We've learned a lot. I think one of the most common refrains that I say is how uncertain things are; that we had guidance and guidance changes; that I can find evidence to the contrary for just about any points that anyone makes. That's not the place you are used to being in as an educational leader. You like to stand on an amount of evidence when you are making decisions. It's a novel virus. It's not really something we have a deep understanding of so we are learning more and more about it. With that said, the partnership in this community is just remarkable. It's really mind-blowing to see the collaboration from the town-side with the schools, the level of support. Within moments of starting the position, Jim Marpe reached out to me. Brian Stern reached out to me. It's a great opportunity. I had folks on the Education Committee of the RTM reach out. I have had opportunities to talk to people and see how we can support each other and lead through this and really lead beyond this. As a leader, I've found that crises can have a tendency to keep you in a mode where you get a lot of feedback instantly for solving problems. I'm trying to discipline the leaders in our school district to be thinking beyond that and thinking beyond the pandemic, what can we do and how can we reimagine our schools and identify the next level of work. I look forward to really doing that this summer and advancing the educational agenda here in Westport. There's always work to be done but the challenges before our current generation of kids right now are really unlike most generations. Every generation has its cross to bear or crosses to bear. This generation, in particular, has had a lot of challenges before them. I have become quite passionate about championing their cause. You can go back to the generation before us, 9/11 babies, Sandy Hook babies, kids that have grown up in a very different environment that I know that I am familiar with; the way the global economy has changed the stakes for when our kids leave schools and leave college and I would be remiss if I didn't talk about the impact of the internet and the smart phone and social media on their growth and development. In some ways, it has really harmed them. So, there is a lot of work to be done. I think it is a very exciting time to be in education as much as it is a stressful time, given the pandemic, but I have a lot of confidence in the way the community has rallied and the way the community gives some very, very good feedback and I am very excited about the future here. So, I really appreciate the opportunity. As I said, I have a feeling we'll be seeing a lot of each other over the next month or two and beyond as we look to plan our budget for next year. I think I did go beyond the three to five minutes so I'm sorry. I don't think I've done anything in three to five minutes in my life so I'm sorry for that.

Dr. Heller:

We all understand that. We have a tendency to do the same thing. Thank you so much for being with us, Tom, and we wish you the best in all of your endeavors because it means so much to all of us. We all have a very big investment in the schools on a personal level as well as a community level. Thanks again.

Mr. Scarise: Thank you for having me.

Dr. Heller:

Now if we can have our pledge of allegiance which is the work of Matt Mandell and many RTMers.

There were 35 members present. Ms. Talmadge notified the Moderator she would be absent. Ms. Kaplan arrived late.

Dr. Heller:

The minutes of the January meeting are posted on the website. Any corrections to the minutes, please contact Jackie Fuchs, Dr. Heller or Tatiana Plachi.

Announcements

We have birthday greetings this evening to: Jimmy Izzo, Matt Mandell and Jackie Fuchs. Congratulations to all. We hope you have enjoyed it. At least there wasn't a blizzard today.

I'm pleased to welcome Jeffrey Dunkerton our new Town Clerk and Clerk of the RTM to tonight's meeting. Jeff comes to us from Danbury where he served as Assistant Town Clerk for the past eight years. Jeff brings a broad background of experience and expertise to this position. I that know that we're all looking forward to working with you, Jeff, and would love to give you the chance to say a few words.

Jeff Dunkerton, Town Clerk:

Thank you, Velma. It's very nice to be here tonight. It's a little challenging meeting everyone over zoom but, at the same time, it's nice to have a name with a face with a large group like this. As Velma said, I came from the city of Danbury where I was the Assistant Town Clerk for many years, primarily focusing on the running the elections in Danbury, especially this past election. Currently, I'm sitting on the Legislative Committee for the Connecticut Town Clerks Association. There are a couple of bills that we are watching very closely to see if they will go any further in possibly changing the way we vote here in the State of Connecticut. I think this past year everybody realized how important the Town Clerk's role is in elections and we do play a vital role to make sure the elections do go on, with the Registrar of Voters, fairly and without any issues. Like I said, we'll be watching that to see if anything changes or if we're back to something similar to what we saw last November. It will be interesting to see. When the time is appropriate, I'd love to meet you all in person. Stop by the office. Until then, feel free to drop anybody in our office a message, an email, or pick up the phone. You can certainly give us a shout.

Dr. Heller:

Thank you for being with us Jeff. We're all anxious to work with you in the coming years. Welcome, again.

RTM Announcements

Rick Jaffe, district 1:

The Westport Sunrise Rotary is one of the pillars of our community. One of the things we do is to raise money for our community so that we can give it away, largely in Westport and surrounding communities but also internationally in its support of youth development. With our traditional fundraisers, the Great Duck Race and the Westport Uncorked Wine

Tasting, shut down by COVID, Westport Sunrise Rotary is running the Great Rotary Raffle, Super Bowl edition, to raise money for our neighbors who have even greater need for your help. Please go to westportsunriserotary.org to get your tickets. You have until early morning on February 5 to purchase your tickets. Details are on the same site westportsunriserotary.org. Thanks for helping Westport Sunrise Rotary.

Matthew Mandell, district 1:

I've got a bunch of things. The Chamber of Commerce is going to be running something new. They are running networking sessions but they are going to be called "Speed Networking". So instead of having 30 of us, which is basically what we're doing tonight, we'll be breaking down into little groups throughout the period of time. So, if there are 30 people, they will be broken down into five or six little rooms so five people get to meet or four people get to meet and talk and it's a more intimate situation. So, we're calling it Speed Networking and anybody who is interested and wants to be part of it, it will be occurring on Friday, Feb. 12 at 9 a.m. You just have to sign up and you can be part of the new process that we're trying out and seeing if this works. Following up with the Chamber, we're going to be running another food contest. You know that we did the burger contest and the pizza contest and the contest last year got blown up by the lockdown but we're going to be doing The Great Sandwich Contest. It will be all during March and we're looking for restaurants so all of you get to participate because you get to eat the sandwiches and you get to vote for who makes the best one. Concerts will be coming back in the spring. We were hoping we wouldn't have to but the virus is not giving up the ghost just yet and so socially distant drive in concerts are being applied for to the Board of Selectmen and we're hoping they will approve them. I think they went very well last year and I don't think we'll have much of a problem but it's still up to them to make decision. Last of all, the RTM Planning and Zoning Committee will be meeting soon. I don't know when but the subject matter will be new legislation coming from the State that will be modifying 8-2 and 8-30g which deals with zoning. Overall, the State is looking to possibly remove local control from zoning. I think this is a very good topic that we should be discussing and figure out how Westport should respond to this. As more data comes in and the legislation gets solidified, then we'll be able to talk. But I'm just warning you guys, we've got a major issue occurring and the P&Z Committee will step up and address it. Thank you very much guys.

Jimmy Izzo, district 5:

The RTM Public Protection Committee will meet on Feb. 16 at 7 o'clock. We'll be having a zoom meeting on the ordinance being proposed for a Citizen's Review Board for Police. If anyone would like to join in, please feel free to listen in because it will be coming to the full RTM at some point. We'll give you the link if you would like it. The date is Thursday, Feb. 16.

Wendy Batteau, district 8:

I wondered, Jimmy, if you'll be sending a link or if we should email you.

Mr. Izzo:

I will send it out. How does that sound? And my apologies, it is Tuesday, the 16th. I'll send out a link to the whole RTM.

Dr. Heller:

Our next RTM meeting is scheduled for Tuesday, March 2 at 7:30 p.m.

Stephen Shackelford, district 8:

I have a committee meeting announcement. The Special Committee the Moderator appointed to explore a potential code of conduct for the RTM, we've had our first meeting. We will have a second meeting which will be significantly more substantive because we have been gathering resources that we will discuss at the second meeting; other towns that have codes of conduct; a lot of different resources that we will pull together for a more substantive discussion. That meeting will be by zoom. It is set for Tuesday, Feb. 23 at 7:30 p.m. I will send around a zoom link to all members of the RTM. Obviously, everyone has potential interest in this because recommendations we will be making will be for code of conduct for the entire RTM. Everyone is welcome to join. The agenda should have in detail all the resources that we are putting together so people can look at that beforehand. It will be posted publically, of course. We had several members at our first organizational meeting last month and we would welcome input from all of you who want to come.

The secretary read item # 1 of the call - To approve an appropriation of \$600,000.00 to the Sewer Reserve Fund Account for the replacement of the existing Force Main Serving Pump Station #5, located at Canal Street.

Presentation

Pete Ratkiewich, Director of Public Works:

The only four items on the agenda here are all part of our efforts to keep our infrastructure in a state of good repair. This particular appropriation for pump station #5 is the replacement of a 40 year old force main that runs from Canal Street, right across the street from the senior housing complex, up Kings Highway up to Main Street where it discharges into a gravity man hole. It's about an 1100' run and it actually runs under the Kings Highway Bridge. The force main right now is a 6" diameter asbestos concrete pipe and the current pump station was designed to have a flow rate of about 200 gallons/minute. When we did the facility plan back in 2002, all of the sewer pump stations were reevaluated for the maximum expansion of the system within the sewer service area. This pump station, when it was upgraded, needed to be upgraded to a flow rate of 650 gallons/minute. That will require an 8" pipe and what we're proposing is to use a HDPE, High Density Poly Ethaline pipe to run this force main. To give you a background on the sewer system, I did send around a sort of primer on how our sewer system works and how our finances work, I would urge you to keep that in your back pocket and use it as a reference; the stuff gets pretty complicated. But, overall, we have about 117 miles of sewer. Sixteen miles of that is force main. It represents one of the biggest risks that we have in our department in that a lot of that force main is pretty old, similar to this, 40 years or so. So we have targeted, in the capital forecast, a number of force mains to be replaced. You may recall, this summer, we came to you for design funds for pump station #3 and its force main. Back in 2018 and 2019, we were finishing pump station #2 and its force main. So, this is the next one on the list and we've sort of incorporated this into the construction of the Kings Highway Bridge because we've already had to bypass the underwater portion of it so a section over the bridge is incorporated into the bridge design. We have 18 pump stations. This is just one of them. We'll need to upgrade the pump

station to 650 gallons/minute and what that represents is the sewer shed that drains to that pump station at its maximum build out under current zoning. So, everything that drains by gravity, which is not the entire town but a small topographic area, represents a flow rate of 650 gallons/minute. This is the estimate for the pump station upgrade and force main replacement. The subtotal is \$545,000. We placed a 10 percent contingency on it and we rounded up to an even \$600,000. This [slide] is the excerpt of the study that was done in 2002: Pump station #5, existing capacity 200; proposed capacity 650 and that's probably all we've got to share on this one. With that, I will take any questions.

Committees report

Public Works and Finance Committees, Jay Keenan, district 2:

Public Works and Finance met last Tuesday, the 22nd, at 6 o'clock, to discuss the upgrades to pump station #5 and the force main replacement. The Public Works Department is requesting an expenditure of \$600,000 to replace the 40 + year old force main serving Pump Station #5 as well as upgrades to Pump Station #5 due to its age and to increase its capacity in line with the recommendations of the facility plan. The Pump Station is located in the Northwest corner of Canal, north of the Kings Highway Bridge. It was kind of a long question and answer meeting where Mr. Ratkiewich explained the blue line, the Facility Report, How force mains and Pump Stations work, how sewers are petitioned and paid for through benefit assessment, how the Sewer Fund is funded. This work will be paid for out of the Sewer Reserve Fund, which is funded through annual sewer charges. Both committees voted to recommend approval to the full RTM.

Members of the Westport electorate – no comments

Dr. Heller:

We will continue with the resolution and check in to see if any comments have come in.

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$600,000.00 to the Sewer Reserve Fund Account for the replacement of the existing Force Main Serving Pump Station #5, located at Canal Street is hereby appropriated.

Dr. Heller: The resolution has been moved and seconded. It's time for RTM comments.

Members of the RTM

Jack Klinge, district 7:

Many of you may not know what the blue line really entails. It's a very important planning guideline for how we design sewers and sewer programs. I will refer you all to a white paper written by Dr. Heller and Allen Bomes as part of the Long Range Planning Committee about 10 years ago which totally details the exact guidelines and scope of our blue line plan which affects all of our sewage planning and expansion and execution. So, I urge you all to read that blue line white paper.

Jeff Wieser, district 4:

We really had a very good Finance and Public Works meeting. It answered a lot of really interesting questions for some of the newer members and Pete passed around a primer

to everyone a couple of days ago. I encourage everyone to read it. It really is demystifying. But the most interesting statistic that Pete gave us is at the meeting which I don't think has been reported. We talked about the maximum flow into the sewer plant, which we are well below, and I'd like Pete to tell us when the maximum flow during the entire year occurs.

Mr. Ratkiewich: Maximum flow is coming up this weekend, Super Bowl halftime!

Mr. Wieser: Is that a great statistic, or what! I promise you'll all tell a friend that!

Dr. Heller:

I just love that there's humor in sewers! And Pete, I really did appreciate what you sent out. It's a great reminder how these things function.

By show of hands, the motion passes unanimously, 35-0.

The secretary read item #2 of the call - To approve an appropriation of \$59,400.00 along with bond and note authorization to the Municipal Improvement Fund Account for the engineering design of a proposed extension of public sanitary sewer system for Whitney St, Roseville Road, Fernwood Rd, Plumtree Lane, Pamela Place and Ledgemoor Lane.

Presentation

Mr. Ratkiewich:

This item is a perfect example of how we expand our sewer system. It is done entirely by petition so when a neighborhood has either failing septic systems or other needs, they can get together and start a petition to extend sanitary sewers into their neighborhood as long as their neighborhood is within the sewer service area which is the blue line. In this case, we received a petition from 37 properties and it will require approximately 5,365 linear feet of sanitary sewer, of gravity sewer line. This particular neighborhood is in need for two reasons. The last road on the list is Ledgemoor Lane and that would indicate a little bit of ledge underneath the surface. The Whitney Street and Roseville Road area that this is extending to does historically have a lot of ledge to it so it makes it very difficult to replace your septic system because you're not able to find a place to put the septic system that doesn't have rock underneath it. On the other end of the spectrum down near Fernwood Road off of Whitney Street, we have the opposite problem. That is that there are wetlands and shallow ground water so there is very little strata in the soil to replace a septic system once it fails. All of this has led the neighborhood to petition for a sewer line. This is a design contract. We went out to bid with this. We had a number of bidders and the low bid came in at \$29,000 from Navis and Young Engineering Firm. Because we have so much ledge, we know we are going to have to do a number of test borings to determine where the ledge is so we have an estimate of \$25,000 in test borings. It totals out at \$54,000; again, a 10 percent contingency of \$5,400 totaling out at \$59,400 for the request. Once the project is designed, these costs will be lumped in with the engineer's opinion for probably cost of the sewer system. We will come back to you for an appropriation for that construction but all of the costs will be lumped into the benefit assessment for the project. So, those 37 property owners will be assessed for their benefit

and that assessment will be payable over 19 years of the resident so chooses. They can also pay it off right off the bat if they want to or anywhere in between.

Committees report

Public Works and Finance Committees, Mr. Keenan:

This meeting occurred as part of the other meeting (item #1). The Public Works Department is requesting an expenditure of \$59,400 for the design/engineering work associated with the extension of the public sanitary sewer to the above referenced streets. The project will service 37 properties. The predominant method of sewer will be gravity sewer with force mains at a few residents which will feed into the gravity lines. The costs will be benefit assessed to the residents as part of the overall sewer project construction which will be brought to the RTM at a later date. Most of the sewer questions were asked as part of item #1. Both committees voted unanimously to recommend approval to the full RTM.

Members of the Westport electorate – no comments

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$59,400.00 along with bond and note authorization to the Municipal Improvement Fund Account for the engineering design of a proposed extension of public sanitary sewer system for Whitney St, Roseville Road, Fernwood Rd, Plumtree Lane, Pamela Place and Ledgemoor Lane is hereby appropriated.

Dr. Heller: It has been moved and seconded.

Members of the RTM

Jessica Bram, district 6:

I just wanted to know if you have any idea of what the benefit assessment will be. Do you have any idea of that yet?

Mr. Ratkiewich:

No. We don't. We don't do that preliminary estimate until the engineer has had the opportunity to design the system. Then we will have a preliminary benefit assessment hearing where we will total up all the costs of design and construction and divide it by the 37 households and that would be the benefit assessment. Normally, the successful projects usually keep the benefit assessment between \$20,000 to \$25,000 these days. Anything more than that, it starts to get cost prohibitive when you start comparing it to major upgrades on septic systems as an alternative.

Ms. Bram:

Is that \$25,000 for the whole neighborhood? It's not \$25,000 per household?

Mr. Ratkiewich: It's per household but over 19 years.

Ms. Bram: That's per household.

Mr. Ratkiewich:

Over 19 years, that would be \$1,300 or \$1,400/year to pay off that sewer extension.

Ms. Bram: So, in effect, the taxes in those households go up by \$1,300/year.

Mr. Ratkiewich:

Yes. But they are requesting it so the other way to look at is if you have a failing septic system, you may have to put \$35,000 into that septic system and you may finance that over a 20 year period as well.

Ms. Bram: Do you need every household to sign up in advance?

Mr. Ratkiewich:

Basically, if it's over 50 percent, the petition passes. In this case, we have something over 70 percent that were positive on it. If you are not agreeing with the petition and you don't want the sewer, you still get assessed but you don't necessarily have to hook up to the sewer. We leave a lateral for your eventual connection down the line. That benefit assessment runs with the land so if you decide to sell your property three or four years later, it stays with the property.

Ms. Bram: So this might hit them as a surprise.

Mr. Ratkiewich:

It wouldn't hit them as a surprise because all the affected property owners would have been notified of the petition.

Ms. Bram: Thank you.

By show of hands, the motion passes unanimously 35-0.

The secretary read item #3 of the call - To approve an appropriation of \$295,000.00 to the Capital and Non-Recurring Account for the re-construction of the Library Upper Parking Lot.

Presentation

Mr. Ratkiewich:

This is the back parking lot of the library. While it doesn't show on this 2013 aerial map, this is the new Levitt Pavilion and this is the library. This is 2013, as well, but the basic area of the parking lot has not changed that much. There are a few islands in the parking lot. This parking lot is all on a landfill. This is an old landfill in the middle of town and one of the things that came up in committee, where does the landfill exist? It is actually under the entire library and back to the extent of my drawing here, 50 feet to the north of the library and it extends all the way out on the peninsula to the Levitt. This landfill has been historically settling for years and years and years. I was here when we paved this lot the last time. It was good for almost 30 years. It was paved in the early '90's. One of the things that we did was underneath the surface in the subbase to the pavement, we installed what we call a *geogrid* at the time which is supposed to mitigate settlement. It

did its job. Over 30 years, there still is enough settlement that if you've driven up there the day after a rain storm, you'll notice the puddles hang around for a long time. The surface is very undulating. It's very uneven. Considering the population that visits the library, it is something of a liability. We've actually had a couple of trip and fall incidents on this parking lot that have cost the town money in lawsuits. It's really time to get this thing done; especially, now that the Levitt and the library have been completely re-envisioned and reconstructed. They really need a parking lot that matches their stature. Basically, I have an estimate here. We have about 6,000 square yards of asphalt to be torn up which totals up to 1,527 tons. We have to reclaim and regrade the parking area. This parking area runs off the leak-offs. It is curved but it leaks off of various areas in the surface because we can't dig down into the landfill to install drainage systems. So, it's surface flow, runs off the side, comes down the hills. Basically, that's the way it works. We'll have to regrade it back to what we did 30 years ago. We are going to install four inches of hot mix asphalt and then reinstall curbing to the tune of about 2,000 linear feet. Parking lots are a little more expensive than when we do roadways because it's not a linear project. It's an aerial project and there is some finesse when you have to go around tight corners. There's a lot more hand work involved. So, we're pretty confident of our numbers and we're throwing in a 10 percent contingency for a total of \$294,778 which we rounded up to a total of \$295,000.

Committee report

Finance and Public Works Committee, Seth Braunstein, district 6:

As usual, Pete was very comprehensive in the details he provided so I will do my very best not to repeat what he said and, instead, try to illuminate a couple of additional points that came to light during our discussion. We met on the 26th, both the Finance and Public Works Committees. The only thing I would add to what Pete said is the work is ideally scheduled for this spring. It will likely take between one to two weeks to actually complete. It's important that this get done in conjunction with a number of other paving projects in order to maximize efficiency, take advantage of economies of scale. The next agenda item which will be discussed will be a lot that will be paved in conjunction with this and apparently there are a number of Board of Ed. lots, as well. The Board of Ed. will pick up the cost but they would be sequenced along with this project to try and get the maximum bang for our buck: Long Lots, Greens Farms and Coley El parking lots. Moving beyond this, there is actually a unified plan to resurface all of the downtown lots which is something we would address in the future. We would need to address the Parker Harding lot, the Baldwin lot which we actually funded a study on roughly a year or so ago and, then, ultimately, we would need to also take care of the Jesup Green lot on the other side of the library. The motions were passed unanimously by both committees and I think those are the cogent details. Thank you.

Members of the Westport electorate – no comments

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$295,000.00 to the Capital and Non-Recurring Account for the re-construction of the Library Upper Parking Lot is hereby appropriated.

Dr. Heller: It has been moved and seconded.

Members of the RTM

Ms. Batteau:

I think this really does need to get done. It's a danger and it's been a problem for a while but I'd like to point out that this whole area is environmentally sensitive not just because all the runoff goes into environmentally sensitive areas, aquifer areas and the river but this was a superfund site. It was capped off in a very particular way. So, I just want to be sure that whatever firm we are retaining to do this work is somebody who is used to working in sensitive areas and isn't going to, by chance, pierce the membrane or something else that is going to let hazardous substances drain further into the river and into the land around. So, Pete, could you speak to that?

Mr. Ratkiewich:

The landfill is actually down about 12 to 18 inches. We really only have to strip the surface. We're not even going to go as deep as the *geogrid*. We'll take the existing asphalt that is degraded and using a large rototiller take that and break it into fine particles that will be mixed with the subbase underneath and will further stabilize the subbase. Then we will take out the excess material and come back with four inches of pavement which will provide a very robust cap of the existing cap which is down 12 to 18 inches. By State Statute, we cannot dig into the landfill without first notifying the DEP. As far as resurfacing, that's not actually considered digging into the landfill as opposed to when they did the Levitt Pavilion, they had to drive piles to put footings in. They had to penetrate the cap. We're not doing any of that. It's really an overdue paving project but that upper 12 inches is well above the landfill.

Ms. Batteau:

It sounds like there isn't going to be any hazard of penetrating that gap.

Mr. Ratkiewich: No.

Amy Kaplan, district 3:

I am also the Chairman of the Library, Museum and Arts Committee and in that role we have heard from various members of the public expressing concern about the condition of that upper library parking lot for quite some time so I just want to express my support for this project and I know one of my committee members, Dick Lowenstein, has been instrumental in bringing the state of this parking lot forward and working to move it up on the schedule. It is quite hazardous at this point. So, I urge you all to vote in favor.

Sal Liccione, district 9:

Pete, when you do this parking lot, the stair next to the library that goes down to the brick walk really needs to be repaired. We have previously sent many emails to Steve Edwards. This really needs to be fixed when you do the parking lot. Also, when will you do the police parking lot? That lot needs to be fixed too.

Mr. Ratkiewich:

To address your first question, the staircase going down, I believe you're talking about the one by the building, the railing was repaired a couple of years back. That's actually a Parks and Rec. responsibility but I will pass on your desire to have that looked at to them.

To answer your question, it is not part of the paving project per se. The second question was... the police lot. Originally, this project on the capital forecast was part of a much more global project including the police lot and an entity called Library Lane. Frankly, at this point, we could do that. It would be a much bigger appropriation and we're not really ready to do that at this point. The discussion of Library Lane and the utility of Library Lane versus just getting this back parking lot, it's sort of like a roller coaster as you go into it, fixed right now made this a priority over the larger project. The police lot is not as bad as the library lot at this time. It is on the capital forecast and we will get to it. I don't know what form that will come in, as to whether it will be part of a newer Library Lane, a Library Lane envisioned turning into the police lot going into the library and having the same brick sidewalks with granite curbs and street lights leading to the library from Jesup Green. At this point, that's a much larger project and, again, just for safety and liability reasons, this one back here is ready to go, shovel ready; it definitely needs to be done just for the safety of our patrons of the library and the Levitt. We can come back to the police lot but Seth Braunstein touched on this, in the overall plan for parking lots, the Elm Street lot has been done already; the Baldwin lot is under design. This and the Jesup lot in front of the library will form capacity. When we have all those other lots done, take out Parker Harding, that's the real gem here is to get Parker Harding envisioned, redeveloped and repaved because that is right on the waterfront and the entities that are enjoying the waterfront on Parker Harding are automobiles, not people. I'm just trying to give you a master view of this but, again, this one's pretty obvious in between two very attractive facilities that we have in town and, obviously, a hazard when you have ponding, ice, there during the winter and tripping hazards all over the place.

Harris Falk, district 2:

Thank you, Wendy, for taking my environment question and thank you, Amy, same of my library. Sorry, Sal, I didn't have that question. My only question that is left is there are the two intermodal boxes that the library uses for the book sale and I don't know what the other is used for. What happens to those when this is being done? I know electricity is being run to it. What happens to those two boxes?

Mr. Ratkiewich:

It will not affect those two boxes. That's the new book return container. Those were put in as the library was being built. The other box is a utility box, a brick building that was put in next to the book return container. Neither of those will be affected by this project because the pavement, those are on their own footprint, within their own curbed area and that will not be torn up as part of the project.

Mr. Mandell:

Pete, what do you see as the longevity of this and what will prevent it from heaving again as it has in the past?

Mr. Ratkiewich:

There is nothing that will prevent it from heaving again but the last lot lasted for 30 years. If we were to try to prevent it from settling, which is what the major problem is, is do what they did at the Levitt. You would have to drive pilings, put in a concrete structure and footings, concrete slabs over that and then pave over the concrete slabs so the settlement doesn't affect that area. So the patio to the Levitt and all the structure to the Levitt is on

pilings that go right through the landfill all the way down to bedrock. That was a much different project that did disturb the landfill. We had to conform to a lot more requirements on that. This will most likely last another 30 years, certainly 20 years, and all the time that we've have this parking lot, we do maintenance work on it periodically but none of that maintenance work is as effective as taking the whole thing out and repaving it.

Mr. Mandell:

So you are saying it is more cost beneficial in doing it this way and environmentally friendly not to go back in.

Mr. Ratkiewich:

There really is no way of stopping the settlement without going in and doing major structural work. That includes pilings and a lot more expense.

Mr. Mandell:

You talked about Library Lane and lights and a sidewalk, does this help or hinder that future project or is it basically agnostic?

Mr. Ratkiewich:

It does not affect it at all. Library Lane comes in many different flavors, depending on who you talk to. One version of it is taking a bridge over the brook into the Imperial lot. This project would not be detrimental to that concept. That's the big picture. I'm not sure that's ever going to happen. It is a very expensive endeavor to, in my opinion, not a whole lot of benefit. Library Lane would start where this project ends. Certainly, we could enhance the entrance to the library that is involved in this project which is that short section of pavement going up the east side of the library. The Library Lane basically goes from Jesup up to the library itself and then whatever is envisioned from there in can be retrofitted later on at not much of a different cost.

Mr. Mandell:

Thank you. I happen to agree with you on the benefit of making the bridge a car bridge. It's not something that we should be spending much time on. I want to confirm the timing. You will be done with this by the time the Levitt opens up in June?

Mr. Ratkiewich:

As Seth pointed out, we are trying to combine this with a new effort to take over the paving work for the Board of Ed. Since we do paving all the time, we have our cost pretty much nailed down and the key to economies of scale is to get more parking lots, more footage, out there on a project so the contractors are more aggressive as they bid on it. The problem with that is timing. We want this one done in the spring and the Board of Ed. doesn't really want to start until the middle of June when schools shut down. But I am working daily with Ted Hunyadi to work out ways that we can reallocate some parking and maybe do their parking lots earlier in the spring so that we don't have impacts on these projects because, as you said, we really need to get these done before the season opens.

Dick Lowenstein, district 5:

First, an editorial comment: I'm pleased to see this is finally going to get done this year. Segueing off of Harris Falk's comment, there are three structures on that parking lot, one on the corner has been there since the library opened in 1986. The second is the annex or the book donation building. That is on its own curb, its own piece of land but the third building, where people do their returns, is a temporary building. That building will be moved when the library opens up and allows people to put books in there. So, if that is not removed by the time you start doing your project, you probably will have to come back and do it again in that area.

Mr. Ratkiewich:

We'll probably address that during the project. We can probably pick that up and move it one way or another.

Mr. Lowenstein:

The other thing is the library lake has been developing over 30 years now. It doesn't happen overnight. I am hoping that as potholes or dips as you want to call them occur during the season that we will fix them right away rather than waiting for more of them to appear. You mentioned lawsuits that the town has faced, I suspect if you get them patched as they appear, it will be much better than waiting until a bunch of holes appear. That's my observation.

Mr. Ratkiewich:

My hope is that I won't be around when they start to appear. I think for the coming years you won't see a lot of settlement. In 15 or 20 years, I promise I'll fix them then.

Mr. Izzo:

Pete, who are the contractors you are using? Have you settled on anyone yet?

Mr. Ratkiewich:

No. First we have to put together a contract and go out to competitive bid. But I don't see any problem with getting a number of contracts bidding on this. They have been very competitive of late with the asphalt prices the way they are.

Mr. Izzo:

I want to thank you for the work you guys have been doing. The guys you have been hiring have been doing a great job on our roads and the piping down by the beach.

By show of hands, the motion passes unanimously 35-0.

The secretary read item #4 of the call - To approve an appropriation of \$320,000.00 to the Capital and Non-Recurring Account for the re-construction of the Senior Center Parking Lot.

Presentation

Mr. Ratkiewich:

The Senior Center parking lot that we're talking about paving is the old lot. This is Imperial Avenue and the Senior Center building which has now been expanded off to the east.

This lot was expanded to the south. That part was just built so we're not repaving that. The part that we are repaving is this area, especially the lower parking lot and the main lot which, over the years, since the Senior Center was built has deteriorated. It was constructed in 2004 so it is only 16 years old. The Baron's South is all bank ground gravel type materials but some of them are very fine like fine sand and we think that may have had one detrimental effect on the longevity of this pavement. Perhaps 16 years ago, we might not have gotten the best asphalt. In any case, it has lasted 16 years. Our proposal is to recycle the existing pavement which takes the asphalt and recycles it into the existing subbase so that it stabilizes the subbase. We hope that will be sufficient because our only other option is to add a *geogrid* to this which would be prohibitively expensive. We are confident that this application will be curative for this parking lot. You can see that this one is a little more complicated than the library parking lot. It's got a lot of topography going up a hill, as you come up this driveway, as you come in it's a bi-level, up and down. There are a lot of nooks and crannies. In the estimate, we used a little bit higher figures because there will be more hand work in both recycling materials and regrading it and installing pavement. When you have these little corners and islands, you have to do a lot of hand work; a little bit more curving and a little bit more square footage than the library lot, totaling about \$318,000. We rounded it up to \$320,000. Basically, as we discussed earlier, we do intend to try to bundle this with the library lot and as many of the Board of Ed. lot as we can get. In this parking lot, we patched it last year and it's still horrendous, a lot of cracking and tripping hazards. Considering the clientele coming to the Senior Center, we want to avoid as many of those as possible. This parking lot does get a lot of traffic from seniors and we want to make it as smooth and as hazard free as we can.

Committees report

Public Works and Finance Committees, Mr. Jaffe:

At the same joint meeting of Public Works and Finance, our very dedicated Director of Public Works proposed an appropriation of \$320,000 to reconstruct the Senior Center parking lot. We've heard that the Senior Center parking lot is in need of repaving. For reasons unknown the pavement has deteriorated faster than expected and the lot is now in need of reconstruction, rather than the less costly, \$190,000, "mill and fill" life-extending procedure estimated in our capital budget. The useful life of the current paving is over at 16 years, whereas, normally, our expectation would have been around 20 years or a little bit more. We wish the expected life is guaranteed as a minimum life but it isn't. Experiencing a useful life for a paving project that is less than expected is not very unusual. Paving procedures, materials, and our own testing all have improved greatly over the years. Mr. Ratkiewich indicated that, in this case of reduced life expectancy, the cost of analyzing why is not worth any benefit that might accrue to us. Our Department of Public Works anticipates that construction will take approximately one week, commencing in the spring of 2021. Both Public Works and Finance voted unanimously in support of this.

Members of the Westport electorate – no comments

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$320,000.00 to the Capital and Non-Recurring Account for the re-construction of the Senior Center Parking Lot is hereby appropriated.

Members of the RTM

Arline Gertzoff, district 3:

Pete, I just want to clarify. I'm horrified that it's only lasted this amount of time but are you talking about that lot that's got that little staircase?

Mr. Ratkiewich:

Actually, we're talking about the entire lot, the lower one as you drive up the driveway on the right, the driveway as it goes in front of the building and the lot as you turn around the corner which drops about 10 feet. Yes, the lot with the staircase. We would expect a 20 year lifetime on this so it's only four years short of where we thought it would be.

Ms. Gertzoff: The other lot when you come up, was that done at the same time?

Mr. Ratkiewich: Yes.

Ms. Gertzoff: I'm not against it. I'm just wondering about the deterioration.

Mr. Ratkiewich:

Again, it's only about four years less than we would expect. These lots were all paved in 2004 when the Senior Center was built.

Ms. Gertzoff:

I hope we get a better contractor so that it does last at least 20 years. I've always felt that staircase is not the greatest idea for seniors. I have seen people stumble on that staircase. In fact, one day I help someone and prevented a total dive. I just wanted to clarify. It's basically the whole deal.

Mr. Ratkiewich:

Everything except the new lot that was just paved during the expansion project.

Ms. Gertzoff: I'm getting confused. The new lot, where is that?

Mr. Ratkiewich: This is the old lot with a new lot that extended to the south.

Ms. Gertzoff: I know what you're talking about now. I was a little confused.

Mr. Izzo:

The word "Senior Center" gets me nervous. Can we just make sure preservationists in the neighborhood are okay with what's going on?

Jack Klinge, district 7:

I can't let that one go past. I just want to put out some fiscal numbers. This project will cost \$40 per senior in Westport as there are 5,000 seniors. We currently spend \$20,000 per student in our school system. So don't be afraid to spend some money to support our seniors and a safe parking lot.

Mr. Falk:

Pete, you are really good at this usually so I assume you have the answer. The Westport Senior Center will stay open the entire time and I guess the parking lot will be done by halves? Because, unlike the library where there are many entrances, it only seems like there is that one driveway to get in.

Mr. Ratkiewich:

We will have to stage it. As you know, the Senior Center is open on a limited basis for specific purposes right now. As far as I can tell, talking with Elaine Daignault and Sue Pfister, the full opening of the Senior Center is not yet on the horizon. We'll probably be using it for a vaccination clinic for the seniors on a limited basis but we can work around that schedule fairly easily and we do have the new parking lot that folks can park in while we're doing this work. We're pretty used to staging things. When we do roads, we do them with live traffic, as well. Once the asphalt goes down and it gets compacted, you can drive on it right away.

Mr. Falk:

Does the new parking lot have its own entrance or is it still only one entrance?

Mr. Ratkiewich:

One entrance but nothing would preclude us from allowing people to drive up the driveway even once it's reclaimed. We always knock it down and compact it so people can drive on it.

Ms. Batteau:

I'm not sure why we don't want to research a little about why we lost 20 percent of the lifetime of this. If we gave the contractor 20 percent less than what they charged, they would probably want to know why. It seems to me we would at least want to know if there was something inadequate about the materials that had been used to know whether they didn't jibe with the material or with the geography or whether there was something about the sub straight that it didn't work on or that the procedure that the contractor did was inappropriate so that we could avoid making that mistake again. Because 20 percent of the lifetime doesn't seem to me so small.

Mr. Ratkiewich:

Well, Wendy, I may have misspoken. I don't want to give you the impression that we're not looking at this. We have done some testing up there. We know from testing when the building was first built what our subbase materials are. This was paved on a virgin subbase so there was no other material mixed in. One of the very effective means of stabilizing soil is through the process of reclaiming it or recycling it. When we bring the recycling machine in, it's like a large rototiller. It breaks up the asphalt and mixes it in with this fine subbase that we have. So it is essentially making that fine subbase not so fine. Mixing in larger particles creates a subbase that's a lot more stable, much easier to compact and a lot more solid. That will go down probably six inches so its effectively forming a sub-cap to the material underneath. There are a lot of ways to stabilize soil but when you start looking at the costs of putting in *geogrid*, I could easily double the price of this project. The cost/benefit ratio is probably not there. This method of recycling the material will likely stabilize this as we have seen on other projects. We have been recycling for the past 30 years. We do it on cul de sacs that are 30 years old. It's a pretty

well accepted method of not just taking that asphalt and throwing it out but reusing it and making it something that's valuable to us by building much stabler base out of it.

Ms. Batteau:

I'm not concerned about the recycling procedure. That's your beat and I take your word for it. I'm just concerned about why we lost 20 percent of the life of something. I think what you're saying is the original lot was built on what just happened to be there. It didn't have some kind of subbase or platform or whatever you call it to build on and this will now because we'll be recycling?

Mr. Ratkiewich:

Yes. That's my assumption. I wasn't there when it happened so I can't speak directly to what happened. I'm just telling you as an engineer. I've looked at this and had my engineering staff look at this and we collaborate on what could possibly have caused this and what are the possible fixes for it and what do they cost? Is it worth spending \$400,000 or \$500,000 on this when a \$320,000 repair will probably fix it quite nicely?

Mark Friedman, district 3:

Could you speak to the environmental impact on the land around the Senior Center as well as Baron's South?

Mr. Ratkiewich:

It should have absolutely no impact on it. It's a paving project. We would take up the pavement and put down new pavement...no more impact than any of my road paving projects that I do every year. It doesn't extend the footprint. There is no distribution of material. If there is any excess material, it gets trucked offsite and reused elsewhere but basically it's just a reclamation of material in place and repaving over the top of it.

Andrew Colabella, district 4:

I think the 20 percent issue here is really easy to explain if you think about it. When you look at a lot of the parking lots throughout Westport that have been around 16 years, haven't been paved, like this one, and have cracks in it which you can fix with crack sealing which is pretty much just throwing money down because water will still protrude through that crack; it will freeze and it will pop and will create another pot hole. The reason why, and I applaud Pete for this, if you think of the type of traffic that comes into this parking lot every day, elderly, older, less balance, more hazards of trips and falls, and a parking lot like this, could it last another four years? I'm sure it could. But if you think about the foot traffic that goes in and out of that parking lot every day, I think it is very appropriate that we go forward and I think we are going to go forward with this project; I think it's an amazing asset to what has been done over the last several years to the Senior Center. When you start talking about virgin material versus material that has been picked up and recycled whether it's a 3/8 aggregate that has been mixed with 257 tar or you start talking about recycled material; yes, virgin material, when that parking lot first got paved, virgin material is very easy to move around. It's 3/8 aggregate. It's sand. It's tar. You can't drive on it immediately. It takes 24 or 48 hours to cure. With this recycled material that they are talking about, I think Pete said, you are going down six inches, that's a lot. That's an insane amount of asphalt. That's creating a shell. Most driveways that you will drive on are usually two inches compacted. That will easily handle a vehicle that is 6,000 or 8,000

lbs., no more than 10,000 lbs. But when you're talking about a six inch padding of asphalt, that is going to be able to handle traffic of all sorts of weight for a very long time. Good job Pete. Thank you.

Mr. Ratkiewich:

Let me clarify. The six inches is the recycled base and then we'll put four inches of asphalt over it so effectively, you'll have a 10" cross section.

Mr. Colabella: Even better. Love it.

Ms. Bram:

I just have to say how fortunate our town is to have such an extraordinarily capable proactive Department of Public Works and Director of Public Works in Pete Ratkiewich. The scope and the volume of work that you do and have to think about and oversee is really extraordinary, when you think about it. And it has so much to do with the desirability of the town and we all feel comfortable living in it. So, I want to thank you. This meeting, in itself, has reiterated what an extraordinary amount of work you do and what a really good job you do. So, thank you.

Mr. Ratkiewich: Thank you very much.

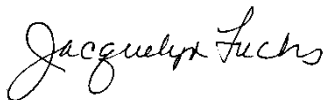
Dr. Heller:

I would just like to add to this. Pete, I just have to say the thoroughness of your presentation gives tremendous clarity to something which isn't always so easy to understand so thank you very much.

By show of hands, the motion passes unanimously, 35-0.

The meeting adjourned 9:13 p.m.

Respectfully submitted,
Jeffrey M. Dunkerton
Town Clerk

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

by Jacquelyn Fuchs

ATTENDANCE: February 2, 2021

DIST.	NAME	PRESENT	ABSENT	NOTIFIED MODERATOR	LATE/ LEFT EARLY
1	Richard Jaffe	X			
	Matthew Mandell	X			
	Kristin M. Purcell	X			
	Chris Tait	X			
2	Harris Falk	X			
	Jay Keenan	X			
	Louis M. Mall	X			
	Christine Meiers Schatz	X			
3	Mark Friedman	X			
	Arline Gertzoff	X			
	Jimmy Izzo	X			
	Amy Kaplan	X			Arr. 7:45 p.m.
4	Andrew J. Colabella	X			
	Kristan Hamlin	X			
	Noah Hammond	X			
	Jeff Wieser	X			
5	Peter Gold	X			
	Dick Lowenstein	X			
	Nicole Klein	X			
	Karen Kramer	X			
6	Candace Banks	X			
	Jessica Bram	X			
	Seth Braunstein	X			
	Cathy Talmadge		X	X	
7	Brandi Briggs	X			
	Lauren Karpf	X			
	Jack Klinge	X			
	Ellen Lautenberg	X			
8	Wendy Batteau	X			
	Lisa Newman	X			
	Carla Rea	X			
	Stephen Shackelford	X			
9	Velma Heller	X			
	Sal Liccione	X			
	Kristin Schneeman	X			
	Lauren Soloff	X			
Total		35	1		

Appendix I – Item #2

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$59,400.00 along with bond and note authorization to the Municipal Improvement Fund Account for the engineering design of a proposed extension of public sanitary sewer system for Whitney St, Roseville Road, Fernwood Rd, Plumtree Lane, Pamela Place and Ledgemoor Lane is hereby appropriated.

BOND RESOLUTION

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the "Town") hereby appropriates the sum of Fifty-Nine Thousand Four Hundred and 00/100 Dollars (\$59,400.00) for costs associated with the engineering design of an extension of the public sanitary sewer system along Whitney Street, Roseville Road, Fernwood Road, Plumtree Lane, Pamela Place and Ledgemoor Lane including related administrative, financing and other soft costs (the "Project").

Section 1. As recommended by the Board of Finance and for the purpose of financing Fifty-Nine Thousand Four Hundred and 00/100 Dollars (\$59,400.00) of the foregoing appropriation, the Town shall borrow a sum not to exceed Fifty-Nine Thousand Four Hundred and 00/100 Dollars (\$59,400.00) 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" 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.