

**RTM Meeting
April 6, 2021**

The call

1. To take such action as the meeting may determine, upon the request of the Finance Director, to authorize the issuance of refunding bonds in an amount not in excess of \$13,000,000 to be issued in calendar year 2021 for the purpose of refunding all or any portion of the general obligation bonds issued by the Town in year 2012 and in year 2013.
2. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Finance Director, to approve an appropriation in the amount of \$380,000.00 from the General Fund Balance to the COVID Accounts 10101980 – Project 10004. The prior appropriation of \$400,000.00 that was approved on July 8, 2020 has been exhausted. The additional funds will cover costs for protective devices, sanitizing, legal fees, signage, and employee testing.
3. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Finance Director, to approve an appropriation in the amount of \$780,000.00 into Hurricane Isaias Accounts 10101980 – Project 10005, to cover storm expenses incurred.
4. ~~To take such action as the meeting may determine, upon a request by the Finance Director and the Personnel/Human Resources Director, to revise the Retirement Plan for Non-Union Supervisory Employees of the Town of Westport to include current management of the Police and Fire Departments.~~ **Item withdrawn**
5. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Public Safety Departments, to approve an appropriation in the amount of \$508,470.00 adding to the March 2017 appropriation of \$1,420,000.00 for a total of \$1,928,470.00 for the replacement of the existing Dispatch Centers and the cost associated with the establishment and operation of a Fairfield-Westport Multi-town Emergency Communications Center to be Located at Sacred Heart University in Fairfield Connecticut with bond and note authorization to the Municipal Improvement Fund Account.
6. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Deputy Chief of Police, to approve a special appropriation in the amount of \$32,970.00 to the accounts listed below for mandatory drug testing for POSTC certification and hiring costs associated with replacing four vacancies at the Police Department.
 - a. Employee Medical Account \$ 9,920.00
 - b. Uniform Allowance Account \$10,650.00
 - c. Promotional Testing Account \$12,400.00
7. To take such action as the meeting may determine, upon the request of three RTM members, to adopt an ordinance restricting the use of gas-powered leaf blowers in Westport. (First reading. Full text available in the Town Clerk's Office).

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. As you know, 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 Dr. Tiffany Yip, a Westport resident, a developmental psychologist and Professor/Department Chairperson at Fordham University. She was recently quoted in a *New York Times* article of March 21 2021, which I was fortunate enough to read, *I'm Helping My Korean-American Daughter Embrace Her Identity to Counter Racism*. It is very impactful in that it addresses the impact on families and children in this time of increased harassment and hate incidents against Asian Americans. Dr. Yip noted: that a child who hears a racist remark hears this: "You don't belong. You're other. You're different." She went on to say, "I'm not sure Asian-American families can avoid *the talk* any longer." It's a talk that must include listening to, and coming to understand, all groups who face racial bias. I'd like to welcome you, Dr. Yip.

Invocation, Dr. Tiffany Yip:

Thank you, Velma, for the introduction. It's so nice to be here with you tonight. You introduced me perfectly so I don't have much more to add except that I moved here in 2005. We are raising two children and we consider Westport home. I am a developmental psychologist. I serve as Department Chair in the Department of Psychology at Fordham University. I really appreciate the space to come and speak to you all today. For more than 20 years, I've been studying race and racism and how they are implicated in child development, how it gets folded into a child's sense of identity, how it gets folded into their experiences of racism and discrimination and how it impacts their overall development. So, tonight I just wanted to share with you all some of the research that I've been doing in this area and some observations about how this research that I've been doing intersects with current events and our Westport community. A lot of people have been talking about the twin pandemics of COVID 19 and racism. We know that vaccines started rolling out earlier this year and, as of today, fully 1/3 of Americans have been fully vaccinated. So, it appears that we are inching toward the finish line of the COVID 19 pandemic. The question is where are we with respect to the racism pandemic? Continuing this notion of flattening the curve with respect to the pandemic, ideas about the Coronavirus and flattening the curve and how that will impact public health was really a useful model for thinking about controlling the Coronavirus pandemic. Similar ideas have been put forth with respect to the racism pandemic and here is a picture taken from Dan Woog's blog. It was the *Stop Asian Hate Rally* that took place in Jesup Green just a few weeks ago. How well are we doing with flattening the racism curve? Well, if you look at

AAPI, Asian American Pacific Islanders, according to AAPI Stop Hate website, there has been a significant exponential increase in crimes against Asians, hovering around 4,000 in just the past year alone. This is in the context of the fact that the United States has actually seen a seven percent decline in hate crimes during the same time period. This increase of 150 percent is against the backdrop of an actual decline nationally. You can see here some sentiments that come from recent media and you can see that Asian Americans are being scapegoated for the pandemic. Here's another article that came out just this weekend. It's an analysis by the *New York Times* looking at media reports of harassment in AAPI communities so, here again, there is not any evidence of curve flattening and, in fact, we're seeing perhaps a second wave, if you will, of the racism pandemic. How is this relevant to local Westport residents? AAPIs are actually the second largest group in our community hovering at around seven percent. This mirrors national statistics where AAPIs range between six to seven percent of the U.S. population, as well. So, I'd like to propose that in the same way folks have talked about *herd immunity* as a way to flatten the curve of the pandemic, we need to use a similar way to flatten the curve of anti-racism. This really is a joint effort. So, in the same way that we need a majority of the population to be vaccinated to eradicate the COVID 19 virus, it is my strong belief that a majority of families must also engage in anti-racist conversation and there needs to be a certain percentage of our local and national communities to do so in order to be effective. Westport has done some really incredible things in the past year; looking just today that the winners of the TEAM Westport BLM essay contest were announced. Here are some images taken from last summer at the height of the Black Lives Matter movement, local pictures. This is also the Anti-Asian Hate Rally that was held a couple of weeks ago so there is strong evidence of community support for anti-racist efforts in Westport. Do these activities matter? Does it matter that we take our children to these rallies? Does it matter if we go? Here are a couple of articles that my colleagues and I published earlier in the summer. This is done in collaboration with David Chae who is a professor of public health at Tulane and Onnie Rogers who is a developmental psychologist at Northwestern. What we did was we collected data from 2,000 parents in May of 2020 focusing specifically on New York, Chicago, Los Angeles and New Orleans. What we found in this data set was that 65 percent of white respondents said that their parents never or rarely had conversations with them about racism when they were children. Those whose parents did talk to them about racism were 1) More likely to talk to their own children about racism; and 2) more likely to support racial minorities who have been harder hit by the COVID19 pandemic. In contrast, those respondents whose parents did not talk to them about racism were more likely to blame racial minorities for being disproportionately hit by the COVID pandemic. Here's some other data that we gathered. This is data looking at Google trends for searches for Black Lives Matter or BLM from March to August of 2020. What you can see here is what you might expect which is a spike in the search for those two terms following George Floyd's death. You can see how the searches peaked at the time of national and global protests. What was interesting about these data is that we found that white parents that lived in communities where these searches were more prevalent were also more likely to talk to their children about racism. So, if you live in a community where these conversations are more frequent, if your neighbors and people in your community are having these conversations, it was more likely that white parents would also be having these conversations. So, how do we

think about herd immunity to flatten the racism curve? Think about engaging and modeling *allyship*. Allies are people of power or privilege who use their positions to advocate for marginalized groups. We can teach our children the importance of the power of being *upstanders*. *Upstanders* intervene in a helpful way, interrupting a harmful interaction. We can also engage and learn about different members of our community. We can talk to our children about current events in age appropriate ways. There are wonderful Sesame Street resources for people with younger children. There is always an age appropriate way to engage in these conversations so that the idea that children are too young is simply not true. In fact, we know from our research that infants as young as six months old are able to perceive and categorize racial groups and racial identities become quite salient by age three or four. So, even at the early verbal stages, it's not too early to have these conversations. And, as Velma mentioned, having the talk...the talk here is not about the birds and the bees; the talk here is about racism and anti-racism efforts. Similar to the talk you have with your children about the birds and the bees, this is not a singular talk. It is an ongoing conversation that we need to engage in with our children, with our parents, with our family members, with our neighbors, with our community. This is not a single conversation. So, thank you again for the opportunity to speak with you. I hope this makes clear that anti-racism efforts require the work of all members of our community and to the RTM as the elected legislative body of the town, I share this work with you today in the spirit of engaging the community to help flatten the racism curve. Thank you for your time.

Dr. Heller:

Thank you so much Dr. Yip. We are so appreciative of your cogent remarks reminding us that we are all stakeholders who not only contribute to and benefit from the diversity of our society but who as a Town body recognize the pain inflicted by racism impacts the very roots of our society. Apropos of that, here is the pledge of allegiance which is a montage of RTM members.

There were 35 members present. Ms. Talmadge was absent; Mr. Keenan and Ms. Briggs notified the Moderator that they would be late. Mr. Friedman left early. Mr. Izzo left the meeting briefly. As a result, there were never more than 34 members voting on any agenda item.

Announcements

Dr. Heller:

The minutes of the March meeting have been posted on the town website. Seeing no corrections, the minutes are accepted as submitted. Anyone with corrections, please contact Jackie Fuchs, Jeff Dunkerton, or Dr. Heller.

A very happy birthday to Lauren Karpf, Stephen Shackelford and Andrew Colabella. Congratulations to all.

RTM Announcements

Matthew Mandell, district 1:

I have two announcements and two is the case because today I got my second shot so we're well on our way to getting around this. I hope everybody is getting their shots and second shots and using your masks and keeping safe. We're going to get out of this. The other thing is drive in concerts are back. This month there are two of them. Deep Banana Blackout on April 24 is sold out. On the 23rd, we still have a couple of tickets left for Sophie B. Hawkins. She is a Westport resident. She is Grammy nominated Best New Artist and has two top 100 songs. There are a couple of tickets left so come on and buy them. Tomorrow I'm going to be releasing the May shows but tonight you get a special preview of them. Why not! On May 14th and 15th will be a band called Dark Desert Eagles. They are one of the preeminent Eagles cover bands. They are national touring but are staying close to the east coast because of the pandemic. I can't believe we were lucky enough to snag them. So, two nights, May 14 and May 15, Eagles music including Joe Walsh. They are a phenomenal band. If you love the Eagles, you will not be disappointed. Tickets will be going on sale next Monday at 10 a.m. So, come on out and see some live music. Westport is getting back in gear. Probably by the fall, we'll be seeing music inside or outside, wherever we want. Concerts, Dog Festival, Slice of Saugatuck...all of that.

Jessica Bram, district 6, Chair, Health and Human Service Committee:

We are going to be meeting on Monday, April 13 at 7:30 p.m. to review the budget and ask questions of our Health Director.

Amy Kaplan, district 3, Chair, Library, Museum and Arts Committee:

We have a meeting tomorrow evening, April 7, at 5:30 p.m. We have just one item on the agenda. We will be discussing the proposed budget for the library.

Wendy Batteau, district 8:

On April 14, the Environment Committee will be meeting to go over the Conservation Department budget at 5 p.m.

Rick Jaffe, district 1:

The Information Technology Committee will meet on Monday, April 12 at 6 p.m. to go over the Information Technology budget. We're expecting standing room only on zoom.

Dr. Heller:

I have word that my internet connection is unstable. I apologize for that. I do not have a great deal of control over it but I am doing the best that I can.

Jimmy Izzo, district 5:

RTM Public Protection Committee will be meeting to discuss our Public Safety budget on Tuesday, April 20 at 6 p.m. via zoom.

Dick Lowenstein, district 5:

RTM Transit will be meeting jointly with RTM Finance at 6 o'clock on Thursday. The first two items on the agenda will be the Railroad Parking budget and the Westport Transit District. The remainder of the meeting, I defer to Mr. Wieser.

Jeff Wieser, district 4:

The rest of the meeting will be the Finance Committee going over the town budget. The Finance Committee will meet again on April 27 to review the Education budget. That's the plan at the moment unless things change.

Dr. Heller:

Our next RTM meetings are scheduled for Monday, May 3, Tuesday, May 4 at 7:30 p.m. and, if necessary, Wednesday, May 5 should the agenda run over on those two days.

The secretary read item #1 of the call - To authorize the issuance of refunding bonds in an amount not in excess of \$13,000,000 to be issued in calendar year 2021 for the purpose of refunding all or any portion of the general obligation bonds issued by the Town in year 2012 and in year 2013.

Presentation

Gary Conrad, Finance Director:

We have the opportunity to refund the 2012 and 2013 bonds that were issued. We expect to have about a half million dollars in savings. That will be spread over the remaining life of the bonds which is nine years. We expect that to come in under two percent on a refunding basis. It's a great opportunity and we had a Moody's rating call today which went very well. They were quite happy. It was quick and short. We expect to maintain our AAA rating.

Committee report

Finance Committee, Seth Braunstein, district 6:

As Gary pointed out, this is just fiscal management where we are going to take care of the fact that rates remain relatively low; although, they are moving up. We're trying to be a bit proactive here. We've got some bonds that will be eligible for refunding a bit later this year and we're able to lock in a rate now, 90 days ahead of time where we are able to do the refunding with the bond covenant included. We are going to save about a half million dollars without expenses. The approximate cost of refunding is about \$75,000. That includes the Moody's rating; that includes legal expenses, banking fees and printing costs. This is just a straightforward effort by the town to be as economically responsible as possible. We are not extending the bonds. They will still have a nine year remaining duration. This way, we just get to save a couple of bucks. This passed unanimously by a vote of 7-0.

Members of the Westport electorate – no comments

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the request of the Finance Director, the issuance of refunding bonds in an amount not in excess of \$13,000,000 to be issued in calendar year 2021 for the purpose of refunding all or any portion of the general obligation bonds issued by the Town in year 2012 and in year 2013 is hereby authorized.

Members of the RTM

Peter Gold, district 5:

Seth mentioned that the refinanced bonds would still have a nine year term. At the last meeting, we approved a whole bunch of bonding for other things. Why don't we just extend the term of these bonds if the interest rate is so good instead of issuing new bonds?

Mr. Conrad:

When we do the refundings, we try to keep in line with the original debt issue; these are going out 20 years. We try to keep that without extending it. We don't normally want to extend those because we have new debt coming in. At that point, we are issuing debt for the appropriate years whether it be 20 years on most projects but we would bring that back down based on whatever the life expectancy of the asset is. But normally, we do not extend it, even at the lower interest rate. The idea behind this is back when these bonds were issued, we would never think that interest rates would be so low that it could happen again. This is the recommendation of the bond council and also our financial guide.

By roll call vote, the motion passes unanimously 33-0.

(Absent: Mr. Keenan, Ms. Talmadge, Ms. Briggs.)

The secretary read item #2 of the call – To approve an appropriation in the amount of \$380,000.00 from the General Fund Balance to the COVID Accounts 10101980 – Project 10004. The prior appropriation of \$400,000.00 that was approved on July 8, 2020 has been exhausted. The additional funds will cover costs for protective devices, sanitizing, legal fees, signage, and employee testing.

Presentation

Mr. Conrad:

This is a continuing expense for the town. Basically, we're in the phase now where we're doing COVID testing. The question came up whether with people getting vaccinated now, we'll continue testing. Even though people are vaccinated now, they could fall into that small percentile that is not effective. In addition to that, a person could have the coronavirus and get vaccinated and still pass it on to someone who has not been vaccinated. So, we have estimated that we are going to need another \$380,000 to bring us through the end of the year. I have broken it down on a spreadsheet and submitted it to both the Board of Finance and the RTM. As I mentioned, most of it is the COVID testing. We have a contract with a company, Progressive Labs, and they come to Town Hall every Tuesday. They test 10 percent of the population on a designated basis. As I mentioned, this will bring us up through June 30. As we get closer to year end, if there is any additional expenditures, if there is another variant coming through, we'll probably have to look for more testing. Hopefully, we're over the worst of it. This is the estimate that we have to carry us through.

Committee report

Finance Committee, Lauren Soloff, district 9:

The Finance Committee met on March 23 to discuss Mr. Conrad's request. We talked about the need for ongoing testing even though people were vaccinated. He did make note of the fact that testing protocol may be revised for new summer employees potentially resulting in a higher than anticipated expense. We talked about also additional appropriations for supplies such as masks, gloves, and hand-sanitizer, as well as a sensor for temperature taking at the Town Hall entry. He did state that an application has been submitted to FEMA for reimbursement of qualified expenses. Based on FEMA reimbursement guidelines, he is hopeful that the town will receive 100 percent funding for eligible expenses, in the total amount for both appropriations of \$780,000.00. There was a brief discussion regarding increased legal expenses due to the necessary interpretation of various executive orders, such as those impacting restaurants. One Finance Committee member requested a copy of the redacted itemized legal bills arguing that in order for the RTM to fulfill its fiduciary duty as a funding body, the Finance Committee must have access to the itemized bills. The itemized bill related to the COVID-19 expenses was subsequently submitted to the Finance Committee. A motion in favor of supporting the requested appropriation was made and seconded, and passed unanimously, 7-0.

Members of the Westport electorate – no comments

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Finance Director, the sum of \$380,000.00 from the General Fund Balance to the COVID Accounts 10101980 – Project 10004 is hereby appropriated. The prior appropriation of \$400,000.00 that was approved on July 8, 2020 has been exhausted. The additional funds will cover costs for protective devices, sanitizing, legal fees, signage, and employee testing.

Members of the RTM

Mr. Mandell:

Gary, I've got a question. The money you are talking about is for protective stuff. One of them is the temperature gauge coming into Town Hall. What other money is being spent in terms of security of Town Hall? Any other money or just the temperature?

Mr. Conrad:

That was approved on a separate appropriation to modify the Town Hall and also put in air filtration systems, redoing the front entryway, the new doors for people to come in and also the reception area; in addition to that, all the security devices on the doors that lock it down to prevent access from anyone who is not appropriate to be in the building. That was covered under the other one. This one is basically for sanitizing equipment, masks, gloves. We have a big use of gloves for the Fire Department, Police and EMS. I will continue to purchase that equipment. Some of it, masks especially, do expire, so we will distribute those to anybody who needs them. That's basically it.

Mr. Mandell:

The reason I ask is a couple of employees and a number of residents brought my attention to the new protocols coming into Town Hall in terms of doors being locked, use of the stairwells, etc. When that other appropriation that you spoke of came before us, it was specifically for during COVID time. I just want to make sure that you are aware that there are some issues there. People are believing this is getting a little too tight for Town Hall which is supposed to be open to the public for our use. We'll have to go back to the record and look at it but once this COVID is over, we should scrutinize whether Town Hall is open for the public to use efficiently and not have to ask permission to go through a particular door or use a stairway to go from the first to the third floor. It's something I'm just bringing up to this body so in September or October when things hopefully get back to normal that we address that and make sure that Town Hall is still our people's house.

Carla Rea, district 8:

I want to chorus what Matt says. I went to Town Hall to go to the bathroom. I did not read the thing on the elevator. I got into the elevator and pushed the button to go upstairs. I got locked into the elevator. Fortunately, I had a friend who had the fob and she opened up the door for me again. The other thing is when you come in, they want you to sign your name. I refuse to do that. It is my constitutional right to go into a public building and not to give my name to anyone. I resent what they are doing to Town Hall. It is like Fort Knox. I think it's crazy. I think the RTM should revisit. My sense is that they are spending all this money, possibly above what we have allocated, to have all these cameras to see where everybody is going, not to go from one floor to another floor, not be able to go to the ladies room if you are on the first floor because you are not capable of going through the door unless you have a fob or if someone escorts you. I think we should really look at what's going on. I think it's terrible.

Dr. Heller:

Thank you. I think we really need to stick to the issue of the resolution right now. I hear there are questions but right now let's stick to this resolution.

Ms. Rea: That's fine but the RTM should be aware of what's going on.

Ms. Batteau:

I don't know if I'm hearing from the same people as the others but at some point I would like to hear from Gary what security measures we did approve and what ones are temporary. Thank you.

Sal Liccione, district 9:

Gary, at the Finance Committee meeting, Christine Meiers Schatz asked for redacted invoices. Can I ask how far we've gotten with that? Can I ask why we have not gotten them? Or do we have to go the First Selectman? Can you tell us why we have not?

Mr. Wieser: I believe we did receive it. Right, Christine?

Christine Meiers Schatz, district 2:

Yes. We did receive those. Thank you Gary, very much.

Mr. Wieser: I'm not sure who received it but we can get it to you Sal.

Ellen Lautenberg, district 7:

I am looking at the spreadsheet where the money is going to go. Gary, you mentioned 10 percent of employees. Did you say that?

Mr. Conrad:

Yes. We have been dealing with Progressive Labs. Their recommendation was to test higher going back to the incident commend group and that included the Health District, our Safety Officer and also EMS. It was felt that 10 percent of the employees would be tested every week. That was the recommendation from the committee.

Ms. Lautenberg:

Are these employees just at Town Hall or also in Police and Fire and other locations?

Mr. Conrad:

It is in all locations. It is all employees including seasonal help. We pick up about 350 in seasonal help during the summer and they'll all be tested. They will be tested before they start working to make sure they test negative and then they will also be included on the 10 percent testing basis.

Ms. Lautenberg: What kind of things fall under miscellaneous expenses?

Mr. Conrad:

That is other types of supplies that we can get reimbursed from FEMA.

Mr. Wieser:

We do have one email from the public, T. J. Elgin. This question I think has been answered with some of these questions:

How are we spending nearly half a million on a temperature check at front of Town Hall? It sounds like people are taking and spending money foolishly. Thank you.

T. J. Elgin

As I said, I think we've answered some of those questions.

By roll call vote, the motion passes unanimously 33-0.

(Mr. Keenan, Mr. Izzo and Ms. Talmadge were absent.)

The secretary read item #3 of the call - To approve an appropriation in the amount of \$780,000.00 into Hurricane Isaias Accounts 10101980 – Project 10005, to cover storm expenses incurred.

Presentation

Mr. Conrad:

This goes back to the Hurricane Isaias. So far, the project has been pretty much closed out. We may have a few items still in there but we spent \$772,614. Most of that, the President had approved that as a reimbursable from FEMA and that document has been filed to FEMA. One of the things added to that is that we can get reimbursed for our own employees on both straight and overtime and all the equipment that we used to remove all the debris from the storm so we are actually putting in a request for over \$1 million. It should be reimbursed at 100 percent. So, we will fully cover this appropriation.

Committee report

Finance Committee, Mr. Jaffe:

There is a spread sheet from Mr. Conrad in your packet on page 17 which details the expenses for which funding is requested. My report is on page 18 of your packet. As Mr. Conrad told us, Hurricane Isaias was an unprecedented storm which caused extensive damage throughout town. He requested \$780,000 which will be used to cover expenses used in extra help and overtime, rental equipment and supplies and miscellaneous repair. As Mr. Conrad told us, the entire \$780,000 expended by the town is expected to be reimbursed at 100 percent by FEMA, the Federal Emergency Management Agency of the U.S. Government. Off topic but also interesting, Mr. Conrad told us that the town is eligible for funds in addition to the \$780,000 which has to do with the usage of our vehicles, among other things. The reason that we qualify for this extra reimbursement, if I understand correctly, is through the diligence of our town employees who carefully tracked use of that equipment so that our reimbursement request does meet the FEMA standard. A motion in favor of the requested appropriation was made, seconded and passed unanimously 7-0.

Members of the Westport electorate – No comments

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Finance Director, the sum of \$780,000.00 into Hurricane Isaias Accounts 10101980–Project 10005, to cover storm expenses incurred is hereby appropriated.

Members of the RTM

Mr. Gold:

Gary, contract services, I assume those are tree crews and things like that.

Mr. Conrad:

We actually go out every year so that we qualify under FEMA and we bid out for all the construction companies, tree companies for help should we have any storms. By doing so, we have a five to eight page list of each piece of equipment and every type of labor or specialty out there. Each item is bid on separately and once the storm comes we exercise our right to that. Because it has been bid out previously, it does comply with all the FEMA requirements.

Mr. Gold: Do we have to pay some kind of standby fee for that?

Mr. Conrad: There is no fee unless we actually use them.

Mr. Gold:

I assume by bidding them out in advance we get a better price than if we bid for them when we needed help.

Mr. Conrad:

Absolutely. In fact, we've had other towns ask if they could piggyback on us. We say absolutely. You have to talk to the contractor to see if you get the same pricing. That's led to other towns taking up the same method of bidding out annually is the best way to go because you can hit the ground running and all those payments do qualify for reimbursement under FEMA.

Harris Falk, district 2:

So, FEMA is paying us back. The thing I am not quite understanding is the Board of Education is having its budget cut because they are getting grant money. So, you'll be getting it. Why do you need it and the Board of Education doesn't? I guess it's more of a question for the Board of Finance but, if you have any idea, that will be great.

Mr. Conrad:

This is a special circumstance. A hurricane is certainly different than a pandemic. This was voted on and approved by the President of the United States. The other funds that are coming in are more or less undesignated. They are grants that come into the Board of Education that can be used for expenses that are deemed necessary. All of those expenses are approved by the U.S. Treasury. Once those are defined, you can then expend the money. It's a different program.

Mr. Liccione:

This is a question that I had for you last time about the storm's response. I asked a question about how the press releases were sent out. The question was to you or Jim Marpe or the Fire Chief. Have there been any changes since then? There was a lot of confusion at the time. I want to approve this. I just want to know if there were any changes.

Dr. Heller:

I wonder if you could clarify the question. You want to know if there have been changes in what?

Mr. Liccione:

Last time, when we had the storm, there was so much confusion. Roads were open and roads weren't really open. Roads were closed. We had problems with Eversource. I just want to make sure...we had a big meeting about it. So, I am asking the Fire Chief and the First Selectman ...[inaudible]

Mr. Conrad:

That will have to be answered by the Fire Chief and I don't believe he is here this evening but I'm sure that can be answered.

Jim Marpe, First Selectman: I believe the Fire Chief is here.

Fire Chief Yost:

We did an after action review, lessons learned and we did identify some areas for improvement on communication in a report so we will be implementing those. So, yes.

Mr. Wieser:

We did just get a comment of support from Mr. Elgin. It says that he supports the vote.

By roll call vote, the motion passes 34-0.

(Ms. Talmadge and Mr. Izzo were not present.)

Item # 4 – Withdrawn

The secretary read Item #5 of the call - To approve an appropriation in the amount of \$508,470.00 adding to the March 2017 appropriation of \$1,420,000.00 for a total of \$1,928,470.00 for the replacement of the existing Dispatch Centers and the cost associated with the establishment and operation of a Fairfield-Westport Multi-town Emergency Communications Center to be Located at Sacred Heart University in Fairfield Connecticut with bond and note authorization to the Municipal Improvement Fund Account.

Presentation

Fire Chief Yost, Emergency Management Director on behalf of Police Chief Koskinas:

I know we have been talking about this marriage for about four years now. We are at the altar, ring in hand and, unfortunately, the Minister has asked for more money. I am going to introduce Assistant Chief Cohen, my subject matter expert, who will explain what these extra costs involve. We are ready to start banging nails tomorrow if this money is approved.

Assistant Chief Matt Cohen:

Good evening. Thank you for your time. As Chief Yost stated, we are literally at the gate and literally ready to begin building the center. The construction contractors have been awarded and we are prepared to begin actual construction in May, assuming the funds are approved. I'm going to get right into the budget of what was approved and the revised plans and give you some of the details as to why the difference and the cost justifications of those differences. Our primary increases are in both information technology and the overall renovation costs. The information technology costs can be attributed to the overall increase in technology since this plan was originally drafted as well as not only the change in technology but also newer technologies that are available that will help with redundancies in protection. It is very difficult to move an operational 9-1-1 center, let alone a regional 9-1-1 center. We are required to have backup in place which we will establish with area 9-1-1 centers that could take over in case of an emergency but our key focus is

to not have to utilize that emergency. A couple of the bigger ticket items: Newer servers from what was originally purchased; a microwave link which will give us redundant connectivity based on the fiber which will run underground so it is essentially a construction mishap a way from being severed. That is a standard installation in any of the 9-1-1 centers. It is generally run on a fiber backbone so we are not trying to take an easy way out there but our hope is to have a microwave backbone as well which will run over to Cowley Hall on campus and then will be tied around to the state's microwave ring back to the troop G. It will carry both radio and 9-1-1 calls back to the State system. Also, we are looking at an increase in outside support (which we'll get into in the next slide.) Our renovation costs, when we originally tried to calculate out the costs based on a different site location on the Sacred Heart campus, the old G.E. building, that became undesirable due to a massive hockey ring being built around the proposed area of the 9-1-1 center. The added noise and construction upset was not going to be a practical location for the 9-1-1 center. We removed to the main campus and were able to obtain a larger space so it is subsequently going to change some of the construction costs. Just to reiterate, when the plan was approved, those were based on theoretical or anticipated costs. We have since had both architectural services, construction management and construction RFPs go out and be awarded which provided us with a pretty rock solid revised plan at this point so we were able to revise the numbers from actual numbers versus theoretical numbers. What we're looking for, overall, the capital increase is \$508,470. If we look at the capital budget cost allocations, we are still going for a 50 percent split between Fairfield and Westport. We have received increased transition grant money from the State which went from \$250,000 to \$300,000 per community. We should have some offset, obviously \$50,000, from the increase to bring it to \$508,000. What we pitched for this whole project is cost savings through increased efficiencies. What we're looking at is continuing that. We haven't had any changes with the relocation or project delays that have been associated. We are still looking to see a substantial savings in our overall operating budgets without any decrease in anticipated services. So, we look at our fiscal year breakdowns. In the year 2021, we are spending approximately \$1.3 million for dispatching services in Westport. This is with the two centers, Police and Fire Department operating. What we're looking at in the breakdown for Fiscal Year 2021/2022, the first year of Center operation, we are looking at an approximate savings of \$537,000 in operating costs which are then carried out to 22/23, which have already been proposed in budgets on the Fairfield side. We are looking at saving approximately \$542,000. It would just be based on a modest two percent CPI for that year. The year 23/24, we have been able to calculate out. There is an increased cost in technology support based on the three year warrantee coming off and that is approximately a \$90,000 increase. But even with that \$90,000 increase, we are still looking at a savings of \$508,000, again, based on current percentage increases of our current operation in Westport versus this joint center. Essentially, what we are looking at is a breakeven point of year 24/25 or the fourth year of operation in which we should see a breakeven point between capital and expenses. We still stand by the fact that this is the right thing; this is the best thing to do not only from a financial standpoint but we are also looking at seeing many service efficiency improvements as well as proficiencies and the ability to leverage more advanced systems at a lower cost because of cost sharing. I would also like to say while we don't have anything to sell to neighboring towns but we do look to expand the operation. The

scalability of this new center and the location allows us to take on additional dispatching services for other communities, as well, which will just improve the cost sharing model that we are looking at. Our caveats that we are looking at: Obviously, part of this transitional plan is to migrate both the administrative services and employees over to Fairfield town employees that are currently in negotiation. So, we are not able to capture any salary increases that are part of negotiations. As we talked about, we have the informational technology increase and that we'll still show a substantial decrease in our operating budgets. The benefits: We are looking at product differentiation. The State has really pushed for consolidation of the 9-1-1 centers. One of our fears and really what was the precipice of pushing this project forward was that we wanted to avoid being swallowed up into a larger center operated by another larger municipality that we would not have proper representation, that we would not have operational oversight of nor would we have management oversight of. Our original push for this during the State's pushing for 9-1-1 consolidation was to get in with similar sized communities, similar demographic communities in which case we would maintain management rights and that was our original partnership. So, coming into this partnership with Fairfield on a 50/50 basis was justified based on a 50 percent management control of operation of the center which allows us to set the standards to which we are looking to deliver and the quality of service. We are able to enforce that. Operated by another larger municipality, we would not have the proper representation. We would not have operational oversight of nor would we have management oversight of. Our original push was to get in with similar sized communities in which case we would retain management rights. Again, that was our original partnership. Coming into this project with Fairfield on a 50/50 basis was justified based on retaining 50 percent management and operational control of the center which allows us to set the standards which we are looking to deliver. [New slide] This is just a rendering of the center. I'd like to leave time for any questions you may have.

Committees report

Finance and Public Protection Committees, Seth Braunstein, district 6:

As you just heard, Chief Yost and Assistant Chief Cohen provided some detailed explanations for these additional expenses. Essentially, you are seeing higher construction costs due to the relocation and some higher technology costs driving the majority of those increases. Netting it all out, once this project is completed, we are going to have a much more efficient emergency dispatch system for the future. Both Public Protection and Finance voted unanimously. In attendance for the evening were Police Chief Koskinas, Fire Chief Yost, Deputy Chief Michael Kronick and Assistant Chief Matt Cohen and for RTM Public Protection, you had our Chair, Jimmy Izzo, myself, Lou Mall, Kristan Hamlin, Noah Hammond, Andrew Colabella, Rick Jaffe, Candace Banks and Richard Lowenstein. For Finance, our Chair, Jeff Wieser, myself, Christine Meiers Schatz, Jessica Bram, Lauren Soloff, Cathy Talmadge, Stephen Shackelford and Rick Jaffe. Again, both of those committees voted unanimously to approve this funding to the full RTM.

Members of the Westport electorate

Mr. Wieser: I just have one comment from Mr. Elgin who says:

If we are going to invest millions, why not just pay more local people in town for services. This sounds like a long term project that will cost more down the road once approved. We need more clarity than this. I do not see any documents for spending.

Mr. Wieser read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Public Safety Departments, the sum of \$508,470.00 adding to the March 2017 appropriation of \$1,420,000.00 for a total of \$1,928,470.00 for the replacement of the existing Dispatch Centers and the cost associated with the establishment and operation of a Fairfield-Westport Multi-town Emergency Communications Center to be Located at Sacred Heart University in Fairfield Connecticut, with bond and note authorization to the Municipal Improvement Fund Account is hereby appropriated. (Full text, Appendix II below.)

Mr. Wieser: Thank you Mr. Klinge.

Members of the RTM

Mr. Gold:

Do we have any kind of a lease on this center? Is it year to year? I know it's a dollar but do we have rights to stay there 10 years or 15 years or whatever?

Mr. Cohen:

Yes. We do. The towns have the option to opt out of the lease by simply not funding it anymore; however, the towns also have the right to two terms of 12.5 years or 25 years.

Mr. Gold:

Good. You mentioned microwave links. I recall another presentation about microwave links a couple of months ago. Didn't we fund some of this a couple of months ago?

Mr. Cohen:

That was for the communication infrastructure project within the town to link the radio sites in town. This is a similar project but it is for a separate project.

Mr. Gold:

The words "microwave links" triggered the memory. You said that there is 50/50 percent operational control but you also said the employees are Fairfield employees subject to Fairfield collective bargaining. We have no say in their salaries and operating costs?

Mr. Cohen:

We retain 50 percent managerial control which means management of the center will currently be by a Fairfield Police Captain who answers to a Board of Directors made up of two Westport representatives and two Fairfield representatives, the Police Chief and Fire Chief of both municipalities. That Director will be the primary point for negotiations so essentially Westport does retain some control over negotiations. Basically, the goal is

to leverage existing services to realize those efficiencies and cost savings versus having legal retainers for the center, HR for the center.

Mr. Gold:

I understand the goal of doing it jointly to avoid duplicate costs. But there are a lot of people working at the center, presumably three shifts, seven days a week, 365 days a year. You have to have more than one Captain. These employees are Fairfield town employees? Westport employees? Or some mix?

Mr. Cohen:

That is subject to collective bargaining. The anticipated goal is for them to be Fairfield employees.

Mr. Gold:

So they bargain with the Fairfield Police Union and get Fairfield pension benefits and whatever.

Mr. Cohen:

They are civilian employees. They are not part of the Police Department.

Ms. Batteau:

I wonder if there have been any assumptions made about the pandemic that underlie the scheduling or pricing of this particular revision that could be upset if those assumptions don't prove out?

Mr. Cohen:

The RFP's for the project were issued well within the pandemic. Any increased construction cost that could be associated with it such as protective equipment, limiting exposure of employees, has already been captured in these budgets. In fact, that was part of this morning's meeting, how the construction companies and subcontractors are going to observe their COVID plan and we reviewed that with them. Any potential increased costs have already been captured.

Mr. Mandell:

Just a quick question, more of a local feel here. If we dial the 5000 number or the 6000 number, who will answer that? Someone in our local house or this dispatch center?

Mr. Cohen:

The 5000 and 6000 numbers are administrative numbers and would still be answered in the respective towns.

Mr. Liccione:

Matt, first of all, thank you for your service to our town. I think this question was asked in committee, how many other towns are looking to combine with us too? New Canaan, right?

Mr. Cohen:

We currently have a contract with New Canaan Fire. We have been unofficially been approached by other towns but at this point, we don't have a product to sell them until the center is done and operational. It has been a long and difficult road with only two municipalities. The last thing we want to do is further muddy that water by introducing other municipalities to this process. Westport and Fairfield will retain those management rights as the founding members of the center and other municipalities will be added in on a subscription basis. They will not take on any of the ownership.

Mr. Falk:

Mr. Gold asked a lot of my questions. (I have to stop thinking like him.) The question I have now is about backup locations. How do backup locations work and how are they funded? If the aliens somehow take this away, how do Fairfield and Westport and, hopefully, everybody around us, how will they work. You know what, I don't care about them. How will we backup? How much is it going to cost us?

Mr. Cohen:

It's not going to cost us anything. In the current phase, it's a normal day to day practice, we currently have backups as all 9-1-1 centers are mandated to have. It's not a subscription base. The State determines who is going to be the rollover points in coordination with the local agencies so your 9-1-1 calls get predetermined and they go over to another piece app. Depending on the size and complexity of the center, you can have a few options. You can actually build a whole backup dispatch center which is not our plan right now but centers such as Bridgeport and Stamford have full backup centers. What is typically done is a decentralization of dispatch where either you have radio phone capabilities in the emergency operation center or you have other neighboring towns that have spare positions and you pre-program those with your dispatching resources. We are not looking to maintain an additional facility or build an additional facility.

Mr. Falk:

How will they know which way to go, though? We are now going to be two towns and then hopefully three, hopefully four, hopefully five. How will the backup know where to go, which way to send it?

Mr. Cohen:

It's preprogrammed in the 9-1-1 system who your first and tertiary backup systems are. Those are all calculated out based on anticipated call loading as well as available resources in those other centers. So, for example, Bridgeport is going to use an Easton as their backup because they have one dispatcher on and two positions. So, it's all calculated based on resources and predetermined primary and backup. They don't necessarily go to the same center. Our center can decentralize and Westport calls would be rerouted to another facility as they would be now.

Mr. Izzo:

Matt, again, thank you for a super presentation, first class again. For 10 years, since Chief Kingsbury was on, my 10 years on the RTM, this has been something that the police and

fire have been trying to do for a long time. This is going to be so much more efficient for us because the 9-1-1 calls will come in and they will not have to figure out whether it goes to police, whether it goes to fire. This will not only save us money, it will serve Westport residents much, much more efficiently. I'm sure Matt will answer any questions any time on this. It has been a long time coming. Thank you guys for all your hard work on this.

Mr. Gold: Is this going to cover EMS too or just police and fire?

Mr. Cohen:

EMS as well. EMS is currently dispatched under the Police Center. That will be brought in as part of the Police Center merger.

Kristin Schneeman, district 9:

First of all, I want to echo Jimmy's comments. Matt, I always appreciate your presentations and in depth information. Thank you. I also know that this has been a long time for the project that I am very supportive of. I have three questions. It is in the spirit of this has been unfolding for a while and rolling to its conclusion and then this was sort of a late in the game, obviously significant, cost increase for us. I want to make sure I understand where it's coming from exactly. I was hoping someone could give a bit more context about the new site. I had heard about Fairfield building a new hockey rink and it sounded like they were using the same site. Maybe it's an adjacent site which kind of made the original site undesirable. Clearly, part of the original attraction of this was the site itself and the low cost associated with that particular site. So, I was hoping someone could give more context or color as to what happened there.

Mr. Cohen:

Absolutely. Originally, in the execution of the lease, bringing two municipalities together is not something that is commonly done in the State. The State is usually broken down into their original fiefdoms and that's how they operate, so there aren't too many models that we could have worked off of. So, we were kind of inventing this as we went along. We leveraged outside consulting services and worked in other states' regional centers to develop the design of this project. Both municipalities were comfortable executing a lease at the GE site location. Sacred Heart decided that they were going to build that hockey rink which also involved taking up some of the space that was originally included for us. They were going to remove a wall and rebuild it approximately six feet into the space that we were going to lease. At the time, we didn't have protections to attempt to fight that. As a gesture of good measure, they were willing to accommodate us when we told them that we were not going to be able to operate in that reduced space with the increase in pedestrian traffic right next to the center as well as the associated security concerns. Having the general public walking past a 9-1-1 center to get to a hockey rink is not desirable from a 9-1-1 hardening standpoint. So, we met with Sacred Heart and were able to determine a suitable location on their main campus. The new location is in the media center building. It will be isolated off the media center with ballistic hardening and security that we were looking to attain in the original location.

Ms. Schneeman:

That's helpful and it is kind of a miracle that you were able to scramble quite quickly to pivot to a new site and unfortunate that it didn't work out in the original one. Just on the IT costs, correct me if I'm wrong, it sounds like those are not really related to the new site, it's just new ideas of what was needed. Is that accurate?

Mr. Cohen:

Correct. It was a reassessment of what was needed. It's updated technology. There have been increased costs since the original project was designed and the addition of that redundancy; as we pointed out, our objective is to not have to shut down that center so we have built in as much redundancy as we possibly can. At the time the original center was proposed, the State did not have the mechanism for backup 9-1-1 calls over microwave link but that has since become an option. That's a solid option especially with most centers relying on either copper or fiber connections into those centers. It's one construction accident away from severing your fiber whereas microwave is generally considered a more hardened link because there are no transmission lines involved.

Ms. Schneeman:

Last question. You had on the slides the savings in the operating budget. I think you said in your presentation, including the capital costs, I think you said when we could see a breakeven point. Am I right?

Mr. Cohen:

I anticipate a breakeven point is in year four of operation. It's actually the end of year three of operation, we should see a breakeven point for capital with each subsequent year showing additional savings. I don't like to use the words *revenue generating* because we're not a revenue generating agency. We provide a service and that service costs. But it equates to revenue when we're able to decrease our spending and also maintain a level of efficiencies. We breakeven after year three.

Ms. Schneeman:

When we talked, we called it *cost avoidance*, a term I've learned on the RTM. My last comment is thank you, especially to Gary for having saved us half million dollars at the beginning of this meeting so we could give it to you at the second half of the meeting.

Mr. Cohen: Cost avoidance... breakeven.

Mr. Gold:

Just a story, really quickly, sort of on topic...I heard a story the other day that there is a shortage of call center operators in Suffolk County. Do we have a shortage of call center operators in Connecticut? And if we do, since you are on a college campus, could you do some kind of training program and maybe generate some revenue?

Mr. Cohen:

Certainly full-time employees could be brought in and they could receive on the job training. I'm sure the location could attract some younger viable employees who would have many viable years of work ahead of them. We currently are not experiencing a

staffing shortage. All of our positions are filled. Fairfield just hired several people to fill their vacancies. We're pretty steady with our employees at this time.

Mr. Gold:

I was thinking a bit more broadly than Westport or Fairfield. I was thinking Fairfield County or Connecticut in general.

Mr. Cohen:

Again, I have not experienced that. Some of the larger centers that are not municipal have a higher turnover based on rate of pay and/or benefits. They seem to cycle through employees much more rapidly than municipal employees.

By roll call vote, the motion passes unanimously 34-0.

(Mr. Friedman and Ms. Talmadge were absent.)

The secretary read item #6 of the call - To approve a special appropriation in the amount of \$32,970.00 to the accounts listed below for mandatory drug testing for POSTC certification and hiring costs associated with replacing four vacancies at the Police Department.

- a. Employee Medical Account \$ 9,920.00**
- b. Uniform Allowance Account \$10,650.00**
- c. Promotional Testing Account \$12,400.00**

Presentation

Foti Koskinas, Police Chief:

Good evening Madam Moderator. The appropriation amount is, as read, \$32,970. It is broken down into actual costs. It is a little different because you are seeing the accounts it is being deposited in upon approval. The amounts are \$29,050. That is when we presented the budget last year, we did not anticipate any retirements. Since that time, we have seen five retirements and a possibility for a sixth. We are looking to hire three out of the money that is being requested at this point. We would not ask for this amount if we did not anticipate that we would be using this money for their pre-employment testing, polygraph, psychological and the medical evaluation. In addition to that, one of the positions that became vacant is a Detective Sergeant position so we need to test for that by contract. It is a well sought after position so we have a lot of candidates that will be testing for that and this smallest of that is \$3,920 which is required due to the Police Accountability Bill for steroid testing for a third of our police officers each year at the time of their certification dates. I do want to make it clear that the Westport Police Department does have random drug testing and has since 2007. This is for the addition of steroids and for 1/3 of the department each year. We have budgeted for next year moving forward for next year's 30 percent, the third of our department but we certainly needed that money to comply with everything that is required from the Accountability Bill. I'm certainly here for any questions.

Committees report

Public Protection and Finance Committees, Mr. Izzo:

We met on March 24 together. Both committees listened to Chief Koskinas as he explained to us the necessities of the Police Accountability Bill that passed in Hartford is going to end up costing us a lot more money in terms of testing and things we're going to have to comply with for the State. This is just the start of what is going to be coming down the line. We asked questions about the testing, about what's going on with our police, losing a lot of police officers to retirements, to moving out of the force. We ended up voting unanimously to approve the appropriations.

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 Deputy Chief of Police, the sum of \$32,970.00 to the accounts listed below for mandatory drug testing for POSTC certification and hiring costs associated with replacing four vacancies at the Police Department is hereby appropriated.

- a. Employee Medical Account \$ 9,920.00
- b. Uniform Allowance Account \$10,650.00
- c. Promotional Testing Account \$12,400.00

Members of the RTM

Jack Klinge, district 7:

A quick question. I noticed you mentioned new hires, more hires, is the Selectman's Civilian Review Board getting involved in this hiring procedure?

Chief Koskinas:

Yes, they are Mr. Klinge. In addition to that, RTM members and members of the Board of Education staff and their HR Department have also participated.

Mr. Gold: What does POSTC stand for?

Chief Koskinas:

That's the Police Officer Training Standards. Police Officer Training and Standard Committee. I wasn't prepared for that question.

Mr. Gold: I told you it was an easy question.

Chief Koskinas: I'll get you back on Transit night.

Dr. Heller: Nothing is easy.

Mr. Falk: I don't want to disagree with our Chief but it's "Council".

Dr. Heller: Important clarification.

Mr. Liccione:

How many retirements are we looking at in the next couple of years?

Chief Koskinas:

Sal, thank you for the question. That is a difficult question to answer. If I'm going from last year to this year not anticipating any, I'm certainly not here to put the fear that everybody is bailing out and nobody will be here but there are some concerns. I do not have a number but I have a verbal possibility of a sixth officer who would leave before July. But that is not confirmed. Going into next year, we do not anticipate any other than the ones we have seen.

By roll call vote, the motion passes unanimously 34-0.

(Mr. Friedman and Ms. Talmadge were absent.)

The secretary read item #7 of the call - To adopt an ordinance restricting the use of gas-powered leaf blowers in Westport. (First reading. Full text available in the Town Clerk's Office).

Dr. Heller:

This is a first reading. I know Ms. Schneeman wants to make a few comments.

Ms. Schneeman:

This is a first reading. I know no one wants to hear a presentation for a first reading so that is not my intention. I just wanted to say that we are looking forward to discussing this proposal with the committees to which our fearless leader assigns it and we are looking forward to present the evidence and the rationale behind it and to hear all of your questions and feedback. More to come.

Dr. Heller:

That's right. Keep 'em in suspense Ms. Schneeman. Way to go. I just want to let you know that this will be, of course, with the Ordinance Committee. It will be with Environment, with Public Protection, with Health and Human Services, with Finance, with Public Works and Parks and Recreation. If there is any other one, you will know about it. I assure you.

Ms. Schneeman:

I'm pretty sure that's everybody on the RTM and then some.

Mr. Gold asked for the committees to be listed again and Ms. Fuchs complied.

Dr. Heller:

You know, I won't keep you in the dark. There certainly is an advantage to having a large number of people examine it before the full RTM meeting to give input. I do want to say before we close that I was so impressed by the presentations that were given tonight, the level of detail, thoroughness, creativity put into several of these items was really

impressive as always and it makes it more and more of a pleasure to be a part of this whole deal. So, thank you everybody who were a part of it.

Dick Lowenstein, district 5:

Following up on Mr. Gold's question, might we all meet as a committee of the whole rather than all of these committees separately?

Dr. Heller:

No. We will meet with each of these committees separately because they each have their own oar in the water.

Ms. Schneeman:

Is there an opportunity for committees to agree to have a joint meeting between two committees if there is a lot of overlap?

Dr. Heller:

By all means. There will be joint meetings so that we do not have a million different meetings because it is certainly difficult for everybody to go to so many of the meetings.

Arline Gertzoff, district 3:

On this ordinance, it has it going into effect July 1. Considering all these committee meetings...

Dr. Heller:

We're not there yet. Thank you for bringing that up. It's really in its very early stages.

Mr. Liccione:

Ms. Schneeman, will you talk to all members or just the committees?

Ms. Schneeman:

It certainly seems that we will reach everyone through the committees but we will be happy to reach out to people individually and have individual conversations, as well.

Ms. Batteau:

Number one, I have already had a number of emails from people saying that they wanted to be able to attend meetings and they can't attend zoom meetings so we'll have to work out something to do with that. The other thing is, could we please see all the evidence beforehand rather than having it thrown at us in a presentation.

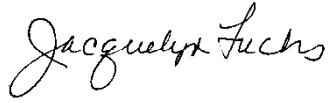
Ms. Schneeman: Absolutely.

Dr. Heller:

Wendy, I'm not sure we have a way to deal with that problem but we'll see if we have a way to deal with that.

The meeting adjourned at 9:45 p.m.

Respectfully submitted,
Jeffrey M. Dunkerton
Town Clerk

A handwritten signature in cursive script that reads "Jacquelyn Fuchs". The signature is written in black ink and is positioned below the typed name of the Town Clerk.

by Jacquelyn Fuchs

ATTENDANCE: April 6, 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		X	ARR. 8:15
	Louis M. Mall	X			
	Christine Meiers Schatz	X			
3	Mark Friedman	X			LEFT 9:15
	Arline Gertzoff	X			
	Jimmy Izzo	X			
	Amy Kaplan	X			
4	Andrew J. Colabella	X			
	Kristan Hamlin	X			
	Noah Hammond	X			
	Jeff Wieser	X			
5	Peter Gold	X			
	Dick Lowenstein	X			
	Nicole Klein	X			
	Karen Kramer	X			
6	Candace Banks	X			
	Jessica Bram	X			
	Seth Braunstein	X			
	Cathy Talmadge		X		
7	Brandi Briggs	X		X	ARR 8:00
	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		34	2		

Appendix I – Item #1

RESOLVED: That upon the request of the Finance Director, the issuance of refunding bonds in an amount not in excess of \$13,000,000 to be issued in calendar year 2021 for the purpose of refunding all or any portion of the general obligation bonds issued by the Town in year 2012 and in year 2013 is hereby authorized.

RESOLUTION AUTHORIZING GENERAL OBLIGATION REFUNDING BONDS

RESOLVED, that General Obligation Refunding Bonds of the Town (the “Refunding Bonds”), in an amount not in excess of Thirteen Million and 00/100 Dollars (\$13,000,000) are hereby authorized to be issued in calendar year 2021 for the purpose of refunding all or any portion of any issue of the Town’s General Obligation Bonds including, but not limited to the Town’s General Obligation Refunding Bonds issued in 2012 and the Town’s General Obligation Bonds issued in 2013 (collectively, the “Refunded Bonds”); provided that the Committee appointed below determines that the refunding of the Refunded Bonds generates present value savings.

BE IT FURTHER RESOLVED, that the First Selectman, the Selectmen and Finance Director are hereby appointed a committee (the “Committee”) with full power and authority to cause said Refunding Bonds to be sold, issued and delivered, to determine their form and the aggregate principal amount thereof within the amount hereby authorized; to fix the time of issuance of such bonds, the rate or rates of interest thereon as herein provided, and to determine the maturity thereof all in accordance with the General Statutes of Connecticut, Revision of 1958, as amended; to select the maturities of the Refunded Bonds to be refunded, to establish and maintain a reserve, escrow or similar fund for the payment of the Refunded Bonds, and to pay all issuance costs incurred in connection with the authorization, issuance, and sale of the Refunding Bonds including, but not limited to, financial advisory, legal, trustee, escrow, verification fees, printing and administrative expenses and underwriters’ discount. The Committee is authorized to sell the Refunding Bonds by a negotiated or competitive sale. The net proceeds of the sale of the Refunding Bonds, after payment of costs of issuance, shall, if needed, be deposited in an irrevocable escrow or similar account and invested in investments authorized by statute and approved by the Committee in an amount sufficient to pay all amounts that are or may become due on the Refunded Bonds from the date of issuance of the Refunding Bonds including interest thereon, the principal of, interest and redemption premium, if any, on the Refunded Bonds at maturity, or to redeem at the redemption price prior to maturity, pursuant to any plan of refunding. The Committee is further authorized to appoint an escrow agent or trustee and to appoint a firm of certified public accountants or arbitrage experts to verify the sufficiency of the escrow investments, and to execute and deliver any and all escrow, and other agreements necessary to provide for the payment when due of the principal of and interest and redemption premium, if any, on the Refunded Bonds; and

BE IT FURTHER RESOLVED, that the Committee shall have all appropriate powers to provide for the issuance of the Refunding Bonds as tax exempt bonds, and comply with the state and federal tax and securities laws and the Committee shall have all appropriate powers to take such actions and to execute such documents, as deemed to be necessary or advisable and in the best interest of the Town by the Committee to issue, sell and deliver the Refunding Bonds.

Appendix II – Item # 5

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Public Safety Departments, the sum of \$508,470.00 adding to the March 2017 appropriation of \$1,420,000.00 for a total of \$1,928,470.00 for the replacement of the existing Dispatch Centers and the cost associated with the establishment and operation of a Fairfield-Westport Multi-town Emergency Communications Center to be Located at Sacred Heart University in Fairfield Connecticut, with bond and note authorization to the Municipal Improvement Fund Account is hereby appropriated.

Town of Westport, Connecticut

A RESOLUTION AMENDING AND RESTATING A RESOLUTION APPROPRIATING \$1,420,000 FOR THE COSTS ASSOCIATED WITH ESTABLISHMENT AND OPERATION OF A NEW CENTRALIZED DISPATCH CENTER AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION

WHEREAS, on March 7, 2017, the Representative Town Meeting of the Town of Westport (the "Town") adopted a resolution appropriating \$1,420,000 for the costs associated with a new centralized dispatch center in the Police Station and authorizing the issuance of bonds in an amount not to exceed \$1,420,000 to finance such appropriation (the "2017 Resolution"); and

WHEREAS, in early 2019, the Town entered into negotiations with the Town of Fairfield (together with the Town, the "Towns") for the establishment and operation of the Fairfield-Westport Multi-town Emergency Communications Center (the "Center"). Effective as of August 6, 2020, the Towns entered into an Interlocal Agreement which governs the terms of the construction and funding of the Center and operation of the regional dispatch services (the "Agreement"); and

WHEREAS, the Center was originally planned to be located on Sacred Heart University's ("SHU") GE campus, but was later relocated to the SHU campus at 5151 Park Avenue, Fairfield, Connecticut (the "Premises"); and

WHEREAS, on May 20, 2020, the Towns and SHU entered into a lease agreement to operate the Center at the Premises; and

WHEREAS, under the Agreement, the Town of Fairfield is obligated to contract for and supervise the construction and information technology for the Center and the Town is obligated to contribute one-half of such costs to the Town of Fairfield with each town responsible for the costs of upgrading its own CAD system; and

WHEREAS, since the time the 2017 Resolution was approved and due to changes in the location and scope of the project, the Town now estimates that the costs associated with the Center to be a total of \$1,928,470; and

WHEREAS, in November of 2020, the Towns submitted the Transition Grant Application to the State and are now expecting \$300,000 in grant funds per town given the costs of the Center; and

WHEREAS, the Town of Fairfield intends to seek authorization to fund the increased amount of its one-half share of the costs for the Center; and

WHEREAS, it is necessary for the Town to amend and restate the 2017 Resolution to reflect the increased appropriation and financing amount.

NOW, THEREFORE, BE IT RESOLVED, that the 2017 Resolution is hereby amended and restated to provide as follows:

RESOLVED: That upon the recommendation of the Board of Finance, the Town hereby appropriates the sum of One Million Nine Hundred Twenty-Eight Thousand Four Hundred Seventy and 00/100 Dollars (\$1,928,470.00) to fund the Municipal Improvement Fund to pay costs associated with the establishment and operation of the Center located at the Premises (the "Project").

As recommended by the Board of Finance, and for the purpose of financing the foregoing appropriation of One Million Nine Hundred Twenty-Eight Thousand Four Hundred Seventy and 00/100 Dollars (\$1,928,470.00), the Town shall borrow a sum not to exceed One Million Nine Hundred Twenty-Eight Thousand Four Hundred Seventy and 00/100 Dollars (\$1,928,470.00) 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.

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 at and subsequent to the issuance and delivery of the bonds in order that the interest on the bonds be and remain exempt from federal income taxes, including, without limitation, to covenant and agree to restriction on investment yield of bond proceeds, rebate of arbitrage earnings, expenditure of proceeds within required time limitations and the filing of information reports as and when required and to execute Continuing Disclosure Agreements for the benefit of holders of bonds and notes.

The Bonds may be designated "Public Improvement Bonds" 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.

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

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

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

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

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

The Town, 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 funding the Project. Once the appropriation becomes effective, the First Selectman, or other appropriate official of the town, is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the Project and is specifically authorized to make, execute and deliver any contracts or other documents necessary or convenient to complete the Project and the financing thereof.

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

Appendix III – Item #7

RESOLVED: That upon the request of 3 RTM members, an ordinance restricting the use of gas-powered leaf blowers in Westport is hereby adopted. (First reading. Full text is as follows).

DRAFT LEAF BLOWER ORDINANCE

CHAPTER 67

67-1. Purpose.

Consistent with the municipal powers granted under sections 7-148(c)(7) and (10) of the Connecticut General Statutes, including the protection of the health and safety of residents and abatement of nuisances, it is the intent of this ordinance to set specific controls on the use of Leaf Blowers, in particular Gas-Powered Leaf Blowers.

The Town of Westport finds and declares that:

- (1) Leaf Blowers represent a significant and increasing threat to the public peace and to the health, safety, and welfare of the residents of Westport and visitors due to the noise and carbon and noncarbon emissions generated by such machines and due to the dissemination and displacement of ground source matter caused by such machines.
- (2) Noise generated by Leaf Blowers—and especially by Gas-Powered Leaf Blowers—travels great distances and has the effect of interfering with the psychological and physical well-being of persons, as they generate noise at high decibel levels, exposure to which is recognized to have severe adverse health effects, including hearing loss, tinnitus, reduced cognitive performance and concentration, heart disease, and hypertension.
- (3) Leaf Blowers displace significant amounts of ground source matter, spreading dust, pollen, mold, pesticides, herbicides, and other particulates.
- (4) Leaf Blowers can cause landscape debris to be deposited onto public roadways, town rights-of-way, storm drains, and adjoining properties.
- (5) Gas-Powered Leaf Blowers are recognized as hyper-polluters, emitting significant carbon and noncarbon emissions, including fine particulate matter which is a known carcinogen and hazard to human health.
- (6) The noise from Gas-Powered Leaf Blowers is especially problematic since it has the ability to penetrate structures due to the strong low frequency component of the sound waves they produce.
- (7) Although Electric-Powered Leaf Blowers are generally quieter than Gas-Powered Leaf Blowers, they can still present a danger to the public in terms of noise and the distribution of ground source matter, including dust, pollen, mold, pesticides, herbicides, and other particulates.
- (8) Accordingly, it is the policy of the Town to regulate the use of all Leaf Blowers, and especially Gas-Powered Leaf Blowers, to minimize their use and mitigate the harmful impacts of such machines.

67-2. Definitions.

For the purpose of this chapter, the following terms shall have the meanings indicated:

“Leaf Blower” shall mean any device which is used or designed to move leaves, grass clippings, dust, dirt, or other matter by blowing them with air emitted by such device.

“Gas-Powered Leaf Blower” shall mean any Leaf Blower that is powered by an internal combustion engine utilizing gasoline, diesel, or any other similar fuel.

“Electric-Powered Leaf Blower” shall mean any Leaf Blower that is powered by electricity utilizing a plug-in cord or battery power.

67-3. Restrictions on Leaf Blower Activity.

- (a) Except as provided in Sections 67-3(b) through (d),
 - (i) the use of Electric-Powered Leaf Blowers is permitted during the period from January 1 through December 31 on all properties within the Town; and
 - (ii) the use of Gas-Powered Leaf Blowers is permitted only during the periods from April 1 through May 15 and October 15 through November 1. No person shall operate or cause or

permit to be operated any Gas-Powered Leaf Blower on any public or private property in the Town other than during such periods.

(b) No Leaf Blowers (whether Gas-Powered or Electric-Powered) may be used before 9:00 a.m. or after 5:00 p.m.

(c) No more than one (1) Gas-Powered Leaf Blower may be used simultaneously at any site in Westport that is less than three (3) acres in size. No more than two (2) Leaf Blowers (regardless of power source) may be used simultaneously at any site in Westport; however, for any site that exceeds twenty (20) acres, up to four (4) Leaf Blowers may be used simultaneously so long as no more than two (2) of such Leaf Blowers are Gas-Powered Leaf Blowers.

(d) No Gas-Powered Leaf Blower may be used on any state or federal holiday.

(e) Notwithstanding the provisions of Sections 67-3 (a) through (d), the use of Gas-Powered Leaf Blowers and/or Electric-Powered Leaf Blowers shall be permitted if a Town, state, or federal authority determines that an emergency situation exists in the Town.

(f) Nothing contained in the Chapter 67 shall prevent or limit the right of any resident to bring a suit against a third party for damages or equitable relief in connection with the use of a Leaf Blower, including without limitation, a suit based on nuisance.

67-4. Enforcement.

(a) Authority. The Police Department is hereby authorized to enforce violations of this article as provided in this section.

(b) Complaints. If, in the reasonable judgment of a person, there is a violation of the provisions of this article, the following procedures shall be followed: Such person may give written or email notice to the Police Department, with a copy (by certified mail, return receipt requested, or any other method of delivery providing proof of delivery) to the owner of the property upon which the alleged violation occurred. Such notice shall describe the particulars of the alleged violation and shall include photographic, audio, or other evidence of the violation, if available. In the case of a property subject to the provisions of the Connecticut Common Interest Ownership Act, the property owner shall be deemed to be the Board for the purpose of this ordinance.

(c) Investigation. The Police Department shall be required to investigate all such complaints and shall notify all parties of its conclusions within fourteen (14) days of receipt of the complaint.

(d) Notice of Violation and Penalties.

i. If the Police Department determines that a violation occurred, it shall notify the offending property owner in writing. The notice of violation shall state whether this is a warning or a first or a subsequent violation.

ii. Warning for Initial Violations. The notice of violation for the first violation shall be a written warning. Such notice of violation shall also notify the offending property owner that any subsequent violations shall be subject to the issuance of a citation and the penalties set forth below.

iii. Penalties for Subsequent Violations. After issuing a warning as provided above, the Police Department shall issue a citation for subsequent violations and impose a fine on the property owner of \$100 for the first citation, \$200 for the second citation, and \$250 for the third and any subsequent citation. The penalties shall be payable to the Town. The penalties shall be in addition to any other remedies available at law or in equity, including without limitation, injunctive relief. Repeat offenders shall be issued additional citations without first receiving a new notice of violation.

(e) Issuance of Citation.

i. Any citation issued by the Police Department shall state:

- A. A description of the violation.
- B. The amount of the fine plus such other penalties, costs and/or fees due for each violation.
- C. That the uncontested payment of such fine(s), penalties, costs and/or fees shall be made within ten (10) days of the date of the citation.
- D. That such person may contest the liability before a citation hearing officer by delivering in person or by mail within ten (10) days of the date of the citation a written demand for a hearing.
- E. That if such a hearing is not demanded, it shall be deemed an admission of liability and an assessment and judgment shall be entered against the person, and that such judgment may issue without further notice.

ii. Any notice of violation or citation issued hereunder shall be sent to the person named in the citation by certified mail, return receipt requested and simultaneously by First Class United States Postal Service mail.

iii. Once a written demand for a hearing has been received by the Police Department, no additional citations shall be issued for the violation, until after the conclusion of the hearing procedure as set forth in subsection 67-4(e)j hereof.

(f) Hearing Procedure for Citations.

i. This hearing procedure for citations under this article is hereby established in accordance with C.G.S. § 7-152c.

ii. The First Selectman shall appoint one or more hearing officers, other than any employee of the town, to conduct the hearings resulting from violations of this article. Any assessment by a hearing officer shall be entered as a judgment against the violator.

iii. All procedures for notices, payment, hearings, assessments, judgments, and appeals shall be conducted in accordance with the provisions of C.G.S. § 7-152c(c) through (g).

SUMMARY OF PROPOSED ORDINANCE

Summer	Fall Cleanups	Spring Cleanups	Winter
May 16 - October 14	Oct. 15 – Nov. 30	Apr. 1 – May 15	Dec. 1 – Mar. 31
<ul style="list-style-type: none"> • Gas-Powered Leaf Blowers NOT permitted • Electric/Battery-Powered Leaf Blowers permitted 	<ul style="list-style-type: none"> • Gas-Powered Leaf Blowers permitted • Electric/Battery-Powered Leaf Blowers permitted 	<ul style="list-style-type: none"> • Gas-Powered Leaf Blowers permitted • Electric/Battery-Powered Leaf Blowers permitted 	<ul style="list-style-type: none"> • Gas-Powered Leaf Blowers NOT permitted— • Electric/Battery-Powered Leaf Blowers permitted
<p>Additional Restrictions: - No Leaf Blower (regardless of power source) may be used before 9:00 am or after 5:00 pm</p>			

- No more than one (1) Gas-Powered Leaf Blower may be used simultaneously at any site in Westport that is less than three acres in size. No more than two (2) Leaf Blowers (regardless of power source) may be used simultaneously at any site in Westport (with certain exceptions for sites over twenty (20) acres.)

- No GLB shall be used on any state or federal holiday.

Exceptions:

- if a town, state, or federal authority declares an emergency, then Gas-Powered Leaf Blowers and/or Electric/Battery-Powered Leaf Blowers may be used as necessary

Fines:

- no fine for first warning (Note: property owner is responsible)

- \$100 for first offense (after a warning)

- \$200 for a second offense

- \$250 for a third or subsequent offense