

RTM Meeting
June 4, 2013

The call

1. To take such action as the meeting may determine, upon the recommendation of the Historic District Commission, to amend Chapter 38-24 of the Code of Ordinances of the Town of Westport by adding the property and buildings located at 25 Avery Place as a historic property. (Second reading. Full text available in the Town Clerk's office)
2. To take such action as the meeting may determine upon the recommendation of the Board of Finance and a request by the Registrars of Voters, to approve an appropriation of \$16,317.01 to the Elections Primary Account and \$15,575 to the Democratic Primary Overtime Account totaling \$31,892.01 for the cost of the August 14, 2012 dual primary.
3. To take such action as the meeting may determine, upon the recommendation of the Human Services Director, to approve Children's Community Development Center for the 2013 Connecticut Neighborhood Assistance Act (NAA) Tax Credit Program pursuant to CGS 12-630aa et seq.
4. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Director of Public Works, to approve an appropriation of \$95,000 with bond and note authorization to the Municipal Improvement Fund (MIF) Account (Bulkley Ave North/Old Road) to complete the engineering design of the proposed sewer extension at Bulkley Ave North vicinity and Old Road vicinity.
5. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Director of Public Works, to approve an appropriation of \$300,000 to the Capital & Nonrecurring Expenditure Fund (C&NEF) Account for the installation of new roof at the Saugatuck Senior Housing.
6. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Superintendent of Schools, to approve an appropriation of \$50,000 to fund a professional security audit to enhance security in the Westport Public Schools.
7. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Superintendent of Schools, to approve an additional appropriation of \$50,000 to fund a professional security audit to enhance security in the Westport Public Schools.
8. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Superintendent of Schools to approve an appropriation of \$58,900 from the General Fund Unassigned Fund balance to the General Fund Capital Account (Underground Oil Storage Tanks) to remove three underground oil storage tanks at Coleytown Elementary, Long Lots Elementary, and Coleytown Middle Schools; and replacement of tank operating the emergency generator at Long Lots Elementary School.

9. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Parks and Recreation Director along with the Board of Education, for an appropriation of \$320,000 to the Capital & Nonrecurring Expenditure Fund (C&NEF) for replacement of the existing tennis courts at Staples High School.

Minutes

Moderator Eileen Flug:

We welcome those who are joining us tonight in the Town Hall auditorium, as well as those watching us streaming live on westportct.gov and those watching on Cable Channel 79 or AT&T channel 99. My name is Eileen Lavigne Flug and I am the RTM Moderator. On my right is RTM Secretary Jackie Fuchs. If anyone is here for the ZBA hearing, it is in room 201. The location was changed. Tonight's invocation will be delivered by Rabbi Robert Orkand who is the retiring rabbi of Temple Israel.

Invocation, Rabbi Robert Orkand:

I hope you'll forgive a few more words than I would normally give. Almost thirty-one years ago, on a hot July day, my wife, son and I drove into beautiful Westport to begin what proved to be a love-affair with this wonderful community. In three weeks, on what will probably be a hot summer day, my wife and I will drive up to the Boston area to begin the next phase of our lives. Some call that next stage "retirement." I would love to find another word for it. As has happened a number of times during the past 30 plus years, my friend and soon to be retired colleague, the Rev. Frank Hall of the Westport Unitarian Church, shared a poem that was just right. In his poem, "The Layers," Stanley Kunitz says this:

*I have walked through many lives,
some of them my own
and I am not who I was,
though some principle of being abides,
from which I struggle not to stray.*

This is a moment of great change—for me, for our country, and for our world. Again, Kunitz gets it right: "*When I look behind, as I am compelled to look before I can gather strength to proceed on my journey, I see the milestones dwindling toward the horizon.*" I cannot help but reflect on the fact that at a certain age time moves forward so fast that life seems but a blur. And yet, I can still point to milestones in my life and milestones in the life of this wonderful community. In 1982 when I arrived, the inflation rate was 16 percent, the interest rate was 11 percent, and the Dow Jones had just hit a high of 1100. Can you imagine that? That year we witnessed the invasion of the Falkland Islands by Argentina, the beginning of the first Lebanon War, the return of the Sinai to Egypt, a demonstration by 700,000 people in Central Park against nuclear proliferation, the sale of the first CD player in Japan, and the selection of "The Computer" as *Time Magazine's* "Person of the Year." One of the first things I was asked to do as a new clergyperson in Westport was to offer the prayer at the beginning of an RTM meeting. I was touched, even then, by the willingness to involve clergy in

the life of the larger community. I have, for these past 31 years, appreciated the esteem in which Westport clergy are held. Personally, I hope that I have earned whatever esteem has come my way. I honestly don't know what comes next for me, though I doubt it will be "work" in the traditional sense of that word. There is travel, there is volunteer work, and, above all, there is not *having* to do anything (other than those things that keep me to stay married!). What I do know is that *some principle of being abides, from which I struggle not to stray*. Retirement in no way means the end of my work on behalf of those who struggle to find justice in a world that is often unjust. The Kunitz poem ends with these words:

*Though I lack the art
to decipher it,
no doubt the next chapter
in my book of transformations
is already written.
I am not done with my changes.*

Who could have predicted that an African-American would be President of the United States, and who could have predicted that our gay brothers and sisters would be able to marry? At the same time, who could have predicted the tragedy in Newtown and the fact that the United States Congress could find no solution to growing gun violence? So, while much has changed, much remains the same which means we have much work left to do. And so, as I leave Westport I know that I am not done with my changes, and neither are you. And so, I wish farewell and thank you for all that Westport has done for me. God bless us all.

Ms. Flug:

Thank you Rabbi Orkand. Good luck in your retirement. We'll miss you.

There were 31 RTM members present. Mr. Timmins, Mr. Wieser, Mr. Rossi, Ms. Feller and Mr. McCarthy notified the Moderator that they would be absent. Mr. Keenan and Mr. Bomes notified the Moderator that they would be late.

There were no corrections to the minutes of May 6 or May 7. Anyone with corrections, please notify Ms. Flug, Jackie Fuchs or Town Clerk Patty Strauss.

Announcements

Ms. Flug:

We send birthday greetings tonight to: Mr. Keenan, Ms. Cady, and Ms. Rea, and it's also your Moderator's birthday this month. Happy birthday.

The next RTM meeting will be July 2.

There are no committee meetings scheduled.

I have a sad announcement that our Republican Registrar of Voters, Bob Laspragato, passed away on Monday. I have known Bob for many years as a fellow Rotarian with the Sunrise Rotary. He was a very talented musician, actor,

voice actor. He suffered a heart event about a week ago and had been in the hospital. I would like to read a statement from our First Selectman Gordon Joseloff who cannot be here tonight because he went to greet a new grandson who is being born. First Selectman Gordon Joseloff said:

With the death of Bob Laspragato, Westport has lost not only a highly respected public servant, but a man who made his life calling to help others. Bob's community volunteerism and involvement in many civic activities was legendary. He used his talents in music, the theater and broadcasting to aid and promote many worthy causes who will miss his presence. Our deepest condolences to Joan and family. Bob left a lasting mark on Westport that will insure his community spirit continues.

I would like to take a moment of silence for Bob Laspragato.

RTM Announcements

Bill Meyer, district 3:

There's a duck in the house. Whoever can say quack, quack the best will get a prize. What happens June 22? We have our annual Duck Race. We raise money by putting ducks in the water. We raise \$35,000 for all these different charities. I hope everyone is going to take one. June 22, our annual Duck Race... Anything you want to say, Mrs. Duck?

Diane Cady, district 1: Quack, quack.

Mr. Meyer:

You're the winner. We have two new people in the RTM who are going to join the Sunrise Rotary: Melissa Kane and Wendy Batteau and Lynn Hogan's husband, Steve, is going to join. So, we are on a roll. We are very proud in Westport. Between the two Rotaries, we have 160 members, the highest per capita in Connecticut. See you on June 22 and if anybody else wants a raffle ticket, see us afterwards.

Matthew Mandell, district 1:

I have two announcements. The first is a reporting on the Baron's South Committee. Last Friday, a formal vote was taken to choose Jonathan Rose Associates as the firm that is going to move ahead in the process of creating senior housing in Westport. It was monitored by the RTM by Jonathan Cunitz and myself. We were there as non-voting members. We didn't vote but we were there observing. Also, from the Board of Finance, were John Pincavage and Brian Stern who were also monitoring but not voting. It was a completely open process. All of the meetings this time, as compared to last time, were done without executive session so the public was there to monitor it. What is going to happen in the future is Jonathan Rose will be brought in and there will be negotiations to fine tune the job as to how many units, how much space, how much money, etc. will be coming to the Town . This will be moving forward. Jonathan and I, representing the RTM, will continue to be part of the process. That's announcement number one. Announcement number two is an issue that is

coming before the Planning and Zoning Commission and Historic District Commission next week. The Terrain Store that opened up two years ago or a year and a half ago on the Post Road put up a beautiful building. They recreated the Curran Cadillac building. But also on the property is an historic building built in about 1898 to 1900. Part of their deal originally, for them to build their project and to get consideration for their parking situation, was for them to keep the house intact and to rehabilitate and restore it. That is what they did. Six months later, they came to the P&Z, and where the extra parking was, it was called reserve parking, they didn't build it but it had to be there so it could be activated in the future, they wanted to build a greenhouse and a nursery area. The P&Z felt that would be a good thing to do because they were good citizens in helping preserve the house. What is happening now is the P&Z feels that there are parking issues and that they want to activate that parking. The Terrain Store does not want to knock down the greenhouse or the nursery. Instead, they want to come after the historic house. So, in front of the Historic District Commission on Tuesday night is them asking permission to knock down the house. Coming to P&Z the Thursday right after, is a site plan that would have the parking where the house is. This is all about eight units of parking. That's what's coming. I want the RTM and the public to know that in jeopardy is an 1890's house that people call the lone sentinel on the Post Road because it's one of the last few remaining single family houses on the Post Road breaking up the strip mall effect that we have. So, keep your eyes open. Pay attention. Please come to the HDC meeting and the P&Z meeting and help preserve the character of this Town and this house.

Cathy Talmadge, district 6:

This afternoon I sent everyone on the RTM a notice about something I think is very exciting. As you know from our budget discussions, the Transit District had gotten a grant from SWRPA to do a whole study on our Transit District. We had a planning meeting last week at which stakeholders from the whole community were involved. It was really exciting as they laid out their plan. As the Transit District asked them to accelerate the timetable a bit, we are hoping to have some pretty significant results by late fall ahead of our budget discussions. The first of a number of public meetings that are being planned to invite the public to come in and discuss their use of transit, what works, what doesn't work, where it touches them. Our Transit District includes the commuter shuttles, the after school buses, the home to home ADA service for seniors and disabled folks. So we are inviting everyone on June 12 between 7:30 and 9:30 p.m. to come and you've gotten this notice to come and speak out as to how public transit affects you. We need to know from the general public because this is a budget issue down the road. If it's important to you, we want to know. If it's not important, we want to know that, too. Please think about attending or, if not, send me an email or the Citizen's Transit Commission and they'll forward it on to the consultants who are engaged in this study.

The secretary read item #1 of the call - To amend Chapter 38-24 of the Code of Ordinances of the Town of Westport by adding the property and buildings located at 25 Avery Place as a historic property. By show of hands, the motion passes unanimously.

Presentation

Francis Henkels Francis, Chairman, Historic District Commission
Susan Wynkoop, President, Westport Historical Society
Bob Weingarten, Historic District Commission

Mr. Henkels:

I explained at the first reading the background on local historic properties and why we feel that this is probably as significant a property to be designated that way as any in Town . You all know the home of the Westport Historical Society, 25 Avery Place, a beautiful Italianate house. We are very excited that the Historical Society has come forward with this request. It has been a collaborative effort between the Historical Society and the Historic District Commission to compile this study report which is then presented to the state. We are very happy to see it moving ahead and hope you will vote to ratify it and I'm very happy to answer any questions.

Ms. Wynkoop:

We are also very dedicated to preserving our Town's heritage and the historic buildings and our landmark properties. Thank you all so much for enabling us to make this property, this beautiful house across the street, in existence forever. I think it's very important for the Town of Westport.

Committee report

Ordinance Committee, David Floyd, district 4:

The proposed amendment to Chapter 38-24 of the Code of Ordinances of the Town of Westport provides for the designation of the property and buildings at 25 Avery Place, Westport CT (the Historical Society's Bradley-Wheeler House and Cobblestone Barn) as a Local Historic Property in accordance with CT General Statutes, Chapter 97a, Section 7-147q. The recommendation: At its meeting held on May 24, 2013, those present at the RTM Ordinance Committee, upon motions duly made and seconded, voted unanimously that:

1. The RTM Resolution be amended prior to the RTM vote to add the name of the barn: the Cobblestone Barn; and that
2. The above proposed ordinance is ready for RTM consideration.

Attending and voting were Eileen Flug, Chair, Lee Arthurs, Allen Bomes, Clarissa Moore and David Floyd. Also present were Historic District Commission Chair Francis Henkels, Assistant Town Attorney Gail Kelly and Staples Intern Jacob Meisel. Discussion: The RTM Ordinance Committee reviewed the proposed ordinance amendment using the Ordinance Committee checklist. The Ordinance Committee concurs with the responses to the checklist. The Committee notes that the request for designation of the property and buildings at 25 Avery Place

as a “historic landmark property” was sought by the owner of the property, the Westport Historical Society. At the meeting, it was noted that the barn was not named in the ordinance amendment provided in the First Reading. Gail Kelly and Randy Henkels confirmed that the Historic District Commission’s intent was to include the name of the barn in the ordinance. It was agreed that the addition of the name was not a substantial change requiring a new First Reading and that the change would be made for the Second Reading.

Members of the Westport electorate - No comments

Dr. Heller read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Historic District Commission, Chapter 38-24 of the Code of Ordinances of the Town of Westport is amended by adding the property and buildings located at 25 Avery Place as a historic property. (Second reading. Full text is as follows.)

ARTICLE II: SPECIFIC HISTORIC DISTRICTS AND LANDMARKS

38-24 Historic landmark properties

The property and buildings at 25 Avery Place, the house to be known as the Bradley-Wheeler House and the barn to be known as the Cobblestone Barn, situated in the Town of Westport, County of Fairfield and State of Connecticut being shown as “parcel ‘A’ Area = 0.500 Ac” on that certain map entitled “Map of Property Prepared for Christ and Holy Trinity Episcopal Church, Westport, Conn. Scale 1”=30’ May 13, 1980, Dennis A. Delius Land Surveyor Norwalk, Conn.” which map is on file in the Westport Town Clerk's office as Map No. 7825.

Ms. Flug: It is moved and seconded by Mr. Rubin to approve the resolution just read.

Members of the RTM

Mr. Mandell: Don’t we have to modify the resolution before voting?

Ms. Flug:

Our Assistant Town Attorney Gail Kelly assured us that the modification of the ordinance between the first reading and the second reading was not substantial enough to require an amendment. It was not a substantial change because the initial resolution did refer to the property and buildings plural on the property and the amendment was just to add the Cobblestone Barn. If there are any objections by RTM members, we could amend it by a vote of the RTM. If not, this is a second reading. [None.]

By show of hands, the motion passes unanimously.

The secretary read item #2 of the call - To approve an appropriation of \$16,317.01 to the Elections Primary Account and \$15,575 to the Democratic Primary Overtime Account totaling \$31,892.01 for the cost of the August 14, 2012 dual primary. By show of hands, the motion passes unanimously.

Presentation

Registrar of Voters, Marla Cowden:

You received in your packet a cost analysis comparing the August 2012 primary with the last comparable dual primary we had in 2010. As you can see in your packet, overall, we were able to reduce the cost of that primary by 27 percent. I will say the Registrar's office cannot take credit for the \$825 decrease in audit costs because that is done by a lottery in the state. That was a boon to Westport. Other than that, we have been able to make significant inroads in reducing the cost of these primaries in Westport. If anybody has any questions, I will be happy to answer them.

Committee report

Finance Committee, Dick Lowenstein, district 5:

We met on Thursday last week, the Finance Committee. Just Marla Cowden was there. It was in the shadow of the serious health issues that Bob Laspragato was then facing. It's difficult now, three days later, to report on the committee and know that Bob passed on. As a Head Moderator of the elections every other year, I worked with him very closely. I can't think of him without thinking of Marla and I can't think of Marla without thinking of him. They were a magnificent team and added a lot to the Registrar's Office in Westport. With that said, I'll give my report. As Marla told you, this is to cover a dual primary last August. It's 27 percent less expensive than the one that was done two years before that. She alluded to some of the things that were done. As the Head Moderator and Moderator at one of the schools, one of the big changes they made was reduction in staff. We found out that, with reduced staff, we still got the job done and it was done very well. That's especially gratifying when you have a general Presidential election like we had last November. The procedures that they have adopted for the primary are going to hold forth for the next few years, as well, so the savings we saw in the primary will also see savings in the general election. We didn't have a quorum. The four members attending voted unanimously to recommend that the RTM approve this appropriation.

Members of the Westport electorate – no comments

Dr. Heller read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Registrars of Voters, the sum of \$16,317.01 to the Elections Primary Account and the sum of \$15,575 to the Democratic Primary Overtime Account totaling \$31,892.01 for the cost of the August 14, 2012 dual primary is hereby appropriated.

Ms. Flug:

It has been moved and seconded by Mr. Rubin to approve the resolution just read.

Members of the RTM – no comments

By show of hands, the motion passes unanimously.

The secretary read item #3 of the call - To approve the Children's Community Development Center for the 2013 Connecticut Neighborhood Assistance Act (NAA) Tax Credit Program pursuant to CGS 12-630aa et seq. By show of hands, the motion passes unanimously.

Presentation

Barbara Butler, Human Services Director:

The Neighborhood Assistance Act (NAA) Tax Credit Program is sponsored by the Connecticut Department of Revenue Services (DRS). The NAA program is designed to provide funding for municipal and tax exempt organizations by providing a corporation/business a tax credit for contributions made to approved agencies. The NAA program allows businesses to claim a State tax credit for cash contributions made to qualifying community programs conducted by tax exempt or municipal agencies. The types of community programs that qualify for the NAA tax credit program include but are not necessarily limited to: energy conservation; employment and training; child care services; neighborhood assistance; substance abuse; open space acquisition; crime prevention programs and affordable housing development. The minimum contribution on which a tax credit may be granted is \$250 and the maximum contribution that any nonprofit or municipal entity can receive under this program is \$150,000. There are no Town funds involved in this program. Each municipal agency or tax-exempt organization that wishes to participate in the NAA Program must complete the program proposal application available on the Connecticut DRS website. This form must be submitted to the municipality for approval by its governing body. All locally approved programs must be submitted to the DRS no later than July 1. The only participating agency presented for your approval tonight is Children's Community Development Center, a well respected community nonprofit agency, which provides much needed and highly valued services to Westport residents. This application was reviewed by the RTM Health & Human Services Committee which will be making a recommendation to you. The Neighborhood Assistance Program requires an acknowledgement from you as Westport's governing body that applicant, CCDC, is a legitimate community organization and an appreciation for the services they provide to the Westport community in order to be accepted by the State of Connecticut to participate in the 2011 NAA Tax Credit Program. Then they will have to go out and do the hard work of finding a donor wishing to take advantage of the tax credit benefit. I urge you to give them that opportunity. Thank you.

Committee report

Health and Human Services Committee, Wendy Batteau, district 8:

I will repeat some of what Barbara said because this is a very interesting program. It has been around since 1995 and, in those 18 years, very few community service providers have taken advantage of it. Since it encourages

donations of up to \$150,000 for each agency, we're hoping that this will become a more popular way for our various organizations to fundraise. Just to repeat, in the background, this is the Neighborhood Assistance Act of the State. It's a tax credit program. It encourages businesses, for example, James Izzo, Electric, to make donations to municipal and not-for-profit organizations by offering corporate tax credits of varying percentages of those donations depending on the purpose for which they will be used. For example, if the company donates money to be used in the area of energy efficiency, 100 percent of the money will be credited back to its tax so it will receive 100 percent tax credit for the money it donates to the organization. For different purposes, it goes down to 60 percent as the lowest amount. As Barbara said, the program encompasses a wide range of community programs including, but not limited to, companies that make donations to open space acquisition funds, energy conservation programs, neighborhood assistance, job training, construction and affordable housing. So, there really are a wide variety of groups that can make use of this. They don't necessarily fall under the area of health and human services. The businesses are limited to receiving tax credit for \$75,000 a year and the recipient organizations can receive \$150,000 annually. So, somebody could go and line up \$150,000 worth of donations. The companies that are giving that money could have \$150,000 of tax credits and the community organization is on its way. We are looking at this because as Barbara said, by State Statute, the RTM is obliged to review and approve any local applications under this NAA program, essentially saying yes this is a 530-c, yes, it provides a community service and the application has to be filed with the state by July 1 so we have it now. The CCDC application under current consideration is for the purpose of acquiring and installing new air conditioning to replace their old worn out units which are each over 10 years old. The Children's Community Development Center which is down in the Hillspoint School, it's one of the daycare centers, have asked for \$14,000 to get the energy efficient air conditioning units and have them installed. Those donations will receive 100 percent tax credit. The two businesses making the donations are Air Perfect, Inc which is making the supplies and James Izzo Electric which is providing the wiring. The discussion was that the committee members noted that the NAA Act dates from 1995, but applications have been minimal over the years. None were made in 2012. Given the financial climate, it would seem logical that a wider variety of groups would want to take advantage of the program. While funds are available for a wide variety of purposes, it has fallen to the Director of Human Services to notify that Department's contacts of the program, and committee members felt that it might be fruitful to have another department take ownership of the program and make a greater effort to get announcements out earlier in the year. There are some questions about the timing that make the applications a little bit tricky. Members also noted it would be useful to gain input from such groups as Interfaith Housing, The Friends of the Levitt Pavilion, and the Westport/Weston Family Y about their experiences with these grants to understand how best other groups might also participate. The Committee reviewed the CCDC application and noted a few points which might benefit from additional information but, on the whole, the RTM Health and Human

Services Committee voted unanimously to recommend approval of the Children Community Development Center's application to the NAA Tax Credit Program.

Members of the Westport electorate – no comments

Dr. Heller read resolution and it was seconded by Mr. Rubin.

RESOLVED: That upon the recommendation of the Human Services Director pursuant to CGS § 12-630aa et seq., Children's Community Development Center is hereby approved as a program eligible for investment by businesses under the provisions of the 2013 R.E. Van Norstrand Connecticut Neighborhood Assistance Act (NAA) Tax Credit Program.

Members of the RTM - no comments

By show of hands, the motion passes unanimously.

The secretary read item #4 of the call - To approve an appropriation of \$95,000 with bond and note authorization to the Municipal Improvement Fund (MIF) Account (Bulkley Ave North/Old Road) to complete the engineering design of the proposed sewer extension at Bulkley Ave North vicinity and Old Road vicinity. The motion passes unanimously to postpone until July meeting.

Presentation

Steve Edwards, Director of Public Works:

Before you tonight is a request on behalf of the residents of Bulkley Avenue North, Buttonwood Lane, Elizabeth Drive, Evans Court, Forest Drive, Long Lots Road, Mallard Lane, Maple Avenue North, Old Road and Ulbrick Lane for a sanitary sewer to service their area. This is known as contract 65 which means we had 64 contracts similar to this done over the last 20 years. Again, they are in response to neighborhood petitions brought in to our office. We will then go out and identify whether or not there is feasibility, whether or not it is warranted and take the steps to bring it to fruition. In this case, it required going to the Water Pollution Control Authority first. They will accept the petition. In this case, they accepted it about two months ago. It then went to the Planning and Zoning to get their approval for an 8-24. It subsequently went to the Board of Finance where we requested and received an appropriation of \$95,000. This is the final step before we will go out and retain an engineer to go into design mode. It will take approximately six or seven months for the design completion. We will then come back before you for an appropriation for funding for construction. If all goes according to plan, we should go to construction some time next year which would allow the 65 properties that have requested sewers in this area to have access to the sanitary sewer. This is a conventional gravity sewer. It would service that area and service down into our existing our existing pump station, Sasco Creek

Pump Station which is behind the former Toys 'R Us, now behind Home Goods. Again, we seek your support on this.

Committees Report

Finance and Public Works Committees, Mr. Floyd:

This item was presented by Steve Edwards, Director of Public Works. Mr. Edwards requested the appropriation of \$95,000 to cover the necessary work required for engineering services associated with the design of the new Bulkley Avenue sewer extension. The extension will provide sewer to 65 properties. The WPCA, P&Z and the Board of Finance have approved the project. The project is within the blue line, is mostly gravity lines and will not require a new pump station. Effluent will flow to the existing pump station #10 at Sasco Creek. The entire project will be benefit-assessed to the property owners. In attendance from Public Works Committee were Melissa Kane, Cornelia Olsen, Jack Klinge, Jay Keenan. Present from the Finance Committee were Jeff Wieser, Lee Arthurs, Dick Lowenstein, Steve Rubin and Arthur Ashman. A motion was made to approve the appropriation and it was unanimously passed to recommend approval to the full RTM. The committees did not have a quorum.

Members of the Westport electorate – no comments

Dr. Heller read the resolution and it was seconded by Mr. Rubin.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$95,000 with bond and not authorization to the Municipal Improvement Fund (MIF) Account (Bulkley Ave North/Old Road) to complete the engineering design of the proposed sewer extension at Bulkley Ave North vicinity and Old Road vicinity is hereby appropriated.

Section 1. As recommended by the Board of Finance and for the purpose of financing the foregoing appropriation, the Town shall borrow a sum not to exceed \$95,000 and issue bonds for such indebtedness under its corporate name and seal and upon the full faith and credit of the Town .

Section 2. The First Selectman, Selectmen and Finance Director are hereby appointed a committee with full power and authority to cause said bonds to be sold, issued and delivered; to determine their form, including provision for redemption prior to maturity; to determine the aggregate principal amount thereof within the amount hereby authorized and the denominations and maturities thereof; to fix the time of issue of each series thereof and the rate or rates of interest thereon as herein provided; to designate the bank or trust company to certify the issuance thereof and to act as transfer agent, paying agent and as registrar for the bonds, and to designate bond counsel. The committee shall have all appropriate powers under the Connecticut General Statutes including Chapter 748 (Registered Public Obligations Act) to issue the bonds and, further, shall have full power and authority to do all that is required under the Internal Revenue Code of 1986, as amended, and other applicable laws and regulations of the United States and the State of Connecticut, to provide for issuance of the bonds in tax exempt form, including the execution of tax compliance and other agreements for the benefit of bondholders, and to meet all requirements which are or may become necessary in and subsequent to the issuance and delivery of the bonds in order that the interest on the bonds be and remain exempt from

federal income taxes, including, without limitation, to covenant and agree to restriction on investment yield of bond proceeds, rebate of arbitrage earnings, expenditure of proceeds within required time limitations and the filing of information reports as and when required.

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

Section 4. The said 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 of Westport bond anticipation notes. Said committee shall determine the date, maturity, interest rates, form and manner of sale, including negotiated sale, and other details of said notes consistent with the provisions of this resolution and the General Statutes and shall have all powers and authority as set forth above in connection with the issuance of bonds and especially with respect to compliance with the requirements of the Internal Revenue Code of 1986, as amended, and regulations thereunder in order to obtain and maintain issuance of the notes in tax exempt form.

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

issuing said notes and bonds shall be applied to further finance the appropriation made by the appropriation resolution enacted concurrently herewith.

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

Section 7. Pursuant to Section 1.150-2 (as amended) of the Federal Income Tax Regulations the Town hereby expresses its official intent to reimburse expenditures paid from the General Fund, or the Education Facilities Improvement Fund, or the Capital and Nonrecurring Expenditure Fund for the aforesaid project with the proceeds of the bonds or notes to be issued under the provisions thereof. The allocation of such reimbursement bond proceeds to an expenditure shall be made in accordance with the time limitations and other requirements of such regulations. The Finance Director is authorized to pay project expenses in accordance herewith pending the issuance of the reimbursement bonds or notes.

Section 8. The Town of Westport, or other proper authority of the Town, is authorized to take all necessary action to apply to the State of Connecticut, and accept from the State, grants in aid of further financing the project.

Section 9. The said 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.

Ms. Flug:

It has been moved and seconded to approve the resolution just read.

Members of the RTM

Allen Bomes, district 7:

While a benefit assessed appropriation normally doesn't generate any debate, this one does raise some issues. In fact, there were enough concerns that some RTM members turned in a petition to look at the process, but apparently the administration has agreed to review the policy on its own, so the petition is now on hold. The current sewer petition policy leaves a lot to be desired as the information given out depends on where it's coming from. To be fair, the circumstances around this one are unusual but seniors have sold their homes and others will follow because of it so we need to a fair and consistent policy throughout the Town. Here are some specifics that need to be addressed:

- Informational meetings should be legally noticed which was not a requirement in this case.
- Agendas during a meeting should not be changed.
- How many years should a petition be open? This petition started 14 years ago.
- What happens when the rules change after a petition is started? In this case, the percentage of homeowners needed to approve a petition was increased five years after the petition started but it fell under the old rules.

- Can a petition signed by a homeowner who, subsequently, moves be changed by a new home owner?
- Is there a way that potential buyers of property in the area know that a sewer line may be coming?
- Is the true cost told to those who sign a petition? That is, the sewer assessment fee does not include hookup costs.
- Do homeowners know that the assessment cost is per hookup, so multiple family units pay double or more?
- Can accurate information of the impact of a sewer lien be given out to seniors regarding potential nursing home care?
- Can the lien policy be made more favorable to homeowners under state law; that is, rather than place the entire lien in year one, can it be spread over the 20 year pay-back period? This is State Statute Section 7-238 which is somewhat confusing.
- Should 40 acre parcels of land be added to an existing sewer petition without any public debate? It happened here and the potential impact to a neighborhood of this 40 acre parcel is mind boggling.

Hopefully, several Town departments and appropriate elected officials will be allowed to give their input in developing new guidelines and policies.

John Suggs, district 5:

I am not going to be supporting this measure tonight. I join my colleague with every issue that he raised tonight. I'm going to reserve my comments just for one. In all my time on this RTM, I have proudly stated that the RTM is the ultimate democracy. This is a grassroots democracy. I have cited, as proof of that that, we have a Town Charter states that if 20 electors sign a petition and ask for something to be debated, discussed and brought forth before this RTM, it will. To my shock and dismay, there was a petition. It was certified by the Town Clerk with sufficient electors. Our previous Moderator made a decision not to bring it forward and it has not been put forward since. So, for the first time I have ever experienced, the Town Charter 20 electors, you can say and debate anything in this room, the ultimate democracy, I discovered that it wasn't the case. Eileen, I look forward to talking to you and I know the petitioner would like to talk with her, as well to find out the status of the petition. Just know, this is a controversial matter. It's not simple, business as usual. We have had community members who have had to move out of Town because of this action. We have had people had the experience of people being denied their right to be heard before the RTM. That is what has happened. I will not be supporting this.

Ms. Flug:

I'd just like to respond to that to clarify this. There was a petition filed while Mr. Rose was still here. The petition is pending. It can be brought before the RTM. It will be brought before the RTM. My understanding, from talking with the administration, is the petitioners have been meeting with the Department of Public Works and the First Selectman and that there have been productive conversations regarding the existing rules and the matter may be resolved

without needing to have it come before the RTM. It's a petition asking the RTM to discuss rules that are not within the RTM's purview. The RTM does not approve or veto or change these rules but it can be brought before the RTM and it will be upon my determination that the ongoing discussions with the petitioners and the administration have come to an end. So the petition is not being ignored. My understanding is that there have been ongoing discussions that do not require it to come to the RTM yet.

Don Bergmann, district 1:

I knew nothing about this issue until Allen and John spoke, both of whom I respect for their commitment to the integrity of the process. I don't know the facts either and I appreciate Eileen's comments. I have a question for the committees, was this matter raised in the RTM committee meeting?

Mr. Floyd:

I am merely reading this as a favor to Jay Keenan. Perhaps someone from the Public Works or Finance Committee may make a comment.

Mr. Edwards:

It did not come up during the committee meeting. It was not a point of discussion. This issue with the petition has been referred to the Water Pollution Control Authority. They have set a date that it will be discussed, June 17 in an open forum. At that point in time, it will be discussed. The process that we've got here, as I've indicated, this is contract 65; it's following the same process, the same procedures that have been in place in other 64 contracts that we've dealt with. There is nothing new, nothing unique but there were some questions that were brought up in the petition that will be discussed in whatever detail needs to be discussed at the June 17 meeting. It does not affect the process that we've got here. We are responding to a petition that is in response to the petition brought by a majority of the stakeholders. Again, we are dealing with a majority. What we do have is a minority that are questioning the process and that minority will be heard. They have a right and an opportunity to.

Stephen Rubin, district 7:

I was at the Board of Selectman meeting when Mr. Bomes spoke and Mr. Suggs and I agreed with them. This is an issue where a lot of residents are being affected. I have spoken to some of those residents. Based upon what Mr. Edwards just said that a date is now June 17, I'd like to **make a motion to postpone this vote to the July meeting or if we do not have a July meeting to the next meeting of the RTM. Seconded by Ms. Kane.**

Ms. Flug:

The procedure is that we have a motion on the floor and an amendment on the floor. We will discuss the amendment and vote on the amendment and then we will come back and vote on the main motion.

Mr. Lowenstein:

I believe a motion to postpone takes precedence over the main motion. It's not an amendment to the main motion. It's just a motion that takes precedence. I don't recall if it's debatable or not, but I think it is.

Ms. Flug:

A motion to postpone to a certain day requires a second; it is debatable. But you're right. This is not an amendment to the main motion. It is a new motion. It is debatable.

Lee Arthurs, district 8:

I have one question for Mr. Edwards. If this gets postponed to the next meeting, what is the impact, if any, to this process?

Mr. Edwards:

It will have no real material effect. It will just hold up the project for a month.

Mr. Arthurs:

Based on that response, I do support and think we should postpone until the next meeting. Perhaps we should have another committee meeting to get the details out.

The motion passes unanimously to postpone until July meeting.

The secretary read item #5 of the call - To approve an appropriation of \$300,000 to the Capital & Nonrecurring Expenditure Fund (C&NEF) Account for the installation of new roof at the Saugatuck Senior Housing. By show of hands, the motion passes unanimously.

Presentation

Mr. Edwards:

This is a request that has come through the office by kind of a circuitous route. The Saugatuck Senior Housing Complex was the Saugatuck Elementary School, some of you may remember. It was turned over into elderly housing back in 1988 or '90. At that time the Town gave the building to the New Samaritan Corporation for a dollar and kept a land lease on the property for 99 year lease with the understanding that the housing would be developed into a coop with Westport elderly residents being given the priority in the housing option. It has succeeded. It now has 36 Westport elderly taxpaying citizens living there. They are contributing to the economy by paying taxes and being part of the community. The issue now is that they have applied for a STEAP Grant through the grant process. It was pushed by Joe Mioli when he was a Representative. It's been shepherded, after he left the State Legislature, now by Jonathan Steinberg. They have been awarded a grant but part of the problem is that it must be administered through a governmental organization. They cannot take the grant

and operate the grant themselves. So, they came before my office and asked if we would serve as the agent for them. The administration has decided it would be a good use of our facilities. We are now trying to shepherd through that process. Anyone who had done a grant through a State Granting Agency, it is a very complex process, a lot of I's dotted and t's crossed. But we are working with the Department of Economic Community Development, DECD, to bring this to fruition. The first step of it, what we have to do is appropriate the money, retain the engineer to do the design, go out to bid, go out to construction, complete the work and come back for reimbursement. It is a \$300,000 STEAP Grant. We are seeking an appropriation of \$300,000. It was appropriated by the Board of Finance a couple of weeks ago. We are looking for your support so that we can front the money, retain the necessary professionals and get the job done so the integrity of the existing roof can be complete.

Committees Report

Finance and Public Works, Mr. Floyd:

Mr. Edwards requested a second appropriation of \$300,000 to cover the necessary work required for replacement of the roof at the Saugatuck Senior Center. The Saugatuck Senior Center received a State Grant for the \$300,000 cost of the roof replacement; however, the nature of the grant requires it to be awarded through a government agency. The Town has agreed to facilitate and assist the Senior Center in their efforts. All costs will be reimbursed to the Town through the grant. In attendance for the joint committee meetings, for the Public Works Committee were Melissa Kane, Cornelia Olsen, Jack Klinge, Jay Keenan. Present from the Finance Committee were Jeff Wieser, Lee Arthurs, Dick Lowenstein, Steve Rubin and Arthur Ashman. A motion was made to approve the appropriation and it was unanimously passed to recommend approval to the full RTM. The committees did not have a quorum.

Members of the Westport electorate – no comment

Dr. Heller read the resolution and it was seconded by Mr. Rubin.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$300,000 to the Capital & Nonrecurring Expenditure Fund (C&NEF) Account for the installation of a new roof at the Saugatuck Senior Housing is hereby appropriated.

Ms. Flug: It has been moved and seconded to approve the resolution just read.

Members of the RTM

Mr. Meyer:

We have some residents from the Saugatuck apartments are here. How many of you are here? About 15? Half the forces came. Has anybody been there to visit except me? I deliver Meals on Wheels there. Most of these people have relatives in Westport. It's a wonderful organization. It's an old school that had no use, just like this was an old school that became Town Hall. It became an apartment for

these wonderful people. Most of the people are relatives of people in Westport. One more thing, I forgot to mention when I talked about the ducks, Bob Laspragato was a very, very active member of Rotary. Eileen is in Rotary and Diane Cady. We will miss him greatly.

Mr. Bergmann:

I attended those two committee meetings although I am not on a member and I just want to complement Steve Edwards and his people for their efforts and their work in providing their assistance to this organization. It's the kind of thing that they do very well and we all should be appreciative of how our Town people work with other operations that are not necessarily directly under them or relating to them. It's just a statement about Steve and his people.

Dewey Loselle, district 8:

I have been to the Saugatuck and it's a great building and a great effort to try and do this. I have a question for Steve. The \$300,000 number is the grant that started a number of years ago. I'm just wondering, what's the cost estimate basis for the \$300,000? What's going to happen in the event the roof is more expensive? I've heard it is going to be a very expensive roof. What will happen then, Steve?

Mr. Edwards:

The \$300,000 is an aged number. It was prepared two or three years ago. What we are doing in the design is we are developing a number of options in doing the roof. We will have to pick and choose. The \$300,000 is a target. We will not spend more of our money. The housing complex does have some additional money. They have a capital sinking fund. Our intent is to get it done for the \$300,000 but if we have to dip into the capital fund for a few shekels here and there, they have agreed that they will do that. The intent is to get that roof done. We have gotten the scope down a little bit smaller. Again, like any roof, until you get the slate off and see what the quality of the roofing is, we won't know. But we feel quite confident. The good news is we submitted quotes for the design engineer and we got an extremely competitive price for the design engineer. It came in about half of my estimate. The economy is still supportive of this.

By show of hands, the motion passes unanimously.

The secretary read item #6 of the call - to approve an appropriation of \$50,000 to fund a professional security audit to enhance security in the Westport Public Schools. The resolution passes 27-3-1. Opposed: Bergmann, Olsen, Nathan; Abstaining: Keenan.

Point of information, Jack Klinge, district 7:
Can we address items #6 and #7 together?

Ms. Flug:

They will be voted on separately but there will be only one presentation for both items.

Presentation

Elaine Whitney, Chairman, Board of Education:

I'm going to go over some slides that we did share with you in the packet. Thank you Madam Moderator, members of the RTM, members of the Board of Selectmen and members of the public who are here tonight. I'm here to present the Board of Education request for an appropriation for a comprehensive school security audit. Before I get started, I would like to thank a couple members of our first responders who are here tonight, Deputy Police Chief Foti Koskinas and Deputy Fire Chief Bob Kepchar, thank you very much for coming and for all the work you have done in this process. They will be here if you have any questions as relates to the Police or Fire Departments. I would also like to thank Police Chief Call and Fire Chief Kingsbury who were unable to be here tonight but who have submitted letters of support for our security audit requests. I would like to thank them for that as well as all the support over this winter and spring that they have done as part of the School Security Task Force that has brought us to this point. I would also like to thank the Board of Finance for their unanimous support of our efforts in approving the full amount of these appropriations. Finally, I would also like to thank the three RTM committees, Education, Finance and Public Protection who have spent the significant time looking into this. Again, this is the culmination of a significant effort for a matter that is of critical importance to the Town as a whole. We are pleased to come here and to have worked closely with you throughout this process. Before we go into the details, I want to highlight that we have been responsive to the requests of the funding bodies. You will see we have done a thorough RFP process and we have also codified a close working relationship with our Police and Fire Departments.

Our specific request tonight is for \$98,000 for a comprehensive school security audit by Kroll Advisory Services. This would cover a district wide analysis as well as an individual analysis for each of our eight schools. As you know, the Board of Education voted unanimously on this on April 29. Subsequent to the conclusion of the RFP process, in an April 29 vote, the Board of Finance also confirmed their support. Their prior votes were consistent with the request we bring forward to you today. As I mentioned, the three RTM committees have also very carefully vetted this request and we thank you for your support on the 16th. I just want to highlight the importance of this effort. The Board of Education considers it a very high strategic priority to assess, enhance and ensure school security. This is one of the most fundamental responsibilities that the Board of Education has to look out for the safety of our students and our staff. Both actual and perceived safety are prerequisites for effective learning which is our ultimate mission. In addition, we, as a board serve as *in loco parentis* which means we are responsible from the moment our children get on our buses until they are

returned home for their safety. Our parents count on us and our students as well. We are bringing this to you now for a couple of key reasons. The most significant is the tragic events in Newtown in December highlighted not just for Westport in communities in Connecticut and throughout the country. Two key things: one a new awareness of some of the types of threats that we actually face as well as the opportunity that we can do better to mitigate those types of things. There has been significant state and federal legislation and extensive concern as well as action by many of our peer communities. One of the key actions that took place is that Governor Malloy instituted a commission, the Sandy Hook Advisory Commission, to help do some research on this matter and give guidance to legislative efforts at the state level. One thing that came out of the report is broadly that schools can do more to appreciably enhance security than what has historically been done. In addition, there are specific recommendations for conducting audits just like we are requesting of you now. There is a specific tool called the All Hazards Threat and Risk Assessment Security Recommendations Tool that the state is developing to help districts across the state but they are basically encouraging every district and every school to initiate such an audit as soon as possible and to renew and update them every three to five years. They also specifically recommend looking comprehensively at school security, not just the protective design in building and site components which have historically been the focus of most audits in the state in the past but also looking at security operational policies and procedures. In addition, the report highlighted that districts are different. Each one has different needs so there is no one easy solution that we can do. So there is value in having some expert advice. In particular, some of those variations, there are a myriad of different physical and community characteristics of each town, different cultures, different physical needs. Each Town will have different factors in its cost-benefit analysis. What are the highest priorities and values for those individual districts? One of the key reasons we want to do this study is to help us determine what is best, specifically, for Westport; what makes sense for us, what do we need; what will be actually effective and to help us weigh and balance and ultimately integrate whatever measures we do to help enhance security? I thought I'd give an update on where we are in this process. There are three major pieces to this: The ongoing work of the Town /School Security Task Force, the present request for the security audit and then, going forward, the School Security Committee. We changed the title but not the substance of this from the title in your packet. The Fire Department suggested we didn't want to cause any confusion. There is an existing entity called the Westport Emergency Management Team which, as you know, handles hurricanes and disasters and other short-term events. We wanted to insure that there was clarity of what we mean. We thought the School Security Committee would be a clearer term for it. To highlight the Town /School Security Task Force, this is the working group that has been active this winter and spring consisting of key Town leaders including Superintendent of Schools, the First Selectman, the Police Chief and Deputy Police Chief and the Deputy Fire Chief, who have been working very closely throughout this process. We have taken some immediate action steps over that process. That whole group has been

actively involved throughout the audit process; in particular, the formulation of the RFP and the determination of the responses to that. We are looking to expand that into a broader group upon the results of the audit to broaden Town wide representation, the School Security Committee. Just to highlight a little bit about the RFP process: During March, there was work done to develop the RFP. We actively sought vendors to respond. Any company who had reached out to us was notified that we were conducting an RFP. Any company who might have called us, we encouraged them to submit, anyway. We were very inclusive in that process. We ended up with 12 bids. Upon receipt of the bids, Dr. Landon, Chief Call and Deputy Chief Koskinas each independently looked at the 12 bids and independently came up with the same group of three strongest respondents. They agreed to bring those forward to the Board of Education to interview. On April 29, we had detailed interviews with those three finalists including the Board of Education, Dr. Landon, Police Chief Call, Deputy Police Chief Koskinas, Deputy Fire Chief Kepchar and Marge Cion. Through a very careful process asking a lot of questions, we came up with the unanimous recommendation that Kroll was the best vendor for us and that we were comfortable that the scope of their services was going to add value for our Town. Subsequent to that, the board voted unanimously to make this request for you. I want to highlight why we think a security audit is valuable. Some key parts of this are that it is comprehensive, systematic and independent. It is an outside look, a fresh pair of eyes, looking very broadly at the challenges we might face. As Chief Call mentioned in his memo, we don't have the resources with our staffing necessary to conduct this in any timely manner on our own. So, there is the value of the independent look as well as capacity consideration. The last audit that was done was in 2007 so the bulk of the work was in 2006. So, it's over six years old. Again, the advisory commission is recommending every three to five years audits should be updated. In addition, we are looking to expand it. The previous time, the focus was on the physical and technical aspects. Those are important but we are also putting emphasis on the policies and procedures. Kroll has that expertise and that will be the focus of the bulk of the actual work. The other key thing is the study will help us to figure out how to best utilize the Town 's resources as it relates to help improving security and help us to figure out the balance and interaction of different measures we might take, whether it is redeploying existing resources, how we use our staff members through different policies, or whether it is adding any additional physical plant improvements to try to make sure that we as a Town get the best value for anything that we as a Town invest in this and also to make sure that we are actually improving security as opposed to just feeling that we are doing something but not being sure that it is having a genuine impact. Why specifically Kroll? Certainly, Kroll has a world class reputation in security but some specific things stand out from the other vendors. The most important is the depth that they have in how they operate in terms of policies and procedures. That will be where the greatest value will come from. Helping us to leverage our existing resources and also helping to formalize and systematize the close relationship between the school and the Police Department as far as guidelines about how we can communicate about students,

maintaining student rights and helping to mitigate potential challenges, internal and external threat mitigation. Clearly they have extremely strong credentials, experience and expertise and have specifically assigned a very high caliber team to this project. In addition, a big driver for the fee is the amount of time on-site. There is a lot of site work. It is five or six times the number of hours that most of the other vendors are proposing. That is the key piece that is driving it. We are going to get a real look at our buildings, talking with our people and a very thorough analysis to go with it. It is a comprehensive, integrated approach. The entire group, from first responders to the administration agreed unanimously that Kroll was the best firm for us. I just want to highlight a couple of the key milestones. We are hopeful of your support tonight. If so, we'll be able to execute the contract first thing tomorrow morning. Pending approval, Kroll is ready to allocate some resources to do some onsite work in the next few weeks before school is out. We want to get started right away. Subsequent to the report coming out and recommendations, we will then initiate the School Security Committee to have a broader public discussion about any proposed capital projects or other significant investments that would result. Obviously, we would also do our usual appropriation process coming to the Board of Finance and the RTM. We are hopeful that there are many things that we can do using our existing resources, as well. To highlight a bit about the School Security Committee, we are looking at this as an advisory body an outgrowth and expansion of the Town/School Task Force. The details are still being formulated but we are looking at a broad representation from our funding bodies, senior elected officials as well as the Town Maintenance Committee and, in addition, a selected group of community experts who have experience in security and have offered their time on a voluntary basis. We will plan to establish some regular meetings going forward. There is an ongoing dialog on how we will best implement the results and recommendations. To conclude, as we have been saying all along, this is a critical Town wide challenge for Westport. That is why we wanted to work closely throughout this process determining the best course of action and working with you as we get results from the study and determining the best steps going forward. We have been responsive to the requests that you and the Board of Finance have made. In particular, while we have been actively working with the Police and Fire Departments, we have ensured and codified that explicitly in the proposal documents in terms of what we have been doing and we have established formal organizational mechanisms to make sure that happens and we will continue to proceed along those lines moving forward. We have also, as you've noted, done this comprehensive RFP process. We are hopeful that we can get some vital work underway if we can get kicked off tomorrow. There are some additional activities we can do this summer and then as soon as possible this fall we would like to get done the vital work that we need to do. Our children and our families are counting on us to act and we are hoping we can count on your support tonight.

Committees report

Education, Finance and Public Protection, Mr. Klinge:

I don't normally like to read reports and I think after Elaine's rigorous and detailed presentation, I'll leave out some of the background of why we're here and how we got here and move into the proposal as it currently exists. It is the result of the recommendation by the formal Town School Security Committee which was formed by the Board of Education including Police, Fire and other Town departments who had a very important input into the process. The outgrowth of that was a review of our current procedures, our previous study done some six years ago by Safir and leading to the RFP which was put out for bid in April. We got a total of 12 responses to that RFP. It was winnowed down to three by this same task force which worked hard on developing the RFP. The consensus was unanimous that the Kroll Advisory Group was the appropriate entity for us to retain. Their expertise was superior, as Elaine mentioned, especially in the area of policy and procedures. They have had enough experience. The economics were such that their bid of some \$98,000 was only slightly higher than the other bids of \$80,000 to \$90,000. With that as current background, on May 16, members of the Education, Finance and Public Protection Committees met. Don't really listen to not so much the process as the whys and wherefores of Kroll and the study itself. I would say that we were most impressed by the enthusiastic support from Chief Call and Chief Kingsbury and his group that said there was a close interaction between education and our public protection agencies in this Town. They came to the unanimous conclusion that Kroll was the proper group and that their process of operating was going to be appropriate to the Town of Westport. They intended to spend a lot of time in our schools meeting with not just administrators but teachers and even students to get a full cross-section of impact, input, ideas and what ifs. So we really expect to get not just an update of technology or another 25 percent better than what we have in place but really a full blown new look at our district-wide security system, policy, procedures, technology, interaction between the relevant agencies. That's why it should work a lot better than it may work right now. It was clear from the presentation and discussion that the Town will have to be prepared for increases in security staffing and capital investments. That is for another meeting. That will come out of the presentation and agreement by the group that will be put together. I suspect it will be substantial and we will have to be prepared to deal with it in the fall. The timeline is such that you have seen the contract. It should be signed tomorrow. There should be action in the schools, not just before school gets out on June 21 but also through the summer and into September when schools reopen. There will be interim reports made to the Task Force. You saw the makeup of it is a wide cross-section of people in Westport including the RTM. I think that there's a very good chance that the plan will be available in October for Town-wide evaluation, discussion and action. The three committees voted as follows: Education Committee, 5-0, Heller, Klinge, Meyer, Mall and Flug; Finance Committee voted 4-0-1, Wieser, Lowenstein, Talmadge and Arthurs in favor and Bomes abstaining; Public Protection voted 5-0, Lowenstein, Izzo, Mall, Kane and Heller. Respectfully submitted.

Members of the Westport electorate

Jill Greenberg, 7 Strathmore Lane:

One of the biggest threats to safety in schools isn't listed in your evaluation. It is really like a Barbara Butler issue, knowing who the vulnerable people are in our community and who the disenfranchised people are, whether it's a child or a parent or whatever. I know you know that but I want to know where that fits into this process. It may be embedded in something you had posted but I didn't see it. When you had your list of people who would be on the committee, it did not include Barbara so I am concerned about that.

Ms. Flug:

As a matter of RTM policy, the public cannot request responses from the administration. You can make comments.

Ms. Greenberg:

My concern about that is if you don't take care of that you are really missing the boat. The second thing is, somebody just said that this is the beginning of an investment. I'm concerned about the *so what* factor. It is really, really easy to do this piece, that is the assessment. How many people have worked in large corporations where they have had consultants come in and tell them what to do? The consultants come in, give you a long list of things to do, and it is semi-tabled because it is so overwhelming and it costs so much. This is a Town -wide issue, not a school issue. If the Town is unwilling to put up the dough on a regular basis, five years from now, you will do another \$100,000 evaluation, then you are throwing money away. This is an ongoing forever commitment. My concern is that it will just turn into \$100,000 that could have been spent on a few teachers. Those are just my concerns.

Greg Puhy, 49 Cross Highway:

Listening to this and being brought in a little late, I think we can get this all through Homeland Security. I did some investigating and went on line. Everything that was mentioned there was on the Homeland Security website. It really gets you guys involved, it gets the school involved, it gets the grassroots, it gets everyone involved who was mentioned here tonight including our last speaker. I would like to say that before we go into a 24 hour vote, it may be something to enhance what you want to do. You may be able to get that for free. I'll give this to you and you can look over it and maybe get something out of it. I know that they have first responders going to, they can do things online from Montana to learn how to do things like explosives. We're all involved, the grassroots to the RTM.

Ms. Flug:

We will be voting on this resolution in two pieces and there will be an amendment proposed to reduce one of them to \$48,000 so that the total is \$98,000. We'll do it for the second resolution. We will amend the second to \$48,000.

Dr. Heller read the resolution and it was seconded by Mr. Rubin.

RESOLVED: That upon the recommendation of the Board of Finance and a request by Superintendent of Schools, the sum of \$50,000 to fund a professional security audit to enhance security in the Westport Public Schools is hereby appropriated.

Ms. Flug:

It has been moved and seconded to approve the resolution just read.

Members of the RTM

Mr. Bergmann:

Many important matters addressed by the RTM involve issues of substance and process. As to the Kroll Security study, several process issues are well known: the hastily called meetings of the Board of Education and the Board of Finance in January, meetings conducted in Executive Session, without notice; the issue of the amount to be spent, \$50,000 or \$100,000; the effort of the RTM to bring deliberation to the analysis; the role of our police; and the manner in which the Kroll firm was selected. That process resulted in the receipt of many emails from the public, a “blast” email from the Superintendent of Schools and the expectation that the matter would be voted upon last March. That expectation did not materialize when the funding request was withdrawn at the last minute.

The Board of Education then went out for bids and also worked with our police and fire to develop the proposal now before us. An analysis of process has its greatest relevance in providing assistance in making a substantive judgment. As to Kroll, that relevance will be assessed by each of you when you vote in favor of or in opposition to this funding request. As to the substance of this proposal, here are my observations and my views:

- This effort began in haste in response to Sandy Hook and the need for a study has not been fully vetted;
- Our Police Chief supports a study; however, I personally believe that the only aspect that is truly important is to develop cooperation between the schools and our police and that does not require a \$98,000 study;
- The study has been characterized as an update of the Safir study, but none of us voting tonight know what was in that study, what was recommended and what was or remains to be implemented;
- The Board of Education has strongly suggested that the study flows from the board’s fiduciary obligation, yet we have been provided with substantially no information as to what other communities, what other Boards of Education, are doing;
- Our Police Chief and, less pointedly, the Board of Education, have suggested that a Kroll type study flows from the March 16, 2013 Sandy Hook Advisory Commission interim report; however, that report takes a neutral stance on that issue;
- The most desirable outcome of this effort will be cooperation between our schools, the Board of Education and the Superintendent and our Police Department. That fundamental change is already on track and will be realized whether or not Kroll is hired;

- The Board of Education asserts that both the reality and the perception of safety are prerequisites to learning. Few, probably, no one, expects that the Kroll study will result in any actions which would have prevented a Sandy Hook tragedy. As to the perception of safety, that is subjective and driven by many variables. Indeed, safety perceptions could well be exacerbated by the inputs and reactions to the Kroll study. An example of a recently missed opportunity was the reaction of our school administration and Board of Education to the bus driver incident earlier this year. In my judgment, the Board of Education and the superintendent should have simply acknowledged that the incident was not handled well.

Ninety-eight thousand dollars is a lot of money. While it could probably be better spent, the cost is not crucial. What is crucial is whether or not the case for the hiring of Kroll has been made. That is the question I ask myself. My vote will reflect my answer.

Mr. Mandell:

Elaine, I've got a number of questions for you. Where in the Kroll report will it say whether or not they will recommend that there will be guns in our schools held by an employee. I want to know if that is something that they are addressing to you ahead of time or not.

Ms. Whitney:

The fundamental premise of this report is whether it is going to make sense for Westport and for what our values are. Any recommendations that come forward will be discussed not only by the administration and the Board of Education but the entire Town Security Task Force first on an interim basis to have the kind of dialog of the specifics as well as what is appropriate for us and then an ultimate final report. Broadly, there will be a dialog. Ultimately, any specific recommendations, the Task Force will be advising the Board of Education; the Board of Education, in its fiduciary responsibility, will make a decision on a recommendation and come forward through an approval process. There will be lengthy steps. But as we have stated repeatedly, throughout this process, the Superintendent, Police Chief members of the Board of Education have all expressed publicly that there is no desire on our part to pursue looking at armed police officers.

Mr. Mandell:

The reason I ask is that once there is a recommendation in a study, often people will follow that study. I want to make it clear and I'm talking to the officers here, I don't want to see in that study that there is recommendation in that study to see guns in the school to protect the children. I think we keep the guns outside the schools to protect the children.

Ms. Whitney:

To clarify, the study itself is a highly confidential document. The Task Force working with the Board of Education will use the results to make our own

determination and only items that we believe make sense to Westport will then go forward in any public venue.

Deputy Police Chief Koskinas:

During the interview process of the three finalists, that's a question that came up. The Chief and I feel very strongly about not having armed officers inside the school. We agree to having them outside the school. We agree on having a better response when something happens. We agree that the sooner we get there, the sooner we can deter something. Just to emphasize what Mr. Mandell is saying, that came up during the interview process. Kroll and the other two, none of them recommended having armed security schools

Mr. Mandell:

In the study given to the Governor, two things were requested. First was that there be locking doors on all classrooms. Do you have an estimate on what the cost will be to do that aside from the study?

Ms. Whitney:

You pointed out that one particular thing where there has been broad consensus on the Sandy Hook Commission as well as in the public domain, generally; however, there are a number of different specific techniques to achieve that. We are anticipating expert advice from Kroll as far as whether that particular measure makes sense and if so which specific mechanisms and, therefore, that would drive the cost so I don't have specific number. I can tell you, in Greenwich, they did choose to do that. It was about several hundred thousand dollars in Greenwich for about twice the size of a district.

Mr. Mandell:

I take it that is the same answer for number 17 which is requiring all exterior doors to have some kind of mechanism?

Ms. Whitney: We already have specific capabilities in that regard but yes.

Mr. Mandell:

So, aside from the study, we are already looking at a few hundred thousand dollars to implement just what the state has recommended without the study.

Ms. Whitney:

One of the values of the study will be to come up with specific recommendations as well as specific numbers so I don't have exact numbers.

Mr. Mandell:

In the report from the state it talks about the TRASR which is the Threat and Risk Assessment Security Recommendations, TRASR, we'll call it. In all of it, it says that any school needs to adopt what the TRASR is. But nowhere in the Kroll report, does it talk about adopting the TRASR. Am I correct in assuming that their

\$98,000 is to do a study on the school system now and we are going to have to do a second study to incorporate TRASR and make it work?

Ms. Whitney:

No. Our study will include all the components of the TRASR and then some beyond that meet our needs. The TRASR is their particular term for an all hazards threat and risk assessment study. That is exactly what we are doing. All hazards. Someone pointed out about the Sandy Hook situation, specifically. We are not just looking at that scenario. We are looking at all types including internal threats such as someone pointed out health issues, external threats, the whole thing. We are doing the same exact thing. We are just doing it sooner. That particular tool is not yet available and might not be available months to a year. We're want to act it now.

Mr. Mandell:

That brings me to the question. The state is saying that they are going to be determining what is necessary. We are going to be doing a study. So, when the state comes back and says B and we have done A, aren't we going to have to reassess and incorporate B and that will be a greater expense and maybe we are doing this a little too soon.

Ms. Whitney:

The state is not going to come up with a recommendation of specifically what to do in terms of measures. They are coming up with a tool to do an audit if you haven't already done one. So, six months to a year from now, it will be a tool for other Town s to begin the kind of effort that we are looking to do right now. It's just a process tool. Very explicitly in this report, as I had mentioned in the presentation, it is very clear that every district has multiple different needs, priorities, cost benefit tradeoffs. It's a mechanism to look at it but each district is still going to have to do that analysis and come up with their own individual recommendation.

Mr. Mandell:

So we are going to create our own TRASR and follow that, right?

Elliot Landon, Superintendent:

No. We will not be creating something and then have to go back and do it again. You have to remember that Kroll is extremely sophisticated in working with academic institutions both pre-school, public school, higher education; they have been involved in large urban centers, in private schools and suburban schools. Their knowledge and expertise is incredible. Anything that needs to be done that the state may recommend will probably be less inclusive than what we actually do because of the nature of the advisory services and the sophistication and skill and experience that they have. You have to remember that the State of Connecticut drafts all kinds of legislation based on the greatest need. There are communities in this state that have never conducted any kind of security audit.

There are communities in this state which either have not had the will or the wherewithal to provide the kinds of devices that are needed to protect their kids. The idea of the state providing guidelines is to give these other systems some direction so that they may do their best, with established guidelines to provide at least minimal security to the children in their schools and their staff.

Mr. Mandell:

In the proposal, it says Kroll's budget will not exceed \$98,000 without authorization. So, what happens when there are more things than what \$98,000 will buy us? What will happen?

Dr. Landon:

It is not going to happen. We have a fixed budget of \$98,000. Their assessment and analysis of what we want is based on their own experience and what the services we asked them to provide will require. If you recall in January, we received a quote from Kroll for \$100,000. Within that \$100,000, it included not only our eight schools but also our instructional center on Riverside Drive. This is for \$98,000 for one few building but the reason the price stayed the same is because we have asked them to do extensive work which includes policies and procedures looking at not just the technological aspects of it but includes the strategic needs that we might have and I believe that, based on our discussions with them, the RFP itself, that the requirements we have developed forced them to increase their price but for eight schools rather than nine buildings and that covers the entire cost of the project.

Mr. Mandell:

Well, we have heard a lot here. I am still an undecided individual. I'm waiting to hear more. What we are looking at is not \$98,000. What we are looking at is hundreds of thousands if not into the millions in terms of school security. That's a question that we are voting on now. When you go for you vote, ponder that. It's \$98,000 here and hundreds of thousands of dollars for the locks and whatever else they come up with to secure our schools.

Dr. Landon:

I agree completely with Mr. Mandell but I want to agree within the context of a statement made by the mayor of the Town of Moore Oklahoma where the tornado came and there were no shelters for the students in their schools or in any of their public facilities. When the mayor of the Town was asked, 'Why didn't you do it?' He said, 'The cost was really high and we never thought it would happen here.'

Clarissa Moore, district 4:

When originally the security audit was scheduled to come before the RTM, I have to confess, I was very conflicted on it. You hear \$100,000 and think, that's a lot of money. I'm a taxpayer as is everyone else in this room, a parent and a taxpayer. I was also troubled by the fact that the original analysis did not include Police and

Fire Department and I thought it was imperative that we did include those two groups. I'm heartened to watch the process work the way it has. I think the RTM has done good work in suggesting that it needs to be a greater consensus and needs to involve fire and police in terms of school security. I think on an ongoing basis, even after the audit, when we look at measures that we need to implement, we need to make sure the fire and police remained involved. I was also heartened and I read the emails from my fellow RTM members as well as from our constituents and I thought it was an excellent point that we want the School Security Committee to include members of the RTM, to include the widest variety of people possible. We need to draw on the collective resources of all of us. The life of a child is balanced by \$100,000, a million dollars. I'm sure that it would be difficult for us to sleep at night if we think that we should have done the security audit, but didn't. I keep thinking of the down side of not doing it. I'm well aware of the costs. I think there will probably be measures that we need because everyone has assured us of that. There will be additional measures that we will need to take after we do the security audit. But I am now, after weighing both sides of the argument, personally convinced, that it is better to do the security audit than not to do the security audit. I don't believe any of us in this room other than perhaps the fire and police know how to improve school security as well as the Kroll team knows how to do it. Instead of trying to second guess what Kroll will suggest, I think it is important to hire them for the security audit and then proceed with recommendations from the audit and implement actions they recommend so long as they fit with the Town of Westport and their held beliefs. So I am voting in favor of the security audit.

Mr. Arthurs:

I want to begin by saying I do support the study and the process we've been going through. I'm very happy the how things have gone forward. I do however have a couple of concerns about some of the language of the agreement for consulting services. We did not receive the document before the committee meeting so there was not chance to bring these forward then. I will ask the Board of Education to respond to these and maybe make some changes to this document before it is signed. The first concern I have is that there's a line in Section 6 that says: "In addition to the professional fees identified above," which, they say, will not exceed \$98,000, "additional charges may include reasonable out of pocket expenses incurred in connection with this assignment." I think that should be stricken because the budget is \$98,000 and it should not go above that amount. Secondly, this is a mechanical issue. There is a \$40,000 retainer which says the client will be billed on a monthly basis and it will be applied to the final invoice. This is really technical. If you have already billed \$60,000 and it's not the final invoice, it should come out of the retainer once you get over the \$58,000 that is not covered by the retainer. The last area that concerns me and it comes up in two areas is, the way I read the paragraph is that it talks about if we pay late, there is a 12 percent interest if we don't pay in 30 days unless we dispute the amount. It looks like Kroll can terminate the contract even if there is an amount in dispute. Going further, in section 8, Termination, it says either party

may terminate the agreement upon 30 days prior written notice by either party. I don't think Kroll should have the right to terminate the contract early because they could do half the work, get paid \$60,000 and we don't get our study. I'm not sure why they need the right to terminate it early. I'd be interested in a response to these issues.

Dr. Landon:

In the first instance, we had this contract vetted and modified by our counsel and members of Shipman and Goodwin who deal with matters such as these but I'll certainly have them take a look at it again. At least, on the issue of termination, it does say that either party may terminate this agreement upon 30 days prior notice by either party or earlier but only by mutual written agreement. If I read it correctly, the way I read it initially, was that it requires mutual agreement before they can terminate in 30 days. I will check that with counsel.

Mr. Arthurs:

If you could check that cause "either party may terminate this agreement on 30 days prior written notice to the other party or earlier upon mutual written agreement." I know you want to sign this tomorrow if we approve it but I would appreciate one more look at these issues just to make sure.

Melissa Kane, district 3

I just want to add one thing to what Mr. Arthurs was requesting, something else to look at. This is more with regard to the proposal, something that was discussed at the meeting on the 16th. With regard to report generation, I think the proposal should reflect that they will be providing interim reports especially if you were to start work this summer. There seemed to be interest in getting work going over the summer. We wanted to make sure that there were actually reports based on the work completed over the next few weeks and they weren't going to wait until they completed the entire study which I guess would be next fall. If you can address that...

Ms. Whitney:

There is explicit language about a pre-final report and a final report but to the degree that there are additional recommendations, we will also have interim reporting as well as discussion.

Ms. Kane:

That will be in the contract? They know they have to provide that to you. That will be explicitly put into the proposal.

Ms. Whitney:

That has certainly been explicitly discussed. We'll do a quick fine tuning of the language.

Ms. Kane: With regard to the philosophical question that has come up...

Dr. Landon

We did discuss interim reports as a result of those committees. In fact, we added a clause to the contract or our Attorneys added a clause to the contract which states that "...additional assignments will be set forth in a supplementary writing signed by both parties that references this agreement and stipulates the fee for the additional assignment" but it also includes the interim report.

Ms. Kane: Fee for the additional assignment? There will be a fee?

Dr. Landon:

No, no, no. It was the intent of this, supplemental services is a separate agreement which was intended to supplement. We'll check it again but there will not be an additional fee.

Ms. Kane:

Thank you Dr. Landon. With regard to the philosophical question which seems to be do we need independent audit at all? School systems, Town s, municipalities clearly can audit their school security if they have the resources to do it. What really convinces me that an outside security study is needed in Westport is explicit when you speak to Chief Call or if you read his letter which says, "We believe that an independent evaluation of the plans, procedures and processes currently in place is necessary." I know Chief Call felt this way before he started and the Police and Fire Department started working on this process and I know he feels this way now. I believe that we have already started to see the benefits, quite frankly, of having an independent security audit because I look at the increased communication and the positive working relationship between the public protection forces and the Board of Education and Department of Education. I believe that will continue if those departments feel they are getting what they ask for and feel they need. I believe in the end that benefits our students and benefits our Town.

Dick Lowenstein, district 5:

There are two turning points for me in this whole process. Clearly, they are reflected in the letter from Chief Call. He has answered every question we've had like why, can't you do it? He's responded to that. Is the study needed? He's responded to that. Seeing it in writing and knowing how we feels about it is very important for me. I hope that we have all learned from this experience that following the process need not be a hindrance. It can actually speed things up. I hope that lesson is applied for the future, as well. I do regret that the first step that we took with the \$100,000 set the benchmark. Had we not had that number on the plate to start with, bids might have come in much lower. We have no idea. But that is history. We can't do anything about hindsight. The other thing that was a turning point for me was the contract itself. I was very adamant in the earlier discussion about the Kroll's attempt to define something called "intellectual property" and to say that only the Board of Education could use the information. It

is paragraph 5 in the new contract, Use of Information. I won't call it a capitulation but I think it is a complete agreement by Kroll that what we want we are getting:

...Kroll Reports may be disclosed by client to representatives of the Town of Westport, the Westport Police Department, the Westport Fire Department and any contractors and consultants of the client having a legitimate need to have such information.

In other words, there are no restrictions. For me, that's very important. It means that any value it has to the schools involved may also then apply to other institutions in the Town of Westport. That's good. So, you are going to sign it tomorrow and this is what you are going to sign. I will support the request for the appropriation

Ms. Batteau:

I come down on the still somewhat conflicted side but I have a couple of questions and a couple of comments. One question is how much of the last report was implemented and at what cost? Of the parts that were not implemented can someone say why they were not implemented?

Dr. Landon:

I can't say precisely what percentage of that report was done. Perhaps 35 percent. Why wasn't more of it done? That study was given to us about six years ago. About that time, the country went into a deep dive and a deep recession. We were struggling. The only things we really pushed on were things of immediate health and safety issues. Simultaneously, the Town undertook an independent analysis of Kings Highway School and decided to move forth to spend \$3 million to put in a new heating and ventilating system in that school. With all those economic pressures on us, there were details that we could not implement. They were too expensive. Others we did in small pieces like television cameras in certain of our schools in spots where students couldn't recognize them. We did it through our operating budget but they were small expenses. I would say overall, 35 to maybe 45 percent were done either through requests that I brought forward or through our operating budget.

Ms. Batteau,

As far as the audit itself, I don't have a problem with doing an audit. I think it's a good idea. I know there are communities where the Police Departments are undertaking them. I have talked to the police chiefs in some of those communities. But I very much respect Chief Call and the Fire Chief and I am impressed by their commitment to the kind of a study that Kroll would undertake. Insofar as the dollar differential goes, the differential between \$89,000 and \$98,000 is insignificant, if Kroll is considered to be that much better by people who have gone into this deeply, then I don't have trouble taking their word for it. They have gone into it in greater detail. I do have some questions about the personnel who are detailed to be working on the Westport Public Schools project. None of them have experience working with public school systems. They have worked with colleges and with businesses and that's it; although, Kroll itself has

experience working with younger age kids. I have spoken, since this has been going on, with students from Staples and the middle schools and they all laugh and say you will never going to get the kids to keep the doors closed. That's the thing that everybody says. I don't know. Maybe you will. Maybe you won't. But it would be nice to know there is somebody who has worked with kids before to know that they would take this aspect of it seriously. Similarly, we have a good record of writing rules. We do not have a good record of following our own rules. Speaking from personal experience, I have heard things like: 'Girls don't commit violence'; 'Kids who make threats do not ever commit violence. They never follow through' and a number of things like that. I have had parents contact me year after year after year including several this year who felt that their children's safety issues within the schools, kid to kid violence issues, were not taken seriously. I don't feel that I can reveal anything that isn't a personal experience but you all know me well enough to know if I say it, it's the case. I understand that, to a certain extent, because of other policies that the school has including kids' privacy issues, it may be very hard to take into account what might prove to be kid on school violence but this is something we have to take seriously. I would hope that in looking at the personnel who are called to work on the team, we would look for somebody who has in the Detroit Public Schools or the Austin Independent School District and not just Harvard or MIT because young kids are quite different. Further, on the contract, I looked at them also. People with more financial experience like Lee noticed other things, although I certainly noticed the \$98,000 but one of the things I noticed in the Elert proposal, was that the reports they were giving were much more specifically called out in detail. It's not necessarily the case as far as I can tell that those reports will be more detailed but, for example they said they would go into best practices and what worked and what didn't work in other school districts, I think it would be very useful since our contract with Kroll simply incorporates their proposal and says what you say is what you will give us, I think it might be wise to look at that and see if the content of the proposals might be better spelled out before we agree to sign this. this. I would hate for somebody to say, 'You didn't ask for that.'

Dr. Landon:

We know Kroll has done public schools. They have done private schools. I suspect that any company that has been commissioned by Detroit or Cleveland or Dallas would have a lot of experience in looking at schools. Secondly, I love the idea of the kids telling you nobody is going to keep our doors locked because we plan to include in the interviews many, many, many of our students and I hope they make comments like that because that is one of our issues. We believe, as a result of this security assessment, we will have in place technology that prohibits doors from being open. We don't know how that is going to occur but obviously that's what we think of. Secondly, when the police and I looked over the RFP's, we looked at the backgrounds of the vendors who submitted RFP's. Some of them were detailed without specifying just one because the only thing they ever did was to place television and monitors so they could be very specific about that. Where the specificity lies and why we amended the contract,

and I did mean to say this to Melissa earlier, that we amended the contract to include that new clause because it's the RFP that provides much of the detail including the issue of interim reports and that's why we're referring to the supporting documents that will be attached to the contract itself.

Ms. Batteau:

Just to clarify, I wasn't saying that Kroll didn't do a good deal of work. You gave us a good list of projects. But the people who are listed as working on our project: American University of Beirut, University of Kentucky, College of Pharmacy, Library at Princeton, one, Rye Country Day School; that's the most academic that these particular personnel have. I'm just saying that I think it might be good to have the people who have the experience with these other projects on our project.

Dr. Landon:

These would be the people assigned to us as lead people on this. But these people have been involved in many of the projects listed but they were not the lead people on this.

Mr. Meyer:

District three... Good things come in threes. Of course, in baseball, three strikes you're out. As Ron Malone used to have a saying, *everything has been said but not everybody has said it*. I agree with everybody who is for the schools. It certainly has my vote. I am also very impressed, the Board of Education voted for it, the Board of Finance voted for it, the RTM votes were unanimous for it. Don't we trust our own committees?

Dr. Heller, district 9:

I have to be careful not say something that has already been said. As I think about something like this, I get down to basics. I do appreciate the fine tooth comb approach that has been used by several of our members since they saw the contract and the proposal. I think it's very helpful to have this come out. A great many of the other questions did, in fact, come out at the committee meeting. There was a pretty in depth discussion and you should all know that. It isn't as if the committees didn't explore these things. I did want to mention to you, in light of the fact that we have gone back and some people have rehashed some of the things that the RTM in general didn't approve of, I did think it was important to mention the words of Dale Call because, not only is he a deep thinker, but he is also a gentleman. One of the things that he said at that point is, *the process problems that we had, we are all aware of but that's really water over the dam*. I thought that's very important because I think, at this point, the involvement of people who know this business and know about our Town and their collaboration with the Board of Education and whomever else now and into the future. The collaboration is not getting the job done. That goes to the next point I wanted to make. After all, what is an audit all about? It's about finding out things you don't know. So, if we don't know what we don't know, how can we fix any problems

that we have? I like that expression, “When you don’t know what you don’t know, how do you get there?” This comes out of my background as an educator. If you don’t know what you don’t know, you don’t even know what questions to ask. That’s hopefully the kind of thing we will get out of this audit and I think it’s very important in terms of how we move forward in the future to provide the kind of secure situation that we’re hoping for.

Gil Nathan, district 9:

I don’t totally want to talk about just the fact of money or the study overall. I do want to talk about process a little bit. I’m not talking about the original process. I am very happy this went out to an RFP and the Fire Chief and the Police Chief were involved. What I’m vehemently opposed to is that we had a committee meeting on a Thursday night with three days notice and I mentioned that to the chair of the committee I was on, who is Jeff Wieser for Finance, and I also mentioned it in an email either to the RTM or to our committee that if this issue is so important, we need to take the time to study it and that goes to process again. I got the packet on Friday for a meeting on Tuesday and our committee didn’t have this before the meeting. If it is so important to get this done in a timely fashion, we should get information in a timely fashion. So even if I could have attended a committee meeting, I wouldn’t have had the information in front of me to talk about it. That, to me, is a big problem. Then, we get examples of things. Dr. Landon pointed out the recent tragedy in Oklahoma. It’s awful but that’s a natural disaster. That has absolutely no relevance to a security study when we are talking about protecting our schools from incidents like Newtown or Columbine or things like that. That’s not relevant. It’s not fair to bring that up. It’s not fair to try to push things on people. I feel that that has continually been done throughout this process of we need to do this to protect our children. The other thing that was mentioned is that there are some districts in the state who cannot afford school studies and that’s good or bad. What wasn’t said with that is that there is no correlation, necessarily, between stopping tragic events and doing school studies of security. Doing this study will not insure anything. That’s unfortunate because if it would insure something, we would all do it. We are not talking about, can this save lives of children? If it could, we’ll do it in a heartbeat. We’d spend \$50 million on it if it could. I hope it never ever, ever comes to that. I don’t know if this audit will do anything positive. I’m not saying it will do anything negative. I don’t want our schools to feel like asylums or prisons and I know the Board of Education doesn’t want that either. I’m not in favor of this and it has more to do with process. I’m not sure that the task force that we are setting up is going to get to make the decisions at the end of the day of what’s right because it is still a Board of Education issue on implementation. People have talked about... the locks have been mentioned for the millionth time. I’ve heard it and we heard it in January and we heard it in March. That’s something that common sense would tell you it’s the right thing to do. If it’s going to cost \$100,000 or \$200,000, that’s this money that we could just spend on that. Someone brought up the millions of dollars or the hundreds of thousands of dollars that this could cost; I’m not saying it’s not worth it. I’m not saying I’m not in favor of it. I’m just saying I don’t know if

this is the right avenue. There have been issues brought up with the contract. Lee brought up some minor technicalities but to say, we need to get this done so we could sign it tomorrow, ignores that. Frankly, I am willing to bet nothing is going to be materially different from the contract we saw and even suggestions Lee said that make a lot of sense. That line that he pointed out and Dr. Landon read it out loud had an “or” in it. I’m inclined to agree with Lee. I don’t want that stuff up to interpretation. I don’t want it signed tomorrow morning. If it’s so important and we should do this, why do we have to do it today? I know kids are in session for another week or two and we want that done and God forbid something ever happened imminently or even in the future, that’s not what we want to happen. But if we need kids in session and we need this done and done right, then maybe it’s something done through summer session. Maybe it should be done the beginning of next year. Let’s not rush through this. I’m not in favor of it. I’m not supportive of it. It has to do with process. I’m fearful that it’s an entire waste of money. It’s not because the study is a waste of money. It’s because the process is wasting it. It doesn’t make sense to me and that is how I will vote.

Mr. Floyd:

I just had a couple of questions. What has been done to this point to improve security? Have students have been talked to about this stuff? Forgive me. I have two teenage boys who don’t tell me anything that goes on at school but I’d just like to know what has been done at this point.

Dr. Landon:

Since Newtown? As you may or may not know, we did install, previously, television monitors in all the entrances to our schools. No one can get in unless buzzed in. Since Newtown, we have put into place more restrictive policies so that, in the past, where we may have seen someone who identified themselves and just buzzed them in but now the process is more intense where someone actually identifies that person to make sure they have the right to access. We have instituted different procedures on pick up and drop off in the morning. We have placed more staff on duty to insure that only properly authorized people can get into the building. We keep doors locked during the day and, with exception of high school which is running almost 24/7, at the end of the day, all of our doors are locked as well. Where we have after school activities, we ask the sponsoring group to provide some form of identification for access before people enter.

Mr. Floyd:

How would the recommendations be characterized in the report? How will they be prioritized versus the cost? What has been the consideration of the consequences of recommendations that are not followed? Often times, we get recommendations of things...the famous case made Ralph Nader famous was how GM quantified the cost of fixing the Corvair and, basically, quantified how much a human life was worth. I am a little concerned that we run in, by coming up with a report and then saying we’re not going to say we’re not going to spend \$500,000 because it’s not worth it...that could have stopped something.

Dr. Landon:

I believe that the close linkage with the Police and Fire Departments and the close alliance with Board of Selectmen, Board of Finance and RTM, community residents on the Security Task Force will examine each one of the recommendations, give their recommendations on prioritization and bring it to the Board of Education to discuss. The Board of Education will either confirm those items in their priority order or perhaps reject some or modify the priority order. At that point, it will go before the Board of Finance what the Board of Education believes to be appropriate. If the Board of Finance approves, we'll take it to the RTM committees and come forward to the RTM. If the RTM approves, we'll implement the recommendations. If the Board of Finance doesn't and the RTM doesn't, we'll have difficulty in implementing these recommendations. Rather than implementing some of them, we'll have to do partial ones of the recommendations through whatever we can afford in our operating budget.

Ms. Whitney:

I'd also just add to Dr. Landon's comments. First of all, there may be some recommendations that don't involve capital costs that we can do. In addition, we are ultimately going to make a choice that the prioritization and balancing of what approach is part of the expert advice from we are going to be receiving from Kroll. Then we will have candid back and forth dialog with their experts along with our public protection officers and the Board of Education probing some of those questions in an executive session kind of situation prior to they come out into the public domain. That value of what is most valuable and what is right for Westport is the key piece of the value we're getting.

Mr. Floyd:

I'm still a little undecided. I appreciate everybody's dialog and it's a tough decision. It is a lot of money, not if it saves a life, of course. I think it's very comprehensive. It is probably due.

Lou Mall, district 2:

I have one real reason and that is, I have a daughter in the school. I was talking to Jimmy Izzo in his hardware store. He said, 'How are you going to vote on this?' See those two girls over there? They are my daughter's friends. They go to school with her too. There are 5,813 other reasons to vote for this. It's because of our kids. It's that plain and that simple. I am on two committees: Education and Public Protection because those are the two things that are most important to me. If something were to happen in our schools, the most important guys are these two guys because they are the responders. They have to be the first ones there. I don't know if we have weak links, strong links, what we have. That's what experts like Kroll are going to do. They are going to tell us where we are vulnerable. That is what is important to me. When I drop my child off in the morning, Elliott Landon is responsible for her until she comes home. That's an incredible amount of responsibility to have. It's tough being a parent but when

you are responsible for somebody else's child, that's a responsibility beyond comprehension. I know that because my dad used to be a Superintendent. He was responsible for other people's children. Everybody had their own way of wanting to tell him of how to run the school and so on. At the end of the day, he was responsible for other people's kids. It was something; I'll be quite honest with you, that's the last thing I'd want. I've coached kids in Little League and so on and for that one hour, they are my responsibility but after that they go home to mom and dad. But mom and dad are in the gym sometimes too. At school, I drop my child off at 7:30 in the morning and sometimes she doesn't come home until 7 p.m. at night. She has come home safe and sound for the last 11 years. I want to keep it that way. I have listened to us debate a \$98,000 expenditure. That is \$12,000 a school. That is \$17/kid. We didn't have this kind of discussion on \$1.1 million for the Levitt Pavilion. I want to put things in context. We are talking about \$98,000. Kroll is the best in the business. There is no doubt about that. We are going to get the best practices and our children deserve it.

Ms. Flug:

I want to remind everyone. We have four agenda items including this one left on the agenda. It's now 10:20. We cannot consider a new agenda item after 11:30 without a 2/3 vote. I just wanted to remind RTM members.

Ms. Batteau:

There was one I forgot to bring up and one thing I thought of when David Floyd was speaking: I was not clear as to the actual answer that was given to Matt about guns in schools. Is there a chance that the Board of Education or the advisory committee or the executive committee or somebody other than the people of this Town or a representative of the people of this Town will make a decision about whether or not there will be armed personnel in our schools?

Dr. Landon:

I suppose there will be people in this state and in every state of the union who propose that we have teachers armed, administrators armed, armed policemen in every school and so on. But we are Westport. We are independent. I cannot imagine any kind of federal or state law which would mandate that armed people be in our schools at all times. Personally, I don't think we'll find in Westport any kind of support for armed teachers or prison-like buildings created within our community.

Ms. Whitney:

Just to build on Dr. Landon's comments, were that to happen, that would require the Task Force to recommend to Board of Education which publicly you've heard tonight is not something they think is right for Westport; the Board of Education would have to approve such a thing and we've stated we don't think is right for Westport and subsequently, we wouldn't be able to even do that without funding for it which would require Board of Finance and RTM to support it. For all of those reasons, I do not think that is possible.

Ms. Batteau:

So, could you definitively state that if there is a recommendation to arm any school personnel, the board would not vote on it in executive session?

Ms. Whitney:

Yes. The board never votes in executive session. Any votes we take are always public.

Ms. Batteau:

Secondly, and considerably less important, I think, this is a probably lawyer issue, but if Kroll makes a recommendation that we should do *x, y or z* or run a risk from *x, y, or z* and we don't do *x, y or z*, and then somebody is subsequently hurt from *x, y, or z*, is the Town then liable? Have we been put on notice by the Kroll report?

Ms. Whitney:

I think one of many values to the report is that it would reduce our liability from that perspective in that we've made a good faith effort to enhance school security and relied on expert advice. Again, the only things that would become in the public domain would be things that Board of Education acted on and are requesting to happen because we believe they are right.

Mr. Klinge:

If I didn't make it clear in my memo I read earlier, the \$98,000 we are talking about tonight is a down payment. It is a down payment on the security plan for our schools. If you don't want to pay for a security plan for your schools, don't vote for the \$98,000 study. I would bet that we, in this room could make a list of 100 ideas which would be not bad. You are paying \$98,000 for better ideas that we could concoct in this room including the Police and the Fire Department. But it is a down payment on an investment on people and technology to improve school security. It's that simple. Don't make it into a big woo. It's a down payment on a commonsense, effective, hopefully, more effective than we have right now, security plan which will be determined, based on cost benefit. Will it be perfect? That's impossible. Will it be better? Hopefully. Will you get a chance to vote on it item by item? Yes. This is just step one. Let's approve tonight and then move forward and then worry about the execution.

Mr. Bergmann:

There are so many things that have been floated around here and basically the answers are not terribly clear in many respects. The contract that we got on Friday, I had asked for a week ago. There is no way you can implement any changes to that contract, I suspect. That contract has many defects. Are they important? It depends on who is seeing them. But anyone who looks at them and has any experience writing contracts can point out things that are less than perfect. Dr. Landon said that we don't let people go in our schools. We all know

that is not true. I go in in the winter time and run on the Staples track at lunchtime sometimes when it is very cold. I just do it. The question really is, in my judgment, do we want to have the school study? It's been suggested that the issue is Kroll or the Police Department. That wasn't the issue to me. The issue was, do we need this study and I don't think we do. I don't think this study will make any difference in the safety of any child. If I thought that any child was going to be injured because of my failure to vote for this study, I, of course, would vote for it. I just simply do not believe that and I don't think there's been any indication to support it is a likely cause. There has been talk about insurance now and risk of liability. That gets to the whole question of fiduciary responsibility, something the Board of Education has cited as very important to them. The question is do we want this study now? I think we do not want it. That will be my position. I want to make that clear because when I spoke first, theoretically, I asked a question as opposed to answering it.

Mr. Lowenstein:

Is there any reason that these two motions can't be combined into one right now?

Ms. Flug

We need to amend one of them to reduce it to \$48,000 and we are voting on two different resolutions that the Board of Finance recommended. I was advised that they needed to be two separate resolutions. We can make it fast.

Mr. Nathan:

Is there any way that we can agree as a body that first one could be binding for the second one?

Ms. Flug: No. let's just vote on them.

The resolution passes 27-3-1. Opposed: Bergmann, Olsen, Nathan; Abstaining: Keenan.

The secretary read item #7 of the call – To approve an additional appropriation of \$50,000 to fund a professional security audit to enhance security in the Westport Public Schools. Amendment: upon the recommendation of the Board of Finance and a request by the Superintendent of Schools, the sum of an additional \$48,000 to fund a professional security audit to enhance security in the Westport Public Schools is hereby appropriated. The amendment passes. Opposed: Olsen; Abstaining: Bergmann. The main motion passes: Opposed: Olsen and Bergmann. Abstaining: Nathan and Keenan.

No presentation

Members of the Westport electorate - no comments

Dr. Heller read the resolution and it was seconded by Mr. Rubin.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Superintendent of Schools, the sum of an additional \$50,000 to fund a professional security audit to enhance security in the Westport Public Schools is hereby appropriated.

Ms. Flug:

It has been moved and seconded to approve the resolution just read. We will now amend it.

Dr. Heller:

I would like make an amendment to the resolution so that it will say:

... upon the recommendation of the Board of Finance and a request by the Superintendent of Schools, the sum of an additional \$48,000 to fund a professional security audit to enhance security in the Westport Public Schools is hereby appropriated.

Seconded by Mr. Rubin.

Members of the Westport electorate – no comment

Members of the RTM – no comment

The amendment passes. Opposed: Olsen; Abstaining: Bergmann.

Back to the main motion which has been amended.

Members of the RTM – no comment

The main motion passes: Opposed: Olsen and Bergmann. Abstaining: Nathan and Keenan.

Ms. Flug:

I would like to move up number nine because Mr. McCarthy has been waiting all night and his item is last on the agenda, if there is no objection.

Point of information, Mr. Bomes:

The Board of Finance approved this with capital and nonrecurring. It is on our agenda that way. It's on the Board of Finance agenda tomorrow night to do it with bond and note authorization. If we are going to have to do this again, why are we doing it now?

Ms. Flug:

The question is the capital and nonrecurring expense fund. Stuart McCarthy, can you explain it?

Stuart McCarthy, Director of Parks and Recreation:

The item was originally put before the Board of Finance as an appropriation from the capital and nonrecurring expenditures fund. During the deliberation with the Board of Finance, it was suggested that this expense was better as a bond item. The life of the project is in excess of 20 years. It is a shared cost between the Board of Education and the Town and Board of Education doesn't have any money in capital and nonrecurring expenditures fund. The Board of Finance agreed to do that. It is on their agenda to authorize the bonding at their next meeting. By moving forward with the appropriation, we can continue on with the project of getting the courts rebuilt and the Town will decide to fund it. The issue before you this evening is are you going to spend \$320,000. You can decide later on how you will do that.

The secretary read item #9 of the call – To approve an appropriation of \$320,000 to the Capital & Nonrecurring Expenditure Fund (C&NEF) for replacement of the existing tennis courts at Staples High School. By roll call vote, the motion passes unanimously 27-0

Presentation

Mr. McCarthy:

The appropriation request is for \$320,000 for replacement of the asphalt tennis courts at Staples High School. The courts were constructed in 1987 and have reached their useful life. The courts have been regularly maintained. About seven years ago, we did an extensive patch repair which has failed. This is a pretty standard item. In this environment, you are going to get 20 to 25 years out of asphalt tennis courts before they need to be replaced. The courts are continually cracking throughout the courts. The courts are unsuitable for the type of play they receive. These courts are not only used by the community as part of the open tennis play; tennis instruction by the Parks and Recreation Department; tennis instruction by Continuing Education; there is Board of Education also has physical education tennis instruction and there are also the interscholastic tennis programs. So, there is a lot of use of the courts and the interscholastic tennis program requires quality that the courts no longer meet. We are recommending replacement of the courts. We have, based on our schedule, the project out to bid currently. Bids are due later this month. We hope to get into construction during July to complete or do the bulk of the construction during the summer when construction is favorable and without interrupting the high school program.

Committee report

Parks and Recreation Committee, Mr. Bergmann:
Eileen, Can I comment about the bonding issue?

Ms. Flug: Was it part of the committee report? [No.]

Mr. Bergmann:

This report is of the Parks and Recreation Committee meeting, May 30. There are 10 people on the committee and there were five people in attendance which I learned, thanks to Eileen, constitutes a quorum of that committee based upon our charter as opposed to Roberts Rules of Order so I was pleased to learn that. The matter was presented by Dan DeVito, our Operations Supervisor. He reviewed the need for the tennis court redoing. The issues involved, the cost, he mentioned that there was a 15 percent contingency built into the \$320,000; he was quite comfortable with the pricing of it. Jack Klinge was very strongly supportive of it because he had spoken to some tennis players who were very critical of the state of the courts. I went to visit the courts and saw the need of repair. The unanimous vote of the committee was to support this authorization for \$320,000 and we hope the RTM will, as well.

Members of the Westport electorate – no comment

Dr. Heller read the resolution and it was seconded by Mr. Rubin:

That upon the recommendation of the Board of Finance and a request by the Parks and Recreation Director along with the Board of Education, the sum of \$320,000 to the Capital & Nonrecurring Expenditure Fund (C&NEF) for replacement of the existing tennis courts at Staples High School is hereby appropriated.

Ms. Flug: It has been moved and seconded to approve the resolution just read.

Members of the RTM

Mr. Mandell:

I am a tennis player and I checked out the courts and they're shot. They're done. How did you come out to \$320,000? What is being done? Is it just resurfacing or are you doing the retaining fences and nets?

Mr. McCarthy:

The \$320,000 estimate derived from tennis contractors. It is the lower of two estimates that we received. It is from a reputable tennis court contractor that we have a 25 year history with. We are very comfortable that we will be able to meet that budget. It is a complete replacement of the court, not a repair. It is not a renovation. They are going to take it right down, as they did today with Route 136, down, grind the asphalt in place, put in a new layer of asphalt and a new surface. All the fencing is being replaced. It does include some drainage improvements along the north side of the courts which, hopefully, will prevent some of the cracking that has taken place in the existing courts. The key to longevity of the courts is drainage. Keep the water out of the asphalt.

Mr. Mandell:

Are you keeping them four and two, the way they are set up? Are you putting in more grandstands for people to watch to make it a better experience for watching tennis?

Mr. McCarthy:

There is no change to court configuration. Our project does not include site amenities which is the responsibility of the Board of Education.

Ms. Flug:

We need to see how many members are here to see how many members are voting. Let's have a roll call vote.

By roll call vote, the motion passes unanimously 27-0.

The secretary read item #8 of the call - To approve an appropriation of \$58,900 from the General Fund Unassigned Fund balance to the General Fund Capital Account (Underground Oil Storage Tanks) to remove three underground oil storage tanks at Coleytown Elementary, Long Lots Elementary, and Coleytown Middle Schools; and replacement of tank operating the emergency generator at Long Lots Elementary School. The motion passes 26-1. Lowenstein opposed.

Presentation

Ms. Whitney:

If I might just take a brief moment to thank you very much for both your support of the security audit and the tennis court improvement. Just to comment, I think the tennis court is a great example of collaboration between the Town and the schools. They are used very much by both. So, thank you very much. The present request has to do with a number of different oil tanks. Specifically, the four sub-projects that we are bring forward for a total appropriation request of \$58,900 are to bring us into compliance with DEEP regulations. Specifically, there are three proposed removal of oil tanks, one at Coleytown Elementary School, Long Lots Elementary School and the third at Coleytown Middle School. All three of those oil tanks are beyond their useful life and no longer compliant with code. Our choice is to remove and replace or remove. We have opted, based on the long-term financial analysis, that it makes sense to bring those schools to exclusive natural gas usage. There is not an economic case to replace them. They cannot be left underground because we need to mitigate potential environmental hazards and bring them into code compliance. The fourth item is a generator tank installation at Long Lots School. Because the current generator is using that larger 10,000 gallon tank, we are replacing it, at Steve Edwards' recommendation, with a pair of tanks totaling 660 gallons to operate that generator. With a 10 percent construction contingency, the total cost, again, is \$58,900. We will be totally code compliant and will have natural gas operations at those three schools.

Committees Report

Education, Finance and Environment Committees, Dr. Heller:

Actually, I think the presentation is pretty clear of what actually is going on. The Board of Education is requesting \$58,900. This was what was recommended by the Board of Finance. They are removing three 10,000 fiberglass underground oil storage tanks. They are at Coleytown EI, Long Lots and Coleytown Middle. Interestingly, there is kind of a domino effect that as that 10,000 gallon tank is removed from Long Lots, all of these are going because their life span is over and it has been for a while, so, with the removal of the Long Lots tank, they will no longer have a tank to fuel their emergency generator. So they are also requesting a 660 gallon tank to fuel the emergency generator. In terms of the size of that tank, Steve Edwards, who was at the committee meeting reinforced that this size is appropriate to do the job that needs to be done. The other issue with this is because Federal regulations are now demanding ultra-low sulfur diesel fuel, that tank will utilize that. It is in the eventual plan that all of the tanks would be using the ultra-low sulfur diesel fuel and all of the tanks would eventually convert to that. There would be a process of depleting the oil tanks over time and they have had an agreement with the DEEP so that they can manage that over time. As you can see on the report, the removal of oil tanks, the cost of the CMS, CES and Long Lots is \$45,800; the cost of Long Lots generator tank is \$8,100 and there is a 10 percent construction contingency. While the Board of Education originally requested additional funds to cover the cost of repairs to an oil supply conduit at Staples High School and a spill container riser filler pipe at Greens Farms School, these costs will instead come out of regular Board of Education maintenance budget. Of the three committees who attended the meeting, only the Education Committee had a quorum. However, those present voted by committee as follows: Education: Eileen Flug, Velma Heller, Paul Lebowitz, Jack Klinge, Bill Meyers, Steve Rubin all voted yes, Lou Mall abstained because he wasn't able to be present the entire time; the Environment Committee; Diane Cady, Paul Lebowitz voted yes; Finance: Lee Arthurs, Arthur Ashman, Jeff Wieser all voted yes, Dick Lowenstein abstained.

Members of the Westport Electorate – no comments

Dr. Heller read the resolution and it was seconded by Mr. Rubin.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Superintendent of Schools, the sum of \$58,900 from the General Fund Unassigned Fund balance to the General Fund Capital Account (Underground Oil Storage Tanks to remove three underground oil storage tanks at Coleytown Elementary, Long Lots Elementary, and Coleytown Middle Schools; and replacement of tank operating the emergency generator at Long Lots Elementary School.

Members of the RTM

Mr. Bergmann:

For those of you who might have watched the Board of Finance or attended the committee meetings, my judgment is this entire situation involving our oil tanks or emergency generation is something that has been somewhat confused over the last several years and also in my judgment reflects somewhat badly on the way the board and the administration deals with some of these issues. However, none of that has to do with the fact that this has to be removed because, right now, these three tanks are in the ground illegally and must be removed and, accordingly, the approval certainly is required. I bring up my earlier point because, for some time, I've raised questions as to the management of capital projects by the Board of Education and the administration in which I felt they could do better. This in my judgment seems to be an example where that could be true. I was not around for the early stages of this. I did listen to Michael Rea at the Board of Finance comment about the oil tank history. I heard some other commentary. All I am trying to impress upon you is that I think there could be improvements in the capital execution process in the Board of Education and the administration. I have suggested that they could work more closely with the Town people who are good at this type of thing. I think there are other areas that I have suggested. As similar matters come up, if I have concerns I will repeat these kinds of concerns but, in the meantime, this approval should certainly be authorized.

The motion passes 26-1. Lowenstein opposed.

The meeting adjourned at 10:58 p.m.

Respectfully submitted,
Patricia H. Strauss
Town Clerk



by Jacquelyn Fuchs
Secretary

Attendance: June 4, 2013

| DIST. | NAME | PRESENT | ABSENT | NOTIFIED MODERATOR | LATE/ LEFT EARLY |
|--------------|-----------------------|-----------|----------|-----------------------|---------------------|
| 1 | Don Bergmann | X | | | |
| | Diane Cady | X | | | |
| | Matthew Mandell | X | | | |
| | Cornelia Olsen | X | | | |
| 2 | Catherine Calise | X | | | |
| | Jay Keenan | X | | | |
| | Louis Mall | X | | | |
| | Sean Timmins | | X | X | |
| 3 | Lyn Hogan | X | | | |
| | Jimmy Izzo | X | | | |
| | Melissa Kane | X | | | |
| | Bill Meyer | X | | | |
| 4 | Jonathan Cunitz, DBA | X | | | |
| | David Floyd | X | | | |
| | Clarissa Moore | X | | | |
| | Jeffrey Wieser | | X | X | |
| 5 | Dewey Loselle | X | | | |
| | Richard Lowenstein | X | | | |
| | Paul Rossi | | X | X | |
| | John Suggs | X | | | |
| 6 | Hope Feller | | X | X | |
| | Paul Lebowitz | X | | | |
| | Catherine Talmadge | X | | | |
| | Christopher Urist | X | | | |
| 7 | Arthur Ashman, D.D.S. | X | | | |
| | Allen Bomes | X | | X | 8:15 p.m. |
| | Jack Klinge | X | | | |
| | Stephen Rubin | X | | | |
| 8 | Lee Arthurs | X | | | |
| | Wendy Batteau | X | | | |
| | Carla L. Rea | X | | | |
| | Lois Schine | X | | | |
| 9 | Eileen Flug | X | | | |
| | Velma Heller, Ed. D. | X | | | |
| | John McCarthy | | X | X | |
| | Gilbert Nathan | X | | | |
| Total | | 31 | 5 | | |

ROLL CALL VOTE ITEM #9

| DIST. | NAME | ABSENT | YEA | NAY | ABSTAIN |
|--------------|-----------------------|---------------|------------|------------|----------------|
| 1 | Don Bergmann | | X | | |
| | Diane Cady | | X | | |
| | Matthew Mandell | | X | | |
| | Cornelia Olsen | | X | | |
| 2 | Catherine Calise | | X | | |
| | Jay Keenan | | X | | |
| | Louis Mall | | X | | |
| | Sean Timmins | X | | | |
| 3 | Lyn Hogan | | X | | |
| | Jimmy Izzo | | X | | |
| | Melissa Kane | | X | | |
| | Bill Meyer | | X | | |
| 4 | Jonathan Cunitz, DBA | X | | | |
| | David Floyd | | X | | |
| | Clarissa Moore | | X | | |
| | Jeffrey Wieser | X | | | |
| 5 | Dewey Loselle | | X | | |
| | Richard Lowenstein | | X | | |
| | Paul Rossi | X | | | |
| | John Suggs | | X | | |
| 6 | Hope Feller | X | | | |
| | Paul Lebowitz | | X | | |
| | Catherine Talmadge | X | | | |
| | Christopher Urist | | X | | |
| 7 | Arthur Ashman, D.D.S. | X | | | |
| | Allen Bomes | | X | | |
| | Jack Klinge | | X | | |
| | Stephen Rubin | | X | | |
| 8 | Lee Arthurs | | X | | |
| | Wendy Batteau | X | | | |
| | Carla L. Rea | | X | | |
| | Lois Schine | | X | | |
| 9 | Eileen Flug | | X | | |
| | Velma Heller, Ed. D. | | X | | |
| | John McCarthy | X | | | |
| | Gilbert Nathan | | X | | |
| Total | | | 27 | 0 | |