

RTM Meeting

May 6, 2013

The call

1. To take such action as the meeting may determine, upon the estimate and recommendation of the Board of Finance, to adopt a budget for the Town of Westport for the fiscal year ending June 30, 2014, and to make such specific appropriations as appear advisable.
2. To take such action as the meeting may determine, upon the recommendation of the Board of Finance, to adopt a budget for the Town Railroad Parking Fund for the fiscal year ending June 30, 2014, and to make such specific appropriations as appear advisable.
3. To take such action as the meeting may determine, upon the recommendation of the Board of Finance, to adopt a budget for the Town Sewer Fund for the fiscal year ending June 30, 2014, and to make such specific appropriations as appear advisable.
4. To take such action as the meeting may determine, upon the recommendation of the Board of Finance, to adopt a budget for the Wakeman Town Farm Fund for the fiscal year ending June 30, 2014, and to make such specific appropriations as appear advisable.
5. To take such action as the meeting may determine to require that property taxes for the fiscal year ending June 30, 2014, shall be due and payable in four quarterly installments, and to designate the dates of the first days of July, October, January, and April as the dates upon which such installments shall be due and payable, and that all taxes in an amount of \$100 or less shall be due and payable in a single installment on the first day of July.
6. To take such action as the meeting may determine to require that the motor vehicle tax shall be due and payable in a single installment.

The following items will also be considered as time permits on Monday, May 6:

7. 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 building(s) located at 25 Avery Place as a historic property. (First reading. Full text available in the Town Clerk's office)
8. To take such action as the meeting may determine, upon the request of at least two RTM members, to adopt an ordinance to protect, preserve and promote public health, safety and welfare; to maintain and preserve the beauty of neighborhoods; and to allow for the control of blighted premises. (First reading. Full text available in the Town Clerk's office.)
9. To take such action as the meeting may determine, upon the recommendation of the Finance Director and a request by the Director of Public Works for an appropriation of \$492,000 to the following Capital & Nonrecurring Expenditure Fund (C&NEF) Accounts for three repair projects due to Storm Sandy:
 - a) \$222,000-Harbor Road Seawall Repairs
 - b) \$250,000-Hendricks Point Stabilization
 - c) \$20,000-Herbert Baldwin Culvert Repairs

The following items will also be considered as time permits on Tuesday, May 7:

10. 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.

11. 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.

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. Tonight's invocation will be delivered by RTM member, Jimmy Izzo.

Invocation, Jimmy Izzo, district 3:

As members of the RTM, we are often faced with tough and challenging issues. Sometimes the discussions get heated...and not everyone is happy...but there is always mutual respect for everyone. Our goal has been, and will always be, to work together with integrity, to do what we feel is best for the people we serve...all the residents of Westport. Here is a simple prayer for insight on integrity:

God of wisdom, You guide my life, through your commands.

You ask me to serve others, to forgive and act justly.

When I perceive Your commands as difficult, allow me to see that they are blessings.

Integrity leads to happiness....forgiveness permits freedom.

It is a privilege to serve our community with our fellow RTM representatives. You all embody the word integrity.

Town Clerk Patty Strauss swore in new RTM member, district 3, Lynn Hogan.

There were 33 members present. Mr. Mall, Dr. Heller, and Mr. Nathan notified the Moderator that they would be absent. Ms. Calise and Mr. Bomes notified the Moderator that they would be late and Ms. Feller was also late.

There are no corrections to the minutes of the April 2, 2013 meeting. If you later find any corrections, please let Jackie Fuchs or Ms. Flug know.

Announcements

Ms. Flug:

We send birthday greetings this month to: Mr. Loselle, Dr. Cunitz, Mr. Floyd and our First Selectman, Gordon Joseloff. Happy Birthday!

Our next RTM meeting will be tomorrow night, May 7, and if necessary, Wednesday, May 8, both at 7:30 p.m.

RTM Announcements

Bill Meyer, district 3:

I can't break my record, Eileen. Every meeting I have an announcement. Westport Community Theater which is right here in Town Hall has a cabaret on May 31. Two years ago it was a real success. There is a lot of material up on the stage about it so come and get it.

Cathy Talmadge, district 6:

I just wanted to make everyone aware of the Chicken Coop Tour that the Wakeman Town Farm is having on May 25. It is a round of chicken coops in town and there's also a speaker, Linda Scheuer who is well known in the residential chicken raising market who will be speaking prior to the kickoff and will be there to sign copies of her book.

Jeff Wieser, district 4

Continuing in the spirit of shameless advertising, next Saturday, this coming Saturday is the 12th Annual Castles in the Sand down at Compo Beach, a wonderful fun fundraiser for Homes with Hope. Come and build your own castle. Or, if you don't, come see all the great creative ways that Westporters build castles. It's really remarkable, 12 – 4.

Melissa Kane, district 3:

I just want to remind everybody, as I did last month, Booked for the Evening, the big annual fundraiser for the Westport Library, is coming up on Wednesday, May 22. This year they are honoring Jon Meacham. It is going to be a terrific event. I know I have seen some of you there in the past. I hope to see more of you there this year. You can get more information on the library website.

Arthur Ashman, district 7:

RTM 050613 Monday

Since Melissa took the library, I'd like to take the other half, the Westport Arts Center. The Jazz Jam on Thursday nights, many of you don't know what you're missing. This Thursday is the last event of the season. Brian Torff who is head of the Music Department and a world class jazz musician always has some very special guests. If you can make it, its 7:00 or 7:15 and you can bring food.

Town Clerk, Patty Strauss:

Sometimes I feel like an RTM member and tonight is it. I just want to announce the fifth annual Community Shred Day is Saturday, May 11, at the Westport/Weston Health District. This was something started by Gordon Joseloff and has been very successful and it increases every year, the tonnage of shredding that we have. It's \$5 /car for three bankers boxes or eight bags. Paper bags can be shredded also. It's from nine to noon.

Ms. Flug:

Before we begin with the agenda, I'd like to quickly lay out the plan for the meetings tonight and tomorrow night. We are going to review the Town Budget tonight and the Education Budget tomorrow night. The first resolution of agenda item 1, approving the Town Budget, will be voted on tonight, and the other two resolutions of agenda item 1, involving the Education Budget and the combined budget, will be voted on tomorrow night. I'll be making a few adjustments to the order of the agenda for efficiency: Tonight we'll start with the two "first readings," listed as agenda items 7 and 8, and then move to agenda item 1, the Town Budget. We'll then go to agenda items 2, 3 and 4 (Railroad Parking Fund, Town Sewer Fund and Wakeman Town Farm Fund), and finish up tonight with agenda item 9, the Storm Sandy appropriations. Agenda items 5 and 6, dealing with the timing of tax payments, will be addressed tomorrow night after the Education budget. The school security survey appropriations have been withdrawn and will now be on our June agenda, as there was not enough time for the committees to meet on them this month. If we do not complete the Town side of the budget this evening, we will still start with the Board of Education budget tomorrow night at 7:30 as planned and then pick up with the Town side after that is completed. I am hopeful that we can do this all in two nights. If, for some reason we cannot, we will reconvene on Wednesday, the 8th, at 7:30 p.m. I'll have more comments about the budget when we get to that item, but first let's address the two "first readings."

The secretary read item #7 of the call – To amend Chapter 38-24 of the Code of Ordinances of the Town of Westport by adding the property and building(s) located at 25 Avery Place as a historic property. (First reading. Full text available in the Town Clerk's office)

Presentation

Francis Henkels, Chairman, Historic District Commission:

The Westport Historical Society has owned the Bradley Wheeler House and cobblestone barn at 25 Avery Place since 1981. I'm sure everyone knows, it's directly across the street. This prominent 1867 Italianate house and barn have long been two of the most notable historic

structures in the town center. Under the stewardship of the Westport Historical Society, the house has been well maintained and expanded with a sensitive addition. Surprisingly, though, the house and barn have never been officially designated as local historic landmark properties. This designation permanently assures the preservation and protection of the historically significant structures and grants review authority over exterior modifications to the Historic District Commission. Recently, members of the Historical Society realized the preservation benefits of this designation and approached the Historic District Commission, these are two groups that often get confused, to commence this process of designation. A collaborative committee of the two organizations including Westport Historical Society President, Susan Weinkoop who is here tonight, undertook the requisite study report, the first step in achieving designation. This study report has been submitted and approved to the State Historical Preservation Office and has been approved by the Planning and Zoning Commission. The final step is for you, the RTM, to vote to amend chapter 38-24 of the Code of Ordinances to add this very important property and structure to the local historic landmark properties. We want to commend the Westport Historical Society for undertaking this initiative.

Susan Weinkoop, President, Westport Historical Society:

I thank the Historic District Commission and Francis Henkels for recommending that our most beautiful and amazing home at 25 Avery Place is going to be added to the local landmark properties. It was built in 1795. I just wanted to state the Westport Historical Society is dedicated to preserving our town's heritage and its historic buildings and properties. Please visit us. We thank you so much.

Ms. Flug:

We do not generally hear public comments on first readings although they are welcome to comment if they wish. There are no committee reports.

Members of the Westport electorate – no comments

The secretary read item #8 of the call - To adopt an ordinance to protect, preserve and promote public health, safety and welfare; to maintain and preserve the beauty of neighborhoods; and to allow for the control of blighted premises. (First reading. Full text available in the Town Clerk's office.)

Presentation

Louis Mall, district 2:

Fellow representatives and Westporters, back on Feb 5, 2013, I presented a first reading for a blight ordinance. Assistant Town Attorney Gail Kelly and I met with the RTM P&Z Committee and members of the public on Feb. 13, 2013 to get their input. Significant changes have been made as a result of that meeting and comments from various town departments, to the original draft; therefore requiring a new first reading. Jimmy Izzo, district 3, Catherine Calise, district 2,

and Sean Timmins, district 2, are co-sponsoring this Blight Ordinance to protect preserve and promote public health, safety and welfare, to maintain and preserve the beauty of the neighborhoods and to allow for control of blighted premises. Let me begin by thanking Gail Kelly for her hard work. Westport is very fortunate to have her. It has been a privilege to work with Gail. I would also like to thank First Selectman, Gordon Joseloff, for his support to proceed with a blight ordinance. Once again, this ordinance is not about the color of a house or the lack of landscaping. It's about blight. As I said before, you will know it when you see it. This effort started with neighbors complaining about the property on 46 Partrick Road. You can go to the website Westportnow dated April 19, 2013 and see for yourself. You can also see what the Town of Fairfield has identified as blight at the abandoned nursery on the Post Road as you enter Westport from Fairfield. This revised ordinance has not changed the definition of blighted premises. We have added a Blight Prevention Board, spelled out the determination process of a violation and expanded special consideration for owner-occupied residences, specifically, for elderly, disabled and low income individuals to ascertain there are no extraneous circumstances that require Human Services Department's intervention. The next steps will be to return to the RTM P&Z Committee and to the RTM Ordinance Committee before bringing this to the entire RTM. Again, I would like to thank all who have contributed to this effort to make Westport a better place to live.

Members of the Westport electorate – no comments

Ms. Flug:

Typically, the only committee reports delivered verbally during the budget sessions are the Finance Committee report on the Town budget which will be presented tonight, and the Finance and Education Committee reports on the Education budget which will be presented tomorrow night. Other committee reports have been sent to RTM members in advance, and there are additional reports on the stage in front. If other committees wish to report verbally, they may do so, especially if their committee reports include recommendations that differ from those of the Finance or Education Committees. For example, if a committee recommends a decrease or a restoration, they should make that report verbally. To do so, please raise your hand when we turn to that item in the budget.

A word about voting: The RTM may approve or decrease a budget item by a simple majority vote. The RTM may restore funds cut by the Board of Finance by a 70 percent majority vote of those present and voting. If there are multiple motions to restore or reduce a budget item, we will address them using the fill-in-the-blank method. That means I will ask to have all motions on the floor at once for that particular budget line item. We'll then vote beginning with the largest reduction or restoration and follow in descending order from that.

I will be calling out each general budget area in turn. If any RTM member wishes to make a motion or discuss that particular area, please raise your hand. If no one does, I will consider that item approved and move on to the next one. I would ask the Finance Director to please keep a

running total. At the end of our review, as I mentioned before, we will vote on the first resolution of Item 1, the Town Budget.

I will ask members of the public to please limit their remarks to three minutes. In the first section, which we are going to start in a moment, you may address any individual item or the budget as a whole. If there is a motion to decrease or to restore any item in the budget, I will open the floor back to public comment so the public can comment on that specific item, and I ask that you then confine your remarks to that one area. I understand there will be motions to restore funds to the Earthplace and Transit District budgets, so, for those items, I ask you to hold your comments until those motions come up and not address them in the overall budget discussion.

In accordance with RTM rules, no new agenda items will be addressed this evening after 11:30 p.m. unless a 2/3 majority of RTM members present agree to continue past that time. I will try to be sensitive to the hour, and if I don't feel that we will finish tonight at a reasonable hour, I will try to let those departments that I expect we will not get to tonight go home. Hopefully, that will not be necessary.

I'd also like to remind everyone of the Town Charter provision on conflicts of interest. Charter Section C38-2 states that "no Town employee or any member,

whether elected or appointed, of any Board, Commission, Agency, Committee, Department or of the Representative Town Meeting of the Town shall participate in any official capacity in the hearing or decision upon any matter in which such person has, directly or indirectly, a personal or financial interest. In the event of such disqualification, such fact shall be entered on the records of the commission or board." Article 6 of our own RTM Rules of Procedure add the provision that "all members should be most sensitive to permitting an actual conflict of interest or the appearance of a conflict of interest to exist, even though a complete disclosure of all circumstances would show that an actual conflict did not exist in a particular case." Mr. Mandell and Ms. Talmadge have already notified me that they won't be voting on the Earthplace budget, and Mr. Rubin has notified me that he won't be voting on the Parks and Recreation budget. I ask that any other RTM members who would like to recuse themselves from the vote on any particular department's budget make their intentions known at this time by raising your hand and indicating the portion of the budget so that we can put that in the record. Seeing none, thank you.

Finally, while at times it may seem that we are going through certain segments of the budget without much discussion, you should know that members of the RTM

have been working with Town staff and board members on the budget for quite some time. RTM members have attended Board of Finance meetings and budget workshops, and have met and worked with the specific departments and boards over which we have budgetary oversight, in some cases, for months. What you see now is the culmination of all that effort.

The secretary read item #1 of the call - To adopt a budget for the Town of Westport for the fiscal year ending June 30, 2014, and to make such specific appropriations as appear advisable. The Town Budget of \$75,618,367 is approved unanimously.

Presentation

First Selectman Gordon Joseloff:

Good evening ladies and gentlemen, members of the RTM, members of the public. I am delighted to be here. For me, this the 22nd year that I have been part of the RTM's annual May budget meeting, 14 years as an RTM member and eight as First Selectman. And, as you know, it will be my last. This budget is a product of a long process that began in earnest in December. The Chairman of the Board of Finance, by tradition, will go into details of the budget because, as you know, the formality is that the Board of Finance recommends the budget to the RTM for approval. As I said in my budget message in March, the theme of this budget, as in previous years, is doing more with less while maintaining our excellent services. The economic environment for Westport I described in March has improved. A real estate friend described the spring market as "hot." We continue to be a sought after place of residence because of our schools, our cultural and recreational offerings, and our location. This budget continues to give priority to public safety, something you know I have championed throughout my years in office. If our residents aren't safe -- and don't feel safe -- and we don't have a highly trained and well equipped corps of first responders, everything else pales by comparison. Enhancing school safety in the wake of Newtown has been at the forefront of our deliberations with the schools. This budget allows the Police Department to allow assignment of a youth officer to work with the school system to improve the safety of our schools. At the same time, the additional officer will free up other manpower to address quality of life issues such as speeding, cell phone use and running red lights. This budget also asks for additional funds for Tree Warden time to properly maintain our trees. Not only is this an aesthetic issue but it's a safety one. Another area where I am requesting more funding is in Information Technology. We've known for quite a while that we've been understaffed in this area. The additional funds will allow us to engage contract work to keep us current, no increase in head count. There are opportunities for cost savings through technology but we need the worker ability to take advantage of these opportunities. As you know, we are always looking at outsourcing services to reduce costs and improve efficiency. The latest example of this is an RFP that went out last week looking at maintenance of the Longshore Golf Course, possibly outsourcing that. The budget process generally worked well and I am deeply appreciative of the work by Finance Director Gary Conrad, department heads, the Chair and members of the Board of Finance, and, of course, by the RTM committees. As you know, the Board of Finance reduced the town budget by \$83,000. However, I am seeking two restorations that total \$30,000 as your Moderator has explained. Both amount to, essentially, votes of confidence in new management and procedures. A \$10,000 restoration request is being made for Earthplace, which is working hard to get its ship righted so it can continue to serve the residents of Westport. And \$20,000 is being requested for the Transit District so they can market their services. It's hard to demand increased use of services if you don't provide the means to market those services. You'll hear more about those when you get to those items in the budget. As you will hear in the next presentation, we are making progress in our pension and our OPEB costs. But as I have warned repeatedly, unless we have changes in some of the most expensive pension

provisions, these costs will become unmanageable. Funds to continue to meet our retirement obligations will either come from increased efficiencies, cutting back services, or raising taxes. The challenges will be great and those elected to public office will have their work cut out for them. Finally, a personal note. I want to express my deep gratitude and Shelly Kassen's to town employees and volunteers, whether they be in elected office or appointed ones, for helping us over the past eight years. We will leave the town not only on solid financial ground but a better place than when we began eight years ago. Thank you very much.

Board of Finance Chairman, Avi Kaner:

Mr. First Selectman, Madam Moderator, distinguished representatives and fellow Westporters, I'm pleased to present the 2013/2014 Board of Finance recommended budget. For me, also, tonight is also a bittersweet moment. After eight years on the Board of Finance, my term will end this November. It's been a real honor and a privilege to represent Westport residents and voters on the Board of Finance. I'm also honored to work with the First Selectman over the past eight years. Budget highlights: All of you have received the detailed budget book a few weeks ago. It is many hundreds of pages long. Our goal tonight is to summarize the book into a concise manner that we can wrap our hands around both financially and strategically. So here are some of the budget highlights: The recommended budget is \$193 million. That includes both the Board of Ed and the Town and all the long term debt associated with running the Town. That is a 2.44 percent increase over last year's budget. Although it's a 2.44 percent increase over last year's budget, that does not mean that taxes will go up by 2.44 percent. In fact, we are hoping that revenue and interest offsets will enable us to keep the property tax increase to close to two percent, possibly below two percent. The Board of Finance has continued to adopt a conservative financial planning discipline. The recommended budget supports the continued excellence of the Westport Public Schools. I believe that Elaine Whitney is here representing the Board of Ed and she will speak tomorrow night. The Infrastructure project catch up started last year, primarily, in Public Works. During the recessionary years, we cut back on some of the infrastructure spending as we prioritized our spending. This is the second year in a row that we are ramping up the infrastructure investment. Finally, we are proceeding on the slow process, which is contractually driven, to reform our employee benefit plans. Enhancements to the town and school services are evident in the budget as described by the First Selectman. The IT department will be integrating an outside firm for software implementation including imaging. Right now our IT department has two people providing support. They also need to sleep and go on vacations and as our needs have become more sophisticated, we do need a more robust way to maintain our IT infrastructure and we will do so using outsourcing as opposed to hiring new head count. The registrars are online with a new Connecticut Voter Registration System. In fact, this year, in 2013, they will be implementing Election Day registration meaning that residents can actually come to the polling station the day of the election and register for the election. The budget includes an increase in salary for each registrar, Democratic and Republican, of \$5,000 to each Registrar. We benchmarked the salaries across different communities and we truly are getting a bargain. We did reduce the primaries expense line by \$25,000 to reflect only one primary. The original budget assumed there will be two primaries this year. We felt it was more realistic to assume there would be one primary. In the event there are two primaries, we will go in and fund it appropriately. As Gordon described, the Tree Warden's services will be expanded pretty dramatically. However, this will not result in additional head count. This, once again, this is an area we are outsourcing. If

we see it doesn't work out, we can stop it; we can reduce it; we can increase it. That's one of the advantages of outsourcing. The Police Department requested the addition of a second youth officer. The reason for that is the change in the court system allows juveniles under 17, instead of being handled by the court system, they can be handled by the local police Juvenile Review Board. This has worked very successfully in Norwalk and we are moving in that direction in our town. On the school side, the schools have added the STEM initiative, Science, Technology, Engineering and Math initiative which Elaine will speak about tomorrow night. They are also decreasing the class size in second grade from 25 to 22 which will result in a 7.5 FTE head count increase in the school system this year. This line summarizes the adjustments we made. The first \$25,000 adjustment is in the Finance Department resulting from a renegotiation of the Munis Contract to eliminate the modules that we do not utilize. The second \$25,000 is in the election line which I described before; \$10,000 out of Earthplace. We kept the budget equal to what it was last year. The reason we did that is the budget that was presented by Earthplace was not robust at the time. It may have been improved since then. At the time, we did not clearly see the need for the \$10,000. We didn't know what it would be used for. On the transit side, we reduced the amount by \$23,000. Once again, we fully funded the request of the Transit District, unlike last year; however, we did not provide the marketing dollars requested. As an aside, of the \$23,000, \$3,000 has already been spent in this year's budget. It got shifted to this year's budget. Some of you may have seen the signage in the Westport Train Station marketing the transit system. Some of the members of the Board of Finance were also disappointed in that, after last year's budget and the promises made to look at every aspect including the revenue side and the fees passengers were made to pay. analyses were done but no analysis was done of the revenue or the passenger fee side. As a result, the fees remain exactly what they were last year and ridership remains at a very low level. These charts represent the total budget. As you can see, the Board of Ed represents 64 percent of the budget with the remainder being the Town side with a 2.44 percent increase. This is a slide that shows why the 2.44 percent budget increase does not mean that size of tax increase. There are four primary reasons. The first is the grand list. The grand list increased by \$154 million. That will generate an additional \$2.8 million in revenue this coming year. Conveyance fees are making a comeback from the recessionary years. Here you see a graph of the conveyance fees which were about \$2 million back in 2007. You can clearly see the dip during the recessionary years. Now you can clearly see the economic rebound as shown by the conveyance fees and real estate transactions. On the debt side, because we continue to aggressively pay down our debt, our debt servicing costs are going down. This year, our debt servicing costs are going down by \$1.4 million. Finally, health insurance. Health insurance costs are projected to remain flat based on historical claims record and the new HSA plans that are being introduced. In parentheses is a very important point: The reserve levels. A couple of years ago, our health reserve levels were down to \$300,000 which means we would have like had to increase this line item dramatically to increase the reserves. Our reserves are now back up to over \$2 million on the health reserve fund. We have continued to adopt a conservative financial planning discipline. Once again, we have recommended fully funding our obligations, the employee obligations, at the actuarially recommended levels. We have recommended the most conservative pension and OPEB discount rates of similar plans in the entire state of Connecticut. We are continuing to aggressively pay down our long-term debt and our unassigned reserve targets are set at nine to 11 percent of the budget. That doesn't include things like the health reserve. This is strictly money that is put aside to cover unexpected situations in the future and to maintain our AAA rating. So, we have a new actuarial firm, Milliman. They have assessed our

employee data base and commitments and they have calculated Annual Required Contributions, ARCs for each plan. We've recommended fully funding these ARCs. Unfortunately, we are still discovering problems with the underlying data that was generated by the previous firm that we used, called Pentegra. We are still in the process of cleaning up that data and, as a result, the data swings quite a bit. That is one of the reasons we are employing a cautious approach in both the discount rate and the monies we put aside in reserves. This chart shows the pension OPEB discount rates with similar plans in Connecticut. You see Westport at 6 1/8 percent. You can see other communities with what we believe are unrealistically high discount rates. In layman's terms, we view this as kicking the can down the road. In Westport, our Board of Finance did not want to do this. We wanted to pay our obligations as they came due. So you see Fairfield is at eight percent, Greenwich is at seven percent, New Canaan is closest to us at 6 1/2 percent; Norwalk is at eight percent. We are at 6 1/8. These are recommendations that the Board of Finance makes to the Selectman. The Selectman has the discretion to modify this. The Board of Finance each year as it meets with the actuarial firm and the Investment Management Committee may further recommend this rate to go up or down. Even with that lower rate in place, we are estimated to be at 88 percent funded ratio on our pension plan. If you look at the left side of the graph, you see we were close to 83 percent. Then we had that dip going down. The funded ratio went down due to the lower rate while our asset values have continued to increase due to the investment returns and the contributions we've made. Even so, now, our funded ratio is close to 88 percent as of April 2013 and they are probably a little better today. At the bottom, you see the liabilities. By reducing the discount rate, the liabilities increase from \$233 million in July 2012 to \$259 million with a more conservative discount rate. We are hoping the market will continue to do well; we'll be in an economic recovery. Hopefully, we'll be able to increase our expected investment return and get into an even better situation. The previous chart shows our OPEB annual required contribution. We continue to fund our OPEB annual contribution in full. Just as a reminder, we had to start funding this a few years ago putting money in a trust account for OPEB, other post employment benefits, similar to what we do with the pension plan. As of April, we have put away 18 million in the OPEB trust. That is being managed by an OPEB Investment Management Committee. We are continuing to aggressively pay down our long term debt. Our long term debt was at a high of \$180 million back in 2005/2006. We have continued to pay it down and we are now under \$140 million having paid down another \$13 million. This enables us to do a couple of things. This enables us to reduce our debt servicing expense. Because we owe less, we have to pay less. It also puts the town in a more fiscally, financially stable place where, as capital projects come up or infrastructure improvements, we will be better suited to tackle those projects. The unassigned reserve targets have been set at nine to 11 percent of the budget. Once again, this is a number that the Board of Finance can annually recommend. However, our reserve level targets are consistent with nearby communities such as New Canaan, Darien and Wilton. Outliers include Greenwich which is at five to 10 percent and Fairfield which is a very low six percent. On May 23, we'll set the mill rate. At that point we'll decide how much of the reserves can be used to lower the tax increase. There are a few things we don't know yet. The biggest unknown in the year ahead is the school security audit. We've recommended an appropriation of \$100,000 for the school security audit but what we do not yet know is what the result of the recommendations will be. We know that in the Town of Greenwich, they conducted a similar study and it generated an implementation recommendation of \$1.5 million. We simply don't know what ours will be, if any. Our goal is to avoid spikes in the mill rate by factoring in these potential expenses and revenue swings in the future. The recommended budget fully

supports the continued excellence of the Westport schools. I know that the Board of Ed worked very diligently and many long hours getting the school budget to where it is. Over the past few years, the budget increases were below the amounts required to meet our contractual obligated increases. Savings were garnered through structural changes estimated at \$3.2 million a year. As we described before, the school system is enhancing its offerings including the STEM program and class size adjustments. One of the things we look at very closely on the Board of Finance are benchmarks. When the Board of Education presented their budget to the Board of Finance, we asked to see benchmarks. How do our expenditures per pupil compare to surrounding communities with excellent schools. We felt confident that Westport's cost per pupil is in line with other excellent school systems. I'm sure Elaine will discuss this more tomorrow night. The excellence of our schools is a major driver of sustaining our property values and our revenue base. We've continued to spend money this year on infrastructure improvements. This chart shows primarily the road paving expenditures. As you can see, we were down at the \$800,000 level. We did that during the recessionary years to prioritize where we spent our money and to mitigate our tax increases. Beginning last year, we increased our road maintenance up to close to \$1.8 million a year. We are recommending that same level this year. Also, this year, we've invested \$1 million to rebuild the Levitt Pavilion supported by an additional \$4 million to \$5 million in private donations. Spending \$1 million on the Levitt Pavilion is a bargain for the town. This is something that differentiates us from other neighboring communities. When people move out of the city and look for places to move to, why chose Westport over other communities? Other communities have good schools, have good libraries. Not every community has the Levitt Pavilion or beautiful beaches. This investment is a bargain that we are spending only \$1 million and it affects many thousands of Westport households who use the Levitt Pavilion every year. On the pension/ OPEB side, we are proceeding on the slow process to reform our employee benefit plans. All the remaining plans are contractually driven. Those contracts do not open up until 2014. Three out of the six plans only offer defined contribution plans to new employees going forward and they have eliminated OPEB going forward but this is only for new employees and it will take time to cycle in as employees retire and new employees are hired. The contracts we negotiate are both labor contracts and benefit contracts. Right now labor contract negotiations are underway for police, fire and municipal employees but these are labor contracts. They have nothing to do with the pension and OPEB contracts. So, if you see at the bottom, you see when contracts come up. Municipal expires June 2014 and police and fire in June, 2016. The good news is, by modifying the plans we already have in place in Westport, the defined contribution plans, we have set a precedent for negotiations going forward. So, to recap, the recommended budget is \$193 million. The Board of Education budget is \$117.4 million representing a 2.4 percent increase. The Town side budget of \$75.6 million is also a 2.4 percent increase. These pages, you can view these as an appendix but what we tried to do was to take the budget book and summarize the key departments, showing you how the expenditures have moved over time as well as budget highlights and strategic goals. Each page will give you the amount of the budget and the percentage increase. In the general government budget, the budget of \$5.4 million represents a 2.2 percent increase. If you look down at the strategic goals, you'll see the Selectman's Office will continue to enhance the use of technology through the use of website, social media, email, etc. With the Finance Department, we are working on improving the efficiency our benefit plans. IT falls into this category. We will implement a web-based town wide permits processing system, an online payment system that will accept every category of payments to the Town Government, hopefully, at a single portal. The key highlight in the Police

Department is the second bullet point which is the addition of a second youth officer due to raising the statutory age of minors to 17. Once again you have the strategic goals for the Police Department. The police budget is a 2.6 percent increase. The Fire Department increase is \$10 million, a 2.9 percent increase, primarily due to capital projects. On the Public Works side, \$9.3 million represents a 2.75 percent increase. We discussed the increase in road maintenance and this is also where the Tree Warden is located, The last bullet point is increased expenditures in tree maintenance and services via outsourcing. Human Services' \$1 million represents a 1.7 percent increase. The library budget of \$4.4 million is only a 1.5 percent increase. Why is it only a 1.5 percent increase? The reason is the library is implementing two new technology solutions. When the library came to the Board of Finance months ago and asked for an appropriation for technology spending, we came back and asked, before we approve this technology spend, tell us what will be saved? How much money will be saved? How will productivity be improved? The library did the analysis and discovered ways to reduce their expenses directly due to the implementation of these technology improvements. This is a prime example. On the Board of Finance, every technology appropriation that's come to us, we have used the library as an example because this is exactly the way it should work. On Parks and Rec., \$4.5 million which represents a 2.7 percent increase. You can see there's a red line and a green line. You can see the revenue line exceeds the expense line. The concept is that this is a fee based Parks and Rec. system where, for the most part, the parks we have, the beaches, the open space, athletic fields are for the benefit of all Westporters; however, the people who use the service, whether it is the golfers or the boaters, etc. pay a fee to cover their expenses. That's what you see on this graph.

Going forward, our focus will continue to be on pension and benefit reform as well as operational efficiencies. Defined Contribution Plans are already in place and we have to, unfortunately, wait until we are able to do it on other plans. Negotiations are well underway for the labor contracts including the new supervisory union. A new HR Director will soon be hired allowing us to focus on our personnel costs. We'll continue to maintain our reserve levels to enable us to absorb unexpected expenditures such as the school security audit implementation and pension market fluctuations. Managing our expenses effectively will allow us to continue to invest in our town while minimizing tax increases, ultimately enhancing our property values. Looking ahead, we want to maintain the excellence of our schools but we also want to focus on our other crown jewels including Compo Beach, Longshore, open spaces, etc. We want to enhance services for all Westport residents from children to seniors. We want to appeal to new corporate neighbors to replace employers leaving Westport. The name that comes to mind is Bridgewater which is not only a vibrant neighbor in Westport but also supports our infrastructure, our way of life, our shopping district. We want to hopefully improve railroad parking reducing the waitlist for parking. We need to further explore utilization of town owned assets such as Baron's South. The reason Baron's South is not in this year's budget is when the Baron's South proposals came to the Board of Finance earlier in the year, we appreciated the efforts but felt it needed to benefit a greater number of Westporters and needed to provide a better financial return to the Town. The Baron's South Committee reissued an RFP and has been reviewing the proposals with help of two members of the Board of Finance, one Republican and one Democrat. All these items are non-partisan items. These are items that we hope will enhance our property values and make Westport a better place to live. I just want to end by thanking all the department heads and Gary Conrad, the Finance Director, and his entire staff and my fellow board members. It's been wonderful. The

past eight years have been very difficult but we got through it. Hopefully, as Gordon said before, we can all feel confident that we left the town's finances more stable than we found them eight years ago.

Committee report

Finance Committee, Jeff Wieser:

I am not going to read all of the Finance Committee report. I am going to skim the parts Avi went through so well. As stated in the Town Code, the RTM Finance Committee studies Town revenues and financial policies and practices, exclusive of individual department budgets. The Committee works with Town officials to secure adequate reports for the Representative Town Meeting. The Finance Committee further studies the current financial position, the financial aspects of the annual budget, capital requirements and long term financial planning. While individual department budgets have been reviewed by appropriate RTM Committees, the RTM Finance Committee met in two separate sessions to discuss the budgets that we will be reviewing. After a preliminary session reviewing various elements of the Town and Board of Education Budgets with the Education Committee, Schools Superintendent Elliott Landon and Board of Education members, including Chair, Elaine Whitney; First Selectman Gordon Joseloff and Finance Director Gary Conrad were present on April 25th to review the Board of Education and Town budgets. On behalf of our committee, I thank all of the individuals for their patience in helping us deal efficiently with the many intricacies of the budget process. As Avi mentioned, this is the first of two budget reports prepared by the Finance Committee. The second report covering the 2013-14 Education Budget, will be presented tomorrow by Allen Bomes.

The preparation of this year's budget was similar in many respects to that of the previous few years. All involved were striving to reach a budget increase that was as modest as possible. The discussions have been very responsible, with all parties aware of the need to keep expenditure increases to a minimum. The main reasons for this discipline, as Avi explained, remain the need to make progress in funding the shortfall of the pension and OPEB obligations that the Town's labor contracts require. Our deliberations in committee meetings approved the adoption of the Town Budget as presented and approved by the Board of Finance in its April 10 Meeting. The question of restoration before the RTM Finance Committee is often a broad and contentious issue. This year, although no department requested restoration through the Board of Finance, the RTM Finance Committee was asked for two such requests, one by Earthplace and another by the Westport Transit District. Earthplace, for the past few years, has received an allocation from the Town of \$85,000. This year they requested \$95,000, largely as a show of support that the Town is invested in what they characterize as a turnaround. The RTM Finance Committee agreed that we should adopt this restoration as a sign that we believe Earthplace provides a valuable service to the Town, and as they are fulfilling a newly revised strategic mission, we should assist them in that move to the more relevant mission. They impressed us with their renewed financial discipline, which is evidenced by the rental of the main house on their property providing an annual income \$45,000; a first contract by the EPA; and the renewal of their educational store on the premises. After a motion by Gil Nathan and a second by Dick Lowenstein, we approved the

restoration unanimously 6-0. We then considered the restoration of funds cut from the budget of the Transit District. That entity asked that we restore their proposed \$20,000 marketing budget which will assist them in studying various aspects of the transit ridership, and then responding to those constituents. Rather than go to the Board of Finance for each small request, the RTM Finance Committee agreed that the certainty of the funds and the ability to mobilize them when needed would be helpful in fulfilling the goals of the Transit District throughout the next year. After a motion by Lee Arthurs and a second by Allen Bomes, the six members present voted unanimously to recommend this restoration. Following these two restorations, we voted unanimously 6-0 to adopt the \$75,618,367 Selectman's Budget for fiscal year 2013-2014. This is the total amount recommended by the Board of Finance plus the \$10,000 restoration of the Earthplace request and the \$20,000 restoration to the Transit District. (Anticipating agenda items number two, three and four,) in other actions, the Finance Committee voted unanimously to approve the Board of Finance recommended budgets to the Sewer Fund (\$5,096,598); the Railroad Fund (\$1,892,977) and the Wakeman Town Farm Fund (\$116,555). Hopefully, by saying all that, I will relieve you all of coming back three more times. The taxation implications of this, as Avi pointed out, are the Town Budget increases by 2.43 percent; the Education Budget by 2.45 percent and Total General Fund Budget: 2.44 percent. In coming up with a tax increase, again, Avi touched on this, the big number is reducing the non-revenue of \$19.3 million, lots of pluses and minuses which get to the total amount to be raised by taxes of \$176,035,858 based on the current numbers. Based on the grand list, if nothing were to change, this will result in a 2013-2014 tax rate of approximately 18.26 mills which will result in a tax increase of 1.95 percent. The interesting way to look at this, on a \$700,000 assessed valued home is as follows: In 2010-2011 taxes would have been \$11,844. In the fiscal year, 2011-2012, they would have increased \$357 to \$12,201. In the fiscal year ending June 30, 2012-2013, they would have increased \$326 to \$12,537. This year, they go up to 12,782, a \$245 increase. From fiscal year, 2011, they go up about \$900 to fiscal year 2014. The increase is \$245 or 1.95 percent. As Avi said, the mill rate will be set May 23. The other things we pointed out in the report which Avi touched on but are worth noting, is the really nicely reduced debt burden. By the end of the fiscal year ending 2014, It will be down to \$135,765,760 from its high of nearly \$180 million just six years ago which is commendable. The funding of the pension plan, as Avi pointed out, in June 2012, was 79 percent. After the discount rate was dropped, it is now about 88 percent. As of the end of April, the market value of the pension fund is \$228 million up from \$201 million in 2011. Again, very positive. OPEB is getting funded. Currently, there will be \$18 million in the fund by June, 2013. Again, another great start to funding another long-term obligation of the town. With Avi's presentation, the strong support of all the departmental committees and the above information that I have just provided from our committee, hopefully, will lead to clear support for the budget tonight.

Members of the Westport electorate – no comments

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

Mr. Klinge:

I've been waiting 17 years to do this. This is very exciting.

RESOLVED: That the First Selectman's budget items recommended by the Board of Finance and approved or amended by the Representative Town Meeting be adopted, and the sum of **\$75,618,367** for the First Selectman's Budget is hereby appropriated to meet expenditures and such sum shall be added to the amount appropriated for the Board of Education Budget tomorrow night.

Ms. Flug:

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

Ms. Flug reviewed the budget by section. There were no comments, questions or motions on sections one through seven.

Section 8, Parks and Recreation

Don Bergmann, district 1:

I simply want to comment as I did at the meeting of the RTM Parks and Recreation Committee. I voted against the Parks and Recreation budget only because I wanted more money to go into parks maintenance budget. That will, of course, not affect my vote on the whole budget but I simply wanted everyone to know that is a concern of mine. I think we should look forward to increasing the amount of money in the Parks and Recreation budget for parks maintenance. I hope that becomes an item for discussion in the next many months.

Section 9, miscellaneous

Ms. Talmadge, Chair, Transit Committee:

I would like to **make a motion to restore \$20,000 to the Transportation District** which will provide seed money to develop and implement a preliminary marketing plan. Before I go into detail on what these funds are for, I thought I'd provide you with a synopsis of the Transit District's accomplishments this past year and their service level goals for the next year, which are loosely summarized from their Budget Synopsis with some additional editorial comments from me. An abbreviated list of Transit District's accomplishments over the past year include:

- Our two new Transit Directors and the Citizen's Transit Committee, which was formed by the First Selectman, have all jumped in, feet first, and come up to speed on the numerous dynamics and regulatory issues which impact and to some degree dictate the services we as a Town provide;
- The South Western Regional Planning Agency, SWRPA, secured funding to conduct an independent study on Westport's transportation services. This report, which was done by nationally recognized professional consultants, will include recommendations and prepare an operation plan for the future. It will look at all the services including commuting, home to home and after school shuttles. SWRPA's findings and

recommendation are expected early next year which may include route changes or may include fare increases;

- The Norwalk Transit District provided an efficient and timely response to Westport Emergency Management's request for assistance with Storm Sandy evacuations in Canal Park;
- The Norwalk Transit District initiated scoping and cost estimates for developing and implementing an Automatic Vehicle Location (AVL) system for all Westport vehicles. This GPS-based system will provide transit users with real time location information. The Transit Directors believe the ability to access this real time service information on personal computers and cell phones devices will dramatically improve interest and ridership, especially on the commuter shuttle routes. The system will be designed and tested in FY2013-14 and is projected to be fully operational by early next year;
- At the request of the Board of Finance, a door to door advisory committee was formed focusing on the many services provided to seniors and personas with disabilities;
- The Norwalk Transit District installed a new phone system for scheduling door to door rides which services Westport;
- In connection with CTRides, the Norwalk Transit District instituted the Guaranteed Ride Home program which, during after shuttle hours, provides a guaranteed ride home to monthly Uniticket commuters who unexpectedly face a family or health emergency. Westport is the only town on the New Haven line that offers this program to commuters. The funds for this service have been available in past years but we were not aware of them. Because of the diligence of our directors and Dale Call, we've received this funding;
- There has been considerable community outreach. The Westport Transit District has supported the extensive work of the Citizen's Transit Committee to hold public forums with various interest groups and community representatives on transit related topics. Focus groups include: seniors, disabled, Youth Commission, Planning & Zoning, Police, etc.

Throughout this coming year, the Transit Directors will continue to work with the Citizen's Transit Committee, Norwalk Transit District, SWRPA, Town employees and community leaders to improve transit services for Westport residents. Budget constraints, the volunteer nature of the Transit Director position and the timing of the SWRPA report limits significant short-term change. I know a lot of people have been anxious. I've gotten calls from mothers that want more after school services; people think the routes should change; people think the fares should go up but we are waiting for the analysis by professionals through SWRPA that has been funded by the state and federal and not just do willy nilly changes that will just confuse people as to what the direction is. Nevertheless, the Westport Transit District seeks to lay the groundwork for future improvements through targeting achievable longer-term goals including:

- Expanding synergies with other organizations currently servicing transportation needs in Westport including Railroad Parking and ITN;
- Expanding the marketing of the Westport Transit District by using existing town resources. For example, 1) Work with Westport IT Department to create "Transit

- Landing Page” on the Town of Westport website; 2) Support the CTC’s Facebook page; 3) Advertise transit services to area real estate brokers; 4) Strengthen connection with town agencies including Senior Center, Youth Commission, Human Resources, Planning and Zoning, Police Department, Board of Ed and the PTA;
- Work with CTRides to coordinate with area employers and corporations who currently provide or seek to provide transit for employees;
 - Work with Westport Downtown Merchants Association, P&Z and Saugatuck residents and property owners to evaluate improved transit connections between the emerging Saugatuck “downtown” and downtown Westport;
 - Work with the YMCA to begin to evaluate future transit needs and opportunities for services for the new Westport YMCA;
 - Work with the Senior Center and Westport Department of Human Services to evaluate transit needs and opportunities related to expanded senior housing;
 - Work with State Legislators on transit funding appropriations;

And last but not least:

- Obtain seed funding from the town to develop a preliminary marketing strategy. Rather than wait for the final recommendations of the SWRPA report, the Westport Transit District strongly recommends that basic steps be taken now to improve marketing materials/.signage and media advertisements. To this end, the request for \$20,000 will be used to fund initial consulting fees, advertisement space, printing and design. The Westport Transit District will seek to team with Railroad Parking and Norwalk Transit District to offset costs.

In summary, I have watched with excitement the progress we have made over the past year. I am also aware that the Jennifer Johnson and Gene Cederbaum have financed many of their projects personally; for example, printing and binding the budget presentation which was provided to key town officials and all the members of the Board of Finance. They have demonstrated commitment and common sense. Although I understand the Board of Finance’s concern about funding in one chunk instead of asking that they come back for appropriations as they identify the marketing costs for specific projects, that is simply not practical given the lead time to go through the Board of Finance. I am absolutely certain that, if our Transit District receives this funding request that the funds will be carefully allocated to get the most bang for the buck. Also, I want to remind you that the Transit Committee did meet. Although there was not a quorum the sense of the meeting was that they voted unanimously to support this request and three of the four members of the Transit Committee subsequently voted as the Finance Committee to support the request for restoration. In summary, please join me in supporting this restoration of \$20,000 to the Transit District.

Ms. Flug:

There is a motion to restore \$20,000 to line 915, Transit District. Seconded by Mr. Lowenstein.

Members of the Westport electorate

Jonathan Steinberg, 1 Bushy Ridge Road, State Representative, 136th District:

The Westport Transit District is one of those things that make Westport special and different. The recent years of the Transit District have not been pretty and have called into question whether or not a suburban community like Westport can sustain what might be described as a public good. I will tell you that in my experience in the legislature, many municipalities are rather envious of what Westport still has, even in a somewhat diminished form. This vote is really not about \$20,000. I would submit to you, it's not about this year, even. This is about whether or not we want to have a Transit District in the Town of Westport. It's whether it's part of our core values, something we believe in. Yes, this is about timing. Many things have not come together yet. I'm not really sure that the SWRPA report will give us the answers we really need in this regard but we have an opportunity to make a commitment, perhaps in the short term to experiment to see how we can make it work in modern times, if it can be done. I serve on the legislature's Moore Commission, which is involved in regional efficiencies. I serve on the Regional Entities Committee and the Transportation subgroup. I will submit that we are in the process now of talking about ways in which more federal transportation funds will be on the table for municipalities to do what they think are in their best interest. This state is committed to transit-oriented development. It is committed to finding ways to focus on mass transit as contrasted to the automobile. What we are trying to do in Westport is very much consistent with the state is trying to do and I will submit what the Federal Government would like to see us do, moving away from cars. I think that if we continue to look at the Transit District in the short term by assuming we are going to run it like a business, we are really missing the point. I would say this is a prime example of a town service that has nothing to do with running like a business. By definition, anybody who knows about this kind of mass transit understands it is subsidized and should be subsidized as long as you want to do the program. I am asking the RTM to consider that this is a commitment in the short term, perhaps more than this year, to see if we can do it right. We can get the information we need. We can try to serve the current needs of the people of Westport, do the hard thing of trying to change some behaviors to get people to be more receptive of the idea of using mass transit versus driving their car everywhere. It's not an easy thing. But look what's going on in Saugatuck right now. We already have a fact on the ground, thanks to the Gault's of a different kind of mixed use development which is perfectly consistent with transit development. No, it's not going to replace cars coming into town because we also have cars from Weston and Wilton to use that train station, as well. But what's likely to on in the Railroad Place area will dramatically change the relationship of Saugatuck to the rest of the town and embrace any number of other mass transit options. If we continue to think of this in the old paradigm of what happened before, the old mini-bus of 30 years ago, we're again missing the point. What I am asking you for today is a little leap of faith, giving us the chance to prove this thing out over the next year or two. We'll all benefit as a community.

Gene Cederbaum, 57 Partrick Road, Co Director of the District:

Jennifer Johnson has had several family matters that keep her away tonight, a fact that I'm most upset about because she is an advocate and complements my comments but she is very much

sorry she couldn't attend. Madam Moderator, thank you. Thank you, Cathy, for giving my report and thank you to Jonathan for your support of public transportation in Westport and thank the Finance Committee, as well. I think the support is well founded. Seventy thousand rides were provided last year to Westport residents. Who were those residents? They were commuters, primarily commuters back and forth to the train station; they were students from after school locations to religious school or downtown to Toquet Hall; they were individuals with disabilities. In addition to that number, the Coastal Link, which is a State Public Transit Bus System, brought employees into Westport to work and out of Westport to work. But there is another opportunity to help downtown employers with employees and that is for the Westport Transit District to move them back and forth. If we could find a common parking lot and convenient times, it would be another opportunity to increase the availability of parking downtown. The opportunities for an effective public transit system in Westport are far greater than I thought last year when I was appointed. The funding for the district comes 65 percent from Connecticut DOT, 21 percent from the Town of Westport and 14 percent from fare income. Looked at another way, federal and state moneys come to Westport on a three to one basis. It's really the State of Connecticut that makes public transport in Westport possible. So, the state has a very firm commitment to public transportation. If I'm wrong, Jonathan, you can correct me. The state increased allocation for public transport by three percent this year. So the state is committed for good reason. The state funds three to one our budget. There has been some talk about increasing fares. I believe increasing fares in a vacuum is not a good idea. I'll get to that in a minute. Our budget package reflected the fact that our fares have been increased. Fares were increased in 2012 in the door to door service, to disabled citizens in town, the Uniticket, which is the commuter ticket back and forth to the train station. It was projected in 2011/2012 that in 2013 for fares to increase by eight percent. Fares can't be increased in a vacuum. Fares and usage are directly related. Without having data on what the relationship is and whether a change in route would increase usage and justify an increase in fares that is economically wise, doing it off the cuff could be very dangerous. That's the data Cathy spoke about which we expect to get from the SWRPA report. We also expect to get important data from the commuter parking study which is another study that is going on. For that data, I thank Chief Call for his help. He is an ex officio member of the Community Transit Committee and has had very important input. He does see a synergy between public transport and the use of cars to get back and forth to the station. Let me tell you what goals I think are shared by the district, the Finance Board and this body. The goals are increasing ridership, review and revision of fare rates, if appropriate, examination of routes to see what the most effective routes are; for instance, if we put more routes back and forth to the station, they might serve commuters better and increase ridership, and preservation of the environment by saving people exclusively using cars back and forth. All of these goals are going to be addressed in the SWRPA report and we will be able to use that in determining what's best for the district. We are looking for a marketing campaign because people don't know there is a Westport Transit District. As we were putting up the four signs one beautiful Saturday morning, somebody asked me what the Westport Transit District is. Awareness of the district is number one. We do now have a website which is www.westporttransit.org that is online with current schedules and information. We want to expand upon focus groups to see what routes, what rates are possible, by those very people who use the system. We want to use some of this money, perhaps, for a town wide survey to see how many parents would use it to have their kids go to their after school goals. Every now and then, we have to be present in the media to let people know we exist and why we exist. In the Westport News, Paul had a roundtable on transit and that you might have seen in the

paper. It was very helpful. There is going to be an app for your smart phone so you can know exactly when the bus is going to come to Myrtle and the Post Road so you won't be standing in the rain and have a few choice words for the Transit District. These are very important and so is public transport in Westport. We can't do all this for \$20,000. That's for sure. But we can do some of them. Hopefully, we can let you know next year that with this marketing seed money, so to speak, transit will benefit. Thank you for your consideration and the extra time.

Members of the RTM

Mr. Bergmann: When will the SWRPA report be received?

Mr. Cederbaum:

The SWRPA report has to go through several state agencies to be approved. It is my understanding it is in the last innings of that approval. It is also my understanding that the data will be coming forth from that report over the next year. We won't be getting it all a year from now. When that data is received, it will be shared with the Board of Finance, the Selectmen and the RTM. I can't say what part of the study will be completed when.

Mr. Bergmann:

You have indicated that there will be some decisions made based on based on the SWRPA. I am trying to get a sense of when that is likely to occur. It sounds like it will be a year away.

Mr. Cederbaum:

This is hearsay but I am told it is coming over the course of the year. So if the first part of the study is a study of routes, we should get that at the beginning of the year. The second part is fares and so on but it is not concrete enough for me to forecast that.

Mr. Bergmann:

I am, frankly, delighted with this premise of this whole conversation. Last year, we were confronted with the Board of Finance trying to eliminate transit operations but this RTM voted to reverse that and I voted to reverse that as well. I am a strong, strong supporter of our transit system and would like to expand it and make it be the best we can. I don't care if it's profitable or not. I think what Jonathan said is right on. However, we also have a Board of Finance that suggested we hold back on \$20,000 and come to Board of Finance when marketing studies are needed. To me, it poses a bit of a quandary. I like to support completely the transit operation but I don't like always to say to the Board of Finance that we don't like what you are trying to do and try to reverse it. Again, it's so terrific that we are talking about this in the context of how to make this better versus to make it survive. I totally appreciate Gene Cederbaum and Jennifer Johnson's enthusiasm and their efforts but it is a very close vote for me whether to ignore what the Board of Finance has suggested and authorize this \$20,000 for marketing in advance as the vehicle to

reverse what the Board of Finance has decided. I'm not normally a friend of the Board of Finance but sometimes it is appropriate. It is a difficult vote for me. I'll be interest to see if there are any other comments.

Ms. Flug:

Mr. Cederbaum, if you want to make any other comments, an RTM member has to come up and ask you to speak.

Matthew Mandell, district 1:

District 1 is the hub of transportation of this community. It has the major train station. It has the intersection of two state roads at I-95 exit 17. The overall long term health and the revitalization of the Saugatuck area depends on its accessibility. If traffic becomes too burdensome, the area will no longer continue to flourish as it has been. Mass transit isn't something that we just need; it needs to expand. Giving this \$20,000 allows this because people aren't going to take the bus unless they know the bus is there and that's what advertising is used for. I believe the \$20,000 should be given outright. I believe that the Transit Committee should be given the latitude to spend it as they see fit to make sure that they advertise it properly. One of the first things they did was put up those signs at the train station on both sides; no longer do you just see it on the platform. You see it on the other side. I think these are the improvements that are done. I think they are doing a good job. I'm not worrying about going back to the Board of Finance. Actually, as I said in the committee meeting, since last year, it seems that the Transit Committee has been the whipping boy of the Board of Finance. I think we should let them go and let them do what they're doing and I think mass transit is the way we should be going in this community.

Dick Lowenstein, district 5:

Sixteen years ago when I joined the RTM, I was named chair of the Transit Committee and I have been on the Transit Committee ever since then. This is the very, very first time that a budget has been presented for the Transit services that did not involve money going from us to the Norwalk Transit District. It is money being put aside by the Directors for Westport. That's a notable difference from what we had in the past. Saturday, my son came to visit us and I took him to the train station at Green's Farms to return to New York City. The first thing he noticed was that sign. Here's a kid who went to Staples and used the minibus but he didn't think of a shuttle to the train station. He doesn't need it because he lives and works in New York City but it's making an impact. He saw it. It's vibrant. It stood out very well. This is only about marketing expenses, not operating expenses, all to be spent by the directors at their discretion and I trust their discretion. I think the RTM has to have reasonable expectations. Come a year from now there will not be a profit on the Transit District. There never will be a profit on the Transit District. It will never happen. If you want to benchmark this Transit District versus other districts, it will be Westport versus Westport. There are no other districts like this in the state. We are the benchmark. It's going to continue. Jonathan Steinberg made a point that I was going to make and I will make it again because it is very important. Transit services are one of the amenities of why people want to move to Westport. It is certainly not number one or two or even three, but when you settle in the

town and the real estate agent tells you about these transit districts, it makes a difference if you can think of some way you can use it for yourself. So regardless of what happens in terms of profitability, and there ain't going to be a profit, I believe this marketing plan should be approved and that the RTM will join me in restoring this money to the budget.

Mr. Meyer:

Great new member Lynn. Thanks for joining us. As a member of the Friends of the Senior Center, twenty percent of the people in Westport are over 60. If you go to the Senior Center, that bus comes time after time and there are older people getting on the transit buses. It is very, very important to seniors. Go seniors.

Lee Arthurs, district 8:

I think it's also important that the Transit District be treated as any other part of the Town. They need to know how much money they have to spend \$20,000 for the year so that they can plan. If they keep going back piecemeal, it makes it hard to run a Transit District. So, I support restoring this money. Gene, is there something else you wanted to say? [No.]

Ms. Flug:

To restore \$20,000 to line 915, Transportation services, 24 votes are needed.

The motion to restore \$20,000 passed 32-1. Keenan opposed

Ms. Kane:

I would like to make **a motion to restore \$10,000 to the Earthplace 2013-2014 budget, line 907**. To echo what Jeff said before, to adopt this restoration is really a sign that we believe that Earthplace provides a valuable service to the town and I would say, at a very good value. We will acknowledge that it is making current efforts under new direction to reorganize, increase fund raising revenues and modernize all while keeping costs low. Very briefly, I will give you the highlights from the Library Museum and Arts Committee meeting last Wednesday, May 1, when interim Executive Director Marie Dalton Meyer and Board Director Julia Mally presented on behalf of Earthplace. They explained that Earthplace is seeking a \$10,000 restoration to put towards technology and infrastructure upgrades, specifically an upgraded phone system to help get their house in order. They made presentations on the extensive Harbor Watch Program as well as the 83 acres of open space and wetlands that Earthplace oversees and stewards on behalf of the Town of Westport. That is in addition to the vast educational resources that it provides for the town. They also project that their preliminary 2014 budget will break even. They expressed a strong desire on the part of Earthplace leadership to have increased communication with and benefit from the advice and fiscal oversight of the RTM Library Museum and Arts Committee. Overall, the committee felt that the town receives very good value for the multiple services that

the Town receives from Earthplace. The members present voted unanimously in favor of recommending that the RTM approve the \$10,000 restoration requested by Earthplace.

Ms. Flug:

It has been moved to approve a restoration of \$10,000 to line 907 of the budget, Earthplace and seconded by Mr. Lowenstein.

Members of the Westport electorate

John Hartwell, 35 Beachside Avenue:

I am Director at Earthplace and member of the Board of Trustees. Before that I was a volunteer with the organization, particularly with the Harbor Watch group which does a tremendous amount of very vital work in our community in Westport and in the communities surrounding us. It is a tremendous organization which is refocusing itself on three major areas. Education, which everyone knows through our programs that we do from nursery school through college, so two to 22, we have programs that benefit the town in multiple ways. We also have an area that we are calling now experience, the idea that you can come and do something regarding nature and regarding science. We offer trails, museum, variety of animals, especially birds of prey, which came to us in our animal restoration program and are now available for people to see, eagles, for example. The last piece that we are looking at is action which means doing things on behalf of the environment in the community. Harbor Watch is a terrific example of that. We are refocusing our efforts. We are doing a lot of interior examination. We have been doing focus groups with various parts of our constituency. We have been doing outreach to other non-profits, not only nature centers, in Fairfield County. We are beginning to redesign our programs to be more effective in terms of delivery and of cost. Earthplace is on the move. I have heard a thousand times that it is the best kept secret in Westport. That is not going to be the case going forward. We definitely would love to have your support as we make it into an organization that will continue for the next 50 or 60 years as it has for the last 50 or 60.

Members of the RTM

Wendy Batteau, district 8:

I think that we all have to consider that Earthplace provides a great service to Westport not simply a place to send our children to kindergarten or occasional after school programs. They have a huge water testing operation and they are able to do testing that would cost a considerable amount more if they were doing it at one of the Ag stations or other water testing places. But I think it is particularly important to note what they plan to do with this \$10,000 is to implement technology which will improve connectivity and make them more accessible. We heard earlier how the library has been using technology to increase efficiencies and eliminate staff. Specifically, Earthplace had a donation of some high tech telephone equipment and they've had it about a year. They haven't been able to do anything with it because they haven't had the money to run cables and install the phone system so that is just sitting there as a waste. Similarly, their computer system is virtually non-existent. They don't have a network. They don't have ability to

use cloud storage so, for example, when Sandy knocked out their electricity for 10 days, they had no way to access their files or connect with each other. The \$10,000, in terms of technology is not a very significant amount but because it leverages the donations that have already been made and the purchases of new computers that have been made over the years, it allows us to get a much bigger bang for our buck and I heartily hope that we will all vote to restore this \$10,000.

Mr. Meyer:

Like millions of other people, when I travel, I carry the AAA book. I've been in every state in the country and 35 countries. They list only two things in Westport. One is Sherwood Island State Park and Earthplace. My granddaughters, eight and four, were here from California recently, we spent two hours over there. Go Earthplace. Let's give it the vote.

Dr. Ashman

I'm not going to repeat all the positives. You've heard them. You know them. I see this as another significant thing. I see a turnaround. I see an acknowledgment that they have perhaps dropped the ball in the past and I see a great effort to improve and go in the right direction. For that reason, if for no other reason, I would absolutely vote positively.

Ms. Flug:

We are voting on a motion to restore \$10,000 to line 906, Earthplace. We have two members recusing themselves. We have 31 members voting so we need 22 members voting in favor for this restoration to pass. **The motion passes unanimously. 31-0- (two recused)**

Ms. Batteau:

This is really a question/ comment about our old pal OPEB and pensions. I notice that the pension and OPEB costs for the Board of Education employees are not in the Board of Ed budget but are still in the Town budget. This was something that we commented on a good deal last year and we were told it was a high priority to change that. The OPEB number in the Town budget is \$6,665,000 and if one adds the pensions to that, you come up to about \$14,699,941. I wonder if someone can tell me how much is allocable to the Education budget and when will this anomaly be corrected?

Gary Conrad, Finance Director:

Our actuaries have broken out the certified costs for the Board of Education but, at this point in time, we don't have the detailed breakdown for the municipal employees union. That combines all the unions who are non-certified for the Board of Education. We will have that and will be breaking down, in addition to the pension costs and the OPEB, we will also have a breakdown for Social Security and healthcare costs and workers compensation costs. That report will probably be coming out in the next couple of months.

Ms. Batteau:

In future budgets, will this be corrected? Will the amount that is actually attributable to Board of Education be allocated to the Board of Ed budget?

Mr. Conrad:

What we'll do is we will break it out the same way we do for cost for all the debt. The Board of Ed will still be reporting on operational basis. But we'll allocate the cost for not only debt but also all the benefits as a notable item.

Mr. Bergmann:

I'd like to take the occasion of Wendy's comment to say that this was something that has been on my agenda for some time. In fact, if you go back to last year's budget meeting, you'll see there is a list of things that I had sought attention on. One has been this particular item. I was thinking of trying to review those things but basically I would like to say we've made some improvements in some of these areas of benefits but we haven't made enough. We need to keep working on it very hard. It's something that really requires attention. I'm delighted that we are going to have an HR director. That has been a long time coming. I would like to repeat or reiterate Wendy's concern but it is typical of a lot of things that still have to be done in terms of allocating costs properly and addressing benefit costs for future employees and, in some respects, for present employees. These things remain important and they were last year. They should be on everyone's agenda going ahead, as well.

Ms. Flug:

We have now reviewed the complete Town Budget exclusive the Board of Education budget including the restorations that were approved. Mr. Conrad, what is the total number?

Mr. Conrad:

The total Town Budget is \$75,618,367. In addition to that, it will probably not be reported by the Board of Education since they only report their operating expenses. The Board of Ed debt and aid to private schools is \$13,016,350. They should be voted on separately. We broke it out this way because of the way the reports come in from the board of Education. They only report the one piece of their budget which is the operations side.

Mr. Wieser:

In the Finance Committee, we reported the \$75 million and then we included the \$117,382 million which is the number we are approving tomorrow which is the operating Board of Education Budget plus the debt.

Mr. Conrad:

The Board of Ed is just going to report the \$104 million on their presentations.

Mr. Wieser:

In the past, we have approved the debt with the Board of Education operating for the \$117,382 million.

Ms. Flug:

The Board of Ed debt and the aid to private schools will be included in the number for the Board of Education budget we are voting for tomorrow night.

Mr. Wieser:

It won't be included in the report but it will be the number we will be voting on.

Mr. Conrad:

The only number you will be voting on tonight is the \$75,618,367 for the First Selectman's budget.

The Town Budget passes unanimously. \$75,618,367.

Ms. Flug:

I would like to thank, before everyone leaves, Mr. Joseloff for preparing this budget, all the department heads and staff, the Board of Finance and all the boards and commissions who have oversight over this budget and all the RTM committees who have been working so hard to review this budget.

The secretary read item #2 of the call – To adopt a budget for the Railroad Parking Fund. The motion passes unanimously.

Presentation

Police Chief Dale Call:

A high level overview for railroad parking for anybody new who is not aware of how this works, the Railroad Parking Fund is funded 100 percent by user fees, i.e., rental income from the

properties and user fees and daily parking by commuters who drive down to the stations. A few fun facts about Railroad Parking...Last year in the internal audit by Lynn Scully, the Internal Auditor, one of the things that came up by the Board of Finance was that they would like to see work done by Police Department for railroad parking charged more appropriately. This year, we charged out higher allocations for salaries for employees who do railroad parking work. So there is a higher amount of money coming back as reimbursement into the Town Budget on the railroad parking side. I'll give you an idea of how well the railroad parking gets run in this Town. It really does get run very well. In the February snow storm, on Monday morning, we were the only train station with over 50 percent parking at the train station. We were actually 95 percent parking available. We were the only Town on the New Haven line that can say that. Trains weren't running but you could park. Over the years, the Connecticut DOT has run out of money so a lot of the maintenance that they traditionally performed hasn't been performed. Anybody who has commuted over the years could see a regression of to the railroad stations looking like they did with the old New Haven railroad back in the 60's. We have taken over more and more of the maintenance. It's been charged back to the revenue we take in. Thus far, we have a historic preservation award for the eastbound station; the westbound station, which was renovated in 2004, is being maintained so it still looks good and probably looks better than when DOT finished. Greens Farms is in the process of being renovated. Rental income, over the next year, you are going to see that multiply five or six times over where it had been. Currently, we have one lease approved for Avis Rental Car where the taxi office had been. That's bringing in considerably more rent than the taxi lease brought in. We have a new tenant that we are hoping by June will go into the larger waiting room side which is going to bring in considerably more income than we ever saw. Plus, you'll have the waiting room open to the public during business hours. They will also take over the concession at the Greens' Farms train station. As a result, the waiting room will be open later than 9:30 in the morning. That's the Dick Lowenstein rule. The ideal situation on the Railroad Parking Fund is that revenue and expenses should match. The way the lease is written, and by the way, the lease expired and we are trying very hard to exercise the 10 year option to renew that the state is stonewalling us on. Gail Kelly is working on that. Anything that goes over and above operating expenses goes into the Railroad Parking fund. The lease is written so that 50 percent goes back to the town to use as they see fit or depending on how you read the contract, it goes back into Railroad Parking. It depends on which attorney is reading it. The rest goes back to state of Connecticut. Ideally, we take whatever revenue comes in and we build that back into our operating budget and fold that back into the infrastructure of the train station. It has been said, when you travel into Westport by train, your first impression is the railroad station. When the railroad stations don't look good, your impression of Westport is equally so. When you get off those Metro North trains, you have a better impression of what Westport is based on what those stations look like. That is a very high level overview of railroad parking, how the fund operates. The only major difference in the budget over previous years besides the higher allocation for the work that we perform in there, which by the way, the cops are still doing police related work so you are getting more bang for your buck, we are asking for one more pick up truck with a plow which actually makes us more efficient. Instead of having contractors to plow out the smaller areas and we can also bring our garbage to the dump. That just means more revenue gets put back in to improve the facilities there.

Members of the Westport electorate – no comments.

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

RESOLVED: That the Town Railroad Parking Fund Budget for the fiscal year ending June 30, 2014, as recommended by the Board of Finance and approved or amended by the Representative Town Meeting, be adopted and the sum of **\$1,892,977** is hereby appropriated to meet expenditures.

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

Members of the RTM

Mr. Bergmann:

Last year there were a number of structural changes being talked about in terms of the way the town conducts itself. There was talk about a central location for selling all the passes and tickets and there was also talk, which had been around a long time, about the management of the railroad parking function. A number of people were asking, is that the best use of the police for that function? My understanding is that the conclusion has been reached that it probably is a good use of the police. They do a good job and it is reasonably cost effective. In terms of my checklist of open issues, unless someone else has another view, I think the continuation of the police running railroad parking is the way we are going to be going.

The motion passes unanimously.

The secretary read item #3 of the call – To adopt a budget for the Town Sewer Fund. The motion passes unanimously.

Presentation,

Steve Edwards, Director of Public Works:

Unlike Chief Call, I don't have any fun facts. We did have an open house a few weekends ago and we had about 15 individuals who were hearty enough to take a tour. We got to share what we do down there with some residents. The sewage treatment plant, as we all know and love it, is working very well. We had a total reconstruction of it eight years ago. It is running now at optimal performance. We receive a nice rebate check every summer. Last year it was \$95,000 and we expect this year, it will be over \$101,000. We continue to fine tune it and we are reducing nitrogen loading into Long Island Sound and we are very proud of the fact that we are surpassing the nitrogen loading that we have been allocated by the state. It is operating very well and we are operating at or below budget. We have kept our fees at or the same for the past three years so we are getting ready to set the fees the same as last year.

Members of the Westport electorate – no comments

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

RESOLVED: That the Town Sewer Fund Budget for the fiscal year ending June 30, 2014, as recommended by the Board of Finance and approved or amended by the Representative Town Meeting, be adopted and the sum of **\$5,096,598**

is hereby appropriated to meet expenditures.

Members of the RTM – no comments

The motion passes unanimously.

The secretary read item #4 of the call – To adopt a budget for the Wakeman Town Farm Fund. The motion passes unanimously.

There is no presentation.

Members of the Westport electorate – no comments

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

RESOLVED: That the Wakeman Town Farm Fund Budget for the fiscal year ending June 30, 2014, as recommended by the Board of Finance and approved or amended by the Representative Town Meeting, be adopted and the sum of **\$116,555** is hereby appropriated to meet expenditures.

Members of the RTM

Ms. Talmadge: (Ms. Talmadge is recusing herself.)

The revenues more than offset by the revenues that will be generated and the programming fees.

The motion passes unanimously.

The secretary read item #9 of the call – An appropriation of \$492,000 to the following Capital & Nonrecurring Expenditure Fund (C&NEF) Accounts for three repair projects due to Storm Sandy:

- a) \$222,000-Harbor Road Seawall Repairs**
- b) \$250,000-Hendricks Point Stabilization**
- c) \$20,000-Herbert Baldwin Culvert Repairs**

The motion passes unanimously.

Presentation

Mr. Edwards:

This is my second and, hopefully, final request for an appropriation for storm Sandy. Earlier, I came before you for appropriations for Beachside, Hillspoint and Soundview, primarily the easterly parts of town. This picks up more for the westerly side of Town, Harbor Road and Hendricks Point, the golf course driving range. For those of you who don't know, that was a former landfill that was closed in mid the 70's. It did suffer some damage during the storm. The outside face of the landfill edge where it butts up against the river was eroded. This fund is to go back and restore that and make it tight, stabilizing the embankment and planting some vegetation on it. The other large appropriation is for Harbor Road. The seawall that was there suffered a lot of damage. This is allowing us to go back and replace some of the stone that was there and displaced and restack those walls to a uniform shape to provide some amount of protection for Harbor Road. It is primarily to stabilize the roadway. It is not an official seawall to protect the residents as much as a protection for the roadway to maintain that in a passable state so that we can go back there immediately before and after the storm. Without that seawall there, that road would be eroded, undermined and emergency services would not be able to respond to the area. It's more for the protection of the roadway; although it does slow down the boats that break mooring and head for Harbor Road; but it is primarily a protective measure for the roadway. The third item is smaller job, the Herbert Baldwin Culvert which is just opposite the Longshore Marina. That has displacement of a couple of stones in the head wall. It is merely resetting those stones for about \$20,000. The overall request for \$492,000, 75 percent is reimbursable through FEMA program. The monies, as they are reimbursed, go back into the Capital and Non-recurring Fund.

Committee reports

Finance Committee, Mr. Wieser:

Really repeating a lot of what Steve said, we had a meeting with our budget meeting. We like to do joint meetings but this time it was just an add on to the budget meeting. There were five of us so it was a quorum. Because it was 75 percent FEMA, it was critical projects, storm related, we voted five to nothing in favor of supporting the effort.

Public Works Committee, Jay Keenan, district 2:

All the stuff that Mr. Edwards said and the breakdown is \$369,000 to \$123,000 so the Town of Westport pays \$123,000 and FEMA reimburses \$369,000. That brings the total for Sandy up to \$827,000 between the two appropriations. There were five of us in attendance and we voted unanimously to approve it.

Mr. Klinge read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$492,000 to the following Capital & Nonrecurring Expenditure Fund (C&NEF) Accounts for three repair projects due to Storm Sandy is hereby appropriated:

- a) \$222,000-Harbor Road Seawall Repairs
- b) \$250,000-Hendricks Point Stabilization
- c) \$20,000-Herbert Baldwin Culvert Repairs

By show of hands, the motion passes unanimously.

The meeting adjourned at 10:12 p.m.

Respectfully submitted,

Patricia H. Strauss

Town Clerk



by Jacquelyn Fuchs

Secretary

Attendance: May 6, 2013 Monday

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		X	8:45 p.m.
	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			
5	Dewey Loselle	X			
	Richard Lowenstein	X			
	Paul Rossi	X			
	John Suggs	X			
6	Hope Feller	X			8.20 p.m.
	Paul Lebowitz	X			

	Catherine Talmadge	X			
	Christopher Urist	X			
7	Arthur Ashman, D.D.S.	X			
	Allen Bomes	X		X	8:30 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	X	
	John McCarthy	X			
	Gilbert Nathan		X	X	
Total		33	3		

Appendix

(7)

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 building(s) located at 25 Avery Place as a historic property. (First 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

(8)

RESOLVED: That upon the request of at least two RTM members, an ordinance to protect, preserve and promote public health, safety and welfare; to maintain and preserve the beauty of neighborhoods; and to allow for the control of blighted premises is hereby approved. (First reading. Full text available is as follows.)

ARTICLE _____

ANTI-BLIGHT ORDINANCE

Sec. ____. **Purpose.** This article is enacted pursuant to the authority granted to the Town under C.G.S. § 7-148(c)(7)(H)(xv), §7-148aa and § 7-152c.

This ordinance is intended to protect, preserve and promote public health, safety and welfare; to maintain and preserve the beauty of neighborhoods; and to allow for control of blighted premises.

This ordinance prohibits any owner, agent, tenant or person in control of real property located in the Town from allowing, creating, maintaining or causing to be created or maintained any blighted premises.

Sec. ____. **Definitions.** For the purposes of this article, the following words, terms and phrases shall have the following meanings, unless the context clearly indicates otherwise:

BLIGHTED PREMISES - Any building, structure or parcel of land, including single family or multi-family residential or commercial, whether occupied or vacant, except exempt property as defined below, in which at least one of the following conditions exists:

- A. It is dilapidated or becoming dilapidated as documented by the Building Official

- B. It is attracting illegal activity as documented by the Police Department
- C. It is a fire hazard as determined by the Fire Marshal or as documented by the Fire Department
- D. It is determined by the Blight Enforcement Officer, the Building Official or by Health Department reports that the condition of the building, structure or parcel of land poses a serious or immediate danger to the safety, health or general welfare of the community
- E. It is not being adequately maintained. The following factors may be considered in determining whether a structure or building is not being adequately maintained:
 - Multiple missing or boarded windows or doors
 - collapsing or missing walls, roof or floors
 - seriously damaged or missing siding
 - a structurally faulty foundation
 - excessive amounts of garbage or trash
 - abandoned/unregistered cars on the premises
 - rodent harborage and/or infestation
 - unrepaired fire or water damage
 - parking lots left in a state of disrepair or abandonment
- F. It is a factor creating a substantial and unreasonable interference with the reasonable and lawful use and enjoyment of other space within the building or structure or of other premises within the neighborhood as documented by written neighborhood complaints or police reports.

BLIGHT ENFORCEMENT OFFICER – Shall mean an individual or individuals appointed by the First Selectman to inspect blighted premises, issue notices of violation pursuant to Section ____, and issue citations for violations of this article in accordance with Section _____. Said individual shall not be a citation hearing officer.

BLIGHT PREVENTION BOARD – Shall be a board made up of three members who shall be appointed by the First Selectman. It shall be the duty of the Blight Enforcement Board to hear complaints about possible violations of this ordinance and to render decisions whether a violation has occurred.

DILAPIDATED - Any building or structure or part thereof that would not qualify for a certificate of occupancy or which is deemed an unsafe structure, and any dwelling or unit which is designated as unfit for human habitation as defined in the State Building Code.

DISABLED INDIVIDUAL – shall mean, in the case of an owner occupied residence, an individual who has a disability as that term is defined under the Americans with Disability Act of 1990, as amended.

ELDERLY INDIVIDUAL – Shall mean an individual sixty-five (65) years of age or older

EXEMPT PROPERTY - Any building or structure undergoing remodeling, restoration, repair or renovation, provided that the blighted condition will be corrected thereby and that the period thereof does not exceed _____consecutive months.

LEGAL OCCUPANCY - Occupancy that is legal by virtue of compliance with the State Building Code, State Fire Safety Code, local zoning, local housing and all other pertinent codes, and which habitation shall be substantiated by a deed, bona fide lease agreement, rent receipt or utility statement.

LOW INCOME INDIVIDUAL - Shall mean, in the case of an owner occupied residence, an individual who meets the income guidelines for eligibility for assistance from the Westport Warm Up Fund.

NEIGHBORHOOD - An area of the Town comprised of premises or parcels of land any part of which is within a contiguous radius of 800 feet of any part of another parcel or lot within the Town.

NEW OWNER - Any owner who has taken title to or occupancy of a property within thirty (30) days of the notice provided in Section _____.

OWNER - An owner, agent, tenant and/or person in control of a blighted premises.

VACANT - A continuous period of sixty (60) days or longer during which a building or structure subject to this article is not legally occupied.

Sec. _____. Prohibition. No owner, agent, tenant or person in control of real property located in the Town shall allow, maintain or cause to be maintained any blighted premises.

Sec. _____. Determination of violation.

A. Upon receiving a written complaint of a possible violation signed by a complainant, the Blight Enforcement Officer shall make an investigation.

B. If after investigation a probable violation is found to exist, the Blight Enforcement Officer shall serve written notice to the Owner(s) of the premises where the possible violation has occurred. The notice shall be sent in the manner prescribed by Section ____ to the last known address of the Owner(s). A copy of such notice shall also be sent to the Department of Human Services, the Health Department, the Planning & Zoning Department, and the Fire Department.

C. Such notice shall state the probable violation(s) and the conditions evidencing such violations and require the person to whom it is delivered to attend a hearing before the Blight Prevention Board to determine whether there has been a violation and, if so, to establish a plan for abatement of such violation, including the date by which such violation shall be fully abated.

D. After the hearing the Blight Prevention Board shall make a written determination whether a violation has, in fact, occurred. If the Board determines that a violation exists, it shall include in its written determination the actions to be taken to abate such violation and the date within a reasonable time by which such violation shall be fully abated.

E. If the Blight Prevention Board determines that no violation has occurred, the file will be closed.

Sec. _____. Special Consideration for owner occupied residences.

Special consideration may be given to those who require it in order to correct a violation of this article. Specifically, the Blight Prevention Board may grant an owner additional time to correct a violation where the owner establishes good cause. As used in this section “good cause” includes, but is not limited to, an elderly individual who is unable to personally correct a violation due to age, a disabled individual or other individual who is unable to personally correct a violation due to a medical condition, or a low income individual who is unable to correct a violation due to cost. In determining whether good cause exists, the Blight Prevention Board shall consider whether other occupants of the premises are able to assist in correcting the violation in a timely fashion and whether the severity of the violation is such that additional time is not warranted.

Sec. ____. **Notice of Violation.** Upon the determination by the Blight Prevention Board that a violation of this article exists, the Blight Enforcement Officer shall serve a written notice of violation to the owner. . The notice of violation shall state (i) the violation; (ii) the date upon which the violation shall be remedied; (iii) that the failure of the owner to remedy the violation within the prescribed time shall result in the issuance of a citation in accordance with Section _____ of this article; (iv) the amount of the daily civil penalties and any other fines or penalties imposed; (v) that if the owner fails to remove or remedy the violation(s), the Town may cause the abatement of the violation at the expense of the owner and (vi) that the owner may be subject to such other fines as may be authorized or imposed by the state for a wilfull violation of this article of not more than two hundred fifty dollars (\$250) for each such day that the violation continues to exist.

Delivery of the notice of violation to the owner shall be by one or both of the following methods:

- 1) By personal delivery to the owner; or
- 2) By certified mail, return receipt requested and simultaneously by regular U.S. Postal Service mail, addressed to the owner at his last known address.

Sec. ____. **Extension.** Notwithstanding the provisions of Section ____, a new owner shall, upon request, be granted a thirty day extension of the notice of violation and opportunity to remediate set forth therein.

Sec. ____. **Penalties.** Violations of the provisions of this article shall be punishable by a civil penalty equal to the greater of \$100 or the maximum amount allowed by C.G.S. § 7-148(c)(7)(H)(xv), as the same may be amended from time to time, for each day a violation exists and continues beyond the date required for remediation set forth in the notice of violation issued under Section _____ hereof.

Violators will also be responsible for all costs and expenses associated with enforcement and the collection of any civil penalties, which shall include, but shall not be limited to attorney fees, court costs, mailing costs and filing fees.

Sec. ____. **Willful Violations; Penalties.** In addition to the foregoing, any person who, after receiving a notice of violation pursuant to Section _____ and after a reasonable opportunity to remediate the blighted premises, willfully violates the provisions of this article, such person shall be fined by the State of Connecticut not more than two hundred and fifty dollars (\$250.00) for each day for which it can be shown, based on actual inspection of the property on each

such day, that the blighted premises continue to exist after written notice to the owner as provided herein and the expiration of the time to remediate.

Sec. ____. **Issuance of Citations.** The Blight Enforcement Officer shall issue a citation when a violation of this article continues beyond the date by which the Blight Prevention Board required that the violation be remedied.

The citation shall state:

- (i) A description of the violation(s).
- (ii) The amount of the daily civil penalties levied and that such civil penalties shall be levied from the date of the citation, plus such other fines, penalties, costs and/or fees due.
- (iii) That the uncontested payment of such civil penalties, fines, costs and/or fees shall be made within ten (10) days of the date of the citation.
- (iv) That the owner may contest his/her liability before a citation hearing officer by delivering in person or by mail within ten (10) days of the date of the citation a written demand for a hearing.
- (v) That if the owner does not demand a hearing, an assessment and judgment shall be entered against him/her and that such judgment may issue without further notice.
- (vi) That the Town shall file a lien against the real estate in accordance with C.G.S. §7-148aa for the amount of any unpaid civil penalties or other fines imposed by the Town in accordance with this article.

Delivery of the citation shall be by the manner provided in Section ____ hereof.

Sec. ____. **Uncontested payment; time period.** Any owner receiving a citation shall be allowed a period of ten (10) days from the date of the citation to make an uncontested payment of the civil penalties, fines, costs and/or fees specified in the citation. All amounts shall be made payable to the Town.

Sec. ____. **Payment of Civil Penalties.** If the owner who has been issued a citation pursuant to this article wishes to admit liability for any alleged violation, the owner may, without requesting a hearing, pay the full amount of the civil penalties, fines, costs and/or fees to the Blight Enforcement Officer. Such

payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such owner or other person making the payment.

Any owner who does not deliver or mail written demand for a hearing within ten (10) days of the date of the citation, shall be deemed to have admitted liability, and the Blight Enforcement Officer shall certify to the hearing officer that such owner has failed to respond. The hearing officer shall thereupon enter and assess the civil penalties, fines, costs and/or fees provided for by this article and shall follow the procedures set forth in Sec. ____ .

Sec. ____ . Hearing procedure for citations.

- A. The First Selectman shall appoint one (1) or more citation hearing officers. The First Selectman shall not appoint the Blight Enforcement Officer or any employee of the Police Department.

- B. An owner who chooses to appeal a citation and requests a hearing to this effect shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of mailing of the notice, provided the hearing officer shall grant upon good cause shown any reasonable request by an interested party for postponement or continuance. An original or certified copy of the citation issued by the Blight Enforcement Officer shall be filed and retained by the Town and shall be deemed to be a business record within the scope of C.G.S. § 52-180 and evidence of the facts contained therein. Upon request of the person appealing the citation, the presence of the Blight Enforcement Officer who issued the citation shall be required at the hearing. A designated Town official other than the hearing officer may present evidence on behalf of the Town. An owner wishing to contest liability shall appear at the hearing and may present evidence on his/her behalf. If the owner who received the citation fails to appear, the hearing officer may enter an assessment by default against him/her upon a finding of proper notice and liability under the applicable statutes and this article. The hearing officer may accept from such owner copies of any relevant investigatory and citation reports, and/or any other official documents by mail and may determine thereby that the appearance of such person is unnecessary.

- C. The hearing officer shall conduct the hearing in the order and form, and with such methods of proof, as he/she deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his/her decision at the end of the hearing. If the hearing officer determines that the owner is not liable, the hearing officer shall dismiss the matter and enter that

determination in writing accordingly. If the hearing officer determines that the owner is liable for the violation, the hearing officer shall forthwith enter and assess the civil penalties, fines, costs and/or fees against the person as provided by this article.

- D. If the hearing officer's assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of assessment to the owner found liable and shall file, not less than thirty (30) days nor more than twelve (12) months after such mailing, a certified copy of the notice of assessment with the clerk of the superior court facility designated by the Chief Court Administrator together with the applicable entry or filing fee. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessment against the same owner may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of the hearing officer's record of assessment as well as court costs, against such person(s) in favor of the Town. The hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution of such judgment may issue without further notice to the owner.
- E. A person against whom an assessment has been entered pursuant to this article is entitled to judicial review by way of appeal in accordance with C.G.S. §7-152c(g).

Sec. ____. **Recording of lien.** Any unpaid civil penalty or other fine imposed pursuant to the provisions of this article, and any and all costs and expenses incurred by the Town for the enforcement of this article, shall constitute a lien upon the real estate against which the civil penalty or other fine was imposed from the date of such civil penalty or fine. Each such lien may be continued, recorded and released in the manner provided for in C.G.S. § 7-148aa. Each such lien shall take precedence over all other liens filed after July 1, 1997 and encumbrances except taxes and may be enforced in the same manner as property taxes.

Sec. ____. **Removal or Remediation by Town.** In the event the owner fails to remediate or correct all violations of this article after the issuance of a citation and after which the owner fails to pay an assessed civil penalty, the Town may cause or take such action as is necessary to correct the violation. All costs and expenses of such corrective action shall be a lien upon the real estate. The Blight Enforcement Officer shall cause a certificate of lien to be recorded in the Town Clerk's office within sixty (60) days after completion of such corrective action if all costs and expenses thereof are not reimbursed in full.

Sec. _____. Other Remedies. The provisions of this article are in addition to, and not in lieu of, any other remedies available to the Town under the Connecticut General Statutes, Connecticut State Building Code, Fire Code, Public Health Code, Zoning Regulations, or other sections of the Town Code.

Sec. _____. Severability. In the event that any part or portion of this article is declared invalid for any reason, all other provisions shall remain in full force and effect.