

RTM Meeting  
November 9, 2021

**The Call**

1. To take such action as the meeting may determine, upon the request of the RTM Code of Conduct Special Committee, to adopt the Westport Representative Town Meeting Conduct Guidelines and Expectations.
2. 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 in the amount of \$5,227,866.00, along with bond and note authorization, to the Municipal Improvement Fund Account, for the Roof Replacement Project at Staples High School.
3. To take such action as the meeting may determine, to authorize the Board of Education Superintendent to apply for a State grant for reimbursement for the Roof Replacement Project at Staples High School.
4. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Director of Human Services, to approve an appropriation of \$185,000 to the Health & Human Services – Stop Gap Measures CLFRF Expense account from the ARPA CLFRF Grant Income account.
5. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Information Technology Director and Acting Operations Director, to approve an appropriation of \$100,000 to the Cybersecurity – Network Protection CLFRF Expense account from the ARPA CLFRF Grant Income account.

**The Meeting**

Moderator Velma Heller:

Good evening. This meeting of Westport's Representative Town Meeting is now called to order and we welcome those who are joining us the evening. My name is Velma Heller and I'm the RTM Moderator. Pursuant to Sections 163-167 of Senate Bill 1202, there will not be a physical location for this meeting. This meeting is held electronically and live streamed on westportct.gov and shown on Optimum Government Access Channel 79 and Frontier Channel 6020. Meeting materials will be available at westportct.gov along with the meeting notice posted on the Meeting List & Calendar page. As you know, instructions to attend the zoom meeting were on the agenda. Members of the electorate attending the meeting by phone or video, may comment on any item by raising your hand and you will be recognized. Comments are limited to three minutes. Emails may be sent to [RTMmailinglist@westportct.gov](mailto:RTMmailinglist@westportct.gov), which goes to all RTM members. These emails that are received before the meeting will not be read aloud during the meeting.

Tonight's invocation will be delivered by Anjali McCormack, Executive Director of the Westport/Weston YMCA. She comes to us from the Summit, New Jersey Y with an extensive background in marketing. She is a graduate of Harvard with an MBA from NYU Stern School of Business and I turn it over to you Anjali.

Invocation, Anjali McCormack, Executive Director of the Westport/Weston YMCA:  
As you said, I am Anjali McCormick. I became the CEO of the Westport Weston Family YMCA six months ago so I am new to Connecticut. I moved from Summit, NJ in September and am

thrilled to be a part of this amazing community. I want to thank Jeff for inviting me to be a part of this evening and for his and the town's very warm welcome to Westport. I thank you for that. My family and I emigrated from India to the United States in 1984. I was sixteen. I remember walking into my public high school in Long Island, I felt like I had walked onto the set of the movie, *Grease* - big hair, frosted lipstick, coed school, homecoming were things I had seen in the movies - it was all very exciting. It is funny that all these years later, this weekend, *Grease* is going to play to sold out crowds at Staples which is my new hometown's high school. I love that. I studied Government at Harvard and then got my masters in Marketing from NYU. I worked for Citibank and American Express before deciding to stay home to raise and nurture my three kids. As my children got older and more independent, getting back into the work force became more interest to me. I had been a member of the Summit YMCA for many years and when Director of Marketing position I applied for it. The job allowed me to go to work close to home and be involved in my community and go to my kids activities and games. That was a real blessing. Since then, I've grown with the organization. I'm now an empty-nester. My youngest is at the University of Wisconsin. It allowed me to explore this opportunity here in Westport. I love working for the Y because it is this wonderful, vibrant, inclusive community organization that brings connectedness and wellbeing to all who walk through our doors. We strengthen individuals in spirit, mind, and body. Here in Westport, we've been around for close to 100 years and, for those of you who are not familiar with the Y, our mission is to nurture the potential of youth, motivate healthy living, and inspire care and commitment to those in need of a helping hand. If you haven't been to the Y recently, please stop by and say hello. I will be happy to show you around. I also want to say that I am proud that in collaboration with other government and non-profit organizations in town, we offer close to \$400,000 in financial assistance for membership and programs like gymnastics, swim lessons, camp and more. I love that the Y is a key part of the community and we enrich the community together. In closing, I wanted to mention that I found this past election season here in Westport to be very affirming. Westporters care deeply about this town, its people, institutions, and traditions. I am particularly struck by Westport's unique spirit of collegiality, openness to different perspectives, and inclusivity. I think that is really fabulous in this sometimes confusing and divisive sort of environment and age. As non-profit leader in Westport, I am honored and grateful to be a part of this community and look forward to doing my part to make it better every day. I look forward to meeting many of you in person in the days ahead. May you have a productive and happy meeting this evening.

Dr. Heller:

What I wanted to say was you reminded me very much of myself when I came back into teaching after raising my family. It's a very exciting thing to do and look at all the possibilities out there for you. Good for you. Now I am going to ask Jim Marpe if you would do us the kindness of reciting the Pledge of Allegiance so we can see both you and the flag. Since you are the speaker, that will allow it to be shown.

First Selectman Jim Marpe recited the Pledge of Allegiance.

There were 32 members present. Ms. Purcell, Ms. Rea and Ms. Soloff notified the Moderator that they would be absent and Mr. Burkhardt was also absent.

The minutes of the 82 page October meeting, thank you, Jackie, have been posted on the Town website. Are there any corrections to minutes at this time? Seeing none, the minutes are accepted as submitted. If you later find any corrections, please inform Jackie, Jeff Dunkerton or me.

**Announcements:**

Birthday greetings to: Tatiana Plachi, Lauren Soloff, Christine Meiers-Schatz, and Lisa Newman. Congratulations to all!

As requested, announcements from RTM members have been or will be shared by email just for this meeting because we have a rather busy agenda.

Installation of the newly elected RTM is scheduled for Tuesday Nov. 16<sup>th</sup> at 7:30 p.m. in the Town Hall Auditorium. Are there any stipulations on that, Jeff Dunkerton?

Town Clerk Jeff Dunkerton:

No there are not. We are just following town protocol.

Dr. Heller:

Upcoming committee meetings will be announced after the installation of new members.

The next regularly scheduled RTM meeting will be on Dec. 7.<sup>th</sup> at 7:30 p.m..

Before we begin the regular business of the Agenda, I'd like to take this opportunity to congratulate those who will be returning to the RTM or joining the body as newly elected members. Also I want to extend my personal appreciation to those RTMers who will be moving on to new adventures. Thank you: Rick Jaffe, Ross Burkhart, Kristan Hamlin, Nicole Klein, Karla Rea and Lauren Soloff for your public service in behalf of Westport. Your unique skills and abilities have helped to strengthen the overall impact of the RTM as the town legislature. Please watch for Certificates of Appreciation in the mail since we can't hand them out in person. All the best to you in your future endeavors.

Tonight, our final meeting of this RTM is a very special night for so many reasons not the least of which is our opportunity as members of the legislative body to recognize our colleague who has so ably headed the Executive branch of Westport's Town government for the past eight years. On a personal level I have found it a privilege to work with Jim Marpe as an RTM member, Deputy Moderator, and Moderator. Jim is a considerate, knowledgeable, perceptive leader whose actions are well thought out. He is a decent man and a consummate professional with whom I have had the pleasure to problem solve and collaborate for the benefit of the town. Thank you, Jim, for your friendship and all you have done for the town.

Mr. Marpe:

Thank you Velma. Those remarks are very moving. Thank you for that. I will have a couple of nice words to say about your tenure as well. As a member of the "Six-day Club" including Elaine Whitney, it's a little melancholy that we won't necessarily be here in the future in an official capacity. At the same time, I look back at the last eight years with awe at how this

legislative body functions and, in the end, makes the right decisions so thank you for your help in moving Westport forward in a way that makes sense with residents. I appreciate all the support I've gotten from this group. Thank you.

Dr. Heller:

Thank you Jim. This is one of those nights where I am definitely tearing up but happy right now.

We have only one formal announcer this evening and that would be Jeff Wieser our Deputy Moderator.

### **RTM Announcements**

Jeff Wieser, district 4:

Before I move on, I do want to thank Jim for all his help over the last eight years and also before that with Homes with Hope as a Board Member and strategic planner and as a volunteer at the Gillespie Center. He has been a great administrator and cheer leader for the town and as a native of northeast Ohio who has adopted Westport as his hometown and I'm very proud of him.

Now, on to Velma! I would like to thank Sal Liccione for organizing and delivering the flowers that we see behind Velma. They are from all of us as are all these comments, I'm sure. Since July of 2017, Velma has led this legislative body with intelligence, strength and grace. What a combination. Many of us remember, before she became Moderator and was then allowed to speak at meetings, we would have long debates, sometimes acrimonious, always spirited, and at the end of the debate – largely because this stopped all the talking – Velma would stand up and channel her best Rodney King, saying "Can't we all just get along?" Just like the school teacher she is, she would get up and say, 'We've had a great debate, we've seen every side of this situation but let's all get along.' And with that admonition, we all did, we voted and settled almost every matter. To me, that is how the RTM works and she embodies that spirit so, so well. I miss that input, but that does not mean we have lost Velma's input. She is a force that we have all had the pleasure of experiencing, and her force of nature always comes down on the side of what is right, certainly what is good, and no surprise, what is pretty moderate! We will miss you, Velma at these meetings, but we will not miss Velma. I know for a fact that she is available for lunches just about any time, if you can get on her calendar, and she is looking forward to keeping up with all of us. If she has time on her calendar, she will be very excited to join you and I plan to take her up on that with some regularity. So, thank you Jim; thank you Velma. I am happy to pass the zoom to Kristan Hamlin who has a bit of her trademark poetry to share with us.

Kristan Hamlin, district 4:

As your self-appointed RTM Poet Laureate, Nobel Prize, not winning, Pulitzer Prize, never winning, but nevertheless, poet laureate, a bit of a niche gig, I have the high honor and privilege of presenting this thank you poem to Dr. Velma Elaine nee Wiener Heller. It is entitled, "Velma Elaine".

It was not that long ago  
In a body where she did reign

A lady served, who you may know  
By the name of Velma Elaine.  
As a Moderator she served Selflessly  
Just to serve. With no thought of gain.

And I served, while she served We  
two; yes, the twain.  
We served the Westport RTM  
I, and Velma Elaine  
I? Mere rank and file  
But Velma—she did reign.

Her story begins in Queens  
In the Depression, when times were leaner  
She, the precious first daughter  
Of Francis & Morris “Tex” Wiener  
Soon they could all observe  
Her intellect could not be much keener.

In '41, the World War reached our shores  
And the stories caused such pain  
That Tex volunteered his services Bidding  
goodbye to Velma Elaine.  
She lost her father through all those years  
'Til she saw him, finally again.

Now she was living with all women:  
Her mom, two aunts and a gram  
While dad was liberating Auschwitz  
Serving nobly for Uncle Sam.  
Yet Velma's memories from this time are of  
Gram's Viennese pastries and jam.

These women all pulled together in the war,  
Each with a strength,  
Each in her own lane. Rosie Riveters modeling  
empowering values  
And family, to Velma Elaine.  
These formative years were of strong women,  
Until the war did finally wane.

When Tex returned stateside, he saw  
His daughter was smart, and full of knowledge So  
despite the times, Dr. Wiener ensured Velma went to  
Queens College.

No surprise our Phi Beta Kappa  
Whose combined looks and brains were stellar,  
Soon met a very cute Yalie  
Becoming “the first” Ms. Garson Heller!

Soon she was working in Port Washington  
And their romance is a thing of lore.  
She taught school until she gave birth to her  
first, at age 24.  
Then the family moved with baby Grant to this  
kingdom, known as Westport. This young  
family put their roots down here starting 1964.

Soon Grant was followed by David  
Then David, by Julie, his sis.  
Meanwhile Velma earned her Masters  
And delved into Westport PTA bliss.

At Greens Farms she served as Principle,  
Associate principle at Long Lots too.  
Also, Vice Principle of BMS.  
So many roles!  
But I’ve just named a few.

She was Principle of Continuing Ed...  
(Her career anything but humdrum)  
Also for the whole district,  
She was Director of Curriculum!

As Director of Supervision and Evaluation  
A district job for which she was hired  
She finished her 31 years of service  
Then finally, she *seemed* to have retired.

Not so fast! After 31 years  
Velma decided it was just a start  
So she worked ANOTHER 17 years  
Training supervisors at Sacred Heart.

You may wonder, in all of this  
When she added “PhD” to her name  
She studied weekends while working, too.  
Do she’s Doctor Velma Elaine!

Meanwhile the RTM was a tradition  
Where Garson started to serve

Then Grant took over in the '90's  
'Till Velma got up the nerve!

She ran in 2001  
Then served here for twenty years more  
Chairing a committee and leaving as Moderator  
Now you ask, "What else is in store?"

Velma's great pride is the legacy created  
With a cute Yalie named Gar  
A seed planted that grew a great tree  
Whose limbs now reach quite far!  
To great grandchildren who already see  
Their 'Gigi' as *their* North Star.

So grandkids Lisa, Nicole and Will  
Great grandkids, Jacob and Mia  
Will get more of Gigi once she says to us,  
"So much fun! But CIAO! See ya!"

Did you know she makes a great chocolate roll?  
And an awesome chocolate bourbon pecan pie?  
If not, you're in for a treat,  
When you, her friends, stop by  
She loves people so don't hesitate She's  
still here, so don't be shy.

Her legacy here as community leader  
Was to keep us all "semi-sane"  
With calm and serenity she ensured the  
topics stayed in their lane.  
How does a community so blessed by her gifts, thank  
Dr. Velma Elaine?

Channeling, Elizabeth Barret Browning Your poet  
laureate does say  
"How can we thank thee, Velma?  
Let us count the ways!"  
We love all you did for Westport  
We loved your friendship, in the main.  
We loved your calm leadership.  
We just loved you, Dr. Velma Elaine!

Mr. Wieser:

Thank you Kristan. We will get comments from Velma in just a minute. I know Mr. Marpe, who is already late for yet another farewell, has a few words of his own to share.

Mr. Marpe:

Thank you Jeff. And thank you Kristan for that history and story of Velma that all of us learned a little bit more about Dr. Velma Elaine. Velma, thank you for your partnership and your friendship over these last four years and your leadership on the RTM. I think, together, we've made a great team in terms of trying to help each other to find a good way to get things done. Lately, I've gotten a kick out of how, at the Federal level, a discussion of 'this is how the sausage gets made.' This is how the sausage gets made and the RTM does it to a T. Sometimes, until two o'clock in the morning... but it does get made. And Velma, under your leadership, it gets made very well and it's done right. Personally, the reward of working with you has been an important part of the pleasure I've had in the job I held. So, thank you for your support, commitment, coaching and insights that come from all these many years since you've been a part of the Westport community. As is my privilege in the role I have for six more days, I have a commendation to read, suitable for framing which will be delivered to you:

**IN RECOGNITION OF HER LONGSTANDING SERVICE,  
THE TOWN OF WESTPORT HONORS**

**Velma Heller**

**WE CELEBRATE VELMA'S COMMITMENT TO THE COMMUNITY. FOR 20 YEARS, VELMA CONSISTENTLY DEMONSTRATED LEADERSHIP, EXPERTISE, COMPASSION AND SACRIFICE. HER UNIQUE TALENTS AND CALM DEMEANOR HAVE PROVED TO BE IMMEASURABLE ASSETS IN THE OFTENTIMES CHALLENGING ROLE OF RTM MODERATOR. A TRUE PIONEER AND A MODEL FOR FUTURE GENERATIONS, VELMA ACCOMPLISHED HER DUTIES WITH A POSITIVE ATTITUDE, GRACE AND COMPOSURE.**

**ON BEHALF OF THE RESIDENTS, YOUR FELLOW REPRESENTATIVES, AND THE EMPLOYEES OF THE TOWN OF WESTPORT, I OFFER SINCERE CONGRATULATIONS AND THANKS FOR AN OUTSTANDING "JOB WELL DONE."**

**AS SHE ENTERS A NEW CHAPTER IN HER LIFE, WE WISH VELMA ONLY HEALTH AND HAPPINESS IN THE FUTURE.**

**JAMES S. MARPE, FIRST SELECTMAN, DATED THIS 9<sup>TH</sup> DAY OF NOVEMBER, 2021**

God bless you for all you've done.

Mr. Wieser:

Thank you, Jim. I'm sure that will be framed. We'll get that done. Off to your next farewell. Next, Town Attorney Ira Bloom is going to say a few words.

Town Attorney Ira Bloom:

I was thinking back. Our relationship actually goes back to 1989. I was elected to the Board of Education and you were an administrator and we got to know each other and it has continued for 30+ years. My summary is that you've always offered uncommon common sense and good judgment through all these years that I've worked with you and those are qualities that are desperately needed across the country. We need more Velma Hellers throughout the country and we have been privileged to have you here in Westport. On behalf of Eileen Flug and our other Berchem Moses attorneys, I want to thank you for helping us. We hope we've helped



you. Thank you for what you've done for Westport and your contributions to this community which have been outstanding. We wish you the very best of good health and we look forward to seeing you down the road again soon. So, thank you, Velma.

Mr. Wieser:

Thank you Ira. I know that Eileen echoes all those comments and has very kindly let Ira speak for her. So, thank you immediate past Moderator Eileen Flug.

Assistant Town Attorney and immediate past Moderator, Eileen Flug:

Yes, I do. Congratulations, Velma.

Mr. Wieser:

Lauren Karpf has a few words but, before she speaks, I would just like to give a shout out to Harris Falk who has the best backdrop of anybody on the zoom.

Dr. Heller:

Thank you Harris. I just want you to know, I've lost weight since then, since we're getting personal.

Mr. Wieser: Lauren Karpf.

Lauren Karpf, district 7:

All right. Mine does not rhyme and I don't have any fancy pictures but Jeff had asked me to present a gift to Velma on behalf of the entire RTM as a small token of our appreciation for all you have done for our RTM family over the years. Since I am speaking on behalf of 35 others, I did prepare a few words, but very brief, just to thank you because Velma has truly become a mentor to so many of us, someone we can always rely on for advice, wisdom, common sense, and logic. To me, Velma is a superhero – having achieved so much in her life both personally and professionally and, of course, in public service. Your impact on Westport is undeniable – in the schools and in Town Hall. But what makes you so truly unique is your ability to lead in a compassionate, rational manner, while listening to all points of view and encouraging collaboration. You easily navigate contentious discussions with poise, neutrality, and a calming demeanor. Your ability to make everyone feel heard is truly a gift. Not only does everyone respect you, but everyone truly loves you. You are a role model of what a strong leader can accomplish while exhibiting compassion, kindness, and grace. You have become a true friend and confidant to so many of us. We are so fortunate to have had Velma giving her time, passion and talents to our town unsparingly, year after year after year. Velma – we hope you enjoy the hours and hours of free time you will gain, but we look forward to seeing you at many meetings and events moving forward. You will always be part of our RTM family, and to me personally, a very dear friend. On behalf of the RTM, I will drop this off tomorrow but this is a gift from all of us. We love you! Thank you.

Mr. Wieser: Thank you Lauren and remember, we will see Velma around town and at lunch. Velma, we turn it over to you before we kick off our final meeting.

Dr. Heller:

You may have guessed that I have prepared a few remarks. I just want to say I love you all and it's been a great run in so many ways. I want to thank you all for the confidence and support you've given me as a member of this august body. It goes without saying that chairing our final meeting of the term and of my tenure has a flavor of bittersweet along with a sense of great satisfaction. Who could have guessed when I retired from the Westport Schools and ran as a write in candidate in District 6 in 2001, that I'd be telling my story tonight as RTM Moderator representing District 9. Of course I owe it to or blame it on two former RTM members, my son Grant and my husband Garson who convinced me that it was my turn to run. I'd always hoped to make a positive contribution to students and teachers during over 30 years as a Westport educator, and as a member of the RTM, to do all that I could for the welfare of the town. Flash forward to tonight when I'm so focused on how much I have loved being a member of the RTM for these 20 years. It's really all about the people. In my 20 years on the RTM I have never ceased to be impressed by the exceptional strengths of this body. As non-partisan legislators of Westport, we draw upon the depth and breadth of experience and the collective energy of our membership. We bring varied backgrounds in business, law, education, finance, real estate, architecture, technology, the arts and more to serve the best interests of the town we have chosen to be our home. We bring together problem solvers, analysts, planners and doers who may have varied approaches to gathering and interpreting information and may come to different conclusions. However, given a climate of trust engendered by mutual respect and dialogue, this variety may well enhance the validity of our conversations and insights so that we can compromise or even agree to disagree. I appreciate the different points of view shared by so many dedicated people who have given of themselves as part of this body, working together for the benefit of our town. To mention a few, I have learned from former moderators like Gordon Joseloff, Hadley Rose and Eileen Flug who have generously shared their wisdom and advice and perspectives. I remember that Hadley once mentioned to me that numbers told a story he could relate to, rather a surprise to me who has always been more comfortable using words to tell stories. So it is that tonight I ask that you become aware of the number, 3,110,400, to help tell my story - more about that later. (It's just to get you interested, so keep listening!) I want to send a very special "shout out" to my good friend Jeff Wieser, our wonderful Deputy Moderator for his ongoing upbeat support, counsel and collaboration and for his rapid fire resolution readings. My thanks to our town offices that provide exceptional support for the demanding work we do, work that flows smoothly based on the efforts of Town Clerk Jeff Dunkerton who has made a remarkably seamless transition, replacing Patty Strauss, our highly respected former Town Clerk along with Tatiana Plachi and the rest of the team. Also, to Jackie Fuchs whose coherent and thorough minutes provide a reliable record of our accomplishments and who has acted as "reminder in chief" on many occasions on the auditorium stage or on Zoom, thank you again and again and again, Jackie. I appreciate the exceptional work of Town Attorney, Ira Bloom and Assistant Town Attorney, Eileen Flug, who have provided well informed, accessible professional advice and back-up to all of our efforts. It has been a privilege to work with First Selectman, Jim Marpe as I noted before and the highly qualified Town Department Heads with whom we interact. I am honored that you put your trust in me to serve as moderator for the past four years. Yes, COVID has posed some challenges for all of us what with Zooming and masking and sanitizing and distancing. However, we've risen to the occasion, safely maintaining what I, as Moderator, consider top priorities in conducting the business of the legislative body, that is, enabling study committees to review agenda items in depth in preparation for RTM meetings and facilitating fair and open debate

among members of the entire body in an orderly setting where RTM and members of the public can contribute their ideas openly as important decisions are being made. Earlier in my talk I shared the number 3,110,400, a number that relates to the RTM story: Take 20 years of 12 RTM meetings a year and at least 12 committee meetings a year, all lasting an average of three hours per meeting which when tweaked as 60 minutes and multiplied by 36 RTM members, this would produce 3,110,400 collective RTM member minutes of public service. And there you have it, a story of dedication to this town. I for one would do it all again. Westport has always been, for my family, a community that invited our involvement; however, I'm not sure I ever realized the tremendous sense of fulfillment that would result from my commitment to the RTM, engaging with so many extraordinary folks who are dedicated to serving the community we love. I consider you my friends. I am so thankful for this chapter of my life. While I intend to explore a variety of areas of interest, I will never lose interest in you or the RTM, nor will I be far away; I'm still here, available for coffee etc. and some good conversation. Thank you for being who you are and thank you for being a part of my life.

[Applause from RTM members.]

Dr. Heller:

I have to say thank you to everyone who spoke for me and to me. Kristan, it was brilliant, Velma Elaine. And I have to tell you about Wiener. I sort of grew up with the name Weiner, not thinking too much about it until my grandson, the one who is now at Colgate, when he first heard it, he said: 'Your name is Weiner?' and he cracked up and fell apart and I figured, there must have been something wrong there! Times change...

Ms. Hamlin:

Velma, thank God you changed your name. Can you imagine Moderator Weiner and Deputy Moderator Wieser?

Dr. Heller:

Except they are spelled differently. Mine should probably have been pronounced "winer".

Mr. Wieser:

Velma, one quick housekeeping thing: The swearing in is next Tuesday but for those people who are uncomfortable being inside, there is going to be a swearing in at 4:30 on Monday at Town Hall. You'll hear more about that but if you're not comfortable being in an enclosed space, we'll do that at 4:30. You'll be hearing more.

Dr. Heller:

This is what is so fabulous about Westport. We understand that there may be different perspectives and they're all okay.

Lisa Newman, district 8:

Can we just note that 4:30 on Monday is outside. Jeff Dunkerton has graciously hosting us on the front steps of Town Hall.

Dr. Heller: Yes. And I think that's fabulous.

**The secretary read item #1 of the call - To adopt the Westport Representative Town Meeting Conduct Guidelines and Expectations.**

**Presentation**

Stephen Shackelford, district 8:

Thank you, Dr. Heller, and for your long service to the RTM and to the town in all your many roles. As I say in my introduction, obviously, you bore a central role in this. It was your idea to begin with. So, we are grateful for this as one of your many legacies for the RTM.

Dr. Heller:

I do want to say to you that while, clearly, it was my idea to create a special committee to do this, the impetus for this really came from members of the RTM and constituents. So, it's important to know that usually the things we do emanate from a variety of places. And thank you for doing this Stephen.

Mr. Shackelford:

This Committee was appointed in early 2021 by our always forward-thinking Moderator, Velma Heller. Dr. Heller saw a need for the RTM to step back to examine our own practices, particularly to address concerns that some had raised about our discourse at meetings, and our interactions more generally, becoming more combative and less constructive and courteous. These concerns had been raised by RTM members and members of the public alike. So Dr. Heller charged seven of us to work this year to develop a Code of Conduct, "articulating desired behaviors that embody our values and principles as an organization." We are indebted to Dr. Heller for her leadership here, not just in the initial charge but throughout the process. These Guidelines, should the RTM choose to adopt them—and we strongly recommend you do so—will be a fitting tribute to Dr. Heller's impressive legacy as our longtime Moderator.

The group I have had the pleasure to work with on this has been outstanding: Jessica Bram, Mark Friedman, Peter Gold, Noah Hammond, Kristen Purcell, and Lauren Soloff. We have worked hard throughout this year to balance concerns about the coarsening of public discourse in Westport with very real countervailing concerns about the need to ensure robust debate, and to protect the freedom of speech. The Committee has met seven different times to fulfill our charge. We started out by canvassing Codes of Conduct from across the country, to see how different communities of different sizes handled some of the same issues we were confronting. We spent several meetings putting together language, in real time, and then several more meetings taking comments from committee members, other RTM members, and the public, as we repeatedly refined the proposal. We had one final meeting late September, at which we considered several final comments from RTM members, which led to several final changes to our proposal. What we ultimately ended up with is before you tonight, with our Committee's unanimous recommendation that it be adopted by the RTM. We have styled it as "Guidelines," rather than a "Code," in part to stress that we are not trying, we are *not* trying, to legislate a complicated set of rules, but rather to set a clear broad set of standards that we can all aspire to embody as we do our collective best for the people of Westport. Let me stress our unanimity: the Committee worked very hard to come together on a set of guidelines that every member of

the Committee could support, and we were successful. No doubt there are some elements that are missing that some of us would have liked to have in here, but what we have proposed today is a set of Guidelines that all seven of us believe will strengthen the RTM, in particular by helping us make our meetings more effective and efficient, and as welcoming as possible to our constituents. I also am happy to report that a significant number of RTM members who were not on the Committee participated regularly in our meetings, and for that we are grateful. It was another reminder that our RTM is filled with dedicated and earnest public servants. We also owe our thanks to Assistant Town Attorney Eileen Flug, who attended numerous committee meetings to help us navigate various legal issues as we went along. And we are also grateful to the members of the public who also participated along the way, some at virtually all of our committee meetings, offering valuable suggestions and questions and viewpoints that we gladly took into account as we continued to refine the Guidelines. Now, part of my statement here serves as a Committee Report—the first and final report of this Special Committee. So, in that spirit, let me explain briefly at a high level what the Guidelines contain. We start off with a Statement of Purpose, which is meant to explain the need for the Guidelines, the values we are trying to embody through the Guidelines, and broadly what we are trying to accomplish. This Statement was the product of a great deal of constructive discussion, and reflects numerous viewpoints coming together. Then we have a section addressing RTM members' conduct at RTM meetings, where we addressed several issues. Our main focus here was on civility, professionalism and decorum at our meetings. I'll draw your attention in particular to the section where we address keeping meetings on track. There, we explain that it is the Moderator or Committee Chairs who are responsible for keeping order, and we addressed some specific issues we have encountered at our meetings, such as the misuse of the phrase "point of order" to try to justify interrupting other speakers. As part of this section, we also addressed how to deal with disruptive or inappropriate behavior at meetings. This was the subject of considerable debate, as there were some in the community who suggested we should adopt a more detailed system of sanctions for disruptive or inappropriate behavior. In the end, we acknowledge in the Guidelines that the Moderator or committee chairs have the power to address such problems, and we also specify that individual RTM members can raise concerns about breaches as a "Point of Order" during a meeting. We next address in the Guidelines, RTM members' private communications, focusing on the need to continue respectful behavior in private, and to remember our obligations under Connecticut's Freedom of Information Act, or FOIA. We also have a section addressing RTM members' conduct with town staff, which was an important focus of our committee. As you can see in the Guidelines, we emphasize the importance of treating our town staff as professionals, and avoiding personal attacks on town staff—while acknowledging that an important part of our job is to scrutinize requests we receive from Town departments, which, of course, may involve disagreeing with, and criticizing, the requests. We also addressed RTM members' conduct with the public. Our overarching theme there was, once again, one of respect—of ensuring those considering speaking at our meetings feel welcomed and appreciated, not intimidated or dismissed. Finally, what do we intend for the RTM to do with this document, our Guidelines? We intend to have it available online for the public to see, and to distribute it yearly to RTM members, at the same time as we distribute, for example, FOIA information. The RTM and the public have had the opportunity to see several iterations of the Guidelines, leading up to the version we recommend for adoption today. We have done our best to provide numerous opportunities for RTM members and the public to provide feedback, and to address that feedback as best we can. My fellow Special Committee members and I are happy to answer questions anyone may

have about our proposal. In the end, with thanks to everyone who was involved with the long process, we unanimously recommend that the RTM adopt the proposed Guidelines.

Dr. Heller:

Since this was both a committee report and presentation with recommendations, I would like to go next to any members of the electorate who are present for any comments.

**Members of the Westport electorate – no comments**

Mr. Wieser read the resolution and it was seconded.

**RESOLVED:** That upon the request of the RTM Code of Conduct Special Committee, the Westport Representative Town Meeting Conduct Guidelines and Expectations is hereby adopted. (Full text is as follows).

Dr. Heller: The resolution has been stated and seconded.

**Members of the RTM**

Christine Meiers Schatz, district 2:

First, I want to say thank you very much to Velma and thank you to Stephen and all the committee members for putting this together. It's well written and well thought out. I do have to say, however, that I am not going to be voting in favor of adopting this this evening. I think that legislating is a very serious business even though this is being posed as guidelines and while I agree with the content of what's in there, I don't think that this is something that we should be adopting. I think that this is something that belongs in a handbook that people can look at. A lot of this is common sense to some extent. Stephen, I have a question for you. Are there any other bodies like ours that have adopted something like this? Do you know?

Mr. Shackelford: Bodies in the town?

Ms. Meiers Schatz:

I know there are none other in the town. We would be the first in the town.

Mr. Shackelford: I think with a Code of Conduct like this, yes.

Ms. Meiers Schatz:

What about other RTM's and legislative bodies in other towns? Is there another legislative body similar to ours that has had the entire legislative body adopt a Code of Conduct? Rather than just putting something like this in a handbook.

Mr. Shackelford:

That's an interesting question. We reviewed a number of Codes of Conduct that included parts of this, a lot more than we have in here from town legislative bodies across the country. I don't know that we reviewed any from an actual Representative Town Meeting which is rather anomalous to the northeast but small towns with Town Councils had conduct guidelines. What I did not look into was whether they adopted it legislatively or some other methodology.

Ms. Meiers Schatz:

That for me is what I think is the sticking point here. We have a town like Greenwich which has like 360 people in their legislative body and, as far as I know, they haven't adopted a Code of Conduct. I'm fine with this being used as some sort of handbook to the extent that we're not officially adopting it in our legislative capacities. When I first joined the RTM, for example, I got a folder of materials that had some guidelines in it. Like I said, I really think that legislating is serious business and some of this is common sense. To some extent, I think that it's kind of embarrassing that we've gotten to the level that we have to even put some of this in writing. It should go without saying and, while I hope that we follow these guidelines as a body, and I think you did a great job, Stephen, in your committee, I'm not going to be voting in favor of adopting this as an official RTM measure.

Jay Keenan, district 2:

Velma, thank you very much. It's been a pleasure for 16 years. I kind of agree with Christine. I don't think this is a necessary thing for us to be doing. No other body in town, elected or appointed, has anything like this. As innocuous as it may appear, it talks about our private conversations. It talks about our facial expressions. I roll my eyes all the time at what people say during these meetings. And our tone of voice, I just think it goes too far. We shouldn't be regulating people's behavior. I think it's a slippery slope, as innocuous as it seems. Regulating behavior, I don't think that's a direction we should be going as a legislative body. I've been on the RTM for 16 years now and we've never had anything like this. There is a sentence in our Rules of Procedure that says we have to conduct ourselves in a manner beyond reproach. I think that's enough. We went from that line to four pages of guidelines. I think we've gone too far. I won't be supporting it.

Wendy Batteau, district 8:

First, thank you dear Velma, for everything. It wasn't 16 years for me. It's 14 and counting. So, I thank you. And, while I'm at it, I thank the other members of the RTM for the last couple of years and particularly the ones who are leaving. I think everybody deserves congratulations and thanks. On to this, I actually agree with Christine and Jay. I do appreciate the impulse and I very much appreciate the work that went into this but I think it goes into too much detail and specificity. We're elected officials and to be told to control our facial expressions and tone of voice, I think, diminishes the legislative body to a certain extent. At first, I thought we could take perhaps a paragraph of this or so. The concept of respect is just terrific and then talking about some of the goals that are articulated here and then taking those and putting them with our Code of Ethics and creating a one page different kind of document that would be RTM Behavior Standards or something. Then I was hearing something about the breach of decorum in communications in Congress and I thought maybe we need a little more than that. We're not Congress and, with any luck at all, we behave considerably better. But then I thought, at the very most, we could take page 2 and just use that describing what our goal is, the overriding ethic that we want to adhere to but on the whole, we have to treat people who have been elected by their peers as products. As it is now, I'm not going to vote for this. I'll listen to what people have to say and perhaps some amendments.

Ms. Hamlin:

When Christine mentioned that writing laws was an important thing and has to be done very carefully, it caused me to think about when judges, sometimes when they make holdings in cases, they have to consider not just the facts presently before them but they almost have to think like a chess game... 'What if these facts?' 'What if these facts? What could it mean? What could be the import?' I recognize that these are only guidelines. I'm particularly concerned about one particular section that could chill people in the exercise of their civil rights, of their First Amendment rights and in terms of doing the job that they should do for their constituency. Clearly, as I've elected to retire, this is not going to affect me as an RTM member but, as a constituent, since I plan to be in this town for decades to come, it would affect me. So, I'm very concerned about the language in the section that says that if you have concerns about a town employees conduct, you must limit your expression of those concerns to an RTM meeting or to that department or to the First Selectman. The reason I'm concerned about that is I'm thinking about different facts. So, for instance, what is somebody, one member of this body told me she got a ticket for talking on her cell phone. If she thought the behavior of the police officer was improper, would she be limited in court in contesting that ticket and talking about how she was treated by the police officer? I know that another RTM member is considering bringing a complaint before the Police Review Panel and if he's reading this language and he's told he's only allowed to talk to the First Selectman or to bring his complaints to the department itself, is he somehow forced to forsake his rights to come before the Panel? If somebody wanted to bring a civil rights violation to court, would they feel chilled doing that? If somebody wanted to provide testimony before the State Legislature that police sometimes don't turn on their body cameras and gave some examples from Westport, would they be allowed to give that testimony at State Legislature? And then I thought about an incident about a year ago where our State Senator Will Haskell was running and there were a number of attacks that were made against him and, in fact, one department in the town endorsed an opponent of his and criticized Will Haskell and the Democrats in the town who wanted to defend him, would they not be able to express that the criticisms were incorrect so would their First Amendment rights be inhibited? I also can think of times when people did raise concerns to the First Selectman and they felt, at first, that their concerns were not given great weight. I also remember when I first started, there was a gal here named Clarissa Moore and we talked about a Westport Parks and Rec. issue regarding not properly going through our procurement policy and it was briefed at great detail before the First Selectman and nothing happened and then it ended up being in *Westportnow*. There was commentary by her and myself there and ultimately enough pressure was put on that they held a proper procurement procedure and the town saved \$175,000 and I remember coming in and saying we saved \$175,000 for the town by having the guts to go past the First Selectman and bring this to the press. There have been other things like that with respect to hiring police. There have been concerns about responses in things like hurricanes. I agree with everybody that Jim has done a fine job but nobody is perfect and sometimes you may cue up a problem for the First Selectman but his employee might not help you and then you really have to go to the press. I can think of a time where one of my fourth district constituents was very concerned about the biology gathering by the drones that the police were thinking about doing and it ended up being in the press. One of the reasons that that program of taking people's biodata was shut down was because it received so much press. Would I feel hamstrung in representing my constituents in taking it to the next level if I'm only allowed, pursuant to that particular section, to limit my expression of discontent to the



department itself and the First Selectman? I would not support this unless there would be an amendment, it would be enough to say that

RTM members are expected to treat town employees with respect and courtesy at all times.

That's all you need because you are creating so many problems. Even though it's just a guideline, you don't want to chill people. Me as a lawyer, I would say it's just a guideline but there are a lot of people on the RTM who are not lawyers and they might say 'Oh, I'm afraid to do this because our Guidelines say such and so. Can I actually defend myself in court when I get this traffic ticket or go before the Police Review Panel? Do I have fewer civil rights than other people? Am I not allowed to protect my civil rights before the panel?' It's very difficult for us to pass something like that. If you think of the Federal Legislature, for instance, Bill Barr was somebody that a lot of Democrats complained about. Dick Blumenthal complained about him. He co-signed with me and about 1200 other former AUSA's in DOJ members a complaint about Bill Barr. He's not inhibited from doing that. Jim Himes was on MSNBC all the time talking about the improper conduct of Bill Barr. Why should he be limited to telling Donald Trump, 'I don't like what Bill Barr is doing.' Or only going to the Department Head, the Department of Justice and tell Bill Barr, 'I'm not allowed to go and talk to the press about this and I'm not allowed to speak about this to my constituents but I want you to know that I'm concerned about your behavior.' Where do you think that would have gone? It's really just overreach and I don't think people thought out all the potential fact scenarios where it would be improper. We should make a motion to amend. That's the most dangerous provision. It makes you all less valuable as RTM members if you can't advocate when necessary, publically, on behalf of your constituents. It's enough to say:

You should treat town employees with respect and courtesy at all times.

And the rest of that section should come out. And I will just say without that change, I will not support it. If we can move to amend and amend that, I will change my mind.

Mr. Shackelford:

The provision, Kris, is one that we did edit. We amended it based on some comments you emailed to me so we did try to take into account your concerns. I have no problem if you want to make a motion to amend it further. The intent there was to talk about what happens in public meetings and how people should stay on agenda and not use public meetings as a forum to separately attack or criticize employees but the way I read it, it doesn't say anything about signing a letter with Dick Blumenthal or going on MSNBC or whatever else but I am open to any amendments because I understand the concern and I would certainly like your support. Let me skip forward a bit. Those of us who were on the committee and those of us who attended numerous committee meetings heard from a number of town electors for whom this was very important. It wasn't that they were treating the RTM as children or we should treat ourselves as children but it was not enough to just say generally that we need to show respect. Even over the course of the year as we went through the process of trying to come up with some guidelines that we could all agree on, and I think most of the people tonight who have spoken against this agree on, I attended numerous meetings where a number of things we put in here were violated over and over again and meetings went sideways and downhill. I think town citizens would be disappointed if we come away from this and our answer is we just need to state that we respect everyone and we respect our fellow citizens and that's enough. I don't see this as patronizing of us. I don't see this as treating ourselves childishly. This is similar to

what a number of other towns across the country have done. We went through this process with a great deal of input to try to address the biggest pain points of what has been plaguing the RTM over the past many years and I think we did a good job of identifying those pain points. To be crystal clear, these are not rules. You cannot be kicked off the RTM. There are no sanctions. There was a real push including from town citizens to put real sanctions in here with teeth and we resisted that. We didn't add any new laws to the town, any new rules or regulations to the town. Kristan is right. These are guidelines and conscientious members will look at these guidelines and will want to try to honor them. So, we should not include things in here that will unnecessarily or wrongly chill our speech. But generally, respectfully, I do not agree that we are doing too much here when this is the result of consulting over numerous town citizens and other RTM members about the pain points the RTM has faced both the last two years that I have been on the RTM and for years before that. So, I do ask support from as many of you as we can get to enact this. What it will mean in the end is it is a statement, just like the source of resolutions in my view that we enacted in the past. This is not an ordinance. It does not have a legislative meaning but I think it is wholly appropriate for us, as a body, to say this is something we agree with. These are standards we think we should aspire to. Are they perfect? Will they cover every situation perfectly? No. Someone might do something that someone else thinks violates one of these standards in some way and the person who did it might disagree or they might think they had a good reason to violate the standard in that exact instance. What will be the repercussions? Someone might complain to the Moderator or a committee chair or raise a point of order. Anybody can do that now. Anybody can complain about our behavior to the committee chair, to the Moderator, raise a point of order now. We are trying to channel that into a set of guidelines that we can stand behind as a group and that we can show the town that we stand behind. For my part, the part I think is most important is the part about how we treat people who come in front of us because that is what I've seen that has upset me the most. I would like us to take a stand about how important it is for us to hear from people in our community and for us to welcome those people, even if we disagree with them. I've been called out before for rolling my eyes or looking unhappy if I disagree with someone and, you know what, the person who called me out for that was right. I should have taken care to have more respect for whoever was speaking, whether fellow RTM members or members of the public or whoever it is. So, we're not legislating that you can't roll your eyes or can't look disgusted at somebody's comment but we're saying that, as a group, we should aspire to better. So, I ask for all of your support for this. I'm glad Velma has had us do this. I'm not asking your support because we spent a lot of time on this, I'm asking for your support because where we landed is an important statement for us to make as a body.

Rick Jaffe, district 1:

Velma, best of luck in your new not-RTM life. I ran for the RTM four years ago after I read a pamphlet by Yale professor Tim Snyder called "Volunteering". By the way, it's now a graphic novel and it's going the nerdy intellectual version of viral. In that pamphlet, he says, in effect, that if you're concerned that our way of life is under attack and the very foundations of our democracy are at risk, here are 20 things you can do about it and one of those things, I continue to paraphrase, is to pick out an institution and defend it. That's why I ran for the RTM to defend Westport. It turns out, Westport doesn't need much defending. Westport is doing very well on its own; however, in committee meetings and, to a lesser extent, in committee meetings, I have witnessed a shocking lack of decorum and a lack of what I would say is polite

behavior. So, the RTM itself does need some defending. This proposed Code of Conduct is not cast in stone. We can come back and revisit it in the future and I had to stop a committee meeting twice to complain about bad behavior. I'm very unaccustomed to that and very surprised that I had to do it. So, I support this Code of Conduct and I encourage the RTM to come back and look at it in the future as necessary.

Candace Banks, district 6:

I think we, as an institution, we need this. I am going to support it. I do think over the last year, I come to this as a relatively new member of this body and I do worry that our reputation is on the line here. I didn't have a fabulous perception of the RTM before I joined. That is one of the reasons I ran. I do think, in my two years here, there have been email chains that have been cringe-worthy. I have had constituents complain about it and I also think, when we're worried about chilling people's speech, we are here to serve the constituents of Westport and I wonder how many people, all those emails get forwarded around, how many people read those emails or watched the recordings of some of the committees that have been mentioned that have been particularly contentious and controversial and wouldn't even dream of contacting us or reaching out to us to help. I think that's where the real chilling effect comes. I think we need this. I think Stephen and his committee struck the right tone talking about respect and I appreciate the effort. I'm going to vote for it. I think we all should. We need this reminder.

Dick Lowenstein, district 5:

I attended as a guest RTM member several of the meetings and I had comments and some were adopted and some were not and I heard very rational discussions. But earlier in this discussion tonight, the point was made that we might have a guideline, a handbook, so to speak. Consider this, for example, if we decided to have a handbook, somebody has to write it. If somebody writes the handbook, somebody has to look at it and say this is what we want to say. The way you agree on what you want to say is by having a vote and all we are doing tonight is having a vote on something that might go into a handbook. There are no penalties involved if you violate anything but what we are trying to do is recognize the work product of a dedicated number of RTM members on the committee to produce a document that might be used as a guideline in the future and the way we adopt it is by vote because we are 36 people. We are not just two or three people sitting around a table deciding what should go into it. So, I think the vote has less significance than you think but it has to be adopted. It can't just be put into a handbook. So, for that reason, I will support it and I urge everybody else to support it as well.

Ellen Lautenberg, district 7:

Candace Banks already referred to what I was going to say but when people talk about a chilling effect, I would argue that there is plenty of evidence that people from the public who have either come before the RTM or email have been exposed to a chilling effect because they felt a bit bullied by some of the behaviors of some RTM members. I do think that there's no consequence to one behaving in a way that is not supported by this. On the other hand, I don't see the problem with implementing something like this as a guideline as something we should all aspire to. I don't think it chills our speech as RTM representatives. I should hope not. I will support it. Perhaps it could be whittled down a little bit but I think each of us can find bits and pieces of it that apply to ourselves and use those as our individual guidelines.

Arline Gertzoff, district 3:

I'm going to support it because in a way, I'm sorry to say it but I've been the victim of bad behavior and being in my first term, I was shocked. I really feel these guidelines are guidelines and they should be treated as guidelines. I'm sorry but people don't always read handbooks. If they did, it would be great but, as I said, I'm supporting it because I was a victim of it and I really would like to see more people, perhaps, think about their behavior. As other people have said, I think it could be shorter but I do think it's necessary.

Jack Klinge, district 7:

I respect all that Stephen and his committee worked on and the result. I spent some time last week reading George Washington's *Rules of Civility*. I recommend it, by the way, although it is about 30 pages. It is something he wrote back in 1780 all about a couple of words: *common sense* and mainly *respect*, respect for yourself and your values and respect for the other person's values and their opinions. So, I don't think I need a formal document telling me how to be civil and show respect but it's not the worst thing to have something to once in a while hold up and look at, like a mirror. So, I'm not opposed to this but I think we all have an obligation to develop our own *Rules of Civility* and develop what you feel is appropriate for you, what you are comfortable with. Check our first President's suggestions. They are pretty good. Think about respect, the golden rule and common sense.

Ms. Meiers Schatz:

I just wanted to follow up on my comments from before. At the end of the day, I don't think we should be adopting things that are symbolic and don't have any bite or do anything. I think what we have is a democratic problem, our elected representatives not behaving, perhaps, the way they should. The real solution is a democratic one. People can not vote for people who are misbehaving so they will not be in office. That is the real solution here and we can just put this in a handbook. How did what's in our handbook get there in the first place? I don't think we need to adopt this formally. I don't think it accomplishes anything. No other body in our town has this. I haven't heard any evidence of any other town body adopting something like this. I agree with 100 percent of the content. I just don't think that this is the way that we should be doing business. Legislating is serious business and it should accomplish something that's more than just symbolic.

Marc Friedman, district 3:

Thank you Velma for your leadership. It has been an honor and a privilege to work with you these years. I feel that this is an important document and a powerful document. The process was an important and powerful one too. As I look at the document, I think about how we are defining ourselves and we are saying both who we are and who we want to be. Those are incredibly powerful things to think about as we contemplate our north star. Here's our north star and there's power in that and to have it on paper is meaningful to me personally and I think it's meaningful to the community too. I think it's meaningful to people who are coming before the RTM. There's nothing in here that gets in the way of any State or Federal law or anything like that. They were very explicit about that. There's nothing in terms of consequences that people alluded to that is beyond what we already have. Really what we're

doing here is articulating our values. I think there's great power in reminding ourselves who we want to be. I am going to support this and I hope that we all do.

Ms. Karpf:

I would love to hear Stephen's response, as the petitioner, to where I'm stuck. With Christine's comment, why not a handbook? Obviously, there are no teeth here and that is something that bothers me in general. I personally am not a fan of sense of the meeting-type resolutions. But I understand why here it is a little different and I do think there is an argument bordering on that limitation of free speech. I think it goes, stops in the right place. I think it has the right tone. I'm fairly comfortable with it but because I hear the argument of no teeth and slippery slope, I would love to hear why not a handbook? What caused you to stop here and do it this way?

Mr. Shackelford:

It was a good question. It was a good point Christine made. I actually think Dick put it best earlier tonight. This absolutely can go into a guidebook, into our handbook. It's the sort of thing you might expect to see in our handbook. We've talked about handing it out as part of the orientation materials for new members at the beginning of each term. That's without a committee, without bringing it in front of the RTM. Velma could have done it ad hoc having someone help her write something up but I imagine all of us would have wanted to have some input into what we say are the values we want to espouse and the way we want to conduct ourselves at our meetings which is why, I think, Velma had us do this as a committee inviting participation by both the public and RTM members. So, I think, functionally, it will serve as something similar to what we already have in our handbook and other materials. I do think it's important that we adopt it. It's not an ordinance. I'm not a petitioner as Chair of the Special Committee. It's not going to have the force of law. But, if we adopt it, it is going to have the force of the majority of the RTM saying yes, we endorse this as how we conduct our meetings and conduct ourselves with the public and I think it gives it greater force when we put it into our orientation materials and possibly into our handbook. It's also just hard, Lauren, to imagine having done it a different way; having had Velma come up with this on her own or the new Moderator in the next term come up with it and put it into the handbook without us even being consulted on it. I don't want to see it fall by the wayside because it's a strange animal. If people disagree with the substance in it, I totally get it. We should deal with it and we should deal with any amendments. There's not really a provision of how we handle this sort of thing in the ordinance provisions or how we normally handle things that come before us. It's not really a sense of the meeting resolution either. We are not talking about an issue of town importance. We are trying, as a body, to decide what we want to aspire to and how we conduct ourselves. That's why I think, as unusual as it does seem, because this is not something that comes before the RTM every two years or even every decade, maybe, it is an important thing for us to have debated, heatedly, in committee, to debate here and to adopt or choose not to adopt as a group. I think it will serve like something in our handbook but I think it is important to adopt it as a group because it directly affects us as a group. It's us taking a stand as a group as to how we should behave...if that answers the question.

Ms. Karpf:

That was very helpful. I'd like something with teeth but I like what you said. That was very helpful.

Mr. Shackelford: Thank you for the question.

Peter Gold, district 5:

I think I almost entirely agree with what Stephen said. I do think that this is somewhat akin to a sense of the meeting resolution. It's a sense of the meeting of how we think we should behave. It's a sense of the RTM that these are the types of behaviors that we aspire to. I don't really care if you call it *guidelines* or you call it *aspirations*. Correct me if I'm wrong but I don't think we actually have a handbook. We have the *RTM Rules of Procedure* which have been adopted but we don't have a handbook. Could we create a handbook? I guess we could. Again, we take the *RTM Rules of Procedure* which we have and we take the FOIA pamphlet which we get every two years and we take this, if we adopt it, as a sense of the meeting resolution or whatever you want to call it and we put it in the folder that we get and it serves to give people a reminder. Yes, a lot of it is common sense. A lot of it is the golden rule. A lot of it is what our mothers taught us but sometimes we forget those things and every once in a while, it's good, as Mark said, to have a place to go to to look at and read it again and refresh your memory and think about what we're doing and how we want to do it. I think it's well worth adopting.

Nicole Klein, district 5:

Hi Velma. Love you! I just want to say I will absolutely be supporting the adoption of this. It's time that we let our body know how to act and be appropriate and responsible and polite and all the rest of it. As much as a guideline book will do, I think that this is really important at this time so I will absolutely be supporting it.

Louis Mall, district 2:

Thank you Madam Moderator. And I do want to take this moment to say how much I enjoy always enjoy beginning with "Thank you Madam Moderator". You have always been so special to me and I will miss you. Ten of my years is only half of what you've given to the RTM but you've instilled the true meaning of what the body represents, non-partisan and getting things done and you've done it with such grace and charm and wit and kindness. I can't think of enough adjectives to describe it. Thank you Madam Moderator. With that, I just want to say that I am supporting this as a going away legacy of the Moderator. I think she wants to remind us how to behave when she's not around. I do kind of like the amendment that was suggested, not going too far on what might be considered criticism of town employees because we might be trying to express something that we see as wrong and it might be taken the wrong way with somebody saying, 'You can't do that.' As long as we keep the two points of common sense and respect. That's what we should be doing. I can live with that. Harris Falk said in one of the meetings, 'What happens if the public is being rude to us and abusive to us?' That's a good question. We're not here to be bludgeoned and made mockery of or anything like that so I think respecting is a two-way street. So, I would like the adoption of the amendment to stop with we treat them with respect even if we have a difference...and so forth. As we progress, I intend to support this but I just want to say thank you.

Matthew Mandell, district 1:

We only get 10 minutes to speak and, if I start talking about Velma, I'll never get to the subject. But I'll take 10 seconds: Velma, I and everybody here love you and you have done a phenomenal job and wish you the best in anything you want to do because you can do anything. I'm waiting to see what the next adventure is and hopefully I can participate in it. When you have availability for lunch in January, I'm there. So, let's talk about this concept, guide, rule. I'm not sure really what it is. The Rules Committee didn't meet on this. It's not a rule. It's a thought pattern. It's where we want to be. Like Jay and Kristan, I have a problem with me telling me how I'm supposed to act when I already know how to act. But there are some people who may not know how to act and maybe this would be helpful. That's where my quandary is with this document. So, I have a question to ask and I take it that Mr. Shackelford will answer it. How will it be enforced or is it not to be enforced? We're deciding the future here. We have X number of new RTM members who are about to come online. Are they going to be handed this? Is the first time they get it when we have our meeting teaching people about committees and how the RTM works?

Mr. Shackelford:

It's not written in the resolution so the RTM could do many different things. Our intention was to have the guidelines posted to the town website in the RTM section and to certainly include them in the materials handed out at the orientation at the beginning of the two year RTM term and possibly hand it out annually if we are handing out other things annually like FOIA information. That was the intent, to make sure it goes to all members at the beginning of the term and make sure it was posted to the town website so members of the public can see what we aspire to. In terms of enforcement, it does not have any specific teeth and that was deliberate. Some people won't like that and I get it. There was a vocal contingent that wanted more in this. Some people asked us to design an entire process for censure and other things like that. What we ultimately decided to do was to remind folks that under *Roberts Rules*, the Moderator and the committee chairs have the power to keep order and that can include dealing with issues like this that are expressly noted in the guidelines and it can include things that come up that aren't expressed in the guidelines. The only other mechanism we put in here to address enforcement is the idea that someone could raise a point of order if they feel someone is consistently violating some norm that is listed in the guidelines. By the way, we can all raise points of order if we think someone is behaving improperly or disrespectfully whether it is listed in the guidelines or not or whether we adopt the guidelines or not but we specifically put in here that one way to approach it would be to raise a point of order if, for instance, a fellow member continues to misuse the point of order mechanism to interrupt people. Someone might use the point of order to say 'Point of order, Madam Moderator or Mr. Committee Chair, this is a misuse of point of order. Can you please correct it.' 'Point of order, I think so and so continues to show disrespect to the public speakers.' Matt, it can happen whether or not we have this mechanism in place. That's all within *Robert's Rules*. Those are the only things we put in here as ways to enforce it. *Roberts Rules* allow the Moderator and committee chairs to enforce breaches of decorum, breaches of rules, etc. in all manners of ways. We are not editing that. People can be excluded from meetings if they are disruptive. I'm not sure if you want to hear all the possibilities. We are not changing that.

Mr. Mandell:

I have to say, six or eight years ago, I can't remember, I crossed the line and I know I did because an RTM member took a cheap shot at me from a comment and I retaliated. That would probably have violated the guidelines here. They violated it first and I shot back and it was over pretty quickly. But I think it would be one of those moments where someone would say 'Here are the guidelines.' It's not part of our Rules and Procedures and I wouldn't want it to be. It's not a rule. So, that give me some solace to move it forward. I'd actually like to hear from Harris and Seth while I ponder this more but my goal...the other issue is how are we going to deal with, two RTM members brought it up, that criticism of town employees is on the table. While I don't necessarily have the wording to change it on the floor, our job is checks and balances so if there is an issue in town that something is going on, the Department of Public Works, the Department of Conservation that needs to be discussed, I don't think this document should be thrown back in our faces, 'Oh, you're not supposed to do that.' Well, there's something we see is an issue. Or if we see something in another commission, another elected body, that we want to talk about. That is fair game because that is our job to oversee so I think that needs to be resolved. Lou had it. If Lou would come up with some concept, maybe we can figure it out. Stephen if you can on the fly remove a piece because you were already talking about it, that might be helpful. I really don't want to be bound by stopping our checks and balances.

Mr. Shackelford:

Just to answer your last point, if nobody in the line in front of me proposes an amendment, I'll be happy to propose one but I think that will likely happen to take care of that issue. To answer your earlier question, our intent here was really to expound upon we should really behave above reproach. That's a very extremely high level guideline. We were trying, with input from a number of different places to put more meat on the bones of that particular general aspiration without creating a whole system of censures and sanctions and so forth.

Mr. Mandell: All right. Let's see what comes of this amendment.

Harris Falk, district 2:

Thank you Madam Moderator but before we hear from Harris, our Deputy Moderator might have had his hand up long before me.

Dr. Heller: I'm not seeing him. That's terrible.

Mr. Wieser:

That's okay. Go ahead Harris. I'm anxious to hear what you have to say as well.

Dr. Heller: I know why. It's in the light in your background.

Mr. Wieser: I thought you were just ignoring me.

Dr. Heller: Not this time.

Harris Falk, district 2:



Thank you Velma. This whole document is a lot of common sense and it's unfortunate that we need to have it out there. Perhaps it is the respect that we have for the body that we let little things slide and it just keeps sliding. This gives us something tangible and concrete to look at. I've been at all the committee meetings that led up to this and at one of them, I brought up that I'm not sure what it is either. It's not a sense of the meeting. It's not an ordinance either. It doesn't give us any teeth but, as Stephen said, we have teeth in other methods if there is anything that needs to be gummed on or chewed up. I'm still torn about it but I believe I'm going to go with it tonight. It is all about respect. I'm not sure I said anything about the public being mean to us or mocking us because have you seen the way I dress? I'm all good with the mocking. Thank you.

Mr. Wieser:

Just bits and pieces. This is my seventh term and every term there has been at least one meeting where I wished I could have said 'This behavior isn't in the code of conduct.' This exercise, and I don't know if it's in a handbook or whatever it is, it's not binding. It's not enforceable. It's not stifling in any way that any speech should be discouraged. It is something we should aspire to. I don't know if everyone noticed that there was a member from each district on the special committee that Velma appointed. She really tried to make this a broadly based committee and going to some of the meetings, I didn't go to all of them, I was very impressed with the thoughtful approach, with the collaborative approach, with the well-meaning approach that the committee took to this as a way of making communication within the RTM better. I think that anything that makes the communication within the RTM better is a very good thing. It is a very, very positive force for this town and I think it can get waylaid so if we can't enforce something, and I don't know if we can or should, we can at least have a guideline here that gives us a sense of how we should behave and we can all read it and say 'Gee at the committee meeting I could have behaved differently.' But also, it is an opportunity for all of us to point out to someone who is not communicating in a manner that we think they should, as a way of saying 'Take a read of this. This is just over the top.' So, I'm very much in favor of this. I don't see any reason that we as a body should not put forth a sense of the meeting. We did a sense of the meeting against the Viet Nam War and we're still talking about it 40 years later. We do senses of the meeting and they're not enforceable. We didn't end the Viet Nam War but it was a very good thing for us to do. It was a very good thing to talk about and I think this is, as well.

Seth Braunstein, district 6:

I would like to start by saying thank you to Dr. Heller for her leadership, her style, her effectiveness and I feel, personally, it's been...Velma's contribution to this town has been impossible to understate. She has been a remarkable public servant. So, thank you. I don't have a lot to add to what's been said. I think the only, I think Jeff's point right now was a good point but I would just say, unfortunately, and I probably speak for all of us here, we've all seen instances through our service where there have been unfortunate moments where people haven't necessarily shown their best character or their best qualities. I don't see how this statement is necessarily going to stop that from happening in the future. But with that said, the process that led to the formation of this statement has a lot of value. Whether or not it is formally adopted, its existence is something that will hopefully be helpful in terms of attempting to chart what is acceptable behavior. I am feeling somewhat uncomfortable with the desire or

the feeling that it needs to be somehow formally adopted if, in fact, there is nothing in here, as Stephen clarified for us, to effectively curtail any behavior because I think we all understand that respect is at the very core of what we're doing; respect for each other; respect for the body; respect for the town; respect for the electorate. Until and unless there is a way we can actually point to an individual who is digressing from that respectful approach in a way that has teeth and the ability to censure them, I'm not sure what the formal adoption of this actually accomplishes. The document, itself, accomplishes a lot and I think the process that went into it was an excellent process. But, I'm not 100 percent certain that formally adopting it is what we need to be doing to try to police the behavior when, by definition, there is nothing in here to police the behavior. So, I'm somewhat torn on exactly how I'm going to vote on this.

Karen Kramer, district 5:

Velma, obviously, you're not getting rid of me. You've been an inspiration so that goes without saying. I've been listening to everybody else and they're all good points. I think it is good for us to have something like this and aspiring, I like that word. We need to aspire to be better. All of us do. I like the idea of it. I'm waiting to see how it finally shakes out before my vote but the idea, I do like. Thank you again. Velma, we love you.

Ms. Batteau:

Three general things to say: Number one, there is absolutely nothing wrong with the intention behind the creation of this and there is nothing wrong with the procedure that led to this. I think that they were admirable, well done and a lot of good intention went into all of it. Number two, as Matt said, as people have said, there is going to be a moment where somebody really blows their stack and that's just the way it is. They are going to do something that they are really going to regret and with any luck they'll say 'OMG, I beg your pardon. What a dope I am' or something to that effect. This isn't going to change that. I think we all have to make allowances that we are all people. [Showing book] *Robert's Rules of Order*, I assume we are still all given it as we get elected. The RTM is bound to follow *Robert's Rules of Order*. We've talked about how, in the past, people have drifted from occasionally being civil. We have drifted away from using *Robert's Rules of Order*. There have been meetings, during which, I have felt we have drifted away from any rules. *Robert's Rules of Order* starts from the premise that we are all supposed to be people of honor, integrity, good will and expected to do our best. It then describes in excruciating details, is it 800 pages or something, detail about how every single situation should be handled, not just point of order but everything you're supposed to say in every situation and how it should be handled and who gets to speak when and who doesn't get to speak when and what happens when somebody speaks inappropriately. In addition to getting this way back in the 1800's or whenever I was first elected, we also got an abstract of this which I guess was sort of like guidelines which told us what were the most important things for our procedures and what we should know, what we should memorize and be sure to use. I don't know if people are still given that but maybe the thing to do is for us to go back and once again get out the most important points, the ones we used to get. I think Eileen will remember that. And make sure that everybody gets this but not just that everybody gets it but everybody reads it so that we can follow proper procedure. Over time, we've become a much more collegial group so some of our rules have dropped by the wayside in the name of collegiality and I don't think there's anything wrong with that. But, to say that we need additional guidelines when we have 800 pages of rules makes me wonder a little bit about

whether anybody has lost track of this. I don't think the document that has been created is bad. It is aspirational but it does become specific in certain cases. So, if you don't become specific in others and too specific in some, editorially, you begin to emphasize some things just by virtue of what you've left out. So, once again, I still don't know how I'm going to vote because I really do feel in some way it treats people like little children. That's an exaggeration, by the way but we do need to pay attention to the fact that we have *Robert's Rules of Order* and they say we must behave with integrity, honor and respect. It says what happens if we don't. It says how to do that so, please everybody, get familiar with that as well.

Ms. Hamlin:

Madam Moderator, I am going to pass on my opportunity to speak to Stephen Shackelford who is going to make a motion.

Mr. Shackelford: I am happy to wait until Jay finishes, though.

Mr. Keenan:

Full disclosure, I've rolled my eyes a couple of times. I've kept the video off though. I think it's just a natural reaction. While I would like to give Velma a going away present, Lou was very nice, unfortunately, I think I'm not going to. I think legislating behavior and values is going a little too far from what we are as a body. Just from the conversations I've heard, I think it is going to go that way and if does go that way, I would like to see some of the things about where I think it goes too far into private conversation, social media, facial expressions. I think that goes too far from where we are as a body. I don't know how to massage that or take some of that stuff out but I'd like to see it come out if this is going to go forward.

Dr. Heller:

Thank you, Mr. Keenan. Everyone appreciates your looking at those things that might be changed.

Mr. Gold:

Velma, let me say as everyone else has, it has been a pleasure working with you but let me say I'll also miss the other members who are leaving: Kristan Hamlin, Rick Jaffe, Carla Rea, Ross Burkhardt, Lauren Soloff and Nicole Klein. Working with all of you has been a pleasure and a privilege. If we adopt this and put it in the packet or if we don't adopt this and put it in the packet and give it out with a handbook on *Robert's Rules of Order*, a FOIA packet, five or 10 years from now, nobody is going to remember if we adopted it or not. It's still going to be there and it's still going to be read. But I think that adopting it says this is our values. I have no problem adopting something that says "This is our values; this is what we should aspire to be." I also think that the only teeth this has, if it has any teeth at all, is the fact that we did adopt it. We did say, "This is our values. This is what we want to be." Saying that this is what we want and expect, that's what gives it value, gives it force, gives it validity. I think it's important that we adopt it. It's not an ordinance. It's not a regulation. It's not a rule. It's a statement of values. If you want to call it a mission statement, if you want to call it a statement of value, companies adopt mission statements and statements of values all the time. There's no problem with legislating because we're not legislating. We're just saying this is who we are and this is important to us and future people, when you come onto the RTM, we hope this is important to

you. Again, whether we adopt it or not, we should probably put it in the packet. They're probably going to read it anyway.

Mr. Shackelford:

Before I make my motion, I just want to say I sincerely hope we do adopt it. I do think it's important to make a statement for the reasons that Peter and others have mentioned. I do think it makes a difference so I hope we adopt it; although I do understand the countervailing points of view. I just come down pretty heavily on the side of adopting it.

A motion to amend the proposed Conduct Guidelines and Expectations, delete the sentence, "Treat all staff with respect"

RTM members should treat all Town staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. RTM members must remember that Town employees work for the Town, not for the RTM. ~~Any concerns about a Town employee's performance, other than in connection with an agenda item under discussion by the RTM, may be raised either to the employee or to the employee's department head or the First Selectman, but should not be aired in a public meeting.~~

Part of the job of RTM members is to scrutinize requests we receive from Town departments, and RTM members are always free to disagree with, and criticize, such requests. Yet as a matter of respect, RTM members should take care that disagreement with proposals does not devolve into personal attacks on Town employees.

I am hoping that will take into account the concerns of Ms. Hamlin and others. I totally understand where they are coming from. I did hear Mr. Keenan's concerns about some other parts of it. I support the other parts of it. Obviously, if other folks have proposals or amendments, we could debate them. But, I do support this amendment and I hope we could have a strong majority in favor of the guidelines with that amendment.

Seconded by Mr. Liccione.

**Members of the Westport electorate** – no comments

**Members of the RTM**

Ms. Hamlin:

I agree with Mr. Shackelford's amendment. With that change, I will support this. I think it would be very problematic for us to pass this without this deletion. I actually understand Christine Meiers Schatz' view that this should be called a handbook instead of a code of conduct because the idea of a code of conduct would imply to people that they can't do the sorts of things that are mentioned here. That's why I really think it could chill people in the assertion of their civil rights if a town employee violates their civil rights, such as a police officer. Our First Selectman is a town employee. If we say we have to address our concerns only to him or his department, then what happens in the season of election when the members of the RTC or the DTC, many of whom are on the RTM, want to talk about how the First Selectman has been deficient in doing X, Y, Z. Have they violated the code of conduct? Well, technically, yes, they have. Will that

possibly chill them? It may chill some people. I'm very concerned about people if they get a ticket and they are in court if they can't respond about the behavior of a law enforcement individual; that they can't go to the Police Review Panel and other people can; that they can't testify in the State Legislature; that they can't defend like Will Haskell who had been attacked. It was really overreaching that one sentence. By taking that one sentence out, my concerns about the First Amendment and chilling speech and concerns about civil rights is removed and I would then support it. But I do think it would be better being called a Handbook rather than a Code of Conduct so that some people don't misinterpret in the future. Oh, this is a code. I've violated a code of some sort. I think it would be better as a Handbook but I will support it if that one change is made. Thank you, Stephen, for making that change. That was the perfect change and it now has my support.

Dr. Heller:

Mr. Shackelford, I wonder if you would remind people of just what this is called.

Mr. Shackelford:

That is just where I was going to go. I'm very appreciative of Ms. Hamlin's support with that change. I want to make it very clear. We were called the Code of Conduct Special Committee and we very deliberately decided not to send you a Code of Conduct. It is not a code. It is not an ordinance. It is Conduct Guidelines and Expectations. It is not meant to be a legalistic document. It is meant to get to be aspirational which has its pluses and minuses as discussed tonight. But it is certainly not meant to be a code and not meant to chill speech also.

Dr. Heller: I see no other hands. Ms. Batteau has spoken twice.

Point of order, Mr. Falk: This is an amendment. She hasn't spoken yet.

Ms. Batteau:

I wondered if the amendment could be extended to delete one sentence in the area about speaking to the public. If you could just delete the sentence about

RTM members' language, facial expressions, and tone of voice may be experienced as intimidating, dismissive, or aggressive.

And simply go to

RTM members' comments and non-verbal expressions should be appropriate, respectful, and convey appreciation for public participation.

So that people won't feel that they can't roll their eyes by mistake. I know I have asthma and sometimes my voice gets really hoarse and deleting that one sentence doesn't seem to really change the meaning of what you want people to do. I was asking that to Mr. Shackelford.

Dr. Heller:

I wonder if you could put it up on the screen. [No.] Ms. Batteau, are you making another amendment?

Ms. Batteau:

Since we're making one amendment, maybe this could be added to the amendment. In the section Be welcoming and cordial to speakers it says:

How RTM members treat people during public hearings can lessen or heighten discomfort and can encourage or suppress free expression.

Dr. Heller:

Ms. Flug, we have an amendment on the floor and I believe Ms. Batteau is asking to add to that amendment. Can a couple of points be made in the same amendment? That's the issue.

Assistant Town Attorney Eileen Flug:

Sure. She could make another amendment. It's a tricky one because she is really asking Mr. Shackelford to change his amendment. It would have to be seconded again and then you would be debating both of them.

Dr. Heller:

Plus the fact that you might agree with one and not the other.

Ms. Flug:

That's what I'm thinking. What I would recommend instead is perhaps Ms. Batteau would make a motion to add this as a second amendment. That would need a second. You would then debate Ms. Batteau's amendment first and vote on that first and then go back to Mr. Shackelford's amendment and finish debating and vote on that one and then go back to the main motion.

Dr. Heller: One amendment does not impact the other.

Ms. Flug:

I understand. I think you want to vote on them separately. If Ms. Batteau wants to make an amendment now, she can make that motion.

Dr. Heller: Or she could wait until this amendment is voted on.

Ms. Flug: That's right. That's the other option.

Dr. Heller:

Since people are speaking to this amendment, Ms. Batteau, I think it makes sense to deal with this amendment first and then come back to yours.

Andrew Colabella, district 4:

Velma, thank you for everything, my Assistant Principal, Moderator, you had to watch me all these times. I hope I wasn't a pain in the butt like I was in middle school...I do like the idea and I get where Mr. Shackelford and all the other Representatives who worked on this are coming from. They are trying to come from their heart. I do think it is a bit overreaching. I do think it needs to be a level playing field. For example, you are talking about social media, facial expressions, eye rolling, body language...

Dr. Heller:

Mr. Colabella, we're talking about a particular amendment right now.

Mr. Colabella:

Yes. That's why I like the idea of what Wendy is proposing so I will second her amendment.

Dr. Heller:

But the amendment has not yet been made. We are talking about the first amendment that was made that is currently on the floor. We are going to discuss that and then we will get to Wendy's amendment so hold your thoughts.

Mr. Lowenstein: I want to hold off until this amendment is voted on.

**By roll call vote on the amendment: The motion passes unanimously, 31-0.** (Ms. Talmadge left the meeting.)

Ms. Batteau:

In the paragraph, Be welcoming and cordial to speakers. It should say:

RTM members' comments and non-verbal expressions should be appropriate, respectful, and convey appreciation for public participation.

Seconded to Mr. Liccione.

**Members of the electorate** – no comments

**Members of the RTM**

Mr. Lowenstein:

The proposed deletion, this is a very loosey goosey sentence, ideas of the kind of behavior that might be intimidating and so forth. I think leave it in there. If you do have an unintentional twitch or something, no one is going to call you on it. When you read the document, you know what kind of things they were talking about. I'm going to vote no on this amendment. I think it is harmless the way it is and I don't think it should be removed.

Sal Liccione, district 9:

Is this just when we are on our computers or in person?

Dr. Heller:

This is contact with the public when the public comes before the RTM. It would cover both.

Mr. Shackelford:

I understand where Ms. Batteau is coming from. There are some other folks who had the same reaction to this language. There is no express reference to eye rolling here. It refers to facial expression but we all led right to eye rolling because we all know that eye rolling can be disrespectful and make people feel unwelcome even though we all do it. I almost did it a couple of times tonight. And I apologize. I would leave this language in. We did debate this. This is a natural human thing that happens sometimes and that's fine. None of us are going to be perfect in what we aspire to whether it is written down or not. But I will say, meetings I have been in this year, facial expressions showing disgust, dismay, unhappiness with

people...Oh my goodness, so and so has to talk about this again... I've done it myself and we should try not to do it. There are no penalties for it in here but I'd rather keep it in here because it reminds us that these things, as human as they are, they do have an impact and it helps us to aspire to be as welcoming as we can. It's not specific as to saying this kind of expression is bad under these circumstances. It is pretty general. It reads:

RTM members' language, facial expressions, and tone of voice may be experienced as intimidating, dismissive, or aggressive. Comments and non-verbal expressions should be appropriate, respectful, and convey appreciation for public participation.

The amendment would only get rid of the middle part:

...language, facial expressions, and tone of voice may be experienced as intimidating, dismissive, or aggressive-

I think we can all agree that's a true statement. I appreciate Wendy leaving in reference to non-verbal expressions in her amendment but I would keep it in just to remind us what we all agree we should aspire to as many of us, myself included, fall short.

Mr. Keenan:

Again, to beat a dead horse, I agree with Wendy and we should not be legislating facial expressions. Everybody makes them. Whether somebody thinks it's a disparaging facial expression is totally arbitrary and we shouldn't be putting it into this document.

Mr. Colabella:

Going to the amendment that was just proposed, talking about eye rolling, I would also assume head shaking, just now when I was speaking to the wrong amendment, I thought it was the general part because I hadn't spoken yet, one RTM member shook their head at me. It was completely by accident. They can't control it. It's okay. I do think it does open up a can of worms because it can turn into he said, she said. It can be used as a very frivolous fact for a person to go after someone because they assumed that they rolled their eyes when, in fact, they haven't. Body language. I stretch a lot. I move my head around. Everyone in this meeting is aware that I was in a car accident two years ago. I can't help it. I can't control it. I'm very expressive and it's very hard for me to sit still. It doesn't mean that I can't stand what the person is saying and I'm having a hard time listening to them or they are boring me. It's very hard to control body expressions like that. I'm not sure how it could be enforced, something that has teeth. But when it comes to body language, it's kind of a tough thing for me.

Mr. Falk:

There's nothing really there to enforce. It doesn't really say don't do it. It says "Be welcoming and cordial to speakers" and gives examples. You might not realize it but people should be allowed to come before the RTM and speak but nothing there says don't do it. Again, there's no legislation, nothing to enforce, just be nice. If you have a guest in your house, be nice to them.

Mr. Gold:

The sentence that Wendy wants to remove is a statement of facts as Stephen said. "RTM members' language ...and tone may be intimidating." It may be. If you really wanted to change this to address Wendy's concern, you would leave that sentence and take out the next one. The next sentence is a proscriptive sentence. It says "should be appropriate." That's the sentence that is telling you what to do or what not to do. I would vote against the amendment.



Ms. Batteau:

I was just going to say, to pull editorial rank, that the preceding sentence defines the behavior is that comes next.

Dr. Heller: You were just explaining.

**By roll call vote, amendment #2 fails 10 – 21.**

**Those in favor: Mandell, Tait, Keenan, Mall, Izzo, Colabella, Klein, Briggs, Batteau, Liccione.**

**Opposed: Jaffe, Falk, Meiers Schatz, Friedman, Gertzoff, Hamlin, Hammond, Wieser, gold, Lowenstein, Kramer, Banks, Bram, Braunstein, Karpf, Klinge, Lautenberg, Newman, Shackelford, Schneeman, Heller.**

**By roll call vote on the resolution with amendment #1, the motion passes 28-3.**

**Those in favor: Jaffe, Mandell, Tait, Falk, Mall, Friedman, Gertzoff, Izzo, Colabella, Hamlin, Hammond, Wieser, Gold, Lowenstein, Klein, Kramer, Banks, Bram, Briggs, Karpf, Klinge, Lautenberg, Batteau, Newman, Shackelford, Liccione, Schneeman, Heller.**

**Opposed: Keenan, Meiers Schatz, Braunstein**

Ms. Batteau noted that everyone should read *Robert's Rules*.

Dr. Heller:

I do want to say thank you very much for all the time and effort that was put into this. I thank the committee for their very hard work and I thank all of you tonight for being fair and open minded and making good suggestions and considering. I do want you to know that it was my intent that this be something that goes out to new members and that it be not a set of rules but rather a set of aspirations and expectations that we share in common and that help to, perhaps, bring us together around behaviors that we value on the RTM. It's not about policing and rules because *Robert's Rules of Order* has plenty of those and certainly provides opportunities for sanctions and whatever else. This is matter of trying to find common ground on what we hope to be.

**The secretary read item #2 of the call - To approve an appropriation in the amount of \$5,227,866.00, along with bond and note authorization, to the Municipal Improvement Fund Account, for the Roof Replacement Project at Staples High School.**

### **Presentation**

Dr. Heller:

We are fortunate to have with us Elaine Whitney and Elio Longo. I want to congratulate Elaine Whitney on her retirement.

Elaine Whitney, Board of Education:

Thank you Velma, very much. I am here representing the Board of Education in place of Candace Savin who was unable to attend this evening. Thank you Velma for your comments.

I will be very brief, I promise, after all the important work you have and the long deliberation but I did want to for a brief moment to recognize and honor you as well. You are a true gem to this town and as a person and I want to echo the thanks of so many people this evening. Your impactful leadership and untold contributions to our town in so many ways for so many decades and you have been a true mentor to me and even to my mother in teaching new teachers. I am so fortunate to have kept you as a true friend so thank you, as always, for listening to so many different viewpoints and to gracefully bring everyone together, finding common ground and helping us move forward together as a town. So, I have so much appreciation. I just want to do a brief shout out as well to the six RTM members who are moving on to other stages in life: Rick, Ross, Kristan, Carla, Lauren S. and Nicole, fellow six-dayers with me. And one more six-dayer, who spoke briefly earlier, a shout out to Jim Marpe, as well, who in many ways was a mentor to me as I joined the Board of Ed. So, thank you all. In the interest of time, I just want to move on to the more mundane topic which is the request of the Board of Education for the approval of the RTM to support a portion of roof replacement at Staples High School. I want to thank you in advance for considering this request and also thank those of you who participated in the physical tour and the careful review by the Education and Finance Committees. I am happy to answer any questions along the way. With that, I will turn it over to our Chief Financial Officer, Elio Longo.

Elio Longo, Chief Financial Officer:

Dr. Heller, congratulations as you begin the next chapter of your life. It has been a pleasure working with you in the town of Westport in my eight years of service with the Board of Education. You have always been a staunch supporter of education and the school district in your professional career and also as the RTM Moderator. Again, thank you.

The request before you this evening is funding approximately \$5.2 million inclusive of a five percent contingency for a partial roof replacement at Staples High School. We propose to replace approximately 207,000 square feet of roof-scape. Approximately 2/3 of the existing roof-scape dates back to 1997/1998. It has exceeded its useful life and is under continuous preventative maintenance at this time. We are working with Colliers Partners as our Construction Manager, Capital Project Manager on this project. We have a target date of summer 2022; however, with the current supply chain issues we are able to defer this project to the summer of 2023. We would like to bid this project December '21. We plan to submit a State Grant Application as soon as tomorrow morning if we have approve from the RTM for funding. Additionally, there are two other resolutions before this meeting this evening; one granting the Superintendent of Schools permission to apply for or reject a grant for said project. The other is to accept the educational specifications for the project. In preparation for our meeting this evening, I had sent by email copies of the documents. One, I apologize for, is approximately 400 pages. It is high detail for the drawings and the specs for the project. The other is a summary of the cost analysis and the rationale behind replacing at this time. I would also like to thank the members of the RTM that joined the Board of Ed. members and the Board of Finance members for a tour of the Staples High School roof-scape approximately three weeks ago.

### **Committees report**

Education and Finance Committee, Ms. Karpf:

Thank you Elio. In the interest of time, I'm just going to point out a few items since most of it was covered. A joint meeting of the RTM Finance and Education Committees met on October 26, 2021 (By Zoom). Elaine Whitney and Elio Longo were both there. We discussed the resolutions as they've been stated. A few comments about the meeting: The roof will have a 30 year warrantee. I believe you said this but due to supply chain delays, the project will likely be deferred to a start date of summer 2023, but we can submit the documents for the State Construction Grant now with the option of a 2022 or 2023 start date. The administration will put out an alternate bid for the Staples Field House roof which is estimated to have a remaining life of three to five years from today (obviously much less time if the project is started in 2023). That alternate bid will allow the administration to determine whether to take advantage of economies of scale (including potential PV solar installation) and complete it now or as a separate project. On that note, we also discussed the desire for solar panels and we discussed how the contract would be handled if supply costs increase or decrease between now and 2023. There were motions made on the Finance side and the Education side for both resolutions and both resolutions passed unanimously, 7-0 and 7-0 by the Finance Committee and 8-0 and 8-0 by the Education Committee.

Members of the Westport electorate – no comments

Mr. Wieser read the resolution and it was seconded.

**RESOLVED:** That upon the recommendation of the Board of Finance and a request by the Superintendent of Schools, the sum of \$5,227,866 along with bond and note authorization to the Municipal Improvement Fund Account for the Roof Replacement Project at Staples High School, is hereby appropriated.

**Members of the RTM**

Mr. Keenan:

Just a couple of questions, Elio. When they take off the roof, are they planning on bringing the insulation up to code?

Mr. Longo:

Yes. If there is anything not up to code that needs to be addressed, it has been factored in.

Mr. Keenan:

We have a couple of projects we're pushing the bidding into the spring because the supply chain issues seem to be driving the price up pretty high. I just wonder if any consideration was given if instead of December, pushing the bidding into the spring?  
Or is there some provision for adjusting the bid as you went through?

Mr. Longo:

There will be a provision for adjusting as we go through the supply chain, particularly for the insulation which seems to have the longest lead time at this time. That being said, we are looking at alternate bids with open book pricing with a margin above open book pricing should the project be delayed or deferred to 2023.

Ms. Hamlin:

I just wanted to have a shout out to my cousin Elaine Whitney. Some of you may not know, I am not only distantly related to Elaine but also to her husband. So, I think it's fitting Elaine, that your last session before the RTM that you are bringing a roof issue to us because there is no roof on our appreciation for all your hard work on the Board of Ed. You've done a great job and we're so lucky to have your talents all these years. I just wanted to say that before I said, yes, I'm voting in favor.

Mr. Falk:

I'm just wondering why not the whole roof. I realize it will cost a whole lot more money instead of doing a partial roof now and a partial roof later.

Mr. Longo:

Great question. We are proposing to replace two-thirds. The remaining one-third is still under warrantee. It's a newer roof system so we will not be replacing it at this time. The roof over the field house, I believe it is 16,000 square feet, we are considering replacing it, as Ms. Karpf mentioned earlier. We will be considering it if it benefits from any economies of scale on that section. But the other remaining one-third, approximately one-third of the building is still under warrantee.

Ms. Whitney:

That will maximize the financial benefit since we have many years of life left on those roofs.

Mr. Falk:

Just wanted to check because I'm sure prices of materials are not going to go down. Hopefully, they will from this year but, over time.

**By roll call vote, the motion passes unanimously 31-0.**

Dr. Heller: The vote is unanimous. It's so easy to spend \$5 million!

**The secretary read item #3 of the call - To authorize the Board of Education Superintendent to apply for a State grant for reimbursement for the Roof Replacement Project at Staples High School.**

### **Presentation**

Mr. Longo:

Westport's reimbursement rate for school structure projects is 20.7 percent of the total eligible cost for this project. It will result in almost \$1 million of reimbursements. That being said, there are two related resolutions this evening that are required for an application submission that we'll file tomorrow morning. Just for a point of clarification here, the request is for permission for the Superintendent of Schools to apply for or reject a grant. I believe that is worded in the resolution.

**Members of the Westport electorate – no comments**

Mr. Wieser read the resolution and it was seconded.

**RESOLVED:** That the Westport Representative Town Meeting hereby authorizes the Westport Board of Education, through the Superintendent, to apply to the Commissioner of Administrative Services and to accept or reject a grant for the Roof Replacement Project at Staples High School.

**FURTHER RESOLVED:** That the Westport Representative Town Meeting hereby authorizes at least the preparation of schematic drawings and outline specifications for the Roof Replacement Project at Staples High School.

Dr. Heller: The motion has been moved and seconded.

**Members of the RTM**

Mr. Gold: Elio, why would we ever reject the grant?

Mr. Longo: The wording comes from the Department of Administrative Services.

Mr. Gold:

What kind of restrictions would they put on that we wouldn't want?

Mr. Longo:

It could be a timing issue that we could not meet and we would have to come back to the funding body for a new request and a new vote. Again, the wording is from the State Department of Administrative Services.

Ms. Whitney:

I think it's just a technical requirement so that you are effectively delegating authority to the Superintendent. It is highly unlikely that it would be rejected.

Mr. Gold:

I can't imagine under what circumstances we would turn down a \$1 million grant.

**By roll call vote, the first resolution passes unanimously, 30-0-0.** (Mr. Lowenstein stepped away and did not vote.)

Dr. Heller: The further resolution, Mr. Longo, did you discuss that?

Mr. Longo:

It's a formality to authorize the schematic drawings which are already prepared and were presented as part of the 300 page document.

Dr. Heller: And it's just our role to weigh in on that.

Mr. Keenan: I forgot to put my hand down.

**By roll call vote, the second (further) resolution passes unanimously, 30-0-0.**

**The secretary read item #4 of the call - To approve an appropriation of \$185,000 to the Health & Human Services – Stop Gap Measures CLFRF Expense account from the ARPA CLFRF Grant Income account.**

**Presentation**

Lynn Scully, Acting Operations Director:

Velma, did you want me to say a few words about ARPA before we start? I see Gary's here. I don't know if Gary wants to say anything.

Dr. Heller: Gary Conrad did you want to say anything?

Gary Conrad, Director of Finance:

We already did the presentation a couple of times of what the background of what ARPA is. The money is coming in in two tranches of \$4.2 million each. We've already received \$4.2 million and now we're just presenting projects that we feel should be drawn on that account to be put toward the projects we are funding.

Ms. Scully:

I just want you to know that the Board of Finance approved \$785,000 for immediate use for ARPA funds but tonight, we have only brought two of the items to you. The first being the request for \$185,000 from Elaine's department and the other would be a cybersecurity request. Those were the two that we were able to get the RTM Committees together for to review in time for this meeting. So, there is another \$500,000 that will come before the RTM in December. I just wanted to give you a heads up. I do have a slide if you want to see it but I know that it has been distributed if you want to see it. But Elaine is here.

Dr. Heller:

On our agenda, Elaine is next so I was going to call on her and then call on you for the next item on cybersecurity. The slides that were presented were in our packet of materials but if you want to put them up, just go through them quickly. It will just be a reminder.

Elaine Daignault, Director, Human Services:

Good evening everyone and Velma, I must say congratulations to you. By all measures, you really slayed it in your time serving on the RTM and all the other wonderful things that you do. And if I had known your middle name was Elaine, I probably would have reached out more! I've never heard my name said so many times in one evening. Congratulations to you. As you know, I have been to the Board of Finance and the RTM Health and Human Services and Finance Committees to review my request for the ARPA funds for the first tranche to benefit Human Services. You can see before you the four areas where Human Services feels these ARPA funds will be very beneficial to assist our residents directly. All of these funds will serve to help several populations that are most in need. Very quickly, resident health and safety, we are looking at the MOU with Visiting Nurse and Hospice of Wilton to assist Human Services in making home visits to home bound clients to do some basic medical assistance like blood pressure checks, medication distribution and assessing client's needs as needed, following up

with social workers when we've had referrals from our emergency personnel for a senior or a person with disability who may need additional assistance at home. Also, the possibility of home bound vaccinations, when needed and having a medical presence during weather emergencies when shelter operations are necessary. The second portion of the resident health and safety is really in regard to other clients in our community that may have a financial need or other basic need that has not been met whereby we can actually offer financial assistance and/or other programs that might be of assistance to that population. The second rung that you'll see here is mental health services for all ages. I think we all know that we are in the midst of a mental health pandemic. Much of it has to do with isolation and trauma that many people experienced during the COVID pandemic. We are looking to utilize these funds to create more opportunities for individuals in our community who may have financial constraints to access mental health services. You'll see there are several different bullets in the center column. Positive Directions is both our local prevention council and a long-time partner and collaborator with the town of Westport as part of our Positive Youth Development Initiative, now known as Westport Together. We are looking to work together to develop and sliding scale and a scholarship program for individuals, families and individuals with disabilities with a financial need to actually access those resources. The second part that you see is Liberation Program. This is in regard to providing counseling services and other supports that will benefit our youth population. We now have a part-time licensed drug and alcohol counselor in the high school. We are finding that the referrals are increasing and we want to be prepared to address those needs and, if need be, increase those hours of that drug and alcohol counselor. Prevention funding is something I think you hear a lot about. The Westport Prevention Coalition is a community group that is working to provide both community education and programming to prevent further mental health and substance abuse in our community. That really is womb to tomb. As of right now, we get about \$8,000 from the State of Connecticut through a grant with the Department of Mental Health Services. It goes to Positive Directions because they are our prevention council. All that does is help us to implement some of our needs based assessments and we would really like to be able to invest that in programming and coordination of our prevention efforts here throughout town. Lastly, in that box you'll see something that says mentor program. I would amend that to say Youth Services and the mentor program. Our mentor program really did struggle as a result of COVID 19. Our mentors and mentees were not able to see each other because of the social distancing and the fact that they couldn't get into the schools. So, we are really looking to build on our mentor program and other youth whereby we are working on developmental relationships between young people and adults and helping kids to find their passion and also become leaders in our community. The third area is emergency renters and homeowners' assistance. We are now holding our breath. Individuals who were just making ends meet were able to pay some of their rent and we had a moratorium on rent and some mortgages so what we found was a lot of people were not paying it and then the moratoriums were lifted and people are severely behind in their rent. The individuals that would receive this kind of assistance would go through the same kind of financial intake that we go through with clients when they are seeking financial assistance from Human Services. We estimate that we have about 400 households who are eligible and we would really like to help those families to stabilize their housing situation so they can stay where their natural supports are and continue to thrive in our community. Lastly, you'll see the Affordable Housing Administrator which was a newly created position through Planning and Zoning. The Human Service Department had a unique role in that in that we used some of our

Small Cities CDBG Grant money which we received on behalf of Fairfield County to provide diversionary specialists throughout Fairfield County. The town was able to earn about \$28,000/year from that grant. We decided to utilize that money to cover the cost of a very part-time Affordable Housing Administrator. That Affordable Housing Administrator has been an amazing asset to both Planning and Zoning and to Human Services and the entire town in a time where we are struggling with affordable housing throughout the State. We now have somebody who is really dedicated to managing and maintaining the affordable housing stock making sure the landlords and the owners of the buildings are abiding by the State Statutes and this Affordable Housing Administrator will, in fact, be helping us with our long-term affordable housing plan on behalf of the town and also helping us apply for the moratorium whereby the Planning and Zoning Commission may not have to entertain 8-30g applications if we're able to secure that moratorium for the second time. Those are the areas where we are hoping we can get assistance through the ARPA funds. I believe all of these areas are a direct result and need due to the pandemic so we're really excited to get started and to be able to provide support to families, individuals, seniors, any resident who needs it at this time.

**Committee report**

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

I am not going to repeat so many of the details that you just heard from Elaine Daignault of Health and Human Services but basically Health and Human Services initially requested \$400,000 which was reduced by the Board of Finance to \$185,000. The Board of Finance chose to table a request for \$25,000 for transportation assistance while discussions begin with Transit Director Peter Gold about how to best complement existing services. The BOF also chose to table a request for \$150,000 to support a feasibility study of a proposed affordable housing project on West Parish Road. Elaine, did you mention the public discussion on this project? Health and Human Services is going to have a public discussion on the project and other affordable needs in Westport. The committee had some discussion of how the RTM's priorities for expenditures of ARPA funds could best be reflected in the decision-making. Jack Klinge mentioned some work by the RTM's Long Range Planning Committee to discuss the Selectmen's proposed projects as well as suggest some potential new additions. He advocated that the Long Range Planning Committee as well as the other substantive committees play an active role in advocating for their priorities. On a related note. Chris Tait noted that most of the projects proposed for ARPA funds come from the Town's capital forecast and therefore don't naturally square with the work of the Department of Health and Human Services, which is more oriented around service provision and less around capital projects. He and other committee members encouraged Ms. Daignault to think broadly about what department priorities might intersect with other departments such as Public Works (e.g. ADA projects), that they might support and that RTM members might advocate for. An interesting note, Ms. Daignault noted that hiring Town employees has become challenging recently as Westport has fallen behind its competitors in terms of salaries and benefits. I thought that was interesting. The committee members present were Jessica Bram, Chris Tait, Arline Gertzoff, Kristen Schneeman, Jack Klinge. One participant was called away early so the committee did lose its quorum but we did have a vote and the committee members in attendance did vote unanimously to recommend approval of the \$185,000 request of ARPA funds.



Finance Committee, Mr. Wieser:

The Finance Committee had a report as well. Everything has been pretty much covered between the two reports. Just to reiterate, Health and Human Services did originally request \$400,000. That was reduced a third for the \$150,000 for the question about affordable housing; forty thousand dollars for the housing administrator. We are only being asked for \$25,000 not \$65,000 here because there were funds available elsewhere; the \$25,000 for transportation activities for low income people was deferred as well. We felt pretty comfortable that those would be discussed at a later date as ARPA funds continue but that was an issue. We covered a lot of the same issues about ARPA and our members Rick Jaffe, Jessica Bram, Christine Meiers Schatz, Seth Braunstein, Lauren Soloff, and Stephen Shackelford voted 6-0. I recused myself because I am on the Board of Positive Directions and Positive Directions is getting some money out of this so I felt more comfortable not voting for it. So, we were 6-0. The recusal counts as a non-attendance.

**Members of the Westport electorate – no comments**

Mr. Wieser read the resolution and it was seconded.

**RESOLVED:** That upon the recommendation of the Board of Finance and a request by the Director of Human Services, the sum of \$185,000 to the Health & Human Services – Stop Gap Measures CLFRF Expense account from the ARPA CLFRF Grant Income account is hereby appropriated.

**Members of the RTM**

Mr. Mall:

I would just like to put in a plug for the mentor program. Elaine was the one who introduced me to my mentee some 13 years ago. Thanks to RTM member Bill Meyer. Bill said one time when I was a member of the public, if you want to do something worthwhile, become a mentor. So, I became a mentor and Elaine matched me up with what turned out to be just the perfect kid who is now, 13 years later, graduating from college. It made a big difference in his life and a bigger difference in my life. This department really delivers for the Westport public so I just want to say to Elaine, thank you from the bottom of my heart for all you do in your department for the citizens of Westport.

Mr. Lowenstein:

How come the administration is not asking for restoration of funds that were cut by the Board of Finance?

Ms. Daignault:

I'll answer to the best of my ability. When we went before the Board of Finance, they were looking for what they called "shovel ready" projects. There were some questions and not maybe fully explored ideas and goals for the other two areas. The affordable housing piece, I think, is a much bigger animal that needs to be discussed and kind of broken down. The project itself will likely be a Housing Authority project. So, there were some questions about why the town would contribute to something that the Housing Authority may be able to support in some way on their own. So, they wanted more time to explore that. In regards to transportation, there is a lot more work that needs to be done with our Transit District Director, Peter Gold, and do a little bit more of a needs study before we take money that

could go to something that's already ready to go. I was actually okay with the request to put them aside until we were able to explore and study what the needs are. As far as the Transit District is concerned, it seems like it's déjà vu again with the Board of Finance but that's to be expected almost. I'm going to make a statement now and Elaine, please, don't take it personally. I'm going to vote no on this request and I'm going to tell you why. We have a change of administration to occur in approximately two weeks. Although I've seen many of the projects that have been proposed for the first and second waves, or tranches as they like to call it, I would like the new administration to come forward with its proposal of how they want to spend \$8 million over the next five years. So, I am going to vote no because I don't want to see it piecemeal and I think the new First Selectwoman should come forward with her proposals rather than relying on what we have in the past. I want to make a statement, not for your benefit but for anybody else who is listening, one of the big subjects that came up in the reviews of these ARPA projects was the serious flooding problem we have in town. My expectation is I want to see a very sizeable designation of money to fix the flood and storming problems we are having in town especially in regards to storm water on the town roads. Tonight I will vote no. I am waiting for the new administration to come forward with a complete proposal on what they want to do and I will let that go to the Board of Finance and then we'll look at it. Those are my thoughts.

Ms. Batteau:

This department handles the issues of where the rubber meets the road on people's experience on COVID and people needing to have assistance in getting out of it whether it be medical assistance or transportation assistance. I don't know how we are going to even assess how many evictions we're looking at and how many people will need housing. I will certainly vote for this but I think really this is the department that should be receiving more money from the ARPA funds rather than less and I hope that we will see more forthcoming and also more requests forthcoming. I think you guys are going to really need it. Thanks for everything.

Ms. Bram:

I just want to correct what was said. They were not cuts. They were deferrals which means the Board of Finance is going to look at them again and I think that the Department of Human Services agreed that they needed more study. They were tabled, not cut. I don't see a reason for turning down any funds like this and I don't think there will be much of a change of priorities so I do recommend adoption of the resolution and the Health and Human Services Committee does.

**By roll call vote, the motion passes 28-1. Mr. Lowenstein is opposed. Mr. Wieser recused himself.** Ms. Klein left the meeting.

**The secretary read item #5 of the call - To approve an appropriation of \$100,000 to the Cybersecurity – Network Protection CLFRF Expense account from the ARPA CLFRF Grant Income account**

**Presentation**

Ms. Scully:

In my capacity as interim Operations Direction, I come before you with a stopgap request for an appropriation of \$100,000 for several initiatives. Do you want me to show you the slide so we can walk through it?

Dr. Heller: I think everybody has received it. Just walk through it.

Ms. Scully:

These initiatives will immediately help the town in our efforts to protect our critical network infrastructure.

- First is a \$25,000 request for network monitoring. The town hopes to engage a vendor to provide active 24/7 monitoring of approximately 300 network devices.
- Another \$20,000 is for active directory security and cloud security assessment. That is having someone come in and assess our setup right now. We are looking for an expert assessment of our security over our user access to our network and information storage.
- \$35,000 for penetration testing. This is a very specialized service that actively seeks out exploitable vulnerabilities in our network applications and devices.
- \$9600 for voice over IP system for the town and also for the Board of Ed. and the library. We have an internet phone system and it's a known vulnerability. We seek to have our existing service provider add the monitoring to our contract with them.
- \$5,000 is for additional Microsoft 365 licenses for the Police Department. In the past, the police were able to share computers because they work different shifts but now each user has their own identification when they get on their computer so we had to buy additional licenses that we hadn't known about when we signed up.
- Lastly, but most importantly in my mind, is the staff training and phishing tests of \$5,400. That would be training for our personnel to make sure that they are aware of what is potential risk in terms of emails and phishing and once we train them, we're going to test them to make sure that they're as aware as we hope they will be. This is an immediate request. This will mostly be annual costs going forward and we expect they will be in the budget for next year. But, we need to do it now. Effective March 1, the State subjected us to some more mandates regarding the protection of more personal information. They are requiring that we turn it around quickly in notifying anybody that's been breached. Within 60 days we have to alert them and also provide protective services if we determine that there has been any damage done. We don't have the capacity to meet that right now so this is important to get into place this fiscal year.

We thought ARPA was a good source and this is a good use of the funds.

**Members of the Westport electorate** – no comments

Mr. Wieser read the resolution and it was seconded.

**RESOLVED:** That upon the recommendation of the Board of Finance and a request by the Information Technology Director and Acting Operations Director, the sum of \$100,000 to the Cybersecurity – Network Protection CLFRF Expense account from the ARPA CLFRF Grant Income account is hereby appropriated.

**Committee report**

Information Technology and Finance Committees, Rick Jaffe:

The RTM Information Technology and Finance Committees met jointly over Zoom on October 28, 2021 to review, and vote to recommend to the full RTM, the proposed \$100,000 Cybersecurity and Network Protection ARPA (American Rescue Plan Act) funding request. The IT Committee had a quorum. The Finance Committee was one short of a quorum. Also attending were Gary Conrad, Finance Director; Lynn Scully, Interim Operations Director; Eileen Zhang, Director, Office of Information Technology. This money is to come from the first of two tranches of funding the town has already received, funds of \$4.2 million. The second tranche, I understand is coming soon. You heard about the six funding categories. I need not go over them again. But there are three reasons we want to consider this funding request right now:

- Newly in effect State law mandates additional responsibility to our Town to protect our network, and to alert affected users in the event of a breach. So we are under mandate to increase our network security monitoring, and our monitoring of security for our systems and data, most of which are in the “Cloud”, where our large and sophisticated vendors can provide better security than we could ourselves, and “penetration testing”, the electronic “poking” of our network, looking for holes.
- Even higher than expected increases in both the number and sophistication of cyberattacks worldwide. We no longer can think that we can avoid the attention of cybercriminals just because we’re relatively small.
- Our insurance carrier is raising the bar for what security effort they expect from us in order for us to continue to be insured.

There was an interesting question that came from the Information Technology Committee, whether enough money is spent on our cybersecurity. In the RTM, we’re not much in the habit of asking people why they aren’t spending more money than they are. But it was a very good question. I can tell you from 30 year of information technology experience and six more as a Chief Compliance Officer, that this is serious business. Lynn Scully understands that with her Cybersecurity Task Force, Eileen Zhang certainly understands it and they intend, over the next year, to be meetings and studying and communicating and determining what is the right amount of money to be investing in our cybersecurity. Information Technology, a motion was made and passed to support the funding resolution unanimously. Finance, as I mentioned was short of a quorum but a sense of the meeting showed that Finance unanimously recommends approval.

Dr. Heller:

Thank you Mr. Jaffe. It was very thorough. I also wanted to comment that I see Eileen Zhang is also with us. Thank you for coming. I appreciate the thoroughness of the presentation and sorry that you had to wait so long while we were making sausage. Sometimes it’s just the way it has to go.

Mr. Jaffe:

One thing I will not miss about the RTM is being kept up past my bedtime.

Dr. Heller: I understand. Sorry about that.

**Members of the RTM**

Mr. Klinge:

Two quick questions. I assume in subsequent years, the expenses will be in the operating budget?

Ms. Scully: Yes. That is the plan.

Mr. Klinge:

Secondly, you're trying to protect the staff and town employees.

Ms. Scully: Residents as well.

Mr. Klinge:

The RTM are residents as well. If we get hacked, what is our responsibility or next steps?

Ms. Scully:

That's a big question. It depends on how you're hacked and to what degree you're hacked. If you are hacked personally or as an RTM member, there may be two different areas of advice.

Mr. Klinge:

Do we call somebody? Do we take care of it ourselves? Or what?

Ms. Scully:

I think that is something we need to consider as part of our advice to the new RTM. We talk about FOIA and this is another big risk. You guys are in our system. That's something that Eileen Zhang and Eileen Flug and I should have a conversation about. Thank you for bringing it up.

Mr. Falk:

Mine was more of a point of information to ask what Jack was asking about... Was it if an individual citizen gets hacked or if an individual citizen's information gets out because the town system gets hacked? Those are two completely different things too.

Ms. Scully:

I'm not sure what type of hacking he was referring to, Harris, but we do try to protect the users of our email system, which you are all a part of so we're going to talk about any messaging that needs to happen to the users including the RTM.

Mr. Mandell:

I was at the New England Chamber of Commerce Executives Conference the last couple of days and one of the presentations was about cybersecurity. It really exposed it for what it is. Millions and millions of pieces of documentation are being stolen every day. These guys aggregate it and they hold on to it. The guy who made the presentation was pretty funny. He said, 'I stole all your stuff but I don't want it so what I do is I sell it to people who do.' It really gets out there. He analyzed it down to five million here and 50 million there and 80 million pieces of documents that are stolen there to the point where if someone broke into the town where all of our tax records are there, all of our dog information is there, they will know

everything about every single person in town. It is super important that we do everything that we can to protect this information. It's not that the town's going to be liable. It's that we don't want people to be exposed. So, we really have to work on this and it's a fight out there. These people are tough and we have to be that much more aggressive to make sure it doesn't get taken.

Mr. Lowenstein: Lynn, did this need exist before COVID?

Ms. Scully:

Oh yes. Cybersecurity has been an issue for a very long time. It's just getting worse. With the pandemic, it just made things worse.

Mr. Lowenstein:

My question is ARPA funds are used to lessen the impact of the pandemic. Are we just using this as a source of funds as opposed to saying there is a COVID-related reason for doing this?

Ms. Scully:

Eileen, correct me if I am wrong, but I would say that cybersecurity issues have gotten a lot worse since the pandemic. It's very hard to disentangle what existed before and what the impact the pandemic had on what existed before. But it has definitely gotten much worse since the pandemic.

Mr. Lowenstein:

I was at a meeting yesterday in Meriden with another group I'm associated with and the town was getting this money and couldn't figure out what to do with it until people started asking for it and they gave it to them. I'm aware of what this all means. That said though, I will be voting against this for the same reasons I said I would vote against the first one. Nothing personal.

Mr. Liccione:

You also have to add our new Board of Selectmen, our new Board of Finance members, our Board of Ed. members. We all share the same email system so I think we should, all our elected officials should be protected and police and fire, all our town employees and we should have a session in Town Hall on how to protect our systems.

Ms. Scully:

It's a very important topic, Sal. I don't disagree with you. It's a good suggestion. I appreciate the feedback we got tonight on it.

Mr. Colabella:

Just to give you an idea of how serious this is, when I was an employee with the City of Norwalk, about a million dollars was stolen from the city through cybersecurity hacking. They posed through emails. They went in and stole information. A private university, I can't remember which, they were hacked for all their information and they had to pay a ransom and they weren't able to get their money back. This is occurring a lot more but you haven't heard about it. It is something I'm learning in my Master's program right now, about cybersecurity

hacking as well as public administration. I will be voting in favor of this but I think it is very important that this layer of security is completely necessary.

**By roll call vote, the motion passes 29-1. Mr. Lowenstein opposed.**

Dr. Heller:

I just want to say a couple of words. Thank you for all the time you spent making a sausage. Sometimes we need to do that. Once, when I was teaching at one of the schools in town, we had a group of people who would get together and this family would make sausages. There we stood stuffing the casing. The whole faculty participated in the sausage making. So, if you think this is tough, try that! I thought the attempts to compromise on that first item were extraordinarily helpful and I do think that as time goes on and there is a need to make changes, that is something that can go on. Any of these documents, you create as a body. It's something that you believe that the RTM should aspire to. I'm hoping that this will go out with the orientation materials once the amendment has been applied. Thank you for all that you've done. Thank you for being who you are, for your hard work, for your dedication, for being my friends, for being the people I have enjoyed being with for so long. I'm still here and I hope to be with you many times again, not as Moderator, as one of those people who come to meetings because I can do that.

Ms. Hamlin:

Velma, could I ask you a question? [Sure.] In past years when you had retiring RTM members, usually you asked them up to the podium to speak. Next week is the swearing in so we're not doing that this year, correct?

Dr. Heller:

As I said at the very beginning, the certificates will be mailed to the people who are leaving.

Ms. Hamlin:

In the past you and I think Eileen, would have the people get up to the podium and say a few words about their time on the RTM.

Dr. Heller:

Usually it happened when the certificates were present. They were invited to the podium. This year they are being distributed by mail.

Ms. Hamlin: No problem.

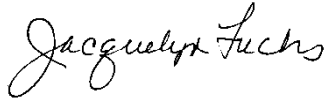
Dr. Heller:

And next week, new members will be installed. Maybe I can even come and watch. Have a wonderful rest of your evening and I'll see you all soon.

Members: Thank you Velma. [Applause.]

The meeting adjourned at 11:45 p.m.

Respectfully submitted,  
Jeffrey M. Dunkerton  
Town Clerk

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

by Jacquelyn Fuchs



**ATTENDANCE: October 14, 2021**

	NAME	PRESENT	ABSENT	NOTIFIED MODERATOR	LATE/ LEFT EARLY
1	Richard Jaffe	X			
	Matthew Mandell	X			
	Kristin M. Purcell		X	X	
	Chris Tait	X			
2	Harris Falk	X			
	Jay Keenan	X			
	Louis M. Mall	X			
	Christine Meiers Schatz	X			
3	Ross Burkhardt		X		
	Mark Friedman	X			
	Arline Gertzoff	X			
	Jimmy Izzo	X			
4	Andrew J. Colabella	X			
	Kristan Hamlin	X			
	Noah Hammond	X			
	Jeff Wieser	X			
5	Peter Gold	X			
	Dick Lowenstein	X			
	Nicole Klein	X			Left 10:30 pm
	Karen Kramer	X			
6	Candace Banks	X			
	Jessica Bram	X			
	Seth Braunstein	X			
	Cathy Talmadge	X			Left 10:00 pm
7	Brandi Briggs	X			
	Lauren Karpf	X			
	Jack Klinge	X			
	Ellen Lautenberg	X			
8	Wendy Batteau	X			
	Lisa Newman	X			
	Carla Rea		X	X	
	Stephen Shackelford	X			
9	Velma Heller	X			
	Sal Liccione	X			
	Kristin Schneeman	X			
	Lauren Soloff		X	X	
<b>Total</b>		<b>32</b>	<b>4</b>		

**Appendix I – Item #1**

**RESOLVED:** That upon the request of the RTM Code of Conduct Special Committee, the Westport Representative Town Meeting Conduct Guidelines and Expectations is hereby adopted. (Full text is as follows).

**WESTPORT REPRESENTATIVE TOWN MEETING  
CONDUCT GUIDELINES AND EXPECTATIONS**

**STATEMENT OF PURPOSE**

This document describes the expected behaviors, manners, and courtesies of Representative Town Meeting (RTM) members as we carry out our vital commitment to the Town. Section A162-20.1A of the RTM's Rules of Procedure requires RTM members to conduct themselves in a manner above reproach. The primary purpose of these precepts is to provide more specific guidance, including, in particular, to clarify expectations regarding member conduct at public meetings and in written communications.

The consistent theme throughout these guidelines is Respect: for Westport citizens, for Town employees, for each other, and for all elected officials. RTM members sometimes experience stress in making decisions that impact citizens' lives. At times, the impacts of decisions on the entire community must be weighed against the needs of only a few. Despite these pressures, RTM members are called upon to exhibit appropriate, respectful behavior when engaged in RTM business or when otherwise representing themselves as RTM members.

The RTM strives to create an inclusive environment where anyone, of any background, can contribute.

These guidelines do not in any way supersede the Westport Town Charter, Code of Ordinances, the RTM Rules of Procedure, Robert's Rules of Order, or applicable local, state and federal laws, rules, regulations, or policies.

In addition, these guidelines are not meant to stifle debate or to prevent RTM members from enthusiastically defending issues and positions. The First Amendment to the U.S. Constitution, as well as the Constitution of the State of Connecticut, protects the free speech rights of RTM members just as much as the free speech rights of their fellow citizens. This Code provides guidance to help ensure that RTM members, who hold a unique position of authority in our Town, exercise their First Amendment rights with due respect for one another and for the many different stakeholders in our Town.

Resources that are helpful in defining the roles and responsibilities of RTM members can be found in the Westport Town Charter, Code of Ordinances, the RTM Rules of Procedure, and Robert's Rules of Order.

**It all comes down to respect.**

Respect for others as individuals of diverse backgrounds, personalities, capabilities and abilities, values, opinions, and goals . . . respect for the validity of different opinions . . . respect for the democratic process . . . respect for the community that we serve.

**RTM MEMBERS' CONDUCT WITH ONE ANOTHER**

**In RTM Meetings**

**• Participation in meetings**

All RTM members should:

- Participate fully in monthly RTM meetings and meetings of RTM Committees of which they are members, while demonstrating respect, kindness, compassion, courtesy, and attentiveness to others.
- Be visible when speaking or voting during electronic meetings.
- Prepare for meetings by becoming familiar with agenda items in advance.
- Respect other people’s time. Stay focused and act efficiently during public meetings.

**• Nonpartisan nature of RTM as a body**

The RTM as a body strives to act in a nonpartisan manner, seeking to do what is best for the Town without regard to party affiliations. Traditionally, RTM members refrain from mentioning their party affiliations during RTM meetings.

**• Practice civility, professionalism and decorum in discussions and debate**

Difficult questions, challenges to points of view, and criticism of ideas and information are legitimate elements of a free democracy in action. RTM members, however, should take great care to treat all attendees with respect and courtesy, even—or especially—when debating the most contentious issues.

Treating one another with respect and courtesy includes avoiding personal attacks on one another.

**• Honor the role of the Moderator and Committee Chairs in maintaining order**

It is the responsibility of the Moderator and Committee Chairs to keep the comments of all speakers on track during meetings. Under state law, RTM and Committee meetings can only discuss items on the agenda. RTM members should honor efforts by the Moderator and the Chairs to focus discussion on current agenda items. Any disagreements about the agenda or the Moderator’s or Chair’s actions should be voiced politely and with reason, following procedures outlined in Robert’s Rules of Order.

RTM members may speak only after being recognized by the Moderator or the Chair, unless the Committee Chair has expressly permitted a more “informal” conversation to take place on a particular issue. In particular, RTM members should not interrupt each other, or other speakers. Doing so conveys to those who are being interrupted the sense that their views are not welcomed.

The admonition against interruptions applies even when an RTM member has questions for a particular speaker. The member should wait until the speaker is finished, and ask any questions only after being called upon by the Moderator or Chair.

RTM members sometimes invoke “*Point of Order*” incorrectly to justify an interruption. According to Robert’s Rules, an interruption by calling “*Point of Order*” can only occur if a member believes that the rules of the assembly, or federal, state, or local rules of procedure, are being violated, and must generally be called at the time the violation or breach occurs. “*Point of Order*” is not an appropriate interruption for any other reason, including to voice disagreement with a speaker, or to ask a question of a speaker.

**• Be punctual**

RTM members have made a commitment to attend meetings and to partake in discussions. It is important for RTM members to be punctual out of respect for others and so that meetings can start on time.

**• Addressing disruptive or inappropriate behavior**

Should there be a concern about a breach of any of these guidelines, including by unwarranted interruptions or personal attacks, an RTM member may raise it with the Moderator or Chair, including by privately raising the issue, or by calling a *Point of Order* to note a breach at a meeting. It is the responsibility of the Moderator or the Chair to address any breaches, consistent with Robert’s Rules and the Connecticut Freedom of Information Act (FOIA), up to and potentially including ejection from a meeting.

**In Private Communications With Other RTM Members**

**• Continue respectful behavior in private**

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private communications among RTM members.

**• Don't forget FOIA**

Avoid emails among a quorum of the RTM or a Committee to avoid unnoticed meetings. ***In particular, do not use "Reply All" to engage in substantive discussions.*** Be aware that all records, including electronic records like e-mails and texts, that relate to the conduct of RTM business, including communications with constituents, may be disclosable under FOIA. You should consult the RTM FOIA handout from the Town Attorney's office for details.

**• Even private conversations can have a public presence**

Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them. Conversations may be overheard, parking lot debates observed, and casual comments noted before and after public meetings.

**RTM MEMBERS' CONDUCT WITH TOWN STAFF**

**• Treat all staff with respect**

RTM members should treat all Town staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. RTM members must remember that Town employees work for the Town, not for the RTM. ~~Any concerns about a Town employee's performance, other than in connection with an agenda item under discussion by the RTM, may be raised either to the employee or to the employee's department head or the First Selectman, but should not be aired in a public meeting.~~

Part of the job of RTM members is to scrutinize requests we receive from Town departments, and RTM members are always free to disagree with, and criticize, such requests. Yet as a matter of respect, RTM members should take care that disagreement with proposals does not devolve into personal attacks on Town employees.

**RTM MEMBERS' CONDUCT WITH THE PUBLIC**

**In RTM Meetings**

Making the public feel welcome is a critical part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual RTM members towards any individual participating in an RTM meeting. Every effort should be made to be fair and impartial in weighing public testimony.

**• Be welcoming and cordial to speakers**

Speaking in front of the RTM can be an intimidating experience for many people. How RTM members treat people during public hearings can lessen or heighten discomfort and can encourage or suppress free expression. RTM members' language, facial expressions, and tone of voice may be experienced as intimidating, dismissive, or aggressive. Comments and non-verbal expressions should be appropriate, respectful, and convey appreciation for public participation.

**• Ask for clarification, but avoid debate and argument with presenters**

Questions directed by RTM members to presenters should seek to clarify or expand information, not to criticize or debate.

- **Be transparent about ordinances**

RTM members are always free to help petitioners draft potential ordinances for consideration by the RTM. When an RTM member has played an instrumental and ongoing role in formulating an ordinance, the RTM member should disclose this involvement when participating in meetings addressing the ordinance.

### **In Communications Outside Of RTM Meetings**

- **Speak only on your own behalf**

RTM members will frequently be asked to explain an RTM action or to give their opinion about an issue as they meet and talk with constituents, when speaking before another Town board or commission, when contacted by the media for background and quotes, or when posting on social media. RTM members are free to report and comment on RTM actions, and may identify themselves as RTM members when doing so, but should make clear that their comments represent only their personal viewpoint, not those of other RTM members, an RTM Committee, or the RTM as a whole (unless they have their specific authorization to do so).

- **The Moderator is the official spokesperson for the Representative Town Meeting**

The Moderator is the designated representative of the RTM to present and speak on the official RTM position.

- **Social Media**

RTM members have the same rights as any other citizen to use social media to express their views and to participate in public debates. However, RTM members should remember that the guidelines in this document apply to RTM-related communications on social media, as well.

**Appendix II – Item #2**

**RESOLVED:** That upon the recommendation of the Board of Finance and a request by the Superintendent of Schools, the sum of \$5,227,866 along with bond and note authorization to the Municipal Improvement Fund Account for the Roof Replacement Project at Staples High School, is hereby appropriated.

**TOWN OF WESTPORT, CONNECTICUT**

**A RESOLUTION APPROPRIATING \$5,227,866 FOR COSTS ASSOCIATED WITH A PARTIAL ROOF REPLACEMENT AT STAPLES HIGH SCHOOL AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION.**

**RESOLVED:** That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the “Town”) hereby appropriates the sum of Five Million Two Hundred Twenty-Seven Thousand Eight Hundred Sixty-Six and 00/100 Dollars (\$5,227,866) for costs associated with a partial roof replacement at Staples High School, including the replacement of existing roof ladders and roof drains, as well as structural and architectural work, demolition and disposal, supplies, inspection, oversight, installation, administrative, financing and other related costs (the “Project”).

Section 1. As recommended by the Board of Finance and for the purpose of financing Five Million Two Hundred Twenty-Seven Thousand Eight Hundred Sixty-Six and 00/100 Dollars (\$5,227,866) of the foregoing appropriation, the Town shall borrow a sum not to exceed Five Million Two Hundred Twenty-Seven Thousand Eight Hundred Sixty-Six and 00/100 Dollars (\$5,227,866) and issue general obligation bonds for such indebtedness under its corporate name and seal and upon the full faith and credit of the Town in an amount not to exceed said sum for the purpose of financing the appropriation for the Project.

Section 2. The First Selectman, Selectmen and Finance Director are hereby appointed a committee (the “Committee”) with full power and authority to cause said bonds to be sold, issued and delivered; to determine their form, including provision for redemption prior to maturity; to determine the aggregate principal amount thereof within the amount hereby authorized and the denominations and maturities thereof; to fix the time of issue of each series thereof and the rate or rates of interest thereon as herein provided; to designate the bank or trust company to certify the issuance thereof and to act as transfer agent, paying agent and as registrar for the bonds, and to designate bond counsel. The Committee shall have all appropriate powers under the Connecticut General Statutes, as amended (the “Statutes”), including Chapter 748 (Registered Public Obligations Act) to issue the bonds and, further, shall have full power and authority to do all that is required under the Internal Revenue Code of 1986, as amended, and other applicable laws and regulations of the United States and the state of Connecticut, to provide for issuance of the bonds in tax exempt form, including the execution of tax compliance and other agreements for the benefit of bondholders, and to meet all requirements which are or may become necessary in and subsequent to the issuance and delivery of the bonds in order that the interest on the bonds be and remain exempt from federal income taxes, including, without limitation, to covenant and agree to restriction on investment yield of bond proceeds, rebate of arbitrage earnings, expenditure of proceeds within required time limitations and the filing of information reports as and when required and to execute Continuing Disclosure Agreements for the benefit of holders of bonds and notes.

Section 3. The Bonds may be designated “Public Improvement Bonds” series of the year of their issuance and may be issued in one or more series, and may be consolidated as part of the same issue with other bonds of the Town; shall be in serial form maturing in not more than twenty (20) annual installments of principal, the first installment to mature not later than three (3) years from the date of issue and the last installment to mature not later than twenty (20) years therefrom, or as otherwise provided by statute. The bonds may be sold at not less than par and accrued

interest at public sale upon invitation for bids to the responsible bidder submitting the bid resulting in the lowest true interest cost to the Town, provided that nothing herein shall prevent the Town from rejecting all bids submitted in response to any one invitation for bids and the right to so reject all bids is hereby reserved, and further provided that the Committee may sell the bonds, or notes, on a negotiated basis, as provided by statute. Interest on the bonds shall be payable semiannually or annually. The bonds shall be signed on behalf of the Town by the First Selectman and the Finance Director, and shall bear the seal of the Town. The signing, sealing and certification of said bonds may be by facsimile as provided by statute. The Finance Director shall maintain a record of bonds issued pursuant to this resolution and of the face amount thereof outstanding from time to time, and shall certify to the destruction of said bonds after they have been paid and cancelled, and such certification shall be kept on file with the Town Clerk.

Section 4. The Committee is further authorized to make temporary borrowings as permitted by the Statutes and to issue a temporary note or notes of the Town in anticipation of the receipt of proceeds from the sale of the bonds to be issued pursuant to this resolution. Such notes shall be issued and renewed at such times and with such maturities, requirements and limitations as provided by statute. Notes evidencing such borrowings shall be signed by the First Selectman and the Finance Director, have the seal of the Town affixed, which signing and sealing may be by facsimile as provided by statute, be certified by and payable at a bank or trust company incorporated under the laws of this or any other state, or of the United States, be approved as to their legality by bond counsel, and may be consolidated with the issuance of other Town bond anticipation notes. The Committee shall determine the date, maturity, interest rates, form and manner of sale, including negotiated sale, and other details of said notes consistent with the provisions of this resolution and the Statutes and shall have all powers and authority as set forth above in connection with the issuance of bonds and especially with respect to compliance with the requirements of the Internal Revenue Code of 1986, as amended, and regulations thereunder in order to obtain and maintain issuance of the notes in tax exempt form.

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

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

Section 7. Pursuant to Section 1.150-2 (as amended) of the federal income tax regulations the Town hereby expresses its official intent to reimburse expenditures paid from the General Fund, or any capital fund for the Project with the proceeds of the bonds or notes to be issued under the provisions hereof. The allocation of such reimbursement bond proceeds to an expenditure shall be made in accordance with the time limitations and other requirements of such regulations. The Finance Director is authorized to pay Project expenses in accordance herewith pending the issuance of the reimbursement bonds or notes.

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

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

Section 9. The Committee is hereby authorized to take all action necessary and proper for the sale, issuance and delivery of the bonds (and notes) in accordance with the provisions of the Town Charter, the Statutes, and the laws of the United States.