

RESOLUTIONS

(1)

RESOLVED: That upon the recommendation of the Historic District Commission, Chapter 38-24 of the Code of Ordinances of the Town of Westport is amended by adding the entire Minute Man Monument site located in the circle at the intersection of the right of ways of Compo Road South and Compo Beach Road as a historic property. (First reading. Full text is as follows.)

**ARTICLE II  
SPECIFIC HISTORIC DISTRICTS AND LANDMARKS**

**38-24 Historic landmark properties**

The bronze statue, the rubble stone pedestal, the bronze plaque, the fencing, the stone masonry wall supporting the fencing, and the grounds upon which they are set, to be known as the "Minute Man Monument", situated in the Town of Westport, County of Fairfield and State of Connecticut, set in the circle at the intersection of the right of ways of Compo Road South and Compo Beach Road and as shown on a map entitled "Town of Westport Map of Minute Man Monument, Historic District Commission, Compo Road South and Compo Beach Road, Westport Connecticut April 5, 2013" on file in the Westport Town Clerk's office as Map No. 10088.

(2)

RESOLVED: That the collective bargaining agreement between the Town of Westport and Police Local 2080, Council 15, American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME) for the period July 1, 2012 to June 30, 2016 is hereby ratified and approved.

(3)

RESOLVED: That upon the request of at least two RTM members, the adoption of an anti-blight ordinance is hereby approved. (First reading. Full text is as follows.)

**ARTICLE \_\_\_\_**

**ANTI-BLIGHT ORDINANCE**

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

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

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

BLIGHTED PREMISES - Any building, structure or parcel of land, including without limitation, single family or multi-family residential or commercial, whether occupied or vacant, except Exempt Property as defined below, in which at least one of the following conditions exists:

- A. It is Dilapidated or becoming Dilapidated as documented by the Building Official
- B. It is Dilapidated and attracting illegal activity as documented by the Police Department
- C. It is Dilapidated and is a fire hazard as determined by the Fire Marshal or as documented by the Fire Department
- D. It is determined by the Blight Enforcement Officer, the Building Official or by the Director of the Health District that the condition of the building, structure or parcel of land poses a serious or immediate danger to the safety, health or general welfare of the community
- E. It is not being adequately maintained. The following factors may be considered in determining whether or not it is not being adequately maintained
  - multiple missing, broken or boarded windows or doors
  - collapsing or missing walls, roof or floors
  - seriously damaged or missing siding
  - a structurally faulty foundation
  - excessive amounts of garbage or trash
  - abandoned or unregistered motor vehicles, including cars, trucks, boats and motor cycles, or other inoperable machinery on the premises
  - rodent harborage and/or infestation
  - unrepaired fire or water damage
  - parking lots left in a state of disrepair or abandonment
  - it is property intended to be preserved in its natural state through conservation easements
  - it is property that has been designated as open space within a nature preserve or land trust

BLIGHT ENFORCEMENT OFFICER – Shall mean a Town employee designated by the First Selectman.

BLIGHT PREVENTION BOARD – Shall be a board made up of five members who shall be appointed by the First Selectman.

DILAPIDATED - Any building or structure or part thereof that (i) would not qualify for a certificate of occupancy; (ii) which is deemed an unsafe structure by the Building Official; or (iii) which is designated by the Building Official as unfit for human habitation as defined in the State Building Code.

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

ELDERLY INDIVIDUAL – Shall mean in the case of an owner occupied residence, an individual sixty-five (65) years of age or older.

EXEMPT PROPERTY Any building or structure undergoing remodeling, restoration, repair or renovation, provided that the blighted condition will be corrected thereby and that the period thereof will not exceed one year from the date of receipt by the Blight Enforcement Officer of a written complaint.

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

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

NEW OWNER/OCCUPANT - Any Owner/Occupant who has taken title to or legal occupancy of a property within thirty (30) days of the notice provided in Section \_\_\_\_\_.

OWNER/OCCUPANT - All individuals, firms, partnerships, corporations, limited liability corporations or other entities or authorities which own, lease, rent, possess, or are responsible for property within the Town.

**Sec. \_\_\_\_\_ . Prohibition.** No Owner/Occupant shall allow, maintain or cause to be maintained any Blighted Premises.

**Sec. \_\_\_\_\_ . Determination of Violation.**

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

B. If after investigation a probable violation is found to exist, the Blight Enforcement Officer shall serve written notice to the Owner/Occupant of the premises where the possible violation exists. The notice shall be sent in the manner prescribed by Section \_\_\_\_\_ to the last known address of each Owner/Occupant. A copy of such notice shall also be sent to the Building Official, the Director of the Department of Human Services, the Director of the Health District, the Director of the Planning & Zoning Department, the Historic District Commission Staff, the Chief of Police, and the Chief of the Fire Department.

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

D. The Blight Prevention Board shall hold a hearing within fifteen (15) business days of the date of the notice provided in paragraph B. At the hearing, all interested persons shall be given the opportunity to present evidence on the question of whether a violation of this Article has occurred.

E. If the Owner/Occupant who received the notice fails to appear, the Blight Prevention Board may nevertheless determine whether a violation has occurred provided the Board has made a finding that notice was properly served in accordance with this Section.

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

G. If the Blight Prevention Board determines that no violation has occurred, no further action as to that complaint shall be taken.

**Sec. \_\_\_\_\_ . Special Consideration.** Special consideration may be given to those who require it in order to correct a violation of this Article. Specifically, the Blight Prevention Board may grant an Owner/Occupant additional time to correct a violation where the Owner/Occupant establishes good cause. As used in this section "good cause" includes, but is not limited to, an Elderly Individual who is unable to personally correct a violation due to his age, a Disabled Individual who is unable to personally correct a violation due to his disability, or a Low Income Individual who is unable to correct a violation due to cost. In determining whether good cause exists, the Blight Prevention Board shall consider whether other occupants of the premises are able to assist in correcting the violation in a timely fashion and whether the severity of the violation is such that additional time is not warranted.

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

Delivery of the notice of violation to the Owner/Occupant shall be by one or both of the following methods:

- 1) By personal delivery to the Owner/Occupant; or

- 2) By certified mail, return receipt requested and simultaneously by regular U.S. Postal Service mail, addressed to the Owner/Occupant at their last known address.

Sec. \_\_\_\_\_. **Extension.** Notwithstanding the provisions of Section \_\_\_\_, the Blight Enforcement Officer:

- (i) Shall, upon request, grant a New Owner/Occupant a thirty day extension of the notice of violation and opportunity to remediate set forth therein.
- (ii) May, in his or her discretion, grant to any Owner/Occupant one thirty day extension of the time to remediate the violation.

Any further extensions will require the written approval from the Blight Prevention Board.

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

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

Sec. \_\_\_\_\_. **Willful Violations; Penalties.** In addition to the foregoing, any person who, after receiving a notice of violation pursuant to Section \_\_\_\_\_ and after a reasonable opportunity to remediate the Blighted Premises, willfully violates the provisions of this Article with respect to housing blight, such person shall be fined by the State of Connecticut not more than two hundred and fifty dollars (\$250.00), or the maximum allowed by C.G.S. §7-148o, as the same may be amended from time to time, for each day for which it can be shown, based on actual inspection of the property on each such day, that the Blighted Premises continue to exist after written notice to the Owner/Occupant as provided herein and the expiration of the time to remediate.

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

The citation shall state:

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

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

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

Sec. \_\_\_\_\_. **Payment of Civil Penalties.** If the Owner/Occupant who has been issued a citation pursuant to this Article wishes to admit liability for any alleged violation, the Owner/Occupant may, without requesting a hearing, pay the full amount of the civil penalties, fines, costs and/or fees to the Blight Enforcement Officer. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such Owner/Occupant or other person making the payment.

Any Owner/Occupant who does not deliver or mail written demand for a hearing within ten (10) days of the date of the citation, shall be deemed to have admitted liability, and the Blight Enforcement Officer shall certify to the hearing officer that such

Owner/ Occupant has failed to respond. The hearing officer shall thereupon enter and assess the civil penalties, fines, costs and/or fees provided for by this Article and shall follow the procedures set forth in Section \_\_\_\_.

**Sec. \_\_\_\_\_. Hearing Procedure for Citations.**

- A. The First Selectman shall appoint one (1) or more citation hearing officers. The First Selectman shall not appoint the Blight Enforcement Officer, a member of Blight Prevention Board or any employee of the Police Department as the hearing officer.
- B. An Owner/Occupant who chooses to appeal a citation and requests a hearing to this effect shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of mailing of the notice, provided the hearing officer shall grant upon good cause shown any reasonable request by an interested party for postponement or continuance. An original or certified copy of the citation issued by the Blight Enforcement Officer shall be filed with and retained by the Town and shall be deemed to be a business record within the scope of C.G.S. § 52-180 and evidence of the facts contained therein. Upon request of the person appealing the citation, the presence of the Blight Enforcement Officer who issued the citation shall be required at the hearing. A designated Town official other than the hearing officer may present evidence on behalf of the Town. An Owner/Occupant wishing to contest liability shall appear at the hearing and may present evidence on his behalf. If the Owner/Occupant who received the citation fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes and this Article. The hearing officer may accept from such Owner/Occupant copies of any relevant investigatory and citation reports, and/or any other official documents by mail and may determine thereby that the appearance of such person is unnecessary.
- C. The hearing officer shall conduct the hearing in the order and form, and with such methods of proof, as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his decision at the end of the hearing. If the hearing officer determines that the Owner/Occupant is not liable, the hearing officer shall dismiss the matter and enter that determination in writing accordingly. If the hearing officer determines that the Owner/Occupant is liable for the violation, the hearing officer shall forthwith enter and assess the civil penalties, fines, costs and/or fees against the person as provided by this Article.
- D. If the hearing officer's assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of assessment to the Owner/Occupant found liable and shall file, not less than thirty (30) days nor more than twelve (12) months after such mailing, a certified copy of the notice of assessment with the clerk of the superior court facility designated by the Chief Court Administrator together with the applicable entry or filing fee. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessment against the same Owner/Occupant may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of the hearing officer's record of assessment as well as court costs, against such person(s) in favor of the Town. The hearing officer's assessment when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution of such judgment may issue without further notice to the Owner/Occupant.
- E. A person against whom an assessment has been entered pursuant to this Article is entitled to judicial review by way of appeal in accordance with C.G.S. §7-152c(g).

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

**Sec. \_\_\_\_\_. Removal or Remediation by Town.** If the hearing officer determines the Owner/Occupant is liable for the violation, the Town may cause or take such action as is necessary to correct the violation. All costs and expenses of such corrective action shall be a lien upon the real estate. The Blight Enforcement Officer shall cause a certificate of lien to be recorded in the Town Clerk's office within sixty (60) days after completion of such corrective action if all costs and expenses thereof are not reimbursed in full.

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

(4)

RESOLVED: That the Representative Town Meeting Rules of Procedure, Article VI, Section A162-20 (Conflicts of Interest) is hereby amended by adding the following sentence: "Potential ethics concerns may be discussed with the Moderator, Deputy Moderator, Town Attorney or Assistant Town Attorney."



## Westport Historic District Commission

Town Hall

Westport, Conn. 06880

To: Larry Bradley, Director of Planning and Zoning  
Members, Planning and Zoning Commission

From: Historic District Commission

Date: June 3, 2013

Re: Preliminary Study Report for Proposed Local Historic Property  
Designation of the Minute Man Monument at the circle set in the  
intersection of the rights of ways of Compo Road South and Compo Beach  
Road

RECEIVED FOR RECORD  
WESTPORT LAND RECORDS  
2013 JUN -3 A 11:33  
VOL. \_\_\_\_\_ PAGE \_\_\_\_\_  
Patricia M. Strauss  
TOWN CLERK

In a letter dated June 28, 2012, on behalf of the Town of Westport, First Selectman, Gordon F. Joseloff proposed the local historic landmark property designation of the Minute Man Monument at the circle set in the intersection of the rights of ways of Compo Road South and Compo Beach Road.

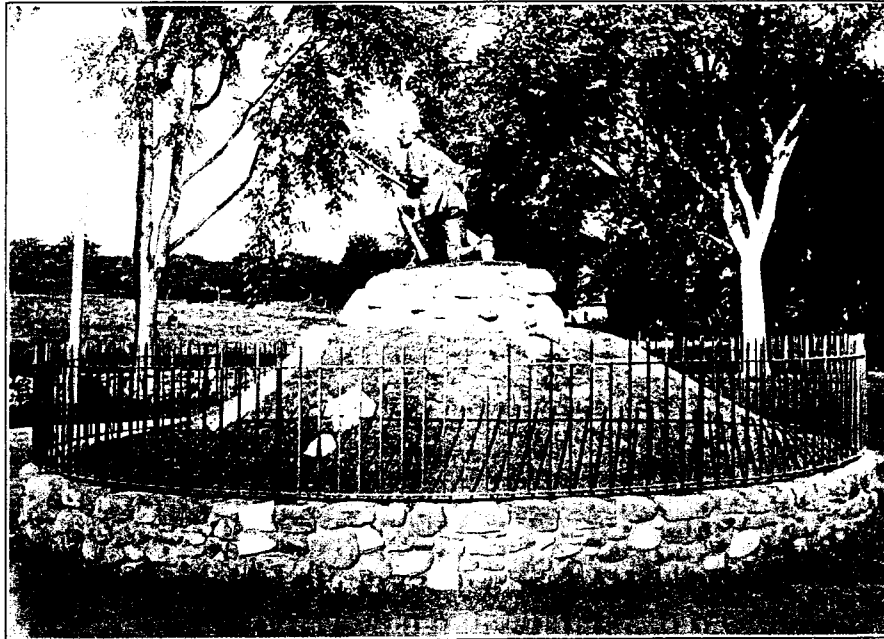
In accordance with Connecticut General Statutes 7-147q, the Historic District Commission supported the request and formed a study committee for the purpose of making an investigation of the property to compile a study report which is required in order to designate the property.

The preparation of the report has been completed and is being submitted to you for your comments or recommendations in accordance with section 7-147q of the Connecticut General Statutes. This preliminary study report was also submitted to the Department of Economic and Community Development, State Historic Preservation Office, on June 3, 2013. According to the statute, comments must be returned to the Historic District Commission within 65 days of the transmittal date.

Thank you for your consideration. Please contact the HDC office with any questions.

cc: Gordon F. Joseloff, First Selectman  
Eileen Flug, RTM Moderator  
Gail Kelly, Assistant Town Attorney  
✓ Patricia Strauss, Town Clerk  
Steve Edwards, Director of Public Works

**STUDY REPORT FOR PROPOSED  
LOCAL HISTORIC LANDMARK PROPERTY DESIGNATION OF  
MINUTE MAN MONUMENT AT INTERSECTION OF  
COMPO ROAD SOUTH AND COMPO BEACH ROAD**



**TOWN OF WESTPORT HISTORIC DISTRICT COMMISSION AND  
ARTS ADVISORY COMMITTEE STUDY COMMITTEE**  
Arts Advisory Committee Members: Kathleen Motes Bennewitz and Leslie Green  
HDC Members: Francis Henkels, Betsy Wacker and Grayson Braun  
HDC Staff Administrator Carol Leahy





## Westport Historic District Commission

Town Hall, Room 108

110 Myrtle Avenue

Westport, Connecticut 06880

May 23, 2013

State Historic Preservation Council  
Department of Economic and Community Development  
State Historic Preservation Office  
One Constitution Plaza, Second Floor  
Hartford, CT 06103

**RE: Proposed Local Historic Property Designation of Minute Man Statue Site at the Intersection of Compo Road South and Compo Beach Road**

Dear Council Members:

In June 2012, a letter of request by First Selectman Gordon F. Joseloff on behalf of the Town of Westport was submitted to the Historic District Commission to designate the Minute Man Statue site as a local historic property. At a public hearing on July 10, 2012, the Commission approved this property for study.

The Town of Westport's Historic District Commission (HDC), in partnership with the Westport Arts Advisory Committee (WAAC), requests local historic landmark designation for H. Daniel Webster's *The Minute Man Memorial* (1909-10). This bronze life-sized figure portrays a patriot kneeling atop a grassy pedestal and "firing his old flint lock at the enemy from between two large boulders in a stone wall." ["Webster Work Satisfactory," *The Westporter-Herald*, July 2, 1909]. Today a century-old landmark and icon of the town, the bronze statue was unveiled on July 17, 1910 to "commemorate the heroism of the Patriots who defended their country when the British invaded this State April 25, 1777," as its plaque reads.

The State of Connecticut, the Connecticut Sons of the Revolution (CSAR) and private residents funded the project, launched by 1903. At this time, among the State's important roles was to sponsor public commemorative monuments. Established in 1886 by a legislative act, the Commission on Sculpture (COS) was charged with "all matters relating to the decoration of the capital building and grounds with historical statues or works of art." In 1907 a bill expanded its powers "so as to permit the acceptance of trusts created for purpose of maintaining any memorial on public ground." In 1909, the year the COS approved the *Minute Man Memorial's* design and site, Connecticut was hailed by experts in Washington, DC as "a pioneer in this movement" and the agency "probably the oldest of its kind in the country." That year, the New York State Legislature also authorized a sculpture commission modeled on Connecticut's.

Webster's figure is one of four known statues of a continental minuteman commemorating a Revolutionary battle, among them Daniel Webster French's bronze *Minute Man* erected in Concord on April 19, 1877 for the centennial of the "shot heard 'round the world." American sculptors like Webster, who were working in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, benefited from the popularity of monumental sculpture in the post-Civil War era.

The HDC has chosen to seek local historic landmark designation because the Westport *Minute Man Memorial* (1909-10) holds a unique place in the history of the Town of Westport and State of Connecticut as well as that of the CSAR and State's COS. The creation of this monument is rich with stories that demonstrate historical interests, civic pride, and successful partnership among private and public organizations over a hundred years ago. The proposal is a direct response to the removal of the original iron fence by the town in 2012 and its replacement with a historically inappropriate modern metal fence. At the time, the cost of restoration was not feasible with existing funds. Fortunately, the iron fence was dismantled and placed in safe storage. In investigating the removal and conservation and restoration of the original 1910 fence, the HDC's Study Report Committee conducted research on the monument. Its findings contribute new scholarship, information and documentation on the monument's complete site and fuller significance and history. Through this effort, the project strongly aligns with HDC's goals to promote the interests of historic preservation throughout the Town of Westport, to preserve continuity of our cultural heritage and to ensure that existing historic districts and properties (including historic monuments) are preserved and provide a sense of place.

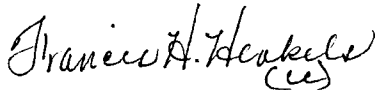
The study report has been completed and, in accordance with CGS sec. 147(b), is being submitted to you for your comments and recommendations.

The following items are included for your review:

- Statement of significance
- A survey map of the proposed local historic property
- Site map and current photographs of the property
- Town Ordinance with boundary description
- The letter of petition received from the property owner, and property owner contact information

Thank you for your consideration.

Sincerely,

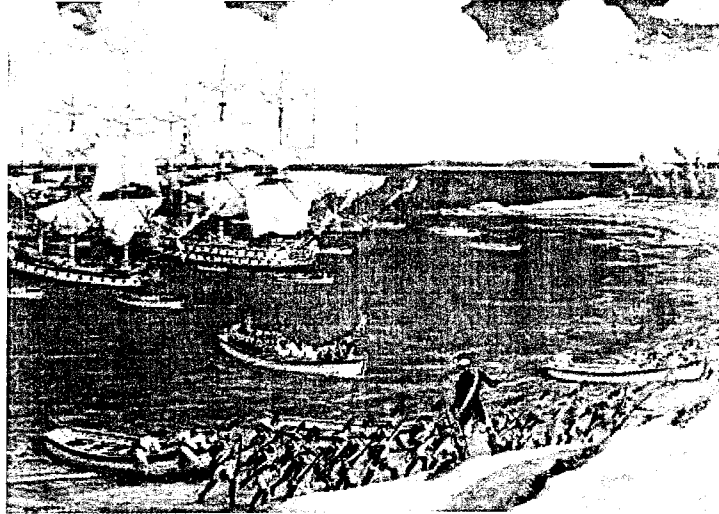


Francis H. Henkels, Chairman  
Historic District Commission

cc: Gordon F. Joseloff, First Selectman; Larry Bradley, Dir. of Planning and Zoning; Eileen Flug, RTM Moderator; Gail Kelly, Town Attorney; Patricia Strauss, Town Clerk; Steve Edwards, Dir. of Pub. Works

## Statement of Significance

### *The British Landing at Cedar Point and the Battle of Compo Hill*



Robert Penn Lambdin (1886-1981), *The British Landing at Cedar Point, April 25, 1777*, oil on canvas, 1955, Westport Schools Permanent Art Collection.

On April 25, 1777 twenty-six British warships manned by approximately 2,000 British troops under the command of General William Tryon landed at Compo Beach (today, Westport, Connecticut). They were met by guides loyal to the British Crown who directed them along Compo Road to Cross Highway, across Redding Road then, north through Redding and Bethel, to Danbury where their objective was to burn a major munitions depot. With the exception of a Patriot force numbering eighteen men led by Captain Disbrow at the corner of the Post Road and Compo Road, the British march to Danbury went unopposed. One British Major was killed and three other men wounded. This began the Patriot resistance to the invasion of Connecticut.



Eugene E. Hannan (1875-1945), *The Battle of Cedar Point*, plaster, 1936-37, Westport WPA Collection, Westport Schools Permanent Art Collection

Two days later, the British objective of the destruction of the munitions depot in Danbury having been achieved (they also succeeded in burning nineteen homes, twenty-two stores and barns as well as a printing press, a variety of food, clothing, medical equipment, tents and candles), they encountered Patriot forces in what is now known as the Battle of Ridgefield. Brigadier General Benedict Arnold led the Patriot forces, outnumbered three to one. Realizing reinforcements were on their way General Tryon made the tactical decision to relocate his troops back to the shoreline.



Eugene E. Hannan (1875-1945), *Battle of Compo Hill*, plaster, 1936-37, Westport WPA Collection, Westport Schools Permanent Art Collection

Having been warned by a Tory, named Deliverance Bennett, of a planned ambush on Old Hill, the British troops crossed the Saugatuck River at Ford Road. Brigadier General Arnold raced to intercept General Tryon's troops near the Kings Highway Bridge. After a failed charge, he maneuvered to meet the British at the foot of Compo Hill, which forced the British to fight their way back to their waiting ships. The British suffered more than 200 casualties in the fighting, and the Americans had 20 men killed and 40 wounded. This final engagement occurred on April 28, 1777. Westport's *Minute Man Memorial* commemorates this battle.

#### *A Symbol of the Town*



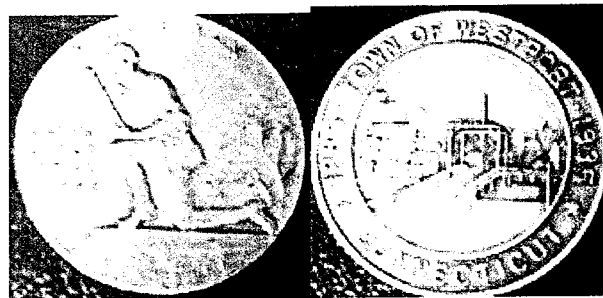
Robert Penn Lambdin (1886-1981), *Westport in the 1920s*, 1976, Westport Historical Society

In modern times the *Minute Man* "is the symbol of Westport," to quote Westport's current First Selectman Gordon Joseloff. At its 100<sup>th</sup> anniversary in 2010 Town Historian Allen Raymond also declared that the *Minute Man* is Westport's equivalent of the Lincoln Memorial. The Town's new flag, designed in 1986 by Miggs Burroughs, also incorporates the patriot. He recalled that the design was approved because "everyone agreed that there was no more iconic symbol of the town and its origins."



Town flag by Westport's Miggs Burroughs, 1986

Earlier in 1935, unbeknown to the 1986 flag committee, the monument also symbolized the town on the commemorative medallion honoring Westport's Centennial.



Town of Westport centennial commemorative medallion, 1935, private collection

A year later Eugene Hannan depicted both April battles in a pair of *bas reliefs* (illustrated above). Westport's Works Progress Administration (WPA) Committee commissioned Hannan to make these ambitious bas reliefs, each 22 feet long, titled *The Battle of Compo Hill* and *The Retreat of the British*, for the entrance of Staples High School. Today, these Depression-era works of art grace the entrance of the building that now functions as Saugatuck Elementary School.



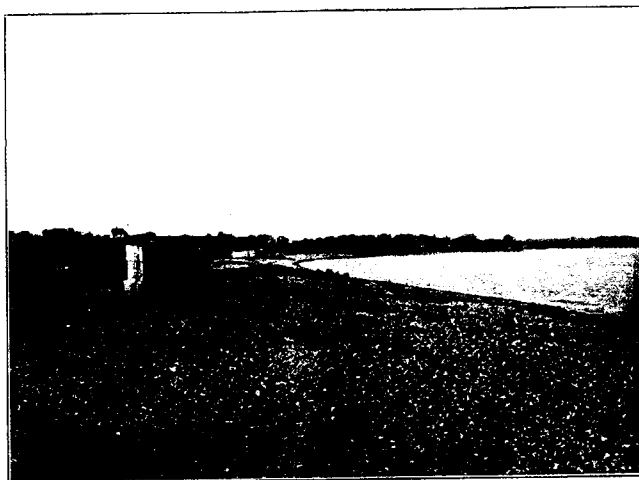
Robert Penn Lambdin (1886-1981), *Ready for All Seasons*, oil on canvas, 1975, Westport Schools Permanent Art Collection

Several artists, such as esteemed muralist Robert Lambdin, who were active in Westport's art community, featured the monument in their work. Similarly, many local businesses adopted the image and name. The Westport Young Woman's Club "Minute Man" race, held at Compo Beach, directs its runners past the *Minute Man Memorial* giving the annual April event the name it has had ever since 1979.



In 2005, four years after publication of a study on how to improve Westport's downtown, one of its recommendations became a reality—new signage that points the way to downtown sites. The signs are topped with a Minuteman figure.

### **Installation of Cannons at Compo Beach**



Cannons at Compo Beach, c. 1906, from *Minute Man* dedication program, 1910

On July 4, 1901 a pair of large cannons, mounted to a granite base and donated by the U.S. Government, were placed at Compo Beach to commemorate the fighting on and near the shore as the British returned to their ships. These cannons (restored in 1999 with a grant from The Rotary Club of Westport) served as an impetus to create a new, larger monument to the Connecticut Patriots.

### **Plans for a Monument**

In 1902 the Town of Westport secured title to Compo Beach and William H. Burr, one of the town fathers, felt the need for a monument that would commemorate the Patriot resistance to British troops in Westport. He requested the assistance of the Connecticut Chapter of the Sons of the American Revolution (CSAR), to help raise the necessary funds. Jonathan Trumbull, then President of CSAR, addressed the members at the CSAR Annual Meeting and spoke of the need

for CSAR to take a "prominent place" in "exemplifying the work of our own state in the days of the Revolution."



COMPO BEACH AND HILL, W.H. BURR, "THE BATTLE OF COMPO," CONNECTICUT MAGAZINE, 1906



COMPO BEACH AND HILL, W.H. BURR, "THE BATTLE OF COMPO," CONNECTICUT MAGAZINE, 1906

*Compo Beach and Hill, W.H. Burr, "The Battle of Compo," Connecticut Magazine, 1906*

He went on to credit the Daughters of the American Revolution (DAR) for inspiring sympathy and money to this end and cause, and he espoused a desire for the role public education could play in commemorating Connecticut's role in the American Revolution.

The following year, in an article published in *The Hartford Courant*, William H. Burr notes the difficulty with which Westport achieved title to Compo Beach and calls for the public to contribute money to create a monument. In his article he cites the presence of the cannons on the beach:

Two large guns presented by the United States Government now mark the place of the conflict in the days of the young republic.

He goes on to describe the sacrifice made by the people of Connecticut for the cause of freedom and states the need to commemorate that sacrifice:

The state of Connecticut, the descendants of those who fought in the battle, and patriotic people generally, will be invited to contribute for the erection of a memorial, which shall record the names and deeds of these who gave their lives their country's defense in the dark days of 1777.

In his address at the CSAR 1903 Annual Meeting, Trumbull endorsed the project and appointed a committee of three members (Sen. R.H. Woodruff of New Haven, Col. Louise H. Cheney and John M. Holcombe of Hartford) "to aid the town in its undertaking."

Despite the enthusiasm for a monument by Burr, Trumbull and the CSAR, not everyone was in agreement about public funding for the monument. In 1903 Sen. Lloyd Nash of Westport presented a bill to the Connecticut State Legislature calling for the appointment of a commission of five to erect a monument at Compo Beach, and for an appropriation of \$6,000. While this bill wound its way through the State Legislature, an article in *The Hartford Courant* on April 14, 1905, reported that the General Assembly Appropriations Committee voted adversely on the request. The Chairman went so far as to state that there was no need for a monument and the bill was rejected. On February 21, 1907 an article titled, "Indiscriminate Monuments," was published in *The Hartford Courant*. It illustrated public opinion in opposition to setting precedent for State appropriation of funds for public sculpture.

Despite the opposition, the summer of 1907 finally brought success for public funding for the monument. It was an appropriation not to exceed \$2,000, or one-fourth of the projected cost, with the requirement that the State Commission on Sculpture (COS) approve the design, material and location of the monument. Established in 1886 by a legislative act, the COS was charged with "all matters relating to the decoration of the capital building and grounds with historical statues or works of art." In 1907 a bill expanded its oversight for "any memorial on public ground."

One year later, Wm. H. Burr was appointed to select plans for a monument at Compo Beach and the CSAR appointed a special committee to secure plans to erect the monument. At the 1909 CSAR Annual Meeting, it was disclosed that several artists including Charles Niehaus, the sculptor of the McKinley monument in Canton, Ohio, were submitting designs. In December 1909 H. Daniel Webster was readying his model for submission of a "minute-man on alert for invaders."



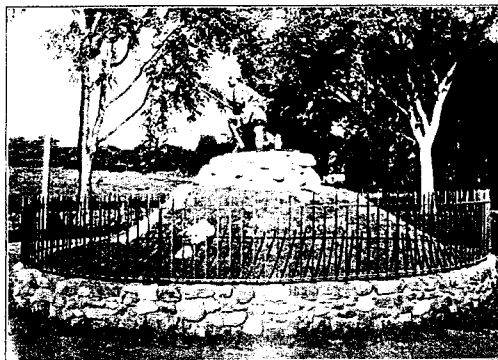


W.H. Burr, Fairfield Museum and History Center

The CSAR selection committee, according to W.H. Burr's July 2, 1909 article in *The Westporter-Herald*, awarded Webster the commission. His design featured "a minute man firing his old flint lock at the enemy from between two large boulders in a stone wall." Burr then described Webster's fuller conception:

The minute man is said to be life-size, accoutered for the period of 1776 and to be standard bronze; of the same material will be two tablets bearing inscriptions to be secured to the boulders. The boulders and figure will rest on a mound some six feet above the roadway, and will cost when completed not far from the \$2,500, the larger part of which has been provided.

Now that funding had been secured and the artist commissioned, the precise site for the sculpture had yet to be determined. In early July, provisions were made, reported by Burr, for a prospective site by Mr. Morris and Mr. Irwin who "have kindly consented to have such changes made in the immediate locality as will insure ample accommodation and protection for the memorial." On July 17, 1909, according to *The Hartford Courant*, the State Commission on Sculpture met at New Haven to accept and approve the site—"the intersection of two roads in the town of Westport and is said to be the exact spot where the fiercest part of the battle of Compo Beach was fought"—for the monument. Its placement would require, the Commission stipulated, the moving of a trolley line "further to the west" so that the mound, on which the minute man kneels, could be enlarged and raised.



*The Minute Man, 1910*

In the Town of Westport's Meeting Records from September 1909 (Town of Westport, [September], pp. 249-50), the minutes show that a resolution was passed for the Connecticut Railway and Lighting Company "to remove their trolley tracks from their present location by "the monument, erected by the State and people at Compo, to a position by the fence recently constructed by town, thereby allowing ample room for the beautifying of the monument surroundings." The State of Connecticut and the Town of Westport paid this jointly.

### **The Creation of *The Minute Man***

Webster was an already an accomplished sculptor by the time he moved to Connecticut in 1906. An instructor at The Art Students League in New York and member of the newly established Silvermine Group in New Canaan (today, Silvermine Guild of Artists), the 29 year-old sculptor, hailing from Iowa and South Dakota, became an active member of its thriving artist community.

His Westport home, "Nine Hearths," was the former Noah Nash house at 56 Sylvan Road North (see HRI, Appendix D). He restored the farmhouse and built a studio, where the full-sized *Minute Man* was modeled in clay.

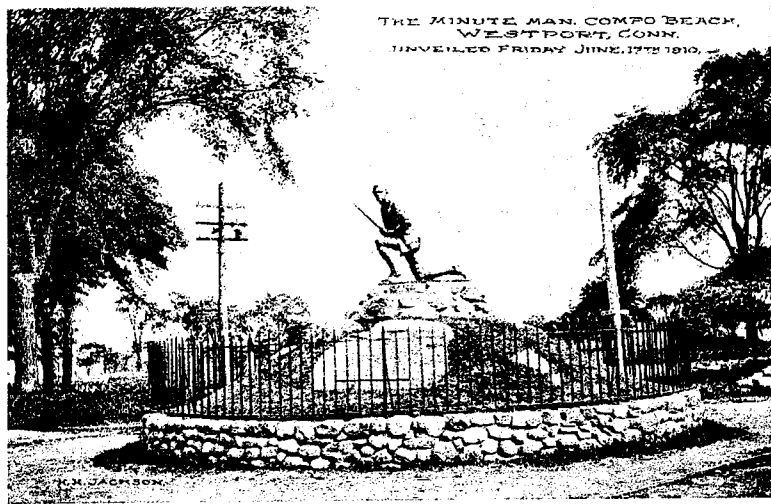


Bronze statue cast by Tiffany Studios, 1910

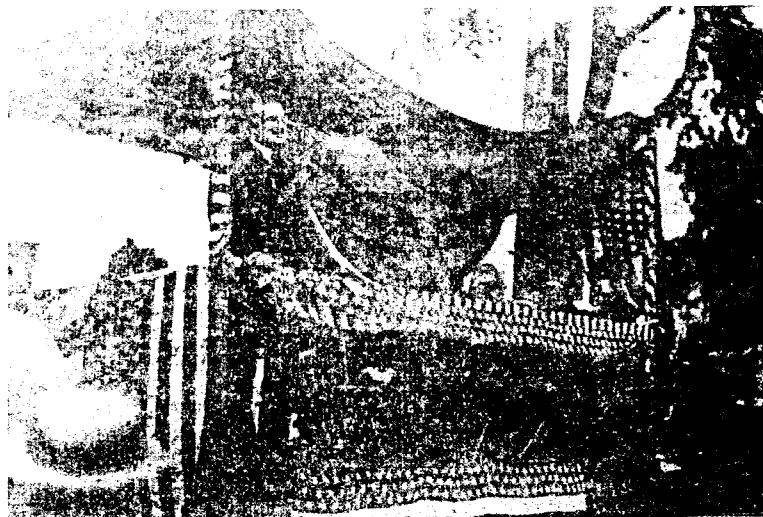
The June 17, 1910 article "The Minute Man Unveiled" in *The Westporter-Herald* notes, "Mr. Webster came to Westport about three years ago purchasing the Christofson [Kristoferson] place. This house was entirely remodeled by Mr. Webster and it presents one of the most artistic homes in this section. At the rear of the home Mr. Webster erected a commodious studio. In it he does all of his work." There, Webster, according to an August 2, 1929 *Westporter Herald* article modeled the clay version in actual size using First Selectman Lewis P. Wakeman as his model for the figure, as " a number of prominent local citizens watched." In April 1910 Tiffany & Co. cast the clay model in bronze at the Roman Bronze Works Foundry in Brooklyn, New York. To complete the project, Webster needed local fieldstone for the mound and wall. The newspaper asked nearby residents to donate stone "to furnish the foundation" along with "large symmetrical boulders," which the sculptor would "inspect," to integrate into the mound and to house the bronze tablets.

## The Dedication

In May 1910 “the beautiful statue which now adorns a grassy pedestal on Compo Road” was being readied for dedication. The May 20<sup>th</sup> edition of *The Westporter-Herald* reports the statue as being in place with preparations for a clambake at Compo Beach to coincide with the unveiling on Bunker Hill Day, June 17, 1910. (A program of the 17 June 1910 ceremony and complete list of contributors can be found in Appendix A).



The CSAR organized the event, which was covered by newspapers across Connecticut. Festivities included a lunchtime clambake, followed by a procession from the beach to the site, music and addresses by officials from the Town, State, CSAR, DAR, historians and H. Daniel Webster, the artist. A poem, “The Minute Man,” by author Agnes Lewis Mitchell from Westport, also was read to commemorate the event and the landing of the British on their raid on Danbury.



Lewis B. Curtis presenting *The Minute Man* to the Town of Westport, *Bridgeport Evening Post*, June 18, 1910, Westport Historical Society

Thousands, according to *The Norwalk Hour*'s headline the next day, attended "the auspicious ceremonies." *The Bridgeport Evening Post* added, "All Westport and much of Southport, Fairfield, Norwalk and some Bridgeport were there to make the occasion a success." After accepting the statue, CSAR president Lewis B. Curtis turned over the care of the monument to the town of Westport and the First Selectman Lewis P. Wakeman, stating:

And now, sir, to you as first selectman of the town of Westport, we commend the care of this monument. You may well feel proud of it, for it not only marks a most important historical spot, but it is itself a thing of beauty.... Thousands have made the trip to Concord and Lexington to visit that historical spot, and to admire the graceful lines of that statue, and so I venture to predict will thousands visit this sight in time to come, and Compo Beach, and Concord will stand side by side in historical interest.

Westport should always cherish among their brightest possessions, this spot and the monument, which we have erected to commemorate the noble deeds enacted here.

With this, the young daughter of Curtis was joined by Brewster Jennings, whose great grandfather Col. Abraham Gould was killed defending the state in the subsequent battle at Ridgefield on April 27, 1777, to unveil the monument.

Today, *The Minute Man* is third on the list of the CSAR's nine major accomplishments and projects preserving historic landmarks in the State since the SAR's founding in 1889:

3. At Compo Beach in Westport, Connecticut, there was dedicated on June 17, 1910, a monument which represents "The Minute Man," a life size statue of a Revolutionary Patriot. This memorial was erected by the Connecticut Society of the Sons of the American Revolution to commemorate the resistance to the landing on April 25, 1777, of the British troops under General Tryon for their march to Danbury.

### **The *Minute Man* Marker**



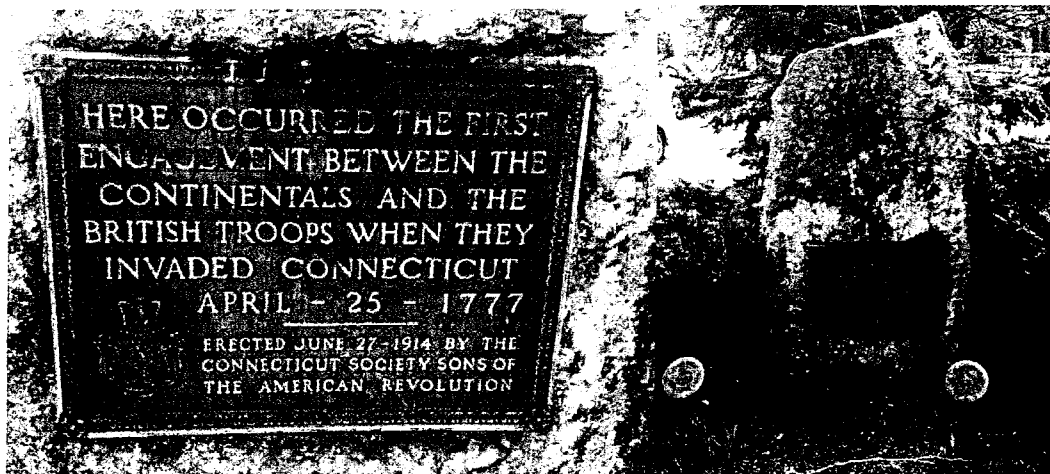
*The Minute Man with "Tablet" as shown on a postcard, c. 1912*



*The Minute Man marker; below the marker at Compo Road South and The Post Road, 2012*

The inscription on the marker reads:

*To commemorate the heroism of the Patriots who defended their country when the British invaded this State April 25, 1777. General David Wooster, Colonel Abraham Gould and more than one hundred Continentals fell in the engagements commencing at Danbury and closing on Compo Hill. Erected by the Connecticut Society Sons of American Revolution.*



On June 27, 1914 a second bronze tablet, above, was installed, at the corner of Compo Road South and the Post Road, and dedicated by the Connecticut Sons of the American Revolution, with the sculptor's widow in attendance. It reads:

*Here occurred the first engagement between the Continentals and the British troops when they invaded Connecticut April 25, 1777. Erected by the Connecticut Society Sons of*

*American Revolution. Erected June 27, 1914 by the Connecticut Society Sons of American Revolution.*

### **Growing Recognition of the Importance of *The Minute Man***

In 1913 *The Minute Man* was recognized by the National Society of the Sons of the American Revolution (NSAR) when they published W. H. Burr's account of the 1777 invasion and described the importance of monuments and historic sites as places for future generations to better understand history and to cultivate tourism. That year the NSAR advocated the erection of monuments, like Westport's, to encourage "patriotic education." In 1913 the NSAR president urged members to "perpetuate the spirit of '76 in their children and grandchildren," and advocated the marking of historical sites in the states, so that "the future generations will know the history of that spot." It was also a way to indoctrinate incoming immigrants as naturalized Americans. "The great problem of today," Burr stated, "is to cultivate in the thousands of foreigners coming to our shore every day the spirit of America."

In accordance with the concept of historical tourism, which took into account the growing popularity of the automobile, the NSAR also organized a "Washington Journey Trip" to take place in June 27-30, 1914. *The Hartford Courant* covered the event, under the headline, "Pilgrims to See Historic Places." Members traveled by automobile and followed the route taken by George Washington from Philadelphia to Cambridge in 1775 on his way to assume command of the Revolutionary Army. The itinerary included two stops in Westport, to visit the *Minute Man* and to Compo Beach. On June 27, 1914 the CSAR dedicated a plaque at the intersection of Compo Road South and Post Road East. A boulder bears a plaque:

*Here occurred the first engagement between the Continentals and the British Troops when they invaded Connecticut April-25-1777*

*The Minute Man's* site—a fieldstone cropping within a traffic circle at the intersection of today's Compo Road South and Compo Beach Road—made it well situated for automobile tourism. The CSAR then planned additional series of "patriotic and military engagements" that summer. Shares of the funds raised, *The Hartford Courant* reported on July 16, 1914, were "to carry forward the patriotic project begun by them at Compo Beach, to mark with memorials the various spots made historic by the Revolutionary heroes."

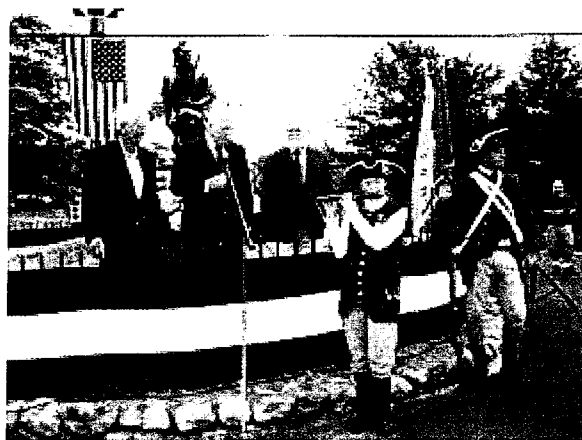
Since then, *The Minute Man* has been recognized nationally by Dale K. Benington on the Historical Marker Database ([www.hmdb.org](http://www.hmdb.org)), the Smithsonian Institution Inventory of American Painting & Sculpture (<http://sirismm.si.edu/siris/saam.htm>) and also embraced by the American public through comedienne Lucille Ball.



Lucille Ball as the *Minute Man* on *I Love Lucy*, 1957

*The Minute Man* made its national television appearance on the *I Love Lucy* episode, "The Ricardos Dedicate a Statue." The plot revolved around Lucy accidentally damaging the *Minute Man* statue—which her bandleader husband Ricky was to dedicate at the historical society's Yankee Doodle Fair—by decapitating it. Then, Lucy unsuccessfully tries to stand in for the shattered statue while Ricky extols the bravery and heroism exhibited by the patriots at the Battle of Compo. On May 6, 1957 over 35 million viewers watched this 179<sup>th</sup> and final episode of *I Love Lucy*.

#### ***Minute Man's* 100th Anniversary & Town Celebration**



On June 17, 2010 the Town of Westport marked the 100th anniversary of the unveiling of *The Minute Man* with a brief ceremony, which was attended by a crowd of more than 100 people led by a fife-and-drum duo. Bedecked in red, white and blue bunting, the Westport militiaman was honored with a display of the American, Connecticut and Westport flags.

Today, "it is the symbol of Westport," remarked First Selectman Gordon Joseloff, and in the eyes of Town Historian Allen Raymond, *The Minute Man* is Westport's equivalent of the Lincoln Memorial. The Rev. Frank Hall of Westport's Unitarian Church gave a blessing and read the poem Agnes Lewis Mitchell penned for the original dedication ceremony.

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**Appendix A: Monument Dedication Pamphlet, “*The Minute Man*,” arranged by Henry C. Sherwood (1910)**

*Please see attached Dedication Pamphlet*

**Appendix B: Historic Photographs of *The Minute Man Monument*, Westport CT**

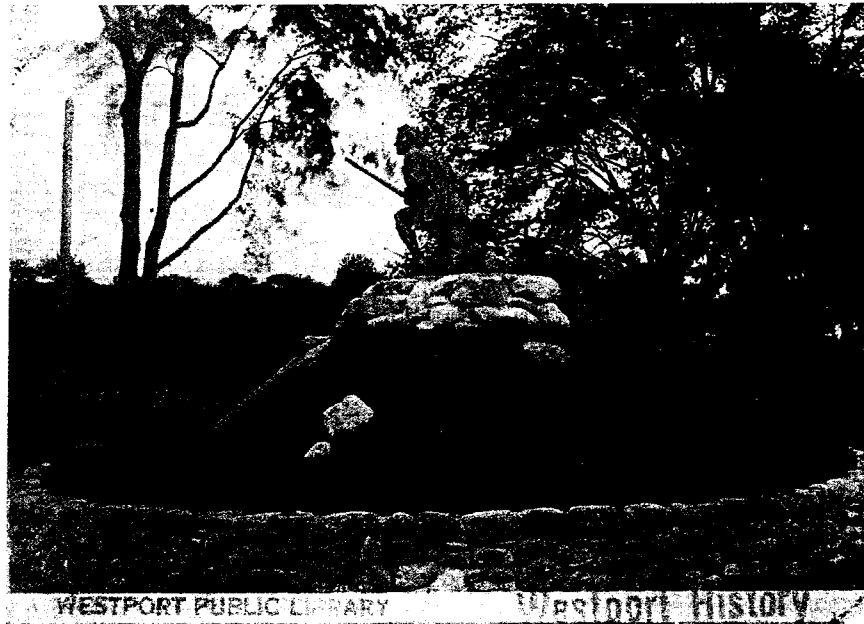
*Minute Man*, plaster cast, from *Bridgeport Standard*, July 17, 1910



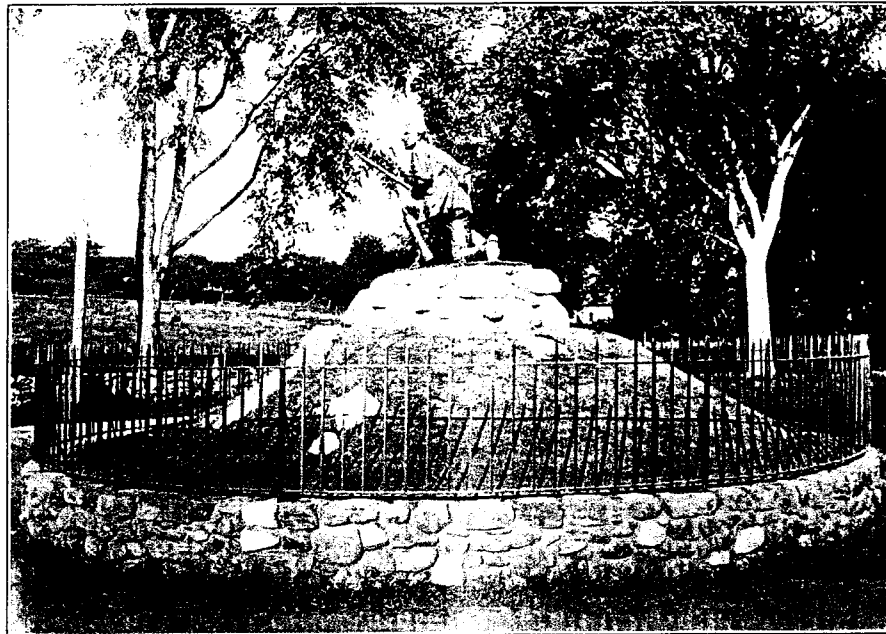
*Minute Man* bronze as illustrated in dedication program, 1910, HDC, Westport



*Minute Man Monument prior to dedication, without fence, 1910, Westport Public Library*



*Minute Man Monument at dedication, June 17, 1910, Dedication Program, HDC, Westport*



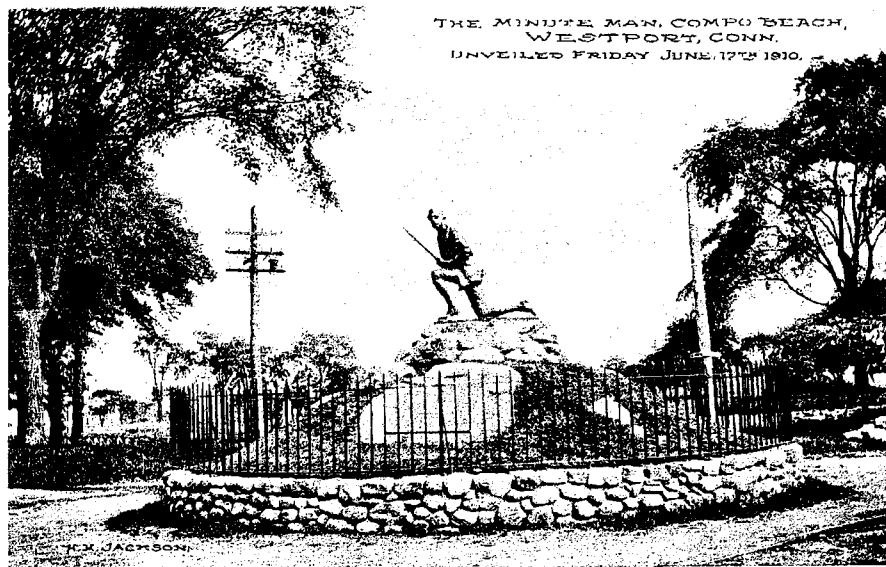
*Minute Man Monument*, postcard, c. 1910, Westport Historical Society



View from the *Minute Man Monument*, postcard, c. 1910, Westport Historical Society



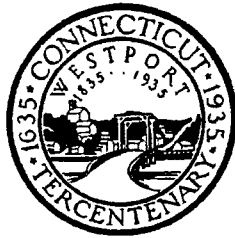
The monument with its original fence, 1910, Westport Public Library



The *Minute Man Monument*, c. 1910s, Westport Public Library



The *Minute Man Monument*, postcard, c. 1910s, Westport Public Library

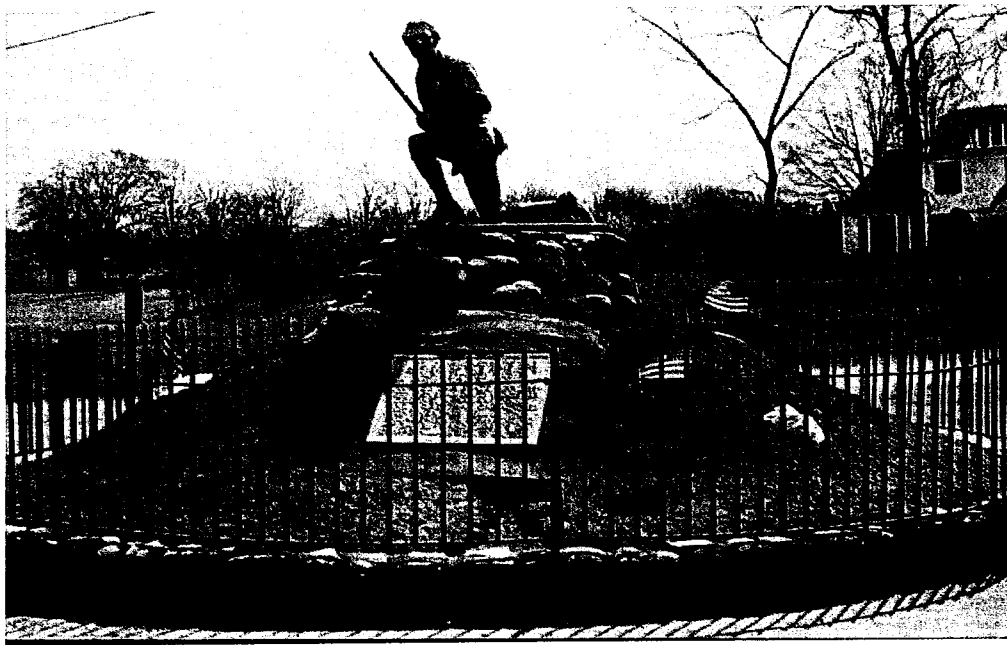


*Westport*  
in  
*Connecticut's History*

The *Minute Man Monument*, c. 1940s, Westport Public Library



The *Minute Man Monument*, postcard 1954, Westport Public Library



The monument, with its original fence, undergoing conservation, 1996, Westport Arts Advisory



The monument, with its original fence, 2012, CTmonuments.net





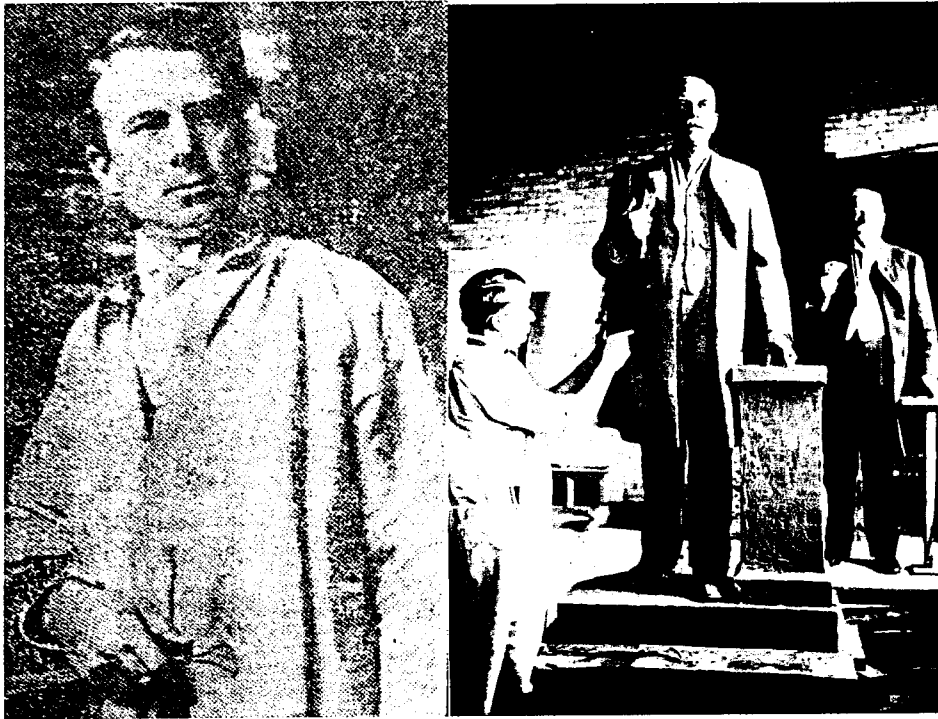
The replacement fence, installed 2012, WestportNow.com



The original fence, de-installed, rescued and in storage, 2012



## Appendix C: Biography of Artist, H. Daniel Webster, 1880-1912



Left, H. Daniel Webster, *Bridgeport Standard*, June 17, 1910; Right, Webster modeling clay model of General William Henry Harrison Beadle for the South Dakota State Capitol, c. 1910

Harry Daniel Webster, born on April 21, 1880, was the eldest of four children born to Nelson Mortimer Webster (1833-1892) and Barbara Kirschman (later Davidson; 1853-1941) in Bloomfield, Winneshiek County, Iowa, where his grandfather's family had moved by 1856 from New York State to purchase and manage a large farm. Around 1892 the sculptor's family moved to Rowena, SD; in December 1894 his father passed away, leaving responsibilities for the farm to his three sons and forcing them to leave school. His widow decided to move the family to Sioux Falls for the children's education. (The family is distantly related to statesman Daniel Webster.)

In 1900 the aspiring sculptor left South Dakota for Philadelphia to study art and to teach "manual training" at a night school to pay his way through art school. A year later he was in New York where he organized the Manual Training Department for the NY State Reformatory on Randall's Island; he also worked for the YMCA to pursue his art studies. He studied at The Art Students League and in New York was a pupil of Barnard MacNeil, Francis C. Jones, and Frank Vincent DuMond. He also was employed as an instructor at The Art Students League in drawing, illustration, composition and modeling, with noted teacher George R. Brigman. He joined the League's board, serving as treasurer in 1905 and secretary in 1906. Around this time, he began to receive commissions from Tiffany & Co. to model portrait busts of Thomas Jefferson and Henry Clay, Andrew Carnegie, Ethel Barrymore, William Kreighoff, John Dumortier and a relief panel of the children of William Kingsley.

On April 30, 1907, he married Ethel Louise Felder, in Washington, Texas. Felder was also a student at The Art Students League and exhibited throughout her career. In 1906 before their

marriage, Webster purchased "Nine Hearths" at 56 Sylvan Road North in Westport (see Appendix D). According to "The Minute Man Unveiled," *The Westporter-Herald*, 17 June 1910, "Mr. Webster came to Westport about three years ago purchasing the Christofson place. This house was entirely remodeled by Mr. Webster and it presents one of the most artistic homes in this section. At the rear of the home Mr. Webster erected a commodious studio. In it he does all of his work." In Westport, two three children--Daniel Felder Webster (1908-1993) and Barbara Louise Webster (1910-1971)--were born. Webster also became an active member of the local art community and joined and exhibited with the Silvermine Group in New Canaan, in, if not before, 1910 (organized 1908; renamed Silvermine Guild of Artists). The year the Westport monument was dedicated, Webster also completed an ambitious pair of bronze doors, cast by Tiffany Studios, for the American National Bank in Austin. On March 20, 1912 Webster suddenly died of unknown causes while visiting the Chapel Hill, Texas home of his wife's parents. After his premature death, his widow and children continued to live in Westport. Exhibition records list Ethel Felder Webster as living in Westport as late as 1916. On January 17, 1917, she bought the Baugh-Colby House in Austin, TX, and moved to Texas.

**Known Works:**

- *The Minute Man*, Westport, CT, 1910 (bronze, Tiffany Studios)
- Doors, American National Bank, Littlefield Building, Austin, 1910 (bronze, Tiffany Studios)
- *Col. W.H.H. Beadle*, 1911 (marble), State Capital, Pierre, SD; in 1938, a bronze version was given by South Dakota to National Statuary Hall, U.S. Capitol
- *Senator Alfred Kittredge* of SD, location not known, c. 1912 (bronze)
- *Thomas Jefferson*, University of Virginia (c. 1907)
- Portrait busts (bronze, Tiffany Studios): Daniel Webster (1907); William Henry Harrison Beadle (1911); John Calhoun (c. 1911), Ethel Barrymore (c. 1907); Henry Clay (1907), Andrew Carnegie (c. 1907), William Krieghoff (c. 1907), John Dumortier (c. 1907), and a relief panel of the children of William Kingsley (c. 1907)

**Appendix D: H. Daniel Webster Residence and Studio, 56 Sylvan Road North, Westport,  
Historic Resources Inventory Form, Historic District Commission**

**HISTORIC RESOURCES INVENTORY  
BUILDING AND STRUCTURES**

HS1-6 REV. 6-83

STATE OF CONNECTICUT  
CONNECTICUT HISTORICAL COMMISSION  
59 SOUTH PROSPECT STREET, HARTFORD, CONNECTICUT 06106  
(203) 566-3005

FOR OFFICE USE ONLY	
Town No.:	Site No.: <b>333</b>
UTM:	
QUAD:	
DISTRICT	IF NR, SPECIFY
<input type="checkbox"/> S <input type="checkbox"/> NR	<input type="checkbox"/> Actual <input type="checkbox"/> Potential

IDENTIFICATION	1. BUILDING NAME (Common) <span style="float: right;">(Historic)</span> Clark Nash House <span style="float: right;">Noah Nash House</span>	
	2. TOWN CITY Westport	VILLAGE COUNTY Fairfield
	3. STREET AND NUMBER (and/or location) 56 Sylvan Road North 5270-2/36B-A	
	4. OWNER(S) Feeney, James & Alberta <span style="float: right;"><input type="checkbox"/> Public <input checked="" type="checkbox"/> Private</span>	
	5. USE (Present) <span style="float: right;">(Historic)</span> Residence <span style="float: right;">Residence</span>	
	6. ACCESSIBILITY TO PUBLIC: EXTERIOR VISIBLE FROM PUBLIC ROAD INTERIOR ACCESSIBLE IF YES, EXPLAIN <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	7. STYLE OF BUILDING Cape/Colonial Revival	
	8. MATERIAL(S) (indicate use or location when appropriate) <input type="checkbox"/> Clapboard <input type="checkbox"/> Asbestos Siding <input type="checkbox"/> Brick <input type="checkbox"/> Other (Specify) _____ <input checked="" type="checkbox"/> Wood Shingle <input type="checkbox"/> Asphalt Siding <input type="checkbox"/> Fieldstone <input type="checkbox"/> Board & Batten <input type="checkbox"/> Stucco <input type="checkbox"/> Cobblestone <input type="checkbox"/> Aluminum Siding <input type="checkbox"/> Concrete Type: _____ <input type="checkbox"/> Cut stone Type: _____	
	9. STRUCTURAL SYSTEM <input type="checkbox"/> Wood frame <input checked="" type="checkbox"/> Post and beam <input type="checkbox"/> balloon <input type="checkbox"/> Load bearing masonry <input type="checkbox"/> Structural iron or steel <input type="checkbox"/> Other (Specify) _____	
	10. ROOF (Type) <input checked="" type="checkbox"/> Gable <input type="checkbox"/> Flat <input type="checkbox"/> Mansard <input type="checkbox"/> Monitor <input type="checkbox"/> sawtooth <input type="checkbox"/> Gambrel <input type="checkbox"/> Shed <input type="checkbox"/> Hip <input type="checkbox"/> Round <input type="checkbox"/> Other (Specify) _____ (Material) <input type="checkbox"/> Wood Shingle <input type="checkbox"/> Roll Asphalt <input type="checkbox"/> Tin <input type="checkbox"/> Slate <input checked="" type="checkbox"/> Asphalt shingle <input type="checkbox"/> Built up <input type="checkbox"/> Tile <input type="checkbox"/> Other (Specify) _____	
11. NUMBER OF STORIES APPROXIMATE DIMENSIONS 1 1/2 35x32 + Ells		
12. CONDITION (Structural) <span style="float: right;">(Exterior)</span> <input checked="" type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Deteriorated <input checked="" type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Deteriorated		
13. INTEGRITY (Location) <span style="float: right;">(Alterations)</span> <input checked="" type="checkbox"/> On original site <input type="checkbox"/> Moved <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, EXPLAIN		
14. RELATED BLDGS OR LANDSCAPE FEATURES <input type="checkbox"/> Barn <input checked="" type="checkbox"/> Shed <input checked="" type="checkbox"/> Garage <input type="checkbox"/> Other landscape features or buildings (Specify) _____ <input type="checkbox"/> Carriage house <input type="checkbox"/> Shop <input type="checkbox"/> Garden		
15. SURROUNDING ENVIRONMENT <input type="checkbox"/> Open land <input type="checkbox"/> Wood-land <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Scattered buildings visible from site <input type="checkbox"/> Commercial <input type="checkbox"/> Indus-trial <input type="checkbox"/> Rural <input type="checkbox"/> High building density		
16. INTERRELATIONSHIP OF BUILDING AND SURROUNDINGS Set close to the road and enclosed by a low, stone wall with a Chinese trellis balustrade. Casually landscaped with mature trees. Important contributor to character of street.		

(OVER)

17. OTHER NOTABLE FEATURES OF BUILDING OR SITE (interior and/or exterior)

DESCRIPTION (Cont'ned)

The four-bay, stone central chimney, cape nucleus of the rambling, Colonial Revival house dates to the late-18th century. It has been enlarged by numerous, mid-20th century additions to the south and east. The shed dormers and north second level bay window were added ca. 1907 as was the shed-roofed front porch. A tripartite frontispiece with distinctive side panels surround the entrance. The flush eaves and 12-over-8 windows appear to be original.

18. ARCHITECT \_\_\_\_\_ BUILDER \_\_\_\_\_

19. HISTORICAL OR ARCHITECTURAL IMPORTANCE

SIGNIFICANCE

Exactly when the cape was built is not known, but the house was standing and in the possession of the Nash family by 1805. Noah Nash (1771-1834) received the property in the division of his father's estate, and the land had been in the Nash family since the middle of the 18th century, according to J.E. Coley. After Noah's death, the house passed to his unmarried son Clark Nash. He sold to large landowner David M. Marvin in 1865, and it passed from David's estate in 1883 to William H. Marvin (10:101, 13:452). William immediately sold the property "known as the Clark Nash farm" to Almira B. Kristoferson, and she held it until 1906 when it was purchased by sculptor H. Daniel Webster, creator of the Minute Man statue on Compo Road South. He was the first to improve the house. Oscar and Julia Delano bought it in 1931, and they made further additions before (see continuation sheet)

SOURCES

Coley, J.E. Reminiscences.  
Adams Manuscript.  
Westport Land Records.

PHOTO

PHOTOGRAPHER: Mary E. McCahon DATE: May, 1983

VIEW: west NEGATIVE ON FILE: CHC 8:23

COMPILED BY: NAME: Mary E. McCahon, Architectural Historian DATE: June, 1983

ORGANIZATION: Westport Historic District Commission

ADDRESS: Town Hall Westport, Conn. 06880



20. SUBSEQUENT FIELD EVALUATIONS

21. THREATS TO BUILDING OR SITE

None known  Highways  Vandalism  Developers  Other \_\_\_\_\_

Renewal  Private  Deterioration  Zoning  Explanaton \_\_\_\_\_

332

STATE OF CONNECTICUT  
CONNECTICUT HISTORICAL COMMISSION  
59 South Prospect Street, Hartford, Connecticut 06106  
HISTORIC RESOURCES INVENTORY FORM  
For Buildings and Structures

FOR OFFICE USE ONLY			
TOWN NO.:	SITE NO.:		
UTM: 18/	/	/	/
QUAD:			
DISTRICT:	5	NR:	ACTUAL POTENTIAL

CONTINUATION SHEET

Item number: \_\_\_\_\_ Date: \_\_\_\_\_

Item 19

Clark Nash House

selling to William Carr in 1945. A ca. 1910 snapshot of the house in Coley's manuscript shows that it historically was unpainted, but the dormers, north side bay windows, and porch had already been added. The Nash House is one of many, early dwellings that were converted to quaint, comfortable, country retreats in the early and middle part of this century.

## Appendix E: *Minute Man* Monuments in the History of American Sculpture

H. Daniel Webster's 1910 *Minute Man* is one of four known sculptures using a figure of a continental minuteman to commemorate a battle of the Revolutionary War. Webster and other sculptors working in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries benefited from the community's desire for a war memorial and the popularity of monumental sculpture in the post-Civil War era. According to the Connecticut Historical Society's Civil War Monument Study, at the end of the Civil War in Connecticut "conditions favorable to pursuit of the idea of war memorials came together. The Civil War had taken an emotional and family toll unprecedented in American history, making it understandable for society to seek an activity that would be compensating, at least to a degree. The talent, technology, and prosperity required for a large building program were all available. Perhaps the convergence of considerations such as these prompted communities to consider what could be done locally in recognition of the wartime experience." Inspired by the Civil War memorials, commemorative commissions honoring individuals, statesmen and battles of past wars, including the Revolutionary War, were plentiful across the nation. To provide scope, the 1907-08 issue of *The American Art Annual* included four-pages of commemorative sculptural projects under the heading "Important Monumental Sculpture Erected Since October 1905."

### 1) Minuteman National Historic Park, Concord, Massachusetts

Daniel Chester French (1850-1931)  
*The Minute Man*, 1875, Bronze



*"Make your model so fine and soul stirring that all the ladies in the land will bring their jewelry and copper pans to have melted up to cast The Minute Man"*--John Quincy Adams Ward to Daniel Chester. French, 1874

For the centennial of the beginning of the Revolutionary War, in 1872 a committee of citizens from the Town of Concord commissioned Daniel Chester French to create a 7-foot tall statue of a continental minuteman as a monument commemorating the battle at the North Bridge. It was to be the aspiring 25-year old sculptor's first full-size statue, and was to stand on a base inscribed with a sentence from Ralph Waldo Emerson's *Concord Hymn*, with its famous stanza, "A shot heard 'round the world." Over the winter of 1873-74, French worked in his makeshift studio in



Boston, modeling the figure with several young men as live models and using plaster casts of classical statues at the Boston Athenaeum, in particular the stance of the heroic *Apollo Belvedere*, as inspiration. Concord's Monument Committee approved his clay model, which was then cast in plaster, and then in bronze at the Ames Foundry in Chicopee, Massachusetts, using bronze melted down from Civil War cannons. French was paid \$1,000 for the statue, which was unveiled on April 19, 1875 in front of a large crowd that included such notable guests as President Grant, Henry Wadsworth Longfellow and Ralph Waldo Emerson.

Metropolitan Museum of Art Curator of American Sculpture Thayer Tolles has written: "Given that French's instruction was relatively limited and his early sculptures were portraits and small-scale subject pieces, it is all the more astonishing that by 1875, at age 25, French would complete the *Minute Man*. This full-size monument of stirring sentiment and enduring quality honors the centennial of the Battle of Concord at North Bridge. French's *Minute Man* depicts a farmer becoming a soldier, relinquishing his plow, raising his rifle, and stepping forward resolutely toward battle. He wears realistic Revolutionary-era dress with tall, wrinkled boots and rolled-up shirtsleeves. The plow, with abandoned coat, is a symbol of land he and his militia will defend. This tool was also to serve as a structural support for the standing figure when translated to granite, as the *Minute Man* committee originally planned."

In Westport direct comparisons were drawn to French's Concord monument at the 1910 dedication of H. Daniel Webster's *Minute Man*. In his address, CSAR president Lewis B. Curtis stated:

I stood before that other minute man, and in imagination listened to the shot 'hear round the world.' I refer to that famous statue by D.C. French at Concord. While I was lost in admiration at its marvelous beauty, as most everyone be, who sees it. I tell you that this statue [Westport's] did not suffer from the comparison. Thousands have made the trip to Concord and Lexington to visit that historical spot, and to admire the graceful lines of that statue, and so I venture to predict will thousands visit this sight in time to come, and Compo Beach, and Concord will stand side by side in historical interest.

## 2) Lexington Green, Massachusetts

Henry Hudson Kitson (1865-1947)  
*The Minute Man*, 1899, Bronze



Almost twenty-five years after the unveiling of the Concord statue, the town of Lexington and its leaders commissioned a statue for its Green, the historic site of the first military engagements of the American Revolutionary War. H. H. Kitson, a British-born artist who was known for his many representations of American military heroes, was chosen to execute the Lexington monument. In 1899 the work was unveiled: a hatless Lexington Minuteman stands atop a field stop pedestal looking out in the direction of the advancing British troops.



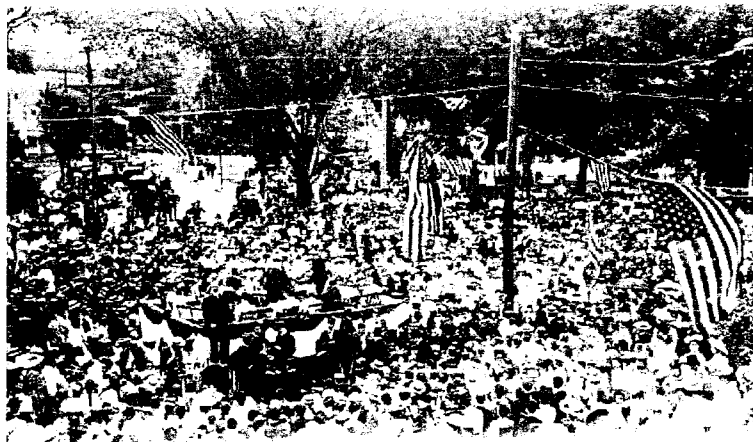
The artist made slight variations to a second cast, adding a hat and altering the figure's boot, which today stands near George Washington's Newburgh, New York, headquarters.

### 3) Framingham, Massachusetts

Henry Hudson Kitson (1865-1947)  
*The Minute Man*, 1905, Bronze



In February 1900, representatives from the Town of Framingham and the Framingham Chapter, Daughters of the American Revolution formed a committee for a public monument. They commissioned H. H. Kitson, artist of the Lexington *Minute Man* (1899), assisted by his wife, Theo Alice Ruggles Kitson, to create a bronze memorial to the Revolutionary War soldiers of Framingham. The statue of a minuteman, hatless and with his powder horn and musket at the ready, was cast by Roman Bronze Works, then mounted on a massive granite base. Like the future Compo Beach site, its location was in the center of a round traffic island, Buckminster Square, encircled by a course of fieldstone. (In 1941 the statue was moved from this location to accommodate increased automobile traffic.)



The DAR dedicated it on Memorial Day, May 30th, 1905; then the Town of Framingham held their ceremonies later on Bunker Hill Day, June 17, 1905. Ceremonies, dignitaries and guests lunched beforehand and a military parade escorted them to the site.

## Appendix F: Chronology of *The Minute Man Monument* by Kathleen Motes Bennewitz

Several monuments on and near Westport's Compo Beach [Cedar Point] mark the starting and ending point of the invasion of Danbury by British forces, which landed there on April 25, 1777. The British brought about 2,000 troops to Westport, who planned to destroy war supplies being stored about 20 miles north in Danbury. The British spent the night in Weston before reaching Danbury on April 26, where they destroyed food, medicine and ammunition. Warned of the pending arrival of local militia, the British evacuated Danbury and retreated south, engaging in battles in Ridgefield and Westport before sailing away on April 28. The British suffered more than 200 casualties in the fighting, and the Americans had 20 men killed and 40 wounded.

Westport marks the battles with 3 monuments: 1) At Compo Beach pair of large cannons has been mounted on a granite base to commemorate the fighting on and near the beach as the British returned to their ships. The U.S. government donated the cannons, whose markings cannot be distinguished. The cannon monument, dedicated in 1901, and restored in 1999.

2) Westport's *Minute Man Monument* kneels atop fieldstone cropping within a traffic circle at the intersection of Compo Road South and Compo Beach Road. The monument depicts a musket-wielding Continental soldier waiting with his sleeves rolled up for the returning Redcoats. A plaque on the north side of the base reads "To commemorate the heroism of the patriots who defended their country when the British invaded this state April 25th 1777. General David Wooster, Colonel Abraham Gould and more than one hundred Continentals fell in the engagements commencing at Danbury and closing on Compo Hill." The monument was created by Harry Daniel Webster and cast by Tiffany Studios in April 1910. It was dedicated June 17, 1910 [Bunker Hill Day]. [The memorial was a joint project of the State of CT and the CT Section of the Sons of the American Revolution.]

3) At the intersection of Compo Road South and Post Road East, a boulder bears a plaque reading "Here occurred the first engagement between the Continentals and the British Troops when they invaded Connecticut April-25-1777." The Connecticut Society Sons of the American Revolution dedicated the plaque on June 27, 1914.

(Adapted from <http://ctmonuments.net/2009/04/british-raid-monuments-westport>)

### 1901

- Pair Cannons donated by US Government are installed at Compo Beach to mark the place of the conflict.

### 1902

- "The American Revolution. Annual Meeting of Connecticut Sons Saturday," *The Hartford Courant*, May 12

SAR President Jonathan Trumbull (grandson of patriot and Governor John Trumbull) in address to membership speaks of need for CT SAR to take a "prominent place" in "exemplifying the work of our own state in the days of the Revolution." He credits the DAR for inspiring sympathy and money in this good cause. Wants public education about CT's role to be a project for the public and philanthropy.

### 1903

- "For a \$6000 Monument at Compo Beach," *The Westporter-Herald*, January 30  
Sen. Lloyd Nash of Westport presented a bill calling for the appointment of a commission of five to erect a monument at Compo Beach, and for an appropriation of \$6000. "This is a

resolution that everyone in Westport hopes will pass both the house and the senate. Why Westport should not be recognized by the erection of a monument at the cost of the state is not known. Certainly, she contributed her quota of me to resist the invasion of Tyron. \$6000 will erect a very good monument that will do credit to both the state and Westport.”

- W.H. Burr, “Where Heroes Fought. Government Cannons at Westport Beach. Memorial to be Erected at Compo Hill,” *The Hartford Courant*, February 7

“The beautiful beach on which the British landed and where the closing scenes of the battle were enacted is visited by thousands during the summer. There has been long litigation as to the ownership of the property, but the title is now vested to the town of Westport and it will always be a public resort. Two large guns presented by the United States Government now mark the place of the conflict in the days of the young republic.

The state of Connecticut, the descendants of those who fought in the battle, and patriotic people generally, will be invited to contribute for the erection of a memorial, which shall record the names and deeds of these who gave their lives their country’s defense in the dark days of 1777.”

- “SAR Annual Banquet,” *The Hartford Courant*, February 23

SAR President Jonathan Trumbull in address to membership speaks of Westport project: “A second resolution endearing the efforts of the town of Westport to create a erect a monument at Cedar Point [Compo Beach] in masonry of the patriots who were killed at the time of Tyron’s raid was offered and passed. A committee, consisting of Sen. R.S. Woodruff of New Haven and Col. Louise H. Cheney and John H. Holcombe of this city [Hartford], was named to aid the town in its undertaking.”

- “Sons of Revolution Take Interest,” *The Westporter-Herald*, February 24

At the Annual Banquet in Hartford, Connecticut Section, Sons of the American Revolution (CSAR) pledges its cooperation from the CT General Assembly an appropriation to assist in the erection of a suitable monument on this historic spot, which saw one of the most important struggles against British forces on CT soil.

- *The Hartford Courant*, March 12

Appropriations Committee, State of Connecticut: \$6,000 for the erection of a monument at Compo Beach, Westport

- “Committee on Appropriations,” *The Westporter-Herald*, March 13

“A number of Westport gentlemen” appeared before the Committee of Appropriations and told why the state should appropriate \$5000 to a monument at Compo Beach to commemorate the landing of the British there. William H. Burr “pointed out why Westport should have a suitable monument, one that would be a credit to the state and an honor to the town.” Mr. Burr introduced Jonathan Trumbull, president of the CSAR, also spoke in support. Also speaking were George P. Jennings, Horace S. Wakeman, Stephen B. Wakeman and Thomas Hill.

- List of Bills, Etc., Public and Private Acts, General Assembly  
Senator Nash, March 12, \$6,000 appropriation for the erection of a monument at Compo Beach, Westport [SJR 66]

- “Connecticut SAR Annual Meeting of Society in This City,” *The Hartford Courant*, May

SAR President Jonathan Trumbull in address to membership discussed CT chapter and its 14 years in existence and in its history “has left no viable memorials... because funds have not been available for the purpose. The society has, however, through committees and the individual exertions of members done all in its power to induce legislation for the memorial asked for at Westport to mark the landing and retreat of Tryon in 1777.”

“The proposed memorial at Westport has not yet been favored with an appropriation, but will, the president understood be recommended to favorable consideration, thought it may be necessary to await another session of the Legislature. Such a memorial is a most fitting one for the society to promote in every possible way if only for the reason that the town of Westport under the inspiration of a fellow member, William H. Burr, has already incurred a large expense in preserving the title to the ground in question. Aside from this, the projected memorial should interest the society for the reasons that it is to mark a spot where a larger number of Americans were opposed in a larger number of British than at any other place on Connecticut soil during the Revolution.”

### 1905

- Journal of The Senate, State of CT, January  
Senate Petition no 59 for aid to support the erection of a monument at Compo Beach
- Journal of The House of Representative, State of CT, January  
Senate Bill no 74 for “An Act Making an Appropriation for the erection of a monument at Compo Beach,” the Governor appoint a commission, of 5 people, and an appropriation of \$5,000; House Petition nos. 194, 203, 204, 208, 209 for aid to support the erection of a monument at Compo Beach; Senate Petition nos. 60, 61, 62 for aid to support the erection of a monument at Compo Beach; April, withdrew petition for appropriation and rejected bill
- “Want a Monument at Compo Beach,” *The Hartford Courant*, February 14  
Intention of the CSAR to ask the General Assembly for an appropriation of \$5,000 for the erection of a monument at Compo Beach, Westport, in memory of patriots who died in repelling General Tyron’s raid on Danbury in 1777. The same measure was presented in 1903, but not acted on.
- *The Hartford Courant*, February 14  
Appropriation advocated by Rep. Hyatt and Mr. Burr of Westport
- “Connecticut S.A.R. Will Ask Legislature for Monument in Westport,” *Meriden Daily Journal*, February 14
- *The Hartford Courant*, April 14  
Appropriations Committee reported adversely on request, chairman said there was no need for such a monument; bill rejected.
- *The Reporter* (journal devoted to granite and marble monument trade), v. 38 (March 1905) 3: 37  
CSAR are persistent and hope to succeed in effort to get an appropriation of \$5,000 for the erection of a monument at Compo Beach, Westport

### 1906

- *W.H. Burr, “The Battle of Compo,” Connecticut Magazine* 10 (1906) 1: 139-152

Includes photographs of Compo Beach and the cannons; article part of campaign to raise money for CSAR monuments

### 1907

- Journal of The House of Representative, State of CT, January  
HP 155, Mr. Albin of Westport, CSAR and others request appropriation to assist in the erection of a monument at Compo Beach, Westport; February, HP 155 and HJR 437;
- Journal of The Senate, State of CT, January  
Re HP 155 and February, HJR 437 passed and sent to Senate committee
- List of Bills, Etc., Public and Private Acts, General Assembly, February  
HP 155, Albin, Westport. CSAR and others request appropriation to assist in the erection of a monument at Compo Beach, Westport
- "Indiscriminate Monuments" *The Hartford Courant*, February 21, 1907  
Public opinion opposing, in principle, of setting precedent for State appropriation of funds for public sculpture
- "Proposed Monuments and Monumental News," *Granite, Marble and Bronze* 17 (March 1907) 3: 32-33  
CSAR began popular subscription to raise funds to erect a monument at Compo Beach, Westport. Proposed monument is to cost \$8,000; \$4,000 to be raised by subscription and \$4,00 by the legislature.
- List of Bills, Etc., Public and Private Acts, General Assembly  
HP 155, Albin, Westport. CSAR and others request appropriation to assist in the erection of a monument at Compo Beach, Westport; June 13 favorable, grant June 19, 26; HJT 437, June 13 favorable, June 19, 26 passed
- "Concerning the Erection of a Monument at Compo Beach and Making an Appropriation Therefore," Special Acts and Resolutions of the State of Connecticut, v. 15, pt 1  
HJR no. 437, passed; appropriation not to exceed \$2,000 and design, material and location of sculpture shall be approved by the Commission of Sculpture.

### 1908

- "To Erect Memorial at Compo Beach" *The Hartford Courant*, October 21  
Wm H. Burr appointed to select plans for monument at Compo Beach
- "Doings of State Societies," *Official Bulletin of The National Society of the Sons of the American Revolution*, December  
CSAR appoints special committee to secure plans and erect a monument at Compo Beach

### 1909

- "Sons Banquet in Bridgeport," *The Hartford Courant*, February 23  
At Annual meeting CSAR presidents discusses monument in his address; plans being made by Neihouse [Charles Niehaus], designer of the McKinley monument in Canton, OH; discussion of CT as a historic and patriotic state

- “New SAR Officers,” *The Hartford Courant*, May 11  
This year a monument will be erected at Compo Beach; a well known designer is making plans to be available for inspection and approval by the board of managers in a short time
- “Doings of State Societies,” *Official Bulletin of The National Society of the Sons of the American Revolution*, May  
Progress made on monument
- “Webster Work Satisfactory,” *The Westporter-Herald*, July 2  
W. H. Burr writes on CSAR monument and the work of fellow townsman H. Daniel Webster. A number of designs were submitted to the committee by artists in this and other states. “But no other was so effectively embodied the artistic conception of the historic event that we sought to commemorate as that furnished by Mr. Webster.... Webster gave the committee a sketch model of a minute man firing his old flint lock at the enemy between two large boulders in a stone wall.” Describes bronze figure, tablets and mound with boulders. “The boulders and figure will rest on a mound some six feet above the roadway...Mr. Morris and Mr. Irwin have kindly consented to have such changes made in the immediate locality as will insure ample accommodation and protection for the memorial and others in the vicinity will furnish stone for the foundations.” Looking for large boulders to donate and Mr. Webster will inspect them. Needs to be approved by State sculpture commission. Expected cost now \$2500 and state appropriations will be ¼, about \$600.
- “Site for Compo Beach Monument Approved,” *The Hartford Courant*, July 17  
State Sculpture Commission met at New Haven to accept site for Compo Beach monument, to be erected jointly by the CSAR and State of CT; describes [Compo Rd] site and moving of trolley line so that mound can be enlarged and raised; Selectman of Westport said road can be moved with little trouble; State to pay ¼ of costs, about \$2,000.
- “Approve of Site Compo Beach,” *Meriden Daily Journal*, July 17
- “Doings of State Societies,” *Official Bulletin of The National Society of the Sons of the American Revolution*, October  
June 21 meeting, Minuteman design presented by H. Daniel Webster; describes statue, tablet and boulders and fence; called a park
- “Sons of Revolution Meet,” *The Hartford Courant*, December 13  
Considerable discussion on the Compo Beach monument to be erected in the spring; Minuteman model by Webster ready by January 1 and monument will be in bronze
- “Doings of State Societies,” *Official Bulletin of The National Society of the Sons of the American Revolution*, December  
CSAR has completed plans for the monument and raised the funds needed; larger than life size Minuteman

## 1910

- “S. Of R. Met in Bridgeport,” *Meriden Morning Record*, February 23  
“The menu card was ornamented with a photograph of ‘The Minute Man,’ the statue the society expects to dedicate near Compo Beach, Westport, in May commemorating the



heroism of the patriots who defended their country when the British invaded their state on April 25, 1777.”

- “Connecticut SAR to Have Annual Banquet,” *The Hartford Courant*, February 25  
Discusses Compo Beach monument in opening address
- “Doings of State Societies,” *Official Bulletin of The National Society of the Sons of the American Revolution*, March  
Quotes from opening address on Compo Beach monument and on patriotism for country and also on need to educate millions of immigrants
- “Doings of State Societies,” *Official Bulletin of The National Society of the Sons of the American Revolution*, May  
Dedication ready for midsummer
- “Ready for Monument Dedication,” *The Westport Herald*, May 20  
Statue now in place on grassy pedestal on Compo Rd; discussion on historic site and spirit; artist is Westport resident, which adds significance to work; “The Minute Man” poem published
- “SAR to Unveil Compo Beach Monument,” *The Hartford Courant*, May 27  
Monument unveiling and clambake planned for June 17, Bunker Hill Day and CSAR Field Day
- “The Minuteman Unveiled,” *The Westport Herald*, June 17  
Full account of ceremony
- “Sons of the American Revolution Unveil “The Minute Man” at Compo Beach Today,” *The Bridgeport Standard*, June 17  
Photograph of plaster cast of *The Minute Man* and portrait of Webster; full account of ceremony, speeches and unveiling
- “Unveiling of Minute Man Statue Yesterday,” *Bridgeport Evening Post*, June 18  
Full account of ceremony plus description offstage, plus photograph of Curtis presenting monument (need better copy).”
- “The Minute Man Statue Unveiled at Compo Beach,” *The Westport Herald*, June 17  
Full account of ceremony; over 1,000 people attended; statue concealed by large American Flag, across the street was the platform for speakers and guests.
- “The Minute Man”, arranged by Henry C. Sherwood of The Gen. Gold Selleck Silliman Branch of Bridgeport. Pamphlet, includes history of project and dedication addresses.
- “Monument Dedication at Compo Beach,” *The Hartford Courant*, June 18
- “Monuments to Mark Edward Vroom’s Tour,” *The Hartford Courant*, July 18  
Historic tour of sites includes stop at Compo Beach, the CSAR’s inaugural patriotic project.
- Town Meeting Records, Town of Westport, [September], p. 249-50

Resolution passed for the Connecticut Railway and Lighting Company “to remove their trolley tracks from their present location by “the monument, erected by the State and people at Compo, to a position by the fence recently constructed by town, thereby allowing ample room for the beautifying of the monument surroundings.”

- “Doings of State Societies,” *Official Bulletin of The National Society of the Sons of the American Revolution*, October  
Account of unveiling ceremony
- Report of the Controller to the Governor, State of CT  
\$668.54 spent on SAR Compo Beach monument in 1910

### 1913

- “Patriotic Education,” and “Historical Papers for Use of Societies,” *Official Bulletin of The National Society of the Sons of the American Revolution*, October  
Story of the invasion of CT in 1777, read at unveiling of Compo Beach monument; importance of monuments and historic sites for future generations to know the history of the spot and to cultivate in 1000s of foreigners coming to our shore every day the spirit of America.

### 1914

- “Pilgrims to see Historic Places. SAR Men Complete plans for Trip through Connecticut,” *The Hartford Courant*, June 19  
SAR organized “Washington Journey Trip,” June 27-June 30, following the route George Washington traveled from Philadelphia to Cambridge in 1775 on his way to take command of the American Army. The CT itinerary from and include two stops at Westport: Saturday, June 27 at 3:30 to dedicate commemorative tablets on Tyron’s raid and then at 4:15 to visit the “Minute Man”
- Estimates for State Expenditures, 1915-17  
\$1,331,46 balance on SAR Compo Beach monument 1909 grant

### 1915

- “Report of the Historian General,” *National Year Book, The National Society of the Sons of the American Revolution*  
Historic places in PA, NJ, NY, CT and MA “have since been visited by many persons whose attention was drawn to them by the now famous automobile”—Compo Beach cited.

### 1922

- “Attempts Made Within Last Two Weeks to Steal Minute Man Statue form Historic Spot on Compo Street,” *The Westporter-Herald*, September 1

### 1929

- “Your Westport and Mine: The Minute Man,” *The Westporter-Herald*, August 2  
On general history and civic pride of statue, with photo; “Grass and ground neatly kept by Horace S. Wakeman, of Compo, a man whose civic pride is great. The town, it is understood, has not taken care of the Minute Man for some time, but it is kept in perfect condition by Mr. Wakeman.”

## **Appendix G: Record of Conservation Treatment of *The Minute Man Monument*, Westport**

*Linda Merck-Gould, Conservation Technical Associates LLC, Westport, CT*

Merk-Gould began a conservation firm to provide preservation-oriented new facilities/renovation construction design consultation and museum-quality conservation treatment for galleries, private collectors, public institutions and museums. Noted Projects include: Statue of Liberty; Freedom Statue on the U.S. Capitol dome; Ancient Egyptian Tomb Chapel of Ka(i)pura; Cleveland War Memorial, D.C.; Daniel Chester French's gilded "Quadriga," the golden horses and chariot that sit atop the roof at the base of the Minnesota State Capitol's dome; Henry Moore sculpture conservation for the Moore Foundation.

- 1996: Sculpture beset by active corrosion, dirt, paint splatters; graffiti and two bullet holes (near the soldier's right cheekbone and right temple). Cleaned with solvents and power wash, damaged areas repaired, and wax bronze. Maintenance cleaning and waxing recommended every two years.
- 1998: wash and wax bronze

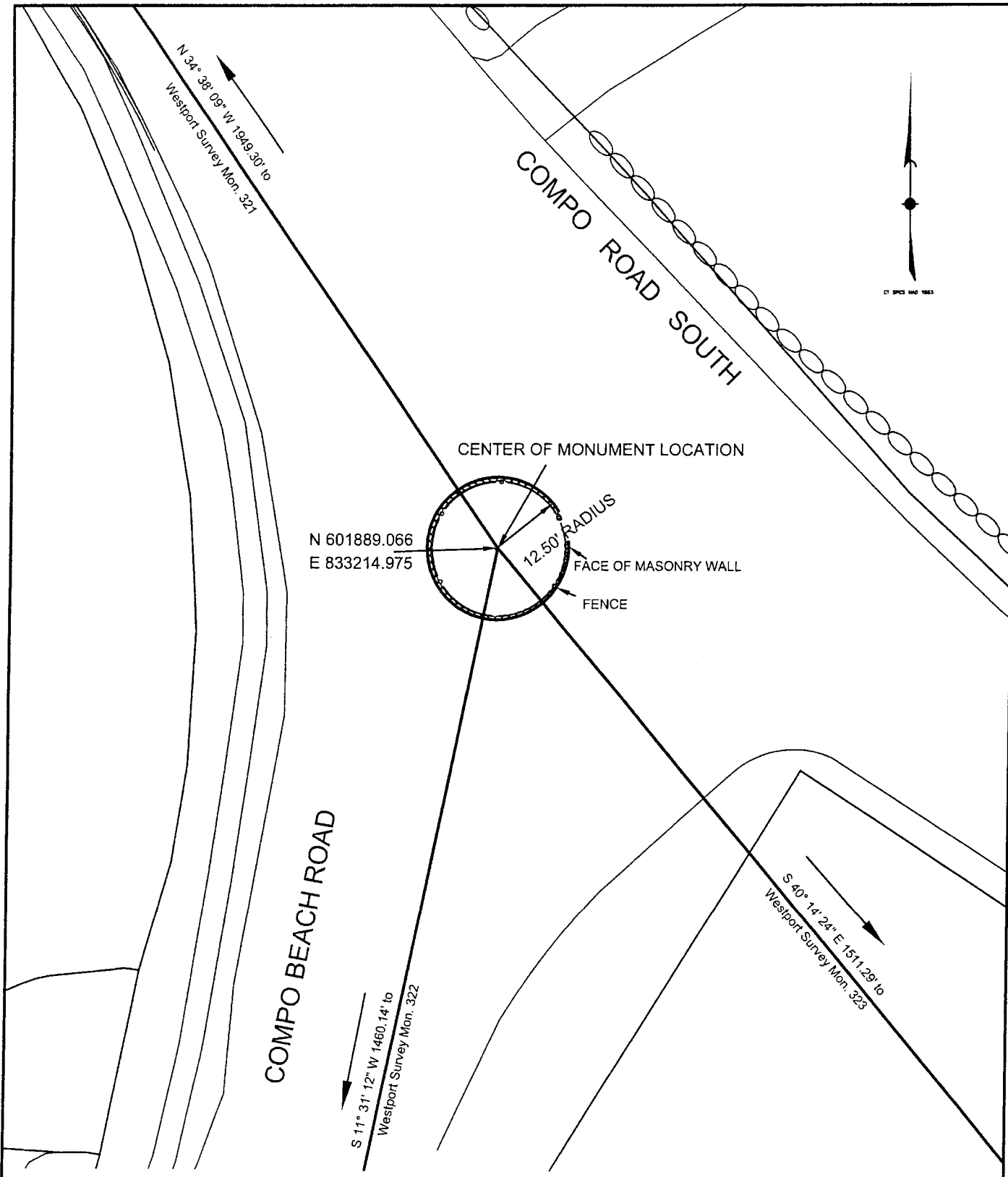
*Francis Miller, ConservArt LLC, Hamden CT*

Formerly with Conservation Technical Associates, Miller is dedicated to the preservation of artistic and historic objects, upholding the highest standards in conservation practice by the American Institute for the Conservation of Historic and Artistic Works. ConservArt, founded in 1999, provides quality care of historic cemeteries, monuments, sculpture and architectural elements held in public, museum and private collections. Noted projects: *The Soldiers' and Sailors Monument*, New Haven, CT; sandstone *Gordon Monument*, Savannah, GA; 16<sup>th</sup> Century Renaissance marbles, Stamford, CT; Henry Moore's *Mother and Child*, private collection; bronze entry doors, Scroll and Key Secret Society, Yale University; wrought iron handrails, Gracie Mansion, New York, NY; Enid Yandell's *Bajnotti Fountain*, Providence, RI.

- 2001 - Wash and wax bronze
- 2005 - Wash and wax bronze
- 2009 - Wash and wax bronze
- 2010 - Graffiti removal *Minute Man* base

## PROPOSED ORDINANCE

The bronze statue, the rubble stone pedestal, the bronze plaque, the fencing, the stone masonry wall supporting the fencing, and the grounds upon which they are set, to be known as the "Minute Man Monument", situated in the Town of Westport, County of Fairfield and State of Connecticut, set in the circle at the intersection of the right of ways of Compo Road South and Compo Beach Road and as shown on a map entitled "Town of Westport Map of Minute Man Monument, Historic District Commission, Compo Road South and Compo Beach Road, Westport Connecticut April 5, 2013" on file in the Westport Town Clerk's office as Map No. 10088.



DATA FOR WESTPORT SURVEY MONUMENTS AVAILABLE FROM ENGINEERING DEPT.

**TOWN OF WESTPORT**  
 DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 TOWN HALL, 110 MYRTLE AVENUE  
 WESTPORT CONNECTICUT 06880  
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 www.westportct.gov

**TOWN OF WESTPORT**  
**MAP OF MINUTE MAN MONUMENT**  
 PREPARED FOR HISTORIC DISTRICT COMMISSION  
 COMPO ROAD SOUTH AND COMPO BEACH ROAD  
 WESTPORT, CONNECTICUT  
 APRIL 5, 2013

## Schedule A

Commencing at a point, being a concrete monument known as Westport monument number 322, having coordinates North 600458.33' East 832932.23' (Connecticut State Plane Coordinate System, North American Datum 1983),  
thence; North 11° 31' 12" East, 1460.14' , to the point of beginning, being the center of a circle, circumscribed about the Minute Man Monument, including the fencing and curb, having coordinates of North 601889.066' East 833214.975'. This circle set in the intersection of the right of ways of Compo Road South and Compo Beach Road has a radius of 12.50', an arc length of 78.54', and an area of 490.9 square feet. This feature is depicted on a survey, filed in Westport Land Records, "Location Survey of the Minute Man Statue prepared for the Historic District Commission, dated April 5, 2013 at a scale of 1"=10'.



## WESTPORT, CONNECTICUT

GORDON F. JOSELOFF  
First Selectman

5

RECEIVED  
JUN 28 2012  
HISTORIC DISTRICT  
COMMISSION

June 28, 2012

Mr. Francis Henkels  
Chair  
Westport Historic District Commission  
Town of Westport  
Westport, CT 06880

RE: MINUTEMAN STATUE

Dear Mr. Henkels:

On behalf of the Town of Westport and as its First Selectman, I hereby propose the local historic landmark property designation for the Minuteman Statue, (located at the intersection of Compo Road South and Compo Beach Road). The designation would include the statue, wrought iron fencing and stone foundation.

If I can provide additional information or be of further assistance, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Joseloff".

Gordon F. Joseloff  
First Selectman

GFJ:ps

cc: Carol Leahy, Historic District Commission Office  
Stuart McCarthy, Parks & Recreation Department  
Katherine Bennewitz, Westport Arts Advisory Committee

THE  
MINUTE MAN  
ARRANGED BY  
HENRY C. SHERWOOD

1101

~~9/10/3~~



# Sons of the American Revolution

## Unveiling at Compo Beach

Westport, Conn.

June 17th, 1910



### Committee

HON. MORRIS B. BEARDSLEY, Chairman

GEN. E. S. GREELEY

LEWIS B. CURTIS

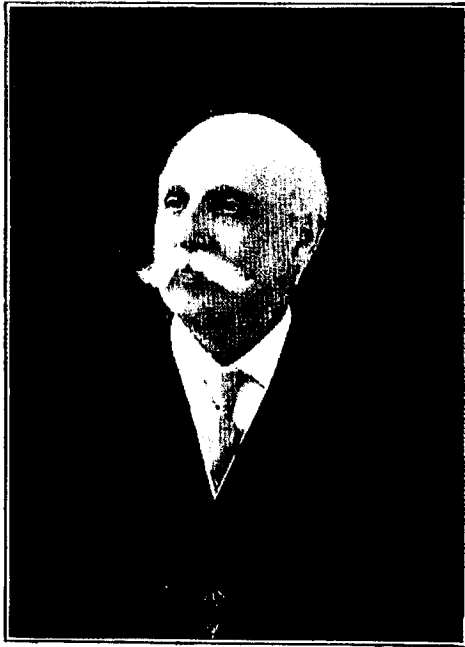
SEYMOUR C. LOOMIS

CLARENCE H. WHITCOMB

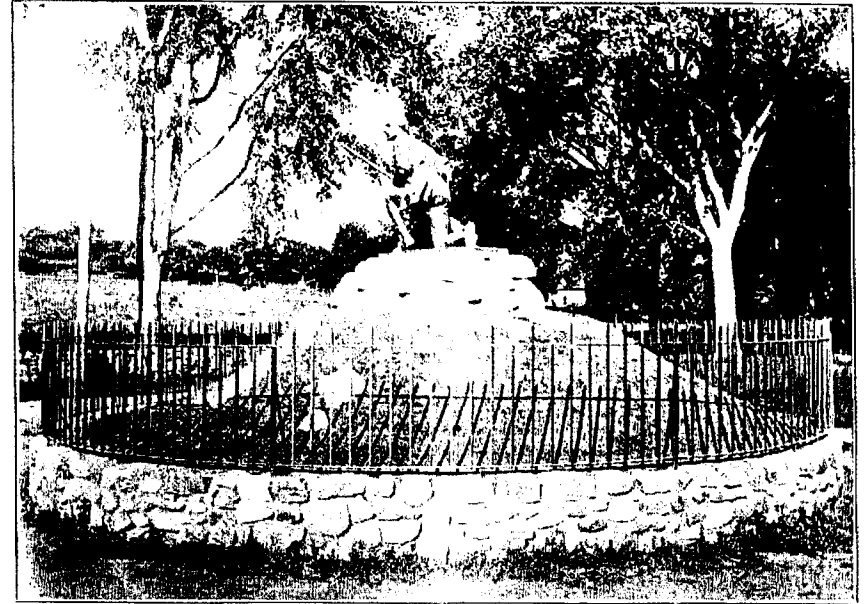
HOBART L. HOTCHKISS

WILLIAM H. BURR

HENRY C. SHERWOOD



HON. MORRIS B. BEARDSLEY  
Past President General National Society  
Sons of the American Revolution



THE MINUTE MAN

TO COMMEMORATE THE HEROISM  
OF THE PATRIOTS WHO DEFENDED THEIR COUNTRY  
WHEN THE BRITISH INVADED THIS STATE,  
APRIL 25, 1775.  
GENERAL DAVID WOOSTER, COLONEL ABRAHAM GOULD  
AND MORE THAN 100 CONTINENTALS  
FELL IN THE ENGAGEMENT AT RIDGEFIELD  
AND CLOSING ON COMPO HILL.



## THE MINUTE MAN

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**T**HE unveiling of the Minute Man, the masterly effort of H. Daniel Webster, of Sylvan Avenue, was the moving event in town today, and the assemblage of Sons of the American Revolution, Daughters of the American Revolution, and prominent men of the State, served to make the occasion at Compo a notable one.

### Feature of Outing.

"The Minute Man," a life size statue of a Revolutionary patriot, erected at Compo Beach by the Connecticut Society, Sons of the American Revolution, to commemorate the resistance to the landing on April 25, 1777, of the British troops under General Tryon, for their march to Danbury, was dedicated with appropriate ceremonies, as the chief feature of the annual field day of the Sons of the American Revolution in observance of Bunker Hill day.

From the East, on the 11:28 train came a large delegation far off as Hartford. From the West on the 11:58 were others, while all roads led to Compo, and trains, trolleys and vehicles lined the streets.

### Clambake First.

About the noon hour the summons to the bake came, and close upon 300 enthusiasts hungry for all their zeal sat down to feast. It was 2 p. m. before the feast ended, presided over by William H. Burr, then came the march to Compo and the statue.

About this time throngs lined the way to the scene, Bridge street school children in the procession, while special trolleys brought pupils from the High and other Westport schools to the monument.

### School Children Sing.

At 2:30 o'clock the ceremonies began with singing by the High school chorus, assisted by children of other schools, the vim and spirit so infusing the assemblage that it made the echoes ring with patriotic songs.

Following these the Rev. Kenneth Mackenzie of Trinity church asked the invocation and Judge Morris B. Beardsley, of Bridgeport, followed with the presentation of the statue to President L. B. Curtis, of the Sons of the American Revolution.

### Judge Beardsley's Address.

In presenting the statue in behalf of the committee, Judge Morris B. Beardsley said:

"In the introductory note by the editor of the admirable article of Mr. Burr upon the event which the monument to be unveiled to-day is to commemorate, and which I hope every one who has not already done so will read, occurs these words:

"The American people are inclined to undervalue the nation's historic shrines and in its unparalleled prosperity the noble land marks are being swept away to make room for progress. Such is the thoughtlessness of a material age when the supreme moment is the next one and the great yesterdays are forgotten.' It requires an organized appeal to gain the attention of the populace to-day.

"The patriotic societies among which ours occupies no mean place, furnish the medium for making this appeal and the organization necessary to carry it into effect. Among the objects enumerated in our constitution is 'to mark the scenes of the Revolution by appropriate memorials.'

### Has Much to Its Credit.

"The Connecticut Society of the Sons of the American Revolution has to its credit in this line the purchase, fitting up, and maintenance of the old war office at Lebanon; the purchase and restoration of the Nathan

Hale school house at New London, and five bronze tablets marking historical sites in different parts of the State.

"Connecticut is not rich in these sites. She furnished about one-eighth of the entire Continental army. Her sons fought on every field, but little at home. It was her boast, and almost true, that no foreign foe ever remained over night on her soil.

### Nearly Decade at It.

"For nearly a decade it has been our purpose to place a suitable memorial on this spot. October 20, 1908, the present committee was appointed. We were fortunate in securing the services of H. Daniel Webster, who has given us a statue, artistic and beautiful, and the equal of any in the State. He has not been actuated solely by money considerations, but has been public spirited and so desirous of giving to his town something in which its people could take pride. He has been patriotic, as well, and has assisted us to erect this tribute to those who fought and died for liberty, giving us more than we could pay him for.

"The money to pay for the monument came in part from the state appropriation in part from a most generous contribution from the Jennings family, whose ancestor, Col. Abram Gould, fell at Ridgefield; \$50 from Gen. Silliman branch of Bridgeport, and the rest from contributions of a few of the members of the Society. Not a dollar was taken from its treasury. I wish to give especial credit in the matter of securing subscriptions to Mr. Burr and Judge Hotchkiss, and to thank every donor.

### Work Is Done.

"Mr. President, your committee has finished the work which was given it to do, and we have placed upon a foundation of rock this statue of enduring bronze. We believe in the efficacy of this manner of teaching history. Mayor Gaynor, of New York recently visited his boyhood home, and there for the first time learned that the battle of Oriskany was fought

within a mile of the place where he was born. Our Society has erected on the spot a monument and now every one knows it.

"Leonidas with his 300 Spartans held the Pass at Thermopylae against a countless horde of Persians. The sculptured lion that was placed there with the inscription:

"Go, stranger, and to Lac-e-dae-mon tell,  
That here obedient to her laws we fell."

Has made them, the event, and the pass immortal.

### Few Realize Story.

"It has been said that all Greece for centuries had the lines by heart. How few people of these times know the full story of Tryon's raid, or realize that in connection with it took place the most important fighting of the war in our State; or the numbers and quality of those engaged on both sides; or of the great part it played in defeating the scheme of cutting off New England and depriving Washington's army of its supplies.

"But for all the years to come the 'Minute Man' poised to catch a last shot at the invading Red Coats, will tell the story to every passer by, or at least will give the suggestion which may lead him to study it; and the beautiful conception of the artist will show to people yet unborn what manner of men those were who learning of the presence of the hated foe in those days when there were none of the present methods of spreading information in an incredibly short time, left their homes, marched all night and all day in the storm, and then dared to oppose the veteran troops of England, although outnumbering them three to one, and showed that man to man they were their superiors, when in defense of their homes and all that they held dear and actuated by the sacred spirit of freedom.

"To you, representing the society from which we received our commission, we deliver the completed memorial."



President LEWIS B. CURTIS

### Proud to Receive It.

President Lewis B. Curtis of the Connecticut State Society, in accepting the statue, said:

"In receiving this monument from your hands, I am filled with pride. You sir, and your associates have done a noble work, and can not receive too much credit.

"For many years, this work has now been going on, oftentimes under most discouraging conditions, but at last it has been completed, and the result is well worth waiting for.

"At first, nothing as pretentious as this was contemplated. Something of the gravestone variety with a tablet on it was the height of our ambition, and it was not until Mr. H. Daniel Webster came to our res-

cue that such a beautiful monument as this became possible. To us, it was a piece of great good luck your finding a man like Mr. Webster right here in town, who had the genius, and the skill to produce such a result, to say nothing of having the patriotism to bring the cost within our reach. His conception of the subject was marvelous, and his industry beyond praise.

#### **Credit Due Committee.**

"While Mr. Webster was the creator, you and your committee made it possible for him. You by your councils and advice, General Greeley by his constant criticisms and suggestions, Mr. Loomis by his able business management, Mr. Flotchkiss, who raised a large part of the funds, Mr. Wickham, who aided us in many ways, Mr. Sherwood, our treasurer, to whom we are indebted for to-day's arrangements, and last but not least, to Mr. Burr, who always seemed to be on hand, and willing when anything was to be attended to. We also owe a debt of gratitude to the state board of sculptors, who have materially aided us by their suggestions, and friendly criticisms. To those who made the statue possible by their liberal contributions, we can only thank them for their patriotism, and trust that we have fulfilled our obligation to them in a satisfactory manner.

#### **Turns Over Statue.**

"And now sir, to you as first selectman of the town of Westport, we commend the care of this monument. You may well feel proud of it, for it not only marks a most important historical spot, but it is itself, a thing of beauty. A few weeks ago, I stood before that other minute man, and in imagination listened to the shot 'heard round the world.' I refer to that famous statue by D. C. French at Concord. While I was lost in admiration at its marvelous beauty, as must everyone be, who sees it, yet I tell you that this statue did not suf-

fer from the comparison. Thousands have made the trip to Concord and Lexington to visit that historical spot, and to admire the graceful lines of that statue, and so I venture to predict will thousands visit this sight in time to come, and Compo Beach, and Concord will stand side by side in historic interest.

"Westport should always cherish among their brightest possession, this spot, and the monument which we have erected to commemorate the noble deeds enacted here."

The chorus once more sang as the unveiling of the statue took place, the pretty daughter of Mr. Curtis assisted by Brewster Jennings performing this act, midst hurrahs and enthusiasm that roused the dead, in sentiment, in Westport.

#### **Wakeman Accepts.**

Selectman Lewis P. Wakeman in accepting the statue on behalf of the town said:

"In accepting this memorial of bygone days and heroes, for the town of Westport, it is with the profoundest appreciation of the spirit of those who honor us with the gift, as well as of the history that made such a memorial possible, plausible. I am minded to feel that the honor of accepting that memorial might better have been imposed upon some resident more eloquent, for words seem poor indeed in expressing feeling on such an occasion. Yet I plead guilty to pride, first in that I am the town's sponsor on so auspicious an occasion; again that I am, figuratively, god father of so splendid a subject, that Webster who has made possible so characteristic a monument to our Revolutionary sires, that shall perpetually stand for our country and for freedom.

#### **Frame His Counterpart.**

"I am proud for personal reasons. It is an old saying: 'Some are born great, some have greatness thrust upon them.' The latter case I find to be my

own. I may be pardoned this pride yet in the composite bronze has been moulded the counterpart frame of your humble servant and few greater honors other than having been a Minute Man in fact, do I concede than that of having been part of the conception and art of the sculptor now given to the full light of day.

"May its significance weigh; may its character inspire all who see it; portraying as it does the breadth, integrity, stamina and pluck of our forefathers, and may we as a people reverence that sentiment that we must see in the mind's eye crowns this statue with the glorious heritage that made us Americans.

"Gentlemen, for my fellow citizens of Westport, I accept and heartily thank you for this splendid memorial."

Then came addresses by William H. Burr, alone the master spirit here in fostering and fathering the inspiration that became a reality to-day, speaking on: "The Story of the Invasion."

### **The Invasion of Connecticut in 1777.**

Neither colonial history, nor the enactments of the general court, after kingly protection was renounced, record the name of the town within whose borders we are commemorating an event in which Connecticut men from Massachusetts to the sea, fought in defense of home and country.

The omission of our name from the early rolls may account for the difficulty some of our journals experienced in definitely locating us. Many points on the north shore of Long Island Sound have been described by the press as Westport, Compo and Cedar Point. Though new in name our claim to ancient heritage is valid. Two of the most respectable early "Grants" parted with their choicest lands and best citizens that we might have a place in the federation

of towns in this commonwealth. A goodly river divided Old Fairfield from Norwalk, but we captured the river giving us the finest stream in Fairfield county.

Our greetings this day will not be as explosive or as destructive as were those vouchsafed by our ancestors in 1777 to their visitors. We do cordially welcome you to our town and bid you enjoy a short belonging to the people, of matchless beauty, and rich in its historical setting.

What occurred here a century and a third ago swept yonder hilltop from the common place, and gave to the circling shore and sparkling river a special importance. The marshalled hosts of to-day may cause the armies of the past to look insignificant, but the display of heroism that characterized the small band of patriots in their persistent efforts to capture or destroy the invaders, is unsurpassed in valor, and is worthy of a conspicuous page in our country's history.

The tangible results of the prompt rising, and the vigor with which the State was defended on those April days in 1777 prevented further incursions of a like character into the interior of the State, and the proximity of such an alert and irrespressible foe, kept a large force to garrison New York and so materially depleted Howe's army in the field.

The spring of 1777 had opened brightly for the royal arms, the expeditions into New Jersey and up the Hudson had been successful and consequently Sir William Howe was determined to take possession of western Connecticut and capture the stores at Danbury. We find their coming recorded thus: "On Friday, April 25th, 1777, a mild sunny afternoon, twenty-six sails of the enemy's fleet anchored at the mouth of the Saugatuck river in the town of Fairfield, a little before sunset, 2,000 well armed troops were landed on the long beach at the foot of the beautiful hill of Compo."

This was a notable as well as a noble band of men who came to "exercise the arts of war," in obedience to the command of their king. Gen. Tryon commanded the expedition, and his troops in discipline, service, and courage represented the flower of the English army. They were resplendent in their brilliant uniforms, and mounted on handsome chargers made a most imposing appearance. They were not Hessians but gentlemen.

This is Bunker Hill day; 134 years ago to-day two of the regiments, the King's Own Regiment, and the Welch Fusiliers, who lead the charge at Bunker Hill, and later fought here, left over a hundred dead on that memorable field.

Few of our soldiers were available for defense, as they were sharing the fortunes of war with Washington in New Jersey, or defending the forts on the Hudson, a fact known to Tryon. He anticipated little difficulty in holding the country and winning it back to the crown.

At the head of Compo street a few patriots opened fire on the advancing column and a number of red-coats fell. Tryon entered Danbury, Saturday afternoon, compelling the little band of militia which was garrisoning the town, to withdraw. He established his headquarters and those of General Agnew and Erskine in favorable localities, and quartered the troops in the remaining houses preparatory to a continued occupancy. Tryon with his marching thousands met only scattering groups of militia in the advance and he undoubtedly felt the royal army was secure from molestation, but that night he was warned by the loyalists that the country was rising and that generals, heroes of many battles were approaching with patriots who were gathering from the hillsides far and near. Tryon needed no other impetus to hasten his departure. Long before dawn his bugles sounded, his men were aroused and put in marching order, thousands of barrels of provisions were destroyed, and fire brands were applied to every house in the village except those of the Tories.

Such briefly told was the advance to, and occupancy of Danbury by his majesty's troops. Let us observe how the coming of these battalions effected the Amer-

icans. Tryon's forces were landed Friday evening, and not until midnight was his objective point known to the patriots. Before the dawn of the new day messengers swift as the rider to Lexington, or those who summoned Clan Alpine to the fight, were speeding far over the hills and valleys calling on all to resist the foe. The names of the men who bore on the warning may never be known, but history tells us that General Silliman, who was at his residence at Fairfield, immediately sent out his expresses to alarm the country and collect the militia. Heralds on swift relays of horses transmitted the message from hand to hand, village to village, the sea to the hills, and it was not suffered to drop until the state was aglow. The call met with such a loyal response, that early on Saturday morning General Silliman was on his way to Redding with 500 men. As the patriots wound their way up the steep hills, they were overtaken by two horsemen, timely reinforcements, who filled their hearts with hope, for one was General Wooster, commander of the Connecticut militia, and the other General Arnold, who had fought many a battle on sea and land. Sheridan's ride over a good broad highway from "Winchester Town" has been made immortal. Over rough roads for fully thirty miles had pressed these two officers.

Upon learning that the enemy were retreating toward Ridgefield, on Sunday morning Arnold and Silliman were detached with four hundred men to cross the country and take post in that town, while General Wooster with two hundred men were to attack the flank and rear, of the retiring columns.

As the British entered Ridgefield, General Wooster made two assaults and captured in the first, forty prisoners. Encouraged by his success, Wooster urged his men to press on exclaiming: "Come on boys, never mind such random shots." As he thus led them on he fell mortally wounded and the noble patriot was borne from the conflict.

Arnold and Silliman had constructed across the village street a barricade and here 500 men held the 2,000 troops of the King in check for an hour. Col-



onel Gould, of Fairfield, commanding the fourth Connecticut Militia was killed with many of his men. The battle that opened on the hills that Sunday morning extended to the Sea. The minute men continued to pour in from the distant parts of the State, and when Tryon left Ridgefield on Monday morning, points of advantage were occupied by continentals, from which deadly missiles were sent into the retreating battalions, the hills resounding with the roar of cannon and the rattle of musketry

“As the farmers gave them ball for ball,  
From behind each fence and farm yard wall.”

Colonels Huntington and Oswald with five hundred men and Lamp's artillery from New Haven occupied the hill to the west of the Saugatuck river above the bridge. Tryon saw it would be impossible to advance in that direction, he turned his horses and forded the river and at a double quick step made for his shipping.

General Tryon finding it impossible to escape without assistance ordered Sir William Erskine to land the marines from the boats (six ships having arrived the night before) and take position on Compo Hill with field guns and check the advance of the patriots. Probably not far from 2,500 British troops were on the hill when Colonel Lamb, who had just ridden in some sixty miles from Southington, proposed to carry the fortifications by storm. The troops readily advanced, receiving unterrified, the grape shot which were cutting down their ranks. As they reached the fence, Colonel Lamb fell seriously wounded, the progress of the Continentals was checked and the British withdrew to their vessels with the Americans pressing them closely. After the engagement a house on the plain was taken for a hospital, where many of the wounded from both armies received surgical aid. Many of those who fell were borne to their own towns for sepulture, but in a long grave more than a score of patriots were laid to rest: among whom was Lieutenant Samuel Elmer who came from Sharon and fell at the fence. His father had

his remains removed to the cemetery at Greens Farms where the ancient stone bears this quaint inscription:

“Our youthful hero, bold in arms  
His country's cause his bosom warms  
To save her rights, fond to engage  
And guard her from a Tyrant's rage,  
Hies to the field of blood and death  
And gloriously resigns his breath.”

We noticed on the arrival of the British, they were some of the finest troops bearing the royal standard.

We will now consider those who gave them battle. Major Gen. Wooster, who was born in Stratford, and fell at Ridgefield, was nearly three score and ten years of age. Upon learning of the coming of the British he mounted his horse and rode fifty miles to lead the attack on the invaders. He had rendered valuable service in the French and Indian wars and in Canada. “They who die in a good cause are redeemed from death, each place grows proud for them who were born there. As God musters them out on earth he enrolls them above.” Arnold was very brave and received the thanks of Congress, he was also presented with a horse handsomely caparisoned for his service at this time. Gen. Silliman, Cols. Gould, Huntington, Oswald and Lamb had seen service, and many who took part in the battle on Compo Hill were destined to hold important positions in the new nation.

Washington placed Lamb in command at West Point and after the war he appointed him Collector General of the port of New York.

Sixteen year old Oliver Wolcott whose father was one of the signers of the Declaration of Independence, followed Colonel Lamb in his charge on Compo Hill. Oliver remembered his mother's admonition when she handed him his father's flintlock “To conduct himself like a good soldier.” He was treasurer of the U. S. for five years and Governor of Connecticut for nine years.

The large majority of those who responded to the call and followed the officers were those who had been left to care for the farms, while the regulars were with the army. Many were very old some very young, they

came in their homespun, with weapons with which they were most familiar. They were only a fraction of those who were enduring hardship for the cause of independence, but they were actuated by the same spirit and entitled to the same glorious recognition as those who fought where the enthusiasm of numbers and the inspiration of martial music made one forgetful of self and stirred to deeds of valor.

With such a sturdy and irrespressible foe at his door and an unconquered country stretching away to the East of the Hudson, is it surprising that Lord Howe, turned a deaf ear to the entreaties of Gen. Burgoyne to send him reinforcements?

Three thousand troops arrived for Howe. Clinton moved up the Hudson river, but too late to save Burgoyne, and thus the first great victory came to American arms. Howe rightly divined the purpose of militia, for the day Clinton moved up the river, the Connecticut men were marching to the Hudson.

We cannot at this time describe what occurred in the different engagements and how from point to point the Continentals endeavored to capture the foe. The British records show that their loss was three hundred, probably double that of the Americans. When the King's troops reached their vessels they threw themselves on the decks completely exhausted, they claimed they had fought twice their number and had been worse handled than at Concord and Lexington.

We are not here to exhibit the trophies of war, to describe battles, to display ancient armor, or to uphold militarism, but we are here to commend that spirit which is in man, that will stand for the right, because it is right. A nation is sinking into decadence that does not cherish the memory of those who died in her service, or of those who have wrought for her emancipation.

We have passed through the gateway of the century, behind us are the years of our fathers, around us the heritage they have given to us and to all who will adopt this land as their own with its wonderful possibilities.

The minute-men as an organization may have passed into history with the first battle of the revolution, but the minute-men as individuals have been, and will continue to be, the men, who in the hour of their country's peril, or need, were, and are ready and waiting to consecrate their lives to her service. They made possible the Revolution, they answered by the tens of thousands from the Atlantic to the Pacific when President Lincoln called for volunteers to save the union. We rejoice that as we dedicate this memorial to the heroes of the distant past we have with us the heroes of Gettysburg, Vicksburg, and some of them are wearing that precious emblem bearing the of their towns to place their names on the roll. inscription of minute-men because they were the first

Truly in this glorious fabric of the union the chief architect is the plain man. As the structure rises in truth and loyalty it will be more lasting than granite, and reflect that light, liberty and justice which proceeds from the throne of God.

Our artist may have gained his conception of that firm, noble and resolute face we have before us to-day, from a study of the life of his kinsman and whose name he bears, whose statesmanship towers above his contemporaries and whose eloquence remains unsurpassed. Mr. Webster's parents left the New England hills to found a home on the western plains. The son has returned that we might have his conception of what the true American is, under whatever skies it may be his fortune to live. It is not the perfect form, or his equipment of ancient armor, that stirs our souls and fires our imagination, but the spirit that is embodied in the man that will lead him on to do and dare, until the right is triumphant. Human forms pass away, the armor of yesterday is the junk of to-day, as ours will be of the tomorrow, but the spirit of the past will continue to actuate lives as long as the sun floods hilltop and valley with its glorious effulgence. This beautiful memorial should bear from the past to the future the thought of the great orator when speaking of those who were to follow, said: "We welcome you to the blessings of good govern

ment and religious liberty, to the treasures of science, and the delights of learning, to the immeasurable blessings of rational existence, the immortal hope of Christianity, and the lights of everlasting truth.

"We glory in the sages  
Who in the days of yore,  
In combat met the foeman,  
And drove them from the shore.

We glory in the spirit,  
Which goaded them to rise,  
And form a mighty nation  
Beneath the western skies."

Our minute-man looks not out across the seas for the foe but rather the challenge comes to us, to be instant in season and out, that our priceless heritage be not pilfered or wasted, that no invidious foe of the public weal be permitted to divert into the narrow channels the streams that in its onward course would carry blessing and happiness to the multitude.

We rejoice that war and bloodshed are of the past, that hostile fleets and invading armies are succeeded by messengers of commerce, that the choicest products of mind and hand are being given to the world for the benefit and enlightenment of all mankind. "That duty lights the way for the beautiful feet of peace."

The man who stands steadfastly for that which is right, who would bind all nations more closely in the bonds of brotherhood, represents the highest standards of an American, before whom Princes bow, to whom Kings do reverence.

We know courage is better than fear, and faith is better than doubt, and so long as fountains gush from the rocks and yonder river flows on its course to the sea, shall the spirit of patriotism inspire the hearts of men to the performance of noble deeds.

The sculptor H. Daniel Webster, after prolonged cheering, a fitting tribute to his skill and conception, evidence of which now stood revealed, responded to the call on: "The Artist's Conception."

### Typifies Spirit of '76.

Mr. Webster said:

"Among the profession it is considered very bad form for a sculptor to make a speech at the unveiling of his own work, but I know that my contemporaries will pardon me to-day for embracing this excellent opportunity to thank most sincerely all those who have helped me in any way to complete this monument—without the aid of my friends it could not have been a success.

In the bronze figure before you I have endeavored to represent the spirit of the brave men who gained for us the liberty we now enjoy, and paid for it with their own precious blood. I have tried to represent a noble man, full of strength and determined to protect his home and family against those who had come to destroy his property and deprive him of his liberty. He is the kind of man that was able to turn these Connecticut stones to bread and drive the British into the sea.

"My hope is that this monument may be a worthy reminder to the coming generations of all that we owe to the splendid men of the American Revolution, whose sons and daughters we are proud to be."

Mrs. John L. Buel and Mrs. John T. Sterling, representing the D. A. R., added their portion to the tribute as well of the spirit as the artist, through his statue, and President General Marble, of New York closed.

### Mrs. Buel's Remarks.

The next speaker was Mrs. E. C. Buel, of Litchfield, State Regent of the D. A. R., who said:

"Mr. President, President General, Madam Vice-President General, Sons of the American Revolution and guests, ladies and gentlemen: "It is a great pleasure to bring greetings to your society from over 4,000 Connecticut Daughters of the American Revolution who congratulate their brothers upon the successful outcome of their labor of love and patriotism.

### Woman Can be Brief.

"I am asked to be brief and wish to prove that a woman can be brief even when speaking for 4,000 other

women. The deepest feelings you know are always expressed in the fewest words, and so you may measure the depth of the sincerity of our felicitations to your society to-day by brevity of my speech.

### **The Women of '76.**

"Your society and mine, which I have the honor of representing are heirs of a common duty and obligation to honor our brave past and the men who gave us this nation. But listen: wherever a minute man may spring forward to guard our coast from invaders like Tryon, our Daughters of the American Revolution wish it to be forever remembered that behind him stood the woman with the spinning wheel, behind every gun was a distaff. We maintain and always will maintain that our war for independence was won by the women, our grandmothers of the wheel and loom.

"I know that the chivalry in the heart of every Son of the American Revolution to-day will bear me out in this. All honor to them, to the Minute Man and that great army of noble, self-sacrificing, heroic, resourceful and self-reliant women who stood back of him and proved an invaluable reserve force in his rear.

### **Tribute to Their Memory.**

"As their sons and daughters we unite in paying a tribute of love and gratitude to their memory. May the God of our fathers help us to be worthy of their unselfishness, their nobility and high ideals."

On a bright afternoon in April, 1777, a little over 133 years ago the residents of Norwalk and Fairfield were thrown into consternation by the arrival of 20 transports and six war vessels flying the flag of King George, the Third, off the Caukeen Island. Soon the big ships anchored and in the sunlight could be seen the redecoats disembarking and coming ashore in small boats in great numbers. It was on Compo Beach at the foot of the hill that they first set foot. About 2,000 of them landed, and probably as many more remained in the ships.

### **Disastrous to Invaders.**

This is the beginning of the story which tells of the first British invasion of Connecticut, which was more disastrous to the invaders than to the Continentals as regards loss of life and suffering, and as a matter of strategy the failure of General William Tryon to hold his position in Danbury after burning it, was a big detriment to the working out of the plans of the British later in the year. It was hoped that by burning the stores at Danbury and occupying the town would cripple the New Englanders and keep them busily engaged while two British armies one from the North and the other from New York marched up the Hudson and down Lake Champlain intending to cut off New England from the Continental forces.

### **Plot Was Foiled.**

The plot was good but was foiled by a little band of patriots from Fairfield, New Haven, Redding, Sharon, and other men in the western part of the State. The British were finally driven from Danbury around to Ridgefield where they were attacked fiercely and forced to go on. Had the British been unable to occupy Compo Hill they would all have been captured before they could embark and sail away out of reach of the Connecticut Yankees.

### **Aimed for Danbury.**

Lord Howe, in command of the British army in the spring of 1777, placed William Tryon, Royal Governor of New York in command of an expedition which was to weaken the resources of New England and break the patriotic spirit of the people. The direct purpose of the first trip to Connecticut was to capture the stores at Danbury and draw men from the Continental army in New Jersey to the defense of Connecticut, so weakening General Washington's forces.

The Connecticut men as soon as they saw the Red Coats making for Compo Beach sent messengers as far as New Haven warning people of the approach of the British. Their point of attack was not known un-

til they had landed and the word was given, "On to Danbury." But they didn't go on to Danbury until the minute men fresh from the plow had given the British a little taste of American sharpshooting. The British returned the fire and sent a cannon ball through the house of the parents of Chancellor Kent, to whom the legal profession is indebted for the famous commentaries. The future advocate was in the attic at the time and has said that if it hadn't been for the big chimney there would probably have been no commentaries.

#### **Marched Through Fairfield.**

The red coats marched to a point in the Danbury road in the north part of Fairfield and encamped for the night. At dawn they started for Danbury. The terror stricken inhabitants had fled and the soldiery consisted of but 150 men, 100 of whom were militia men. They were hardly enough to form a rear guard for the retreating residents.

#### **Danbury's Rum.**

But if Danbury hadn't enough soldiers to overpower the British she had enough rum stored away to accomplish nearly the same result. In those days rum was to a soldier a necessity, and great quantities were stored in Danbury. The only way to destroy this under army etiquette was to drink it and drink it they did. But there was too much for even 2,000 soldiers and they were a helpless lot by night.

Wanton destruction of the town followed. Only houses protected by the "Sign of the White Cross" were exempt.

All this time Connecticut soldiers were gathering under General Wooster, General Benedict Arnold and General Gold Sellick Silliman of Fairfield, and were rapidly marching toward the British. Tryon learned of this and began to beat a hasty retreat to his ships by a more westerly course than he had come.

#### **Death of General Wooster.**

This last move was foreseen by the Continental forces and Generals Arnold and Silliman rushed 500 men to Ridgefield, while General Wooster with 200 men went

to Danbury and harassed the enemy as they fled. In the first encounter General Wooster captured 40 men. In the second attack two miles north of Ridgefield the brave general while cheering on his troops was fatally wounded. He was 67 years of age when he was killed.

#### **Held British Two Hours.**

Meanwhile the boys in blue and buff under Generals Arnold and Silliman were waiting in Ridgefield. A barricade had been thrown up on Ridgefield street and the British and Continentals fought face to face. It was two hours before the trained English soldiers, the flower of the British army could make any headway under the galling fire of the American guns, although the latter were outnumbered almost four to one. At this battle Lieutenant-Colonel Abram Gould fell mortally wounded. The British spent the night in Ridgefield.

At morning they started for their ships. General Arnold forced them to change their route and they started for the ford at the Saugatuck river. They finally succeeded in reaching Compo Hill where they had a chance to train their field pieces on the Americans.

#### **Made Desperate Attacks.**

Although it was like flying in the face of death, Lieutenant Samuel Elmer, of Sharon, who had just returned from the army in New York on a furlough with 100 volunteers attacked the British and Lieutenant Elmer met his death. Another gallant effort was made by Colonel John Lamb and his artillery from New Haven, but the British continued to hold the hill. Reinforcements came from the ships and while the fresh troops from the boats covered the Continentals, General Tryon's army about 200 short of the number which landed fled in small boats to the big ships waiting outside the bay.

The death roll of the Continentals was probably 60. Twenty of these found graves in the beach where they had lost their lives.

In the old grave yard at Greens Farms the body of Lieutenant Elmer lies buried. A plain headstone marks his resting place. The following inscription is on the stone:

"LIEUT. SAMUEL ELMER  
SON TO COL. SAMUEL ELMER  
OF SHARON  
WAS KILLED AT FAIRFIELD FIGHTING FOR  
THE LIBERTY OF HIS COUNTRY  
APRIL 28, 1777  
IN THE 25TH YEAR OF HIS AGE.

'Our youthful hero, bold in arms,  
To save her rights, fond to engage,  
And guard her from a Tyrant's rage,  
Flies to ye field of Blood and Death,  
And gloriously resigns his Breath.'"

#### Mrs. Sterling's Speech.

On behalf of the National Society of the Daughters of the American Revolution, of which she is Vice-Regent, Mrs. John Sterling, of this city spoke as follows:

"Mr. President, Connecticut Chapter S. A. R. and Guests: In hearing the chairman introduce the National Society, D. A. R., our thoughts speed across the country to the far West—in Colorado and California and Washington, and we recall the Daughters there, then we turn to the North country, to the Great Lakes territory—there are many of us up there; then through the heart of the great central West, down into New Mexico and the Gulf states, up the Atlantic sea-board, back into our own New England—everywhere our members are to be found; 70,000 women are to-day wearing the insigna of the Daughters of the American Revolution. To be the representative, the speaking voice of these 70,000 is an honor and a responsibility. It is also a pleasure to bring to you to-day, from this great society, a salutation of cordial friendliness and extend to you the hand of fellowship and comradeship.

"Last April the D. A. R. in annual Congress assembled, had the pleasure of listening to your then President General. We were honored in entertaining the worthy head of a worthy society. The patriotic pulse of some of us beat faster because Connecticut had furnished the S. A. R. with an able President General and to a few of us, our State pride itself was quickened by a vigorous civic pride for was he not our own fellow-townsmen, our own home city had contributed your distinguished leader. We congratulated the order on its discrimination and wise selection.

#### Patriotic Work.

"The beautiful and artistic tribute which is presented to-day, commands the full sympathy and pride of the D. A. R., for it is so completely in harmony with our own efforts and objects. We are in accord, not only in this commemorative work, but also in that other endeavor, the patriotic education, of those whom the open hospitality of this government has enticed to the shelter of our national roof tree, those who have sat down by our political firesides, as if at their own home hearthstones. It rests, to some extent, with the descendants of the Founders; with the Sons and Daughters of the American Revolution, to see that this foreign invasion does not disturb or overshadow the family circle of our domestic policies with alien influences.

#### Patriots Were Noble Men.

"The Minute men of the Revolution whom we are remembering, were noble men, they gave their lives—many of them—for the principles under which we live to-day. Your State President and Chapter were most happy in selecting this figure to illustrate heroism and patriotism and to dedicate it on Bunker Hill day. This memorial will always be a testimonial to their sagacity, skill and successful effort.

"An ancient Greek patriot and warrior, when told that his son had been slain in battle, replied: 'I did not request the gods to make my son immortal or long lived, but I asked that he might have integrity of principles and

be a lover of his country, and now I have my desire.' When we look at this statue, eloquent of the uprightness and heroism of its prototype, it will have for us a two fold significance, it will be not only a graceful tribute of honor to the past, but also a pledge of righteous citizenship to the future, a request to the gods that our sons and daughters 'may have integrity of principles' and be upright lovers of their country.' "

The school choruses again sang "America," in which the assembly joined and the Rev. Mackenzie brought the memorable event to a finale with the benediction.

For the first time the people now have an opportunity for viewing the Minute Man, as characteristic and effective a memorial to the heroes of '76 as graces any community.

The following poem by Mrs. Agnes Lewis Mitchell, called "The Minute Man," was read by the authoress, a well known writer and critic of the town, and the famous lecturer on "Current Events:":

Old Compowe Road runs rambling down  
For many a league through Westport Town,  
Nor stops until it sees the sand  
In curving beach outline the land,  
And here the British vessels lay  
In harbor, as but yesterday !

From every roadside home they fired,  
—Those patriots brave,—  
Freedom to win, their land defend,  
The Flag to save;  
And as the British bullets sped  
Our fathers flinched not, though they bled.

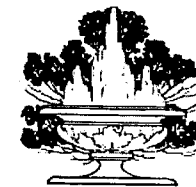
To-day we place this statue fair  
Beneath the sun,—  
Long years have passed, and men have gone  
And freedom won.  
And here where once our fathers died,  
The Minute Man we rear with pride.

What dost thou guard, oh Pilgrim sirs?  
No ships are in the bay.  
The chariots that race thee by  
Hold merry folk at play.  
What does thy forehead stern forefend,  
Thy knotted arm and hand defend?

Guard us, we pray, from foes unseen  
That lurk within.  
The lust of power that gold may buy,  
The wage of sin,  
The lack of sturdy manhood's might,  
To hold and battle for the Right!

Teach us, both men and nation vast  
That fine ideal  
Of civic worth and civic pride  
Our sires made real;  
Teach, what they bravely taught us then  
That rank lies not in lands, but men.

Look out, oh Minute Man, clear eyed  
Upon to-day!  
God grant the woes we do not see  
May pass away.  
Still keep brave watch o'er thine abode  
Beside the sea, on Compowe Road.



## LIST OF CONTRIBUTORS.

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COMPO BEACH

COLLECTIVE BARGAINING AGREEMENT

BETWEEN

THE TOWN OF WESTPORT

AND

WESTPORT POLICE LOCAL #2080  
COUNCIL #15, AMERICAN FEDERATION OF STATE, COUNTY AND  
MUNICIPAL EMPLOYEES, AFL-CIO

JULY 1, 2012 to JUNE 30, 2016

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## PREAMBLE

The following Collective Bargaining Agreement effective July 1, 2012, except as indicated otherwise, by and between the TOWN OF WESTPORT, HEREINAFTER REFERRED TO AS THE "TOWN", and the WESTPORT POLICE LOCAL 2080 AND COUNCIL #15, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, hereinafter referred to as the "UNION", is designed to maintain and promote a harmonious relationship between the TOWN and its police officers who are covered by the provisions of this Agreement, in order that more effective and progressive public service may be rendered.

It is mutually agreed as follows:

### ARTICLE 1 RECOGNITION

The TOWN hereby recognizes the UNION as the exclusive representative and bargaining agent for the regular full-time police officers employed by the Police Department, except the Chief of Police, Deputy Police Chiefs, Captains and Police Lieutenants.

### ARTICLE 2 PROBATION

#### SECTION 1.

All appointments to the Police Department shall be subject to a probationary period of eighteen (18) months, except that promotions to Sergeant shall be subject to a probationary period of six (6) months; and promotions to the position of Lieutenant shall be subject to a probationary period of six (6) months.

#### SECTION 2.

A probationary patrolman/patrolwoman may be summarily dismissed without a hearing and shall not have the right to institute a grievance for said dismissal.

#### SECTION 3.

Any employee promoted for a probationary period and, found to have performed unsatisfactorily during such period shall be reinstated to his/her previous position or equivalent, without loss of seniority, rank, grade or pay of his/her previous position.

#### SECTION 4.

Any employee who has satisfactorily completed his/her probation period shall be deemed to be a permanent employee in that rank.

**ARTICLE 3**  
**SENIORITY**

**SECTION 1.**

Police Department seniority shall mean the total length of continuous service as a full-time officer in the Westport Police Department. An employee's length of continuous service shall not be reduced by time lost due to sick or injury leave, or any approved leave of absence or other authorized absence. Completed probationary periods shall be included in continuous service.

**SECTION 2.**

Rank seniority (Sergeant) shall mean total length of continuous service of an employee as an appointee to a rank including all completed probationary periods. No employee shall acquire rank seniority in any rank for a period served in such rank in an acting capacity. During such temporary service, he/she shall continue to accrue rank seniority in his/her permanent rank.

**SECTION 3.**

In the event of a force reduction in the required personnel of any rank or any change or reduction in the present Table of Organization for the Westport Police Department, rank seniority shall prevail, e.g. the employee with the least seniority in any rank will be the first to be reduced from the rank.

**SECTION 4.**

In the event of need for additional personnel following a force reduction, patrolmen/patrolwomen on lay-off shall have recall rights for one (1) year from the date of lay-off and shall be recalled in the inverse order of lay-off, e.g., the last patrolman/patrolwomen laid off shall be the first entitled to recall. Departmental seniority earned prior to lay-off shall be retained. A Sergeant reduced in rank as the result of a force reduction shall be entitled to reinstatement to the applicable rank in the event of a vacancy in said rank, provided such vacancy occurs and is to be filled in the two (2) years from the date of reduction; and provided further that any rank seniority earned prior to the reduction shall be retained.

**SECTION 5.**

Any two (2) or more employees having the same date of appointment or promotion, the employee who placed higher on the eligibility list from which such appointment or promotion was made, shall have the higher rank seniority rating.

**SECTION 6.**

Each June 30th, during the life of this Agreement, a departmental and rank seniority list will be published and posted on the official department bulletin board.

**ARTICLE 4**  
**PROMOTIONS**

**SECTION 1.**

The First Selectman and the Chief of Police may, from time to time, and shall, pursuant to this Article, cause competitive examinations to be held by an independent agency. The Personnel

Director reserves the right to make the final choice of agency after meeting with the Union Executive Committee. Each examination shall be open to only those persons who meet the minimum qualifications established in this Article for the rank/classification for which such examination is being conducted. Each candidate who meets such minimum requirements/qualifications shall be permitted to participate in all parts of the examination, provided he/she has attained a minimum grade of seventy percent (70%) in the written examination. Every reasonable effort shall be made to hold the oral examination within sixty (60) calendar days of receipt of the written scores. Service ratings or evaluations and seniority points as provided in this Article shall be a part of any such examination. All employees who receive a final total passing grade/score of seventy percent (70%) in an examination for a certain classification and/or rank shall be placed on the eligibility list for such rank/classification in the order of their final total grade/score in such examination. Such eligibility list shall be posted by the TOWN on the official departmental bulletin board showing each part of the examination.

## SECTION 2.

A) The following minimums in years of service and acquired rank in the Westport Police Department shall be required for eligibility for participation in an examination for promotion or permanent placement in the below listed rank classifications:

Detective/  
Desk Officer: Three (3) years of regular continuous active service immediately preceding the closing date of the application for such promotional examination. The eligibility list for this position shall be in effect for a period of eighteen (18) months and such duration period shall commence in accordance with the provisions specified in this Article.

Sergeant: Five (5) years of regular continuous active service immediately preceding the closing date of the application for such promotional examination.

B) Sergeants who have served in that capacity for least six (6) months and who have completed seven (7) years of regular continuous active service in the Westport Police Department immediately preceding the closing date of the application for such promotional examination shall be eligible to participate in an examination for the rank of Lieutenant.

## SECTION 3.

Seniority points shall be given in all aforesaid examinations by adding to the final grade of each candidate one quarter (1/4) point, up to a maximum of five (5) points, for each year of continuous service as a full-time police officer in the Westport Police Department in his/her respective rank on the closing date of the application for such promotional examination. If a tie exists after a score is established for any such examination by totaling the score/grade of the written examination, the oral examination, service/performance rating, and seniority points, the higher rating shall be determined by the highest combination score/grade of the individual's written examination, oral examination grade and service/performance rating. The Chief of Police reserves the right, after discussion with the Executive Committee of the Union, to determine the weights to be assigned to each portion of the examination. Such weights shall be posted in advance of the examination and provided, however, that in the case of an examination for

Detective and Desk Officer, the nature of the examinations, whether written and/or oral, shall be determined by the Chief of Police after discussion with the Executive Committee of the Union.

#### SECTION 4.

Whenever a vacancy is created in a promotional position (Sergeant or Lieutenant) in the Westport Police Department, and an eligibility list established in accordance with this Article exists for the rank to which the position is allocated, the Chief of Police shall recommend to the First Selectman who shall appoint the person standing highest on such eligibility list to fill such vacancy within thirty (30) days of the date on which such vacancy is created, except as provided in Article 3, Section 4.

#### SECTION 5.

In any case where a vacancy occurs and the eligibility list has less than thirty (30) days to its expiration, then the person standing highest on such list shall be recommended and appointed forthwith, or in the case of the absence of the Chief of Police and/or First Selectman at the time of the vacancy, at the earliest convenient date.

#### SECTION 6.

Whenever a vacancy is created in a promotional position, (Sergeant or Lieutenant), in the Westport Police Department, and an eligibility list does not exist for that rank, the Chief of Police shall initiate steps within fifteen (15) days of the date on which such vacancy was created for a competitive examination to be held in accordance with the provisions of this Article for the purpose of establishing an eligibility list for that rank. After an eligibility list is established for such rank, the First Selectman shall appoint the person standing highest on such eligibility list to fill such vacancy within thirty (30) days of the date on which the last appeal from the results of such examination is processed and determined. If no appeal has been filed from such results within said thirty (30) days, the First Selectman shall make the appropriate appointment within such thirty (30) day period or as outlined in Section 5 above.

Except as otherwise provided in this Agreement, an eligibility list created pursuant to this section shall be valid for two (2) years commencing with the date of the first appointment made from such list.

The provisions of this Article also shall apply to developing eligibility lists for Detectives and Desk Officers, except that these shall be valid for eighteen (18) months commencing with the date of first appointment from the particular list. The Chief of Police will make the assignments from the top person on these lists.

#### SECTION 7.

All regular assignments as Detective and/or Desk Officer shall be made from an eligibility list as provided in this Article. Any employee so assigned may be reassigned at the discretion of the Chief of Police and such assignment shall not be considered as permanent placement.

#### SECTION 8.

This Article shall not void any eligibility lists that are valid or active upon the execution or imposition date of this Agreement.



SECTION 9.

In all other respects, promotions and/or placements shall be subject to the rules and regulations as promulgated from time to time by the Chief of Police.

**ARTICLE 5**  
**TRAINING-DETECTIVE BUREAU**

SECTION 1.

The Chief of Police may assign one (1) patrolman/patrolwomen to the Detective Bureau for a period not to exceed one (1) year for training purposes. No such officer shall be entitled to additional compensation, during such period, nor shall he/she be assigned for more than one (1) training period.

**ARTICLE 6**  
**NON-DISCRIMINATION**

SECTION 1.

It is the policy of the TOWN and the UNION that there shall be no discrimination because of race, creed, color, age, sex or national origin in the hiring of employees and the provisions of the Agreement shall be applied to all employees covered by it without regard to race, creed, color, age, sex or national origin.

**ARTICLE 7**  
**DISCIPLINARY ACTION**

SECTION 1.

If action is taken by the First Selectman to remove an employee, other than a probationary patrolman/patrolwomen as provided by Chapter 3, Section 5, of the Westport Town Charter, and in the judgment of the employee this action is taken without just cause, he/she, within thirty (30) days after, such action is taken, may ask the First Selectman to meet with the Union's Grievance Committee for the purpose of resolving the dispute. If the employee fails to initiate such request within the said thirty (30) days, the dismissal shall be final and binding. If no agreement is reached between the First Selectman, and the UNION with respect to the action of the First Selectman, the UNION may, not later than (10) days after receipt of the written determination by the First Selectman, submit a request for arbitration, in writing, to the Connecticut State Board of Mediation and Arbitration if it is the first or second request for arbitration in the given year. If it is the third or greater request for arbitration for the given year, the UNION may, not later than (10) days after receipt of the written determination by the First Selectman, submit a request for arbitration, in writing to the American Arbitration Association. Notwithstanding the previous provisions, in the event the UNION does not exhaust the first two requests for arbitration in a given year, the remaining request(s) will rollover to the following year. In such a case, the UNION may request arbitration with the Connecticut State Board of Mediation and Arbitration until it has exhausted its rollover request(s). Upon exhaustion of the first two requests of the given year and any rollover request(s), further requests for arbitration must be submitted to the

American Arbitration Association. A copy of said request shall be sent immediately to the TOWN. The decision of the Board/Arbitrator shall be final and binding on all parties.

SECTION 2.

Nothing contained herein shall prevent any employee from representing himself/herself in these appeal proceedings before the First Selectman.

SECTION 3.

An employee who is called to the Office of, a Deputy Chief, Chief of Police, or First Selectman or his/her respective designee for disciplinary action, other than dismissal, may request the presence of the Local Union President and his/her designated alternate for further conference within three (3) days with a Deputy Chief, Chief of Police, or First Selectman and thereafter may use the grievance procedures. If the employee does not request same, it shall not constitute a waiver of the employee's rights under Article 8.

**ARTICLE 8**  
**GRIEVANCE PROCEDURES**

SECTION 1.

Should any employee or group of employees feel aggrieved by any conditions of employment, adjustments shall be sought as follows:

STEP 1.

The UNION shall submit the grievance in writing to the Chief of Police, setting forth the nature of the grievance. Within three (3) days after the Chief of Police receives the grievance, he/she shall meet with the representatives of the UNION for the purposes of adjusting or resolving the grievance.

STEP 2.

If the grievance is not resolved by the Chief of Police to the satisfaction of the UNION within five (5) days after such meeting, the UNION may present such grievance in writing within seven (7) days thereafter, to the First Selectman. Within seven (7) days after the First Selectman receives such grievance, he/she shall meet with the representative of the UNION for the purpose of adjusting or resolving the grievance.

STEP 3.

If the grievance is not resolved by the First Selectman to the satisfaction of the UNION within five (5) days after such meeting, the UNION may within ten (10) days thereafter submit the dispute to arbitration by the Connecticut State Board of Mediation and Arbitration for arbitration if it is the first or second submission to arbitration in the given year. If it is the third or greater submission to arbitration in the given year, the UNION may, not later than (10) days thereafter submit the dispute to arbitration by the American Arbitration Association. Notwithstanding the previous provisions, in the event the UNION does not exhaust the first two submissions to arbitration in a given year, the remaining submission(s) will rollover to the following year. In such a case, the UNION may submit the grievance to arbitration by the Connecticut State Board of Mediation and

Arbitration until it has exhausted its rollover submission(s). Upon exhaustion of the first two submissions of the given year and any rollover submission(s), further submissions to arbitration will be by the American Arbitration Association.

The parties agree that any and all disputes concerning the arbitrability, application or interpretation of a specific provision of the Agreement shall be committed solely and exclusively to the arbitrator named herein for final and binding decision. The decision of such Board/Arbitrator shall be final and binding on all parties.

#### SECTION 2.

Nothing contained herein shall prevent any employee from presenting his/her own grievance and representing himself/herself.

#### SECTION 3.

The arbitrator shall not have authority to change, modify, or amend this Agreement.

#### SECTION 4.

If an aggrieved employee or group of employees fail to file a grievance under this section within sixty (60) days of the occurrence leading to the grievance, then such grievance shall be deemed waived, all other rights hereunder shall be considered waived, and neither the Connecticut State Board of Mediation and Arbitration or the American Arbitration Association shall have no jurisdiction in the matter.

#### SECTION 5.

Time limits prescribed in this Article may be extended by mutual agreement in writing by both parties; and it is further agreed that neither party shall unreasonably withhold agreement to extend any time limits as requested by the other party.

### ARTICLE 9

#### PAYROLL DEDUCTION OF UNION DUES, FEES AND ASSESSMENTS

#### SECTION 1.

The TOWN agrees to deduct from the earned wages of each employee UNION dues or service fees as determined by the UNION and remit same to the UNION Treasurer, provided however, that no such deduction shall be made on behalf of any employee without the written authorization on an appropriate form submitted in advance by the employee. Such remittance to the UNION Treasurer shall be made no later than the 10th day of the month following the month in which the deduction was made.

#### SECTION 2.

All employees covered by this Agreement and those who are not members of the UNION but covered by this Agreement, as a condition of employment, shall either join the UNION as a dues paying member or pay a service fee to be payroll deducted and remitted to the UNION Treasurer by the TOWN or paid monthly by the employee directly to the UNION Treasurer.

SECTION 3.

Any newly hired employee, covered by the terms of this Agreement, as a condition of employment, shall, after completion of his/her eighteen (18) month probationary period, either join the UNION as a dues paying member or pay a service fee to be payroll deducted and remitted to the UNION Treasurer each such pay date by the TOWN or paid monthly by the employee directly to the UNION Treasurer.

SECTION 4.

The UNION agrees to indemnify and hold harmless the TOWN for any loss or damages arising from the operation of this Article. It is also agreed that neither any employee nor the UNION shall have any claims against the TOWN for any deductions made or not made, as the case may be, unless a claim of error is made in writing to the TOWN within thirty (30) days after the date such deductions were or should have been made.

**ARTICLE 10**  
**PAID HOLIDAYS**

SECTION 1. NUMBER OF HOLIDAYS

Each employee shall be paid for the thirteen (13) paid holidays per fiscal year:

- |                        |                       |
|------------------------|-----------------------|
| New Year's Day         | Memorial Day          |
| Martin Luther King Day | Independence Day      |
| Lincoln's Birthday     | Labor Day             |
| Washington's Birthday  | Veteran's Day (State) |
| Saint Patrick's Day    | Columbus Day          |
| Good Friday            | Thanksgiving Day      |
| Christmas Day          |                       |

SECTION 2. PAY

Holiday pay shall be computed by multiplying each employee's regular straight-time hourly rate by eight (8) hours. (See Article 24, Section 1).

SECTION 3. DISTRIBUTION OF HOLIDAY PAY

Holiday pay shall be distributed on the payroll day immediately preceding the following dates:

- |                                     |                     |
|-------------------------------------|---------------------|
| December 1, (each fiscal year)..... | Six (6) Holidays    |
| June 1, (each fiscal year).....     | Seven (7) Holidays, |

Provided, however, beginning with the 7/1/13 – 6/30/14 year Christmas Eve will be substituted for Saint Patrick's Day and employees will be paid for seven (7) holidays December 1 and six (6) holidays June 1.

SECTION 4. ADDITIONAL HOLIDAYS

If any other TOWN bargaining unit, except Board of Education employees, receives an additional holiday beyond those permitted in their Agreements, then the members of the Westport Police Department shall be paid for an additional holiday.

ARTICLE 11  
VACATIONS

SECTION 1. LESS THAN ONE FULL YEAR OF SERVICE

If an employee has less than one full year of employment prior to the close of the fiscal year, he/she shall be credited with earned vacation time, which may be scheduled upon completion of twelve (12) months of service as follows:

(number of full months of service prior to July 1 divided by 12 x 10 days)

SECTION 2. AFTER ONE (1) FULL YEAR OF SERVICE

In each fiscal year, each employee who has completed one (1) full year of service shall receive ten (10) working days of vacation leave with pay.

A. Effective 7/1/99 employees shall earn vacation according to the following schedule:

Years Completed Service As of July 1 <sup>st</sup>	Earned Vacation (Working Days)
1	10
2	10
3	11
4	12
5	13
6	14
7	15
8	16
9	17
10	18
11	19
12	20
13	21
14	22
15	23
16	24
17 & thereafter	25

SECTION 3. WHEN VACATIONS ARE TAKEN

Vacation leave shall be taken in the fiscal year following the year in which it was earned, except that special permission may be granted to any employee by the Chief of Police, to carry over unused vacation leave from one year to the following year.

SECTION 4. AT TERMINATION

An employee shall be entitled to earned vacation pay whether or not he/she resigns from his/her position or is discharged for any reason and shall receive one (1) days' vacation pay for each day of such leave. In the event that an employee is entitled to vacation leave at the time of his/her death, his/her spouse shall receive the vacation pay due the employee on the same basis as the employee would have been entitled in the case of termination. If such employee is not survived by a spouse, such vacation pay shall be paid to his/her estate.

SECTION 5.

Subject to the requirements of the service and with the prior approval of his/her Deputy Chief or in his/her absence the Shift Commander, an employee may take unused vacation time earned in the prior year in units of one or more days.

**ARTICLE 12**  
**SICK LEAVE**

SECTION 1. ENTITLEMENT

Each present employee shall be entitled to any unused sick leave accumulated under any previous agreement and shall continue to accumulate sick leave as provided in this Article.

SECTION 2.

Each employee shall be entitled to sick leave days with pay, less Workers' Compensation, as follows:

<b>Years of Service</b>	<b>Working Days @ Full Pay</b>	<b>Working Days @ ½ pay</b>
0 to 2 years	24	24

After completion of two (2) years an employee shall be entitled to accumulate sick leave at the rate of one (1) day per month and shall be entitled to additional days at half (1/2) pay as would total ninety (90) days altogether.

SECTION 3.

Such half (½) days shall not be cumulative or be used for early retirement purposes.

SECTION 4. EXTENSIONS

The First Selectman, for reasonable cause may extend any of the above for not more than sixty (60) days if the employee is unable to return to work because of sickness or disability upon expiration of his/her sick leave.

SECTION 5. SICK LEAVE WITHOUT PAY

If an employee uses all of his/her sick leave and any extension, and he/she is not eligible to be placed on pension, he/she will be placed on sick leave without pay to a maximum time of one (1) year. He/she will be reinstated, if he/she is able to return to work before this leave terminates, without loss of rank, seniority, rights or any privileges.

## SECTION 6.

If an illness within the employee's household should make it necessary for that employee to be absent from duty, such employee shall be granted leave with pay for this purpose for a period not to exceed one (1) work day for any one illness, and such time off shall be charged against such employee's sick leave. Leave for this purpose as herein described may be extended by the Chief of Police except that such extended leave also shall be charged against such employee's sick leave.

## **ARTICLE 13** **INJURY LEAVE**

### SECTION 1. UP TO MAXIMUM RECOVERY

Each employee who is injured or disabled in the performance of his/her duties shall be entitled to injury leave with full pay, less Worker's Compensation, from the date of injury until such time as he/she is able to return to duty or reaches the point of maximum recovery, whichever comes first. In no event shall such injury leave exceed one (1) year. If such employee is unable to return to duty, he/she shall be eligible for disability pension, under the Pension Plan, if qualified.

### SECTION 2. MEDICAL EXPENSES

During such injury leave the TOWN shall pay the hospital, medical and drug expenses in excess of reimbursement made to the employee by Workers' Compensation Liability Insurance, or other payments for each employee who is injured or disabled in the performance of duty.

### SECTION 3. HYPERTENSION OR HEART DISEASE

Any condition of impairment of health caused by hypertension or heart disease resulting in total or partial disability to an employee shall be governed by Section 7-433(c) of the Connecticut General Statutes.

## **ARTICLE 14** **FUNERAL LEAVE**

### SECTION 1. DEATH IN IMMEDIATE FAMILY

Each employee shall be granted leave with pay in the event of death in his/her immediate family. Such leave shall start on the day of death and continue through and include the day of burial, except that in no event shall such leave be less than three (3) days commencing with the day of death. For purposes of this Article the term "immediate family" shall mean and include the following.

Mother, Father, Mother-in-law, Father-in-law, Sister, Brother, Sister-in-law, Brother-in-law, Spouse, Child, Grandparents, Grandchildren. and any relation of an employee in residence with such employee.

### SECTION 2. DEATH OF OTHER RELATIVES

Each employee shall be granted leave with pay for one (1) day, in the event of a death of any other close relative not mentioned in Section 1 of this Article, such as Aunt or Uncle.

**ARTICLE 15**  
**ADDITIONAL BENEFITS TO AN ESTATE**

**SECTION 1. DEATH BENEFITS**

In addition to any vacation pay to which a spouse may be entitled under Section 6 of Article 11, he/she shall receive the next four (4) weeks of pay otherwise due to such employee. If there is no surviving spouse, this benefit shall be paid to the estate of the employee.

**ARTICLE 16**  
**MILITARY LEAVE**

**SECTION 1.**

An employee shall be granted leave of absence without pay if drafted for military service, or if he/she enlists for military service during periods of national emergency. Such employee shall be reinstated upon his/her request to the position or its equivalent which he/she held at the time such leave was granted without loss of seniority, rights or privileges, provided that such request is made within three (3) months of the date he/she is separated from military service and provided he/she receives an honorable discharge. Effective upon ratification the practice of allowing time off under this provision for state militia units such as Governor's Horse Guard shall be discontinued.

**SECTION 2. RESERVE TRAINING PROGRAM**

An employee who serves in the Armed Forces Reserve Training Program shall be granted leave for this purpose to a maximum of thirty (30) days per year. For the period of this leave, the employee shall be paid his regular salary (base pay plus college credits) less any military pay received.

**ARTICLE 17**  
**NO STRIKE**

The UNION and its member employees covered by this Agreement agree that it and/or they will not strike and the TOWN agrees that it will not lock out any of the employees covered by this Agreement.

**ARTICLE 18**  
**UNION BUSINESS LEAVE**

**SECTION 1.**

- (a) Each member of the five (5) member negotiating Committee who is scheduled for duty on any day of scheduled negotiations between the Town and the Union, shall be excused from duty with full pay for that day, for a total of five (5) scheduled negotiating days each.
- (b) The five (5) members of the UNION negotiating committee shall be granted leave from duty with full pay for all meetings between the TOWN and the UNION when such



meetings take place at a time during which such members are scheduled to be on duty. The five (5) members of the UNION Grievance Committee shall be granted leave from duty with pay for all meetings take place at a time during which such members are scheduled to be on duty.

- c) The President, Vice-President and Secretary-Treasurer shall be granted leave from duty with pay for all meetings of the UNION, providing such leave shall not exceed three (3) hours per meeting, when such UNION meeting shall take place at a time such members are scheduled to be on duty.
- d) Officers of the UNION, as may be designated by the UNION shall be granted leave from duty, with full pay, for UNION business, such as attending labor conventions and educational conferences, provided that the total leave for the bargaining unit, for purposes set forth in this section, shall not exceed an aggregate of ten (10) working days in any fiscal year.

## ARTICLE 19 LEAVE OF ABSENCE

### SECTION 1. LEAVE OF ABSENCE WITHOUT PAY

Upon the recommendation of the Police Chief, the First Selectman may grant leave of absence without pay for a period not to exceed one (1) year to any employee who requests such leave for personal reasons. Upon the expiration of such leave of absence, or earlier if so requested by such employee, he/she shall be reinstated in the position which he/she held at the time leave was granted. It is understood that during leave the employee may retain all insurance benefits only at his/her expense and that during such leave there will be no additional accrual of sick leave or vacation.

## ARTICLE 20 IN-SERVICE TRAINING

### SECTION 1.

Each employee shall be entitled to eight (8) working days off in each fiscal year as compensation for performing the work outside normal work hours as follows:

- Two (2) days off for starting shift @ 5 minutes of the hour
- Thirty-six (36) hours of training annually
- Four (4) hours off for marching in the Memorial Day Parade
- 1 day off for participation in the Fireworks Detail

**ARTICLE 21**  
**PROTECTION FOR EMPLOYEES WHEN NOT ON REGULAR TOUR OF DUTY**

**SECTION 1.**

The TOWN agrees to assume liability for personal injuries and damage to the personal property of an employee which occurs while the employee is engaged in police work other than during the normal hours of duty, provided the TOWN shall not be liable for such damage or injury if caused by willful negligence on the part of such employee.

**ARTICLE 22**  
**UNIFORMS AND EQUIPMENT**

**SECTION 1.**

The TOWN, at its expense, shall continue to furnish each permanent employee necessary uniforms and equipment at the time of his/her employment.

**SECTION 2.**

The TOWN shall allow a maximum of Seven Hundred Fifty (\$750) for each uniformed employee and Seven Hundred Seventy-Five (\$775) for each employee required to wear civilian clothes on duty to be used for clothing purchases and upkeep.

Effective July 1, 2013, these amounts shall be increased, respectively by Seventy-Five Dollars (\$75.00) to Eight Hundred and Twenty-Five Dollars (\$825) and Eight Hundred and Fifty Dollars (\$850).

The employee will be reimbursed by the TOWN for any items of clothing or personal property damaged in the line of duty subject to approval on an individual basis by a committee consisting of the Chief of Police, the First Selectman and the President of the UNION provided that the TOWN will only be responsible for a total of \$250 for any jewelry an officer might be wearing on duty. This includes a watch.

**ARTICLE 23**  
**WORK WEEK**

**SECTION 1.**

The normal work week and work schedule of each employee shall be in accordance with Schedule A, except, however, as provided in Section 2 below. The Chief of Police may assign employees to different work schedules, in which case they shall not be required to work a greater average number of hours per week, on an annual basis, than those on the foregoing schedule without overtime compensation or compensatory time off at the discretion of the Chief.

**SECTION 2.**

Designated personnel regularly scheduled Monday through Friday or Tuesday through Saturday (except Marine Division) shall be scheduled on the basis of eight (8) hours per day, five (5) days per week, forty(40) hours, with two (2) consecutive days off each week during the year. Such

designated personnel, without loss of pay, shall not be scheduled to work on the holidays listed in Article 10 of the Agreement subject, however, to the requirements of the service.

## ARTICLE 24 OVERTIME

### SECTION 1.

Except as otherwise specifically provided in this Agreement, an employee who works in excess of his/her total work hours normally scheduled during his/her scheduled work period (whether 5/2 or 5/3) starting with the first day after his/her last regularly scheduled day off, shall be paid for such additional hours at the rate of one and one-half (1/2) times his/her regular hourly rate of pay as computed by dividing the employee's base annual wage (including any additional increment and allowances for Master Officer, EMT, college credits, and weapons qualification) by 1950 hours. All overtime must have prior approval of the Deputy Chief or his/her designee.

### SECTION 2.

In computing time to be paid at the rate of one and one-half (1 - 1/2) times an employee's regular hourly rate of pay, "swap" days, and reserve training leave days shall be excluded as "work days" for purposes of computing overtime at premium rates.

Overtime at premium rates shall not be paid for fixed traffic posts, private details, "swap" days, schools and/or conferences to which employees may be assigned from time to time. However, in computing premium overtime for work in excess of his/her total normally scheduled work hours in any scheduled work period, absence during said period for line of duty injury leave, sick leave, vacation, compensatory days, and training days shall be included as "work days."

### SECTION 3.

All work during a major emergency, including but not limited to call back, shall be paid for at the regular hourly rate of pay. "Swap" days, for the convenience of employees and where approved by the Deputy Chief or his/her designee, shall not be included as work days for overtime purposes, nor shall they be paid for at premium rates.

### SECTION 4.

When an employee is called back to work (call back), except at the beginning of his/her normal tour of duty, he/she shall be entitled to be paid for a minimum of four (4) hours at time and one-half (1 - 1/2) rate of pay for that scheduled work period. In the event the employee elects to take compensatory time off, in lieu of pay for such call back, the compensatory time off shall be computed at time and one-half (1 - 1/2).

### SECTION 5.

Employees required to attend court during off duty time in connection with his/her duties as a police officer will be paid a minimum of four (4) hours at one and one-half (1 - 1/2) times his/her regular hourly rate of pay, except that if he/she is required to remain in court beyond the four (4) hours, he/she shall be paid a total of eight (8) hours at his/her regular hourly rate of pay for all hours spent in court that day. In the event the employee receives any compensation for such

court appearance from the State of Connecticut or elsewhere, such sums will be paid over to the TOWN OF WESTPORT or be deducted from his/her compensation for such court appearance.

#### SECTION 6.

- No
- a) Special or other employee shall be used in lieu of a regular police officer for departmental overtime Beach Patrol, or any other Police function until such overtime first has been offered to all available regular Police Officer. Availability shall be limited to those regular police officers who have signed a work preference list. When additional personnel is required for regular police work, the Chief may reschedule regular personnel from other shifts or offer such work as provided for overtime in this Subsection (a). It is agreed that Traffic Agents may be used by the TOWN for supplemental traffic details to assist patrol functions, and they shall be authorized to issue parking tickets during the course of these traffic details.
- b) Officers voluntarily working the following details on overtime (as well as the details set forth in sub-section(c) below) shall receive, at the employees' option, either straight time pay or compensatory time off at straight time.
- 1) Replacement, at the Chiefs discretion, of officers authorized by the Chief or his designee to attend schools, training sessions, or seminars, when such attendance involves only a portion of the officer's regularly scheduled shift.
  - 2) All testing for the Master -Officer program and/or replacement of officers participating in the testing program.
  - 3) Replacement of officers taking accumulated time.
- c) The TOWN may assign a Special in lieu of a Regular police officer in the Marine Division, provided that:
- 1) At least two (2) Regular Officers are assigned full time to the Division during the season; and
  - 2) Regular Officers, other than the two (2) assigned as above, shall have the right of first refusal to work the Marine division at straight time.
- d) Nothing herein shall be interpreted to require minimum manning.

### ARTICLE 25 INSURANCE

#### SECTION 1.

For each regular full time employee, the TOWN shall provide and pay for the following insurance or health and medical plans:

- a) Effect  
ive upon ratification, Blue Cross Century Preferred Plan for an employee plus eligible dependents with:
1. \$15 Co-Pay per Office Visit for Medical Care
  2. \$00 Co-Pay per Office Visit for Preventative Care According to Schedule
  3. \$200 Co-Pay per Hospital Admission
  4. \$100 Co-Pay for Out Patient Surgery
  5. \$100 Co-Pay per Admission for Emergency Room, \$50 for Urgent Care
  6. \$200/\$400/\$500 deductibles
  7. 80/20 co-insurance to \$3,500/\$7,000/\$8,750; 100% thereafter per calendar year to a lifetime maximum of \$1,000,000 per covered person, with restoration as currently provided in said policy.
- b) Prescription Drug Plan (commercial version) with Specialty Pharmacy only for Blue Cross Century Preferred participants and their dependents.

The co-pays for the Prescription Drug Plan will be as follows:

	30 Day Retail	60 Day Mail Order
Generic	\$5.00	\$10.00
Formulary	\$15.00	\$30.00
Non-Formulary	\$30.00	\$60.00

Note: Formulary drugs are defined from time to time by the Provider.

In lieu of the medical insurance in a) above, an employee may elect coverage for himself/herself and dependents under the Luminos High Deductible (\$2,000 individual/\$4,000 two person and family 50% funded by Town) HSA Plan. During the term of the Agreement, the Town agrees to fully fund its portion of the deductible on the HSA in July of each year. Any employee who leaves the employ of the Town shall reimburse the Town for the portion of the deductible funded by the Town based upon a percentage equal to the number of months the employee was in the plan. Effective July 1, 2013, the HSA plan shall be the base plan offered to employees. Employees who opt to remain in the PPO shall pay the cost of the difference between the net cost of the HSA (cost less applicable employee premium cost share) and the cost of the PPO, e.g., in 2013-14 if cost for HSA is \$10,000.00 and cost for the PPO is \$12,000.00, the buy up for the PPO would be \$2,900.00.

- c) Blue Cross Flexible Dental Plan shall be provided for the individual employee and dependents.
- d) An Accidental Death Policy of \$2,000 for each employee payable to the beneficiary designated by the employee.

e) False arrest liability insurance in the amount of:

\$10,000 each act.

\$25,000 each occurrence.

\$50,000 aggregate limit of liability.

The TOWN may change insurance carriers to provide benefits which are comparable to and not less than the benefits provided in the above insurance coverage, except that any such change will only be done after meeting with the Executive Board of the Union for agreement on the overall comparability of the plans. Any dispute as to comparability shall be decided by expedited arbitration.

#### SECTION 2.

If an employee proves that he/she is paying for similar coverage for hospital service and medical service, as set forth in Section 1, at his/her option, the TOWN shall disburse to him/her the amount it would pay for the premium of the Hospital/Medical Service Insurance set forth in Section 1; and the TOWN shall be relieved of its responsibilities to provide such coverage.

#### SECTION 3.

The TOWN shall provide and pay for a Group Life Insurance Policy for each employee equal to that employee's salary up to \$50,000. If an employee proves that he/she is paying for similar coverage for group life insurance as set forth in this Section, at his/her option, the TOWN shall disburse to him/her the amount it would pay for the premium for the aforesaid policy, and the TOWN shall be relieved of its responsibilities to provide such coverage.

#### SECTION 4.

At TOWN expense, all employees shall be required to take an annual physical examination which shall include a chest x-ray, cardiogram, and blood test. Such physical examination shall be given by a physician or physicians designated by the TOWN who, upon the completion of each such examination, shall certify to the Chief as to the individual fitness of each officer for continued police duty. If an officer is not certified by the physician for police duty, then said officer shall complete the necessary forms for the physician to release the full medical report of that individual officer to the Chief of Police for his/her consideration as to appropriate action.

#### SECTION 5.

Except as specifically provided in the "Police Pension Fund of the Town of Westport," the TOWN shall permit retired members, at their own expense, to continue group coverage under the TOWN'S health insurance plans available to retirees, unless such retired member is otherwise employed where similar benefits are available.

#### SECTION 6.

The health and medical as herein specified provided by the Town shall include a contribution, under Section 125 of the IRS Code, by a covered employee in an amount equal to a percentage of the premium cost as defined in this Section for the health and medical coverage (including

Health Net, Blue Cross Blue Shield Century Preferred, BC/BS Dental Plans, Express Scripts Prescription Drug Plan; as follows:

<u>Effective date</u>	<u>Percentage of premium cost</u>
PPO:	
Upon Ratification:	13%
7/1/2013: Buy up basis calculated based on HSA premium	
HDHP/HSA:	
7/1/2013	9%
7/1/2014	9%
7/1/2015	10%

For purposes of this Section (and wherever applicable elsewhere in this Agreement), premium cost shall be defined as either the actual premium cost paid by the TOWN for such Coverage or if the TOWN does not pay an actual premium the cost the allocation rate as developed by an independent third party administrator annually for the purposes of establishing premiums pursuant to the Comprehensive Omnibus Budget Reduction Act ("COBRA).

ARTICLE 26  
WAGES

SECTION 1.

Schedule B contains the pay scales for the period of July 1, 2012 to June 30, 2016.

SECTION 2.

Half steps will be adjusted on new hires or promotions as follows: An employee hired or promoted prior to December 31<sup>st</sup> shall receive a full step in the salary schedule on the following July 1<sup>st</sup> and an employee hired or promoted after December 31<sup>st</sup> shall receive one-half step on the next following July 1, but in no case shall such increase exceed the top step.

SECTION 3.

An employee assigned as a Desk Officer shall receive an additional increment of 7.5% of his/her base salary.

An employee assigned to the Detective Bureau shall receive an additional increment of seven and one-half percent (7.5%) of base pay.

SECTION 4.

A Sergeant shall move from Step 1 to Step 2 of the pay scale for Sergeants upon completion of two (2) full years in the rank. Acting Sergeants shall be paid at Step 1 of the Sergeant's pay scale. A Sergeant acting as Shift Commander shall receive one (1) hour compensatory time for each full day worked in that capacity.

SECTION 5.

Whenever an employee is required to work in a higher rated classification (as an Acting Desk Officer or Acting Detective) such employee shall be paid the difference between his/her regular pay and the next higher step in his/her classification; or if the employee is at maximum, he/she shall receive an increment on his/her scale equivalent to seven and one-half (7.5%) either in pay or in compensatory time off, at the option of the employee. In the event the employee exceeds thirty (30) days in the higher classification, he or she is mandated to accept the seven and one-half (7.5%) in pay. There shall be no compounding of increments above 7.5%.

#### SECTION 6.

Except as otherwise provided in this Agreement, advancement from one step to another shall be in accordance with Section 2, of this Article.

#### SECTION 7. SHIFT DIFFERENTIAL

An Employee who works between the hours of 1500 hours and 2300 hours shall receive an additional six (6%) of his/her base salary for each hour worked.

An Employee who works between the hours of 2300 hours and 0700 hours shall receive an additional eight (8%) of his/her base salary for each hour worked.

#### SECTION 8.

Any employee assigned by the Chief of Police to a school or course which requires attendance on his/her day off, or for period greater than his/her normal working hours, shall be paid at his/her straight time rate for such day off, or for the time in excess of such working hours during which he/she attends such school or course, or shall be given compensatory time off. In those cases where the assignment requires him/her to be away for one or more nights, he/she shall only be paid at his/her straight time rate or given compensatory time off for no more than eight (8) hours per day.

#### SECTION 9.

Employees hired prior to 7/1/07 having satisfactory completion of 30 course credits from an accredited college: the Annual rate of \$300.

Employees hired prior to 7/1/07 having satisfactory completion of 60 course credits from an accredited college: the Annual rate of \$500.

Employees hired on or after 7/1/07 having an Associate's Degree from an accredited college: the Annual rate of \$500.

Employees hired prior to 7/1/07 having satisfactory completion of 90 course credits from an accredited college: the Annual rate of \$700.

Bachelor's Degree from an accredited college: the Annual rate of \$1,000.



SECTION 10.

All salaries set forth in this Article are annual rates. The annual rate of pay of each employee and whatever additional pay to which he/she is entitled shall be divided into twenty-four (24) payments which are as nearly equal as possible, and shall be paid to such employee on the 15th and the last day of every month, or the legal full banking day prior to the 15th or last day of the month, should those dates fall on a weekend or a holiday. Pay shall be made via direct deposit and shall be available at 12:01 A.M. on each pay day.

ARTICLE 27  
MASTER OFFICER

SECTION 1. ELIGIBILITY

Upon RTM approval, the Master Officer Program will be available to all regular members of the Westport Police Department who have completed the probationary period for new appointments to the Police Department as provided in Article 2, Section 1.

SECTION 2. COMPENSATION

Any officer who qualifies for this program will receive a separate check, by way of a lump-sum payment of the amount earned, depending on his/her individual performance, as provided in the program. Such amount shall be paid on the first pay period of July. Payment for this program will be for qualification during the previous fiscal year.

SECTION 3. PROGRAM SPECIFICS

"Schedule C" contains the specifics of the Master Officer Program, with the following provisions for years of service:

- a) An officer who will complete his/her probationary period at some time during a fiscal year ending June 30th will be eligible to participate during that fiscal year and will receive the appropriate payment in the next following July.
- b) An employee whose anniversary date is July 1 shall be assumed to have completed a full year of service on the June 30<sup>th</sup> immediately prior to that July 1.

ARTICLE 28  
EMERGENCY MEDICAL TECHNICIANS

The TOWN agrees to pay all employees certified as Emergency Medical Technicians, in addition to all other wages and benefits, a flat sum of eight hundred dollars (\$800.00) per year upon certification (or re-certification) and for as long as such certification is maintained. Payment shall be made in the first pay period of July of each fiscal year to all employees who are certified EMTs on July 1 of that year. An employee submitting proof of certification or re-certification during a fiscal year will be paid in the following July.

ARTICLE 29  
PENSION PLAN

It is understood and agreed that all provisions of the Pension Agreement dated February 3, 1972 and as amended known as "Police Pension Fund of the Town of Westport" are incorporated herein and are made a part hereof as though fully set forth herein. Any question concerning eligibility or computation of the benefits shall be subject to the grievance and arbitration provisions of this Agreement.

ARTICLE 30  
GENERAL PROVISIONS

SECTION 1.

Effective upon RTM approval, each employee who qualifies in the use of all the various weapons required by the policemen/policewomen in the TOWN OF WESTPORT shall receive the amount of Eighty (\$80.00) Dollars per month. Standards for such qualifications shall be set up by the Chief after discussion with an appropriate committee to be appointed by the President of the UNION.

SECTION 2.

The specifications of days in this Agreement shall mean calendar days, unless otherwise indicated.

SECTION 3.

The TOWN will give each present employee, and to each new employee when hired, a copy of this Contract.

SECTION 4.

Maternity leave shall be granted in accordance with state statutes.

SECTION 5.

An employee, with the prior approval of the Chief or his designee, shall be entitled to three (3) personal leave days in each fiscal year for personal business.

SECTION 6.

The TOWN may civilianize the job function of dispatcher provided that at least one (1) Desk Officer is assigned per shift and provided further that in the event a civilian dispatcher is absent and no civilian dispatcher replacement in the Police Department is available then a Desk Certified Officer may be assigned as a replacement. The UNION will withdraw MPP-23,728 with prejudice.

SECTION 7.

Full Time, Sworn Police Officers with the Westport Police Department shall reside within 35 miles of the border of the Town.

SECTION 8.

There shall be no body piercing visible other than one earring in each lobe for female officers, those earrings shall be stud type, no hanging or hoop style earrings are permitted. Male officers will not wear any earrings at all; they may have a pierced ear, but will not wear any type of earring in the piercing while on duty.

SECTION 9.

The TOWN and the UNION have agreed on a Drug Testing Policy effective 07/01/08, which is incorporated by reference in this Agreement.

**ARTICLE 31**  
**DURATION**

The provisions of this Agreement shall continue in full force and effect without reopening or change of any kind to June 30, 2016. Either party may demand negotiations for a new Agreement on at least six (6) months written notice prior to June 30, 2016 and the parties shall meet within thirty (30) days of receipt of such request for negotiations for a successor Agreement.

IN WITNESS WHEREOF, the parties have caused their names to be signed on this \_\_\_\_ day of July, 2013.

THE TOWN OF WESTPORT:

WESTPORT POLICE LOCAL #2080  
COUNCIL 15, AFSCME, AFL-CIO

By: \_\_\_\_\_  
Gordon Joseloff  
First Selectman

By: \_\_\_\_\_  
President, Local #2080

The above is a true and attest copy of the Collective Bargaining Agreement between the TOWN OF WESTPORT and WESTPORT POLICE LOCAL #2080, COUNCIL #15, AFSCME, AFL-CIO.

**SCHEDULE A**  
**WORK SCHEDULE**

FOR THE  
5/2 -- 5/3 WORK PERIOD ROTATION

ON FILE IN THE CHIEF'S OFFICE

**SCHEDULE B**  
**SALARY SCALES**  
ANNUAL SALARY EFFECTIVE JULY 1

Patrolman/ Patrolwoma		1	2	3	4	5	6	7
FY 12/13	0.00%		\$54,029	\$56,735	\$61,455	\$66,200	\$70,915	\$75,636
FY 13/14	2.00%		\$55,110	\$57,870	\$62,684	\$67,524	\$72,333	\$77,149
FY 14/15	2.50%		\$56,487	\$59,316	\$64,251	\$69,212	\$74,142	\$79,078
FY 15/16	2.50%		\$57,900	\$60,799	\$65,857	\$70,942	\$75,995	\$81,055

Sergeant		1	2
FY 12/13	0.00%	\$86,985	\$91,322
FY 13/14	2.00%	\$88,725	\$93,148
FY 14/15	2.50%	\$90,943	\$95,477
FY 15/16	2.50%	\$93,216	\$97,864

**SCHEDULE C**  
**MASTER OFFICER PROGRAM**

**ELIGIBILITY**           The revised Master Officer Program will be available to all regular members of the Westport Police Department who have completed the probationary period for new appointments to the Police Department as provided in Article 2, Section 1.

**COMPONENTS & WEIGHTS**

The program will entail four (4) areas of assessment.

- |    |                                  |        |
|----|----------------------------------|--------|
| 1. | Police Policy & Training Testing | \$ 400 |
| 2. | Sick Leave/Attendance            | \$1500 |
| 3. | Wellness                         | \$1200 |
| 4. | Technical & Community Service    | \$ 400 |

In the event a Master Officer participant has received a suspension in that year, \$100 shall be deducted from the total amount earned in the program for each suspension period.

**ASSESSMENT COMMITTEE**

The Master Officer Program will be overseen by an Assessment Committee comprised of a Program Director, an Lieutenant, and two (2) UNION members. The Chief of Police will appoint the Program Director and the Lieutenant, while the Executive Committee of the UNION will appoint two (2) of its members to the Assessment Committee. The Assessment Committee will oversee and coordinate the content, scheduling and administration of all phases of the program and to rule on questions of clarity, including the validation of Technical services to the department and services to the community.

The Committee's interpretation and application of Article 27 shall be final except where there is a tie vote and then the Chief shall make the final decision.

SPECIFICS CONCERNING COMPONENTS & WEIGHTS

1. POLICE POLICY & TRAINING TESTING - \$400 Maximum

A written exam will be given once a year and will be comprised of questions taken from any training provided by the department as well as departmental policies and procedures.

90%-100% = \$400  
75%-89% = score % of \$400  
(I.e., 78% = .78 x \$400=\$312)

2. SICK LEAVE/ATTENDANCE - \$1500 Maximum

The Officers sick leave usage will be examined for the previous (participation) year and the table below will be utilized to identify an appropriate amount for this category. (A "Sick Instance" will mean one continuous sick leave absence from duty, i.e., one day, one week, one month and three days, etc. A Line of Duty Leave will not be counted as a Sick Instance.)

<u>Sick Instance</u>	<u>Bonus Amount (this section)</u>
0	\$1500
1	\$1000
2	\$ 800
3	\$ 600
4	\$ 400
5	\$ 200
6 or more	\$ -0-

3. WELLNESS - \$1200 Maximum

Officers will be tested in seven areas for physical fitness as listed below. Each area has assigned to it the maximum possible amount available as part of the total possible \$1200 maximum to be earned for this entire category.

A) Half-mile run/bicycle	\$300
B) Pushups/Bench Press	\$200
C) Sit-ups	\$200
D) Leg Press	\$200
E) Non-Smoking	\$100
F) Cholesterol Count	\$100
G) Height/Weight Ratio	\$100

A) Half-mile run (or Exercise Bicycle)

Amount	<30 Years Male/Female	30-39 Male/Female	40-49 Male/Female	50+ Male/Female
\$30	4:30/5:10	4:45/5:25	4:55/5:35	5:05/5:45
\$60	4:20/5:00	4:35/5:15	4:45/5:25	4:55/5:35
\$90	4:10/4:50	4:25/5:05	4:35/5:15	4:45/5:25
\$120	4:00/4:40	4:15/4:55	4:25/5:05	4:35/5:15
\$150	3:50/4:30	4:05/4:45	4:15/4:55	4:25/5:05
\$180	3:40/4:20	3:55/4:35	4:05/4:45	4:15/4:55
\$210	3:35/4:15	3:50/4:30	4:00/4:40	4:10/4:50
\$240	3:30/4:10	3:45/4:25	3:55/4:35	4:05/4:45
\$270	3:25/4:05	3:40/4:20	3:50/4:30	4:00/4:40
\$300	3:20/4:00	3:35/4:15	3:45/4:25	3:55/4:35

OR

Bicycle Endurance Test

Amount		Age <30 Male/Female	Age 30-39 Male/Female	Age 40-49 Male/Female	Age 50+ Male/Female
\$30	Minutes	4:30/5:10	4:45/5:25	4:55/5:35	5:05/5:45
	Level	3.5/2.89	3.25/2.72	3.17/2.61	2.94/2.50
	Distance	1.35/1.44	1.38/1.49	1.39/1.51	1.42/1.55
\$60	Minutes	4:20/5:00	4:35/5:15	4:45/5:25	4:55/5:35
	Level	3.7/3.01	3.43/2.83	3.32/2.73	3.09/2.60
	Distance	1.33/1.42	1.36/1.47	1.37/1.49	1.40/1.53
\$90	Minutes	4:10/4:50	4:25/5:05	4:35/5:15	4:45/5:25
	Level	3.91/3.14	3.6/2.95	3.47/2.85	3.25/2.7
	Distance	1.3/1.39	1.34/1.48	1.35/1.47	1.38/1.51
\$120	Minutes	4:00/4:40	4:15/4:55	4:25/5:05	4:35/5:15
	Level	4.11/3.26	3.78/3.06	3.61/2.96	3.40/2.81
	Distance	1.28/1.37	1.32/1.43	1.33/1.45	1.36/1.49
\$150	Minutes	3:50/4:30	4:05/4:45	4:15/4:55	4:25/5:05
	Level	4.31/3.38	3.96/3.18	3.76/3.08	3.56/2.91
	Distance	1.26/1.35	1.3/1.4	1.31/1.43	1.34/1.47
\$180	Minutes	3:40/4:20	3:55/4:35	4:05/4:45	4:15/4:55
	Level	4.52/3.51	4.13/3.3	3.9/3.2	3.71/3.01
	Distance	1.24/1.33	1.28/1.38	1.28/1.41	1.31/1.44
\$210	Minutes	3:35/4:15	3:50/4:30	4:00/4:40	4:10/4:50
	Level	4.72/3.63	4.31/3.41	4.06/3.32	3.87/3.11.
	Distance	1.22/1.31	1.26/1.36	1.26/1.39	1.29/1.42



\$240	Minutes Level	3:30/4:10	3:45/4:25	3:55/4:35	4:05/4:45
	Distance	4.92/3.75	4.49/3.52	4.2/3.43	4.02/3.22
		1.19/1.28	1.24/1.34	1.24/1.37	1.27/1.4
\$270	Minutes	3:25/4:05	3:40/4:20	3:50/4:30	4:00/4:40
	Level	5.13/3.88	4.66/3.64	4.35/3.55	4.18/3.32
	Distance	1.17/1.26	1.22/1.32	1.22/1.35	1.25/1.38
\$300	Minutes	3:20/4:00	3:35/4:15	3:45/4:25	3:55/4:35
	Level	5.33/4.0	4.84/3.75	4.5/3.67	4.33/3.42
	Distance	1.15/1.24	1.2/1.3	1.2/1.33	1.23/1.36

B) Push-ups (or Bench Press)

Amount	< 30 yrs (Male/Female)	30-39 yrs (Male/Female)	40-49 yrs (Male/Female)	50+ yrs (Male/Female)
\$20	26/14	22/10	18/6	14/2
\$40	28/16	24/12	20/8	16/4
\$60	30/18	26/14	22/10	18/6
\$80	32/20	28/16	24/12	20/8
\$100	34/22	30/18	26/14	22/10
\$120	36/24	32/20	28/16	24/12
\$140	38/26	34/22	30/18	26/14
\$160	40/28	36/24	32/20	28/16
\$180	42/30	38/26	34/22	30/18
\$200	44/32	40/28	36/24	32/20

Bench Press

On bench press machine, weight will be set at 67% of participant's body weight. Participant is to do as many continuous repetitions as possible until exhaustion. The charts below will be used to evaluate performance.

MALE – Age

Amount	<30	30-39	40-49	50+
\$50	6-8	5-7	4-6	3-5
\$100	9-11	8-10	7-9	6-8
\$150	12-16	11-15	10-14	9-13
\$200	>16	>15	>14	>13

FEMALE – Age

Amount	<30	30-39	40-49	50+
\$50	5-7	4-6	3-5	2-4
\$100	8-10	7-9	6-8	5-7

\$150	11-14	10-13	9-12	8-11
\$200	>14	>13	>12	>11

C) Sit-ups

Amount	<30 yrs Male & Female	30-39 yrs Male & Female	40-49 yrs Male & Female	50+ Years Male & Female
\$20	36	31	20	17
\$40	38	33	22	19
\$60	40	35	24	21
\$80	42	37	26	23
\$100	44	39	28	25
\$120	46	41	30	27
\$140	47	42	31	28
\$160	48	43	32	29
\$180	49	44	33	30
\$200	50	45	34	31

D) Leg Press

On leg press machine, weight will be set at 67% of participant's body weight. Participant should sit against back support pad. Participant can hold the handles. Participant will straighten the legs at the top to count as one repetition. Participant is to do as many continuous repetitions as possible until exhaustion. The charts below will be used to evaluate performance.

MALE — Age

Amount	<30	30-39	40-49	50+
\$50	6-8	5-7	4-6	3-5
\$100	9-11	8-10	7-9	6-8
\$150	12-16	11-15	10-14	9-13
\$200	>16	>15	>14	>13

FEMALE — Age

Amount	<30	30-39	40-49	50+
\$50	5-7	4-6	3-5	2-4
\$100	8-10	7-9	6-8	5-7
\$150	11-14	10-13	9-12	8-11
\$200	>14	>13	>12	>11

E) <u>Cholesterol count</u>	
200 or less	\$100
201— 210	\$ 90
211— 220	\$ 80
221 — 230	\$ 70
231— 240	\$ 60
over 240	\$ -0-

D) Height/Weight Ratio

Satisfactory Weight to Height Ratios shall be determined in accordance with the Metropolitan Life Chart.

Equal to or less than Met Life Chart	\$100
Less than 5% over chart	\$ 75
Less than 10 % over chart	\$ 50
More than 10% over chart	\$ -0-

F) Non-Smoking

Non-Smoker	\$100
Smoker	\$ -0-

4. TECHNICAL AND COMMUNITY SERVICE - \$400 Maximum

Personnel will be evaluated in the following areas to determine their individual commitment to serve the department and community. Each criterion has a value assigned to it.

Technical services to the department during the year under review \$250.

(Excluded are certifications for which an employee receives extra pay, or which are required for the position held.)

Examples of technical services would include some of the following:

Dive Team, Tactical Team, Intoxilyzer Certification, Police Service, Dog Handler, Accident Team Investigator.

Community support projects to the benefit of Westport and its citizens \$150. Request must be in writing to the Assessment Committee.

**SCHEDULE D**  
**MEMORANDUM OF AGREEMENT**

This Memorandum of Agreement is entered into by the Town of Westport (the "Town") and the Westport Police Local #2080, Council #15 AFSCME, AFL-CIO (the "Union").

WHEREAS, the Board and Union are Parties to a collective bargaining agreement ("CBA") that expires by its terms on June 30, 2012; and

WHEREAS, in the process of negotiating a successor CBA, the issue of compensation for field training officers (FTO) was discussed and creation of a Corporal position and the qualification for said position; and

NOW THEREFORE, in the spirit of cooperation and in order to avoid arbitration, the Parties agree as follows:

1. Corporal positions shall be introduced.
2. A test for a Corporal position shall be offered as soon as it is feasible.
3. The Corporal test shall be open to any member of the Union with three (3) or more years of law enforcement experience with the Westport Police Department.
4. Once the list has been populated, the top six (6) finishers shall be designated as Corporals.
5. These Corporals shall assume FTO responsibilities and the existing FTOs will be relieved of FTO responsibility and shall no longer receive the salary premium.
6. Corporal pay shall be 2.5% higher than corresponding patrol officer rates.
7. Until the Corporals replace the FTOs, existing FTOs shall continue to receive a 2.5% salary premium.
8. After the Corporal test is completed, and the six (6) Corporals have been promoted, and the six (6) FTOs have been relieved of that obligation, the following practice shall be adopted in regard to Corporal promotional eligibility:

- a. The sergeants examination will be used for the purpose of promoting both sergeants and corporals. Officers with 5 years or more law enforcement experience with the Westport Police Department shall be eligible for promotion to Sergeant and/or Corporal. Officers with 3 years or more law enforcement experience with the Westport Police Department shall be eligible for promotion to Corporal.
  - b. If when the list is populated, only a Corporal position is open, the top finisher shall be promoted to Corporal. If thereafter, within the active duration of the list, a Sergeant position becomes vacant, if the newly appointed Corporal has five (5) or more years' of experience, he/she shall be promoted to Sergeant and the Corporal position vacated shall be filled by the next ranked finisher on the list.
9. Corporals shall continue to work their chosen shift, regardless of the rank.
  10. Corporals shall receive supervisor's training.
  11. An absent Corporal need not be replaced by a Corporal; nor shall a patrolman filling in for a Corporal receive Corporal pay.
  12. Corporals shall not be used as substitutes for Sergeants or Lieutenants.
  13. For seniority eligibility purposes, one's tenure/seniority shall be calculated on the day the test is administered.
  14. The Department shall be relieved from any obligation to offer a second Corporal test.
  15. On the date that the test is offered, if the individual who is promoted holds a rank superior to Corporal (i.e. Detective Bureau or desk officer), that individual may assume the Corporal position voluntarily, but cannot be compelled to assume the Corporal position. If that individual forgoes the promotion to Corporal, he/she shall continue to be eligible for promotion to Sergeant provided he/she meets the tenure/seniority parameter of five (5) years' experience with the Westport Police Department. If the individual accepts the Corporal position, he/she shall relinquish his/her former position and shall remain eligible for promotion to Sergeant.

TOWN OF WESTPORT

WESTPORT POLICE  
 LOCAL #2080, COUNCIL  
 #15 AFSCME, AFL-CIO

By \_\_\_\_\_  
 \_\_\_\_\_

By:

Gordon Joseloff  
First Selectman

President, Local #2080

**Report of the  
RTM Rules and Ethics Committees  
Monday, July 8, 7:30 pm, Town Hall Room 201**

The RTM Rules and Ethics Committees met on Monday, July 8, at 7:30 pm, in Town Hall Room 201.

Rules Committee members in attendance were Eileen Flug (Chair), Velma Heller, Melissa Kane, Jonathan Cunitz, Dick Lowenstein, Steve Rubin and Lois Schine. Absent were Matt Mandell, Sean Timmins, Cathy Talmadge and John McCarthy. Ethics Committee members in attendance were Eileen Flug (Chair), Wendy Batteau, Jonathan Cunitz, Velma Heller, Dick Lowenstein and Melissa Kane. Absent and arriving later was Jeff Wieser.

Rules and Ethics Committees: Revisions to RTM Conflicts of Interest Provision:  
Business conducted by both committees included a proposed amendment to the Conflicts of Interest provision of the RTM Rules of Procedure. The Chair proposed the following addition to the Conflicts of Interest provision of the RTM Rules of Procedure: "Potential ethics concerns should be referred to the Moderator, Deputy Moderator or the Town Attorney." After much discussion, the Committees felt that RTM members and the public should have discretion about how they address their concerns about potential ethics issues, and that the Rules of Procedure should only provide a suggestion. They also determined that the Assistant Town Attorney should make the determination about where in the Rules of Procedure that sentence would be added.

Upon motion duly made and seconded, the Committee adopted the following recommendation unanimously:

Motion: To recommend to the full RTM that Article VI, Section A162-20 (Conflicts of Interest) of the RTM Rules of Procedure be amended to add the following sentence:

"Potential ethics concerns may be discussed with the Moderator, Deputy Moderator, Town Attorney or Assistant Town Attorney."

After the vote, the Ethics Committee adjourned and the Rules Committee remained to address its next agenda item.

Rules Committee: Teleconferencing at RTM Committee Meetings:  
Business conducted by the Rules Committee included a proposed amendment to the Rules of Procedure regarding teleconferencing at RTM committee meetings. The Committee discussed the pros and cons of teleconferencing and decided that additional information was needed from Eileen Zhang to discuss the available technology in the Town Hall meeting rooms. The Committee decided to meet again with Eileen Zhang. No vote was taken.

Submitted by: Eileen Lavigne Flug, RTM Rules Committee and Ethics Committee Chair