

RESOLUTIONS

(1)

RESOLVED: That upon the recommendation of Board of Finance and a request by the Executive Director of the Levitt Pavilion for the Performing Arts, the sum of \$249,587 provided by the Friends of the Levitt Pavilion to the Levitt Pavilion Account for contingency costs and additional funding on the construction of the Levitt Pavilion is hereby appropriated.

(2)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$60,000 to the Vehicle Maintenance/Operations-Equipment Account for unanticipated costs associated with maintenance of aging public works equipment is hereby appropriated.

(3)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$497,595 from the Capital and Non Recurring account to be reimbursed by a grant from the Main Street Investment Fund program for town center sidewalk and street infrastructure is hereby appropriated.

To: Eileen Flug, RTM Moderator
Members RTM

Fr: The Special Sewer Extension Committee
Jack Klinge, Chair
Don Bergmann, Lyn Hogan, Carla Rea and John F. Suggs

Cc: Steve Edwards, Dir. Dept. of Public Works

Date: Dec. 20, 2013

Re: Revised Sanitary Sewer Extension Policies and Procedures Guide

On February 6, 2013, at least 20 electors of the town of Westport petitioned the RTM requesting that the RTM review and recommend revisions to the existing policies and procedures guiding the Department of Public Works (DPW) in its management of the Town's sanitary sewer extension program. In response, the RTM Public Works, Health and Human Services and Environment Committees met on June 25, 2013 with the lead petitioners and with Steve Edwards, Director of Public Works, to discuss the town's sewer extension policies and procedures. At that meeting, Mr. Edwards recommended that a special committee be formed to review the process. At its July 2 meeting, the RTM unanimously approved a resolution requesting that the Moderator create a Special Committee "to work with the WPCA and the Department of Public Works to recommend revisions to the WPCA rules and procedures regarding the petitioning and installation of sanitary sewer extensions, and that such Committee include at least one member of the Public Works, Health and Human Services and Environment Committees, and that such Committee report back to the RTM and be disbanded upon the discretion of the RTM Moderator." On July 8, 2013, Moderator Eileen Flug created the Sewer Extension Special Committee (hereafter the Committee) and appointed the five members noted above. Members of the Committee met multiple times with Steve Edwards, Dir. Of the Department of Public Works, Barbara Butler, Dir. Westport Department of Human Service and Sue Lerida, Sr. Program Coordinator, Agent for the Elderly Department of Human Service, Peggy Kein, Tax Collector, Office of the Tax Collector and Joyce Gentilozzi, Deputy Assessor, Department of Tax Assessment to review current sewer extension policies and procedures and to rewrite the existing sewer extension informational document.

The following attached document, Sanitary Sewer Extension Policies and Procedures Guide, is the result of those meetings. The new document clearly communicates existing sewer extension policy and payment expectations to all residents by presenting the sewer extension process step-by-step plainly and with transparency.

This Sanitary Sewer Extension Policy will be presented to the Westport Water Pollution Control Authority (WPCA) in January, 2014 for their approval and implementation.

SANITARY SEWER EXTENSION POLICY

I. INTRODUCTION

Following is an outline detailing the process and procedures for resident-initiated extensions of sanitary sewers. This document contains information you will need if you are *either* the lead petitioner seeking to extend the Town sewer to your neighborhood, street and/or property OR if you are a signatory of the petition.

Before you begin the sewer extension process, you should be aware of several points:

- Any resident-initiated sewer extension can be a lengthy and expensive process consisting of multiple steps that must include 75% of affected homeowners in the potential extension area.
- Per homeowner costs can range from a lower end of \$9,000 to a higher end of \$18,000 per household *or more* and include three categories of cost:
 - Cost to extend the sewer to the neighborhood
 - Cost to connect to the sewer
 - Annual sewer use fee
- An official cost estimate for the extension is available *only* after a petition has been submitted, verified and deemed complete *and* the Town has completed the engineering design phase of the sewer extension. Any estimates prior to this point are educated guesses only. A final per-household cost is not available **until construction is complete** and the Town prepares a final cost-accounting of the project.
- Signature on a petition **commits the property owner** to support and eventually pay for an assessed share of the installation costs of the sewer extension.

The **lead petitioner** is fully responsible for ensuring that each petitioner who signs the petition receives this Policy and understands its contents. By turning in the completed and signed petition, the **lead petitioner** is automatically acknowledging that he or she has provided a copy of this Policy to each and every signatory.

A. SEWER VS SEPTIC:

Sewers are administered by the Engineering Division of the Town Department of Public Works (DPW). The primary contact for questions is Bryan Thompson, Water Pollution Control Authority (WPCA) Coordinator @ 203-341-1129. Under the provisions of C.G.S. Section 7-246 and Section 30-174 of the Code of Ordinances, the Town of Westport created a sewer authority and designated the Board of Selectmen as the Westport WPCA. This body is responsible for the implementation of the regulations and policies that relate to the collection and processing of sewage within the Town of Westport.

Septic systems are administered by the Westport Weston Health District. The primary contact for questions is Jeff Andrews @ 203-227-9571.

Both sewer and septic provide a safe and effective option for treating residential sanitary waste. Septic relies on an onsite treatment system. Sanitary sewer relies on transport of the domestic waste off site through an extensive collection system of underground piping to the Westport Water Pollution Control Facility at Elaine Road.

B. POTENTIAL FOR SEWER:

The Town of Westport, acting through its Planning and Zoning Commission, has determined the areas of the Town that are eligible for sewer service. Details of the limits of the sewer service areas are available in the Engineering Office of the DPW and on-line at www.westportct.gov. Residents within approved sewer service areas that are not currently serviced by sewer may seek an extension of the existing sewer system by a petition for a sanitary sewer extension. All approved sanitary sewer extensions are completed in response to a petition at the cost of the affected property owners.

Each spring the Engineering Division of the DPW reviews the petitions submitted to date and chooses one or more petitions for design and construction. The petitions are rated and prioritized based on criteria established in the 2002 WPCA Facility Plan. This plan is available at the DPW. These criteria provide priority for sewer extensions serving smaller properties with high ground water or wetlands and a documented history of compromised septic systems.

II. PETITIONING & INSTALLATION PROCEDURE

- Petition:** Property owners who want to initiate the process to have sanitary sewers installed to serve their properties **must submit a petition bearing the signatures of at least 75% of the property owners abutting the street where sewer service is requested.** (Signatures of renters are not acceptable.) Properties that are owned by more than one person must have the signatures of all owners listed on the Town's land records. Petitions are for sewer extension installation and not for a feasibility study. Except as referenced in #5, a signature on a petition commits the signing property owner to support and eventually pay for the costs incurred by the Town for the installation of the sanitary sewer extension. Before signing the petition potential petitioners should thoroughly read and review this document; including the form of petition (Attachment I) and the attached FAQ (Attachment II). **Petitioners who sign the petition are required to connect to the sewer within one year from their receipt of notice of the acceptance of the construction of the sewer extension by the DPW and of their right to apply for a connection permit .**
- Submission of Petition:** Petitions must be submitted to the Town of Westport Engineering Department, Room 210, Westport Town Hall, 110 Myrtle Avenue, Westport, Connecticut 06880.
- Review of Petition:** The office of the Town Engineer of the DPW will review the received petition with respect to the topography of the relevant service area and the most

likely path of effluent to the existing sewer system. Once the preferred path has been determined, the petitioners' signatures along that path of flow will be verified to ensure that they represent **75%**, or more, of the affected properties. An affected property is any property that abuts or has reasonable access to the proposed sanitary sewer extension.

If it is determined that the petition does not meet the required **75%** participation, the petition will be **REJECTED** and returned to the individuals who submitted it.

If not rejected, the submitted petition will be placed in the queue and identified as "Pending".

4. **Prioritization:** Each spring the WPCA Coordinator will provide a list of the pending petitions to the Westport Weston Health District and the Conservation Department to solicit their input on prioritization based on the criteria established in the 2002 WPCA Facility Plan. Based on their input and the date of submission, one or more petitions will be selected for presentation to the Board of Selectmen acting in its capacity as the WPCA.
5. **Special Meeting:** The WPCA Coordinator will then prepare a "Sanitary Sewer Petition Summary" and request authorization from the WPCA for the DPW to accept the subject sewer petition. Prior to submitting the petition to the WPCA for approval, the WPCA Coordinator will hold a special meeting of the petitioners and other affected property owners, at which time the proposed project will be reviewed and questions answered relative to timing, cost, construction impacts and financial hardship options. At any time within 90 days after the special meeting, any petitioner or other affected property owner may contact the WPCA Coordinator to remove from or add their name to the petition. After the meeting, the petition will be reviewed again to ensure that the 75% requirement is still maintained. If so, acceptance of the petition will be placed on a meeting agenda of the WPCA. Public participation is welcomed at this WPCA meeting. Upon acceptance of the petition by the WPCA, the Director of Public Works will request the First Selectman to submit an "8-24" application to the Planning and Zoning Commission.
6. **Design Proposals:** Following authorization from the WPCA and a positive report on the 8-24 application from the Planning and Zoning Commission, the DPW will obtain proposals for the engineering design phase of the sanitary sewer extension. After reviewing and selecting the most cost effective proposal from a qualified design engineer, preliminary requests will be made for funding, first to the Board of Finance and then the Representative Town Meeting (RTM).
7. **Design:** Once funding has been authorized, a contract will be executed and the design engineer will design the sanitary sewer extension. Following completion of the preliminary design, all property easements required for construction will be secured by the Town. Subsequent to the filing of the easements, the design engineer will prepare an estimate of construction cost. The DPW will then request that the WPCA set a date for a Preliminary Benefit Assessment Public Hearing.
8. **Preliminary Benefit Assessment:** A Preliminary Benefit Assessment Public Hearing will be scheduled and held by the WPCA. All affected property owners will receive in the mail

a notice of when and where the Public Hearing will be held and a brief description of the purpose of the hearing. The design of the project and the estimated costs for each affected property owner will be provided at this hearing. Public participation is welcomed.

9. **Construction Financing:** Absent any unexpected findings at the Preliminary Benefit Assessment Hearing, design plans will be finalized and final financing for the construction will be sought from the Board of Finance and RTM. Following final funding approval, the project will be advertised for construction bids.
10. **Construction Bids:** Upon receipt of construction bids, the DPW will select the winning bidder and request that the WPCA authorize the execution of a construction contract with that bidder.
11. **Construction:** Upon execution of the construction contract, the contractor will be directed to proceed with construction.
12. **Connection:** Upon completion and acceptance by the DPW of the construction of the sanitary sewer extension all affected property owners will be mailed written notice that they may apply for their individual connection permits. All petitioning properties will be given one year following this notice to connect to the sewer.
13. **Final Benefit Assessment:** Upon completion and acceptance by the DPW of the sewer construction, the DPW will prepare a final cost accounting of the project. Based upon this accounting, the WPCA will schedule and hold a Final Benefit Assessment Public Hearing and establish the Benefit Assessment charge for each affected property owner for the project. All affected property owners will receive notification by mail of the Benefit Assessment Public Hearing. All affected properties (whether or not they have connected or petitioned) will be subject to the Benefit Assessment which will be billed by the Tax Department. Property owners may pay the assessment in its entirety (this will avoid any interest charges) or it may be payable in 19 annual installments, with interest. If payment is extended over the 19 year period, a lien for the unpaid balance is placed on the property owner's property. Examples of recent assessments are provided in Attachment III.
14. **Appeal:** Any property owner aggrieved by the assessment may appeal to the superior court of the judicial district in which their property is located. Such appeal must be filed before the court not more than twenty-one (21) days after the date the final sewer assessment has been filed with the Town Clerk (see C.G.S. Section 7-250).

III. FINANCIAL CONSIDERATIONS

In determining whether or not to seek a sewer extension, the following general cost information is provided.

A. SEPTIC:

- * Tank pumping every 2 to 3 years is approximately \$400 to \$500 per pumping.
- * Replacement of septic tank if/when necessary at approximately \$1,500 to \$5,000, with septic field repair or replacement ranging from approximately \$10,000 to \$30,000 or more.

B. SEWER:

- * Cost to extend sewer line to neighborhood: Benefit Assessment based on actual project cost. Typical range of assessment is \$9,000 to \$18,000 (Attachment III) payable upon completion or billed in annual installments plus interest over 19 years. Lien placed on property for unpaid balance.
- * Cost to connect to sewer line: Must abandon existing septic tank and connect house to lateral at property line. Typical cost \$30 to \$40 per linear foot.
- * Annual Sewer Use Fee: Each sewer user is billed annually for sewer use based on actual water usage. Typically \$250 to \$700 per year based on water usage.

IV. HARDSHIP DEFERRAL

By Town Ordinance, sewer extension charges and sewer user fees may be deferred by qualifying property owners (Chap. 62, Article II, Section 62-105 et seq). To qualify, the property owner must (A) either (i) be age 65 or older or (ii) have a permanent and total disability under any governmental plan and (B) have a Federal adjusted gross income of less than \$75,000 during each year for which a deferral is sought. A surviving spouse of an individual previously qualifying for a deferral may also defer these charges and fees if the surviving spouse is age 60 or older.

A qualifying property owner may file an application for deferral with the WPCA through the Department of Human Services on or before November 15 of the applicable year. The application form is available at the Department of Human Services and the Town Assessor's Office. The application form may also be filed with the Town Assessor's Office. All deferrals are reviewed by the Assessor's Office and approved by that office and the WPCA on an annual basis. A qualifying property owner may defer up to 100% of the annual assessment charge, the annual carrying charges (interest) and the annual sewer use charge. The hookup charge incurred by the property owner does not involve the Town. The property owner is responsible for hook up charges.

The amount of all deferred sewer charges is subject to an annual interest charge of 50 basis points less than the average Bond Buyer Eleven Index for January of each year rounded to the nearest whole percent. Interest does not compound. At the time of the deferral of any sewer

charges the property owner must enter into an agreement with the Town providing for a lien on the property owned in the amount of all deferred amounts, plus interest as it accrues. The lien becomes due upon transfer of the property or upon the death of the property owner having obtained the deferral. All deferred amounts, including accrued interest, may be paid to the Town at any time without penalty. Under law, the lien of the Town takes priority, including as to any bank or other creditor of the property owner.

All sewer extension charges and sewer user fees not paid when due or deferred will bear interest at a delinquency interest rate fixed by State law. A qualifying property owner that has incurred delinquency interest charges and who subsequently applies and qualifies for a deferral, may also defer those delinquency interest charges incurred to the date of the deferral.

ATTACHMENT I

PETITION FORM

SANITARY SEWER EXTENSION

“We, the undersigned, being owners of property abutting the proposed sewer extension do hereby petition the Town of Westport, Water Pollution Control Authority to install sanitary sewer to service said properties with the understanding that the **total cost of the sanitary sewer installation will be benefit assessed equally among all properties to which sewer will be available.**”

NAME (Please Print)	ADDRESS	SIGNATURE by Owner(s) Representing that you support the petition and have received /reviewed the entire 12 page Sanitary Sewer Extension Policy

Lead Petitioner: **Name** _____
 Address _____

 Phone # _____ **Fax #** _____
 Email _____

Date Received: _____

ATTACHMENT II

FREQUENTLY ASKED QUESTIONS

If I sign the petition, how long before the sewer will be installed?

The answer is highly variable. Sometimes a person may sign a petition and it is never submitted because it lacks the required support. Based on the current backlog, once the petition is received by the Department of Public Works and determined to be complete it will then enter the queue and will typically be three to four years before it goes into design. Design and construction typically take two years. Priority will be given to petitions based upon certain criteria, including those areas that are deemed critical by the Westport/Weston Health District or the Conservation Department.

What will a sewer cost?

The cost of the sewer is highly variable depending upon the size of the lots and presence of rock. Attachment I provides the benefit assessments for the most recent projects. Once the sewer is installed in the roadway, it is incumbent on the connecting homeowner to hire a licensed installer to abandon the existing septic tank (generally by pumping it out and crushing it in place) and connecting the house to the sewer. This cost will vary from a thousand dollars to several thousand dollars depending on the distance from the road to the septic tank, landscaping, and presence of rock.

Unless you elect to pay the sewer assessment immediately in full, the sewer assessment will be payable in annual installments over 19 years. The Sewer Use Fee is billed annually and will continue as long as you are connected to the sewer.

How is the Sewer Use Fee determined?

The Sewer Use Fee is set each year by the WPCA based on the annual operating cost of the Town Water Pollution Control Facility. This annual cost of operation is divided by the total number of gallons of effluent treated in order to determine a cost per gallon treated. Your water bill from Aquarion Water Company will be used to determine your Sewer Use Fee based on the number of gallons of water you use. Most single family residences run between \$250 to \$700 per year.

How do I find a licensed installer?

The Department of Public Works can provide a list of licensed installers.

What if I don't want the sewer?

Even if you don't want or need the sewer, you will still be provided a lateral to the new sewer and you will be obligated to pay the benefit assessment. If you do not sign the petition and your septic system is functioning adequately, you will not be required to connect to the new sewer and

will therefore avoid the cost of the connection and the Sewer Use Fee. Again, however, you will still receive and be obligated to pay the annual benefit assessment bill.

What if I want to contest or appeal the benefit assessment?

Any person aggrieved by the assessment may appeal to the superior court of the judicial district in which the property is located. Such appeal must be filed before the court not more than twenty-one (21) days after the sewer assessment has been filed with the Town Clerk.

Will I be inconvenienced during the installation of the sewer line?

There will be some inconvenience during installation of the sewer line. Typically the contractor will move up the roadway in an orderly fashion at approximately 75 to 100 feet per day. If your roadway is 1000 feet long, it may take the contractor 10 to 15 days to lay the line in your roadway. After the line is installed they will come back and install a lateral to each property. This is typically a day per lateral. A temporary patch will be placed over the trench shortly after the pipe is installed and then a final patch will be installed later after the trench has been allowed to settle at least six weeks.

Will there be a period when I will not be able to get to my house?

No. The contractor will be required to maintain access at all times. Obviously there may be short periods, 10 to 15 minutes, when a vehicle is blocking access but even these will be removed immediately in the case of an emergency.

What happens if I sell my house before the assessment is paid off?

The assessment runs with the property, it is transferred to the new owners upon the sale of the property or it can be paid off at that time as part of the closing.

What if I cannot afford the assessment or the sewer use fee?

The elderly, generally 65 and older, and the permanently and totally disabled are eligible to apply for a means-tested deferral of both the sewer assessment and the sewer usage fee. Application for such relief is handled by the Department of Human Services, Town Hall, 110 Myrtle Avenue, as well as the Town Assessors Office at the same address.

ATTACHMENT III
RECENT BENEFIT ASSESSMENTS

YEAR	AREA	PER UNIT ASSESSMENT
2012	Imperial Ave/Otter trail	\$14,235.52
2009	Kings Hwy/Ridgewood	\$12,099.00
2009	Hales Rd/Drumlin Rd	\$ 9,050.26
2005	Marion Rd/Hillyfield Rd	\$ 9,041.51
2004	Whitney St/Turtleback	\$ 9,730.90
2004	Reimer Rd/Pleasant Valley	\$18,357.58
2003	Long Lots Lane/Hickory Dr	\$11,391.11

BOF Approved 12/11/13



BACK UP MATERIAL
RTM ITEM # 1

December 2, 2013

James S. Marpe
First Selectman
Town Hall
110 Myrtle Avenue
Westport, CT 06880

Dear Mr. Marpe:

The Governing Committee of the Levitt Pavilion for the Performing Arts requests to be placed on the Board of Finance agenda for an additional appropriation of \$249,587.00 to account #305-08810-500121-18005 representing funds provided by *The Friends of the Levitt Pavilion* to be used toward the construction of the Levitt Pavilion for the Performing Arts.

Sincerely,

A handwritten signature in cursive script that reads "Freda Welsh".

Freda Welsh
Executive Director

Copies: Gary Conrad
Stuart McCarthy

Approved for submission
to Board of Finance (2/11/13)

A handwritten signature in cursive script that reads "James S. Marpe".

James S. Marpe
First Selectman



WESTPORT CONNECTICUT

PARKS AND RECREATION DEPARTMENT

LONGSHORE CLUB PARK

260 SOUTH COMPO ROAD, WESTPORT, CT 06880

(203) 341-5090

TO: Board of Finance
FROM: Stuart McCarthy ✓
DATE: December 2, 2013
RE: Levitt Pavilion Additional Appropriation

The requested appropriation is required to appropriate funds provided by the Friends of the Levitt Pavilion to the expenditures account to make funds available to the project.

Those funds include \$97,587 which will bring the appropriation up to the amount of the original project budget established at the commencement of construction and match the funds currently on hand.

Source of Funds

Town of Westport	\$1,100,000.00
State of CT	950,000.00
Levitt	4,747,587.00
Total Funding	<u>\$6,797,587.00</u>

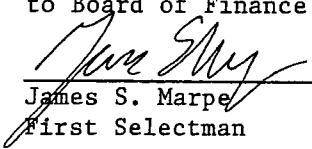
At the time the project budget was approved with a 5% project contingency the building committee recommended the Friends of the Levitt Pavilion hold an additional \$152,000 (representing 2.5%) in contingency funds. At this time it is anticipated that some of all of those contingency funds will be required for completion of the project. An appropriation of this amount will allow the Levitt to transfer those funds to the Town if required and expended without delay of the project.

With this additional appropriation the total project budget will be increased to \$6,949,587.

Please note this request does not increase the Town of Westport funding which remains at \$1.1M per the original appropriation.

SSmcC/sk

Approved for submission
to Board of Finance (12/11/13)


James S. Marpe
First Selectman



December 6, 2013

The Honorable James Marpe
First Selectman
Town Hall
110 Myrtle Avenue
Westport, CT 06880

Dear Jim:

On behalf of the Friends of the Levitt Pavilion, allow us to restate our commitment to covering the costs necessary for the successful completion of the New Levitt Pavilion for the Performing Arts.

For reference, below is the commitment as it appeared in our organization's request for appropriation (excerpted from our Case for Support), which was approved by the Board of Finance on August 1, 2012:

"8. Funding

The Project has been included in the Town of Westport Capital Forecast for many years. Currently the project is identified for \$1M in municipal funding. All costs in excess of the Town appropriation will be covered by private funds raised by the staff and the Friends of the Levitt Pavilion (excluding land fill contingencies)."

We would like to take this opportunity to make you aware of our appreciation for the efforts of our Building Committee as well as that of Peter Cadoux Architects and Verdi Construction.

We remain optimistic about our moving forward together in a spirit of collaboration and cooperation towards the successful completion of the project.

And let us add, we are very excited to be working with you and the new administration. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Janet".

Janet Plotkin
Chairman

A handwritten signature in cursive script that reads "Freda".

Freda Welsh
Executive Director



December 6, 2013

The Honorable James Marpe
First Selectman
Town Hall
110 Myrtle Avenue
Westport, CT 06880

BACK UP MATERIAL
RTM ITEM # 1

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Janet Plotkin
Chairman

A handwritten signature in cursive script that reads "Freda".

Freda Welsh
Executive Director



WESTPORT CONNECTICUT

DEPARTMENT OF PUBLIC WORKS
TOWN HALL, 110 MYRTLE AVE.
WESTPORT, CONNECTICUT 06880

BOF Approved 12/11/13

RECEIVED
NOV 27 2013
TOWN OF WESTPORT
SELECTMAN'S OFFICE

November 25, 2013

The Honorable James S. Marpe
First Selectman
Town Hall
Westport, CT 06880

BACK UP MATERIAL
RTM ITEM # 2

Re: **Request for Appropriation – Supplemental Funding for Equipment Maintenance**

Dear Mr. Marpe:


This Department herein requests a supplemental appropriation from the General Fund, in the amount of sixty thousand dollars (\$60,000.00) to address the unanticipated costs associated with maintenance of our aging public works equipment.

The public works snow plowing fleet consists of ten large trucks (39,000 GVW) and seven smaller trucks (18,000 to 25,000 GVW). The ten large trucks are Sterling L7500 that were purchased in 2002 in anticipation of a 10 year replacement cycle. Due to budgetary constraints, their replacement has been deferred and it has become apparent that we had significantly underestimated the rising costs of maintenance. This is especially evident with the Sterling L7500 which went out of production several years ago. Replacement parts are not available except through secondary markets with high prices and questionable quality.

This condition was further exacerbated by the tragic loss of our master mechanic in August. The Equipment Division has been short staff which has necessitated sending more equipment out to contract service where traditionally some of the work would have been done in-house.

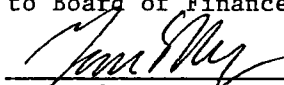
We have now completed our annual federal inspections of the fleet and have recommended hire of a new master mechanic. Unfortunately the original budget of \$185,000.00 has been expended. In anticipation of ongoing routine maintenance, this office herein, requests an appropriation of an additional sixty thousand dollars (\$60,000.00) to complete the fiscal year.

Respectfully,


Stephen J. Edwards
Director of Public Works

cc: Gary Conrad, Finance Director

Approved for submission
to Board of Finance (12/11/13)


James S. Marpe
First Selectman

BOF Approved 12/11/13



WESTPORT CONNECTICUT

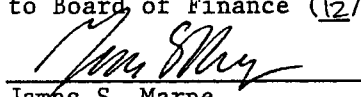
DEPARTMENT OF PUBLIC WORKS
TOWN HALL, 110 MYRTLE AVE.
WESTPORT, CONNECTICUT 06880

RECEIVED
NOV 27 2013
TOWN OF WESTPORT
SELECTMAN'S OFFICE

November 26, 2013

The Honorable James S. Marpe
First Selectman
Town Hall
Westport, CT 06880

Approved for submission
to Board of Finance (12/11/13)


James S. Marpe
First Selectman

Re: **Grant No. MS-13-158-01**
Town Center Sidewalk and Street Infrastructure

BACK UP MATERIAL
RTM ITEM # 3

Dear Mr. Marpe:

Last summer this office worked with Downtown 2020 on a grant application through the Main Street Investment Fund Program for sidewalk enhancements in the downtown area. The enhancements in the center of town will consist of new granite curbing, street lights and trees and tree grates. New or rebuilt sidewalks will be installed on roadways adjoining the downtown area.

The Notice of Award for the full requested value of \$497,595.00 has been received and executed by the Town of Westport and the State of Connecticut.

The requirement of the grant is that it must pass through a municipal program and be administered by one of several acceptable state agencies. This office has had contact with the Department of Housing which will serve as the conduit to process the grant.

This grant is similar to most of the grants that we receive; it is a reimbursable grant. Funds have to be expended on an approved project and upon completion of the project, the grant funds are distributed. The first step in the process is to develop a bid specification and solicit bids. The project will be designed and bid as multiple projects to ensure that the project can be completed within the available funding.

The Department of Public Works would use the \$497,595.00 appropriation to design/specify the approved work effort, bid out the project for a competitive project, provide oversight during the completion of the work, and follow the necessary procedures to ensure reimbursement from the approved grant funds.

Page 2

Honorable James S. Marpe

November 26, 2013

This office herein, requests an appropriation of \$497,595.00 from the C&NREF with the knowledge that upon the completion of the project, the Town of Westport will receive a reimbursement of the \$497,595.00 back into that account.

Respectfully,

A handwritten signature in black ink, appearing to read "Stephen J. Edwards". The signature is written in a cursive style with a large initial "S".

Stephen J. Edwards

Director of Public Works

Cc: Gary Conrad, Finance Director

G:\PW_OFFSJEFS\APPMainStreetGrant



Town of Westport
110 Myrtle Avenue
Westport, CT 06880

Lynn Scully, Internal Auditor
lscully@westportct.gov
203-341-1054

To: Westport Elected and Appointed Officials

Cc: James Marpe, First Selectman
Gail Kelly, Assistant Town Attorney
Patricia Strauss, Town Clerk

Date: November 19, 2013

Re: Attached Conflict of Interest Statement

Generally accepted auditing standards and the Westport Town Charter require elected and appointed Westport town officials and employees to disclose certain information with regard to possible conflicts of interest between their personal financial and/or business affairs and their municipal responsibilities. In connection with my responsibilities as Internal Auditor for the Town, it is appropriate that this disclosure be made to my office.

It is important to understand that the disclosure of personal or business financial interests does not alone suggest that it or they are improper. All responses will be filed with the Town Clerk's Office and are subject to Freedom of Information (FOI) guidelines.

Please complete the attached "Town of Westport Conflict of Interest Statement" and return it via email (pdf) lscully@westportct.gov, interoffice or regular mail to Lynn Scully, Internal Auditor, Town of Westport, Westport Town Hall, 110 Myrtle Avenue, Westport, CT, 06880.

Please reply no later than January 31, 2014.

Thank you for your anticipated cooperation.

Respectfully,

Lynn Scully, Internal Auditor
Town of Westport

§ C38-2. Conflict of Interest.

No Town employee or any member, whether elected or appointed, of any Board, Commission, Agency, Committee, Department or of the Representative Town Meeting of the Town shall participate in any official capacity in the hearing or decision upon any matter in which such person has, directly or indirectly, a personal or financial interest. In the event of such disqualification, such fact shall be entered on the records of the commission or board.

Any Town employee or any member, whether elected or appointed, of any Board, Commission, Agency, Committee, Department or of the Representative Town Meeting of the Town shall disclose any financial interest or any personal beneficial interest, either directly or indirectly, in any contract or purchase order for supplies, materials, equipment or services furnished to or used by the Town. Such disclosure shall be immediate and thereafter shall be made annually to the Office of the Town Clerk of the Town of Westport. This disclosure shall not apply to the mere ownership of up to 5% of the outstanding shares of publicly traded companies.

No Town employee or any member, whether elected or appointed, of any Board, Commission, Agency, Committee, Department or of the Representative Town Meeting of the Town shall accept or receive, directly or indirectly, from any person, firm or corporation to which any contract or purchase order has been awarded by the Town, any money, or anything of value whatsoever, or any promise for future reward. This prohibition shall not apply to political contributions made in accordance with applicable laws and regulations, nor to items of de minimus value.

REPRESENTATIVE TOWN MEETING RULES OF PROCEDURES

Article VI. Code of Ethics

§ Sec. A162-20 Purpose of the RTM Code of Ethics

It is a guiding principle of the RTM that its members be independent, impartial, and responsible to the people of the Town of Westport. To ensure that the public retains full confidence in the integrity of the RTM the following Code of Ethics is hereby adopted.

§ Sec. A162-21 General Standard; Responsibility of the RTM Members; Conflicts of Interest; Misuse of RTM Position or Resources

A. Responsibility of RTM Members:

It shall be the responsibility of all RTM Members to carry out their official duties to the best of their abilities and with the highest moral and ethical standards. Members shall conduct themselves in a

manner to be above reproach and be in accordance with all applicable laws, regulations and codes, including the Town Charter, Town Ordinances and the Rules of Procedure of the RTM.

B. Conflicts of Interest for RTM Members

All members should be most sensitive to permitting an actual conflict of interest or the appearance of a conflict of interest to exist, even though a complete disclosure of all circumstances would show that an actual conflict did not exist in a particular case. The individual member shall decide in any given situation whether he or she is faced with such conflict. Such decision shall not preclude the Representative Town Meeting from determining that a conflict of interest does, in fact, exist; but the determination of the Representative Town Meeting shall not prevent the member from voting or participating.

C. Misuse of RTM Position or Resources

RTM Members shall not use the power or authority of their position in any manner intended to induce or coerce any person or entity to provide, directly or indirectly, anything of value which shall accrue to the private advantage, benefit, or economic gain, of the RTM Member. As used in this section, the term "private advantage, benefit, or economic gain" means any advantage, benefits or economic gain, distinct from that enjoyed by members of the public without regard to official status or not resulting naturally from lawful and proper performance of duties.

§ Sec. A162-22 Ethics Concerns

Potential ethics concerns should be discussed with the RTM Moderator or the RTM Deputy Moderator for resolution as appropriate.

§ Sec. A162-23 Ethics Code & Conflicts of Interest Acknowledgements

RTM Members, at the start of each term, shall sign and submit to the Town Clerk an acknowledgement form stating that they have read and agree to uphold the "RTM Code of Ethics" and relevant guidelines as adopted by the RTM. RTM members, at the start of each term, shall sign and submit to the Town Clerk the Town Disclosure Form related to "Conflicts of Interest."