



WESTPORT CONNECTICUT

BOARD OF FINANCE

NOTICE OF PUBLIC HEARING-REVISED

The Board of Finance will hold its Public Hearing on **Wednesday, September 3, 2014 at 8:00 p.m.** in the Auditorium of Town Hall. The following item(s), and any others properly presented before the Board, will be considered:

AGENDA

DISCUSSION/REVIEW

1. Financial Report from the Finance Director.
2. Status Update from the Internal Auditor including the progress and recommendations of the Capital Project audit.
3. Discussion on the information required to help determine the appropriate size of the Board of Education's Health Insurance Reserve Fund.

RECOMMENDATION

4. In accordance with Section 54-197 of the Code of Ordinances, to recommend a Tax Abatement Agreement between the Town of Westport and Hales Court Housing, LLC.

TRANSFERS IN THE 2014-2015 BUDGET

5. A request by the First Selectman for a transfer of \$125,000 to the appropriate department salary accounts from Account #10109917-519000 (Reserve for Salary Adjustments) for non-bargaining employees salary increases.

APPROPRIATIONS IN THE 2014-2015 BUDGET

6. A request by the Police Chief for an appropriation of \$19,000 from the Asset Forfeiture Account to the General Fund Police Accreditation Program Account#10102210-513223 for the purposes of funding consultant services.
7. A request by the Executive Director of Earthplace for an appropriation not to exceed \$50,000 to the Earthplace account for the Earthplace Harbor Watch Lab project.
8. A request by the Executive Director of Earthplace for an appropriation not to exceed \$40,000 to the Earthplace account for the Earthplace pond reclamation capital project.
9. A request by the First Selectman for an appropriation of \$36,000 to various department salary accounts due to the decertification of the Supervisors union.

DISCUSSION

10. Discussion of the Selectman's and Board of Education's Five-Year Capital Forecasts. No action will be taken.

APPROVAL OF MINUTES

11. Approve the Board of Finance Minutes of the August 6, 2014 regular meeting.

APPROPRIATIONS IN THE 2014-2015 BUDGET

12. A request by the Superintendent of Schools for an appropriation from General Fund Balance of up to \$750,000 for a school security project for upgrade of all internal communication systems at all of the Westport Public Schools.

Item # 4



WESTPORT CONNECTICUT

FINANCE DEPARTMENT

110 MYRTLE AVENUE - ROOM 313
WESTPORT, CONNECTICUT 06880

Approved for submission
To Board of Finance (6/23/14)

James S. Marpe
First Selectman

To: Board of Finance
From: Gary Conrad, Finance Director
Date: June 19, 2014

RE: Tax Abatement for Hales Court LLC
Tax Abatement for Homes with Hope, Inc.

On behalf of the Tax Abatement Committee and in accordance with Section 54-197(b) of the Code of Ordinances, I request that the Board of Finance review and recommend two Tax Abatement Agreements. One agreement is between the Town of Westport and Hales Court LLC and one is between the Town and Homes with Hope, Inc. Each Agreement provides for the abatement of a portion of the taxes on real property owned by these organizations.

Pursuant to the Agreement with Hales Court LLC, the Town grants an abatement of 20% of all real property taxes assessed on its property located at Hales Court in Westport. The Agreement with Homes with Hope provides for an abatement of 35% of the real property taxes on its properties located at 90, 92-94 and 98 Saugatuck Avenue.

The specific terms of the tax abatements are reflected in the attached Agreements. Also attached is a copy of the minutes of the meetings of the Tax Abatement Committee during which the tax abatements were recommended.

I will be available during your meeting to answer any questions.

Regards,

Gary G. Conrad
Finance Director

cc: James S. Marpe, First Selectman
Paul Friia, Assessor
Peggy Klein, Tax Collector

**TAX ABATEMENT AGREEMENT
BETWEEN
THE TOWN OF WESTPORT
AND
HALES COURT HOUSING, LLC.**

THIS AGREEMENT, made this ____ day of _____, 2014, is between the TOWN OF WESTPORT (the "Town"), a municipal corporation organized and existing under the laws of the State of Connecticut, having its principal office at 110 Myrtle Avenue, Westport, Connecticut 06880 acting herein by James S. Marpe, its duly authorized First Selectman, and Hales Court, LLC, a domestic limited liability corporation created and existing under the laws of the State of Connecticut, with a principal office located at 5 Canal Street, Westport, CT (hereinafter "Hales Court").

WITNESSETH

WHEREAS, Hales Court is the owner of property located at Hales Court, in Westport, CT and has developed a 78 unit affordable housing apartment development thereon known as The Village at Hales Court (hereinafter the "Property"); and

WHEREAS, each of the 78 units are rented solely to low or moderate-income persons or families; and

WHEREAS, subject to Article II Chapter 54 of the Code of Ordinances of the Town of Westport, "Tax Abatement for Low or Moderate Income Housing", the Town is authorized to provide for the tax abatement, in whole or in part, of real property taxes on any housing rented or to be rented solely to low or moderate income persons or families whose incomes do not exceed prescribed limits; and

WHEREAS, Hales Court is seeking an abatement of the real property taxes assessed on the Property located at Hales Court to enable it to provide such rental housing to said persons and families and has made a request to the Town's Tax Abatement Committee for such an abatement; and

WHEREAS, the Town's Tax Abatement Committee has made a recommendation that twenty percent (20%) of all real property taxes assessed on the Property be abated in accordance with the terms of this Agreement; and

WHEREAS, the Town is willing to grant such an abatement to Hales Court in accordance with the terms and conditions set forth in this Agreement.

NOW THEREFORE, in consideration of the mutual undertakings herein contained, and other valuable consideration, the parties hereto agree as follows:

1. The Town hereby grants an abatement of twenty percent (20%) of all real property taxes assessed on the Property to be used for the purposes described herein. The Property is more specifically described in Schedule A hereto.
2. The tax abatement for the Property shall be effective commencing with the Grand List of 2013 and unless earlier terminated in accordance with the provisions hereof, shall continue until March 29, 2027.
3. Hales Court warrants and represents that the tax abatement proceeds shall be used exclusively for one or more of the following purposes with respect to the Property:
 - (a) To reduce rents below the level which would be achieved in the absence of such abatement; or
 - (b) To improve the quality and design of the Property; or
 - (c) To affect occupancy of the Property by persons and families of varying income levels within limits determined by the Commissioner of Economic and Community Development; or
 - (d) To provide necessary related facilities or services for the Property.
4. During the term of this Agreement, Hales Court shall deliver to the Tax Abatement Committee audited unqualified financial statements within ninety (90) days of its fiscal year end. Said financial statements shall certify that the tax abatement proceeds are being used for the purposes

enumerated in paragraph 3. In addition, Hales Court shall, upon request, submit to an annual review conducted by the Town's Tax Abatement Committee for the purpose of determining whether the Property remains eligible for the tax abatement and whether Hales Court is in compliance with this Agreement.

5. Hales Court shall notify the Town if it is no longer eligible for the tax abatement granted pursuant to this Agreement.
6. This Agreement shall terminate immediately upon the occurrence of one or more of the following events:
 - (a) At any time when the Property is/are not used as housing rented solely to low or moderate income persons or families.
 - (b) At any time when Hales Court fails to use the tax abatement proceeds for the purposes described in paragraph 3 hereof.
 - (c) At any time when Hales Court ceases to exist as a Connecticut limited liability corporation or is otherwise dissolved.
 - (d) In the sole discretion of the Town, in the event Hales Court sells, leases, assigns or otherwise transfers all or part of its interest in the Property (other than any mortgage granted with respect to such Property).
 - (e) In sole discretion of the Town, in the event Hales Court fails to comply with any other term or condition of this Agreement and such failure continues for a period of thirty (30) days after notice thereof from the Town.
7. Hales Court shall comply with all applicable federal, state and local laws, rules, regulations, ordinances, statutes, codes, orders, policies and procedures related to the Property.
8. In the event this Agreement is terminated as provided herein, the abatement of taxes shall terminate immediately with respect to the Property and Hales Court shall pay the real property taxes attributable to the Property for the remainder of the taxable year.

9. This Agreement shall be governed by the laws of the State of Connecticut.
10. Any notices required or permitted hereunder shall be in writing and shall be sent by U.S. first class mail or by private or commercial courier to each party at its address first set forth above or to such other address as it may request by notice hereafter. Any such notice shall be deemed given when so delivered to the proper address.
11. This Agreement shall be binding upon the parties and their respective successors and assigns.
12. It is understood and agreed by the parties that this Agreement constitutes the entire agreement between the parties hereto, and that no oral statements or promises or understandings not embodied in this Agreement shall be valid or binding.

IN WITNESS WHEREOF, the parties have agreed to the terms of this Agreement upon the date first written above.

WITNESSES:

TOWN OF WESTPORT

 James S. Marpe, Selectman
 Duly Authorized

HALES COURT HOUSING, LLC.

TAX ABATEMENT COMMITTEE
MINUTES
MARCH 31, 2014

Members of the tax abatement committee met on March 31, 2014 at 2:00 pm in room 309 of Town Hall.

Members present: Gary Conrad, Finance Director, and Paul Friia, Tax Assessor. Collector.

Also present: Gail Kelly, Assistant Town Attorney.

The Committee met to continue discussion on the tax abatement for Hales Court Housing, LLC, and in particular, to further discuss the recommendation of the Committee which was made during the March 27, 2014 meeting. During that meeting the Committee recommended taxes be abated to result in a tax of \$850 per unit and that such tax will be increased each year by the CPI. After further discussion a tax abatement equal to 20% of the real estate taxes was recommended. This abatement will be effective commencing with the 2013 Grand List and will continue until such time as the low income housing tax credits associated with Hales Court expire. The time period would not exceed 15 years. Paul Friia will provide the specific date for purposes of the tax abatement agreement

There was no further action.

The meeting adjourned at 2:20 pm.

Respectfully submitted:

Gail Kelly
Assistant Town Attorney

TAX ABATEMENT COMMITTEE
MINUTES
MARCH 27,2014

Members of the tax abatement committee met on March 27, 2014 at 9:30 am to discuss the tax abatement of Homes with Hope, for properties located at 92, 94 and 98 Saugatuck Avenue and the request for a tax abatement for Hales Court Housing, LLC.

Members present: Gary Conrad, Finance Director, and Paul Friia, Tax Assessor.
Collector.

Also present: Gail Kelly, Assistant Town Attorney, Jeff Wieser, President of Homes with Hope and Audrey Sparre, Vice President and Chief of Operations, Homes with Hope

Discussion;

Homes with Hope – The Committee discussed the financial statements presented by Jeff Wieser and the current tax abatement agreements for 10 West End Avenue and 90, 92-94 and 98 Saugatuck Avenue. The property located at 10 West End Avenue is currently receiving a 100% tax abatement for a term of thirty years commencing with the 2005 Grand List. The Saugatuck properties receive a 35 % tax abatement, which was granted for the 2005 Grand List year. That tax abatement has continued on an annual basis. The Committee agreed that the tax abatement for the Saugatuck properties should continue until such time as it is terminated by the Town or until the expiration of the agreement for 10 West End Avenue, whichever occurs first.

Hales Court Housing, LLC – The Committee discussed the request of Hales Court Housing LLC for an abatement for the Hales Court properties. After discussion it was recommended that taxes be abated to result in a tax of \$850 per unit and that such tax will be increased each year by the CPI. The abatement will be effective commencing with the 2013 Grand List and shall continue for fifteen years. The term was based upon the term of the tax credits associated with the Hales Court development project.

There was no further action.

The meeting adjourned at 12:25 pm.

Respectfully submitted:

Gail Kelly
Assistant Town Attorney

MINUTES December 6, 2006

MINUTES

BOARD OF FINANCE REGULAR MEETING

WEDNESDAY, DECEMBER 6, 2006

TOWN HALL - AUDITORIUM

Mr. Mayer called the meeting to order at 8:00 P.M

Members Present: Jeffrey Mayer, Chairman, Gavin Anderson, Helen Garten, Allyson Stollenwerck, Kevin Connolly Charles Haberstroh and Avi Kaner.

Mr. Anderson led the Pledge of Allegiance to the Flag.

The Colonel John Chester Fife and Drum Corp. was present and played several pieces in honor of Gavin Anderson who, after many years of serving on the Board of Finance, is retiring.

Mr. Mayer presented Mr. Anderson with a plaque inscribed as follows: "To Gavin Anderson, Westport Board of Finance 1999 to 2006 in recognition of your tireless service, compassion, and uncommon sense."

Among the many people present paying tribute to Mr. Anderson was First Selectman, Gordon Joseloff who said: "Our Town is better because of Gavin Anderson"

Mr. Mayer announced some changes in the order of the Agenda as noticed, starting with the Longshore matter and continuing in the sequence given below.

APPROPRIATIONS IN THE 2006-2007 BUDGET

1. A request by the First Selectman to recommend a lease agreement between the Town of Westport and Longshore Associates of Westport Limited Partnership for town-owned property known as The Inn At Longshore, 260 Compo Road South, for a 10-year period commencing in 2009.

Ira Bloom, Town Attorney and Gordon Joseloff, First Selectman, made the presentation.

Vote 7-0. Motion Approved.

2. A request by the Police Chief for an appropriation of \$19,000 from the Asset Forfeiture Fund to Police Vehicle Maintenance Capital Account 1-101-02-21-214-700-735-0000 (CSU Vehicle) from the Asset Forfeiture Fund in order to retrofit an existing transit bus into a mobile evidence collection and crime scene unit (CSU) processing vehicle.

Garten and Ms. Stollenwerck.

Voting against the motion: Mr. Connolly.

Motion Approved.

7. A request by the Public Works Director for an appropriation of \$690,000 (with bond and note authorization) to the Municipal Improvement Fund (MIF) Account (Ridgewood Lane Sewer Construction) for the construction of sanitary sewers.

Director of Public Works, Stephen Edwards, made the presentation.

Vote 7-0. Motion Approved.

8. A request by the Finance Director to review and recommend two agreements between the Town of Westport and the Interfaith Housing Association ("IHA") for the abatement of real property taxes on property located at 10 West End Avenue, 90 Saugatuck Avenue, 92-94 Saugatuck Avenue, and 98 Saugatuck Avenue.

Vote 7-0. Motion Approved.

APPROVAL OF MINUTES

9. Approve the Board of Finance Minutes of the September 18, 2006 meeting.

10. Approve the Board of Finance Minutes of the November 1, 2006 meeting.

ADJOURNMENT

11. Mr. Anderson moved and Ms. Stollenwerck seconded a motion to adjourn the meeting at 12:30 p.m.

Vote 7-0. Motion APPROVED.

Karen Rodgers, Clerk

Item # 6

RECEIVED

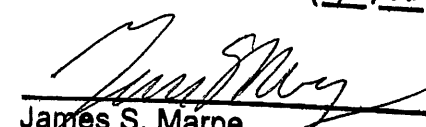
JUL 15 2014

TOWN OF WESTPORT
SELECTMAN'S OFFICE



Memorandum

Approved for submission
To Board of Finance (7/22/14)


James S. Marpe
First Selectman

To: Honorable Jim Marpe, First Selectman
CC: Gary Conrad, Finance Director
From: Dale Call, Chief of Police
Date: July 15, 2014
Re: Appropriation from Asset Forfeiture Fund – Accreditation Program

The Westport Police Department has been working towards receiving accreditation from the State of Connecticut for the past 4-5 years. The process has been slow and the progress has not been satisfactory for several reasons, not the least of which has been the inability to have anyone assigned to the project full time or have a resource to review the legality of any new policies or procedures within the department.

Several police departments either hire civilian employees or assign police officers to full time duty to work on the accreditation process. This department has tried to accomplish the same thing by assigning the responsibility to an officer who also has also functions that he is responsible for. This arrangement has allowed us to make some progress in reviewing and revamping some policies and procedures. Still, there remains much to do.

We have been seeking accreditation for several reasons. First, a comprehensive review and revision of current policies that makes sure they meet Connecticut standards as well as state and federal requirements lowers the liability exposure to the department (and thus the Town). Second, it will provide a strong framework for the department to ensure that critical policies and procedures as well as the internal systems of the department are met and addressed. As a matter of note, the department still relies on a duty manual developed in 1978 for many of its functions. We believe that this is an important step in maintaining a professional police department.

State accreditation has 3 tiers to meet. The first tier addresses the most critical aspects of police department operations (and usually the ones with the most liability exposure) and usually takes 12-15 months to complete the 127 standards it contains. Subsequent tiers can take another year or so to complete. The attachments have more detailed information on this process.

In order to move this process forward, the Police Department proposes to utilize Attorney Eric Daigle and the Daigle Law Group to serve as a consultant and legal advisor for the department on matters pertaining to policy development, policy revisions and accreditation. The Daigle Law Group is based in

July 15, 2014

state and is a nationally-recognized firm in the areas of accreditation, policy review and formulation and civil litigation involving police departments surrounding those policies. Attorney Daigle has a law enforcement background and his firm has worked with many Connecticut departments to achieve accreditation, as well as working closely with the Connecticut Police Officer Standards and Training Council in these matters.

The Daigle Law Group will work with the department's accreditation manager and a to-be-appointed accreditation committee within an established work plan to move the process forward. The standard arrangement used by the firm is to perform their services on an as-needed basis, with compensation being billed on an hourly basis. The rate is \$200 an hour for their services with monthly, itemized billing of all legal fees incurred. There is no minimum amount of compensation required or expected.

In order to pay for this, we are planning on utilizing asset forfeiture funds. I have attached an email from the US Department of Justice that confirms the use of these funds for this purpose is allowable under their regulations. In the past the department has used these funds for varied equipment purchased (Tasers, motorcycles, crime scene vehicle conversion). Unlike any of that equipment, the use of asset forfeiture funds to finally complete the accreditation process will have a positive impact on the department and department operations far into the future, and will provide a solid foundation for current and (more important) future command staff. As a reminder, these funds are not taxpayer-derived but are received from the US Department of Justice for cases we have assisted with.

I have included the first 9 pages of the CT POSTC Accreditation Standards so that some idea can be gained of the process, as well as a description of the program and benefits to the department and Town. The entire list of standards is 124 pages and can be located online at:

http://www.ct.gov/post/lib/post/accreditation/2013_state_accreditation_standards_revised_2013.pdf

Due to the nature of the asset forfeiture fund, it is not feasible or efficient to request an appropriation from the fund each month to pay any expenses incurred. Therefore, the Police Department requests an appropriation be made from the asset forfeiture fund which will then be placed into an account established by the Finance Department from which payments can be drawn. This will allow for simpler accounting of funds expended, necessary for annual certification of these funds by the Department of Justice. Funds that are not expended would be required to be returned to the fund and a new appropriation requested for the next fiscal year (as needed).

The Police Department therefore requests an appropriation of \$19,000 from the Asset Forfeiture Fund for the purposes of funding consultant services as described above.

In 2005 a committee began the work of reviewing and revising the Connecticut Accreditation Standards. This committee included representatives from agencies of all sizes and all areas of the state reflecting the full diversity of Connecticut's Law Enforcement community.

The Connecticut Accreditation Program remains three tiers. Tier I, Liability Standards, are designed to assist police agencies better protect themselves, their employees, and their governing entities from liability exposure as well as enhanced delivery of service and improved public confidence in the agency. Tier II, Professional Standards, address legal requirements, management and operations. Tier III, General Management, further expands upon the Tier II standards, addressing legal requirements, management and operations.

Having completed all three tiers an agency can, if it so chooses, go on to CALEA accreditation with little additional work.

Appendix A is a list of committee members who worked tirelessly on the review and revision of standards and the process.

The mission statement of Connecticut Police Accreditation is to "Enhance the professionalism of Connecticut Law Enforcement agencies through voluntary compliance with contemporary, internationally recognized standards of excellence."

The state accreditation process is part of the Police Officers Standards and Training Council. Full time staff is available to assist any agency beginning the accreditation process as well as maintaining accredited status.

This recent revision was accomplished with a review committee of accreditation managers and assessors, and review by the POST Council Accreditation Committee with final approval by the POST Council May 9, 2013. The effective date of the revision is July 1, 2013. The review, while comprehensive resulted in only several changes and the movement of three (3) standards from Tier II (2) and Tier III (1) to Tier I. See Appendix D an overview of the revisions. The council also identified several standards eligible for an agency to opt out of compliance. For details on this new option see Appendix E of this manual.

Thomas E. Flaherty
Executive Director
POST-C

Police Officer Standards and Training Council
Standards Manual

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Training
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Patrol
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Appendix E

Liability Standards Manual

Introduction

This manual, the **POSTC Liability Accreditation Program Standards Manual**, serves as the first stage of a tiered system. Tier I is referred to as “**Liability Standards**” and consists of mandatory standards. The remaining tiers will be Tier II and III.

Explanation of Standards and Commentary

Tier I is a cooperative process designed to assist Connecticut law enforcement agencies reduce exposure to civil liability and provide quality law enforcement service delivery. The framework established for this process is a manual of standards which identifies potential liability issues and actions a participating agency should take to address them. An agency pursuing accredited status reviews the standards, takes the action required by the standard (such as developing a written policy), assembles documentation of its compliance with a standard, and then invites a group of police professionals trained as assessor to review that documentation. If, in the opinion of the assessors the agency has satisfied the standard, they designate the agency as “in compliance” with that standard.

It is important to note that the role of the assessors is not adversarial, nor is the requirement that an agency document compliance meant to impose a burden. The “standard-assessment-compliance” structure is instead a mechanism for focusing an agency’s efforts on key issues and providing a framework for fellow practitioners to offer constructive advice. This structure was designed to provide guidance while preserving maximum flexibility. Similarly, it is important to understand the distinction between “standards text” and “commentary.” The standard itself sets forth the actions the agency must take to achieve compliance. The commentary provides additional details which may clarify the meaning of the standard, suggestions for achieving compliance, sources of information, or helpful examples. The agency has no obligation to comply with the commentary. It may be helpful to regard the standards themselves as a checklist of “musts,” and the commentary as advice which the agency may accept or reject.

For example, the text of one standard reads:

A written directive establishes procedures for investigating accidents involving agency vehicles, as well as those from other law enforcement agencies.

The commentary for the standard reads in part:

....The directive should establish responsibility for conducting an investigation, required components of an investigation, and procedures for review to ensure fairness and impartiality...The directive should also clearly establish the relationship between the agency and other law enforcement agencies....

Because the standard sets forth the required action, an agency could achieve compliance by issuing and complying with a directive which stated, "Accidents involving law enforcement vehicles shall be investigated in the same manner as any motor vehicle accident." While the commentary does offer suggestions which might further reduce the agency's liability exposure, the agency does not have to incorporate those suggestions into the directive required by the standard in order to achieve compliance. In a case such as this example, while an assessor may offer suggestions which he or she feels would improve the agency's policy, the decision as to whether or not the agency is in compliance must be based solely on the standard excluding the commentary.

Understanding "Written Directives"

Many standards require a "written directive" to address one or more issues. A written directive is any official, written statement of agency policy and procedure which provides enough information to guide actions and establish a basis for accountability. Written directives may be policies and procedures written "from scratch" by the agency, model policies "customized" and then adopted, collective bargaining agreements, or laws, ordinances, or reference materials which have been disseminated to agency personnel and identified as official policy. A separate written directive is not required for each standard--one directive may address several standards. Conversely, a single standard may include multiple points (lettered a, b, c, etc., and referred to as "bullets") which are covered by several different written directives. The key elements of a valid written directive for liability purposes are discussed below.

It is identifiable as a valid and official directive.

Every employee should receive a description of the agency's order system and a definition of what elements constitute a valid and official directive. The description should identify the type of document (memorandum, general order, etc.), and characteristics: signed by the chief executive or other personnel, labeled with an effective date and/or cancellation date, and so forth. Official policy should be consistently promulgated according to those guidelines. If the agency adopts a third-party document as an official guide to conduct (for example, the Law Enforcement Code of Ethics), a written directive issued by the agency should so inform personnel.

It is disseminated to or otherwise available to appropriate personnel.

Each employee may be issued a hard copy of a directive, or it may be provided in an alternative

manner (posted at roll-call or sent via E-mail). In either case, the agency should be able to document that employees received a directive or notification of a directive's issue. Employees should have easy access to any directive for reference purposes.

It is clear enough to guide actions.

The directive should contain enough information to provide an employee acting in good faith with sufficient guidance to make a decision: a directive concerning interview and interrogation which stated, "employees will do the right thing" would be lacking in clarity. However, a directive which stated, "employees will abide by the requirements established by *Miranda v. Arizona*" would be sufficient--although the employee may have to refer to additional materials to determine his or her course of action. The directive places a clear-cut responsibility on the employee.

Understanding Documentation

Participation in the Tier I standards, involves four steps: reviewing the standards; taking action to comply with the standards; documenting compliance; and then undergoing an assessment, leading to accredited status. The structure Tier I standards has been designed to avoid unnecessary burdens on participating agencies. In particular, "documenting compliance" for an assessment should be understood as a system through which an agency can be confident policies and procedures are consistently followed, rather than a "paper chase." As an example, consider how an agency might comply with and document compliance with one standard.

1.1.2 *A written directive states that an officer may use deadly force only when the officer reasonably believes the action is in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious physical injury or death. Definitions of terms such as "immediate," "reasonable belief" and "serious physical injury" are included.*

The agency's chief executive (or designee) reviews the standard and decides that the welcome/briefing the agency's Training Sergeant gives to all new employees is the perfect time to accomplish this requirement. Furthermore, since there is already a form the agency uses to record training of all types, the new policy established is very simple:

1. On the first day of a sworn officer's employment, the Training Sergeant shall provide the employee a copy of General Order 1, Use of Force, and review this order in detail. Following the review, the employee must pass a multiple-choice test covering the key points of the policy administered by the Training Sergeant.
2. The employee and the Training Sergeant shall sign and date a Training Documentation Form and attach the completed test. The form and test will be placed in the employee's training file.

For accreditation purposes, “documentation of compliance” would consist of (1) the order cited above and copies of the test answer sheet and (2) training documentation forms for new sworn employees. An agency choosing to participate in the liability accreditation program decides to use the responsibility to assemble this documentation on an ongoing basis as a kind of automatic inspection of the agency’s operations--a “cross-check” which will prevent mistakes or omissions which might expose the agency to liability from going unnoticed. The process of “documentation” encouraged by the Tier I standards is best understood not as an *addition* to an agency’s activities but rather as a means of *directing* and *organizing* those activities to provide maximum control in the simplest and most efficient manner.

Reading the Standards

1.1.5 *A written directive requires that any employee whose actions result in a death or serious injury be removed from line duty until an internal review of the incident is completed.*

Standards are individually numbered in **bold**. The written directive will be *italicized*.

Commentary: The employee should be removed from any duty assignment requiring contact with the public or the exercise of law enforcement powers pending completion of an internal review. Such action is not disciplinary in nature; rather, it takes into account the stress experienced by the employee, possible tensions in the community caused by the incident, and the need to protect the agency in the event the review determines the employee’s actions were improper.

The commentary section offers further explanation of the intent of the standard, suggests ways to comply with the standard, or cites references. The commentary is provided solely for informational purposes and is *not* binding.

Standard Numbers

- 1. x.x** The first number in a standard identifies the **Tier** the standard is in (the Connecticut Accreditation Program has 3 tiers).
- x.1.x** The second number in a standard identifies the **Chapter** the standard is in (each tier has three chapters)
- x.x.1** The third number in a standard identifies the **Standard number** in

the particular chapter. (There are an unlimited number of standards per chapter)

Standards per Tier

| | |
|-----------------|----------------------|
| Tier I | 127 |
| Tier II | 80 |
| Tier III | 116 |
| Total | 323 Standards |

THE STATE ACCREDITATION PROGRAM

Program Description

What is State Accreditation? State accreditation is a process through which law enforcement agencies demonstrate excellence in management and service delivery by complying with state accreditation standards. This is a no-cost, voluntary, self-directed process accessible to all Connecticut departments regardless of size or resources.

The Connecticut Law Enforcement Accreditation Program consists of 327 standards achievable in three successive tiers:

- (1) Liability Certification (124 standards);
- (2) Professional Certification (83 standards); and
- (3) General Management (120 standards).

The State Accreditation program is designed to assist Connecticut law enforcement agencies to operate efficiently and uniformly to reduce exposure to civil liability and provide excellent management and service delivery.

Specifically, the selected standards allow agencies to meet the following goals:

- (1) Strengthen crime prevention and control capabilities;
- (2) Formalize essential management procedures;
- (3) Establish fair and nondiscriminatory personnel practices;
- (4) Improve service delivery;
- (5) Solidify interagency cooperation and coordination; and
- (6) Boost citizen and staff confidence in the police agency.

The State Accreditation Standards for Local Police Agencies Program is managed by the Connecticut Police Officer Standards and Training Council (POST Council). The members of the Council are a public board appointed by the Governor and include federal, state and local law enforcement managers along with public members. An Accreditation Manager will guide applicant police departments through the accreditation process and will also coordinate the process and activities on behalf of the POST Council.

INDEX

Call, Dale

From: afmls.aca [afmls.aca@usdoj.gov]
Sent: Tuesday, July 01, 2014 14:56
To: Call, Dale
Cc: Ahmad, Razia; Boykin, Brian
Subject: RE: Allowable use of ESP funds

Chief Call:

The Guide to Equitable Sharing for State and Local Law Enforcement Agencies (April 2009), Section VIII.A.1.a. allows the cost associated with efforts that further law enforcement goals and mission. This includes the costs associated with hiring a contractor/consultants to perform unique and indispensable tasks that an agency is not equipped to perform. Examples of a contract for service may include hiring a contractor/consultant to redesign an agency's website, or hiring a contractor/consultant to perform a staffing study. These are unique services and are specific tasks and short in duration. Based on your email your agency would like to hire a consultant to assist with developing CALEA standards. Accordingly, the use of equitable sharing funds is permissible. The agency must follow its jurisdiction's policies procurement procedures.

If you have additional questions, please let me know.

Brian Boykin
202-598-2306

U.S. Department of Justice
Asset Forfeiture and Money Laundering Section
www.justice.gov/criminal/afmls<<http://www.justice.gov/criminal/afmls>>

From: Call, Dale [DCALL@westportct.gov]
Sent: Wednesday, June 25, 2014 3:36 PM
To: afmls.aca
Cc: Penna, Vincent
Subject: Allowable use of ESP funds

Question:

We are beginning the process for accreditation from the State of Connecticut (and potentially from CALEA) for our department.

We are going to be contracting out to a law firm that does this work throughout the state for policy review, policy revisions and assisting us with the work plan to accomplish this.

I've been told that this is an allowable use for funds received from the ESP and that other departments have done so, but cannot find anything in the 2009 Guide to Equitable Sharing that addresses this.

Can you please advise on the permissibility of using equitable sharing funds received for this project?

Thank you -

Dale E. Call
Chief of Police
Westport Police Department
50 Jesup Road
Westport, CT 06880

PH: 203-341-6026
FAX: 203-341-6092



Earthplace
The Nature Discovery Center

Item # 7
(See separate attachment)

August 18, 2014

The Honorable James Marpe
First Selectman
Town of Westport
110 Myrtle Avenue, Room 310
Westport CT 06880

BOARD OF TRUSTEES

PRESIDENT

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HAL KENDIG

SUSAN MALLOY

DIANE MANGANO-COHEN

THOMAS PAJOLEK

CAROLYN TRABUCO

EXECUTIVE DIRECTOR

TONY MCDOWELL

Dear Mr. Marpe:

RE: Board of Finance meeting Agenda 9/3/14

We respectfully ask that the Earthplace Harbor Watch Lab Expansion Project be added to the agenda for the Board of Finance meeting on September 3rd, 2014.

At that time we will review both projects in this year's capital project plan, the previously submitted Pond Reclamation Project and the Harbor Watch Lab. Attached is the project overview, rendering and expense details for the for the lab project.

I will be accompanied at the meeting by board member and Dick Harris, Director of the Harbor Watch program to answer questions. Please let us know should you require additional information and thank you again for your support.

Sincerely,

Tony McDowell
Executive Director

Approved for submission

To Board of Finance (8/19/14)

James S. Marpe
First Selectman



**WESTPORT CONNECTICUT
BOARD OF FINANCE**

Item #11

DRAFT MINUTES OF PUBLIC HEARING

The Board of Finance held its Public Hearing on Wednesday, August 6, 2014 at 8:00 p.m. in the Auditorium of Town Hall.

PRESENT: Stern, Pincavage, Collins, Rea (by phone), Lasersohn, Caney. Tooker absent.

The following items were considered:

DISCUSSION/REVIEW

1. Financial Report from the Finance Director. No action taken.
2. Status Update from the Internal Auditor. No action taken.

RECOMMENDATION

3. In accordance with Section 54-197 of the Code of Ordinances, to recommend a Tax Abatement Agreement between the Town of Westport and Hales Court Housing, LLC. Item postponed until Sept. 3rd.
4. In accordance with Section 54-197 of the Code of Ordinances, to recommend a Tax Abatement Agreement between the Town of Westport and Homes with Hope, Inc. Proposed by Lasersohn, and seconded by Caney. Unanimously approved.

APPROPRIATIONS IN THE 2014-2015 BUDGET

5. A request by the Police Chief for an appropriation of \$19,000 from the Asset Forfeiture Account to the General Fund Police Accreditation Program Account#10102210-513223 for the purposes of funding consultant services. Item postponed until Sept. 3rd.
6. A request by the Fire Chief for an appropriation of \$268,500 to the Capital and Non Recurring Account#31502220-500273 for replacement of our Self-Contained Breathing Apparatus (SCBA). Proposed by Lasersohn, and seconded by Stern. Unanimously approved.
7. A request by the Director of Parks and Recreation for an appropriation of \$150,000 to the Capital and Non Recurring Account#31508810-500274 for construction of new paddle courts at Longshore Club Park. Proposed by Stern, and seconded by Lasersohn. Unanimously approved.
8. A request by the Director of Parks and Recreation for an appropriation of \$800,000 with bond and note authorization to the Municipal Improvement Fund (MIF) Account#30508810-500275 for construction services related to slope stabilization and associated dredging and landscape improvements in the area of Ned Dimes Marina at Compo Beach. Amended to provide that the users of the boating service will pay 70% of the cost, to be charged in fees over a 20 year period.

Proposed by Lasersohn and seconded by Stern. Stern, Pincavage, Lasersohn and Caney in favor, and Rea and Collins against. Motion carried four to two. One absence.

TRANSFERS AND CARRYOVERS FROM 2013-2014 BUDGET TO 2014-2015 BUDGET

9. The Board will consider the following request(s) for transfers and carryover amounts of \$50,000 or less.

- a) See attached listing
Proposed by Rea and seconded by Caney. Approved unanimously.

10. The Board will consider the following request(s) for transfers and carryover amounts of \$50,000 or more:

a) Account 10103370-532007 (Tree Contracting) \$52,239

b) Account 10103322-569004 (Road Maintenance-Parking Lots) \$134,224

c) Account 10103322-569009 (Road Materials-Overlay) \$1,356,443

d) Account 10106650-578001-10003 (School Security Project) \$500,000

Each item was Proposed by Lasersohn, and seconded by Caney. Each motion approved unanimously.

APPROVAL OF MINUTES

11. Approve the Board of Finance Minutes of the July 9, 2014 special meeting. Approved unanimously.

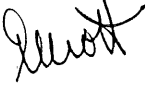
Meeting adjourned at 11.30 pm.

WESTPORT PUBLIC SCHOOLS

Item #12

ELLIOTT LANDON
Superintendent of Schools

110 MYRTLE AVENUE
WESTPORT, CONNECTICUT 06880
TELEPHONE: (203) 341-1010
FAX: (203) 341-1029

To: Members of the Board of Finance
From: Elliott Landon 
Subject: Reporting of Expenditures: Capital Projects and Request for Security Appropriation
Date: August 27, 2014

Elaine Whitney, Chair of the Board of Education, has asked me to share the information below with you in anticipation of discussions of these items at your meeting scheduled for September 3, 2014. Members of the Board of Education, Elio Longo, Marge Cion and I will be present at your meeting to answer any questions you may have about any of these subjects.

I. Security

At its meeting of August 25, 2014, the Board of Education adopted the following Resolution:

Be It Resolved, That upon the recommendation of the Superintendent of Schools, the Board of Education authorizes the Superintendent to make a request of the Board of Finance for an appropriation not to exceed \$750,000 for a security project at all of the Westport Public Schools, the purpose of which is to upgrade all internal communications systems to better link the schools with all Town of Westport First Responders and better protect students and staff from external and internal threats.

Be It Further Resolved, That upon the recommendation of the Superintendent of Schools, the Board of Education authorizes the Superintendent to make all final recommendations to the Board of Education based on the Kroll Report by February 15, 2015.

The security appropriation being requested at your meeting of September 3, 2014 consists of two parts as described below:

1. We will be seeking bids for a Motorola Digital IP Site Connect System that will permit us to protect our children and staff from internal and external threats in each school through high speed digital radio equipment that will enable us to communicate directly to emergency response personnel of the Westport Police and Fire Departments; engage in direct school-to-school communications; and, communicate immediately with each other within and on the surrounding grounds of all our individual school properties.

2. Bids also will be sought for a Mass Notification System upgrade to our internal school paging systems to enable emergency lockdown messages to be transmitted to all interior and exterior locations in and around each of our eight schools so that all students and staff can act immediately upon notification

II. Capital Improvements

Elio Longo shared with the Board at the meeting of August 25 a draft of a tracking format for delineating expenses associated with approved capital projects on a regular basis, using as an example to date expenditures associated with the re-pointing of the bricks on the façade of the King's Highway School (see attachment).

As you will note, the tracking document captures both Town and Board of Education contributions and expenditures on an ongoing basis as each capital project progresses. Percentages have been included to track actual to budget for each fund source and in total. Key information includes:

1. Purchase order number
2. Vendor name
3. Fiscal year
4. Purchase order amount
5. Invoice date
6. Invoice number
7. Amount of payment

In instances where Board of Education funds may be expended, both the fiscal year and the object code will be identified.

The Board of Education is expected to discuss/modify, where appropriate/approve use of this draft tracking document format at its meeting of September 8, 2014.

III. Five-Year Operating Budget Forecasts: July 1, 2015 – June 30, 2020

I addressed the request of the Board of Finance for a 5 Year Operating Budget Forecast with the following information at the meeting of August 25, 2014:

The Board of Finance has requested that the Board of Education prepare a five year operating budget forecast. Elio and I have struggled with this issue for weeks and find it most difficult to provide the information requested with any degree of specificity.

Unlike the Town, we do not have a general reserve fund to add to our budget when our predictions fall below estimates. Nor do we have the option of drawing down our reserves when unanticipated capital projects become an immediate need. Therefore, any forecasts we make, should they fall short of actuals, will require the Board of Education to draw down upon its operating budget and, subsequently, impact negatively upon the work we do for, and on behalf of, the children of the Westport community who attend our schools.

Nonetheless, we are prepared to risk estimating future expenditures at what we consider a realistic range, as follows:

FYE 2016: 4.5% – 5%
FYE 2017: 4.5% – 5%
FYE 2018: 4.5% – 5%
FYE 2019: 4.5% – 5%
FYE 2020: 4.5% – 5%

We have made these estimates based upon the following uncertainties, but utilizing generally public data readily available in print and online:

- 1. With the recovery of the country and our region from the recent recession, employee contract settlements have shown a steady rise. Within the framework of FYE 2017, a new contract with the teachers' union will go into effect. Since that document will affect approximately 85% of total expenditures within the school district, to be followed by contract negotiations with all other Unions during the five year framework above, each of the Unions will be looking to adjust for the reduced settlements they were required to accept during the years of the Great Recession.*
- 2. The Federal Reserve is stepping down from its commitment to keep interest rates artificially low. With that change in the offing, we can expect inflation to increase dramatically, affecting school district purchasing power in a most negative way.*
- 3. We are subject to increased enrollments as more and more people are moving to Westport to place their children in our school system. Additionally, the numbers of units of affordable housing increases is increasing and many, if not most of the dwellings, will bring more children to our schools. As enrollments increase, additional classroom teachers, special services and support services will be required to keep pace with the increases in enrollment.*
- 4. For many years, in order to maintain the quality of our programs, we have been forced to reduce our expenditures for maintenance of all school buildings. As noted by members of the Board of Finance and the RTM, it is incumbent upon the Board of Education to increase expenditures for building maintenance to a much higher level than that of recent years if our school buildings are not to deteriorate.*

Therefore, while I am predicting school budget operating expenditure increases to be in the 4.5% - 5% range for the next five years, I am fearful that my estimates will prove to be too low for reasons related to employee contract negotiations, increased rates of inflation, expanding enrollments, and a major commitment to school building maintenance.

Pursuant to the request of the Board of Education, the Superintendent and his staff are developing a graphic percentage representation of the allocations anticipated in the years ahead. We will share that information with the members of the Board of Education and the Board of Finance by the end of this week. The Board will be voting on my draft proposal at its meeting of September 8, 2014.

IV. Health and Medical Insurance Policy

The following memorandum detail was shared in draft format with the Board of Education at its meeting of August 25, 2014. The Board will be asked to vote to approve this proposed policy at its meeting of September 8, 2014.

P 3431

Business and Non-Instructional Operations

Health and Medical Insurance

Philosophy

The establishment of a health and medical insurance funding policy based on confidence levels established by the Board of Education's benefit consultant will be applicable to the District's Internal Service Fund for Health and Medical Insurance. Internal Service Funds are commonly established when a governmental entity such as the Westport Public Schools ("District") wishes to account for a particular activity separately from its operating fund revenues and expenses. The District will continue to maintain an Internal Service Fund for Health and Medical Insurance under its statutory responsibilities as a creation of the State of Connecticut to include all revenues and expenses related to health care so as to be able to report the ongoing employer and employee contributions, expenses and fund balance available for health care and medical costs.

Adequate funding levels are a necessary component of the District's overall financial management strategy and a key factor in assessing the school district's financial strength. Adequate funding provides the District with the resources to manage cash flow with regard to health and medical insurance and deal with unanticipated and/or volatile expenses, catastrophic illnesses and changes in economic conditions. Adequate balances in the Internal Service Fund for Health and Medical Insurance lessen the chances that unexpected deficits in this fund will need to be covered by the General Fund or by a special appropriation from the Board of Finance and Representative Town Meeting (RTM). As self-insured, the District collects employee and employer contributions, receives an appropriation for operating expenses and uses these revenues to pay health care and medical costs. At the end of the fiscal year, the difference between the amount collected and the bills paid is retained as a Health Care and Medical Reserve. The district also calculates in accordance with Generally Accepted Accounting Principles (GAAP) the amount of health care claims that have been Incurred But Not Reported (IBNR) at the end of the fiscal year.

Reporting activity about the Internal Service Fund for Health and Medical Insurance shall be made to the Board of Education monthly. The quarterly and end-of-year financial reports will include a Statement of Cash Flows, a Statement of Net Assets, year-end projections and variances and these items will be analyzed quarterly by the Board. The quarterly and end-of-year financial reports will show contributions by employees and employer as well as payment for services and the resulting changes to the IBNR and the amount available as a reserve for future costs.

Funding Levels

The amount of the health care reserve will be established through the annual budgeting process. The Board of Education shall include in its operating budget a funding level to preserve an appropriate level of margin for working capital and claims fluctuation of a minimum of 5% of projected health and medical insurance claims as determined by the health benefits consultant of the Board of Education for the fiscal year extending from July 1 to June 30. Depending upon decisions made concerning the amount of stop-loss insurance per individual and aggregate claims to be purchased, said fluctuation margin may be adjusted upward as appropriate. The Board of Education shall maintain a healthcare reserve of no less than 9% of anticipated claims if positive claim variances or other factors lead to a balance of that magnitude or more.

For the IBNR health claims, 4% of anticipated claims as determined by the health benefits consultant of the Board of Education shall be specifically allocated for this purpose. Said allocation may take the form of funds in the Board of Education's Internal Service Fund for healthcare, funds provided through an affirmative action by the Board of Finance, or such other action as deemed satisfactory by the Board of Education and its healthcare and legal advisors.

Relationship With Town of Westport

In the event the Board of Education, in its sole discretion, determines that it is in the best interests of the school system to be advised for health and medical insurance by the same health insurance consultant as the Town of Westport, two separate and distinct employee risk pools shall be maintained; one for Board of Education employees and one for Town employees. The revenues and expenses associated with the risk pool for Board of Education employees shall be the sole responsibility of the Board of Education; those associated with the Town are to be the sole responsibility of the Town.

Review

Internal reviews of the Internal Service Fund shall be conducted by at least two administrators or their designees quarterly and the results will be shared with the Board of Education. The Board of Education shall review annually in January and March of each year, in consultation with its health benefits consultant through direct participation in a public Board of Education meeting, the funding levels established in the previous year and projections of expenses for the succeeding year.

WESTPORT PUBLIC SCHOOLS

*Legal Reference: Connecticut General Statutes
10-220 Duties of boards of education*

Policy adopted:

cc: Board of Education, Elio Longo, Marge Cion

**Kings Highway Elementary School Repointing
13-038-RFP**

| TOWN CAPITAL | | | BOE OPERATING | | | TOTAL | | |
|---------------|----------------|---------------|---------------|----------------|---------|---------------|----------------|---------------|
| Budget | Actual to Date | Balance | Budget | Actual to Date | Balance | Budget | Actual to Date | Balance |
| \$ 282,281.00 | \$ 35,100.00 | \$ 246,181.00 | \$ - | \$ - | \$ - | \$ 282,281.00 | \$ 35,100.00 | \$ 246,181.00 |
| 100% | 13% | 87% | - | - | - | 100% | 13% | 87% |

| Town PO #: | Vendor: | Fiscal Year: | PO Amount: | Item # | Item description | Budget | Actual to Date | Balance | FY Object Code | Budget | Actual to Date | Balance |
|-------------|-------------------|--------------|-------------|--------|--------------------------------|-------------|----------------|---------|----------------|-------------|----------------|---------|
| 20131881-00 | Tecton Architects | 2012-2013 | \$ 4,000.00 | 1 | Architectural services Phase 1 | \$ 4,000.00 | \$ 4,000.00 | \$ - | | \$ 4,000.00 | \$ 4,000.00 | \$ - |
| | | | | | | \$ 4,000.00 | \$ 4,000.00 | \$ - | | \$ 4,000.00 | \$ 4,000.00 | \$ - |
| | | | | | | 100% | 100% | 0% | | 100% | 100% | 0% |
| | | | | | | Payment | | | | | | |
| | | | | 1 | | \$ 4,000.00 | | | | | | |
| | | | | | | \$ 4,000.00 | | | | | | |

| Town PO #: | Vendor: | Fiscal Year: | PO Amount: | Item # | Item description | Budget | Actual to Date | Balance | FY Object Code | Budget | Actual to Date | Balance |
|-------------|-------------------|--------------|--------------|--------|-----------------------------|--------------|----------------|-------------|----------------|--------------|----------------|-------------|
| 20134242-00 | Tecton Architects | 2012-2013 | \$ 31,350.00 | 1 | Construction documents | \$ 14,550.00 | \$ 14,550.00 | \$ - | | \$ 14,550.00 | \$ 14,550.00 | \$ - |
| | | | | 2 | Frequently bidders | \$ 1,455.00 | \$ 1,455.00 | \$ - | | \$ 1,455.00 | \$ 1,455.00 | \$ - |
| | | | | 3 | Bid & negotiation | \$ 1,455.00 | \$ 1,455.00 | \$ - | | \$ 1,455.00 | \$ 1,455.00 | \$ - |
| | | | | 4 | Construction administration | \$ 11,840.00 | \$ 8,340.00 | \$ 3,300.00 | | \$ 11,840.00 | \$ 8,340.00 | \$ 3,300.00 |
| | | | | 5 | Reimbursable expenses | \$ 750.00 | \$ - | \$ 750.00 | | \$ 750.00 | \$ - | \$ 750.00 |
| | | | | 6 | Change & rapid service | \$ 1,500.00 | \$ 1,500.00 | \$ - | | \$ 1,500.00 | \$ 1,500.00 | \$ - |
| | | | | | | \$ 31,350.00 | \$ 27,300.00 | \$ 4,050.00 | | \$ 31,350.00 | \$ 27,300.00 | \$ 4,050.00 |
| | | | | | | 100% | 87% | 13% | | 100% | 87% | 13% |

| Date | Invoice # | Payment |
|-----------|-----------|--------------|
| 3/31/2013 | 33052 | \$ 8,500.00 |
| 4/30/2013 | 33181 | \$ 3,585.00 |
| 4/30/2013 | 33191 | \$ 727.50 |
| 5/31/2013 | 33316 | \$ 1,455.00 |
| 5/31/2013 | 33316 | \$ 363.75 |
| 5/31/2013 | 33507 | \$ 363.75 |
| 6/30/2013 | 33507 | \$ 1,100.00 |
| 6/30/2013 | 33583 | \$ 355.00 |
| 7/31/2013 | 34698 | \$ 1,250.00 |
| 8/31/2014 | 34885 | \$ 250.00 |
| 4/30/2014 | 35131 | \$ 1,540.00 |
| 5/31/2014 | 35284 | \$ 3,350.00 |
| 6/30/2014 | 35477 | \$ 3,350.00 |
| 7/31/2014 | | \$ 27,300.00 |



August 18, 2014

The Honorable James Marpe
First Selectman
Town of Westport
110 Myrtle Avenue, Room 310
Westport CT 06880

Dear Mr. Marpe:

RE: Board of Finance meeting Agenda 9/3/14

We respectfully ask that the Earthplace Harbor Watch Lab Expansion Project be added to the agenda for the Board of Finance meeting on September 3rd, 2014.

At that time we will review both projects in this year's capital project plan, the previously submitted Pond Reclamation Project and the Harbor Watch Lab. Attached is the project overview, rendering and expense details for the for the lab project.

I will be accompanied at the meeting by board member and Dick Harris, Director of the Harbor Watch program to answer questions. Please let us know should you require additional information and thank you again for your support.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tony McDowell", is written over a light blue horizontal line.

Tony McDowell
Executive Director

BOARD OF TRUSTEES

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VICE PRESIDENT

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THOMAS PAJOLEK

CAROLYN TRABUCO

EXECUTIVE DIRECTOR

TONY MCDOWELL

Earthplace Harbor Watch Lab Expansion

Project: To move our current water quality Lab to an existing 834 sq. ft. space in our building effectively doubling our testing and education capacity both in the field and in the lab.

Project Overview:

In 2014, the water quality monitoring program at Earthplace is conducting tests at 150 different sites on streams, rivers and estuaries in Westport and surrounding towns that make up our shared western Long Island Sound watershed. These sites will generate roughly 4,500 individual sample tests for bacteria, nitrates and phosphorous, which reached our lab. All of the test samples are run through our CT State certified lab at Earthplace on 10 Stony Brook Lane. The field and lab work is done by high school interns and volunteers supervised by our paid staff of four professionals.

There are two key objectives of the Harbor Watch lab expansion plan: one, to provide water quality monitoring and testing to a larger portion of our watershed, and two, to double our high school educational internship opportunities for area students both in the lab and in the field.

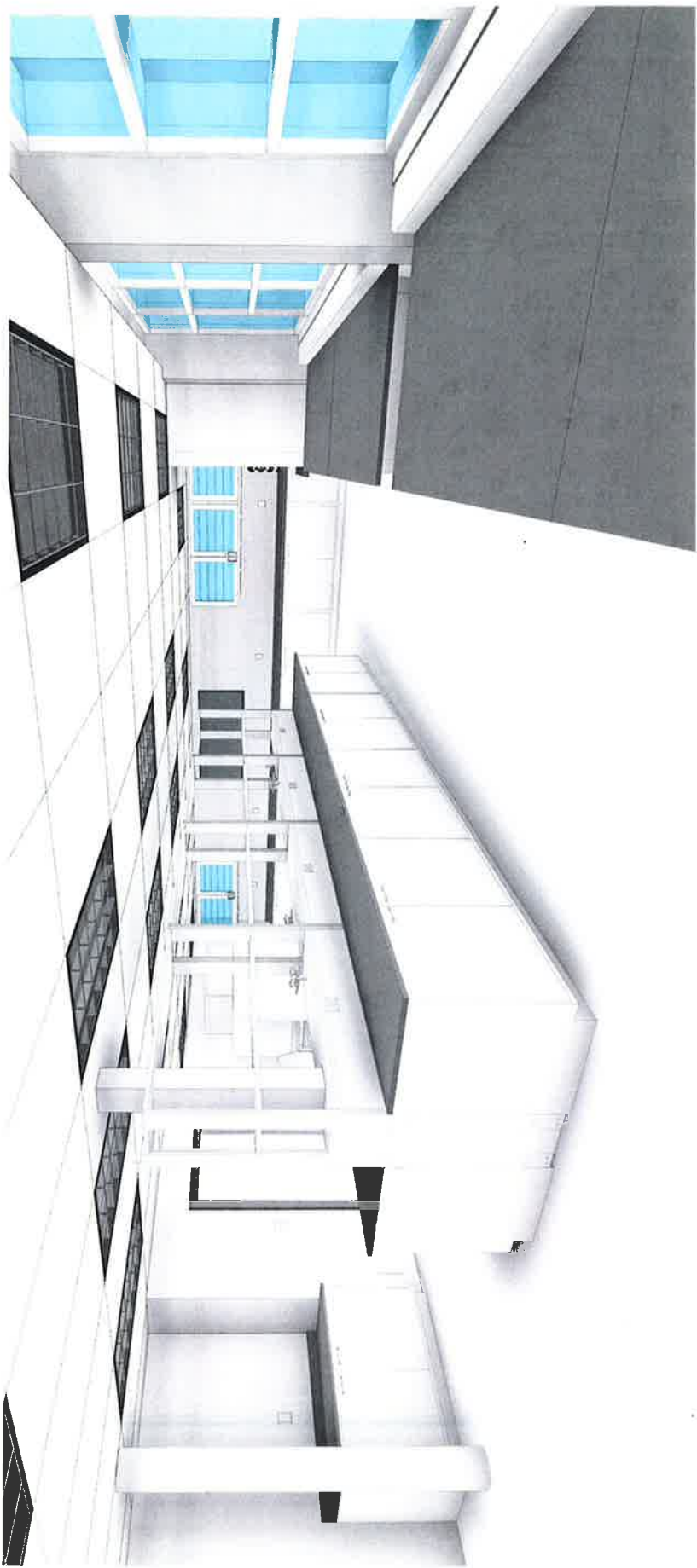
The Harbor Watch program provides a vital after-school hands-on science program for students interests in field biology and environmental science. The real-life field and lab work is based on strict scientific protocols and yields results that are actionable by town conservation and public works officials. We offer a year-round study program, spring senior internships and robust summer internship programs for high school and college interns. Our internships are over-subscribed and limited by the lab space we have today. We have secured operating grants to expand our monitoring program but lack the lab capacity to meet the testing requirements.

We plan to move our current state certified testing lab to an existing space at the rear of our building with its own entryway. This will double our testing capacity, provide future expansion for two shifts and triple the number of testing “seats” for high school interns.

Capital requirement:

The estimated costs include room renovation, plumbing, electrical, new lab fixtures and teaching equipment is from \$95,000-\$100,000.

- Financing to date: We have received two gifts totaling \$50,000, plus pro-bono architectural renderings and project management from John Fifield of Fifield, Piaker, Elman.
- Status: Architectural work complete/ First construction and materials bids received
- Timing: Winter/Spring 2015
- **We are asking for the capital to complete the project, not to exceed \$50,000** (see attached renderings and cost breakdowns)



740 Broadway
New York, New York 10003
tel 212 979 9272
fax 212 979 9276
www.fpe-architects.com

FIFIELD | PIAKER | ELMAN | ARCHITECTS, PC

FAX MEMO TRANSMITTAL

DATE: 8.15.14
NO. PAGES: 4
FROM: John T. Fifield AIA LEED AP
PROJECT: Earthplace Harbor Watch Laboratory
TO: Tony McDowell, Executive Director, Earthplace

DESCRIPTION: Scope of work:

- Gut renovation of existing classroom and installation of new finishes, lighting, acoustical ceiling.
- Electrical and systems wiring for the Lab
- Plumbing for prep sinks and emergency shower.
- Installation and ventilation for hood vent
- Provision and installation of permanent lab furniture and counters.
- Installation of appliances, refrigerator, compressed air system etc.
- Installation and wiring for video monitor.
- IT wiring
- Decommissioning of existing Harbor watch lab.

Construction estimates:

| | |
|-------------------------------------|----------|
| • General Construction: | \$37,260 |
| • Laboratory cabinets and counters: | \$41,800 |
| • Misc. appliance purchases | \$10,000 |
| • Decommissioning cost | \$ 5,000 |
| • Contingency | \$ 5,000 |

Attachments:

Cost estimate from Bryan Copolla Construction
4/23/14 Lab furniture budget from New England Lab.

3 Bridge Square
Westport, CT 06880
203-222-5600 ph
203-222-2235 fax

Estimate for Basement Laboratory work as per FPE drawings

Removal of existing light and replacement of light fixtures
and supplemental electrical work as per FPE plans \$7900.00

Plumbing work \$5.500.00

Jackhammer work for new sinks new shower and ejection
tank \$1.500.00\ \$500 labor hood cementwork

Encapsulation of existing floor and install of new vinyl
flooring as per FPE specs,, \$11,000,00 Allowance

\$1.500 Allowance for Vinyl baseboard

Remove Existing Ceiling tiles \$1.000.00

Replace existing Ceiling tiles Allowance \$1.500.00

Painting downstairs "laboratory" \$2.500.00

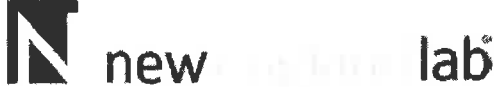
Labor for vacuum plumbing Allowance \$1.500.00

Vacuum Hood Install By others

\$32.400.00

General contracting Fee 15%=\$4.860

Total \$37.260.00



lab-tested furniture systems

New England Laboratory Casework Co., Inc.
3 Arrow Drive, Woburn, MA 01801
P: 781.932.9980
F: 781.932.9981
www.newenglandlab.com

April 23, 2014

Proposal#24140

Bartek Pocięcha
Fifield/Piaker/Elman Architects
19 Crawford Road
Westport, CT 06880
Phone: 203-222-5600
Fax: 203-222-2235
Email: bpocięcha@fpe-architects.com

Re: Harbor Watch BUDGET

Dear Bartek:

We are pleased to provide a proposal for the above referenced project. Our proposal is based on fpe drawings A102, A103, A104 & A105 dated 4/17/14.

Scope of Work: **Sheet A104**

- Painted steel 12" shelf core w/ 2 tiers of painted metal shelving
- Elevated box pedestal w/ gas turrets
- Painted steel service chase
- Painted steel base cabinets (16 @ 30" w with single door)
- 1" black epoxy counter top & pedestal top

1-A/A102

- Painted steel fixed ht tables w/ 1" black epoxy tops (2@72", 1@60", 1@48")

1-B/A102

- Painted metal sink bases (1@ 48" & 1@24")
- Painted metal base cabinet (1@ 48")
- 1" Black epoxy top w/ back splash
- 2 black epoxy drop in sinks
- 2 Faucet/Eyewash units (supply only install by others)

1-C/A102

- Painted metal base cabinet (1@ 48")
- 1" Black epoxy top w/ back splash

1-D/A102

- Painted metal base cabinets (6@ 48")
- Painted metal wall cabinets w/ glass doors (3 @ 48")
- 1" Black epoxy top w/ back splash

Total furnished and installed BUDGET: \$41,800.00

Items not included:

Vinyl base molding
In-wall blocking
Caulking at dissimilar surfaces
Mechanical, plumbing and electrical connections
Fume hood, exhaust fan, motor & switch
Toekick infill for non-level floors

Notes:

All notes and conditions of this proposal are to be made part of any contract.

Freight is included.

Labor is figured at OPEN SHOP rates.

Sales tax is NOT included.

Material manufacturers are MOTT.

Off-site material storage is not included.

Shop drawings based on CAD file provided by others.

Pending credit approval, we offer the following payment terms:

Terms: 30% deposit, with progress billing due net 30 days.

This quotation is valid for 30 days.

This quotation is based on standard products and colors.

This quotation is premised on a single-phase project, during normal working hours.

This quotation is premised on the ability to deliver via 53' trailer to a standard height loading dock.

Colors for laminate cabinetry/products include solid color selection only.

Utility cut-outs based on factory cut-outs not field cut-outs.

Trash disposal to central location in work area.

Free use of hoist/elevator must be provided.

Should you have any questions or require further information, please do not hesitate to contact me at 781.503.8842 or gclements@newenglandlab.com.

Sincerely,

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Gary Clements
New England Laboratory Casework Co., Inc.

Signature of Authorized Person

Date

If this order is tax exempt, please provide Tax ID number.

Item #6



June 12, 2014

EXECUTIVE DIRECTOR
TONY MCDOWELL

BOARD OF TRUSTEES

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JULIA LANG MALLY
VICE PRESIDENT
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THOMAS PAJOLEK
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CAROLYN TRABUCCO

Mr. Jim Marpe
First Selectman
Town of Westport
110 Myrtle Avenue, Room 310
Westport CT 06880

Dear Mr. Marpe:

RE: Board of Finance meeting Agenda 7/2/14

We respectfully ask that the Earthplace Pond Reclamation Capital Project be added to the agenda for the Board of Finance meeting on July 2nd, 2014. At that time we will review the background, schedule and estimated capital expenses for the project.

Project Scope: The Earthplace pond located on the Swamp Loop Trail is a major educational attraction for visiting school groups, and the site for pond studies by our middle school "Junior Staff" and guided nature walks for many weekend visitors. The pond is a natural "classroom" and has been a first aquatic habitat experience for many Westport nursery school children over the past 35 years. This 60 by 80 foot pond was made with a shallow excavation in the 1970's and has slowly silted in since then. We have completed the environmental study and need to move ahead with the dredging in the dry months of late fall.

- Estimated cost: Not to exceed \$40,000
- Status: Environmental study complete, permitting & estimating underway
- Timing: Late Fall (November)

I will be accompanied at the meeting by board member and project architect, John Fifield to answer questions. Please let us know should you require additional information, and thank you again for your support.

Approved for submission
To Board of Finance (6/13/14)

Sincerely,

Tony McDowell
Executive Director

James S. Marpe
First Selectman

**Earthplace Pond Reclamation Project
10 Woodside Lane**

Estimated Expenses by Category

| | |
|---|-----------------|
| Environmental Consultant fee | \$2,000 |
| Surveyor fee | \$2,500 |
| Engineering fee | \$4,800 |
| Dredging estimate | \$25,000 |
| Observation Deck Construction Matl (est.) | \$3,000* |
| Deck Labor (est.) | <u>\$2,700*</u> |
| Project TOTAL | \$40,000 |

* Includes 50% in-kind contribution for materials and 50% volunteer labor

PIETRAS ENVIRONMENTAL GROUP, LLC

Date: August 12, 2014

Project Location: Proposed Restoration of Unnamed Pond at Earthplace, The Nature Discovery Center in Westport, CT

On the grounds of Earthplace- The Nature Discovery Center in Westport, CT is an existing, small pond the hydrology of which is sustained in part by flows from an unnamed, intermittent watercourse. The pond measures 35 to 55 feet wide by approximately 70 feet in length (approximately 3,000 sq. ft. in size). Earthplace proposes to dredge the pond in the fall of 2014 to remove accumulated leaf litter and organic storm-generated debris in order to restore the pond to its deeper original depth.

The pond was created in 1980 via excavation within an intermittent drainage way. The purpose of the pond's creation was for outdoor education at the nature center. The aquatic habitat provided by the pond is used as an outdoor classroom for Westport school children and other visitors. Over the years, the pond has accumulated organic debris from yearly leaf litter - a process that was recently accelerated within the last few years from the impact of notable storms (e.g., Storms Irene and Sandy, etc). The accumulation of this debris has resulted in the pond being partially filled in with sediment and organic debris. The proposed maintenance excavation will remove the accumulated sediments and organic debris and restore the pond to its original design depth .

The proposed excavation will occur during a seasonally dry period (late summer) when water levels in the pond are reduced and there is minimal to no stream flow into or out of the pond. Erosion and sedimentation (E & S) controls will be installed around the project limits prior to conducting any excavation activity. The newly excavated pond will have the same areal coverage as the former pond, but the depth will be restored to its original elevation. Machine access to the pond will be via a grassed pathway through a field. No tree clearing is necessary to access and conduct the dredging. The excavator will work from the field side of the pond. Disturbance will be minimized and there will be no alteration to the existing vegetation or soils that are present on the northern, eastern or southern sides of the pond. A majority of the excavation will be conducted from the upland, while some portions of the excavation will necessitate the excavator to work within the delineated limits of the resource. A wooden timber mat will be utilized when the machine is operating within the resource limits. All excavated material will be deposited into a truck that is to be parked outside of the wetlands. The truck will deposit the excavated material into a designated stockpile area which will be located well outside of the wetlands.

No deposition of fill materials into the wetlands is proposed for this restoration project.

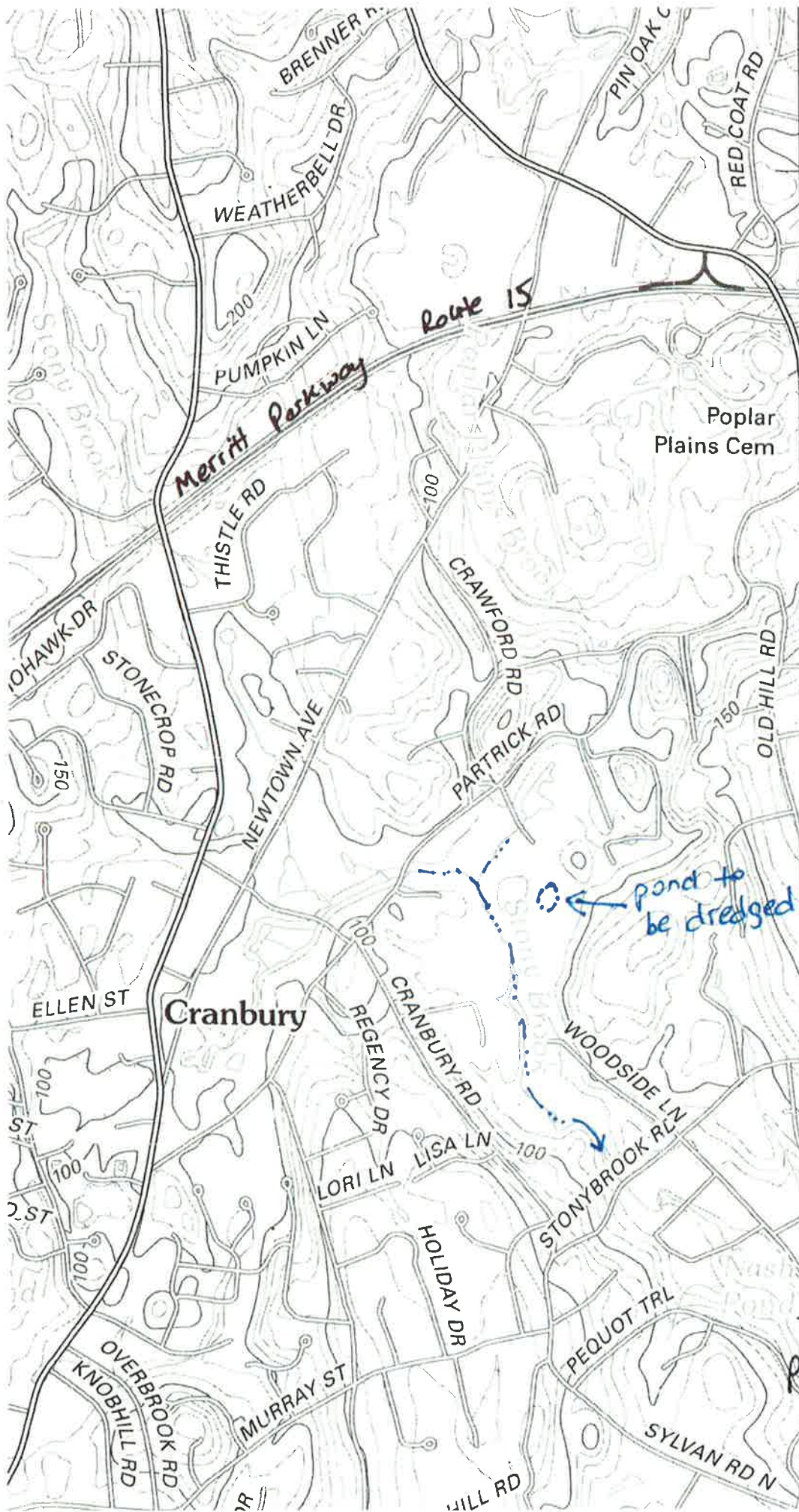
Following the pond excavation, a wetland herbaceous seed mix will be applied around the perimeter of the pond. Any disturbed upland soils will be seeded with an upland herbaceous conservation seed mix. Native shrubs that provide wildlife habitat value (food and cover) will be planted on the western side of the pond - an improvement over existing conditions.

Respectfully submitted,

Thomas W. Pietras, Professional Wetland and Soil Scientist

15 Briarwood Lane
Wallingford, CT 06492
203-314-6636

EMAIL Tom@pietrasenvironmentalgroup.com
WEB SITE pietrasenvironmetalgroup.com



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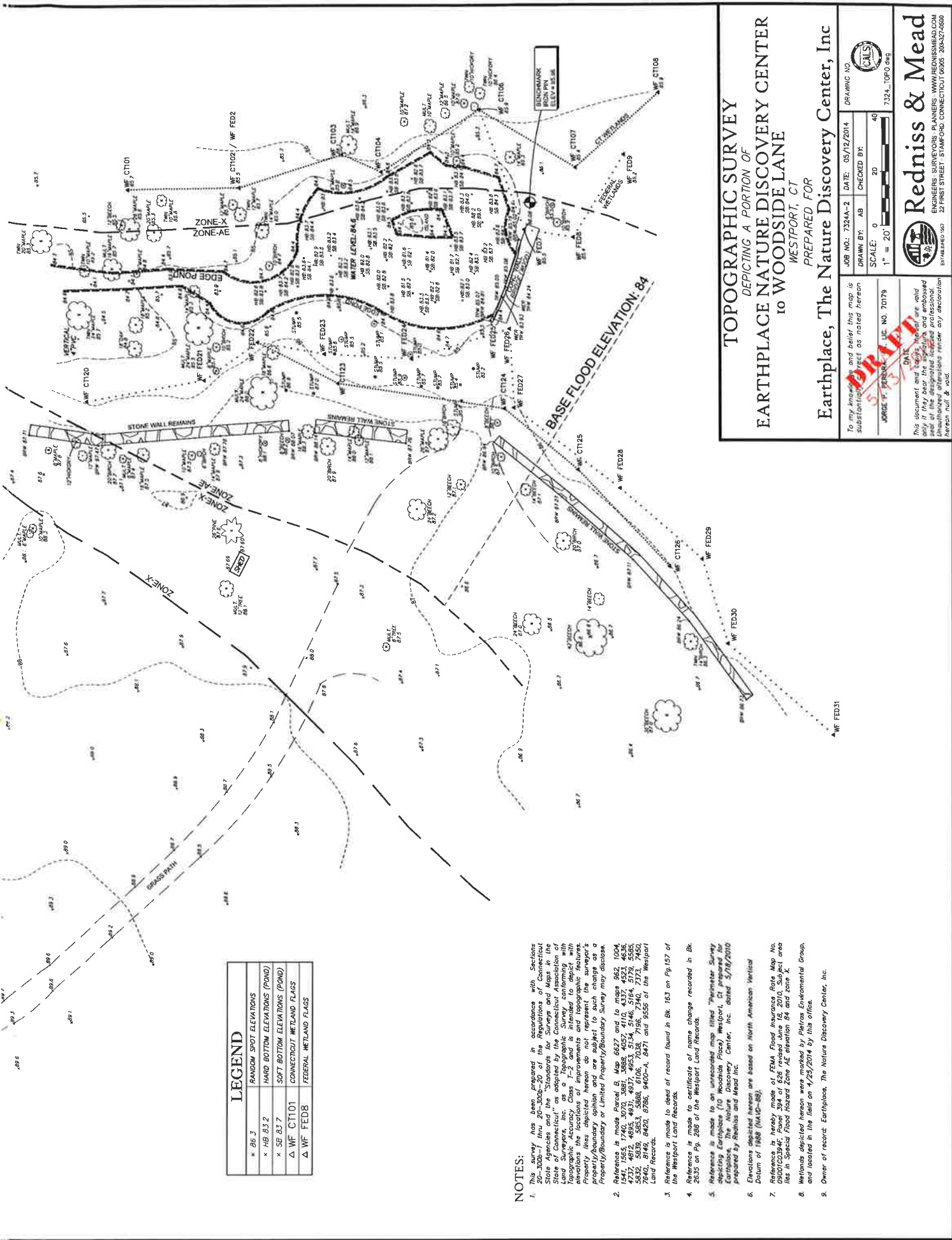
4558

4557

4556

Location Map
Eastplace
Westport, CT
Pond Restoration
Project

840



| LEGEND | |
|------------|-------------------------------|
| * B6.3 | RANDOM SPOT ELEVATIONS |
| x B6.3.2 | HARD BOTTOM ELEVATIONS (POND) |
| x SB B3.7 | SOFT BOTTOM ELEVATIONS (POND) |
| △ WF CT101 | CONNECTICUT WETLAND FLAGS |
| △ WF FED8 | FEDERAL WETLAND FLAGS |

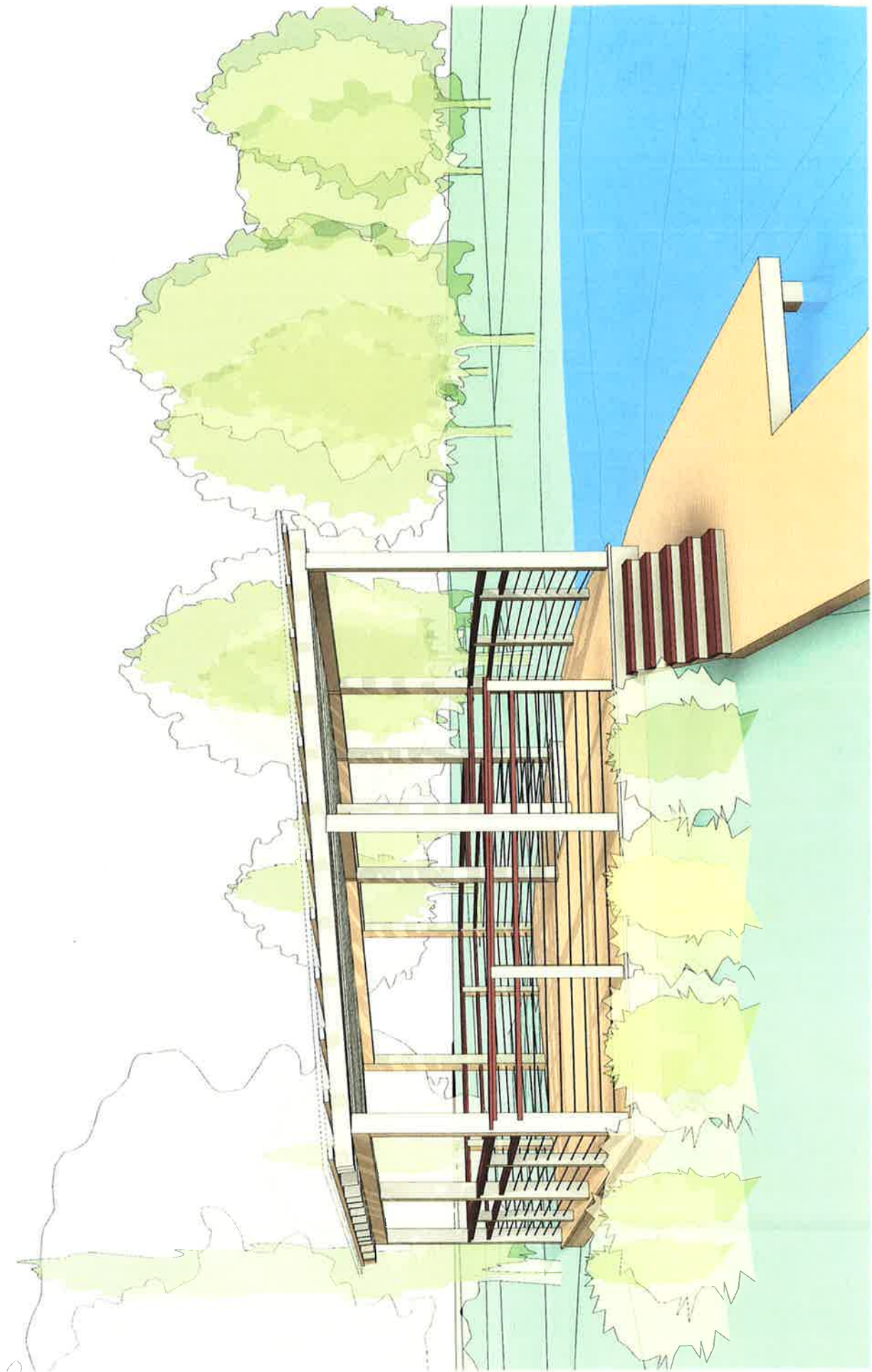
NOTES:

- The survey has been prepared in accordance with Sections 17-18 of the General Statutes of the State of Connecticut, the Standards for Surveys and Maps in the State of Connecticut as adopted by the Connecticut Association of Land Surveyors, Inc. as a Topographic Survey conforming with the standards of the National Society of Professional Surveyors. Elevation data depicted hereon do not represent the surveyor's property/boundary opinion and are subject to such change as a Property/Boundary or Limited Property/Boundary Survey may disclose.
- Reference is made to Parcel B, Map 6627 and to maps 662, 1004, 4737, 4812, 4895, 4937, 4937, 4953, 5154, 5146, 5164, 5173, 5595, 5832, 5839, 5853, 5888, 6108, 7038, 7196, 7340, 7373, 7450, 7640, 8146, 8420, 8786, 9400-A, 9471 and 9556 of the Westport Land Records.
- Reference is made to deed of record found in Bk. 183 on Pg.157 of the Westport Land Records.
- Reference is made to certificate of name change recorded in Bk. 2655 on Pg. 285 of the Westport Land Records.
- Reference is made to an unrecorded map titled "Thermometer Survey depicting Earthplace (10 Woodside Place) Westport, CT prepared for Earthplace, The Nature Discovery Center, Inc. dated 5/18/2010 prepared by Redhills and Mead Inc.
- Elevations depicted hereon are based on North American Vertical Datum of 1988 (NAVD-88).
- Reference is hereby made of FEMA Flood Insurance Rate Map No. 090700394F, Panel 394 of 826 revised June 18, 2010. Subject area lies in Special Flood Hazard Zone AE elevation 84 and zone X.
- Wetlands depicted hereon were marked by Fleiras Environmental Group, and located in the field on 4/25/2014 by the office.
- Owner of record: Earthplace, The Nature Discovery Center, Inc.

TOPOGRAPHIC SURVEY
 DEPICTING A PORTION OF
EARTHPLACE NATURE DISCOVERY CENTER
 TO WOODSIDE LANE
 WESTPORT, CT
 PREPARED FOR
Earthplace, The Nature Discovery Center, Inc

JOB NO: 7324A-2 DATE: 05/12/2014 DRAWING NO. 7324_100.dwg
 DRAWN BY: AB CHECKED BY: JG
 SCALE: 0 20 40
 1" = 20'
 JORGE F. REDHILLS, L.L.C. NO. 70179
 DAVE
 This document and the data herein are valid only if they bear the signature and embossed seal of the designated licensed professional. No other person shall make any declaration herein null & void.

Redhills & Mead
 ENGINEERS SURVEYORS PLANNERS WWW.REDHILLSANDMEAD.COM
 22 FIRST STREET, STAMFORD, CONNECTICUT 06305 203-327-0500



POND EDUCATION PLATFORM

Purpose

- To provide a space to conduct aquatic ecology, water quality monitoring, and other experiential and educational activities.
- To create a built structure that allows access to the water for participants without excessive muddiness and shore erosion.

Design Suggestions

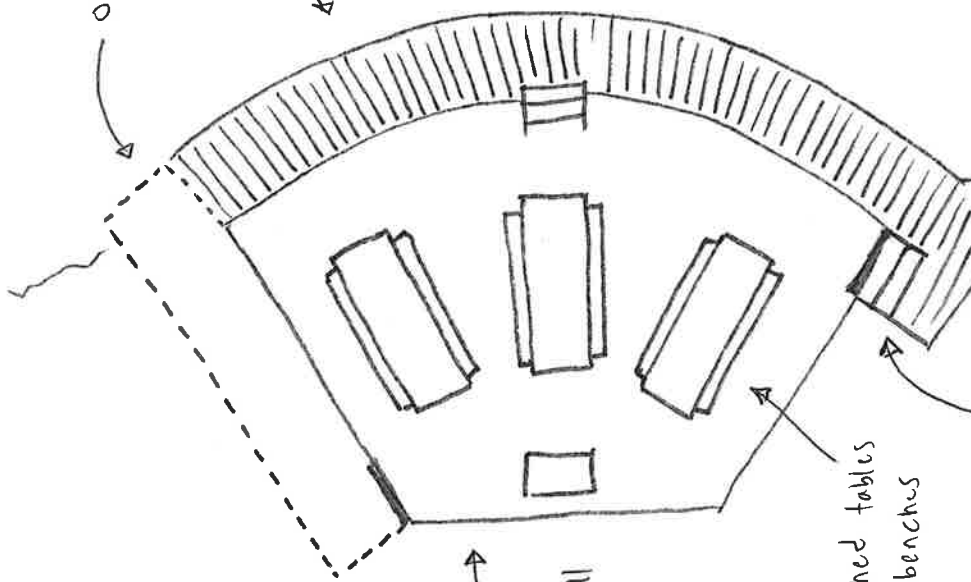
- Raised platform with a railing surrounding the edge
- Covered to provide shade and shelter from weather
- Seating for up to 25 participants
 - Permanent tables and benches or stools, oriented to allow for presentations.
 - A small table in front for a presenter.
 - Tables and benches must be attached to the floor and allow for easy drainage and drying.
- Along the pond side of the platform, a boardwalk that extends across the front of the platform and all the way back to the Swamp Loop.
 - Boardwalk should be wide enough to allow participants to sit and dip nets in the water while others walk behind them.
 - The boardwalk should not have a railing.
 - The height of the boardwalk would be determined by the height of the water (which will be more constant after the dredging?) and should allow easy access at an average depth.
- If accessibility for people unable to use stairs is desired, we suggest adding a ramp along the side of the platform farthest from the Swamp Loop, and eliminating the front entrance.

optional ramp for ADA accessibility



wrap-around boardwalk at water level

steps down to boardwalk



railing around all edges

attached tables and benches

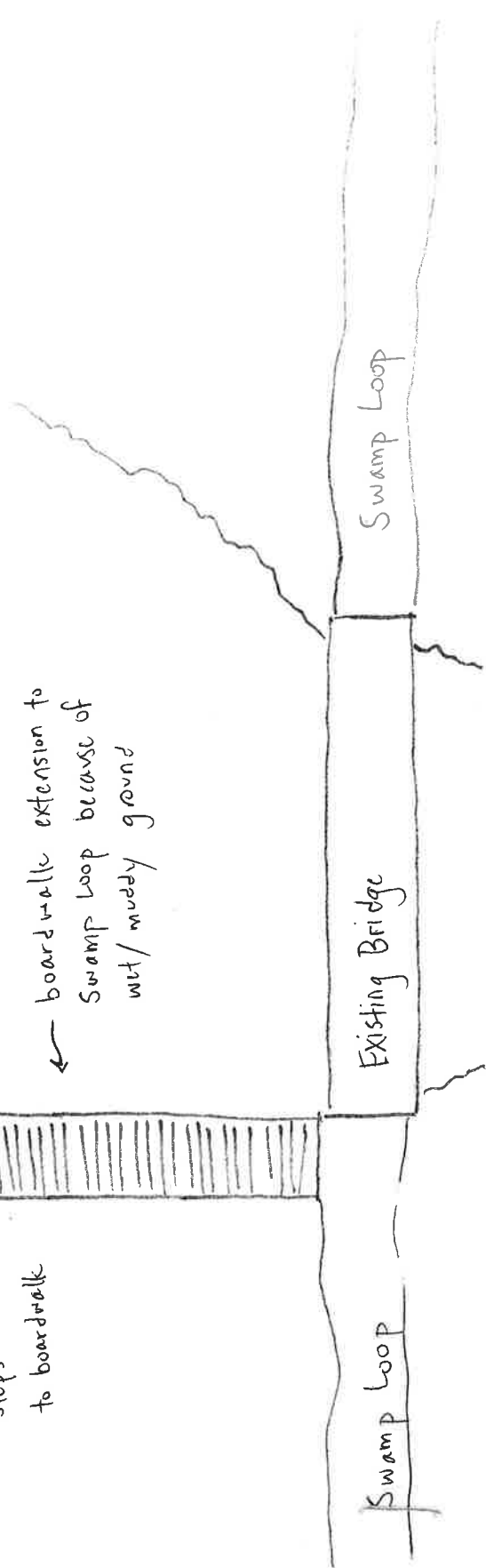
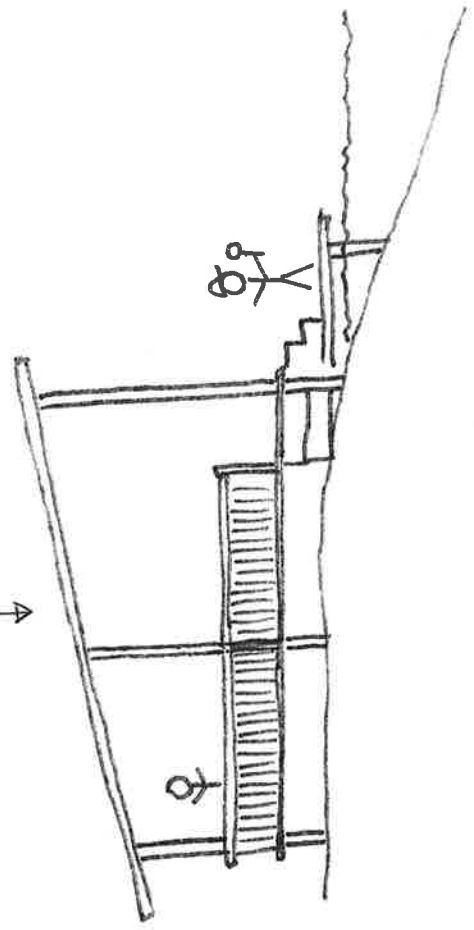
steps down to boardwalk



prawning snapping turtle

boardwalk extension to Swamp Loop because of wet/muddy ground

slanted roof for shedding rain/snow away from boardwalk



Swamp Loop

Existing Bridge

Swamp Loop

Item #12

Date: August 29, 2014

**TOWN OF WESTPORT
APPROPRIATION REQUEST FORM
BOARD OF EDUCATION – Security Communication Systems**

SECTION #1 (Who Is Making Request?)

Department: Board of Education

Requested by: Elliott Landon, Superintendent

SECTION #2 (What Is Being Requested?)

Appropriation Request Dollars: not to exceed \$750,000.00

Financing Structure:

SECTION #3 (Why Is Request Being Made?)

Operating Rationale: To upgrade all internal communication systems to better link the schools with all Town of Westport first responders and better protect students and staff from external and internal threats.

Demonstrated Need: Kroll report.

In Capital Forecast: Yes _____ No X

If No, Reason Why:

Change to Capital Forecast (Plus/Minus):

And Why Difference:

SECTION #4 (How To Evaluate Request From Financial perspective?)

Benchmarks (Comparable) Available:

Basis For Cost Estimate (Bidding process/Past Experience/Pro-Forma Estimates:
Pro-forma estimates. RFP to follow.

SECTION #5 (What is Process Required Preceding Or Following BOF & RTM Approvals?)

At its meeting of August 25, 2014, the Board of Education adopted a resolution to make a request of the Board of Finance for an appropriation not to exceed \$750,000.

List Approvals Required/Obtained/Pending (Attach All Submissions/Responses):

Any Public Hearings/Comments (Summarize & Provide Both Positive/Negative Examples):

Are any Required Approvals Not Granted Likely To Affect Funding Request? (Impact On Revenues or Reimbursements):

SECTION #6 (What Happens to Town Finances if Request Approved?)

Impact On Department's Current Budget Increase Over Last Year:

Requesting a capital appropriation.

Impact, If Any, On Department's Operating Costs (Plus Or Minus):

Ancillary Costs Associated with request (Maintenance Contracts, Supplies, etc.):

Useful Life of Capital Asset (Compared to Item Being Replaced and Other Benchmarks):

5 – 10 years.

Impact On Net Contribution to Town's Total Debt and Annual Debt Service:

Cost Per User (Or Per Use) Per Year:

Revenues Attached to Asset's Use, if Any:

**SECTION #7 (What Happens if Not Approved?
Alternatives to Request (Outsourcing, Rental, Leasing, etc.):**

Ramifications to Delaying or Denying Request:

Delay of security (communications) enhancements at all schools.

JAMES MARPE
FIRST SELECTMAN


Signature Date 8/29/14

ELLIOTT LANDON
SUPERINTENDENT OF SCHOOLS


Signature Date