



WESTPORT

TOWN OF WESTPORT
REPRESENTATIVE TOWN MEETING
REPRESENTATIVE TOWN MEETING PACKET
MARCH 7, 2023
07:30 PM



TOWN OF WESTPORT

REPRESENTATIVE TOWN MEETING AGENDA

MARCH 7, 2023
07:30 PM

Call

All Representative Town Meeting members and inhabitants of the Town of Westport are hereby notified that a meeting of the Representative Town Meeting members will be held on Tuesday, March 7, 2023, at 7:30 p.m. for the purposes listed below. There is no physical location for this meeting. It will be held electronically. If necessary, the meeting shall reconvene on Tuesday, March 21, 2023, to deal with any agenda items not disposed of at the adjournment of the March 7, 2023, meeting.

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:

Pursuant to Sections 163-167 of Senate Bill 1202, there will not be a physical location for this meeting. This meeting will be held electronically and live streamed on westportct.gov and shown on Optimum Government Access Channel 79 and Frontier Channel 6020. Meeting materials will be available at westportct.gov along with the meeting notice posted on the Meeting List & Calendar page.

INSTRUCTIONS TO ATTEND ZOOM MEETING:

Join Zoom Meeting

<https://us02web.zoom.us/j/82464328539?pwd=NDJFaXJnZGNZSGIMM2g3NIAyV1Yydz09>

Phone number: +1 646 876 9923 US (New York)

Meeting ID: 824 6432 8539

Passcode: 617388

PUBLIC COMMENTS:

Members of the Westport electorate attending the meeting by telephone or video may comment on any agenda item. Comments will be limited to 3 minutes.

Emails may be sent to RTMmailinglist@westportct.gov, which goes to all RTM members. These emails will not be read aloud during the meeting.

Attachment: [Resolutions.pdf](#)

Attachment: [Miscellaneous.pdf](#)

Item #1

To take such action as the meeting may determine, upon the recommendation of the RTM Rules Committee, to approve an amendment to Section 22-1 of the Code of Ordinances, establishing new and/or reaffirming voting districts following the 2020 Census as provided in Section C5-2 of the Town Charter. First reading.

Attachment: [Town Code Sec 22-1 as amended.pdf](#)

Attachment: [Ordinance Checklist.pdf](#)

Attachment: [Current RTM Map.pdf](#)

Attachment: [Proposed RTM Map.pdf](#)

Attachment: [Proposed District Breakdown.pdf](#)

Attachment: [RTM Rules _ Ordinance Committee Report Item _ 1.pdf](#)

Item #2

To take such action as the meeting may determine, upon the request of the Director of Public Works, to approve an appropriation in the amount of \$1,900,000.00 along with bond and note authorization, to the Sewer Reserve Fund Account for the replacement of Pump Station #3 Force Main Sewer Line and Pump Station Upgrades.

Attachment: [DPW Approp Pump Station _ 3 force Main Sewer Line Replacement and Upgrade BOF Approved 3.1.23 Item 2.pdf](#)

Item #3

To take such action as the meeting may determine, upon the request of the Director of Public Works, to approve an appropriation of \$416,

000.00 along with bond and note authorization to the Municipal Improvement Fund Account for additional funding for construction to extend the Sanitary Sewer System to Whitney Street, Roseville Road, Fernwood Road, Plumtree Lane, Pamela Place and Ledgemoor Lane.

Attachment: [DPW Approp Additional Funding Sanitary Sewer System Extension BOF Approved 3.1.23 Item 3.pdf](#)

Attachment: [DPW Approp Additional Funding Sanitary Sewer System Extension BOF 3.1.23 Item 3..pdf](#)

Item #4

To take such action as the meeting may determine, upon the request of the Director of Public Works, to approve an appropriation of \$790,000.00 along with bond and note authorization to the Municipal Improvement Fund Account for additional funding for construction to extend the Sanitary Sewer System to Evergreen Avenue, Evergreen Parkway, Tamarac Road, Lone Pine Lane, Gorham Avenue, Compo Road North and Brookside Drive.

Attachment: [DPW Approp Additional Funding Sanitary Sewer System Extension BOF Approved 3.1.23 Item 4.pdf](#)

Attachment: [DPW Approp Additional Funding Sanitary Sewer System Extension BOF 3.1.23 Item 4..pdf](#)

**RTM Meeting
March 7, 2023**

RESOLUTIONS

(1)

RESOLVED: That upon the recommendation of the RTM Rules Committee, amendments to Section 22-1 of the Code of Ordinances, establishing new and/or reaffirming voting districts following the 2020 Census as provided in Section C5-2 of the Town Charter are hereby approved. (First reading. Full text is as follows).

Sec. 22-1. - Establishment of RTM voting districts.

For the purpose of electing Town Meeting Representatives, the following voting districts shall remain in effect until new districts are established by ordinance and successors shall have taken office. Candidates shall run for election from the districts as set forth:

- (1) *District 1.* Beginning at a point located at the intersection of King's Highway South and the common Town line of Norwalk and Westport, being the northwest corner of the said district. Thence continuing in a southerly direction along the Norwalk and Westport common Town line to the shoreline. Thence continuing in a general easterly, then northerly direction following the shoreline to the eastern end of Old Mill Road. Thence continuing in a westerly direction along the centerline of Old Mill Road to the intersection with Hillspoint Road. Thence continuing in a northerly direction along the centerline of Hillspoint Road to the intersection with Burnham Hill. Thence continuing in a westerly then southerly direction to the southern most point of Burnham Hill then continue to the northern most point of Minute Man Hill. Thence continuing generally in a southwesterly direction along the centerline of Minute Man Hill to Compo Road South. Thence continuing in a northerly direction along the centerline of Compo Road South to Bridge Street. Thence continuing generally in a westerly direction along the centerline of Bridge Street to the intersection with Riverside Avenue. Thence continuing in a northwesterly direction along the centerline of Riverside Avenue to the intersection with Treadwell Avenue. Thence continuing in a westerly direction along the centerline of Treadwell Avenue to the intersection with King's Highway South. Thence continuing in a southwesterly direction along the centerline of King's Highway South to the intersection with the common Town line of Norwalk and Westport to the point and place of beginning.
- (2) *District 2.* Beginning at a point located at the common Town line of Westport and Norwalk and the intersection with the Merritt Parkway, being the northwest corner of the said district. Thence continuing in an easterly direction along the centerline of the Merritt Parkway to the intersection with ~~Newtown Turnpike. Thence continuing in a northerly direction along the center line of Newtown Tpk to the intersection of~~ Wilton Road. Thence continuing in a southerly direction along the centerline of Wilton Road to the intersection of Post Road West. Thence continuing in a southerly and southwesterly direction along the centerline of Riverside Avenue to the intersection with Treadwell Avenue. Thence continuing in a westerly direction along the centerline of Treadwell Avenue to the intersection with Kings Highway South. Thence continuing in a southwesterly direction along the centerline of King's Highway South continuing to the intersection with the common Town line of Norwalk and Westport. Thence continuing in a northerly and northwesterly direction along the common Town line of Norwalk and Westport to the intersection with the Merritt Parkway to the point and place of beginning.

- (3) *District 3.* Beginning at a point located at the intersection of the common Town line of Weston and Westport and the centerline of Lyons Plains Road, being the northeast corner of the said district. Thence continuing generally in a southerly direction along the centerline of Lyons Plains Road to the intersection with Weston Road. Thence continuing generally in a southerly direction along the centerline of Weston Road to the intersection with Cross Highway. Thence continuing in a southwesterly direction along the centerline of Cross Highway and continuing in a southerly direction to the intersection of Main Street. Thence continuing generally in a southerly direction along the centerline of Main Street to the intersection of Canal Street. Thence continuing in a southwesterly direction along the centerline of Canal Street and following along the centerline of Kings Highway North to the intersection with Wilton Road. Thence continuing in a northerly direction along the centerline of Wilton Road to the intersection with ~~Newtown Turnpike. Thence continuing in a southerly direction along the centerline of Newtown Turnpike to the intersection of~~ the Merritt Parkway. Thence continuing in westerly direction along the centerline of the Merritt Parkway to the intersection with the common Town line of Norwalk and Westport. Thence continuing in a northerly direction along the common Town line of Norwalk and Westport continuing in a northerly direction along the same line which becomes the common Town line of Wilton and Westport still continuing northeasterly to the intersection with Cavalry Road. Thence continuing in a southeasterly direction along the common Town line of Weston and Westport thence continuing northeasterly along the common Town line of Weston and Westport to the intersection of Lyons Plains Road to the point and place of beginning.
- (4) *District 4.* Beginning at a point located at the intersection of Post Road East and Compo Road South, being the northwest corner of the said district. Thence continuing generally in a southerly direction along the centerline of Compo Road South to the intersection with Minute Man Hill. Thence continuing generally in a northeasterly direction along the centerline of Minute Man Hill to the northern most point of Minute Man Hill and thence connecting to the southern most point of Burnham Hill. Thence continuing in a northerly and then easterly direction along the centerline of Burnham Hill to the intersection with Hillspoint Road. Thence continuing in a southerly direction along the centerline of Hillspoint Road to the intersection with Old Mill Road. Thence continuing in an easterly direction along the centerline of Old Mill Road to the shoreline. Thence continuing in a southeasterly direction following along the shoreline to the intersection with the Sherwood Island Connector. Thence continuing generally in a northerly direction along the centerline of the Sherwood Island Connector to the intersection with Interstate 95. Thence continuing generally in a westerly direction along the centerline of Interstate 95 to the intersection with Hillspoint Road. Thence continuing in a northerly direction along the centerline of Hillspoint Road to the intersection with Greens Farms Road. Thence continuing generally in a northeasterly direction along the centerline of Greens Farms Road to the intersection with Prospect Road. Thence continuing in a northwesterly direction along the centerline of Prospect Road to the intersection with Hillspoint Road. Thence continuing generally in a northeasterly direction along the centerline of Hillspoint Road to the intersection with Post Road East. Thence continuing in a westerly direction along the centerline of Post Road East to the intersection with Compo Road South to the point and place of beginning.
- (5) *District 5.* Commencing at a point located at the intersection of Post Road East with the common Town line of Fairfield and Westport, being the northeastern most corner of the said district. Thence continuing in a westerly direction along the centerline of Post Road East to the intersection with Hillspoint Road. Thence continuing in a southerly direction along the centerline of Hillspoint Road to the intersection with Prospect Road. Thence continuing generally in a southerly direction along the centerline of Prospect Road to the intersection of Greens Farms Road. Thence continuing in a southwesterly direction along the centerline of Greens Farms Road to the intersection with Hillspoint Road. Thence continuing in a southerly direction along the centerline of Hillspoint Road to the intersection with Interstate 95. Thence continuing in an easterly direction along the centerline of Interstate 95 to the intersection with the Sherwood Island Connector. Thence continuing in a southeasterly direction along the centerline of the Sherwood Island Connector and continuing in a southerly direction to the Long Island Sound shoreline. Thence continuing generally in a northeasterly direction along the Long Island Sound shoreline to the common corner

of the Westport and Fairfield Town boundary. Thence continuing generally in a northerly direction along the common Town line of Westport and Fairfield to the point and place of beginning.

- (6) *District 6.* Beginning at a point located at the intersection of Cross Highway and Roseville Road being in the northwest corner of said district. Thence continuing in a southerly direction along the centerline of Roseville Road to the intersection with Lost Lodge Road. Thence continuing in a southwesterly direction along the centerline of Lost Lodge Road to the intersection with the watercourse known as Dead Man's Brook. Thence continuing generally in a westerly direction along the centerline of the watercourse known as Dead Man's Brook to the intersection with Compo Road North. Thence continuing in a southerly direction along the centerline of Compo Road North to the intersection with Post Road East. Thence continuing in an easterly direction along the centerline of Post Road East to the intersection with Turkey Hill Road North. Thence continuing in a northerly direction along the centerline of Turkey Hill Road North to the intersection with the watercourse known as Muddy Brook. Thence continuing in a northeasterly direction along the centerline of the watercourse known as Muddy Brook to the intersection with Long Lots Road. Thence continuing generally in a westerly direction along the centerline of Long Lots Road to the intersection with North Avenue. Thence continuing in a northerly direction along the centerline of North Avenue to the intersection with Pleasant Valley Lane. Thence continuing in a westerly then northerly direction along the centerline of Pleasant Valley Lane to the end of the cul-de-sac. Thence continuing northerly along the eastern boundaries of 21 Pleasant Valley Lane and 14 Abbott's Lane to the end of the cul-de-sac of Abbott's Lane. Thence continuing northerly along the centerline of Abbott's Lane of Melon Patch Lane. Thence continuing in an easterly direction along the centerline of Melon Patch Lane to the intersection with the watercourse known as Dead Man's Brook. Thence continuing in a northerly direction along the centerline of the watercourse known as Dead Man's Brook to the intersection with Cross Highway. Thence continuing in a westerly direction along the centerline of Cross Highway to the intersection with Roseville Road to the point and place of beginning.
- (7) *District 7.* Beginning at a point located at the intersection of Cross Highway and the watercourse known as Dead Man's Brook, being the northwest corner of the said district. Thence continuing in a southerly direction along the western boundary of 130 Cross Highway to the northern boundary of 5 Melon Patch Lane. Thence continuing westerly along the northern boundary and southerly along the western boundary of 5 Melon Patch Lane. Thence continuing in a southerly direction along the centerline of the watercourse known as Dead Man's Brook to the intersection with Melon Patch Lane. Thence continuing in a westerly direction along the centerline of Melon Patch Lane to the intersection with North Avenue. Thence continuing in a southerly direction along the centerline of North Avenue to the intersection with Long Lots Road. Thence continuing in an easterly direction along the centerline of Long Lots Road to the intersection with the watercourse known as Muddy Brook. Thence continuing in a southwesterly direction along the centerline of the watercourse known as Muddy Brook to the intersection with Turkey Hill Road North. Thence continuing in a southerly direction along the centerline of Turkey Hill Road North to the intersection with Post Road East. Thence continuing in an easterly direction along the centerline of Post Road East to the common Town line of Westport and Fairfield. Thence continuing northerly along the common Town line of Westport and Fairfield to the intersection with Cross Highway. Thence continuing in a westerly direction along the centerline of Cross Highway to the intersection with the watercourse known as Dead Man's Brook to the point and place of beginning.
- (8) *District 8.* Beginning at a point located at the intersection of Cross Highway and Sturges Highway, being the southeast corner of said district. Thence continuing in a northerly direction, along the shared Town Line of Westport and Fairfield to the common corner of the Towns of Westport, Weston and Fairfield. Thence continuing in a southwesterly direction along the common Town line of Westport and Weston to the intersection of Lyons Plains Road. Thence continuing in a southerly direction to the intersection of Weston Road. Thence continuing generally in a southerly direction along the centerline of Weston Road to the intersection with Cross Highway. Thence continuing generally in an easterly direction along the centerline of Cross Highway to the intersection with the watercourse known as Dead Man's Brook. Thence continuing southerly along the eastern and southern boundary of 128 Cross Highway. Thence continuing southerly

along the eastern boundary of 118 North Avenue and 1 Melon Patch Lane to the intersection with Melon Patch Lane. Thence continuing westerly along the centerline of Melon Patch Lane to the intersection with North Avenue. Thence continuing southerly along the centerline of North Avenue to the intersection with Pleasant Valley Lane. Thence continuing in a westerly then northerly direction along the centerline of Pleasant Valley Lane to the end of the cul-de-sac. Continuing thence northerly along the west boundaries of 20 Pleasant Valley Lane, Lot 66, and 15 Abbott's Lane to the end of the cul-de-sac of Abbott's Lane. Thence continuing northerly along the centerline of Abbott's Lane to the intersection with Cross Highway. Thence continuing westerly along the centerline of Cross Highway the point and place of beginning.

- (9) *District 9.* Beginning at a point located at the intersection of Wilton Road and Kings Highway North in the northwest corner of the said district. Thence continuing generally in a northeasterly direction along the centerline of King's Highway North continuing along the centerline of Canal Street to the intersection of Main Street. Thence continuing in a northerly direction along the centerline of Main Street to the intersection of Cross Highway. Thence continuing in a northeasterly direction along the centerline of Cross Highway to the intersection of Roseville Road. Thence continuing in a southerly direction along the centerline of Roseville Road to the intersection with Lost Lodge Road. Thence continuing in a southwesterly direction along the centerline of Lost Lodge Road to the intersection with the watercourse known as Dead Man's Brook. Thence continuing generally in a westerly direction along the centerline of the watercourse known as Dead Man's Brook to the intersection with Compo Road North. Thence continuing in a southerly direction along the centerline of Compo Road North to the intersection with Post Road East. Thence continuing in a southerly direction along the centerline of Compo Road South to the intersection with Bridge Street. Thence continuing generally in a westerly direction along the centerline of Bridge Street to the intersection with Riverside Avenue. Thence continuing generally in a northerly direction along the centerline of Riverside Avenue to the intersection with Post Road West. Thence continuing in a northerly direction along the centerline of Wilton Road to the intersection with King's Highway North to the point and place of beginning.

(Code 1981, § 41-2; [Ord. of 4-19-2013](#).)

(2)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$1,900,000.00 along with bond and note authorization, to the Sewer Reserve Fund Account for the replacement of Pump Station #3 Force Main Sewer Line and Pump Station Upgrades is hereby appropriated.

TOWN OF WESTPORT, CONNECTICUT

A RESOLUTION APPROPRIATING \$1,900,000 FOR COSTS ASSOCIATED WITH UPGRADES TO PUMP STATION NO. 3 AND THE REPLACEMENT OF THE PUMP STATION NO. 3 FORCE MAIN AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION.

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the "Town") hereby appropriates the sum of One Million Nine Hundred Thousand and 00/100 Dollars (\$1,900,000.00) for costs associated with upgrades to Pump Station No. 3 and the replacement of the Pump Station No. 3 force main located

within Pasacreta Park including site work, equipment, engineering and inspection costs and related administrative, financing and other soft costs (the "Project").

Section 1. As recommended by the Board of Finance and for the purpose of financing One Million Nine Hundred Thousand and 00/100 Dollars (\$1,900,000.00) of the foregoing appropriation, the Town is hereby authorized to borrow a sum not to exceed One Million Nine Hundred Thousand and 00/100 Dollars (\$1,900,000.00) and issue general obligation bonds for such indebtedness under its corporate name and seal and upon the full faith and credit of the Town in an amount not to exceed said sum for the purpose of financing the appropriation for the Project. As part of the final costs, the Town may levy a benefit assessment for the Project costs upon the properties bounding the Project which are especially benefited thereby. The Town may also use available moneys from the Sewer Reserve Fund to pay any debt service costs for indebtedness related to the Project.

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

Section 3. The Bonds may be designated "Public Improvement Bonds" or "Sewer Bonds" series of the year of their issuance and may be issued in one or more series, and may be consolidated as part of the same issue with other bonds of the Town; shall be in serial form maturing in not more than twenty (20) annual installments of principal, the first installment to mature not later than three (3) years from the date of issue and the last installment to mature not later than twenty (20) years therefrom, or as otherwise provided by statute. The bonds may be sold at not less than par and accrued interest at public sale upon invitation for bids to the responsible bidder submitting the bid resulting in the lowest true interest cost to the Town, provided that nothing herein shall prevent the Town from rejecting all bids submitted in response to any one invitation for bids and the right to so reject all bids is hereby reserved, and further provided that the Committee may sell the bonds, or notes, on a negotiated basis, as provided by statute. Interest on the bonds shall be payable semiannually or annually. The bonds shall be signed on behalf of the Town by the First Selectman and the Finance Director, and shall bear the seal of the Town. The signing, sealing and certification of said bonds may be by facsimile as provided by statute. The Finance Director shall maintain a record of bonds issued pursuant to this resolution and of the face amount thereof outstanding from time to time, and shall certify to the destruction of said bonds after they have been paid and cancelled, and such certification shall be kept on file with the Town Clerk.

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

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

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

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

Section 8. The Town of Westport, or other proper authority of the Town, is authorized to take all necessary action to apply to the State of Connecticut, and accept from the State or other parties, grants, gifts and contributions in aid of further financing the Project. Once the appropriation becomes effective, the First Selectman, or other appropriate official of the town, is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the Project and is specifically authorized to make, execute and deliver any contracts or other documents necessary or convenient to complete the Project and the financing thereof.

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

provisions of the Town Charter, the Connecticut General Statutes, and the laws of the United States.

(3)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$416,000.00 along with bond and note authorization to the Municipal Improvement Fund Account for additional funding for construction to extend the Sanitary Sewer System to Whitney Street, Roseville Road, Fernwood Road, Plumtree Lane, Pamela Place and Ledgemoor Lane is hereby appropriated.

TOWN OF WESTPORT, CONNECTICUT

A RESOLUTION INCREASING THE APPROPRIATION AND BOND AUTHORIZATION BY \$416,000 FOR COSTS ASSOCIATED WITH THE CONSTRUCTION OF AN EXTENSION OF A PUBLIC SANITARY SEWER SYSTEM ALONG WHITNEY STREET, ROSEVILLE ROAD, FERNWOOD ROAD, PLUMTREE LANE, PAMELA PLACE AND LEDGEMOOR LANE

WHEREAS, on April 5, 2022, the Representative Town Meeting (the "RTM") of the Town of Westport, Connecticut (the "Town") approved a resolution entitled: "RESOLUTION APPROPRIATING \$1,431,000 FOR COSTS ASSOCIATED WITH THE CONSTRUCTION OF AN EXTENSION OF A PUBLIC SANITARY SEWER SYSTEM AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION (the "Resolution"); and

WHEREAS, due to increased costs for the project not previously anticipated, the Town desires to increase the appropriation and bond authorization by \$416,000 for a total appropriation and bond authorization of \$1,847,000; and

WHEREAS, it is necessary for the Town to amend and restate the Resolution to reflect the increased appropriation and bond authorization; and

NOW, THEREFORE, BE IT RESOLVED, that the Resolution is hereby amended and restated to provide as follows:

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the "Town") hereby appropriates the sum of One Million Eight Hundred Forty-Seven Thousand and 00/100 Dollars (\$1,847,000.00) for costs associated with the construction of an extension of a public sanitary sewer system along Whitney Street, Roseville Road, Fernwood Road, Plumtree Lane, Pamela Place and Ledgemoor Lane including site work, equipment, engineering and inspection costs and related administrative, financing and other soft costs (the "Project").

Section 1. As recommended by the Board of Finance and for the purpose of financing One Million Eight Hundred Forty-Seven Thousand and 00/100 Dollars (\$1,847,000.00) of the foregoing appropriation, the Town shall borrow a sum not to exceed One Million Eight Hundred Forty-Seven Thousand and 00/100 Dollars (\$1,847,000.00) and issue general obligation bonds for such indebtedness under its corporate name and seal and upon the full faith and credit of the Town in an amount not to exceed said sum for the purpose of financing the appropriation for the Project. As part of the final sewer construction costs, the Town expects to levy a benefit assessment for the Project costs upon the properties bounding the Project which are especially benefited thereby.

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

Section 3. The Bonds may be designated "Public Improvement Bonds" or "Sewer Bonds" series of the year of their issuance and may be issued in one or more series, and may be consolidated as part of the same issue with other bonds of the Town; shall be in serial form maturing in not more than twenty (20) annual installments of principal, the first installment to mature not later than three (3) years from the date of issue and the last installment to mature not later than twenty (20) years therefrom, or as otherwise provided by statute. The bonds may be sold at not less than par and accrued interest at public sale upon invitation for bids to the responsible bidder submitting the bid resulting in the lowest true interest cost to the Town, provided that nothing herein shall prevent the Town from rejecting all bids submitted in response to any one invitation for bids and the right to so reject all bids is hereby reserved, and further provided that the Committee may sell the bonds, or notes, on a negotiated basis, as provided by statute. Interest on the bonds shall be payable semiannually or annually. The bonds shall be signed on behalf of the Town by the First Selectwoman and the Finance Director, and shall bear the seal of the Town. The signing, sealing and certification of said bonds may be by facsimile as provided by statute. The Finance Director shall maintain a record of bonds issued pursuant to this resolution and of the face amount thereof outstanding from time to time, and shall certify to the destruction of said bonds after they have been paid and cancelled, and such certification shall be kept on file with the Town Clerk.

Section 4. The Committee is further authorized to make temporary borrowings as permitted by the General Statutes and to issue a temporary note or notes of the Town in anticipation of the receipt of proceeds from the sale of the bonds to be issued pursuant to this resolution. Such notes shall be issued and renewed at such times and with such

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

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

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

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

Section 8. The Town of Westport, or other proper authority of the Town, is authorized to take all necessary action to apply to the State of Connecticut, and accept from the State or other parties, grants, gifts and contributions in aid of further financing the Project. Once the appropriation becomes effective, the First Selectwoman, or other appropriate official of the town, is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the Project and is specifically authorized to make, execute and deliver any contracts or other documents necessary or convenient to complete the Project and the financing thereof.

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

(4)

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Director of Public Works, the sum of \$790,000.00 along with bond and note authorization to the Municipal Improvement Fund Account for additional funding for construction to extend the Sanitary Sewer System to Evergreen Avenue, Evergreen Parkway, Tamarac Road, Lone Pine Lane, Gorham Avenue, Compo Road North and Brookside Drive is hereby appropriated.

TOWN OF WESTPORT, CONNECTICUT

A RESOLUTION INCREASING THE APPROPRIATION AND BOND AUTHORIZATION BY \$790,000 FOR COSTS ASSOCIATED WITH THE CONSTRUCTION OF AN EXTENSION OF A PUBLIC SANITARY SEWER SYSTEM ALONG EVERGREEN AVENUE, EVERGREEN PARKWAY, TAMARAC ROAD, LONE PINE LANE, GORHAM AVENUE, COMPO ROAD NORTH AND BROOKSIDE DRIVE

WHEREAS, on April 5, 2022, the Representative Town Meeting (the "RTM") of the Town of Westport, Connecticut (the "Town") approved a resolution entitled: "A RESOLUTION APPROPRIATING \$3,100,000 FOR COSTS ASSOCIATED WITH THE CONSTRUCTION OF AN EXTENSION OF A PUBLIC SANITARY SEWER SYSTEM AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION" (the "Resolution"); and

WHEREAS, due to increased costs for the project not previously anticipated, the Town desires to increase the appropriation and bond authorization by \$790,000 for a total appropriation and bond authorization of \$3,890,000; and

WHEREAS, it is necessary for the Town to amend and restate the Resolution to reflect the increased appropriation and bond authorization; and

NOW, THEREFORE, BE IT RESOLVED, that the Resolution is hereby amended and restated to provide as follows:

RESOLVED: That upon the recommendation of the Board of Finance, the Town of Westport, Connecticut (the "Town") hereby appropriates the sum of Three Million Eight Hundred Ninety Thousand and 00/100 Dollars (\$3,890,000) for costs associated with the construction of an extension of a public sanitary sewer system along Evergreen Avenue, Evergreen Parkway, Tamarac Road, Lone Pine Lane, Gorham Avenue, Compo Road North and Brookside Drive including site work, equipment, engineering and inspection costs and related administrative, financing and other soft costs (the "Project").

Section 1. As recommended by the Board of Finance and for the purpose of financing Three Million Eight Hundred Ninety Thousand and 00/100 Dollars (\$3,890,000) of the foregoing appropriation, the Town shall borrow a sum not to exceed Three Million Eight Hundred Ninety Thousand and 00/100 Dollars (\$3,890,000) and issue general obligation bonds for such indebtedness under its corporate name and seal and upon the full faith and credit of the Town in an amount not to exceed said sum for the purpose of financing the

appropriation for the Project. As part of the final sewer construction costs, the Town expects to levy a benefit assessment for the Project costs upon the properties bounding the Project which are especially benefited thereby.

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

Section 3. The Bonds may be designated "Public Improvement Bonds" or "Sewer Bonds" series of the year of their issuance and may be issued in one or more series, and may be consolidated as part of the same issue with other bonds of the Town; shall be in serial form maturing in not more than twenty (20) annual installments of principal, the first installment to mature not later than three (3) years from the date of issue and the last installment to mature not later than twenty (20) years therefrom, or as otherwise provided by statute. The bonds may be sold at not less than par and accrued interest at public sale upon invitation for bids to the responsible bidder submitting the bid resulting in the lowest true interest cost to the Town, provided that nothing herein shall prevent the Town from rejecting all bids submitted in response to any one invitation for bids and the right to so reject all bids is hereby reserved, and further provided that the Committee may sell the bonds, or notes, on a negotiated basis, as provided by statute. Interest on the bonds shall be payable semiannually or annually. The bonds shall be signed on behalf of the Town by the First Selectwoman and the Finance Director, and shall bear the seal of the Town. The signing, sealing and certification of said bonds may be by facsimile as provided by statute. The Finance Director shall maintain a record of bonds issued pursuant to this resolution and of the face amount thereof outstanding from time to time, and shall certify to the destruction of said bonds after they have been paid and cancelled, and such certification shall be kept on file with the Town Clerk.

Section 4. The Committee is further authorized to make temporary borrowings as permitted by the General Statutes and to issue a temporary note or notes of the Town in anticipation of the receipt of proceeds from the sale of the bonds to be issued pursuant to this resolution. Such notes shall be issued and renewed at such times and with such maturities, requirements and limitations as provided by statute. Notes evidencing such borrowings shall be signed by the First Selectwoman and the Finance Director, have the seal of the Town affixed, which signing and sealing may be by facsimile as provided by statute, be certified by and payable at a bank or trust company incorporated under the laws of this or any other state, or of the United States, be approved as to their legality by bond counsel, and may be consolidated with the issuance of other Town bond anticipation notes.

The Committee shall determine the date, maturity, interest rates, form and manner of sale, including negotiated sale, and other details of said notes consistent with the provisions of this resolution and the General Statutes and shall have all powers and authority as set forth above in connection with the issuance of bonds and especially with respect to compliance with the requirements of the Internal Revenue Code of 1986, as amended, and regulations thereunder in order to obtain and maintain issuance of the notes in tax exempt form.

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

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

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

Section 8. The Town of Westport, or other proper authority of the Town, is authorized to take all necessary action to apply to the State of Connecticut, and accept from the State or other parties, grants, gifts and contributions in aid of further financing the Project. Once the appropriation becomes effective, the First Selectwoman, or other appropriate official of the town, is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the Project and is specifically authorized to make, execute and deliver any contracts or other documents necessary or convenient to complete the Project and the financing thereof.

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



WESTPORT
CONNECTICUT

Jennifer S. Tooker, First Selectwoman

RECEIVED FOR RECORD
WESTPORT TOWN CLERK

2023 FEB -9 A 11:19

Jeffrey M. Dunkerton
JEFFREY M.
DUNKERTON

February 8, 2023

Jeffrey Wieser, RTM Moderator
110 Myrtle Avenue
Westport, CT 06880

Re: Accepted Gifts to Town

Dear Jeff:

In accordance with the Policy for Gifts to Town, attached please find the Annual Accounting Report of:

- 1) Aggregate monetary donations under \$5,001 that were approved by the First Selectwoman during the calendar year 2022 (TOTAL: \$157,749.00)
- 2) Aggregate monetary donations between \$5,001 and 20,000 approved and accepted by the Board of Selectmen during the calendar year 2022. (TOTAL: \$15,400.00)

Thank you.

Eileen Francis
Office Manager

attachments

Cc: Jeff Dunkerton, Town Clerk
Gary Conrad, Finance Director

Town Hall • 110 Myrtle Avenue • Westport, CT 06880 • (203) 341-1111 • Fax (203) 341-1038
Email: selectwoman@westportct.gov • Website: www.westportct.gov

GIFTS UNDER 5,001
2022

		HUMAN SERVICES *	POLICE	FIRE	PARKS & REC	TOTAL
1/19/2022	GIFTS UNDER 5K - TO K-9 ACCT		\$ 2,500.00			
2/9/2022	GIFT UNDER 5 K FOR K-9 ESCROW		\$ 500.00			
2/17/2022	LA MENDOLA + ASHTON DONATIONS			\$ 200.00		
3/25/2022	K-9 ESCROW DONATION		\$ 300.00			
3/29/2022	K-9 ESCROW DONATION		\$ 200.00			
4/5/2022	AGGREGATE GIFTS UNDER 5K JAN - MARCH 2022	\$ 35,315.00				
4/18/2022	3 DONATIONS AGGREGATE TOTAL FOR WAKEMAN BASEBALL				\$ 11,500.00	
5/2/2022	DONATION(S) UNDER 5K K-9		\$ 500.00			
6/14/2022	K-9 DONATIONS (2)		\$ 360.00			
6/27/2022	K9 DONATION (WWCofc)		\$ 500.00			
7/6/2022	GIFT UNDER 5 K			\$ 1,000.00		
8/25/2022	GIFT UNDER 5 K FOR K-9 UNIT (EARTH ANIMAL)		\$ 150.00			
10/18/2022	AGGREGATE GIFTS UNDER 5K APRIL - SEPT	\$ 28,490.00				
12/1/2022	GIFTS UNDER 5K TO K9		\$ 100.00			
12/9/2022	K-9 DONATION		\$ 100.00			
1/9/2023	AGGREGATE GIFTS UNDER 5K OCT - DEC 2022	\$ 76,034.00				
	TOTAL	\$ 139,839.00	\$ 5,210.00	\$ 1,200.00	\$ 11,500.00	\$ 157,749.00
	GIFTS \$5,001 - \$20,000 APPROVED BY BOS 2022					
1/12/2022	ANONYMOUS GIFT	\$ 10,000.00				
6/22/2022	WESTPORT WESTON FOUNDATION	\$ 5,400.00				
		\$ 15,400.00				
	TOTALS 2022	\$ 155,239.00	\$ 5,210.00	\$ 1,200.00	\$ 11,500.00	\$ 173,149.00

* HUMAN SERVICES ACCOUNTS: Areas of Need (General Escrow), Barbara Butler Fund, Back to School Program, Campership, Ceremonies & Celebrations, Club 203, Families in Need, TEAM Westport, Warm-up Fund, WCSA + Senior Client Needs, Youth Services + Toquet Hall Programming

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TOWN OF WESTPORT

POLICY FOR GIFTS TO TOWN (Approved 7/15/98; Amended 10/28/98; Revised 11/12/14)

1. Purpose.
2. Monetary donations.
3. Nonmonetary gifts.
4. Criteria for acceptance of gifts; tax considerations.
5. Naming/Dedication as a condition.
6. Administrative procedures.

1. Purpose.

The purpose of this Policy is to establish uniform procedures to govern the donation to and receipt by the Town of gifts of money or of value from citizens, foundations, business concerns and others, both for specific purposes and for general use by the Town.

2. Monetary donations.

A. \$1 to \$5,000.

The First Selectman is hereby authorized to accept, on behalf of the Town, monetary donations of up to and including five thousand dollars (\$5,000) without Board of Selectmen approval. All such gifts accepted by the First Selectman shall be reported to the Board of Selectmen on an annual basis.

B. \$5,001 to \$20,000.

A donation in excess of five thousand dollars (\$5,000) up to and including twenty thousand dollars (\$20,000) shall not be accepted by the Town unless it has received the prior approval of the Board of Selectmen. The Board of Selectmen shall report all such contributions received to the Representative Town Meeting (RTM) members on an annual basis.

C. More than \$20,000.

A donation in excess of twenty thousand dollars (\$20,000) shall not be accepted by the Town unless it has been recommended for approval by the Board of Selectmen and has received the approval of the RTM. All such donations shall first be submitted to the Board of Selectmen which shall forward its recommendation to the Moderator of the RTM to be placed on the agenda for the next available meeting.

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D. **Special Account**

The Controller shall establish a special account for the deposit of donations which the donor has designated for use for specific purposes. After a period not to exceed two years and/or the completion of the specific purpose for which the funds have been donated, excess funds shall be deposited in the general fund unless the town has accepted the gift under different conditions.

3. Nonmonetary gifts.

- A. The First Selectman is hereby authorized to accept, on behalf of the Town, non-monetary donations of up to and including five thousand dollars (\$5,000) without Board of Selectmen approval.
- B. A nonmonetary gift to the Town with a value in excess of \$5,000 shall not be accepted without the prior approval of the Board of Selectmen.
- C. A nonmonetary gift to the Town of real estate or of a structure which is intended to be permanently placed on Town property shall be accepted only upon the prior approval of the RTM. In addition, prior to the acceptance of such a gift, a positive report by the Planning & Zoning Commission pursuant to CGS §8-24 must be obtained as well as the approval from any other Town Board or Commission.

All such donations shall be submitted to the Board of Selectmen, which shall forward its recommendation to the Moderator of the RTM to be placed on the agenda for the next available meeting.

- D. All gifts to the Town which are works of art shall be referred to the Arts Advisory Committee which shall forward its written recommendation as to acceptance and placement of the work of art to the Board of Selectmen.

4. Criteria for acceptance of gifts; tax considerations.

- A. In considering whether to approve acceptance of a gift, the following criteria shall be considered:
 - (1) Whether the gift is appropriate for a public building, facility, or parcel of land.
 - (2) Whether the gift is being offered by a donor who is acceptable to the reviewing entity.
 - (3) Whether the gift will benefit the Town and the community.

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- (4) Whether there is space in a public facility to accommodate it.
 - (5) Whether there are, construction, maintenance or repair costs involved and, if so, how they will be funded.
 - (6) Whether there are insurance costs associated with receiving and maintaining the gift and, if so, how they will be funded.
 - (7) Whether the gift will begin a program or service which the Town would be unwilling to take over when the gift or grant funds are exhausted.
 - (8) Whether receipt of the gift may conflict in any way with the Town's purchasing or gift policies.
 - (9) Whether any conditions attached to the gift conflict with or in any way commit the Town to a course of action which conflicts with Town policies, practices, ordinances, standards, or state or federal laws or regulations.
- B. The Board of Selectmen reserves the right to specify the manner in which gifts are made, to define the type of gift which it considers appropriate, and to reject those which it deems inappropriate or unsuitable.
 - C. The Board of Selectmen shall be empowered to remove, dispose of, or modify those gifts that become unwanted or obsolete as conditions warrant. If acceptance of the gift required approval by the RTM, any such removal, disposal or modification will be subject to final approval by the RTM.
 - D. The Town will not evaluate gifts for tax purposes. The First Selectman, upon request by a donor, shall acknowledge the receipt of a gift for purposes of enabling the donor to receive a tax deduction.

5. Naming/Dedication as a condition attached to a gift.

- A. All gifts which have the condition that the giving of the gift is contingent upon naming it or other Town property shall be referred to the Board of Selectmen which shall forward its recommendations to the Moderator of the RTM to be placed on its agenda for the next available meeting.
- B. In considering whether to approve naming a property, the reviewing entity shall make a finding that, in light of all the circumstances, it is in the best interests of the town to honor the condition of naming.

Page 4 of 4

- C. The Board of Selectmen shall determine the method and time period for recognizing all gifts dedicated to the memory of an individual. Such recognition may be in the form a plaque placed at an appropriate location for an appropriate period of time or in some other form as determined by the Board of Selectmen.
- D. All gifts that have the condition that the giving of the gift is contingent upon naming it or other Town property, or the gift is to be dedicated to the memory of an individual, shall also be subject to the approval of any other appropriate Town board or commission.

6. Administrative procedures.

- A. Before a donor offers a gift to the Town, the donor shall submit a letter designating the purpose and conditions, if any, of the gift and relinquishing any future claim to the gift. Individuals desiring anonymity shall so state in the letter. Such letter shall be submitted to the First Selectman, or designee, who shall thereupon secure any additional information pertinent to the decision whether to accept the gift and forward the letter and such information, including a recommendation, to the Board of Selectman.
- B. Potential donors to a program, department or the Town offices shall be advised by the First Selectman, or designee, that, in determining whether to accept a gift, the Board of Selectmen will base its determination upon whether the gift is in the best interests of the Town and the community at large.
- C. Individuals desiring anonymity shall so state in the document, in which event the Town will undertake to preserve their anonymity.
- D. The Board of Selectmen is empowered, on behalf of the Town and without action by the RTM, to devote, apply, expend or utilize such gifts to such purposes and with such restrictions, if any, as may have been established by the donor; and to take all necessary and appropriate action to accomplish the purposes set forth by the donor. If no special purposes have been set forth, funds shall be deposited in the general fund.
- E. Any gifts to the Board of Education which directly impact on Town-owned property shall be reviewed in accordance with this policy and its administrative procedures.

Sec. 22-1. - Establishment of RTM voting districts.

For the purpose of electing Town Meeting Representatives, the following voting districts shall remain in effect until new districts are established by ordinance and successors shall have taken office. Candidates shall run for election from the districts as set forth:

- (1) *District 1.* Beginning at a point located at the intersection of King's Highway South and the common Town line of Norwalk and Westport, being the northwest corner of the said district. Thence continuing in a southerly direction along the Norwalk and Westport common Town line to the shoreline. Thence continuing in a general easterly, then northerly direction following the shoreline to the eastern end of Old Mill Road. Thence continuing in a westerly direction along the centerline of Old Mill Road to the intersection with Hillspoint Road. Thence continuing in a northerly direction along the centerline of Hillspoint Road to the intersection with Burnham Hill. Thence continuing in a westerly then southerly direction to the southern most point of Burnham Hill then continue to the northern most point of Minute Man Hill. Thence continuing generally in a southwesterly direction along the centerline of Minute Man Hill to Compo Road South. Thence continuing in a northerly direction along the centerline of Compo Road South to Bridge Street. Thence continuing generally in a westerly direction along the centerline of Bridge Street to the intersection with Riverside Avenue. Thence continuing in a northwesterly direction along the centerline of Riverside Avenue to the intersection with Treadwell Avenue. Thence continuing in a westerly direction along the centerline of Treadwell Avenue to the intersection with King's Highway South. Thence continuing in a southwesterly direction along the centerline of King's Highway South to the intersection with the common Town line of Norwalk and Westport to the point and place of beginning.
- (2) *District 2.* Beginning at a point located at the common Town line of Westport and Norwalk and the intersection with the Merritt Parkway, being the northwest corner of the said district. Thence continuing in an easterly direction along the centerline of the Merritt Parkway to the intersection with ~~Newtown Turnpike. Thence continuing in a northerly direction along the center line of Newtown Tpk to the intersection of~~ Wilton Road. Thence continuing in a southerly direction along the centerline of Wilton Road to the intersection of Post Road West. Thence continuing in a southerly and southwesterly direction along the centerline of Riverside Avenue to the intersection with Treadwell Avenue. Thence continuing in a westerly direction along the centerline of Treadwell Avenue to the intersection with Kings Highway South. Thence continuing in a southwesterly direction along the centerline of King's Highway South continuing to the intersection with the common Town line of Norwalk and Westport. Thence continuing in a northerly and northwesterly direction along the common Town line of Norwalk and Westport to the intersection with the Merritt Parkway to the point and place of beginning.
- (3) *District 3.* Beginning at a point located at the intersection of the common Town line of Weston and Westport and the centerline of Lyons Plains Road, being the northeast corner of the said district. Thence continuing generally in a southerly direction along the centerline of Lyons Plains Road to the intersection with Weston Road. Thence continuing generally in a southerly direction along the centerline of Weston Road to the intersection with Cross Highway. Thence continuing in a southwesterly direction along the centerline of Cross Highway and continuing in a southerly direction to the intersection of Main Street. Thence continuing generally in a southerly direction along the centerline of Main Street to the intersection of Canal Street. Thence continuing in a southwesterly direction along the centerline of Canal Street and following along the centerline of Kings Highway North to the intersection with Wilton Road. Thence continuing in a northerly direction along the centerline of Wilton Road to the intersection with ~~Newtown Turnpike. Thence continuing in a southerly direction along the centerline of Newtown Turnpike to the intersection of~~ the Merritt Parkway. Thence continuing in westerly direction along the centerline of the Merritt Parkway to the intersection with the common Town line of Norwalk and Westport. Thence continuing in a northerly direction along the common Town line of Norwalk and Westport continuing in a northerly direction along the same line which becomes the common Town line of Wilton and Westport still continuing northeasterly to the intersection with Cavalry Road. Thence continuing in a southeasterly direction along the common Town line of Weston and Westport

thence continuing northeasterly along the common Town line of Weston and Westport to the intersection of Lyons Plains Road to the point and place of beginning.

- (4) *District 4.* Beginning at a point located at the intersection of Post Road East and Compo Road South, being the northwest corner of the said district. Thence continuing generally in a southerly direction along the centerline of Compo Road South to the intersection with Minute Man Hill. Thence continuing generally in a northeasterly direction along the centerline of Minute Man Hill to the northern most point of Minute Man Hill and thence connecting to the southern most point of Burnham Hill. Thence continuing in a northerly and then easterly direction along the centerline of Burnham Hill to the intersection with Hillspoint Road. Thence continuing in a southerly direction along the centerline of Hillspoint Road to the intersection with Old Mill Road. Thence continuing in an easterly direction along the centerline of Old Mill Road to the shoreline. Thence continuing in a southeasterly direction following along the shoreline to the intersection with the Sherwood Island Connector. Thence continuing generally in a northerly direction along the centerline of the Sherwood Island Connector to the intersection with Interstate 95. Thence continuing generally in a westerly direction along the centerline of Interstate 95 to the intersection with Hillspoint Road. Thence continuing in a northerly direction along the centerline of Hillspoint Road to the intersection with Greens Farms Road. Thence continuing generally in a northeasterly direction along the centerline of Greens Farms Road to the intersection with Prospect Road. Thence continuing in a northwesterly direction along the centerline of Prospect Road to the intersection with Hillspoint Road. Thence continuing generally in a northeasterly direction along the centerline of Hillspoint Road to the intersection with Post Road East. Thence continuing in a westerly direction along the centerline of Post Road East to the intersection with Compo Road South to the point and place of beginning.
- (5) *District 5.* Commencing at a point located at the intersection of Post Road East with the common Town line of Fairfield and Westport, being the northeastern most corner of the said district. Thence continuing in a westerly direction along the centerline of Post Road East to the intersection with Hillspoint Road. Thence continuing in a southerly direction along the centerline of Hillspoint Road to the intersection with Prospect Road. Thence continuing generally in a southerly direction along the centerline of Prospect Road to the intersection of Greens Farms Road. Thence continuing in a southwesterly direction along the centerline of Greens Farms Road to the intersection with Hillspoint Road. Thence continuing in a southerly direction along the centerline of Hillspoint Road to the intersection with Interstate 95. Thence continuing in an easterly direction along the centerline of Interstate 95 to the intersection with the Sherwood Island Connector. Thence continuing in a southeasterly direction along the centerline of the Sherwood Island Connector and continuing in a southerly direction to the Long Island Sound shoreline. Thence continuing generally in a northeasterly direction along the Long Island Sound shoreline to the common corner of the Westport and Fairfield Town boundary. Thence continuing generally in a northerly direction along the common Town line of Westport and Fairfield to the point and place of beginning.
- (6) *District 6.* Beginning at a point located at the intersection of Cross Highway and Roseville Road being in the northwest corner of said district. Thence continuing in a southerly direction along the centerline of Roseville Road to the intersection with Lost Lodge Road. Thence continuing in a southwesterly direction along the centerline of Lost Lodge Road to the intersection with the watercourse known as Dead Man's Brook. Thence continuing generally in a westerly direction along the centerline of the watercourse known as Dead Man's Brook to the intersection with Compo Road North. Thence continuing in a southerly direction along the centerline of Compo Road North to the intersection with Post Road East. Thence continuing in an easterly direction along the centerline of Post Road East to the intersection with Turkey Hill Road North. Thence continuing in a northerly direction along the centerline of Turkey Hill Road North to the intersection with the watercourse known as Muddy Brook. Thence continuing in a northeasterly direction along the centerline of the watercourse known as Muddy Brook to the intersection with Long Lots Road. Thence continuing generally in a westerly direction along the centerline of Long Lots Road to the intersection with North Avenue. Thence continuing in a northerly direction along the centerline of North Avenue to the intersection with Pleasant Valley Lane. Thence continuing in a westerly then northerly direction along the centerline of Pleasant Valley Lane to the end of the cul-de-sac.

~~Thence continuing northerly along the eastern boundaries of 21 Pleasant Valley Lane and 14 Abbott's Lane to the end of the cul-de-sac of Abbott's Lane. Thence continuing northerly along the centerline of Abbott's Lane of Melon Patch Lane. Thence continuing in an easterly direction along the centerline of Melon Patch Lane to the intersection with the watercourse known as Dead Man's Brook. Thence continuing in a northerly direction along the centerline of the watercourse known as Dead Man's Brook to the intersection with Cross Highway. Thence continuing in a westerly direction along the centerline of Cross Highway to the intersection with Roseville Road to the point and place of beginning.~~

- (7) *District 7.* Beginning at a point located at the intersection of Cross Highway and the watercourse known as Dead Man's Brook, being the northwest corner of the said district. ~~Thence continuing in a southerly direction along the western boundary of 130 Cross Highway to the northern boundary of 5 Melon Patch Lane. Thence continuing westerly along the northern boundary and southerly along the western boundary of 5 Melon Patch Lane. Thence continuing in a southerly direction along the centerline of the watercourse known as Dead Man's Brook to the intersection with Melon Patch Lane. Thence continuing in a westerly direction along the centerline of Melon Patch Lane to the intersection with North Avenue. Thence continuing in a southerly direction along the centerline of North Avenue to the intersection with Long Lots Road. Thence continuing in an easterly direction along the centerline of Long Lots Road to the intersection with the watercourse known as Muddy Brook. Thence continuing in a southwesterly direction along the centerline of the watercourse known as Muddy Brook to the intersection with Turkey Hill Road North. Thence continuing in a southerly direction along the centerline of Turkey Hill Road North to the intersection with Post Road East. Thence continuing in an easterly direction along the centerline of Post Road East to the common Town line of Westport and Fairfield. Thence continuing northerly along the common Town line of Westport and Fairfield to the intersection with Cross Highway. Thence continuing in a westerly direction along the centerline of Cross Highway to the intersection with the watercourse known as Dead Man's Brook to the point and place of beginning.~~
- (8) *District 8.* Beginning at a point located at the intersection of Cross Highway and Sturges Highway, being the southeast corner of said district. Thence continuing in a northerly direction, along the shared Town Line of Westport and Fairfield to the common corner of the Towns of Westport, Weston and Fairfield. Thence continuing in a southwesterly direction along the common Town line of Westport and Weston to the intersection of Lyons Plains Road. Thence continuing in a southerly direction to the intersection of Weston Road. Thence continuing generally in a southerly direction along the centerline of Weston Road to the intersection with Cross Highway. Thence continuing generally in an easterly direction along the centerline of Cross Highway to the intersection with the watercourse known as Dead Man's Brook. Thence continuing southerly along the eastern and southern boundary of 128 Cross Highway. Thence continuing southerly along the eastern boundary of 118 North Avenue and 1 Melon Patch Lane to the intersection with Melon Patch Lane. Thence continuing westerly along the centerline of Melon Patch Lane to the intersection with North Avenue. Thence continuing southerly along the centerline of North Avenue to the intersection with Pleasant Valley Lane. Thence continuing in a westerly then northerly direction along the centerline of Pleasant Valley Lane to the end of the cul-de-sac. Continuing thence northerly along the west boundaries of 20 Pleasant Valley Lane, Lot 66, and 15 Abbott's Lane to the end of the cul-de-sac of Abbott's Lane. Thence continuing northerly along the centerline of Abbott's Lane to the intersection with Cross Highway. Thence continuing westerly along the centerline of Cross Highway the point and place of beginning.
- (9) *District 9.* Beginning at a point located at the intersection of Wilton Road and Kings Highway North in the northwest corner of the said district. Thence continuing generally in a northeasterly direction along the centerline of King's Highway North continuing along the centerline of Canal Street to the intersection of Main Street. Thence continuing in a northerly direction along the centerline of Main Street to the intersection of Cross Highway. Thence continuing in a northeasterly direction along the centerline of Cross Highway to the intersection of Roseville Road. Thence continuing in a southerly direction along the centerline of Roseville Road to the intersection with Lost Lodge Road. Thence continuing in a southwesterly direction along the centerline of Lost Lodge Road to the intersection with the watercourse known as Dead Man's

Brook. Thence continuing generally in a westerly direction along the centerline of the watercourse known as Dead Man's Brook to the intersection with Compo Road North. Thence continuing in a southerly direction along the centerline of Compo Road North to the intersection with Post Road East. Thence continuing in a southerly direction along the centerline of Compo Road South to the intersection with Bridge Street. Thence continuing generally in a westerly direction along the centerline of Bridge Street to the intersection with Riverside Avenue. Thence continuing generally in a northerly direction along the centerline of Riverside Avenue to the intersection with Post Road West. Thence continuing in a northerly direction along the centerline of Wilton Road to the intersection with King's Highway North to the point and place of beginning.

(Code 1981, § 41-2; [Ord. of 4-19-2013](#).)

TO: The RTM Ordinance Committee

FROM: Jeffrey Dunkerton, Town Clerk

DATE: March 6, 2023

RE: RTM Redistricting

Contact Person: Jeffrey Dunkerton JDunkerton@westportct.gov 203-341-1105

Q. Why do we need this ordinance? (What problem does it solve?)

- A.** Subsection (B) of Westport Charter Section C5-2, "Voting Districts; Basis of Representation; Qualifications," requires that RTM districts be reviewed after the completion of every U.S. Census and after reapportionments of state and federal districts. Subsection (A) of Charter Section C5-2 requires that boundaries for RTM districts be set forth in an ordinance, and they are set forth in Town Code Section 22-1. Redistricting of RTM districts therefore requires an amendment to Town Code Section 22-1.

Under Charter Section C5-2(B), the population deviation from the largest to the smallest RTM districts cannot exceed 10%. The U.S. Supreme Court requires this 10% be calculated as the total variance from the ideal (average) district. The average district is calculated as the population of the Town divided by our 9 districts. Based on the U.S. Census for 2020, the population is 27,123, so the ideal (average) district size is 3014. After the 2020 Census, the largest RTM district (D6) and the smallest district (D4) would have a variation from the ideal/average that is greater than 10%, so they need to be reapportioned. The proposed districts now have D7 as the largest and D4 as the smallest, with a variation that is within 10%.

In addition, the boundaries of Districts 2 and 3 are being adjusted so that they align with the state districts, and the boundaries of District 7 are being slightly revised so that the RTM boundary line between D7 and D8 will be defined by property lot lines rather than by Dead Man's Brook, which bisects several properties.

Charter Section C5-2(B) also sets forth the number of RTM representatives for each district, based on a calculation for each district as follows: the district population, divided by the population of the Town, multiplied by 35, and rounded to the nearest whole number. Using the 2020 U.S. Census figures, this calculation results in all 9 RTM districts' having 4 RTM members.

Charter Section C5-2(A) and (B) provide as follows:

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1. *Establishment of voting districts.* The voting districts of the Town for the election of Representative Town Meeting members shall be as hereinafter provided or as established by ordinance.

B. *Basis of representation.* The number of members of the Representative Town Meeting from each voting district shall be determined by the following formula: Population in each voting district, based on U.S. Census Bureau population data, divided by population of the Town, multiplied by 35, rounded to the nearest whole number. After completion of the Census of the United States and after any reapportionment of the State General Assembly Districts, State Senatorial Districts and Congressional Districts affecting the Town, voting districts of the Town shall be established such that the population deviation from the largest to the smallest voting district shall not exceed ten percent. To the extent practicable, the redistricting ordinance adopted by the Representative Town Meeting shall provide for equitable representation for each voting unit within the constraints of this Charter and State General Assembly redistricting, shall provide for districts that are located in only one State General Assembly District, one State Senatorial District and one Congressional District.

Q. Is the proposed ordinance a new one or an amendment to an existing Westport ordinance? If an amendment, what are the proposed changes and why are they important? (Copy of existing ordinance to be attached.)

- A. It is an amendment of existing Town Code Section 22-1, to accomplish the following changes:
1. To adjust the boundaries of Districts 2 and 3 to align the RTM district lines with the state districts;
 2. To adjust the boundaries of Districts 6 and 8 to reduce the size of District 6 so that the variance between the largest and smallest districts is no more than 10%; and
 3. To adjust the boundaries between Districts 7 and 8 so that the RTM district line follows the property lot lines rather than Dead Man's Brook, which bisects several properties.

Q. Is this the only practical solution to the perceived problem or are there other options (either legislative or non-legislative):

- A. This is a state mandated reapportionment per CGS 9-169f and a Charter-mandated reapportionment as described above.

Q. Have we exhausted all non-legislative alternatives?

- A. N/A

Q. Does the problem warrant the solution? That is, is the problem serious enough, or widespread enough, to justify any restrictions that will result if this ordinance is passed?

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A. The problem requires amendment to the ordinance.

Q. Is the proposed ordinance fair to Westport's citizens?

A. Yes

Q. Have the rights of all Westporters been considered?

A. Yes

Q. If the proposed ordinance involves a fine or penalty, is the penalty reasonable in amount and fair in application? How was the amount determined? Is a maximum penalty specified? Are there any exceptions for extenuating circumstances? Is an appeals process specified? Is the appeals process fair? Is it practical?

A. N/A

QUESTIONS REGARDING FINANCIAL IMPLICATIONS:

Q. If the proposed ordinance involves the collection of any fees (including a monetary fine or penalty), will the revenue be retained by the Town? If so, how much revenue is estimated? Will it be included in the general fund? If not, where will the funds be distributed?

A. N/A

Q. Will the passage of the proposed ordinance result in a decrease in amounts currently expended by the town (for example, decreased maintenance costs)? If so, how much savings is estimated?

A. No

Q. Will the passage of the proposed ordinance result in any increased expenses for the town (for example, increased enforcement costs)? If so, how much additional cost is estimated?

A. Estimated expense is \$200. This includes a legal notice published in the Westport News and mailer notifying the affected residents of the changes.

Q. Will the passage of the proposed ordinance result in any decreased revenues for the town? (An ordinance covering abatement of property taxes would be an example.)

A. No

Q. If so, how much revenue loss is estimated?

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A. N/A

QUESTIONS TO BE ANSWERED WITH ASSISTANCE FROM THE TOWN ATTORNEY OR ASSISTANT TOWN ATTORNEY:

Q. Does the proposed ordinance conflict with any existing laws (municipal, state or federal?) If so, what modifications can be recommended? (Or, should the proposed ordinance be rejected in favor of a non-legislate alternative?)

A. No

Q. Is the language (and the intent) of the proposed ordinance consistent with Westport's powers as a municipality? (Copy of the state and/or federal enabling legislation to be attached.)

A. Yes. Westport Town Charter Section C5-2(A) and (B) are quoted above, and CGS Section 9-169f states as follows:

Sec. 9-169f. Reapportionment required for certain municipal legislative bodies. Not later than June first in the year after the first regular General Assembly election following a reapportionment of the General Assembly, each municipal legislative body whose members are elected wholly or partially on the basis of a geographical division of the municipality shall adopt a reapportionment plan for such legislative body. Any such municipal reapportionment plan (1) shall be based on population data for the municipality from the most recent decennial census of the United States and (2) may provide for geographical divisions which use the same borders as General Assembly districts in the municipality.

Q. Are there any existing state or federal statutes covering the same subject? If so, why is the proposed ordinance necessary or advisable? (Copy of relevant state or federal law to be attached.)

A. No. Town Code Section 22-1 is the only law that describes our RTM districts.

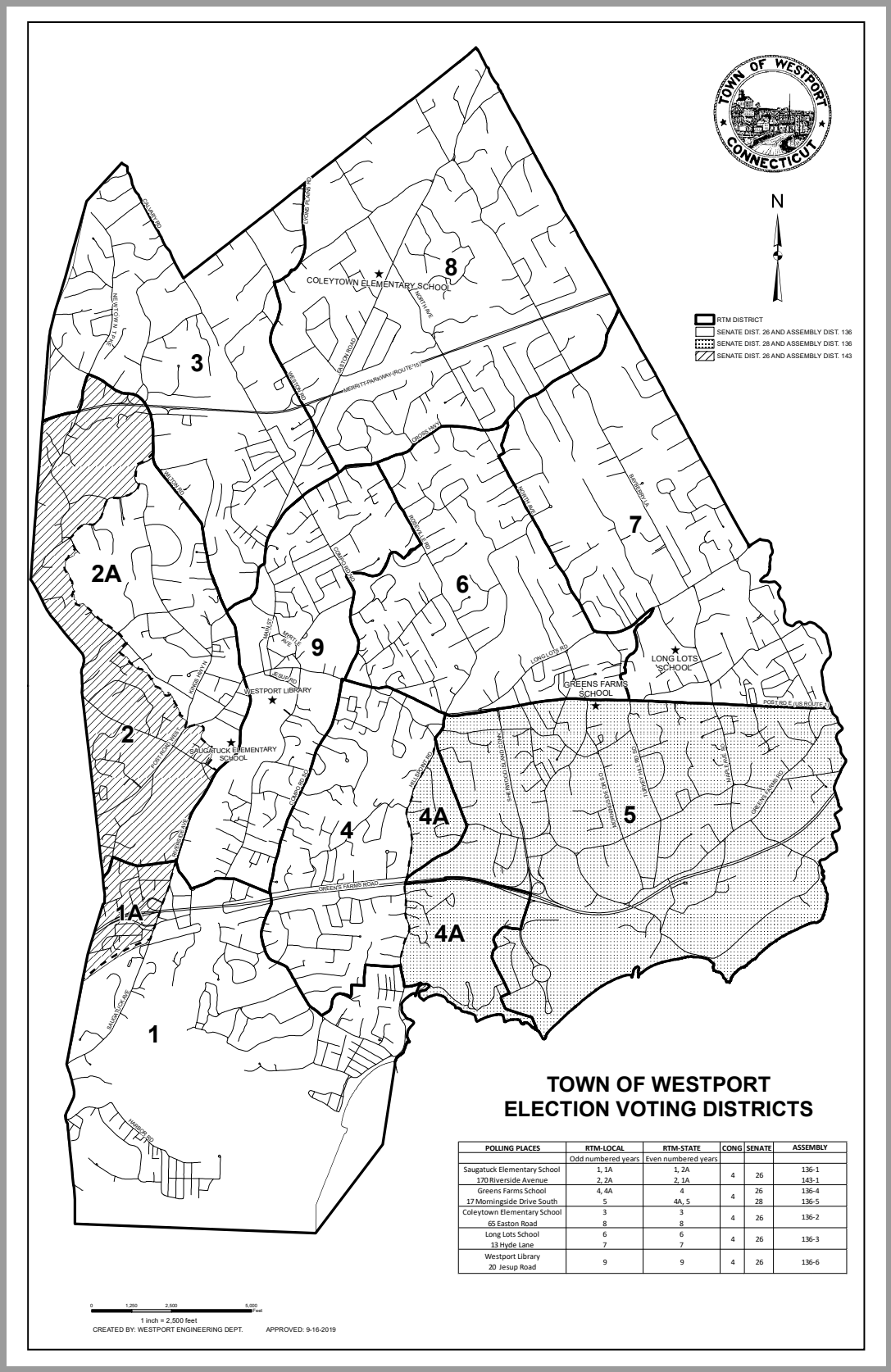
Q. Do our neighboring towns have similar ordinances? (Copies to be attached.) Does the policy in neighboring towns have an impact on Westport?

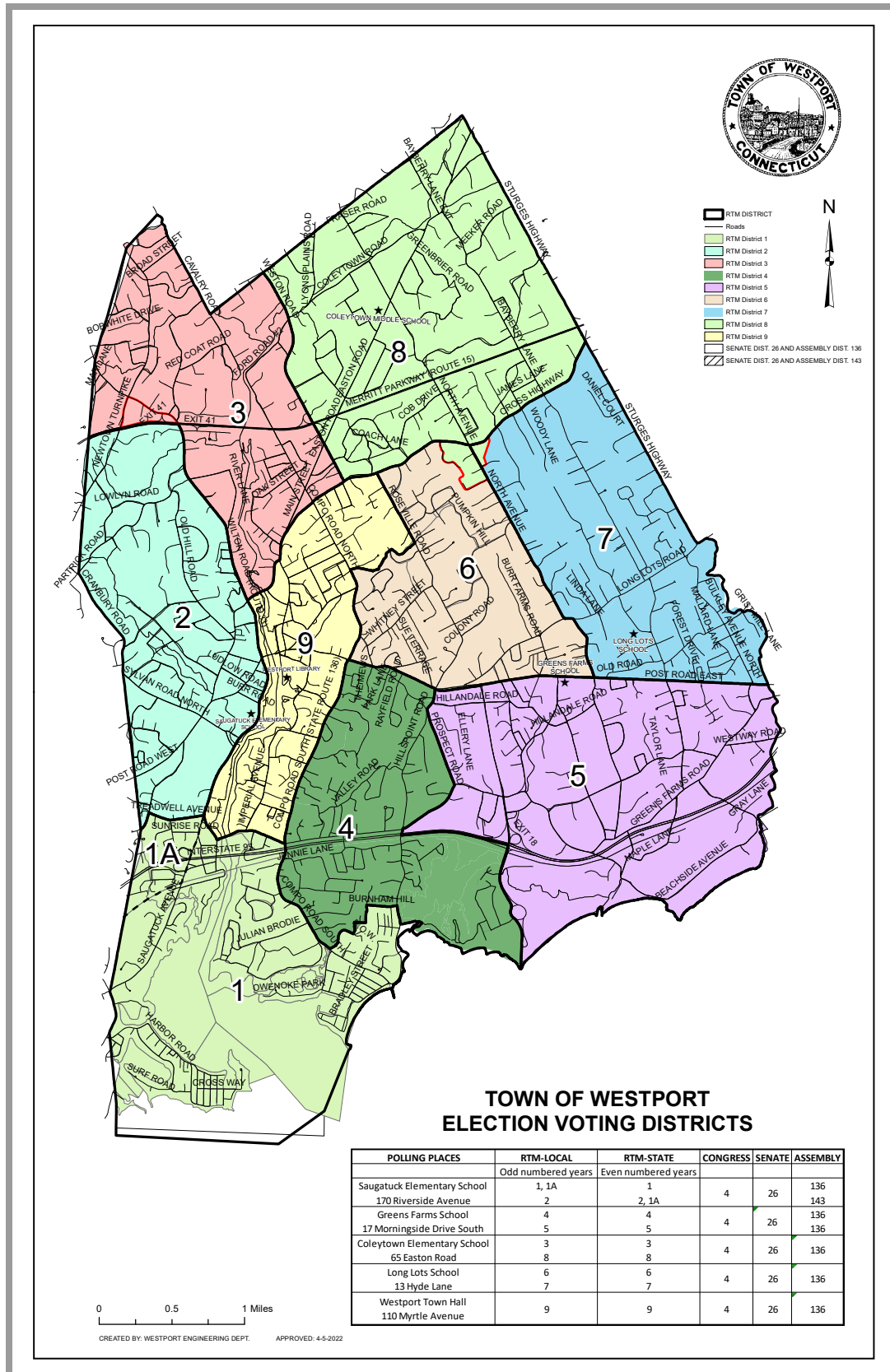
A. N/A

Q. Is the language of the proposed ordinance consistent with its intent? Is the language of the proposed ordinance as clear as it can be? Will it be easily understood? Would it be clearer if definitions were added or revisions were made?

A. Yes

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RTM Districts	Districts Population	Proposed Changes	Districts Population divided by Town Population	Multiplied by 35	Rounded to the nearest whole number
1	2972	2972	0.1095749	3.835121484	4
2	3028	2987	0.110127936	3.85447775	4
3	2938	2979	0.109832983	3.844154408	4
4	2878	2878	0.106109206	3.713822217	4
5	3025	3025	0.111528961	3.903513623	4
6	3230	3122	0.111505261	4.028684143	4
7	3137	3137	0.115658297	4.048040409	4
8	2991	3099	0.114257272	3.999004535	4
9	2924	2924	0.107805184	3.773181433	4
Total Population	27123	27123			36
Average	3014	3014			

CS-2. - Voting Districts; Basis of Representation; Qualifications.

A.
Establishment of voting districts. The voting districts of the Town for the election of Representative Town Meeting members shall be as hereinafter provided or as established by ordinance.

B.
Basis of representation. The number of members of the Representative Town Meeting from each voting district shall be determined by the following formula: Population in each voting district, based on U.S. Census Bureau population data, divided by population of the Town, multiplied by 35, rounded to the nearest whole number. After completion of the Census of the United States and after any reapportionment of the State General Assembly Districts, State Senatorial Districts and Congressional Districts affecting the Town, voting districts of the Town shall be established such that the population deviation from the largest to the smallest voting district shall not exceed ten percent. To the extent practicable, the redistricting ordinance adopted by the Representative Town Meeting shall provide for equitable representation for each voting unit within the constraints of this Charter and State General Assembly redistricting, shall provide for districts that are located in only one State General Assembly District, one State Senatorial District and one Congressional District.

C.
Qualifications for election. Each Representative Town Meeting member shall be an elector of the Town and a resident of the voting district from which elected. No elected official of the Town, no member of any elected or appointed board or commission of the Town and no official of the Probate or any state court shall be eligible to serve as a member of the Representative Town Meeting. Subject to the provisions of this section, the Representative Town Meeting shall be the judge of the election and qualification of its members.

Joint RTM Rules and Ordinance Committees Meeting Wednesday, February 15, 2023

In Attendance:

Rules Committee:

Jeff Wieser, Chair; Lauren Karpf, Deputy Chair; Lou Mall; Lyn Hogan; Andrew Colabella; Karen Kramer; Seth Braunstein; Allen Lautenberg; Wendy Batteau; ; Kristin Schneeman.

Ordinance Committee:

Peter Gold, Lyn Hogan, Lauren Karpf, Ellen Lautenberg, Kristin Schneeman

Others Town Officials Attending: Jeff Dunkerton, Town Clerk; Anthony (A.J.) Taccone, GIS Coordinator; Maria Signore, Registrar of Voters

The Rules and Ordinance Committees met to discuss the potential changes to the RTM voting districts following the review of census data from the 2020 official count

Jeff Dunkerton explained that two changes are required. There is currently a section of District 2 that, given the changes to the State voting Districts for State Representative, would require the 41 residents on the affected area to vote in one polling station for State races and another for Town races. It is an easy change to move those few addresses, on Barry Lane, Wilton Rd and Newtown Turnpike, from District 2 to District 3 without affecting the numbers.

Beyond this consideration and on first inspection, the official count indicated that no change was required because a formula indicated that all districts were aligned. Because this calculation rounded all districts to the same number of representatives, there was no outstanding reason for a change.

RTM Districts	Districts Population	Districts Population divided by Town Population	Multiplied by 35	Rounded to the nearest whole number
1	2972	0.1095749	3.835121484	4
2	3028	0.111639568	3.907384876	4
3	2938	0.108321351	3.791247281	4
4	2878	0.106109206	3.713822217	4
5	3025	0.111528961	3.903513623	4
6	3230	0.119087122	4.168049257	4
7	3137	0.115658297	4.048040409	4
8	2991	0.110275412	3.85963942	4
9	2924	0.107805184	3.773181433	4
Total Population	27123			

On further investigation, however, our Town Charter states that no single District can be more than 10% larger than the smallest district. This requires a different solution to enlarge District 4, or reduce District 6, because D6 is 12.2% larger than D4.

The solution, suggested by the Town GIS coordinator and affirmed by the Registrar of voters, Maria Signore, is to move 106 residents from District 6 to District 8. The affected addresses are on Cross Highway, Pleasant Valley Lane, Kensington Place, Abbotts Lane, North Ave, Peach Lot Place, and Melon Patch Lane.

AJ Taccone pointed out that somewhat random “census blocks” make it difficult to move single streets in various instances, and the recommended District 6 to District 8 change is the least disruptive and most nearly contiguous solution. Many questions were raised to look at other potential solutions, but it was generally agreed that this made the most sense.

RTM Districts	Districts Population Before Changes	Districts Population After Changes
1	2972	2972
2	3028	2987
3	2938	2979
4	2878	2878
5	3025	3025
6	3230	3124
7	3137	3137
8	2991	3097
9	2924	2924
Total Population	27123	27123

In this scenario, the largest district, D7 is 9.0% larger than D4, therefore within bounds of the charter.

[Subsequent to our meeting, Assistant Town Attorney Eileen Flug confirmed our recommendation, but applied the statutory calculation which differs slightly from our conclusion.

She opined:

“Based on my review of several U.S. Supreme Court cases, the maximum 10% “population deviation from the largest to the smallest voting district” (from our Charter section C5-2) should be calculated as the “total variance” of the largest district and the smallest district from the “ideal” district. As described by the U.S. Supreme Court (*Gaffney v. Cummings*, 407 U.S. 902, footnote 4 (1972)), “The ‘total variance’ in an apportionment plan is derived by adding together the percentage variation from the ideal of the two districts which are respectively the most over- and under-populated.” Other cases also calculate the “maximum percentage variation from the ideal,” by adding together the percentage variations of the largest and smallest districts from the ideal: *Mahan v. Howell*, 410 U.S. 315, at 319 (1973); *Conner v. Finch*, 431 U.S. 407, at 416 (1977).

In Westport, the "ideal" new RTM district would have a population of 3014 ($27,123 / 9 = 3013.66$).

As proposed in the joint committee minutes:

The percentage that the largest district, D7, is over the ideal is 4.08% ($3137 - 3014 / 3014 = 4.08\%$).

The percentage that the smallest district, D4, is under the ideal is 4.51% ($3014 - 2878 / 3014 = 4.51\%$)

The total variance is 8.59% ($4.08 + 4.51$), which is within the allowable 10%.”]

On questioning it was confirmed that no incumbent members of the RTM reside in these affected areas, and that all the residents will be notified by mail of the changes. It was suggested that all residents of the affected districts be notified of the changes as well.

On a motion by Lou Mall, seconded by Seth Braunstein, the motion to recommend the proposed changes to the full RTM was approved unanimously.

On a motion by Peter Gold, seconded by Lyn Hogan, the motion to recommend the proposed changes to the full RTM was approved unanimously. It was noted that the ordinance committee did not have the exact wording of the proposed amendment to the current ordinance, but that that document would include verbiage to describe the various streets affected and that no other changes would be required.

Respectfully Submitted,

Jeff Wieser

Rules Committee Chair and Reporter

BOF Approved 3/1/23



DEPARTMENT OF PUBLIC WORKS

TOWN HALL, 110 MYRTLE AVENUE
WESTPORT, CONNECTICUT 06880
(203) 341 1120 www.westportct.gov

February 8, 2023

Honorable Jennifer S. Tooker
First Selectwoman
Town Hall
Westport, CT 06880

Re: Request for Appropriation for Construction
Pump Station #3 Force Main Sewer Line Replacement and Pump Station Upgrade

Dear Mr. Marpe:

This office, herein requests an appropriation in the amount of one million nine hundred thousand dollars (\$1,900,000.00) for the replacement of the existing 60 +/-year-old force main and upgrades to Pump Station #3 which was originally built in 1959 and upgraded in 1982. This project is the sixth force main replacement and / or pump station upgrade project that has been conducted over the past fifteen years to address infrastructure needs of the Westport Water Pollution Control Facility collection system.

Pump Station #3 is located at 225 Riverside Avenue within Pasacreta Park. Its force main is located within the State DOT right-of-way of Riverside Avenue (RT33) and is approximately twenty-two hundred linear feet (2200'), extending from the pump station, running under Stony Creek, and discharges into a gravity manhole in the intersection of Riverside Avenue and Raymond Place. The force main is a 8-inch diameter asbestos concrete pipe that typically has a design life of fifty years. The current pump station was designed to have a flow rate of five-hundred thirty gallons per minute (530gpm) which will be increased to seven-hundred and fifty gallons per minute (750gpm) to accommodate projected increases in domestic flows, and inflow and infiltration.

The recommendation of this office is to bond the project and pay the debt service out of the Sewer Reserve Fund. Funds have been projected in the Sewer Reserve Fund for this work.

Respectfully,

Peter A. Ratkiewicz,
Director of Public Works

cc: Gary Conrad, finance Director

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TOWN OF WESTPORT					
PUMP STATION #3 - FORCE MAIN REPLACEMENT & PUMP STATION UPGRADE					
BOARD OF FINANCE FUNDING REQUEST					
Engineer's Opinion of Probable Construction Costs					
	Item	Qty	Unit	Unit Price	Estimate
1	Clearing & Grubbing	1	L.S.	\$ 5,000.00	\$ 5,000.00
2	Rock Excavation & Disposal	100	C.Y.	\$ 200.00	\$ 20,000.00
3	Gravel Fill (replace rock or unsuitable soils)	150	C.Y.	\$ 45.00	\$ 6,750.00
4	Processed Gravel	550	C.Y.	\$ 50.00	\$ 27,500.00
5	Provisional: Saw Cut & Remove Concrete Base	2,500	L.F.	\$ 15.00	\$ 37,500.00
6	Temporary Pavement - Private / Town	50	S.Y.	\$ 20.00	\$ 1,000.00
7	Temporary Pavement - State Road	1,300	S.Y.	\$ 30.00	\$ 39,000.00
8	Permanent Pavement - Private / Town	60	S.Y.	\$ 25.00	\$ 1,500.00
9	Permanent Pavement - State Road	1,800	S.Y.	\$ 75.00	\$ 135,000.00
10	Fine Milling of Bituminous Concrete (0" to 4")	4,200	S.Y.	\$ 4.00	\$ 16,800.00
11	Overlay on Milled Surface (HMA S0.5)	550	Ton	\$ 125.00	\$ 68,750.00
12	Concrete Sidewalk & Curb Repair	50	S.F.	\$ 30.00	\$ 1,500.00
13	Bituminous Concrete Curb Repair	20	L.F.	\$ 15.00	\$ 300.00
14	8" PVC Force Main (C900)	2,200	L.F.	\$ 200.00	\$ 440,000.00
15	8" DI Force Main	20	L.F.	\$ 250.00	\$ 5,000.00
16	8" Plug Valve	3	Ea.	\$ 5,000.00	\$ 15,000.00
17	Connect to Existing Manhole	1	L.S.	\$ 7,500.00	\$ 7,500.00
18	Pump Station #3 Modifications	1	L.S.	\$ 10,000.00	\$ 10,000.00
19	Misc. Surface Restoration	1	L.S.	\$ 10,000.00	\$ 10,000.00
Force Main Replacement :				Total :	\$ 848,100.00
Mobilization :				10%	\$ 84,810.00
Maintenance & Protection of Traffic :				10%	\$ 84,810.00
Dewatering :				3%	\$ 25,443.00
Erosion & Sedimentation Control :				3%	\$ 25,443.00
New 50kw Generator :				as per proposal	\$ 50,000.00
Pump Station Upgrade :				as per proposal	\$ 375,000.00
Force Main Replacement & Pump Station Upgrade :				Subtotal :	\$ 1,493,606.00
Contingency :				20%	\$ 298,721.20
Total Construction Engineering :				(*) as per Proposal	\$ 70,000.00
				Project Total :	\$ 1,862,327.20
				TOTAL BOF REQUEST :	\$ 1,900,000.00
(*)	As Per Proposal CLA Engineers				
Item	Description				
1	Per original RFP = \$14,500.00				
2	Record Drawings = \$7,800.00				
	80 Calendar Days/ 50 Working Days				
	50 Working Days / 400 Hours				
3	400 Hours / \$115.00 per = \$46,000.00				
	Total Estimated Construction Engineering = \$68,300.00				
	Total Requested Construction Engineering = \$70,000.00				

FISCAL YEAR 2023

TOWN OF WESTPORT, CT

JUSTIFICATION FOR A CAPITAL PROJECT

DEPARTMENT INFORMATION	
DEPT NAME: Department of Public Works	February 13, 2023

PROJECT NAME AND DESCRIPTION SANITARY SEWER CONTRACT 72C, Pump Station #3 Upgrade and Force Main Replacement
--

IS IT LISTED IN THE 5-YR CAPITAL FORECAST?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
If no, why not?		
If yes, answer the following two questions:		
Which FY was the project first proposed?	2015	
Which FY was the project first planned?	2018	
APPROXIMATE COST:	\$1,900,000.00	COST IN CAPITAL FORECAST:
CONTINGENCY (10%):	1,900,000.00	←TOTAL REQUEST→ \$1,900,000.00

SOURCE OF FUNDS:	
CAPITAL BOND <input type="checkbox"/>	GEN'L FUND <input type="checkbox"/>
CNR <input type="checkbox"/>	GRANT <input type="checkbox"/>
STATE <input type="checkbox"/>	OTHER <input checked="" type="checkbox"/>
OTHER, DESCRIBE: Sewer Reserve Fund	
PAYBACK PERIOD:	

PROJECTED START DATE: July 2023	EST. COMPLETION DATE: November 2023
ESTIMATED USEFUL LIFE: 75 years	

This project is part the final phase of the capital project to upgrade pump station #3 and associated force main, Original force main and pump station were designed & built in 1959, the pump station was upgraded in 1982.

Has an RFP been issued?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/> Engineering Design Services Bid #20-993T
Have construction bids been received?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/> Number of bids received: _____
Was the lowest bid the winner?	YES <input type="checkbox"/>	NO <input type="checkbox"/> If not, why? _____

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Who will benefit from the project? Residents within the associated sewer-shed

Is it a replacement?

YES ☒ NO ☐

If yes, describe condition of what is to be replaced:

Pictures attached?

YES ☐ NO ☒

What other approvals/reviews are necessary to begin this project? RTM, BOS

FINANCE

This section to be completed by the Finance Director.

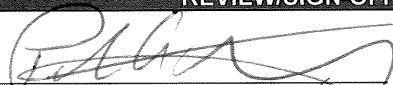
EFFECT ON TOWN FINANCES, INCLUDING DEBT SERVICE:

IF APPROVED:

IF NOT APPROVED:

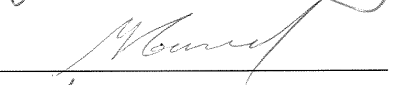
REVIEW/SIGN-OFF

DEPARTMENT HEAD



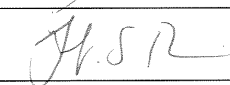
DATE: 2-13-23

FINANCE DIRECTOR



DATE: 2-15-2023

FIRST SELECTMAN



DATE: 2/14/23

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BOF Approved 3/1/23



DEPARTMENT OF PUBLIC WORKS

TOWN HALL, 110 MYRTLE AVENUE
WESTPORT, CONNECTICUT 06880
(203) 3411120 www.westportct.gov

February 8, 2023

Honorable Jennifer S. Tooker
First Selectwoman
Town Hall
Westport, CT 06880

RE: **REQUEST FOR "ADDITIONAL" CONSTRUCTION FUNDING**
Sanitary Sewer Contract # 73
Whitney St, Roseville Rd, Fernwood Rd, Plumtree Ln Pamela Pl & Ledgemoor Ln

Dear Ms. Tooker:

This office is requesting additional funding for the construction of the above referenced sanitary sewer contract. Construction funding, in the amount of \$1,431,000.00, was approved by the Board of Finance on March 2, 2022, and subsequently approved by the RTM on April 5, 2022. These funds requested were based on an engineer's "Opinion of Probable Construction Cost" (OPCC).


As per the Water Pollution Control Authority (WPCA) regulations, the WPCA held a public meeting on March 7, 2022, to present the property owners, within the project limits, the preliminary benefit assessment charges based on an estimated construction value of \$1,431,000.00. At that meeting the property owners were notified that the preliminary benefit assessment value was projected to be \$39,593.27 per property. The Public Works Department solicited construction bids in March of 2022 and held a bid opening on April 7, 2022. There were three qualified bidders, all of which submitted construction costs higher than the funds appropriated, as a result a contract was not awarded.

The contract was readvertised in December of 2022, and the Town held a bid opening on January 12, 2023. There were six qualified bidders. As before, all bidders submitted construction costs higher than the funds appropriated. As a result of the second bid opening and increased construction cost (based on the actual construction bid values) a second a public meeting was held by the WPCA on February 8, 2023, to notify the residents of the amended preliminary benefit assessment charge of \$50,855.57 per property. The increased benefit assessment value was received positively by the property owners that attended the public meeting.

This sewer extension project is based on a petition received from residents of the above referenced areas requesting public sanitary sewer system to service their neighborhoods. The project has been reviewed by the Planning and Zoning Commission and received a positive 8-24 determination on October 22, 2020. Funds were appropriated for the engineering design of the sanitary sewer extension by Board of Finance on January 6, 2021.

This office herein requests an additional appropriation and bond authorization for the necessary funds to complete the construction of the proposed extension. The costs associated with construction are identified in Table 1. Based on this breakdown, an additional appropriation of **\$416,000.00** is requested.

Respectfully,


Peter A. Ratkiewicz P.E.
Director of Public Works

APPROVED: 

Jennifer S. Tooker
First Selectwoman
Date: 2/9/23

cc: Gary Conrad, Finance Director

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Sanitary Sewer Contract 73**Table 1**

Sewer Extensions For
 Whitney Street, Roseville Road, Fernwood Road, Plumtree Lane, Pamela Place & Ledgemoor Lane

ADDITIONAL FUNDING REQUEST

<u>Original Funding Appropriation</u>	<u>Meeting Date</u>	<u>Amount Funded</u>
Board of Finance	March 2, 2022	\$ 1,431,000.00
RTM	April 5, 2022	

Amended Funding Request

Construction Costs Summary:	\$ 1,689,040.00	As per Bid 1/12/23
Engineering Construction(*) & Inspection (**):	\$ 70,000.00	Estimated (*) + (**)
Total Construction & Inspection Cost =	\$ 1,759,040.00	
5% Contingency	\$ 87,952.00	
Total Cost of Construction =	\$ 1,846,992.00	
Less Original Funding Appropriation =	\$ 1,431,000.00	
ADDITIONAL FUNDING REQUEST	\$ 416,000.00	\$ 415,992.00

(*) Per original RFP = \$7,900.00

(**) 114 Calendar Days/ 81 Working Days

81 Working Days / 648 Hours

648 Hours x \$95.00 per Hr = \$61,560.00

Sanitary Sewer Contract 73**Sewer Extensions For**

Whitney Street, Roseville Road, Fernwood Road, Plumtree Lane, Pamela Place & Ledgemoor Lane

Construction Funding

				M. Rondano Inc.	
Bid #	Item Description	Unit	Quantity	Unit Price	Item Total Cost
1	Site Preparation (not to exceed 10% total bid)	LS	1	\$150,000.00	\$ 150,000.00
2	Traffic-men	ALLOW	1	\$30,000.00	\$ 30,000.00
3	Trench Excavation Unsuitable	CY	150	\$30.00	\$ 4,500.00
4	Trench Excavation Rock	CY	1,760	\$75.00	\$ 132,000.00
5	Additional Foundation Stone	CY	150	\$38.00	\$ 5,700.00
6	Additional Processed Aggregate	CY	20	\$35.00	\$ 700.00
7	Additional Borrow Material	CY	1,760	\$10.00	\$ 17,600.00
8	Class "A" Concrete	CY	10	\$350.00	\$ 3,500.00
9	8" PVC Sewer 0' - 9' deep	LF	2,660	\$140.00	\$ 372,400.00
10	8" PVC Sewer 9 - 12' deep	LF	180	\$220.00	\$ 39,600.00
10A	8" PVC Sewer > 12' deep	LF	50	\$296.00	\$ 14,800.00
11	6" PVC Laterals	LF	420	\$90.00	\$ 37,800.00
11A	1-1/4" Low-Pressur Sewer Laterals	LF	720	\$86.00	\$ 61,920.00
12	Sanitary Manhole Standard 48" Dia 0-9'	EA	17	\$4,750.00	\$ 80,750.00
12A	Sanitary Manhole Standard 48" Dia >12'	EA	1	\$7,000.00	\$ 7,000.00
12B	Sanitary Manhole Terminal Flushing 48" Dia	EA	3	\$7,000.00	\$ 21,000.00
12C	Sanitary Manhole Air Release 48" Dia	EA	2	\$7,500.00	\$ 15,000.00
13	2" LP Sewer Main HDPE (SDR9)	LF	1,320	\$105.00	\$ 138,600.00
13A	1-1/2" LP Sewer Main HDPE (SDR9)	LF	1,135	\$104.00	\$ 118,040.00
14	Pavement Repair, Permanent (Town Roads)	SY	2,015	\$92.00	\$ 185,380.00
15	Pavement Repair, Permanent (Private Road)	SY	2,975	\$30.00	\$ 89,250.00
16	Bituminous Concrete Driveway Apron	SY	100	\$65.00	\$ 6,500.00
17	Restoration	LS	1	\$143,600.00	\$ 143,600.00
18	Gravel Fill	CY	20	\$45.00	\$ 900.00
19	Catch Basin	EA	1	\$3,500.00	\$ 3,500.00
20	Storm Water pipe repair/replace	LF	100	\$90.00	\$ 9,000.00

Construction Costs Summary:

Engineering Construction(*) & Inspection (**): \$ 1,689,040.00

Total Construction & Inspection Cost = \$ 1,759,040.00

5% Contingency \$ 87,952.00

Grand Total \$ 1,846,992.00

Original Construction Funding Request \$ 1,431,000.00

Additional Funds Required \$ 415,992.00

(*) Per original RFP = \$7,900.00

(**) 114 Calendar Days/ 81 Working Days

81 Working Days / 648 Hours

648 Hours x \$95.00 per Hr = \$61,560.00

FISCAL YEAR 2023

TOWN OF WESTPORT, CT

JUSTIFICATION FOR A CAPITAL PROJECT

DEPARTMENT INFORMATION

DEPT
NAME: Department of Public Works February 13, 2023

PROJECT NAME AND DESCRIPTION

SANITARY SEWER CONTRACT 73, Bid #23-069T Sewer Extension to service Whitney St, Ledgemoor La, Pamela Pl, Fernwood Rd, Plum Tree Ln & Roseville Rd

IS IT LISTED IN THE 5-YR CAPITAL
FORECAST?

YES NO
☐ ☒

If no, why not?

If yes, answer the following two questions:

Which FY was the project first proposed?

Which FY was the project first planned?

Petitioned request for public sewer system extensions, received from the residents in the area

APPROXIMATE COST:	\$416,000.00	COST IN CAPITAL FORECAST:
CONTINGENCY (5%):	N/A	Additional Funding request based on actual bids.
	\$416,000.00	←TOTAL REQUEST→ \$416,000.00

SOURCE OF FUNDS:

CAPITAL BOND	GEN'L FUND
<input type="checkbox"/>	<input type="checkbox"/>
CNR	GRANT
<input type="checkbox"/>	<input type="checkbox"/>
STATE	OTHER
<input type="checkbox"/>	<input checked="" type="checkbox"/>

OTHER, DESCRIBE: Sewer Reserve Fund

PAYBACK PERIOD: 19 years

EST. COMPLETION

PROJECTED START DATE: May 2023 DATE: December 2023

ESTIMATED USEFUL LIFE: 75 years

On March 2, 2022 funds were requested and approved for the project (former Bid #22-044T) in the amount of \$1,431,000.00. Due to the construction bids coming in high then the previous appropriation this office is requesting additional funds in the amount of \$416,000.00.

Has an RFP been issued? YES ☐ NO ☒ Engineering staff developed bid documents

Have bids been received? YES ☒ NO ☐ Number of bids received: 6 bidders

Was the lowest bid the winner? YES ☒ NO ☐ If not, why?

Who will benefit from the project? Residents within the associated sewer-shed

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Is it a replacement? YES ☐ NO ☒

If yes, describe condition of what is to be replaced: _____

Pictures attached? YES ☐ NO ☒

What other approvals/reviews are necessary to begin this project? RTM, BOS

FINANCE

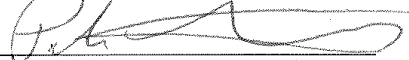
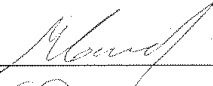
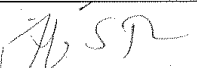
This section to be completed by the Finance Director.

EFFECT ON TOWN FINANCES, INCLUDING DEBT SERVICE:

IF APPROVED:

IF NOT APPROVED:

REVIEW/SIGN-OFF

DEPARTMENT HEAD		DATE: 2-13-23
FINANCE DIRECTOR		DATE: 2-15-2023
FIRST SELECTMAN		DATE: 2/14/23

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PROJECT: Sanitary Sewer Contract #73, Bid#23-069T
LOCATION: Whitney Street, Roseville Road, Fernwood
Road,
DATE: January 12, 2023
ENGINEER: Nafis & Young Engineers

				1		2		3		4		5		6	
				M. Rondano Inc.		FGB Construction		John J. Brennan Construction Co.		Guerra Construction Co. Inc.		True Blue Environmental, Inc		Burns Construction	
ITEM #	DESCRIPTION OF ITEM	QUANTITY	UNIT	UNIT COST	ITEM TOTAL	UNIT COST	ITEM TOTAL	UNIT COST	ITEM TOTAL	UNIT COST	ITEM TOTAL	UNIT COST	ITEM TOTAL	UNIT COST	ITEM TOTAL
1	Site Preparation (not to exceed 10% to	1	LS	\$150,000.00	\$150,000.00	\$113,000.00	\$113,000.00	\$150,000.00	\$150,000.00	\$230,000.00	\$230,000.00	\$100,000.00	\$100,000.00	\$210,576.00	\$210,576.00
2	Traffic-men	1	ALLOW	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00	\$30,000.00
3	Trench Excavation Unsuitable	150	CY	\$30.00	\$4,500.00	\$24.00	\$3,600.00	\$55.00	\$8,250.00	\$61.00	\$9,150.00	\$50.00	\$7,500.00	\$76.00	\$11,400.00
4	Trench Excavation Rock	1,760	CY	\$75.00	\$132,000.00	\$0.01	\$17.60	\$125.00	\$220,000.00	\$265.00	\$466,400.00	\$100.00	\$176,000.00	\$604.00	\$1,063,040.00
5	Additional Foundation Stone	150	CY	\$38.00	\$5,700.00	\$42.00	\$6,300.00	\$75.00	\$11,250.00	\$65.00	\$9,750.00	\$50.00	\$7,500.00	\$84.00	\$12,600.00
6	Additional Processed Aggregate	20	CY	\$35.00	\$700.00	\$27.50	\$550.00	\$65.00	\$1,300.00	\$55.00	\$1,100.00	\$50.00	\$1,000.00	\$44.00	\$880.00
7	Additional Borrow Material	1,760	CY	\$10.00	\$17,600.00	\$0.01	\$17.60	\$12.00	\$21,120.00	\$29.00	\$51,040.00	\$50.00	\$88,000.00	\$76.00	\$133,760.00
8	Class "A" Concrete	10	CY	\$350.00	\$3,500.00	\$360.00	\$3,600.00	\$180.00	\$1,800.00	\$300.00	\$3,000.00	\$250.00	\$2,500.00	\$88.00	\$880.00
9	8" PVC Sewer 0' - 9' deep	2,660	LF	\$140.00	\$372,400.00	\$260.75	\$693,595.00	\$285.00	\$758,100.00	\$175.00	\$465,500.00	\$250.00	\$665,000.00	\$181.00	\$481,460.00
10	8" PVC Sewer 9 - 12' deep	180	LF	\$220.00	\$39,600.00	\$475.00	\$85,500.00	\$590.00	\$106,200.00	\$270.00	\$48,600.00	\$275.00	\$49,500.00	\$259.00	\$46,620.00
10A	8" PVC Sewer > 12' deep	50	LF	\$296.00	\$14,800.00	\$500.00	\$25,000.00	\$1,085.00	\$54,250.00	\$435.00	\$21,750.00	\$325.00	\$16,250.00	\$276.00	\$13,800.00
11	8" PVC Laterals	420	LF	\$90.00	\$37,800.00	\$112.00	\$47,040.00	\$385.00	\$161,700.00	\$235.00	\$98,700.00	\$325.00	\$136,500.00	\$156.00	\$65,520.00
11A	1-1/4" Low-Pressur Sewer Laterals	720	LF	\$86.00	\$61,920.00	\$75.00	\$54,000.00	\$150.00	\$108,000.00	\$130.00	\$93,600.00	\$200.00	\$144,000.00	\$113.00	\$81,360.00
12	Sanitary Manhole Standard 48" Dia 0-	17	EA	\$4,750.00	\$80,750.00	\$4,625.00	\$78,625.00	\$12,000.00	\$204,000.00	\$7,550.00	\$128,350.00	\$5,000.00	\$85,000.00	\$7,453.00	\$126,701.00
12A	Sanitary Manhole Standard 48" Dia >	1	EA	\$7,000.00	\$7,000.00	\$7,350.00	\$7,350.00	\$18,000.00	\$18,000.00	\$9,100.00	\$9,100.00	\$10,000.00	\$10,000.00	\$12,372.00	\$12,372.00
12B	Sanitary Manhole Terminal Flushing 4	3	EA	\$7,000.00	\$21,000.00	\$5,600.00	\$16,800.00	\$6,000.00	\$18,000.00	\$7,550.00	\$22,650.00	\$6,000.00	\$18,000.00	\$10,265.00	\$30,795.00
12C	Sanitary Manhole Air Release 48" Dia	2	EA	\$7,500.00	\$15,000.00	\$12,000.00	\$24,000.00	\$11,500.00	\$23,000.00	\$7,550.00	\$15,100.00	\$6,500.00	\$13,000.00	\$9,879.00	\$19,758.00
13	2" LP Sewer Main HDPE (SDR9)	1,320	LF	\$105.00	\$138,600.00	\$171.50	\$226,380.00	\$85.00	\$112,200.00	\$80.00	\$105,600.00	\$215.00	\$283,800.00	\$161.00	\$212,520.00
13A	1-1/2" LP Sewer Main HDPE (SDR9)	1,135	LF	\$104.00	\$118,040.00	\$164.25	\$186,423.75	\$85.00	\$96,475.00	\$75.00	\$85,125.00	\$205.00	\$232,675.00	\$108.00	\$122,580.00
14	Pavement Repair, Permanent (Town F	2,015	SY	\$92.00	\$185,380.00	\$91.50	\$184,372.50	\$85.00	\$171,275.00	\$125.00	\$251,875.00	\$75.00	\$151,125.00	\$60.00	\$120,900.00
15	Pavement Repair, Permanent (Private	2,975	SY	\$30.00	\$89,250.00	\$21.00	\$62,475.00	\$28.00	\$83,300.00	\$125.00	\$371,875.00	\$60.00	\$178,500.00	\$54.00	\$160,650.00
16	Bituminous Concrete Driveway Apron	100	SY	\$65.00	\$6,500.00	\$76.00	\$7,600.00	\$100.00	\$10,000.00	\$55.00	\$5,500.00	\$100.00	\$10,000.00	\$92.00	\$9,200.00
17	Restoration	1	LS	\$143,600.00	\$143,600.00	\$36,500.00	\$36,500.00	\$50,000.00	\$50,000.00	\$25,000.00	\$25,000.00	\$150,000.00	\$150,000.00	\$80,233.00	\$80,233.00
18	Gravel Fill	20	CY	\$45.00	\$900.00	\$27.50	\$550.00	\$50.00	\$1,000.00	\$60.00	\$1,200.00	\$100.00	\$2,000.00	\$144.00	\$2,880.00
19	Catch Basin	1	EA	\$3,500.00	\$3,500.00	\$3,600.00	\$3,600.00	\$4,800.00	\$4,800.00	\$5,700.00	\$5,700.00	\$5,000.00	\$5,000.00	\$5,203.00	\$5,203.00
20	Storm Water pipe repair/replace	100	LF	\$90.00	\$9,000.00	\$125.00	\$12,500.00	\$175.00	\$17,500.00	\$123.00	\$12,300.00	\$100.00	\$10,000.00	\$202.00	\$20,200.00
BID TOTALS=				\$1,689,040.45		\$1,909,396.45		\$2,441,520.00		\$2,567,965.00		\$2,572,850.00		\$3,075,888.00	



DEPARTMENT OF PUBLIC WORKS

TOWN HALL, 110 MYRTLE AVENUE
WESTPORT, CONNECTICUT 06880
(203) 3411120 www.westportct.gov

BOF Approved 3/1/23

February 9, 2023

Honorable Jennifer S. Tooker
First Selectwoman
Town Hall
Westport, CT 06880

**RE: REQUEST FOR "ADDITIONAL" CONSTRUCTION FUNDING
Sanitary Sewer Contract 75
Evergreen Avenue, Evergreen Parkway, Tamarac Road, Lone Pine Lane,
Gorham Avenue, Compo Road North & Brookside Drive**

Dear Ms. Tooker:

This office is requesting additional funding for the construction of the above referenced sanitary sewer contract. Construction funding, in the amount of \$3,100,000.00, was approved by the Board of Finance on March 2, 2022, and subsequently approved by the RTM on April 5, 2022. These funds requested were based on an engineer's "Opinion of Probable Construction Cost" (OPCC).

As per the Water Pollution Control Authority (WPCA) regulations, the WPCA held a public meeting on March 7, 2022, to present the property owners, within the project limits, the preliminary benefit assessment charges based on an estimated construction value of \$3,100,000.00. At that meeting the property owners were notified that the preliminary benefit assessment value was projected to be \$25,447.59 per property. The Public Works Department solicited construction bids in March of 2022 and held a bid opening on April 7, 2022. There was only one bidder, of which submitted construction costs higher than the funds appropriated, as a result a contract was not awarded.

The contract was readvertised in December of 2022, and the Town held a bid opening on January 19, 2023. There were four qualified bidders. As before, all bidders submitted construction costs higher than the funds appropriated. As a result of the second bid opening and increased construction cost (based on the actual construction bid values), a second a public meeting will be held by the WPCA on February 22, 2023, to notify the residents of the amended preliminary benefit assessment charge of \$32,692.40 per property. Depending on the outcome of the WPCA meeting and the public opinion, this funding request may be withdrawn.

This sewer extension project is based on a petition received from residents of the above referenced areas requesting public sanitary sewer system to service their neighborhoods. The project has been reviewed by the Planning and Zoning Commission and received a positive 8-24 determination on March 11, 2021. Funds were appropriated for the engineering design of the sanitary sewer extension by Board of Finance on April 7, 2021.

This office herein requests an additional appropriation and bond authorization for the necessary funds to complete the construction of the proposed extension. The costs associated with construction are identified in Table 1. Based on this breakdown, an additional appropriation of **\$790,000.00** is requested.

Sincerely,

Respectfully,

Peter A. Ratkiewicz P.E.
Director of Public Works

APPROVED:
Jennifer S. Tooker
First Selectwoman
Date: 2/9/23

cc: Gary Conrad, Finance Director

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Sanitary Sewer Contract 75**Table 1****Sewer Extensions For**

Evergreen Avenue, Evergreen Parkway, Tamarac Road, Lone Pine Lane, Gorham Avenue, Compo Road North & Brookside Drive

ADDITIONAL FUNDING REQUEST**Original Funding Appropriation**

	<u>Meeting Date</u>	<u>Amount Funded</u>
<u>Board of Finance</u>	March 2, 2022	\$ 3,100,000.00
<u>RTM</u>	April 5, 2022	

Amended Funding Request

Construction Costs Summary:	\$ 3,481,833.00	As per Bid 1/19/23
Easement Acquisitions:	\$ 100,000.00	Estimated
Engineering Construction(*) & Inspection (**):	\$ 120,000.00	Estimated (*) & (**)
Total Construction & Inspection Cost =	\$ 3,701,833.00	
5% Contingency	\$ 185,092.00	
Total Cost of Construction =	\$ 3,886,925.00	
Less Original Funding Appropriation =	\$ 3,100,000.00	

ADDITIONAL FUNDING REQUEST \$ 790,000.00 \$ 786,925.00

(*) Per original RFP = \$6,000.00

(**) 250 Calendar Days / 178.57 Working Days

178.57 Working Days / 1428.57 Hours

1428.57 Hours / \$79.50 per hour = \$113,571.32

Sanitary Sewer Contract 75

Sewer Extensions For
Evergreen Avenue, Evergreen Parkway, Tamarac Road, Lone Pine Lane, Gorham Avenue; Compo Road North & Brookside Drive

Construction Funding

ITEM #	DESCRIPTION OF ITEM	QUANTITY	UNIT	BURNS CONSTRUCTION	
				UNIT COST	ITEM TOTAL
1	Site Preparation (not to exceed 10% total bid)	1	LS	\$150,000.00	\$150,000.00
2	Trafficmen	1	LS	\$50,000.00	\$50,000.00
3	Test Pits	45	CY	\$191.00	\$8,595.00
4	Excavation Below Grade	50	CY	\$303.00	\$15,150.00
5	Rock Excavation	40	CY	\$364.00	\$14,560.00
6	Additional Foundation Stone	50	CY	\$58.00	\$2,900.00
7	Additional Processed Aggregate	50	CY	\$34.00	\$1,700.00
8	Additional Borrow Material	50	CY	\$73.00	\$3,650.00
9	Class "A" Concrete	20	CY	\$309.00	\$6,180.00
10	8" PVC Sewer 1' - 9' deep	4,334	LF	\$167.00	\$723,778.00
10A	8" PVC Sewer 9' - 12' deep	1,746	LF	\$168.00	\$293,328.00
10B	8" PVC Sewer 12' - 20' deep	3,001	LF	\$250.00	\$750,250.00
10C	2" SDR 9 HDPE Low Pressure Sewer	410	LF	\$126.00	\$51,660.00
11	6" PVC Laterals	2,750	LF	\$129.00	\$354,750.00
11A	1-1/4" Low-Pressure Sewer Laterals	340	LF	\$74.00	\$25,160.00
12	Sanitary Manhole 1' - 9' deep 48" Dia.	25	EA	\$5,806.00	\$145,150.00
12A	Sanitary Manhole 9' - 12' deep 48" Dia.	7	EA	\$7,771.00	\$54,397.00
12B	Sanitary Manhole > 12' deep 48" Dia.	13	EA	\$8,161.00	\$106,093.00
12C	Sanitary Manhole Outside Drop 48" Dia.	1	EA	\$8,290.00	\$8,290.00
12D	Sanitary Manhole Shallow 48" Dia.	3	EA	\$5,239.00	\$15,717.00
12E	Sanitary Manhole Doghouse 48" Dia.	1	EA	\$6,046.00	\$6,046.00
12F	Sanitary Manhole Terminal Flushing 48" Dia.	1	EA	\$5,427.00	\$5,427.00
12G	Sanitary Manhole Force Main to Gravity 48" Dia.	1	EA	\$5,321.00	\$5,321.00
13	Horizontal Directional Drilling	1	LS	\$76,349.00	\$76,349.00
14	Permanent Pavement Repair, (Town Roads)	7,155	SY	\$66.00	\$472,230.00
15	Permanent Pavement Repair, (State Roads)	285	SY	\$105.00	\$29,925.00
16	Permanent Pavement Repair, (Private Roads)	170	SY	\$71.00	\$12,070.00
17	Milling HMA 0-4" deep	350	SY	\$19.00	\$6,650.00
18	Bituminous Concrete Driveway Aprons	530	SY	\$111.00	\$58,830.00
19	Restoration	1	LS	\$27,677.00	\$27,677.00

Construction Costs Summary: \$ **3,481,833.00**
 Engineering Construction(*) & Inspection (**): \$ 120,000.00
 Easement Agreements: \$ 100,000.00

(*) Per original RFP = \$6,000.00
 (**) 250 Calendar Days / 178.57 Working Days
 178.57 Working Days / 1428.57 Hours
 1428.57 Hours / \$79.50 per hour = \$113,571.32

Total Construction & Inspection Cost = \$ 3,701,833.00
 5% Contingency \$ **185,092.00**
Grand Total \$ 3,886,925.00
 Original Construction Funding Request \$ 3,100,000.00
Additional Funds Required \$ 786,925.00

FISCAL YEAR 2023

TOWN OF WESTPORT, CT

JUSTIFICATION FOR A CAPITAL PROJECT

DEPARTMENT INFORMATION

DEPT
NAME: Department of Public Works February 13, 2023

PROJECT NAME AND DESCRIPTION

SANITARY SEWER CONTRACT 75, Bid #23-068T Sewer Extension to service Evergreen Avenue, Evergreen Parkway, Tamarac Road, Lone Pine Lane, Gorham Avenue, Compo Road North & Brookside Drive

IS IT LISTED IN THE 5-YR CAPITAL
FORECAST?

YES NO
☐ ☒

If no, why not?

If yes, answer the following two questions:

Which FY was the project first proposed?

Which FY was the project first planned?

Petitioned request for public sewer system extensions, received from the residents in the area

APPROXIMATE COST:	\$790,000.00	COST IN CAPITAL FORECAST:
CONTINGENCY (5%):	N/A	Additional Funding request based on actual bids.
	\$790,000.00	←TOTAL REQUEST→ \$790,000.00

SOURCE OF FUNDS:

CAPITAL BOND	GEN'L FUND
<input type="checkbox"/>	<input type="checkbox"/>
CNR	GRANT
<input type="checkbox"/>	<input type="checkbox"/>
STATE	OTHER
<input type="checkbox"/>	<input checked="" type="checkbox"/>

OTHER, DESCRIBE: Sewer Reserve Fund

PAYBACK PERIOD: 19 years

PROJECTED START DATE:	EST. COMPLETION DATE:
May 2023	December 2023
ESTIMATED USEFUL LIFE: 75 years	

On March 2, 2022 funds were requested and approved for the project (former Bid #22-040T) in the amount of \$3,100,000.00. Due to the construction bids coming in high then the previous appropriation this office is requesting additional funds in the amount of \$790,000.00.

Has an RFP been issued?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/> Engineering staff developed bid documents
Have bids been received?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/> Number of bids received: 4 bidders
Was the lowest bid the winner?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/> If not, why?

Who will benefit from the project? Residents within the associated sewer-shed

G:\Pw_off\SEWER CONTRACTS\CON75 - EVERGREEN PKWY - TAMARAC\6 - Construction 2nd Bid\CPR-Contract75 Additional Funds Requested.doc

Is it a replacement? YES ☐ NO ☒

If yes, describe condition of what is to be replaced: _____

Pictures attached? YES ☐ NO ☒

What other approvals/reviews are necessary to begin this project? RTM, BOS

FINANCE

This section to be completed by the Finance Director.

EFFECT ON TOWN FINANCES, INCLUDING DEBT SERVICE:

IF APPROVED:

IF NOT APPROVED:

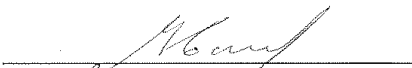
REVIEW/SIGN-OFF

DEPARTMENT HEAD



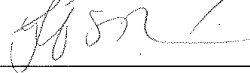
DATE: 2-13-23

FINANCE DIRECTOR



DATE: 2-15-2023

FIRST SELECTMAN



DATE: 2/14/23

SANITARY SEWER CONTRACT #75

Bid 23-068T Summary

Prepared - January 19, 2023

PROJECT: Sanitary Sewer Contract #75, Bid #23-068T LOCATION: Evergreen Avenue, Evergreen Parkway, Tamarac Road, Lone Pine Lane, Gorham Avenue, Compo Road North & Brookside Drive DATE: January 19, 2023 ENGINEER: AI Engineers				BURNS CONSTRUCTION		FGB CONSTRUCTION		A VITI EXCAVATORS		JOHN J BRENNAN CONSTR.	
ITEM #	DESCRIPTION OF ITEM	QUANTITY	UNIT	UNIT COST	ITEM TOTAL	UNIT COST	ITEM TOTAL	UNIT COST	ITEM TOTAL	UNIT COST	ITEM TOTAL
1	Site Preparation (not to exceed 10% total bid)	1	LS	\$150,000.00	\$150,000.00	\$127,000.00	\$127,000.00	\$500,000.00	\$500,000.00	\$295,000.00	\$295,000.00
2	Trafficmen	1	LS	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
3	Test Pits	45	CY	\$191.00	\$8,595.00	\$290.00	\$13,050.00	\$150.00	\$6,750.00	\$175.00	\$7,875.00
4	Excavation Below Grade	50	CY	\$303.00	\$15,150.00	\$50.00	\$2,500.00	\$60.00	\$3,000.00	\$95.00	\$4,750.00
5	Rock Excavation	40	CY	\$364.00	\$14,560.00	\$225.00	\$9,000.00	\$350.00	\$14,000.00	\$625.00	\$25,000.00
6	Additional Foundation Stone	50	CY	\$58.00	\$2,900.00	\$42.00	\$2,100.00	\$70.00	\$3,500.00	\$65.00	\$3,250.00
7	Additional Processed Aggregate	50	CY	\$34.00	\$1,700.00	\$22.00	\$1,100.00	\$60.00	\$3,000.00	\$45.00	\$2,250.00
8	Additional Borrow Material	50	CY	\$73.00	\$3,650.00	\$22.00	\$1,100.00	\$40.00	\$2,000.00	\$25.00	\$1,250.00
9	Class "A" Concrete	20	CY	\$309.00	\$6,180.00	\$263.00	\$5,260.00	\$400.00	\$8,000.00	\$190.00	\$3,800.00
10	8" PVC Sewer 1' - 9' deep	4,334	LF	\$167.00	\$723,778.00	\$226.00	\$979,484.00	\$280.00	\$1,213,520.00	\$240.00	\$1,040,160.00
10A	8" PVC Sewer 9' - 12' deep	1,746	LF	\$168.00	\$293,328.00	\$353.00	\$616,338.00	\$350.00	\$611,100.00	\$450.00	\$785,700.00
10B	8" PVC Sewer 12' - 20' deep	3,001	LF	\$250.00	\$750,250.00	\$802.00	\$2,406,802.00	\$450.00	\$1,350,450.00	\$800.00	\$2,400,800.00
10C	2" SDR 9 HDPE Low Pressure Sewer	410	LF	\$126.00	\$51,660.00	\$133.00	\$54,530.00	\$170.00	\$69,700.00	\$90.00	\$36,900.00
11	6" PVC Laterals	2,750	LF	\$129.00	\$354,750.00	\$120.00	\$330,000.00	\$200.00	\$550,000.00	\$195.00	\$536,250.00
11A	1-1/4" Low-Pressur Sewer Laterals	340	LF	\$74.00	\$25,160.00	\$110.00	\$37,400.00	\$140.00	\$47,600.00	\$125.00	\$42,500.00
12	Sanitary Manhole 1' - 9' deep 48" Dia.	25	EA	\$5,806.00	\$145,150.00	\$6,700.00	\$167,500.00	\$8,000.00	\$200,000.00	\$10,000.00	\$250,000.00
12A	Sanitary Manhole 9' - 12' deep 48" Dia.	7	EA	\$7,771.00	\$54,397.00	\$8,200.00	\$57,400.00	\$10,000.00	\$70,000.00	\$13,500.00	\$94,500.00
12B	Sanitary Manhole > 12' deep 48" Dia.	13	EA	\$8,161.00	\$106,093.00	\$11,300.00	\$146,900.00	\$20,000.00	\$260,000.00	\$16,500.00	\$214,500.00
12C	Sanitary Manhole Outside Drop 48" Dia.	1	EA	\$8,290.00	\$8,290.00	\$12,900.00	\$12,900.00	\$20,000.00	\$20,000.00	\$18,000.00	\$18,000.00
12D	Sanitary Manhole Shallow 48" Dia.	3	EA	\$5,239.00	\$15,717.00	\$5,500.00	\$16,500.00	\$5,000.00	\$15,000.00	\$5,000.00	\$15,000.00
12E	Sanitary Manhole Doghouse 48" Dia.	1	EA	\$6,046.00	\$6,046.00	\$9,400.00	\$9,400.00	\$15,000.00	\$15,000.00	\$18,000.00	\$18,000.00
12E	Sanitary Manhole Terminal Flushing 48" Dia.	1	EA	\$5,427.00	\$5,427.00	\$7,500.00	\$7,500.00	\$10,000.00	\$10,000.00	\$7,000.00	\$7,000.00
12G	Sanitary Manhole Force Main to Gravity 48" Dia.	1	EA	\$5,321.00	\$5,321.00	\$7,500.00	\$7,500.00	\$10,000.00	\$10,000.00	\$7,000.00	\$7,000.00
13	Horizontal Directional Drilling	1	LS	\$76,349.00	\$76,349.00	\$95,400.00	\$95,400.00	\$80,000.00	\$80,000.00	\$110,000.00	\$110,000.00
14	Permanent Pavement Repair, (Town Roads)	7,155	SY	\$66.00	\$472,230.00	\$70.00	\$500,850.00	\$65.00	\$465,075.00	\$97.00	\$694,035.00
15	Permanent Pavement Repair, (State Roads)	285	SY	\$105.00	\$29,925.00	\$137.00	\$39,045.00	\$150.00	\$42,750.00	\$160.00	\$45,600.00
16	Permanent Pavement Repair, (Private Roads)	170	SY	\$71.00	\$12,070.00	\$112.00	\$19,040.00	\$50.00	\$8,500.00	\$80.00	\$13,800.00
17	Milling HMA 0-4" deep	350	SY	\$19.00	\$6,650.00	\$40.00	\$14,000.00	\$40.00	\$14,000.00	\$65.00	\$22,750.00
18	Bituminous Concrete Driveway Aprons	530	SY	\$111.00	\$58,830.00	\$75.00	\$39,750.00	\$70.00	\$37,100.00	\$95.00	\$50,350.00
19	Restoration	1	LS	\$27,677.00	\$27,677.00	\$93,000.00	\$93,000.00	\$350,000.00	\$350,000.00	\$190,000.00	\$190,000.00
BID TOTALS=					\$3,481,833.00		\$5,862,349.00		\$6,030,045.00		\$6,985,820.00