



WESTPORT

**TOWN OF WESTPORT**  
**REPRESENTATIVE TOWN MEETING**  
**REPRESENTATIVE TOWN MEETING PACKET**  
**APRIL 4, 2023**  
**07:30 PM**



## REPRESENTATIVE TOWN MEETING AGENDA

APRIL 4, 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 at Town Hall, 110 Myrtle Ave. in the auditorium on April 4, 2023, at 7:30 p.m. for the purposes listed below. If necessary, the meeting shall reconvene on Tuesday April 18, 2023, to deal with any agenda items not disposed of at the adjournment of the April 4, 2023, meeting.

Attachment: [Resolutions.pdf](#)

### Item #1

To take such action as the meeting may determine, upon the recommendation of the First Selectwoman, to approve the appointment of Mark J. Ripka as a member of the Public Site and Building Commission.

Attachment: [Public Site \\_ Building Commission Appointment Letter-Tooker.pdf](#)

### 1. Item #2

To take such action as the meeting may determine, upon the request of the Town Clerk and 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. (Second reading. Full text available in the Town Clerk's office).

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 Committees Report Item \\_ 2.pdf](#)

Attachment: [RTM Ordinance Committee Report Item \\_ 2.pdf](#)

**RTM Meeting  
April 4, 2023**

**RESOLUTIONS**

(1)

**RESOLVED:** That upon the recommendation of the First Selectwoman, the appointment of Mark J. Ripka as a member of the Public Site and Building Commission is hereby approved.

(2)

**RESOLVED:** That upon the request of the Town Clerk and 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. (Second 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](#).)



**WESTPORT**<sup>SM</sup>  
CONNECTICUT

Jennifer S. Tooker, First Selectwoman

February 22, 2023

Jeffrey Wieser, Moderator  
Representative Town Meeting  
Town Hall  
Westport, CT 06880

Dear Jeff:

Notice is hereby given that, as First Selectwoman, I have appointed the following member of the Westport electorate as a member of the Public Site and Building Commission of the Town of Westport:

Mark J. Ripka

This designation is effective for a four year term which expires on June 30, 2027.

In accordance with Chapter 21-1 of the Westport Town Code, please place this appointment before the Representative Town Meeting for confirmation.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "J S Tooker".

Jennifer S. Tooker  
First Selectwoman

cc: Jeff Dunkerton, Town Clerk  
Joseph Strickland, Chair, Public Site & Building Commission  
Steve Smith, Building Official

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

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(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](mailto: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?**

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?**

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.)**

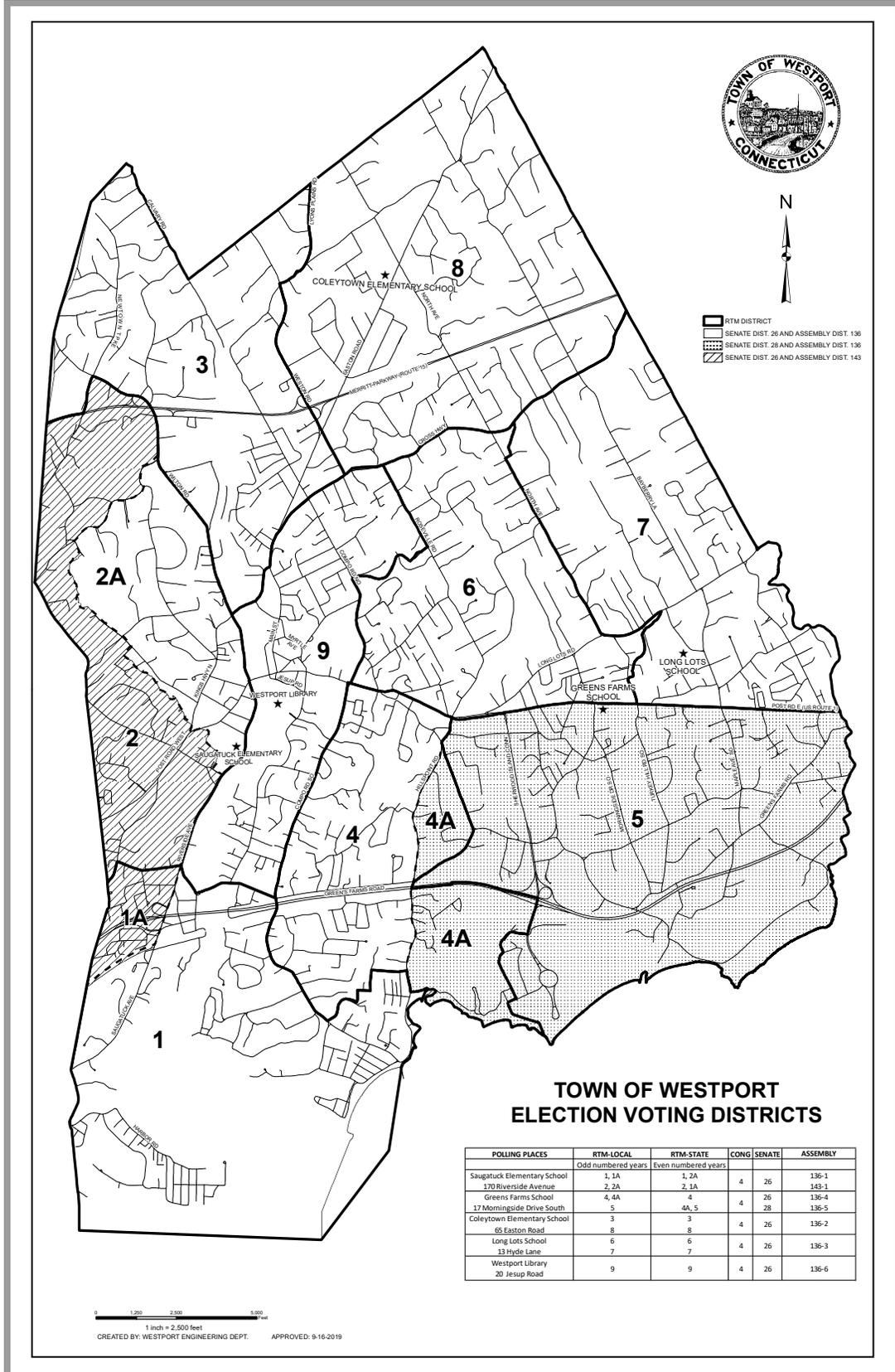
A. No. Town Code Section 22-1 is the only law that describes our RTM districts.

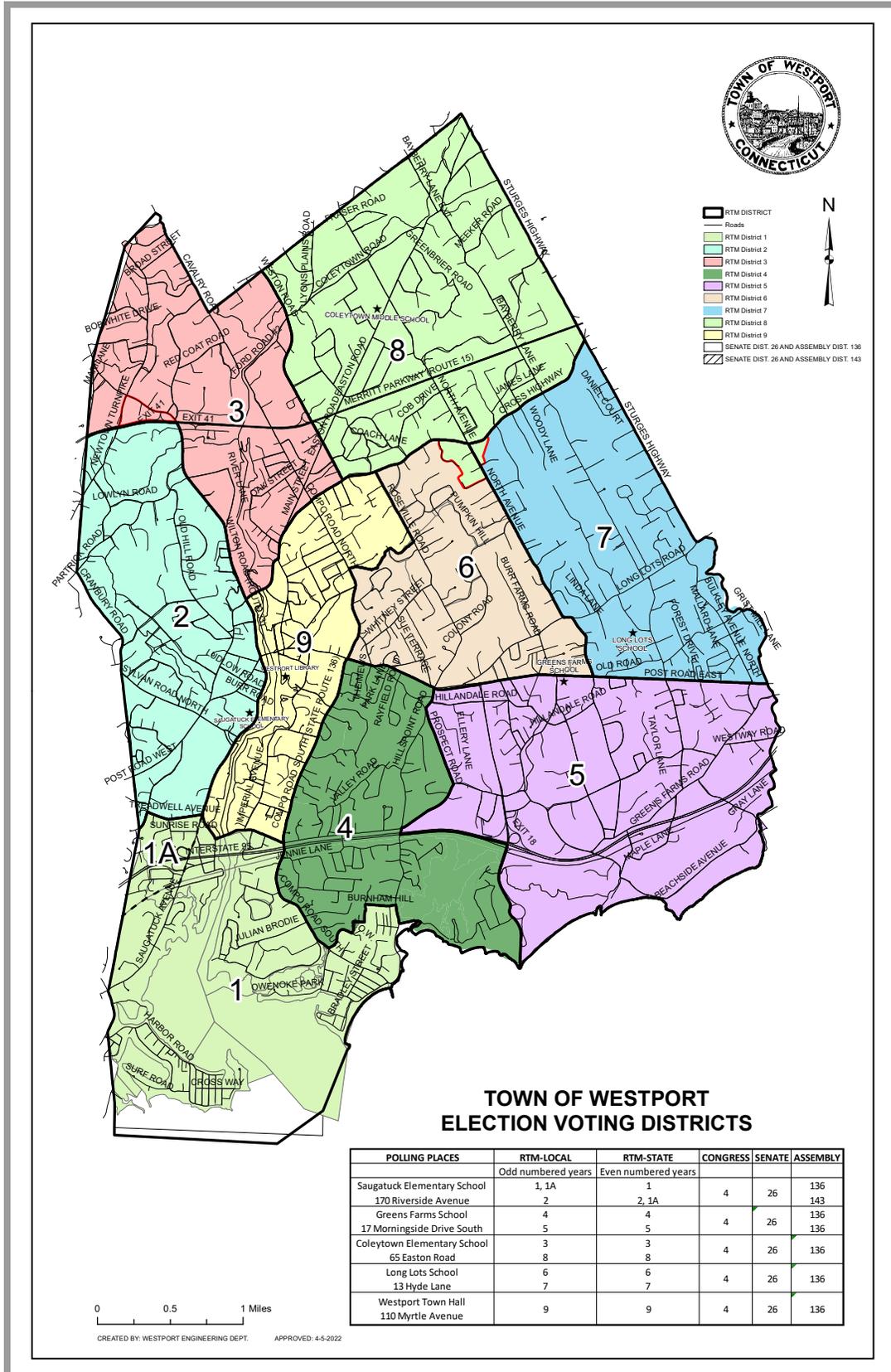
**Q. Do our neighboring towns have similar ordinances? (Copies to be attached.) Does the policy in neighboring towns have an impact on Westport?**

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





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	0.115105261	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
<b>Total Population</b>	<b>27123</b>	<b>27123</b>			<b>36</b>
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
<b>Total Population</b>	<b>27123</b>			

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
<b>Total Population</b>	<b>27123</b>	<b>27123</b>

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

**TO: Representative Town Meeting**

**FROM: RTM Ordinance Committee**

**SUBJECT: To review an amendment to Section 22-1 of the Code of Ordinances, establishing new and/or reaffirming current RTM voting districts following the 2020 Census as provided in Section C5-2 of the Town Charter.**

**Meeting of March 7, 2023**

Members present: Brandi Briggs (Chair), Lauren Karpf, Peter Gold, Ellen Lautenberg, Kristin Schneeman, Stephen Shackelford and Lyn Hogan.

On March 7 2023 the Ordinance committee met by Zoom to discuss and review an amendment to Section 22-1 of the Code of Ordinances, establishing new and/or reaffirming current RTM voting districts following the 2020 Census as provided in Section C5-2 of the Town Charter.

We reviewed the few changes to the RTM voting districts. Peter Gold questioned if we should use map references or some other way to describe district borders versus the house number and street in case those were to change. Mr. Dunkerton indicated that this was the way that the town engineer, Keith Wilberg, recommended they be written.

After reviewing the rest of the changes, Peter Gold made a motion and Kristin Schneeman seconded that the amendment to Section 22-1 of the Code of Ordinances, establishing new and/or reaffirming current RTM voting districts following the 2020 Census as provided in Section C5-2 of the Town Charter is ready for full RTM review.