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# RTM Agenda Summary for October 2, 2018

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## **SHORT SUMMARY:**

The next RTM meeting is on Tuesday, October 2nd at 7:30 pm in Town Hall (110 Myrtle Avenue). You can watch the meetings on Cablevision channel 79, Frontier channel 99, or online [here](#). You can see the official agenda by clicking [here](#).

The RTM will probably meet again on Tuesday, October 16th given the lengthy debate that might

occur regarding some of the thirteen agenda items below:

1. Whether to appropriate **\$139,207.15** in revenue from the rental of school properties to the Board of Education budget;
2. Whether, by a vote of **at least 70% of the RTM members present**, to “overrule” the Board of Finance’s denial of a **\$185,000** appropriation to the police overtime account to fund 2 School Resource Officers for the 2018-2019 school year. These officers would spend the majority of their time covering middle school students;
3. Whether to appropriate **\$155,000** and authorize the corresponding bond/note issuance for the purchase of a medium duty Lo Pro dump truck;
4. Whether to appropriate **\$325,000** and authorize the corresponding bond/note issuance to replace the Town Hall Elevator;
5. Whether to appropriate **\$305,000** and authorize the corresponding bond/note issuance to replace a compactor at the town’s waste transfer station;
6. Whether to appropriate **\$50,000** to purchase a Kubota tractor;

7. Whether to approve a **new ordinance prohibiting the application of synthetic infill material on playing fields** located on property owned by the town;
8. Whether to appropriate **\$85,000** and authorize the corresponding bond/note issuance for **design services** to replace **4 synthetic turf fields** and the **Staples running track**;
9. Whether to appropriate **\$270,000** and authorize the corresponding bond/note issuance for a **new pedestrian walkway and picnic table pads along the southern beachfront area at Compo Beach**;
10. Whether to appropriate **\$196,000** to **replace a bar screen rack and skylight** at the **Westport Water Pollution Control Facility**;
11. Whether to appropriate **\$25,000** and authorize the corresponding bond/note issuance for the **engineering, design, and permitting** of a replacement for a **jetty at Burying Hill Beach**;
12. Whether to **amend** the town's **Waterway Protection Line Ordinance** to make the **time for reviewing applications** consistent with state Inland Wetland and Watercourse applications; and

- Whether to approve **local historic district designation** for Kings Highway Bridge, Taylortown Saltmarsh, 146 Kings Highway North, and 118 and 122 Wilton Road.

## DETAIL:

### AGENDA ITEM #1: Whether to appropriate \$139,207.15 in revenue from the rental of school properties to the Board of Education budget

Third parties pay rental fees for school property to the town and, pursuant to [C.G.S. § 10-222a](#), these funds “shall be deemed to be appropriated to the board of education” in the year received.

#### Revenue & Expense Detail

##### Revenues

Camp Gan Israel	\$	73,181.00
Westport Academy of Dance	\$	13,816.34
Westport Young Women's League	\$	13,257.07
Connecticut Breeze	\$	5,045.33
All Other (Under \$5,000)	\$	33,907.41
	\$	<u>139,207.15</u>

##### Expenditures

Payroll (including FICA/Med)	\$	53,903.07
Electricity	\$	72,277.33
Refund to Camp Gan Israel (sec. deposit)	\$	10,000.00
Fingerprinting	\$	3,026.75
Misc. reimbursements	\$	-
	\$	<u>139,207.15</u>

As pictured to the right, the town received \$139,207.15 in revenues for the rental of school property during fiscal year 2017-2018. The Board of Education had payroll expenses related to these

rentals and paid Camp Gan Israel \$10,000 for the security deposit this renter provided to the town. Under an agreement reached by the Board of Education and the town, the “BOE Rentals & Reimbursements Expenditure Account” is a “net zero” account – meaning that the rental fees are matched to expenses in the same dollar amount. If approved, the appropriation would go towards the expenses pictured to the right for fiscal year 2017-2018.

**AGENDA ITEM #2: Whether, by a vote of at least 70% of the RTM members present, to “overrule” the Board of Finance’s denial of a \$185,000 appropriation to the police overtime account to fund 2 School Resource Officers for the 2018-2019 school year. These officers would spend the majority of their time covering middle school students**

Due to its length, I wrote my summary of this agenda item in a separate page that you can read by clicking [here](#).

**AGENDA ITEM #3: Whether to appropriate \$155,000 and authorize the corresponding bond/note issuance for the purchase of a medium duty Lo Pro dump truck**



A medium duty “Lo Pro” dump truck is a 25,000 pound vehicle that can be used for plowing, spreading salt, construction projects, and

other work. Because the “Lo Pro” has a lower profile, it is better suited for work on many roads in town than a higher profile truck. The new Lo Pro dump trucks are also significantly more fuel efficient and environmentally friendly than older models.

As you may recall, the RTM approved a appropriation and authorized the bond issuance for the purchase of two of these trucks on [January 9, 2018](#).

Currently, the Public Works department would like to replace another Lo Pro dump truck – which is from model year 2000 – and the funds for doing so through bond financing were included in this year’s budget. The town is “very pleased” with the supplier used and 2 Lo Pro trucks purchased previously, and this supplier has agreed to hold the price from this bid.

## **AGENDA ITEM #4: Whether to appropriate \$325,000 and authorize the corresponding bond/note issuance to replace the Town Hall Elevator**

A working elevator is necessary for the town to be ADA complaint and the one there now is 40 years old, at the end of its useful life, and probably not in compliance with current safety codes, which require that elevators have double cylinders. Replacement parts are becoming difficult and

Hydraulic elevators installed before 1971 (1977 in Canada), probably have 2 single-bottom cylinders buried beneath the ground and exposed to the possible risks of corrosion and electrolysis. As a result, the cylinders may leak hydraulic oil, leading to cylinder pressure failure and environmental contamination. The ASME A17.1, 2000 Code now requires replacement of all single bottom cylinders with double bottom cylinders, or the cylinders must be equipped with code compliant safeties.

**Why Upgrade?**

Many hydraulic elevators operate by pumping pressurized oil into an underground cylinder. As oil enters the cylinder, the plunger rises, forcing the elevator car upward. To lower the car at the appropriate rated speed, oil is gradually released from the cylinder back into a power unit. If there is a leak in the cylinder and the oil escapes, there is no way to control the speed of the elevator’s descent. Elevators with single bottom cylinders are especially at risk.

Double bottom cylinders feature a bottom plate plus a safety bulkhead with a relief opening. Should the bottom plate rupture, the opening allows only a small amount of oil to escape at a time, slowing the elevator’s descent.

**Features**

- Lowers the risk of catastrophic cylinder failure
- Lowers the risk of environmental pollution
- Upgrades equipment to current code standards

Click above for more information on single vs. double cylinders

sometimes impossible to find. For example, the last time the elevator malfunctioned the town had to close it for two weeks while waiting to have the necessary replacement parts fabricated.

The lowest, qualified competitive bid for the project was \$325,000, which includes a \$50,000 contingency for repairs if the cylinder walls collapse during the replacement work. (In case you are curious, there is a drawing of an elevator cylinder to the right of this text.) It is likely that most or all of this contingency will be returned to the town but, given the need to have a working elevator at town hall under the ADA, town administration and the Board of Finance recommended appropriating the \$50,000 contingency up front rather than planning to get these funds through a separate appropriation if needed. This latter option could cause the elevator to be out of service for several months, which is not acceptable under the ADA.

According to the Director of Public Works, the elevator replacement project will take 3-4 weeks to complete.

## **AGENDA ITEM #5: Whether to appropriate \$305,000 and authorize the**



## corresponding bond/note issuance to replace a compactor at the town's waste transfer station



Town residents and commercial entities deposit approximately 15,000 tons of waste at the town transfer station, and this waste is compressed by two large compactors for transport to a trash plant in Bridgeport. These compactors are approximately 40 years old and replacement parts are becoming difficult to find.

The Director of Public Works has requested \$305,000 to purchase one new compactor. The existing compactor would be stripped of parts to use if needed for the town's other existing compactor, which should help extend the life of this compactor for at least another five years. If approved, the installation would take 2-3 weeks and occur in early February.

## **AGENDA ITEM #6: Whether to appropriate \$50,000 to purchase a Kubota tractor**

According to Jennifer Fava, the town purchased the wrong tractor for the Parks and Recreation

Department. Even though this tractor is

only four years old, its engine malfunctioned because it is undersized and the tires are not appropriate for the work done by the department – which includes beach cleaning, playing field and playground maintenance, tree branch removal, and snow removal. The tractor is worth approximately \$24,000, and fixing and installing the proper tires would cost \$23,600.



Rather than sinking more money into the wrong type of tractor, Ms. Fava has requested \$50,000 to purchase a Kubota M5-111 HDC12 tractor. This tractor has the proper engine size, tires, and attachments for the work done by the Parks and Recreation Department, and a life expectancy of 8-10 years.

## **AGENDA ITEM #7: Whether to approve a new ordinance prohibiting the application of synthetic infill material on playing fields located on property owned by the town of Westport**



By way of background and according to the [New York City Department of Health](#), synthetic turf fields are popular in heavily used

recreation areas because they “provide even playing surfaces, have padding that helps prevent injuries, need no watering or mowing, use no fertilizers or pesticides, can be used year-round, do not need to be closed to protect or re-sod grass, and last a long time with little maintenance.”

Unfortunately, these fields – and especially those containing crumb rubber infill – may have some serious downsides as well. Crumb rubber infill contains toxic materials and known carcinogens. Those explaining the danger of artificial turf containing crumb rubber infill often cite the alarming data collected by Amy Griffen, who is a University of Washington women’s soccer coach. In 2014, Ms.

Griffin began documenting a trend of soccer players developing rare blood cancers after years of playing on crumb-rubber fields. To date, Coach Griffin has compiled the names of more than 200 women's soccer players who developed these cancers. And although soccer goalkeepers constitute only 10% of soccer players, goalkeepers in her data set represent 60% of those soccer players who have gotten cancer and played on synthetic turf. [As explained by a goalkeeper that was diagnosed with cancer at age 21](#), Ms. Griffin's data is consistent with alleged dangers of crumb rubber infill because goalkeepers are in constant contact with the turf: "You're consistently hitting the ground. Your face is essentially in the field turf, in the rubber for all intents and purposes. ... Every time, you're getting a couple pellets in your mouth."

Multiple federal agencies, including the United States Environmental Protection Agency, are working together to assess risks related to crumb rubber infill (read more about this research [here](#)), but reportedly their efforts have been delayed by the current White House administration with "[no definite end in sight](#)."

To protect the health of Westport residents, the RTM Environment Committee has sponsored the following ordinance prohibiting the application of synthetic infill on town property:

“

**An Ordinance Prohibiting the Application of Synthetic Infill Material on Playing Fields on Town Property**

The application of synthetic infill material on any existing playing fields on Westport town property shall be prohibited on and after the effective date of this ordinance. The creation of any new or replacement playing fields on Westport town property using synthetic infill material shall be prohibited on and after the effective [date] of this ordinance. For the purposes of this ordinance, “synthetic infill material” means ambient and cryogenic crumb rubber, coated crumb rubber, ethylene propylene diene monomer granules, and recycled footwear.”

”

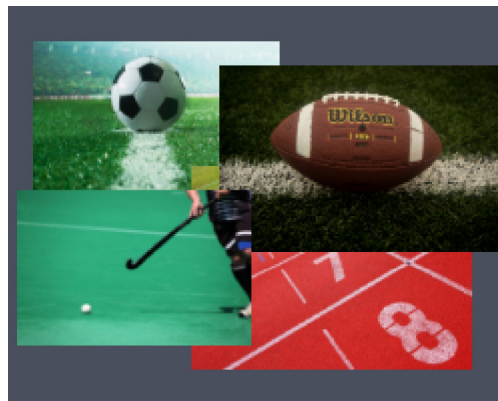
Compared to the [original draft ordinance](#), this current version seems to have been revised to limit the scope of the definition of “synthetic infill.”

The RTM will consider the merits of the ordinance and possibly vote on whether to approve it.

It's expected that an amendment to the ordinance will be proposed from the floor to alleviate concerns that the town's four artificial turf fields would have to be closed immediately upon the ordinance's passage. This amendment would replace the first sentence of the ordinance with the following: "The application of synthetic infill material on any existing playing fields on Westport Town property shall be permitted only on an as needed basis to maintain health and safety standards as determined by the Parks & Recreation Department on and after the effective date of this ordinance."

**AGENDA ITEM #8: Whether to appropriate \$85,000 and authorize the corresponding bond/note issuance for design services to replace 4 synthetic turf fields and the Staples running track**

As mentioned, the town has four artificial turf fields. Each field has been in use for 1-2 years beyond the range of its typical lifespan, which



means that the fields could become less safe for the athletes using them. The town might also consider replacing the current Staples running track due to cracking and bubbling in its synthetic materials.

According to Jennifer Fava, the Director of Parks and Recreation, the process of replacing these surfaces is complicated and beyond the scope of the town's in-house expertise. She has requested \$85,000 to hire a consultant "with a expertise in a variety of the relevant [field] materials and systems to guide us through [the replacement] process." Ms. Fava clarified at the September 5th Board of Finance meeting that the materials to be considered would include natural grass and infill materials that would be permitted under the proposed ordinance banning "synthetic infill."

**AGENDA ITEM #9: Whether to appropriate \$270,000 and authorize the corresponding bond/note issuance for a new pedestrian walkway and picnic table pads along the southern beachfront area at Compo Beach**

Currently, to navigate the southern beachfront area of Compo Beach with a wheelchair or stroller, one either must traverse the same road shared by vehicular traffic or attempt to push the wheels through sand. As you can see in the picture below, there's no separate, flat-surfaced pedestrian walkway.



The requested \$275,000 appropriation would go towards the installation of a separate pedestrian walkway and wheelchair-accessible picnic pads along Compo Beach South. The walkway would connect to the existing walkway along the eastern beachfront area.

The Commission on People with Disabilities, the Human Services Commission, and the Commission on Senior Services all penned letters in support of this project. In approving the \$270,000 appropriation needed to complete it, Board of Finance chairman Brian Stern remarked that seniors are becoming a



majority in this town and it is good to have a project that is making one of Westport's jewels more accessible to them.

If the RTM approves the appropriation, the project is expected to be completed by the summer of 2019.

## **AGENDA ITEM #10: Whether to appropriate **\$196,000** to replace a bar screen rack and skylight at the Westport Water Pollution Control Facility**



Screening is one of the first processes that occur at wastewater treatment plants. The screens remove larger objects such as paper, plastics, and metals to prevent damage and clogging of downstream equipment and piping.

There are two of these screens at the Westport Water Pollution Control Facility, and one is at its recommended replacement interval. As Peter Ratkiewich, the Director of Public Works, has explained, “the entire population is served by the

sanitary sewer” and the bar screen rack is “a critical component of the plant that must be periodically replaced to make sure it does not go out of service.”

No competitive bids were solicited for this project because there is only one vendor that makes and installs the bar screen.

## **AGENDA ITEM #11: Whether to appropriate \$25,000 and authorize the corresponding bond/note issuance for the engineering, design, and permitting of a replacement for a jetty at Burying Hill Beach**

As explained by [National Geographic](#), a jetty is a long, narrow structure that stretches from the shoreline into the water. Jetties protect beaches from “washing away” by acting as a barrier against erosion



from currents, tides, and waves.

Currently, the jetty at Burying Hill Beach is in disrepair. As a result, it (1) is not an effective barrier against shoreline erosion and (2) has been deemed hazardous by certain residents because individuals continue to climb on it. The town installed a sign warning people to stay off the jetty, which is pictured to the right, but the sign has fallen down during storms.

The Director of Public Works has requested \$25,000 for the services of a pre-qualified, Coastal Engineering Consultant to design a replacement jetty. At our RTM Finance Committee meeting, Mr. Ratkiewich explained that, if the appropriation is approved and once the consulting work is completed, the town would have three years to build the jetty. Otherwise, the town would need to enlist the services of a consultant to obtain another permit. Under the contract at issue, the consulting costs related to obtaining the permit comprise \$5,650 of the requested \$25,000 appropriation.

## **AGENDA ITEM**

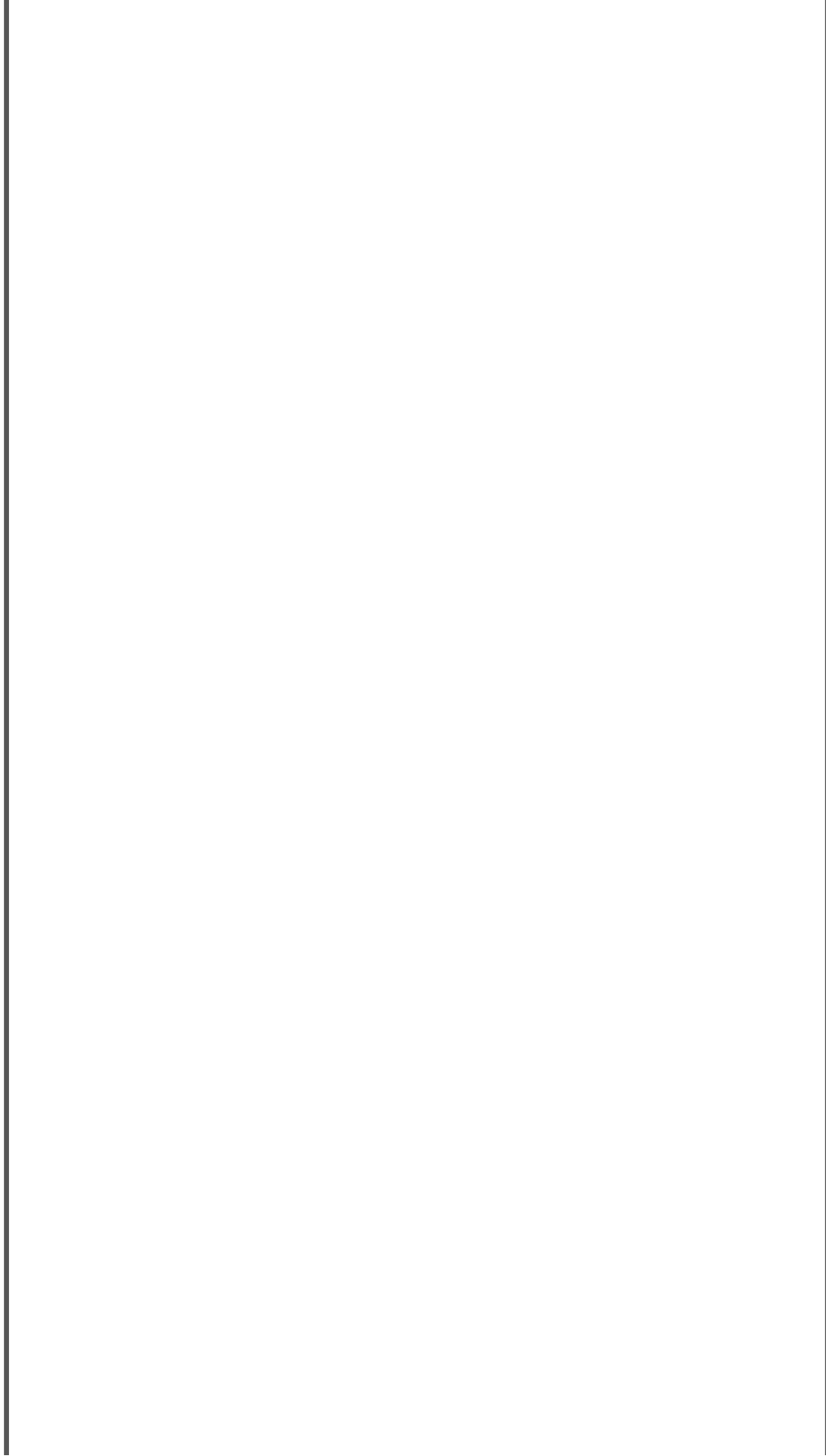
### **#12: Whether to amend the town's Waterway Protection Line**

## Ordinance to make the time for reviewing applications consistent with state Inland Wetland and Watercourse applications

The Waterway Protection Line Ordinance (“WPLO”) has been in effect since 1980 and is administered by both the Conservation Commission and the Flood and Erosion Control Board. At the RTM meeting on June 5th, Conservation Commission Director Alicia Mozian explained that both departments would like to change many provisions in the WPLO, but they hope to start with Section 30-91.

The proposed amendment would make the deadlines for scheduling, reviewing, and deciding WPLO applications consistent with the time frames in the state statutes for Inland Wetland and Watercourse (“IWW”) applications. According to Ms. Mozian, the differing time requirements are “a great source of frustration” for everyone and aligning them through the proposed amendment (1) may “result in less applications being withdrawn or denied simply due to a lack of available review time by the Commission,” and (2) “will allow the applicants more time to make necessary revisions and modifications and supply needed information.”

The green text below depicts the proposed amendment as presented in its original form at the June 5, 2018 meeting. The red text denotes the newer revisions to the amendment.



“

**Approval Required for Conduct of Regulated  
Activities**

Written applications to conduct a regulated activity shall be filed with the Conservation Department. Applications for regulated activities that are not permitted pursuant to Section 30-90 shall be considered by the Flood and Erosion Control Board and the Conservation Commission. Only those regulated activities that are not permitted pursuant to Section 30-90 will require the approval by both the Flood and Erosion Control Board and the Conservation Commission. Only completed applications, on the form supplied by the Town, shall be considered by the Flood and Erosion Control Board and the Conservation Commission. Failure of an applicant or his or her representative to sufficiently answer inquiries at a meeting of either the Flood and Erosion Control Board or Conservation Commission may be sufficient grounds for denial of an application. **For all application for regulated activities filed after 2018, each body shall render a written decision to the RTM Moderator within ~~15~~ 200 days after the ~~second~~ first regularly scheduled meeting following the date the application is filed, and shall follow the timing (but not the notice) provisions of public hearings provided in Section 9.8 of the "Regulations for the Protection and Preservation of Wetlands and**



**Watercourses, Westport Connecticut,” as they may be amended from time to time.** Each body shall notify the applicant by certified mail of its decision within 15 days from the date of the decision. Failure of either body to act within the prescribed time period shall be deemed an approval of the application by that body.

This agenda item is listed as a “first reading” of the amendment.

## **AGENDA ITEM #13: Whether to approve local historic district designation for Kings Highway Bridge, Taylortown Saltmarsh, 146 Kings Highway North, and 118 and 122 Wilton Road.**

Like agenda item #12, this agenda item is listed as a “first reading.” The RTM packet includes an interesting report (available [here](#)) detailing, among other things, how Native Americans and European colonists used to ford (i.e., cross during low tide, without a ferry) the Saugatuck River at the site of the Kings Highway Bridge. According to the report, the English colonists decided to create “Taylortown” in this upriver location due to its proximity to this ford.

The report goes on to state that the Taylortown marsh is historically significant as “an especially important remnant of Westport’s estuarine environment” and that 118 and 122 Wilton Road “serve as a natural groundwater recharge zone for the marshland below.” While 122 Wilton Road used to be the site of “the c. 1750 Adams house,” it is now a vacant lot. A house built in 1987 is on the lot at 118 Wilton Road.



The view of 118 Wilton Road with Taylortown Salt Marsh in the foreground

While supporting the approval of the proposed historic district extension, the Connecticut State Historic Preservation Council recommended gathering more information on the historical significance of the salt marsh, questioned the historical significance of the house on 118 Wilton Road, and expressed concern that the proposed historic district extension would create a “donut hole” in the district by excluding four properties on Wilton Road.

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