

MINUTES (APPROVED)

The Board of Selectmen held a public hearing on Tuesday, Jan. 18, 2011, at 4 p.m. in Room 309 of the Westport Town Hall. Present at the meeting were: Gordon F. Joseloff, Shelly A. Kassen, Charles W.K. Haberstroh, Gail Kelly, Barbara Butler, Stephen Edwards, Stuart McCarthy, Deputy Police Chief Dale Call, John Kondub, Laurence Bradley, Michelle Saunders, Don Stillman, Matthew Murray, Melvin Barr, Michael Bolgna, and Patricia Scully recording secretary.

Mr. Haberstroh said that his wife, Patty Haberstroh, was an employee of the Westport Human Services Department. He would abstain from voting on items directly related to that town department.

MINUTES

1. The minutes of the Board of Selectmen's Dec. 15, 2010 public hearing and the minutes of the Board of Selectmen's special public hearing of Dec. 22, 2010 were presented by the recording secretary. There were no additions/deletions/revisions.

Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 2-0-1 (Mr. Joseloff and Mrs. Kassen voting yes and Mr. Haberstroh abstaining), it was:

RESOLVED: That the minutes of the Board of Selectmen's Dec. 15, 2010 public hearing as presented are hereby APPROVED.

Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the minutes of the Board of Selectmen's Dec. 22 2010 special public hearing as presented are hereby APPROVED.

APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN TOWN OF WESTPORT AND OPERATION FUEL, INC. AS RELATES TO 2010-2011 ADMINISTRATION OF THE OPERATION FUEL'S ENERGY ASSISTANCE PROGRAMS

2. Item #2 was presented by Director of Human Services Barbara Butler. Mrs. Butler confirmed that Mrs. Haberstroh's responsibilities did not include the fuel energy assistance programs. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the request for a Memorandum of Understanding between the Town of Westport and Operation Fuel, Inc. as relates to the 2010-2011 administration of the Operation Fuel's Energy Assistance Programs is hereby APPROVED.

APPROVAL OF WAIVER OF WESTPORT POLICY ON ENCROACHMENTS ON TOWN PROPERTY FOR PROPERTY LOCATED AT 226 NORTH AVENUE

3. Item #3 was presented by Michelle Saunders, the applicant. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the request for a waiver of the Westport Policy on Encroachments on town property for property located at 226 North Avenue is hereby APPROVED.

APPROVAL OF AWARD OF THREE YEAR CONTRACT TO M&M TENNIS COURT CO., INC. FOR RECONDITIONING OF LONGSHORE TENNIS COURTS

4. Item #4 was presented by Parks & Recreation Director Stuart McCarthy. Mr. McCarthy said that the request included waiving the low bid requirement. Upon motion by Shelly a. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the request to waive the low bid requirement and award a three-year contract to M&M Tennis Court, Co. Inc. for the reconditioning of the Longshore Tennis Courts is hereby APPROVED.

APPROVAL OF FEES FOR NON-RESIDENT CAREGIVER PASS AS RECOMMENDED BY PARKS & RECREATION COMMISSION

5. Item #5 was presented by Parks & Recreation Director Stuart McCarthy. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the request for fees for a non-resident caregiver pass as recommended by the Parks & Recreation Commission and as follows:

	<u>New Fee</u>
Beach Pass	\$225.00
Pool Pass	\$150.00
Beach & Pool Pass	\$300.00

is hereby APPROVED.

APPROVAL OF FEE INCREASES FOR SUMMER PROGRAMS AS RECOMMENDED BY THE PARKS & RECREATION COMMISSION

6. Item #6 was presented by Parks & Recreation Director Stuart McCarthy. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was

RESOLVED: That the request for fee increases for the summer programs as recommended by the Parks & Recreation Commission and as follows:

<u>Program</u>	<u>2011 Fee</u>
Camp Compo	\$140/week
REcing Crew	\$140/week
Soccer Tots	\$ 65/week

is hereby APPROVED.

APPROVAL OF AGREEMENT BETWEEN TOWN OF WESTPORT AND COMPLUS DATA INNOVATIONS, INC. AS RELATES TO PROCESSING OF RAILROAD PARKING TICKETS USING THE FAST TRACK PARKING TICKET MANAGEMENT SYSTEM

7. Item #7 was presented by Deputy Police Chief Dale Call. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the request for an agreement between the Town of Westport and Complus Data Innovations, Inc. as relates to the processing of railroad parking tickets and parking violation tickets using the FastTrack Parking Ticket Management System is hereby APPROVED.

APPROVAL FOR USE OF CERTAIN TOWN-OWNED ROADWAYS FOR ANNUAL BLOOMIN METRIC BIKE EVENT TO BE HELD ON SUNDAY, MAY 22, 2011, CONTINGENT UPON COMPLIANCE WITH COMMENTS FROM TOWN DEPARTMENTS AND PROCEDURES FOR GRANTING SPECIAL PERMISSION TO USE TOWN-OWNED PROPERTY AND/OR ROADS

8. Item #8 was presented by Don Stillman representing the applicant. A motion was made by Shelly A. Kassen and seconded by Charles W.K. Haberstroh. Mr. Stillman said that through a miscommunication with the Sound Cyclists Bike Club, Police were not hired to cover the 2010 Bloom Metric Bike Event. He assured board members that procedures within the club have been revised and this oversight will not happen again. Westport resident Matthew Murray expressed his concerns for this event – number of participants; roads used; participants riding two and three abreast; etc. Board members asked several questions regarding the history of the number of participants, lack of follow-up; budget (percentage of entry fees that are contributed to charities versus used for club expenses/activities); distribution of rules of road to participants. Board members decided to postpone action on this request until the applicant could respond. Upon motion by Shelly A. Kassen, seconded by Gordon F. Joseloff and passed by a vote of 3-0, it was:

RESOLVED: That the request to the Traffic Authority for use of certain town-owned roadways for the Annual Bloomin Metric Bike Event to be held on Sunday, May 22, 2011 be postponed until the second Board of Selectmen public hearing in February 2011.

APPROVAL OF USE OF CERTAIN TOWN-OWNED ROADWAYS FOR A TRIATHLON (BICYCLE PORTION ONLY) BY TARGETRAINING TO BENEFIT SLOAN KETTERING FOR CANCER RESEARCH TO BE HELD ON SUNDAY, JUNE 19, 2011, CONTINGENT UPON COMPLIANCE WITH COMMENTS FROM TOWN DEPARTMENTS AND PROCEDURES FOR GRANTING SPECIAL PERMISSION TO USE TOWN-OWNED PROPERTY AND/OR ROADS

9. Item #9 was presented by Dominic Gillen representing the applicant. Only the bike portion of the triathlon would take place on town-owned property/roadways. The other two portions of the triathlon (swim and run) would be held within the Sherwood Island State Park property. The 12-mile bike portion would be held after the swim and therefore would have a staggered start beginning at approximately 6:30 a.m. and most finishing by 8 a.m. The organizers hoped to have 200 participants; but would cap the number of participants at 400. The Westport Police Department had approved the route for the bike portion of the triathlon. Westport resident

Matthew Murray expressed his concerns for the route and the roads to be used. In addition he was concerned that the event being a timed-race. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: That the request to the Traffic Authority for the use of certain town-owned roadways for a triathlon (bicycle portion only) by Targettraining to benefit Sloan Kettering for Cancer Research to be held on Sunday, June 19, 2011, contingent upon compliance with comments from town departments and Procedures for Granting Special Permission to Use town-owned Property and/or Roads, is hereby APPROVED.

REVIEW AND COMMENT ON MAP AMENDMENT #622, P&Z APPLICATION #10-054, TOWN PLAN MAP AMENDMENT TO CHANGE 0 COTTAGE LANE (PID#H09017000) AND 0 COTTAGE LANE (PID#H09018000) FROM MODERATE RESIDENTIAL DENSITY TO GENERAL BUSINESS/BUSINESS CENTER AT THE REQUEST OF THE PLANNING & ZONING DEPARTMENT

(Mrs. Kassen excused herself from the meeting for a short break.)

10. A motion was made by Charles W.K. Haberstroh and seconded by Gordon F. Joseloff. Mr. Joseloff asked Planning & Zoning Director Laurence Bradley to wait until Mrs. Kassen returned to the meeting. Upon Mrs. Kassen's return, Mr. Bradley explained the role of the Board of Selectmen in the adoption of or amendment to the Town Plan. Assistant Town Attorney Gail Kelly, Melvin Barr, representing the applicant, and Attorney Michael Bolgna also commented.

Mr. Joseloff brought up a Robert's Rule point-of-order whereby not all board members were present when the motion was made. He proposed that the board redo the motion with all three members present. Board members agreed with Mr. Joseloff.

A motion was made by Shelly A. Kassen. There was no second to the motion. No action was taken.

Upon motion by Gordon F. Joseloff, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, the public hearing was adjourned at 6:10 p.m.

Patricia Scully
Recording Secretary