

MINUTES (APPROVED)

The Board of Selectmen held a public hearing on Tuesday, Feb. 8, 2011, at 4 p.m. in Rooms 309/307 of the Westport Town Hall. Present at the meeting were: Gordon F. Joseloff, Shelly A. Kassen, Charles W.K. Haberstroh, Gail Kelly, John Kondub, Police Captain Samuel Arciola, Stuart McCarthy, Stephen Edwards, Kenneth Alexander, Peggy Klein, Robert Galan, John Sohikian, Matthew Murray, and Patricia Scully recording secretary.

MINUTES

1. The minutes of the Board of Selectmen's public hearing of Jan. 18, 2011 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 3-0, it was:

RESOLVED: That the minutes of the Board of Selectmen's public hearing of Jan. 18, 2011 as presented are hereby APPROVED.

APPROVAL OF APPOINTMENT OF WILLIAM SCHEFFLER AS WESTPORT'S REPRESENTATIVE TO THE WESTPORT/WESTON FOUNDATION DISTRIBUTION COMMITTEE EFFECTIVE IMMEDIATELY FOR FIVE YEAR TERM EXPIRING JANUARY 2016

2. Item #2 was presented by First Selectman Joseloff. 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 appoint William Scheffler as Westport's representative to the Westport/Weston Foundation Distribution Committee effective immediately for a five-year term expiring January 2016 is hereby APPROVED.

APPROVAL OF ACCEPTANCE OF A MONETARY GIFT FROM THE KATZ FAMILY FOUNDATION TO THE WESTPORT POLICE DEPARTMENT IN ACCORDANCE WITH POLICY FOR GIFTS TO TOWN AS AMENDED OCT. 28, 1998

3. Item #3 was presented by Police Captain Samuel Arciola. The Board expressed the town's appreciation and thanks to the Katz Family Foundation for its continued support of the animal shelter operation. 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 accept a monetary gift in the amount of \$12,000 from the Katz Family Foundation to the Westport Police Department, in accordance with the Policy for Gifts to the Town as amended Oct. 28, 1998, is hereby APPROVED.

APPROVAL OF USE OF TOWN-OWNED PROPERTY KNOWN AS PARKER-HARDING PLAZA ON JUNE 11, 2011 BY WESTPORT SUNRISE ROTARY FOUNDATION FOR 3RD ANNUAL GREAT DUCK RACE, CONTINENT UPON COMPLIANCE WITH COMMENTS

FROM TOWN DEPARTMENTS AND IN ACCORDANCE WITH PROCEDURES FOR USE OF TOWN-OWNED PROPERTY, FACILITIES AND/OR PUBLIC ROADWAYS

4. Item #4 was presented by Robert Galan, representing the Westport Sunrise Rotary Foundation. Selectman Haberstroh recused himself from the vote as he is the Sunrise Rotary Foundation's President. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 2-0, it was:

RESOLVED: That the request for use of town-owned property known as Parker-Harding Plaza on June 11, 2011 by the Westport Sunrise Rotary Foundation for the 3rd Annual Great Duck Race, contingent upon compliance with comments from town departments and in accordance with Procedures for Use of Town-owned Property, Facilities and/or Public Roadways, is hereby APPROVED.

APPROVAL OF 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 ROADWAYS

5. Item #5 was presented by John Sohikian, representing the Sound Cyclists Bicycle Club. A motion was made by Shelly A. Kassen and seconded by Charles W.K. Haberstroh. Selectwoman Kassen said that this item had been discussed at the last Board of Selectmen public hearing and tabled until additional information could be received from the applicant. Also speaking to the request were Police Captain Samuel Arciola and Westport resident Matthew Murray.

Mr. Sohikian said that the Sound Cyclists Bicycle Club took full responsibility for not hiring off-duty Police Officers for the 2010 bike event. In addition to insuring that police would be hired for the 2011 event, the club would have a riding marshal with each group of riders. The club had discussed capping the size of the bike event and that over the past ten years there had not been a problem. The Bloomin Metric Bike event was rated in the top 25 bike events in the United States and it was the number one revenue-producing event for the club.

The recording secretary gave number of participants for other bike events held in Westport; (Connecticut Challenge/750; MS Bike/450; Bike the Beach/250; Braking the Cycle/125). The number of participants for Bloomin Metric has been over 2,000 for the past ten years – with 2010 participants at 2,700. Board members agreed that perhaps the event had grown too large for Westport.

Mr. Murray said that he had documented problems with the event every year forward since 2006. The Bloom Metric event was three-times/plus the size of the next event (Connecticut Challenge). He inquired how many off-duty police would be required this year. Past years the number was four to six officers – was this going to be enough? Mr. Murray also felt that the route, which included Bridge Street, was too congested with small roadways for the size of the event.

Mr. Sohikian confirmed that the Sound Cyclists Bicycle Club would cooperate with all the town's request, including meeting with the Police to alter the route if necessary; hire as many off-duty police officers as Police Department required; cap the number of participants; no day-of registration; add a statement to the waiver signed by participants indicating that they understood the rules of the road and would abide; provide bib numbers for participants to wear, bicycles will have registration number displayed; and provide riding marshals.

It was noted by board members that if the town's requirements were not adhered to, future requests by Sound Cyclists Bicycle Club for use of town property would be denied.

Upon motion by Gordon F. Joseloff, seconded by Shelly A. Kassen and passed by a vote of 3-0, it was:

RESOLVED: That the motion to approve be amended to include the following town requirements: Sound Cyclists Bicycle Club will meet with the Police Department to alter the route if necessary, hire as many off-duty police officers as the Police Department requires; cap the number of participants to 2,000; permit no day-of registration; add a statement to the waiver signed by the participants indicating that they understood the rules of the road and will abide by them; provide riding marshals; and provide a bib number for each participant to wear along with the registration number displayed on the bicycle, is hereby APPROVED.

Upon a 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 as amended to the Traffic Authority for the use of certain town-owned roadways for the Annual Bloomin Metric bike event to be held on Sunday, May 22, 2011, contingent upon compliance with requirements from town departments including the requirement Sound Cyclists Bicycle Club will meet with the Police Department to alter the route if necessary, hire as many off-duty police officers as the Police Department requires; cap the number of participants to 2,000; permit no day-of registration; add a statement to the waiver signed by the participants indicating that they understood the rule of the road and will abide with them; provide riding marshals; and provide a bib number to each participant to wear along with a number to be placed on the bicycle, and Procedures for Granting Special Permission to Use Town-owned Property and/or Roads is hereby APPROVED.

APPROVAL OF USE OF CERTAIN TOWN-OWNED ROADWAYS FOR THE FUN SPRING RUNNING ROAD RACE TO BENEFIT THE LADDIE LAWRENCE SCHOLARSHIP FUND TO BE HELD ON SATURDAY, APRIL 23, 2011

6. Item #6 was withdrawn by the applicant.

APPROVAL OF REVISION TO PARKS AND RECREATION RULES AND REGULATIONS GOVERNING USE OF MUNICIPAL BEACHES, YACHT BASINS, LONGSHORE CLUB

PARK AREA AND RECREATION FACILITIES AS RECOMMENDED BY PARKS AND RECREATION COMMISSION

7. Item #7 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 a revision to the Parks and recreation Rules and Regulations Governing Use of Municipal Beaches, Yacht Basins, Longshore Club Park Area and Recreation Facilities as recommended by the Parks and Recreation Commission and as below:

IV. Parking and Traffic

4.b. Vehicles **PARKED** in beach areas (Old Mill Parking Lot and Longshore Club Park) without current parking emblem shall be subject to a \$50.00 parking ticket per day.

10. Parking at Sherwood Mill Pond Preserve (191 Hillspoint Road) is restricted to persons using the property. Vehicles left unattended shall be subject to a \$50.00 parking ticket per day.

is hereby APPROVED.

APPROVAL OF TRUST AND CUSTODY FEE AGREEMENT BETWEEN TOWN OF WESTPORT AND WELLS FARGO INSTITUTIONAL RETIREMENT & TRUST, AS RECOMMENDED BY FINANCE DIRECTOR

8. Item #8 was presented by Controller Kenneth Alexander. 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 the Trust and Custody Fee Agreement between the Town of Westport and Wells Fargo Institutional Retirement & Trust, as recommended by the Finance Director, is hereby APPROVED.

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 5:25 p.m.

Patricia Scully
Recording Secretary