

Board of Selectmen Meeting  
May 8, 2019  
APPROVED MINUTES

The Westport Board of Selectmen, Traffic Authority and Water Pollution Control Authority held a public meeting on Wednesday, May 8, 2019 at 9:00 a.m. in Westport Town Hall Room 307/309. In attendance were Jim Marpe, Jennifer Tooker, Melissa Kane, Eileen Flug, Peter Ratkiewich, Keith Wilberg, Jen Fava, Rick Giunta, Bruce Lindsay, presenters as noted in the minutes, members of the public, and Eileen Francis, recording secretary.

MINUTES

1. Jennifer Tooker presented Item #1. There were no revisions. Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, it was:

RESOLVED, that the minutes of the Board of Selectmen's and the Water Pollution Control Authority's public meetings of April 24, 2019 are hereby APPROVED.

APPROVE AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES BETWEEN THE TOWN AND MILONE & MacBROOM FOR REPLACEMENT OF FIELDS AND RUNNING TRACK

2. Parks and Recreation Director Jen Fava presented Item #2. Ms. Fava explained that this agreement is Phase II of the project; it was included in the original bid package, and; the funding was included in the original approved appropriation. Assistant Town Attorney Eileen Flug indicated that the name of the agreement should be revised. That revision is noted in the final resolution. Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, it was:

RESOLVED, that the Agreement for ~~Engineering Design~~ *Construction Management Services* by and between the Town of Westport and Milone and MacBroom, Inc. as it relates to the replacement of Synthetic Turf Fields and the Staples High School Running Track is hereby APPROVED.

APPROVE LEASE AGREEMENT FOR 260 COMPO ROAD SOUTH CABIN 10

3. Deputy Parks & Recreation Director Rick Giunta presented Item #3. Mr. Giunta provided background to the process by which the town employees have the ability to rent available town-owned properties and that the associated lottery was held in the personnel office in conformance with town policy. Mr. Giunta confirmed that the Board of Finance had approved the Lease at its May 1, 2019 meeting. Assistant Town Attorney Eileen Flug indicated that the provided draft lease would be revised to reflect only the name of the town employee as the lessee. Upon motion by Melissa Kane, seconded by Jim Marpe and passing by a vote of 3-0, it was:

RESOLVED, that the Lease Agreement for the Town owned property known as 260 Compo Road South, Cabin 10 located at Longshore Club Park is hereby APPROVED.

APPROVE ACCEPTANCE OF A GIFT TO THE TOWN OF WESTPORT FROM WESTPORT EVERGREEN, INC.

4. Tree Warden Bruce Lindsay and founder of Westport Evergreen, Inc. Al Gratrix presented Item #4. Mr. Lindsay and Mr. Gratrix explained that it was a gift of services in the amount of \$8,600 from the 501 (c) (3); there was a bid process for the work and there was adherence to the town gift policy; the work will benefit the ongoing project at the Lillian Wadsworth Arboretum. Assistant Town Attorney Eileen Flug requested that the companies provide the town with appropriate evidence of insurance and execute ahold harmless agreements. Resident John Suggs stated support of the gift. Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, it was:

RESOLVED, that the acceptance of the gift of services in an amount greater than \$5,000 to the Town of Westport from Westport Evergreen, Inc., in accordance with the Town of Westport Policy for Gifts to the Town is hereby APPROVED.

APPROVE MAINTENANCE AND REPAIR AGREEMENT SERVICE AGREEMENT BETWEEN THE TOWN OF WESTPORT AND REAL TERM ENERGY, U.S., LP

5. Director of Public Works Peter Ratkiewich presented Item #5. Mr. Ratkiewich explained that the previous contract with Real Term as approved by the Board in March, 2019 was for the audit portion of the street light conversion program. This contract is for interim maintenance and repair once the lights are purchased by the Town. Assistant Town Attorney Eileen Flug requested that the approval be contingent upon satisfactory review by the Town Attorney's office. Upon motion by Melissa Kane, seconded by Jim Marpe and passing by a vote of 3-0, it was:

RESOLVED, that the Maintenance and Repair Service Agreement by and between the Town of Westport and Real Term Energy, U.S., LP as it relates to street light conversion is hereby APPROVED, contingent upon satisfactory legal review.

APPROVE REQUEST TO WAIVE REQUIREMENTS OF THE TOWN DRIVEWAY ORDINANCE RELATED TO 45 TURKEY HILL DRIVE NORTH

6. Mr. Dean Martin representing the owner of the property presented Item #6. Mr. Martin explained that the conditions at the site resulted in the construction of the foundation and garage to be 16" higher than on the plans submitted to the Planning & Zoning Department. There is an application on file with the Zoning Board of Appeals (ZBA) for a variance. To re-build the garage in order to comply with the driveway ordinance would be costly. Town Engineer Keith Wilberg indicated that due to both the cost and complications associated with rebuilding that he was in favor of the approval. He also stated that no other properties were affected by the grade change. Assistant Town Attorney Eileen Flug added that the homeowner would be required to execute a Hold Harmless, and that she would work with the ZBA to determine if further action would be necessary. Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, it was:

RESOLVED, that the request to waive the requirements of the Town Driveway Ordinance, Section 50-340, Construction Standards, (d) Grade, as it relates to the construction of the driveway at 45 Turkey Hill Drive North, contingent upon compliance with the execution of a Hold Harmless Agreement satisfactory to the Town Attorney's Office, is hereby APPROVED.

ADJOURNMENT

Upon motion by Melissa Kane, seconded by Jim Marpe and passing by a vote of 3-0, the meeting adjourned at 9:50 AM.

Eileen Francis  
Recording Secretary