

Board of Selectmen Meeting
June 12, 2019
APPROVED MINUTES

The Westport Board of Selectmen, Traffic Authority and Water Pollution Control Authority held a public meeting on Wednesday, June 12, 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, Jen Fava, Foti Koskinas, Sam Arciola, Al D'Amura, Gary Conrad, Steve Edwards, 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 public meeting of May 22, 2019 and the WPCA public meeting of May 22, 2019 are hereby APPROVED.

APPROVE TEMPORARY CONSTRUCTION EASEMENT AGREEMENT FOR SAFETY BARRICADES AND STAGING TO BE LOCATED ON TOWN PROPERTY ABUTTING 69-97 MAIN STREET

2. David DiScala, representing A.V. Tuchy Builders presented Item #2. Mr. DiScala gave a timeline for the project which involves floodproofing and façade work on the buildings. He stated that 3-4 parking spaces along Main Street will be utilized at each stage to manage the pedestrian traffic, including accommodations for handicapped accessibility. He has reviewed the plans with all the appropriate Town departments as well as the Downtown Merchants Association, which will be closing Main Street for the Fine Arts Festival in July, to make sure it will work efficiently and safely. Public Works Director Pete Ratkiewich confirmed that the Public Works Department is satisfied with the plan. Upon motion by Melissa Kane, seconded by Jim Marpe and passing by a vote of 3-0, it was:

RESOLVED, that a Temporary Construction Easement Agreement between the Town of Westport and A.V. Tuchy Builders as it relates to safety barricades and staging to be located on portions of the Town owned property (sidewalks) on Main Street and Parker Harding Plaza located adjacent to the property known as 69-97 Main Street, for a period of time to be determined and contingent upon compliance with recommendations from relevant Town departments and final approval from the Town Attorney's Office is hereby APPROVED.

APPROVE A TEMPORARY CONSTRUCTION EASEMENT BETWEEN THE TOWN OF WESTPORT AND 61 MAIN STREET FOR SAFETY BARRIER TO BE LOCATED ON TOWN PROPERTY

Upon motion by Melissa Kane, seconded by Jim Marpe and passing by a vote of 3-0, the Board of Selectman approved the inclusion of the following agenda item:

3. Architect Rick Hoag presented Item #3. Mr. Hoag explained that the façade renovations at this location required a temporary barricade that would encroach on the Town property. Upon motion by Melisa Kane, seconded by Jim Marpe and passing by a vote of 3-0, it was:

RESOLVED, that a Temporary Construction Easement Agreement between the Town of Westport and 61 Main Street, LLC c/o Acadia Realty Trust as it relates to safety barricade to be located on portions of the Town owned property (sidewalks) on Main Street and Parker Harding Plaza located adjacent to the property known as 61 Main Street, for a period of 6 months from the date of execution, and contingent upon compliance with recommendations from relevant Town departments and final approval from the Town Attorney's Office is hereby APPROVED.

AS THE LTA, TO REVIEW AND CONCUR WITH THE ASSESSMENT OF NO SUBSTANTIAL IMPACT TO THE TOWN OR STATE HIGHWAYS AT 605 POST ROAD EAST.

4. Luke Mauro representing Langan Engineering presented Item #4. Mr. Mauro referred to a map of the plans for the reconfiguration of the parking lot, curb cuts, and driving patterns for the property, noting the changes to the current configuration. He indicated that the review was precipitated by a state statute requiring review by the LTA based on the number of parking spaces within the proposed plan. Upon motion by Melissa Kane, seconded by Jim Marpe and passing by a vote of 3-0, it was:

RESOLVED, that after review of the Site Plan(s) Traffic Assessment and associated documents as they relate to the reconfigured parking lot and driveways(s) at property known as 605 Post Road East (Fresh Market Plaza), the Local Traffic Authority hereby authorizes James S. Marpe, as Chair of the LTA, to notify the State of Connecticut OSTA of its concurrence with the assessment that there will be no substantial impact to the state highway system.

APPROVE UTILITY EASEMENT BETWEEN THE TOWN OF WESTPORT AND OLD HILL ELM, LLC.

5. Attorney Doug LoMonte of Berchem Moses, LLP presented Item #5. Attorney LoMonte demonstrated the area on the town property which would be affected by the easement. It was necessary to increase the size of the previous easement because of engineering constraints with the proposed utility accessibility from Elm Street. Public Works Director Peter Ratkiewich provided his expertise in explaining the need as well. Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, it was:

RESOLVED, that the Utility Easement Agreement between the Town of Westport and Old Hill Elm, LLC to accommodate utilities at the property known as 33 Elm Street is hereby APPROVED.

APPROVE AWARD OF CONTRACT FOR PROJECT 2017-07, BID #18-920T TO G. PIC AND SONS

6. Deputy Chief of Police Sam Arciola presented Item #6. Deputy Chief Arciola stated that this was the first of the projects suggested in the Saugatuck TOD Plan. There were 4 bids presented, and G. PIC submitted the lowest bid, noting that this company also did the work on the Greens Farms Lot, and the results were satisfactory. Upon motion by Melissa Kane, seconded by Jim Marpe and passing by a vote of 3-0, it was:

RESOLVED, that the Award of Contract for Project 2017-07, Bid #18-920T (Franklin Street Parking Improvements and Lot #7) to G. PIC and Sons in the amount of \$553,400 is hereby APPROVED.

Item #6 included after Westport News publication deadline

APPROVE CHANGE IN FINES ASSOCIATED WITH PARKING TICKETS FOR FIRE LANE AND HANDICAPPED PARKING VIOLATIONS.

7. Deputy Police Chief Sam Arciola presented Item #7. The Deputy Chief noted that research revealed that the associated fines for these violations have not been changed for a number of years, and by increasing them to the noted amounts meant that they were in line with other municipalities in the area. He stated that the increase will serve as a deterrent for poor behavior. Further, Fire Chief Robert Yost concurred with the increase to the Fire Lane Violation. Upon motion by Melissa Kane, seconded by Jim Marpe and passing by a vote of 3-0, it was:

RESOLVED, that acting in its capacity as the Local Traffic Authority, upon the recommendation of the Police Department, the change in fines associated with parking tickets as follows:

Fire Lane Violation from \$25.00 to \$50.00
Handicapped Parking Violation from \$85.00 to \$150.00

Are hereby APPROVED.

APPROVE INSTALLATION OF A STOP SIGN ON KETCHUM STREET AT ITS INTERSECTION WITH FRANKLIN STREET

8. Staff Corporal Al D'Amura and Deputy Police Chief Sam Arciola presented Item #8. Both explained the need for the signs at that location, indicating surprise that one had not been installed previously. They stated that there would be added patrols after the installation to inform the public of the new sign. Upon motion by Melissa Kane seconded by Jim Marpe and passing by a vote of 3-0, it was:

RESOLVED, that acting in its capacity as the Local Traffic Authority, upon the recommendation of the Public Safety Division of the Police Department, the request for the installation of a STOP sign on the Town owned roadway known as Ketchum Street at its intersection with Franklin Street s hereby APPROVED.

APPROVE CHANGE TO PARKS & RECREATION POLICY RELATED TO PARKING WAIVERS FOR EVENTS AT COMPO BEACH

9. Parks & Recreation Director Jen Fava presented Item #9. Ms. Fava stated that the current policy, enacted last year in response to complaints concerning overcrowding, has been problematic for certain organizations. The Parks & Recreation Commission recommended the change in the number of parking waivers issued, and noted that the policy can be reviewed at a later date if it is determined to be a concern and cause parking issues at Compo Beach. Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, it was:

RESOLVED, that upon the request of the Parks & Recreation Commission, the proposed policy revision for the number of Compo Beach event parking waivers issued for Westport-based companies, civic organizations and religious organizations be increased from 15 to 30 is hereby APPROVED.

APPROVE LETTER OF ENGAGEMENT BETWEEN WESTPORT AND BLUM SHAPIRO FOR AUDITING SERVICES

10. Finance Director Gary Conrad presented Item #10. There were no concerns and the Agreement passed legal review. Upon motion by Melissa Kane, seconded by Jim Marpe and passing by a vote of 3-0, it was:

RESOLVED, that the Letter of Engagement between the Town of Westport and Blum, Shapiro & Company, P.C. for auditing services for the year ending June 30, 2019 is hereby APPROVED.

REVIEW CODY EHLERS GROUP AND ENVIRONMENTAL SERVICES CONSULTING REPORTS ON SOIL LOCATED ON TOWN PROPERTY AT 21 IMPERIAL AVENUE

To take such action as the meeting may determine to review 1) a report by the Cody Ehlers Group, and Environmental Services Consulting, on testing of surplus soil materials, originating and stockpiled at 21 Imperial Avenue, (Westport Center for Senior Activities), and 2) the recommendations therein regarding suitability for use on Municipal projects in Westport.

11. Steve Edwards of Environmental Services Consulting and Director of Public Works Pete Ratkiewich presented Item #11. There was no action taken. Mr. Edwards and Mr. Ratkiewich provided assessment and their expert opinions about the results of the sample testing and the report, including explanation about DEEP regulations and standards related to the various chemicals and components of the soil. Additional recommendations were made as to the possible use of the soil in other town construction projects. Director of Planning and Zoning Mary Young spoke about a reported violation regarding the length of time “fill” was allowed on a project according to Planning & Zoning Regulations. Ms. Young stated in her opinion, there was no P&Z violation related to this situation. Residents Morley Boyd, John Suggs, Helen Garten, and Chip Stephens commented during the public portion of the meeting. Ms. Kane suggested that when the soil was removed and utilized for another project, that the town conduct a final soil test and analysis to insure public confidence.

ITEM #12 WAS TABLED

12. To take such action as the meeting may determine to approve the Application for Permits for Pop-Up Cafes to be located in parking spaces on the Town roadway known as Railroad Place adjacent to the properties known as 30, 36 and 54 Railroad Place, contingent upon compliance with recommendations from relevant Town departments and in accordance with the Regulations and Restrictions as outlined in the Town of Westport Pop-Up Seating and Pop-Up Café Guidelines, dated March, 2012.

Item #12 included after Westport News publication deadline

APPROVE LEASE BETWEEN THE TOWN OF WESTPORT AND WESTPORT ASTRONOMICAL SOCIETY FOR 182 BAYBERRY LANE

13. Franco Fellah representing the Astronomical Society and Assistant Town Attorney Eileen Flug presented Item #13. Mr. Fellah provided some examples of the improvements to the property undertaken by the Astronomical Society. The Board thanked the Astronomical Society for its programs and care of the site. Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, it was:

RESOLVED, that the Lease between the Town of Westport and the Westport Astronomical Society, Inc. for the Town-owned property known as 182 Bayberry Lane is hereby APPROVED

ITEM #14 IS NOTED IN THE WPCA MINUTES OF 06-12-2019

ADJOURNMENT

Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, the meeting adjourned at 11:40 AM

Eileen Francis
Recording Secretary