

Board of Selectmen Meeting
Notice & Agenda - REVISED
April 1, 2020

REVISION: ITEM #4 HAS BEEN WITHDRAWN

Notice is hereby given that the Westport Board of Selectmen, Traffic Authority and Water Pollution Control Authority will hold a public meeting on Wednesday, April 1, 2020 at 9:00 a.m. Pursuant to the Governor's Executive Order No. 7B, there is no physical location for this meeting. It will be held electronically, live streamed on www.westportct.gov, and broadcast on Westport's Optimum Government Access Channel 79 and Frontier Channel 6020. Emails to the Board of Selectmen may be sent to selectman@westportct.gov. Comments to be read during the public comment portion of the meeting may be emailed to BOScomments@westportct.gov. Public comments and questions should be brief and may not be accepted after the Board has voted on an item.

1. To take such action as the meeting may determine to approve the minutes of the Board of Selectmen's public meeting of March 11, 2020.
2. To take such action as the meeting may determine, to approve the Lease Agreement by and between the Town of Fairfield, Town of Westport and Sacred Heart University, Inc. as it relates to the use of office space for the operation of a consolidated emergency dispatch center.
3. To take such action as the meeting may determine to adopt the Town of Westport Fair Housing Resolution, the Town of Westport Fair Housing Action Plan, the Town of Westport Equal Opportunity Policy Statement, and the Town of Westport Affirmative Action Policy Statement.

WITHDRAWN

~~4. To take such action as the meeting may determine and as recommended by the Parks & Recreation Commission, to approve the proposed fees for Pickleball Handpasses for the 2020 season as follows: \$40.00 Adult Handpass/\$30.00 Senior Handpass.~~

James S. Marpe, First Selectman
March 27, 2020

1. To take such action as the meeting may determine to approve the minutes of the Board of Selectmen's public meeting of March 11, 2020.

Board of Selectmen Meeting
March 11, 2020
Minutes (DRAFT)

The Westport Board of Selectmen, Traffic Authority and Water Pollution Control Authority held a public meeting on Wednesday, March 11, 2020 at 9:00 a.m. in Westport Town Hall Room 201/201A. In attendance were Jim Marpe, Jennifer Tooker, Melissa Kane, Eileen Flug, Gary Conrad, Peter Ratkiewich, Elio Longo, Foti Koskinas, Douglas LoMonte, presenters as noted in the minutes, members of the public and Eileen Francis, recording secretary.

MINUTES

1. Jennifer Tooker presented Item #1. Upon motion by Melissa Kane, seconded by Jim Marpe and passing by a vote of 3-0, it was:

RESOLVED, that the minutes of the Board of Selectmen's public meeting of February 26, 2020 are hereby APPROVED.

APPROVE CONTRACT BETWEEN TOWN AND PRECISION RETIREMENT GROUP

2. Finance Director Gary Conrad presented Item #2. Mr. Conrad explained that the 457 Plan would be available for seasonal, part-time and temporary Town employees. He described the details of the program including that it is an employee benefit at no cost to the Town. Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, it was:

RESOLVED, that the contract between the Town of Westport and Precision Retirement Group for a FICA Alternative Retirement Plan for seasonal, part-time and temporary employees is hereby APPROVED.

APPROVE USE OF TOWN ROADWAYS FOR 2020 FINE ARTS FESTIVAL

3. Jacqui Bidgood and Randy Herbertson representing the Downtown Merchants Association presented Item #3. Ms. Bidgood and Mr. Herbertson explained that the annual event was being moved to an earlier date than previous years. The event will be set up on Church Lane, Elm Street and Main Street where multiple artists will be represented. There were no concerns from town officials and the organizers assured the Board that all safety precautions will be addressed. Upon motion by Melissa Kane, seconded by Jim Marpe and passing by a vote of 3-0, it was,

RESOLVED, that the request from the Downtown Merchants Association for closure of various town roads and the use of town property (as described in the Application dated March 3, 2020) from May 29, 2020 (for set up) to May 31, 2020 for the Westport Fine Arts Festival, contingent upon compliance with recommendations from Town departments and in accordance with Procedures for Use of Town-owned Property, Facilities and/or Public Roadways is hereby APPROVED.

APPROVE LIFESTYLE PUBLICATIONS, LLC FOR EXCLUSIVE MEDIA SPONSOR FOR WESTPORT MEANS BUSINESS

4. Assistant Town Attorney Eileen Flug presented Item #4. Ms. Flug explained that the magazine will promote Westport Means Business, in its print media and podcast for a period of one year. There is no cost for this agreement and encourages cross-promotion. Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, it was:

RESOLVED, that the proposal from Lifestyle Publications, LLC (Westport Lifestyle) to be the exclusive magazine media sponsor for Westport Means Business is hereby APPROVED.

APPROVE VEHICLE DONATION TO THE WESTPORT POLICE DEPARTMENT

5. Police Chief Foti Koskinas presented Item #5. Chief Koskinas explained that the donor will donate the electric vehicle to the PD which will in turn gift it to the Town. He expressed his appreciation for the donor's generosity, and noted that the vehicle will be very useful to the department. Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, it was:

RESOLVED, that in accordance with the Policy for Gifts to the Town, the donation from a Westport resident of a used electric vehicle (2015 BMW) that is valued between \$5,000 and \$20,000 to the Westport Police Foundation is hereby APPROVED.

APPROVE AWARD OF CONTRACT TO CURBSIDE COMPOSTING LLC

6. Director of Public Works Peter Ratkiewich presented Item #6. Mr. Ratkiewich made note of the zero-food waste initiative and how it impacts the transfer station's services. The town is attempting to consolidate the food waste stream that is generated, and encouraging composting at home and at the transfer station. Curbside Compost, LLC will provide relevant services associated with the composting. 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 RFP 20-992T (Carting Services Food Waste Disposal) to Curbside Compost LLC of Ridgefield, CT, for a period of 12 months, at a rate of \$121/ton, with the option for two 12 month extensions is hereby APPROVED

ADOPT A RESOLUTION TO ENDORSE PROPOSALS FOR GRANT APPLICATIONS TO THE CT OPM FROM WESTCOG

7. WestCOG Executive Director Francis Pickering presented Item #7. Mr. Pickering provided descriptions of the proposed applications, and the potential for receiving the awards. The 5 proposals are for study projects, have no predetermined outcome, and do not involve any local financial commitment at this time. Upon motion by Melissa Kane, seconded by Jim Marpe and passing by a vote of 3-0, it was:

RESOLVED, that the Board of Selectmen hereby ENDORSES five (5) proposals approved by the Western Connecticut Council of Governments (WestCOG) and submitted in grant applications to the CT Office of Policy and Management; and

FURTHER RESOLVED, that the Board of Selectmen hereby AUTHORIZES WestCOG to apply for funding and to enter into any required contract and/or agreement should one or more of the proposals be selected for an award.

APPROVE SOLAR POWER SERVICES AGREEMENTS

8. Attorney Doug LoMonte of Berchem, Moses, LP and BOE CFO Elio Longo presented Item #7. They requested that Item 7. (i) Plainfield Solar 2, LLC be withdrawn. The final resolution reflects this revision. Attorney LoMonte described the legal structure of the contracts noting that they were virtually identical to previous such solar power services contracts. The Board of Education and the Town is in partnership to benefit from favorable generation rates for the remotely generated electricity over a 20-year period. Due to the school administration's involvement, Mr. Longo noted that the school administration gave its full support to the contracts. David Mann stated that the contracts expand the off-site solar credits to be received by the Town and the Board of Education. Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, it was:

RESOLVED, that the Solar Power Services Agreements between the Town of Westport and Plainfield Solar, LLC and the Town of Westport at Dickinson Solar, LLC as they relate to Virtual Net Metering Credits and Extra Credits available from the output of each Provider's solar powered electric generating systems are hereby APPROVED.

ADJOURNMENT

Upon motion by Jim Marpe, seconded by Melissa Kane and passing by a vote of 3-0, the meeting adjourned at 10:40 AM.

Eileen Francis, Recording Secretary

2. To take such action as the meeting may determine, to approve the Lease Agreement by and between the Town of Fairfield, Town of Westport and Sacred Heart University, Inc. as it relates to the use of office space for the operation of a consolidated emergency dispatch center.

DOCUMENT PROVIDED TO FULL BOARD UNDER SEPARATE COVER DUE TO CERTAIN PROPRIETARY AND CONFIDENTIAL INFORMATION CONTAINED IN THE AGREEMENT

3. To take such action as the meeting may determine to adopt the Town of Westport Fair Housing Resolution, the Town of Westport Fair Housing Action Plan, the Town of Westport Equal Opportunity Policy Statement, and the Town of Westport Affirmative Action Policy Statement.



TOWN OF WESTPORT

Town Hall, 110 Myrtle Avenue
Westport, CT 06880

FAIR HOUSING RESOLUTION

- WHEREAS, All persons are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and
- WHEREAS, Federal fair housing laws require that all individuals, regardless of race, color, religion, sex, handicap, familial status or national origin, be given equal access to all housing-related opportunities, including rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and
- WHEREAS, Connecticut fair housing laws require that all individuals, regardless of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation, or gender identity or expression be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and
- WHEREAS, The Town of Westport is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

NOW THEREFORE, BE IT RESOLVED, That the Town of Westport hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase, obtain financing and enjoy all other housing-related services of their choice on a non-discriminatory basis as provided by state and federal law; and

BE IT FURTHER RESOLVED, That the chief executive officer of the Town of Westport or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practice in the Town of Westport and for advising such person of the right to file a complaint with the State of Connecticut Commission on Human Rights and Opportunities (CHRO) or the U.S. Department of Housing and Urban Development (HUD) or to seek assistance from the CT Fair Housing Center, legal services, or other fair housing organizations to protect his or her right to equal housing opportunities.

Adopted by the Town of Westport on _____, 2019.

James S. Marpe, First Selectman



TOWN OF WESTPORT

Town Hall, 110 Myrtle Avenue
Westport, CT 06880

Fair Housing Policy Statement

It is the policy of the Town of Westport to promote fair housing opportunities and to encourage racial and economic integration in all its programs and housing development activities.

Programs funded and administered by the Town of Westport must comply with the provisions of Section 46a-64c of the C.G.S., and with related state and federal laws and regulations that prohibit discriminatory housing practices.

The Town of Westport or any of sub-recipient of the Town of Westport will carry out an affirmative marketing program to attract prospective buyers or tenants of all majority or minority groups, without consideration of race, color, religion, sex, national origin, ancestry, creed, sexual orientation, gender identity or expression, marital status, lawful source of income, disability, age or because the individual has children in all programs and housing development activities funded or administered by the Town of Westport.

*The municipality's **Fair Housing Officer, Attorney Gail Kelly**, is responsible for the enforcement and implementation of this policy and may be reached _____.*

Complaints pertaining to discrimination in any program funded or administered by this Town of Westport, may be filed with the Fair Housing Officer. The municipality's Grievance Procedure will be utilized in these cases.

Complaints may also be filed with the Commission on Human Rights and Opportunities, Special Enforcement Unit, 21 Grand Street, Hartford, CT 06106, Telephone (860) 541-3403 within 180 days of the alleged violation by submitting a notarized complaint and/or the Boston Regional Office of FHEO, U.S. Department of Housing and Urban Development, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Room 321, Boston, MA 02222-1092, Telephone (617) 994-8300 or 1-800-827-5005, TTY (617) 565-5453. A complaint may be filed with HUD within one year after an alleged violation. Additionally, an individual may file suit, at his/her expense, in Federal District Court or State Court within two years of an alleged violation. If the individual cannot afford an attorney, the Court may appoint one. A suit can be brought even after filing a complaint, if the complaining party has not signed a conciliation agreement and an Administrative Law Judge has not started a hearing. A court may award actual and punitive damages and attorney's fees and costs.

A copy of this policy statement will be given annually to all Town of Westport employees and they are expected to fully comply with it. In addition, a copy will be posted throughout the Town of Westport.

Date

James S. Marpe, First Selectman

THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE by contacting the First Selectman's Office.

TOWN OF WESTPORT
EQUAL OPPORTUNITY POLICY STATEMENT

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.”

The **Town of Westport** is committed to carrying out its responsibilities under Title VI. Accordingly, all facilities, programs and services sponsored by the **Town of Westport** are available to all persons regardless of race, color, or national origin and the cooperation of all Town Personnel is required.

Town of Westport

James S. Marpe
First Selectman

Date

TOWN OF WESTPORT
AMERICANS WITH DISABILITIES ACT
POLICY STATEMENT

It is the Town of Westport's policy to ensure that people with disabilities of all kinds have an equal opportunity to participate in and benefit from the town's services, programs and activities. Therefore, and in accordance with the requirements of the Americans with Disabilities Act of 1990, the town does not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities.

The Americans with Disabilities Act Coordinator is responsible for the enforcement of this policy. Complaints alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the town may be filed in accordance with the town's grievance procedure.

Date

_____ James S. Marpe, First Selectman

TOWN OF WESTPORT
GRIEVANCE PROCEDURE UNDER
THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Westport. The Town's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to: **ADA Coordinator, Eileen Lavigne Flug, c/o Town Attorney's Office, 110 Myrtle Avenue, Westport, CT 06880.**

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Westport and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Board of Selectmen.

Within 15 calendar days after receipt of the appeal, the Board of Selectmen will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Board of Selectmen will respond in and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received ADA Coordinator or designee, appeals to the Board of Selectmen, and responses from these two offices will be retained by the Town of Westport for at least three years.

Date

James S. Marpe, First Selectman

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Westport will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The Town of Westport does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA

Effective Communication: The Town of Westport will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The Town of Westport will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individual with service animals are welcomed in Town offices, even where pets are generally prohibited

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Westport, should contact the **ADA Coordinator, Eileen Lavigne Flug, at (203) 341-1040 or the Town Clerk, Patricia Strauss at (203) 341-1105** as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Town of Westport to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a Town program, service, or activity is not accessible to persons with disabilities should be directed to the **ADA Coordinator at (203) 341-1040**.

The Town of Westport will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Date

James S. Marpe, First Selectman