

## MINUTES (APPROVED)

The Board of Selectmen held a public hearing on Wednesday, Sept. 11, 2013, at 4:30 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, Gary Conrad, Stephen Edwards, Stuart McCarthy, Richard Giunta, Barbara Butler, Kevin Godburn, Ralph Chetcuti, Laurence Bradley, Carol Leahy, Francis Henkels, Kathleen Bennewitz, Margaret Travers, Cathy Cogan, Cole Baker, and Patricia Scully recording secretary.

### MINUTES

1. The minutes of the Board of Selectmen's public hearing of Aug. 14, 2013 and the Board of Selectmen's special public hearing of Aug. 23, 2013 were presented by the recording secretary. There were no additions/deletions/revision. 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 minutes of the Board of Selectmen's public hearing of Aug. 14, 2013, as presented, are hereby APPROVED.

RESOLVED: That the minutes of the Board of Selectmen's special public hearing of Aug. 23, 2013, as presented, are hereby APPROVED.

### APPROVAL OF ACCEPTANCE OF MONETARY GIFTS FROM WESTPORT RESIDENTS TO WESTPORT HUMAN SERVICES DEPARTMENT'S DHS FAMILY PROGRAMS/BTS ESCROW FUND, IN ACCORDANCE WITH POLICY FOR GIFTS TO TOWN AS AMENDED OCT. 28, 1998

2. Item #2 was presented by Human Services Director Barbara Butler. The Board of Selectmen expressed the town's appreciation for the generosity of its residents. Mr. Haberstroh stated that he would recuse himself from voting on this item as his wife was employed in the Westport Human Services Department. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 2-0 (Joseloff/Kassen voting in favor and Haberstroh recused), it was:

RESOLVED: That the request for acceptance of monetary gifts from Westport residents to the Westport Human Services Department's DHS Family Programs/BTS escrow fund, in accordance with the Policy for Gifts to the Town, as amended Oct. 28, 1998, is hereby APPROVED.

### APPROVAL OF LICENSING AGREEMENT BETWEEN TOWN OF WESTPORT AND BMI, AS RELATES TO MUSIC PLAYED AT TOQUET HALL AND AS RECOMMENDED BY HUMAN SERVICES DIRECTOR

3. Item #3 was presented by Youth Services Program Director Kevin Godburn. 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 licensing agreement between the Town of Westport and BMI, as relates to music played at the Toquet Hall and as recommended by the Human Services Director, is hereby APPROVED.

APPROVAL OF CONTRACT BETWEEN TOWN OF WESTPORT AND ESI EMPLOYEE ASSISTANCE GROUP, AS RELATES TO EMPLOYEE ASSISTANCE SERVICES AND AS RECOMMENDED BY THE PERSONNEL/HUMAN RESOURCES DIRECTOR

4. Item #4 was presented by Personnel/Human Resources Director Ralph Chetcuti. 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 contract between the Town of Westport and ESI Employee Assistance Group, as relates to employee assistance services and as recommended by the Personnel/Human Resources Director, is hereby APPROVED.

APPROVAL OF GRANT AGREEMENT BETWEEN TOWN OF WESTPORT AND CONNECTICUT TRUST FOR HISTORIC PRESERVATION, AS RELATES TO 2013 VIBRANT COMMUNITIES INITIATIVE GRANT PROGRAM FOR FUNDING UP TO \$50,0000 AND FURTHER TO APPROVE AND AUTHORIZE FIRST SELECTMAN GORDON F. JOSELOFF TO SIGN SUCH DOCUMENTATION ON BEHALF OF THE TOWN OF WESTPORT

5. Item #5 was presented by Historic District Commission Chair Francis Henkels and HDC Staff Coordinator Carol Leahy. 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 grant agreement between the Town of Westport and the Connecticut Trust for Historic Preservation, as relates to the 2013 Vibrant Communities Initiative Grant Program for funding up to \$50,000, and further to authorize First Selectman Gordon F. Joseloff to sign such documentation on behalf of the Town of Westport, is hereby APPROVED.

APPROVAL OF APPLICATION FOR CERTIFIED LOCAL GOVERNMENT HISTORIC RESTORATION GRANT, AS RELATES TO RESTORATION OF MINUTE MAN MONUMENT SITE AT THE CURRENT PRELIMINARY PROJECTED COST OF \$76,400, AND FURTHER APPROVE AND AUTHORIZE FIRST SELECTMAN GORDON F. JOSELOFF TO SIGN SUCH DOCUMENTATION ON BEHALF OF THE TOWN OF WESTPORT

6. Item #6 was presented by Historic District Commission Chair Francis Henkels and Town Art Curator Kathleen Bennewitz. 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 application for the Certified Local Government Historic Restoration Grant, as relates to the restoration of the Minute Man Monument Site at the current preliminary projected cost of \$76,400, and further to authorize First

Selectman Gordon F. Joseloff to sign such documentation on behalf of the Town of Westport, is hereby APPROVED.

APPROVAL OF AGREEMENT BETWEEN TOWN OF WESTPORT AND LOTHROP ASSOCIATES, LLP, WHITE PLAINS, NY, FOR PROFESSIONAL SERVICES RELATED TO MASTER PLAN FOR COMPO BEACH, AS RECOMMENDED BY PARKS & RECREATION DIRECTOR

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 an agreement between the Town of Westport and Lothrop Associates, LLP, White Plains, NY, for professional services related to a master plan for Compo Beach, as recommended by the Parks & Recreation Director, is hereby APPROVED.

APPROVAL OF MASTER AGREEMENT BETWEEN STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION AND TOWN OF WESTPORT REGARDING INSTALLATION OF FIRE SUPPRESSION STANDPIPE SYSTEMS ON BRIDGES AT VARIOUS LOCATIONS

8. Item #8 was withdrawn by Westport Fire Chief Andrew Kingsbury.

APPROVAL OF AWARD OF CONTRACT TO LOW BIDDER FGB CONSTRUCTION, NORWALK, CT AS RELATES TO SASCO CREEK CULVERT REPLACEMENT PROJECT AND AS RECOMMENDED BY PUBLIC WORKS DIRECTOR

9. Item #9 was presented by Public Works Director Stephen Edwards. 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 award of a contract to the low bidder FGB Construction, Norwalk, CT, for \$224,291.00 as relates to the Sasco Creek Culvert Replacement Project and as recommended by the Public Works Director, is hereby APPROVED.

APPROVAL OF AWARD OF CONTRACT TO LOW BIDDER GRASSO COMPANIES, LLC, NORWALK, CT, AS RELATES TO BITUMINOUS CONCRETE ROADWAY OVERLAY PROJECT AND AS RECOMMENDED BY PUBLIC WORKS DIRECTOR

10. Item #10 was presented by Public Works Director Stephen Edwards. 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 award of a contract to the low bidder Grasso Companies, LLC, Norwalk, CT, for \$1,007,045.96 as relates to the bituminous concrete roadway overlay project and as recommended by the Public Works Director, is hereby APPROVED.

APPROVAL OF AWARD OF CONTRACT TO NJR CONSTRUCTION, INC., TERRYVILLE, CT, AS RELATES TO TOWN CRIER CULVERT REPLACEMENT PROJECT AND AS RECOMMENDED BY PUBLIC WORKS DIRECTOR

11. Item #11 was presented by Public Works Director Stephen Edwards. 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 award of a contract to NJR Construction, Inc., Terryville, CT, \$142,670.00 as relates to the Town Crier Culvert Replacement Project and as recommended by the Public Works Director, is hereby APPROVED.

APPROVAL OF EXTENSION OF ROAD CLOSURE FOR NORTH AVENUE BRIDGE PROJECT FOR AN ADDITIONAL 18 DAYS, OR UNTIL OCT. 6, 2013, AS RECOMMENDED BY THE PUBLIC WORKS DIRECTOR

12. Item #12 was presented by Public Works Director Stephen Edwards. 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 extension of the road closure for the North Avenue Bridge Project for an additional 18 days, or until Oct. 6, 2013, as recommended by the Public Works Director, is hereby APPROVED.

APPROVAL OF RESOLUTION AS RELATES TO FINANCIAL ASSISTANCE FROM CONNECTICUT DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR UP TO \$300,000 TO UNDERTAKE REPLACEMENT OF ROOF ON THE SAUGATUCK CO-OP BUILDING

13. Item #13 was presented by Public Works Director Stephen Edwards. Upon motion by Shelly A. Kassen, seconded by Charles W.K. Haberstroh and passed by a vote of 3-0, it was:

RESOLVED: Whereas, pursuant to Connecticut General Statutes 4-66g(d) the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and whereas it is desirable and in the public interest that the Town of Westport make an application to the State for \$300,000 in order to undertake the replacement of the roof on the Saugatuck Co-op building, and to execute an Assistance Agreement. Now, therefore, be it resolved by the Board of Selectmen that it is cognizant of the conditions and prerequisites for the state financial assistance imposed by State Statutes and that the filing of an application for state financial assistance by the Town of Westport in an amount not to exceed \$300,000 is hereby approved; and that First Selectman Gordon F. Joseloff is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for state financial assistance if such an agreement is offered, to execute any

amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Westport, is hereby APPROVED.

APPROVAL OF USE OF TOWN-OWNED PROPERTY KNOWN AS VETERANS GREEN BY WESTPORT DOWNTOWN MERCHANTS ASSOCIATION ON SATURDAY, OCT. 19, FOR BIERGARTEN FESTIVAL; AND ON SUNDAY, OCT. 20, FOR YOGA ON THE GREEN

14. Item #14 was presented by Margaret Travers and Cathy Cogan representing the Westport Downtown Merchants Association. 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 use of town-owned property known as Veterans Green by the Westport Downtown Merchants Association on Saturday, Oct. 19, 2013, for the Biergarten Festival, and further use of town-owned property known as Veterans Green by the Westport Downtown Merchants Association on Sunday, Oct. 20, 2013, for the Yoga On The Green event, contingent upon compliance with comments from various town departments, including the Westport/Weston Health District, and in accordance with the Procedures for Use of Town-owned Property, Facilities and/or Public Roadways, as amended Sept. 15, 2010, is hereby APPROVED.

APPROVAL OF PROPOSED AMENDMENTS TO THE TENANT SELECTION POLICY AND THE POLICY FOR RENTAL OF RESIDENTIAL HOUSING UNITS, AS RECOMMENDED BY THE TOWN ATTORNEY'S OFFICE

15. Item #15 was presented by Assistant own Attorney Gail Kelly. Attorney Kelly said the Board of Finance had recommended that rental of town-owned residential housing be at a fair market value rate. The Board of Finance approved the town hiring an appraiser to determine fair market value for each of the residential housing units.

The present policy is that the rent paid by town employees renting town-owned housing units is based on a percentage of household income. The Board of Selectmen noted that to bring rental fees to fair market value for all the residential housing units would mean that for four units it would be a significant increase. Perhaps adding the CPI could bring the monthly rental fee up to the fair market value more slowly. For town employees it would be CPI or 30% of the household income whichever is lower. The Board also noted that town employees renting from Westport needed to be responsible for the tax obligation for the differential between the actual monthly rent rate and the fair market value rate.

Board members discussed the possibility of keeping the present rental policy for present renters and changing to the policy with the fair market value rate for any new renters. Future fair market value rate could be determined by using today's figures and adding the CPI rate for each year in the future until a new appraisal was done.

Assistant Town Attorney was requested to redraft the proposed amendments to the Policy for Rental of Residential Housing Units incorporating today's discussions.

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

RESOLVED: That the request for the proposed amendments to the Tenant Selection Policy and the Policy for Rental of Residential Housing Units be postponed until the Oct. 9, 2013 Board of Selectmen public hearing 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 6:30 p.m.

Patricia Scully  
Recording Secretary