

Board of Selectwomen Meeting  
June 8, 2022  
APPROVED MINUTES

The Westport Board of Selectwomen, Local Traffic Authority, and Water Pollution Control Authority held a public meeting on Wednesday, June 8, 2022, at 9:00 AM in the Westport Town Hall Auditorium, 110 Myrtle Avenue, Westport, Connecticut. In attendance were Jennifer Tooker, Andrea Moore (via telephone), Candice Savin, Eileen Flug, Christine Alison, Peter Ratkiewich, Bryan Thompson, presenters as noted in the minutes, members of the public, and Eileen Francis, recording secretary.

<https://play.champds.com/westportct/event/243>

MINUTES

1. Jennifer Tooker presented Item #1. Upon motion by Candice Savin, seconded by Andrea Moore and passing by a vote of 3-0, it was:

RESOLVED, that the Minutes of the Board of Selectwomen's meeting of May 25, 2022 are hereby APPROVED.

APPROVE REQUEST FOR WAIVER OF ENCROACHMENT POLICY AT 6 BUENA VISTA DRIVE WITH CONDITIONS

2. Homeowners Brett and Deborah Greenberg and Andy Soumelidis of LandTech presented Item #2. All acknowledged that the constructed wall encroached on town property but was done with no ill-intent. However, the contractor did not follow the proposed survey plans that were submitted when the permits were approved. They presented additional photographs and information related to other properties that they believed were non-compliant with the Encroachment Policy. The applicants proposed a 2-foot cut-back of the wall. Director of Public Works Peter Ratkiewich noted that the reason why the Greensbergs' situation came to light was due to the request for a driveway permit. He acknowledged that there are other such encroachments throughout town, but the conditions are addressed only when certain permits are pulled through DPW and P&Z. He noted that the specific encroachment at 6 Buena Vista may impede the ability for plowing as well as future installation of utilities, emphasizing that this is town property. The Police Department commented that there were potential safety concerns for bikers, pedestrians and vehicles due to the location close to the roadway, but deferred to other departments for a solution. Selectwoman Candice Savin asked for clarification on the policy and how past boards approached these requests. First Selectwoman Tooker stated that the Board typically relied on the observations, expertise and experience from Town departments, with the understanding that the Board had discretion to approve, approve with revisions, or deny such requests. In this case, the DPW and the P&Z noted that without the waiver, the recommendation is to remove the entirety of the encroachment. The Board determined that they would compromise and approve the waiver with the condition that 5 feet of the encroachment on both sides of the driveway (the wall and the Belgian block apron) at a "natural break" be removed, leaving an encroachment of 8 feet (+/-) on Town property. Assistant Town Attorney Eileen Flug stated that the homeowners would be required to sign a Hold Harmless and submit evidence of insurance covering any claims against the Town for the encroachment. This document will be filed on the land records. Upon motion by Andrea Moore, seconded by Candice Savin, and passing by a vote of 3-0 it was:

RESOLVED, that the request for a waiver of the Policy on Encroachments on Town Property as it relates to a decorative stone wall constructed within the town right-of-way at 6 Buena Vista Drive is hereby APPROVED, *subject to removal of 5 feet (+/-) of the decorative wall and Belgian block, confirmation and submission of an as-built survey reflecting compliance and execution of a Hold Harmless Agreement satisfactory to the Town Attorney's Office.*

APPROVE AUDIT ENGAGEMENT LETTER WITH CLIFTONLARSONALLEN, LLP

3. Finance Director Gary Conrad presented Item #4. Mr. Conrad noted that the Town has previously engaged the company, and that there is less than 2% price increase. Upon motion by Candice Savin, seconded by Jennifer Tooker and passing by a vote of 3-0, it was:

RESOLVED, that upon the request of the Finance Director, the Audit Engagement Letter between the Town of Westport and CliftonLarsonAllen, LLP as it relates to the June 30, 2022 year end audit is hereby APPROVED.

APPROVE REFUNDS OF TAX OVERPAYMENTS

4. Tax Collector Christine Alison presented Item #5. Ms. Alison explained the General Statutes related to the request as well as the reason why the overpayments may have occurred. Upon motion by Candice Savin, seconded by Jennifer Tooker and passing by a vote of 3-0, it was:

RESOLVED, that To take such action as the meeting may determine, upon the recommendation of the Tax Collector and in accordance with C.G.S. Sec. 12-129, the refunds of overpayments of 2019 and 2020 Grand List Year Real Estate, Sewer and Motor Vehicle taxes, as presented, are hereby APPROVED.

*Items 5-7 are included in the WPCA Minutes of 06-08-2022*

ADJOURNMENT

Upon motion by Andrea Moore, seconded by Candice Savin and passing by a vote of 3-0, the meeting adjourned at 10:00 AM.

*/Eileen Francis/*

Eileen Francis, Recording Secretary