1. Meeting Materials

Documents:

MARCH 23, 2018 MEETING MINUTES - DRAFT.PDF
MARCH 23, 2018 SPECIAL MEETING AGENDA.PDF
MARCH 23, 2018 MEETING MINUTES - APPROVED.PDF
Town of Greenwich
Board of Selectmen
March 23, 2018
10:00 A.M.
Town Hall Meeting Room

DRAFT MINUTES

1. The meeting opened at 10:01 A.M. with the Pledge of Allegiance.
   
   a. Attendance:
      a. First Selectman Peter J. Tesei - Present
      b. Selectman John Toner - Present
      c. Selectman Sandy Litvack - Present

   Following the Pledge, Mr. Tesei greeted and welcomed attendees commenting that it was a Public Meeting of the Board of Selectmen who reserve the right to call on people to ask questions and make comments.

2. Approval of Minutes
   
   a. Minutes of Board of Selectmen Regular Meeting held on February 22, 2018 were moved for approval by Mr. Toner, seconded by Mr. Litvack. The motion passed unanimously.
   b. Minutes of the Special Board of Selectmen meeting held with the Board of Education on February 22, 2018 were moved for approval by Mr. Litvack. Following a second by Mr. Toner, the motion passed unanimously.
   c. Minutes of the Special Board of Selectmen meeting held on February 27, 2018 were moved for approval by Mr. Toner. Following a second by Mr. Litvack, the motion passed unanimously.

3. First Selectman’s Updates
   
   a. Mr. Tesei said he attended the Greenwich Public Schools Community Service Awards ceremony. He noted that the Fleishman Award was presented to Rene LaPointe Jameson, who won the YWCA Greenwich BRAVA Junior Award earlier this year.
   b. On March 1, Mr. Tesei attended the Greenwich Library’s Peterson Award Dinner.
   c. Mr. Tesei noted that there were several centenarians celebrating their birthdays this month, including former Cos Cob teacher Ruth Wilson on March 18.
   d. On March 14, Mr. Tesei met with the Byram Seniors who wanted a status update of the Byram Pool project, its accessibility, and its impact upon parking in the neighborhood. Accompanying him to the meeting were Parks and Recreation Director said On Feb. 2, there was a meeting of several Town department heads including DPW with Eversource to discuss the design management phase of Eversource’s substation project on Railroad Avenue. The Town has filed an appeal of the CT Siting Council’s approval of the project. However, Eversource continues the project’s design work.
   e. On March 15, Mr. Tesei attended the Greenwich Chamber of Commerce Board of Directors meeting which is transitioning with new leadership.
There was discussion of issues the Board has with Planning & Zoning including the relation of liquor sales regulations.

f. Mr. Tesei noted that the annual St. Patrick’s Day parade was held on March 18.

g. Mr. Tesei announced that March is Red Cross Month in Greenwich that was marked with a flag-raising on March 19.

h. The budget approval process continues with the BET taking up the budget on Monday, March 26 at 4 p.m.

4. Old Business

a. **Hillside Road parking regulations.**

Mr. Tesei explained that this is an old request to bring into compliance what has been practice for a number of years. He gave a history of the request submitted by the interim Parking Service Director, Capt. Mark Kordick, as well as reality and past practices. He also said there is the question of whether the Board of Selectmen can supersede Planning & Zoning Commission decisions. He said the Board has and continues to hear serious, conscientious efforts on the part of neighbors to express their concerns on parking and (Greenwich High School) campus use. He said the Board also has heard from students and from (Headmaster) Dr. (Chris) Winters who offered use of the high school parking lot to neighbors. Mr. Tesei added that there is a lot of willingness to come up with a reasonable solution to at least allow a co-existence.

Town Attorney Wayne Fox said that at the request of the Board, his staff researched the history to clarify whether the Board conveyed the road to the Board of Education. Assistant Town Attorney John Wetmore researched the question and found documents related to the Selectmen’s minutes were missing for the years of 1967 to 1976.

Mr. Litvack asked whether Mr. Fox was saying that it is not know for certain whether there was conveyance of the road but that in 1995 it appears the Board of Education had control of the road.

Mr. Fox said that in addition to the records research, that when the science wing was built in 1995, street spaces were a part of the parking plan. However, Mr. Fox said, it is uncertain whether that is controlling or definitive - that one cannot make the conclusion that the Board of Ed had control of the street. Mr. Fox said that one could conclude that control comes to this Board.

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for next fall while working to find alternate routes to make the situation more livable, tolerant for all and to give residents a solution.

Capt. Kordick reiterated that the request is to codify the Town code. Mr. Tesei replied that the codification won’t satisfy residents. Capt. Kordick said that the Board can change the regulation at any time.

Mr. Tesei said he wants to codify the regulation with the caveat that shoes short-term solutions be examined – to find a practical, safer way for drop-off and pick-up by using the area in the rear of the campus.

Mr. Toner asked whether it can be said that the Board of Education is in violation by not using the rear parking area and by cars standing/parking/discharging passengers in a no stopping zone and that students are jaywalking. He said the Police Department should blitz the place for a couple weeks. He said the Board of Selectmen controls the road.

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Ms. Evans said one of the issues is the cost of the Board of Education to have a police officer directing traffic.

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Sgt. Patrick Smyth of the Traffic Section said that at the beginning of the school year there are extra patrols for 30 days for enforcement – that drivers should go to the back of the school. He said that during the first week, warnings are issued with tickets issued during the second week. He said there is a patrol car assigned to the high school at dismissal. He also said that the Traffic Section has two officers assigned and hopes to have three soon. Regardless of enforcement, Sgt. Smyth said people go back to doing what is easier.

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Sgt. Smyth said the officer assigned to the school is there to direct school bus traffic.

Capt. Kordick said ideal circulation has everyone going to the back of the school. If cars are forced to continue to circulate rather than parking, it would affect traffic, he said.

Mr. Litvack said that at dismissal time, if most vehicles were circulated to the back of the school it would eliminate the parking issue.

Mr. Tesei said the issue also is how aggressive enforcement is. He said that is why he wants a working group with representatives from police, public works, and school safety. He then called upon Hillside Road resident Elizabeth Dempsey to speak for the residents.

Mrs. Dempsey said she lives across the street from the high school and she moved there knowing what was going on at the campus. She said the issue is about safety and liability, and it is all about convenience for parents. She said that for 18 years she has asked the police officer assigned to the high school to enforce double-parking rules but was told that the officer is only there to direct the school buses. She said that cars park on the street and in her driveway from 2:45 p.m. until dismissal. She said a Greenwich citizen should have the right to travel on Hillside without playing chicken and not having to cross into the northbound lane. Ms. Dempsey said it is galling to be told that the lane is no parking but school people say it is. She said there are 60 to 70 unutilized parking spaces in the student lot every day. She said the situation is one of convenience – that no one wants to park anywhere but in front of the school. She said parking is a privilege, that Hillside residents pay taxes and they want the Board to protect their rights.

Resident Steve Miller thanked everyone for trying to solve the problem which he described as dangerous. He said there are parking spaces available on campus; students and parents double-park, and that he jaywalked in front of a cop unabated. He said he thought the best idea was Mr. Tesei’s for a group. He said someone will get hurt – that it is a question of when.

Mr. Tesei said there should be a draft letter that stipulates compliance of the Planning & Zoning approval and to have off-duty police implement what was envisioned in that Planning & Zoning approval. He said a working group will be established with representatives from the police and public works departments, the school administration – the headmaster and Tom Bobkowsk, director of safety and security and the Town Planner. Mr. Tesei
said he wants the group to report back no later than June 1 so that changes could be implemented for the fall semester.

Capt. Kordick said the board could approve changes on a temporary basis. Mr. Tesei said the board needs to be doing something before the fall.

Mr. Tesei made a motion to establish the working group as previously described. Following a second by Mr. Toner, the motion was approved 2-0-1.

Mr. Toner made a motion, seconded by Mr. Tesei to create two-hour visitor parking. The motion was approved unanimously.

Mr. Tesei then noted for the record, that Parking Services and Mr. Fox will have a process in place to ensure the regulation changes are recorded in Muni-Code.

5. New Business
   a. Approve Parking Regulation updates.

Upon a motion by Mr. Toner, seconded by Mr. Litvack, the Board unanimously approved a distance correction for the south side of Old Post Road No. 2, prohibiting parking southwesterly from West Putnam Avenue for a distance of 110 feet, and added 12-hour timed parking on the south side of the street from a point 110 feet southwest of West Putnam Avenue extending westerly for a distance of 270 feet.

Upon a motion by Mr. Toner, seconded by Mr. Litvack, the Board unanimously approved the addition of one handicapped person's parking space on the west side of Orchard Street, in the vicinity of No. 10, as posted and marked.

Upon a motion by Mr. Toner, seconded by Mr. Litvack, the Board unanimously approved adding parking prohibited on Lucy Street at the western terminus, from a point eight feet south of the northern curb along the dead end of pavement to the southern curb.


Mr. Litvack said he wanted to raise the issue with the Harbor Management Commission (HMC) Chairman regarding the jurisdiction that this Board has over the budget issue. He stated the Town Attorney has an opinion and that he has a serious question over it as he disagrees with the Town Attorney. Mr. Litvack said that the Board is not following procedure as it does not have
jurisdiction over the Commission – that it does not comport with the regulations. He added that he though the Commission Chairman should go to the Representative Town Meeting (RTM) to get a ruling.

Mr. Angiolillo responded that the issue was raised by one Town resident 1 1/2 years ago and whether the HMC was complying with Town rules and regulations. He said that he succeeded Frank Mazza, a former Selectman and BET member, who has 60-plus years of experience. He said he obtained an opinion from Town Administrator Ben Branyan that the HMC was in compliance. Further, the RTM passed Resolution 10 confirming the information. Mr. Angiolillo provided further detailed history on the question including the presentation of and holding a public hearing on a Harbor Management Plan; another opinion from the Town Attorney in January 2017; the resident posing the same jurisdictional question to the RTM and the BET, despite the resident not contacting the Commission Chair or attending a Commission meeting. Mr. Angiolillo said the Commission is willing to change the budgetary process if so informed by the Selectmen and asked the Board not to believe something that is not true. He also said the Commission’s nine volunteers have contributed thousands of hours to prepare the Harbor Management Plan as well as the budget.

Mr. Litvack thanked Mr. Angiolillo for the explanation and said he was not criticizing the Commission’s efforts, rather he did not care who approves the HMC budget; that he was trying to get an answer to the question. He said he accepts it and is prepared to move forward.

Mr. Mazza then provided an explanation of the $59,450 budget.

Mr. Litvack questioned the duty of the Harbormaster.

Mr. Mazza said that in six years, the Harbormaster has not permitted a mooring and that the HMC is taking over what should have been done by the Harbormaster.

Mr. Litvack questioned why the HMC was not working with the Harbormaster.

Mr. Tesei said it has been frustrating to establish a stable, regular relationship to work with this individual.

Mr. Toner, who has been the Board’s liaison with the HMC for three years, said that with the passage of the Harbor Management Plan, the HMC has more clout and hopes to have more when it can appoint a Harbormaster.

Mr. Tesei explained that until the adoption of the Harbor Management Plan, the Governor exercised his discretion to appoint an individual who is incongruent to the HMC. He said that there are clearly difference in thought on how to do what needs to be done. He also said that the proposed budget is plain vanilla and that with the future dredging of Greenwich Harbor there is the potential to use the spoils to expand Roger Sherman Baldwin Park.
Mr. Litvack questioned the $10,000 expense for mooring inspections and whether the inspections can be imposed upon the Harbormaster. Mr. Angiolillo explained that for four years, the Harbormaster has not shared mooring information with the HMC. He said that the HMC worked out an arrangement with the Harbormaster’s boss at the CT Department of Energy and Environmental Protection that the Harbormaster should locate moorings. Mr. Litvack reiterated his question on the $10,000 expense for mooring inspections. Mr. Angiolillo said that past history has proven there is no reliability on the part of the Harbormaster.

Mr. Mazza said the expense to develop a dredging plan is necessary because Greenwich Harbor has unsuitable material that needs to be disposed of. He estimated it will cost $15 - $20 million for the harbor dredge.

Upon a motion by Mr. Toner that was seconded by Mr. Litvack, the budget was approved 2-0-1. Mr. Litvack explained he abstained because he still has a question on whether the Selectmen have jurisdiction.

c. **Report of the Board of Estimate and Taxation Special Committee on The Nathaniel Witherell – Arthur Norton.**

Mr. Norton gave a verbal summary of the highlights of the 86-page report from the Committee that was formed two years.

Mr. Simon, chairman of The Nathaniel Witherell (TNW) board said the board is committed to running TNW as efficiently as possible as a Town department.

Mr. Litvack said that the Board must be aware of its fiduciary obligation and questioned how much it will cost the Town to support TNW and how much the Town is willing to spend. Mr. Norton said the committee continues to review those questions as well as government and insurance reimbursements.

d. **Approve Sheephill Road traffic signal adjustments.**

Mr. Marc Mancini of the firm Fuss & O’Neill in Manchester, CT, presented the plan to obtain approval from the local Traffic Authority, which is the Board of Selectmen. Upon approval by the Selectmen then the proposed changes can be submitted to the state Traffic Administration for approval.

Ms. Evans stated the changes to ramps and push button controls were requested and discussed during the planning process – that the proposal does not involve the addition or widening of traffic lanes. The DPW is in full support of the plan, Ms. Evans said.

Upon a motion by Mr. Litvack that was seconded by Mr. Toner, the Board unanimously approved the requested changes.
e. Greenwich Cars and Coffee, road closure of Greenwich Avenue – Steven Fong, Leland Crawford.

Mr. Tesei said that based upon the recommendations of the Greenwich Police Department he offered an alternative location at Town Hall and that Mssrs. Fong and Crawford have decided to appeal to a higher authority.

Mr. Fong read a letter from a supporter, Peter Yeskey. He reiterated that Cars and Coffee is seeking a partial closure of Greenwich Avenue for 2 hours with 143 parking spaces taken on Greenwich Avenue and 50 spaces in the Board of Education parking lot. He said that when the pair first presented their idea in 2016 they were amateurs and now with their networking with collectors, the event has evolved. They then showed a 3:20 minute video of the event.

Mr. Tesei asked about the money raised and donating it to charity, asking under which nonprofit entity were they operating.

Mr. Fong replied they were presenting ultra high-end exquisite cars; that their No. 1 priority is pedestrian safety and that car owners and spectators support local businesses. He also said that David Rabin, of Greenwich United Way, approached them to get involved. Mr. Fong said they plan to have students from Hamilton Avenue and New Lebanon school attend the event in partnership with the United Way.

Mr. Tesei asked who underwrites costs such as hiring police. Mr. Crawford said local businesses, including high luxury jewelers, underwrite the costs. Mr. Tesei inquired how much money was made. Mr. Crawford said $29,000 was made over 4 events and it pays for four police officers and that they want to increase that with six additional police officers. They also said they want to add signage for better traffic flow and pedestrian safety.

Mr. Crawford also said they want to help St. Mary parishioners by having a police officer only allow parking for church goers in front of the church.

Mr. Tesei said that Cars and Coffee has shown it is unable to control participants and they are not contributing to the economic viability of the Town. He provided a history of his meetings with event planner Sebastian Dost who on behalf of Mssrs. Fong and Crawford, sought the road closure. Mr. Tesei said he offered the alternative location for a controlled campus-like environment with no road closures and now he is questioning that offer because of the tremendous amount of risk and exposure.

Sgt. Patrick Smyth said it is an issue of safety of participants and nonparticipants leaving the event; drivers of exotic cars going to after parties and racing along the Post Road to the Miller Motorcar dealerships. He also questioned whether either was licensed to operate the drone that recorded the video the pair had shown earlier. He also cited examples of other Cars and Coffee events in Boise, ID and Houston, TX where cars crashed and injured bystanders. Sgt. Smyth said it was a matter of time before there is an incident in Greenwich and that he did not think Greenwich Avenue is a good venue choice. He also said one of the sponsors is hosting the after party.
Mr. Litvack asked whether Sgt. Smyth objected last year. He replied that he had reservations about the shows but did not know much about them.

Mr. Toner asked about the Town’s liability. Mr. Litvack said there is no doubt that the Town would be sued should something happens.

Mr. Tesei then introduced a PowerPoint presentation from last year’s Cars and Coffee events which included video clips showing cars driving down Greenwich Avenue with the doors open; pedestrians walking in traffic to take photos of moving cars; a car nearly losing control as it sped past the children’s playground in Bruce Park, and a confrontation with Greenwich Police in Bruce Park.

Messrs. Fong and Crawford said they would find solutions to those issues; that from their point of view, it has been a perfect event. They suggested using private messaging to publicize the event they could make invitation only.

Mr. Litvack said there is a problem with the concept not the venue. Mr. Tesei said he agreed — the way the event is constituted is a problem. He also said the event doesn’t add value to local businesses and encouraged them to revisit the concept and return with a more secure venue that may prompt the Board may reconsider its position.

After Messrs. Fong and Crawford read additional letters from business supporters, Mr. Litvack said the Board must balance benefit versus risk and that the risk is high and there is dubious benefit to the Town and businesses. He suggested the pair write a brief on how they could control the event and minimize risks. Mr. Tesei said the pair can contact his Executive Assistant should want to present a proposal.

f. Greenwich Avenue seasonal closings to create pedestrian mall — Sandy Litvack.

Mr. Litvack said he wanted to initiate discussion this spring of closing a part of or all of Greenwich Avenue on Friday and Saturday nights. The goal is to generate interest in Greenwich Avenue especially with restaurants that open café seating on those nights and stores staying open. He said that the hope is to create a buzz about Greenwich Avenue. Mr. Litvack also suggested that perhaps the effort could be sequenced, with the lower half of The Avenue in the beginning and then moving up The Avenue.

Mr. Tesei said he was open to the idea and suggested Mr. Litvack draft something that all three Selectmen could support and sign.

Ms. Evans said there are some towns that tie in such events to the municipality’s walkability.

6. Appointments and Nominations

a. Mr. Litvack nominated Kenneth Rogozinski as a regular member of the Planning and Zoning Board of Appeals for a term expiring October 31, 2018, filling the vacancy created by the resignation of Lawrence Larson. Upon a second by Mr. Toner, the nomination was approved unanimously.
b. Mr. Litvack nominated Frank Barratta as an alternate member of the Planning and Zoning Board of Appeals for a term expiring October 31, 2018, filling the vacancy created by the elevation of Kenneth Rogozinski to a regular member. Upon a second by Mr. Toner, the nomination was approved unanimously.

7. Executive Session

Mr. Litvack motioned to enter into executive session at 1:25 P.M., seconded by Mr. Toner, for the purposes of discussing initiation of action to enforce or implemental legal relief or a legal right. The Board voted 3-0 in favor.

Present in Executive Session were: J. Wayne Fox, Town Attorney; Assistant Town Attorneys Eugene McLaughlin and John Wetmore; Recording Secretary Barbara Heins.

Mr. Toner moved to exit Executive Session at 1:39 P.M. Following a second by Mr. Litvack, the Board voted 3-0-0 in favor.

8. Adjournment

Mr. Litvack motioned to adjourn at 1:45 P.M.; seconded by Mr. Toner, the Board voted 3-0-0 in favor.

The next Meeting of the Board of Selectmen would be scheduled for either Thursday, April 5, 2018 at 10:00 A.M. or 10 A.M. Friday, April 6, depending upon the availability of the Town Hall Meeting Room.

______________________________
Peter J. Tesei, First Selectman

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Prepared by Barbara A. Heins, Recording Secretary
Board of Selectmen Special Meeting
Friday, March 23, 2018
10:00 a.m.
Town Hall Meeting Room

AGENDA

1. Welcome and Pledge of Allegiance

2. Approval of Minutes
   a. Board of Selectmen Regular Meeting on February 22, 2018
   b. Board of Selectmen Special Meeting on February 22, 2018
   c. Board of Selectmen Special Meeting on February 27, 2018

3. First Selectman’s Updates – Peter J. Tesei

4. Old Business
   a. Hillside Road parking regulations.

5. New Business
   a. Approve parking regulation updates – Capt. Mark Kordick.
      Commission Chair Bruce Angiolillo.
   c. Report of the Board of Estimate and Taxation Special Committee on
      The Nathaniel Witherell – Arthur Norton.
   d. Approve Sheephill Road traffic signal adjustments – Jennifer
      Babowicz.
   e. Greenwich Cars and Coffee, road closure of Greenwich Avenue –
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   f. Greenwich Avenue seasonal closings to create pedestrian mall –
      Sandy Litvack.

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Executive Session to discuss initiation of action to enforce or implement legal relief or a legal right.

8. Adjourn

[Signature]

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Mr. Litvack said that at dismissal time, if most vehicles were circulated to the back of the school it would eliminate the parking issue.

Mr. Tesei said the issue also is how aggressive enforcement is. He said that is why he wants a working group with representatives from police, public works, and school safety. He then called upon Hillside Road resident Elizabeth Dempsey to speak for the residents.

Mrs. Dempsey said she lives across the street from the high school and she moved there knowing what was going on at the campus. She said the issue is about safety and liability, and it is all about convenience for parents. She said that for 18 years she has asked the police officer assigned to the high school to enforce double-parking rules but was told that the officer is only there to direct the school buses. She said that cars park on the street and in her driveway from 2:45 p.m. until dismissal. She said a Greenwich citizen should have the right to travel on Hillside without playing chicken and not having to cross into the northbound lane. Ms. Dempsey said it is galling to be told that the lane is no parking but school people say it is. She said there are 60 to 70 unutilized parking spaces in the student lot every day. She said the situation is one of convenience — that no one wants to park anywhere but in front of the school. She said parking is a privilege, that Hillside residents pay taxes and they want the Board to protect their rights.

Resident Steve Miller thanked everyone for trying to solve the problem which he described as dangerous. He said there are parking spaces available on campus; students and parents double-park, and that he jaywalked in front of a cop unabated. He said he thought the best idea was Mr. Tesei’s for a group. He said someone will get hurt – that it is a question of when.

Mr. Tesei said there should be a draft letter that stipulates compliance of the Planning & Zoning approval and to have off-duty police implement what was envisioned in that Planning & Zoning approval. He said a working group will be established with representatives from the police and public works departments, the school administration – the headmaster and Tom Bobkowski, director of safety and security and the Town Planner. Mr. Tesei said he wants the group to report back no later than June 1 so that changes could be implemented for the fall semester.

Capt. Kordick said the board could approve changes on a temporary basis.
Mr. Tesei said the board needs to be doing something before the fall.

Mr. Tesei made a motion to establish the working group as previously described. Following a second by Mr. Toner, the motion was approved 2-0-1.

Mr. Toner made a motion, seconded by Mr. Tesei to create two-hour visitor parking. The motion was approved unanimously.

Mr. Tesei then noted for the record, that Parking Services and Mr. Fox will have a process in place to ensure the regulation changes are recorded in Munici-
Code.

5. New Business
   a. Approve Parking Regulation updates.

Upon a motion by Mr. Toner, seconded by Mr. Litvack, the Board unanimously approved a distance correction for the south side of Old Post Road No. 2, prohibiting parking southwesterly from West Putnam Avenue for a distance of 110 feet, and added 12-hour timed parking on the south side of the street from a point 110 feet southwest of West Putnam Avenue extending westerly for a distance of 270 feet.

Upon a motion by Mr. Toner, seconded by Mr. Litvack, the Board unanimously approved the addition of one handicapped person's parking space on the west side of Orchard Street, in the vicinity of No. 10, as posted and marked.

Upon a motion by Mr. Toner, seconded by Mr. Litvack, the Board unanimously approved adding parking prohibited on Lucy Street at the western terminus, from a point eight feet south of the northern curb along the dead end of pavement to the southern curb.

   Commission Chair Bruce Angiolillo.

Mr. Litvack said he wanted to raise the issue with the Harbor Management Commission (HMC) Chairman regarding the jurisdiction that this Board has over the budget issue. He stated the Town Attorney has an opinion and that he has a serious question over it as he disagrees with the Town Attorney. Mr. Litvack said that the Board is not following procedure as it does not have jurisdiction over the Commission – that it does not comport with the regulations. He added that he though the Commission Chairman should go to the Representative Town Meeting (RTM) to get a ruling.
Mr. Angiolillo responded that the issue was raised by one Town resident 1½ years ago and whether the HMC was complying with Town rules and regulations. He said that he succeeded Frank Mazza, a former Selectman and BET member, who has 60-plus years of experience. He said he obtained an opinion from Town Administrator Ben Branyan that the HMC was in compliance. Further, the RTM passed Resolution 10 confirming the information. Mr. Angiolillo provided further detailed history on the question including the presentation of and holding a public hearing on a Harbor Management Plan; another opinion from the Town Attorney in January 2017; the resident posing the same jurisdictional question to the RTM and the BET, despite the resident not contacting the Commission Chair or attending a Commission meeting. Mr. Angiolillo said the Commission is willing to change the budgetary process if so informed by the Selectmen and asked the Board not to believe something that is not true. He also said the Commission's nine volunteers have contributed thousands of hours to prepare the Harbor Management Plan as well as the budget.

Mr. Litvack thanked Mr. Angiolillo for the explanation and said he was not criticizing the Commission's efforts, rather he did not care who approves the HMC budget; that he was trying to get an answer to the question. He said he accepts it and is prepared to move forward.

Mr. Mazza then provided an explanation of the $59,450 budget.

Mr. Litvack questioned the duty of the Harbormaster.

Mr. Mazza said that in six years, the Harbormaster has not permitted a mooring and that the HMC is taking over what should have been done by the Harbormaster.

Mr. Litvack questioned why the HMC was not working with the Harbormaster.

Mr. Tesei said it has been frustrating to establish a stable, regular relationship to work with this individual.

Mr. Toner, who has been the Board's liaison with the HMC for three years, said that with the passage of the Harbor Management Plan, the HMC has more clout and hopes to have more when it can appoint a Harbormaster.

Mr. Tesei explained that until the adoption of the Harbor Management Plan, the Governor exercised his discretion to appoint an individual who is incongruent to the HMC. He said that there are clearly differences in thought on how to do what needs to be done. He also said that the proposed budget is plain vanilla and that with the future dredging of Greenwich Harbor there is the potential to use the spoils to expand Roger Sherman Baldwin Park. Mr. Litvack questioned the $10,000 expense for mooring inspections and whether the inspections can be imposed upon the Harbormaster. Mr. Angiolillo explained that for four years, the Harbormaster has not shared mooring information with the HMC. He said that the HMC worked out an
arrangement with the Harbormaster's boss at the CT Department of Energy and Environmental Protection that the Harbormaster should locate moorings. Mr. Litvack reiterated his question on the $10,000 expense for mooring inspections. Mr. Angiolillo said that past history has proven there is no reliability on the part of the Harbormaster.

Mr. Mazza said the expense to develop a dredging plan is necessary because Greenwich Harbor has unsuitable material that needs to be disposed of. He estimated it will cost $15 - $20 million for the harbor dredge.

Upon a motion by Mr. Toner that was seconded by Mr. Litvack, the budget was approved 2-0-1. Mr. Litvack explained he abstained because he still has a question on whether the Selectmen have jurisdiction.


Mr. Norton gave a verbal summary of the highlights of the 86-page report from the Committee that was formed two years.

Mr. Simon, chairman of The Nathaniel Witherell (TNW) board said the board is committed to running TNW as efficiently as possible as a Town department.

Mr. Litvack said that the Board must be aware of its fiduciary obligation and questioned how much it will cost the Town to support TNW and how much the Town is willing to spend. Mr. Norton said the committee continues to review those questions as well as government and insurance reimbursements.

d. Approve Sheep Hill Road traffic signal adjustments.

Mr. Marc Mancini of the firm Fuss & O'Neill in Manchester, CT, presented the plan to obtain approval from the local Traffic Authority, which is the Board of Selectmen. Upon approval by the Selectmen then the proposed changes can be submitted to the state Traffic Administration for approval.

Ms. Evans stated the changes to ramps and push button controls were requested and discussed during the planning process – that the proposal does not involve the addition or widening of traffic lanes. The DPW is in full support of the plan, Ms. Evans said.

Upon a motion by Mr. Litvack that was seconded by Mr. Toner, the Board unanimously approved the requested changes.

e. Greenwich Cars and Coffee, road closure of Greenwich Avenue – Steven Fong, Leland Crawford.

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Mr. Tesei said that based upon the recommendations of the Greenwich Police Department he offered an alternative location at Town Hall and that Mssrs. Fong and Crawford have decided to appeal to a higher authority.

Mr. Fong read a letter from a supporter, Peter Yeskey. He reiterated that Cars and Coffee is seeking a partial closure of Greenwich Avenue for 2 hours with 143 parking spaces taken on Greenwich Avenue and 50 spaces in the Board of Education parking lot. He said that when the pair first presented their idea in 2016 they were amateurs and now with their networking with collectors, the event has evolved. They then showed a 3:20 minute video of the event.

Mr. Tesei asked about the money raised and donating it to charity, asking under which nonprofit entity were they operating.

Mr. Fong replied they were presenting ultra high-end exquisite cars; that their No. 1 priority is pedestrian safety and that car owners and spectators support local businesses. He also said that David Rabin, of Greenwich United Way, approached them to get involved. Mr. Fong said they plan to have students from Hamilton Avenue and New Lebanon school attend the event in partnership with the United Way.

Mr. Tesei asked who underwrites costs such as hiring police. Mr. Crawford said local businesses, including high luxury jewelers, underwrite the costs. Mr. Tesei inquired how much money was made. Mr. Crawford said $29,000 was made over 4 events and it pays for four police officers and that they want to increase that with six additional police officers. They also said they want to add signage for better traffic flow and pedestrian safety.

Mr. Crawford also said they want to help St. Mary parishioners by having a police officer only allow parking for church goers in front of the church.

Mr. Tesei said that Cars and Coffee has shown it is unable to control participants and they are not contributing to the economic viability of the Town. He provided a history of his meetings with event planner Sebastian Dost who on behalf of Mssrs. Fong and Crawford, sought the road closure. Mr. Tesei said he offered the alternative location for a controlled campus-like environment with no road closures and now he is questioning that offer because of the tremendous amount of risk and exposure.

Sgt. Patrick Smyth said it is an issue of safety of participants and nonparticipants leaving the event; drivers of exotic cars going to after parties and racing along the Post Road to the Miller Motorcar dealerships. He also questioned whether either was licensed to operate the drone that recorded the video the pair had shown earlier. He also cited examples of other Cars and Coffee events in Boise, ID and Houston, TX where cars crashed and injured bystanders. Sgt. Smyth said it was a matter of time before there is an incident in Greenwich and that he did not think Greenwich Avenue is a good venue choice. He also said one of the sponsors is hosting the after party.

Mr. Litvack asked whether Sgt. Smyth objected last year. He replied that he had reservations about the shows but did not know much about them.

Mr. Toner asked about the Town’s liability. Mr. Litvack said there is no doubt...
that the Town would be sued should something happens.

Mr. Tesei then introduced a PowerPoint presentation from last year’s Cars and Coffee events which included video clips showing cars driving down Greenwich Avenue with the doors open; pedestrians walking in traffic to take photos of moving cars; a car nearly losing control as it sped past the children’s playground in Bruce Park, and a confrontation with Greenwich Police in Bruce Park.

Messrs. Fong and Crawford said they would find solutions to those issues; that from their point of view, it has been a perfect event. They suggested using private messaging to publicize the event they could make invitation only.

Mr. Litvack said there is a problem with the concept not the venue. Mr. Tesei said he agreed— the way the event is constituted is a problem. He also said the event doesn’t add value to local businesses and encouraged them to revisit the concept and return with a more secure venue that may prompt the Board may reconsider its position.

After Messrs. Fong and Crawford read additional letters from business supporters, Mr. Litvack said the Board must balance benefit versus risk and that the risk is high and there is dubious benefit to the Town and businesses. He suggested the pair write a brief on how they could control the event and minimize risks. Mr. Tesei said the pair can contact his Executive Assistant should they want to present a proposal.

f. Greenwich Avenue seasonal closings to create pedestrian mall — Sandy Litvack.

Mr. Litvack said he wanted to initiate discussion this spring of closing a part of or all of Greenwich Avenue on Friday and Saturday nights. The goal is to generate interest in Greenwich Avenue especially with restaurants that open café seating on those nights and stores staying open. He said that the hope is to create a buzz about Greenwich Avenue. Mr. Litvack also suggested that perhaps the effort could be sequenced, with the lower half of The Avenue in the beginning and then moving up The Avenue.

Mr. Tesei said he was open to the idea and suggested Mr. Litvack draft something that all three Selectmen could support and sign. Mr. Tesei would reach out to the Chamber’s Executive Director Marcia O’Kane for discussion.

Ms. Evans said there are some towns that tie in such events to the municipality’s walkability.

6. Appointments and Nominations

   a. Mr. Litvack nominated Kenneth Rogozinski as a regular member of the Planning and Zoning Board of Appeals for a term expiring October 31, 2018, filling the vacancy created by the resignation of Lawrence Larson. Upon a second by Mr. Toner, the nomination was approved unanimously.

   b. Mr. Litvack nominated Frank Barratta as an alternate member of the Planning and Zoning Board of Appeals for a term expiring October 31,
2018, filling the vacancy created by the elevation of Kenneth Rogozinski to a regular member.
Upon a second by Mr. Toner, the nomination was approved unanimously.

7. Executive Session

Mr. Litvack motioned to enter into executive session at 1:25 P.M., seconded by Mr. Toner, for the purposes of discussing initiation of action to enforce or implemental legal relief or a legal right. The Board voted 3-0 in favor.

Present in Executive Session were: J. Wayne Fox, Town Attorney; Assistant Town Attorneys Eugene McLaughlin and John Wetmore; Recording Secretary Barbara Heins.

Mr. Toner moved to exit Executive Session at 1:39 P.M. Following a second by Mr. Litvack, the Board voted 3-0-0 in favor.

8. Adjournment

Mr. Litvack motioned to adjourn at 1:45 P.M.; seconded by Mr. Toner, the Board voted 3-0-0 in favor.

The next Meeting of the Board of Selectmen would be scheduled for either Thursday, April 5, 2018 at 10:00 A.M. or 10 A.M. Friday, April 6, depending upon the availability of the Town Hall Meeting Room.

Peter J. Tesei, First Selectman

Prepared by Barbara A. Heins, Recording Secretary