

Mailbox Flyers Cause Stir

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Hadley Rose, the moderator of Westport's Representative Town Meeting (RTM), recently received a complaint from a resident concerning a flyer that was in her mailbox.

The flyer, which is titled "Say No to Mahackeno!" and begins with "Dear Old Hill Area Neighbors," has reportedly been placed in a number of mailboxes in the vicinity. The flyer ends with "Sincerely, Amy Ancel" and gives a phone number. Ancel is a freshman member of the RTM from District 3.

The flyer solicits donations to "help pay for experts to make our case in the upcoming Planning & Zoning battle to stop this ill-conceived commercial development."

The Planning and Zoning Commission is scheduled to begin its hearing March 6 on the Westport Weston Family Y's plans to construct a 102,000-square-foot facility on its 32-acre Camp Mahackeno

property.

Jill Nadel, a resident of Woodside Lane who made the complaint, said she called the Family Y upon receiving the flyer in her mailbox. She said Y personnel suggested that she inform Rose of the flyer.

"She is asking for money and I don't think it was an appropriate use for an RTM member to solicit money," Nadel said. "She doesn't say she's an RTM member, but we all know she is."

Rose said he called the town's assistant attorney, Gail Kelly, upon receiving the complaint via e-mail from Nadel. Rose said Kelly told him that such use of a mailbox is illegal.

Rose told the *Westport News* that he called Ancel to tell her what the assistant town attorney said. "Amy knows now and she'll never do it again," said Rose.

Ancel, however, said she didn't place the flyers in the mailboxes.

"I apologize to anyone who was disturbed by finding a flyer in their mailbox," said Ancel in an e-mail response to the *Westport News*. "I've actually received countless phone calls from area residents thanking me for the information. I'm just a citizen who believes that the Westport YMCA should not be allowed to build their 102,000-square-foot commercial facility with its Olympic-size swimming pool in the middle of a residential neighborhood, and that people in this area need to realize the impacts of the Y's plan. The Y doesn't deny that the traffic generated by their new facility will create significant problems, and yet they think the people of northwest Westport should be made to pay the price so the Y can have what it wants."

Concerning the placement of items without postage in mailboxes, Kelly said, "Technically, you're not supposed to do that."

Bruce Lawrence, a spokesman for the Westport Post Office, said the placement of flyers or other materials in a mailbox without postage is a federal offense.

"If you do that, the postal carriers will return them to the post office and the person doing it will be billed," he said. "If they continue to do it. Then the postal inspectors will go after them."

According to Section 508, Subsection 3.1.3 of the U.S. Postal

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LEE BOLLERT, A RESIDENT OF
OLD HILL FARMS ROAD
WHO RECEIVED A FLYER

Service's Domestic Mail Manual, "no part of a mail receptacle may be used to deliver any matter not bearing postage."

First Selectman Gordon F. Joseloff, the RTM's moderator from 1995 to 2005, did not return calls seeking comment.

Lee Bollert, a resident of Old Hill Farms Road in District 2, said she also received the flyer in her mailbox.

"I questioned the legality of it and thought it was unusual to have such a partisan flyer with an RTM member's name attached to it," she said. "I was also surprised because she's not an RTM member for my district."

Furthermore, the flyer did not disclose that any contributions made to Y Downtown!, which is registered with the Internal Revenue Service as a 501(c)(4) organization, would not be tax deductible.

Organizations with 501(c)(4) status are required to prominently inform people that donations are not tax deductible unless the organization receives less than \$100,000 a year in donations.

Indy Goldberg, a member of Y Downtown!, said she is not at liberty to disclose how much the organization collects annually, other than to say the amount is less than \$100,000 per year.

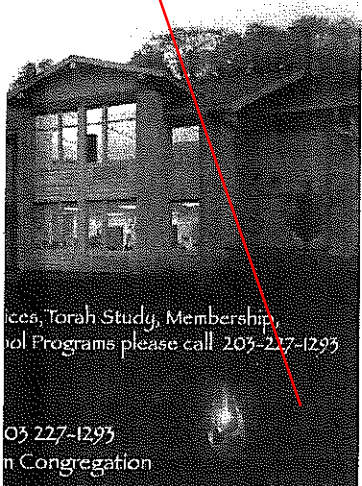
"We are a grassroots community organization and we rely on the many smaller contributions we receive from people all over town," she said.

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