

# **Board of Selectmen**

## **REGULAR MEETING**

### **OCTOBER 24, 2007**

Present: Scott Adamsons, John Anderson, Susan Bransfield, Brian Flood,  
Sharon Gibala and Kathleen Richards  
Absent: Mark Finkelstein

#### 1. FIRST SELECTWOMAN CALL MEETING TO ORDER

The regular meeting was called to order at 7:30 p.m. by First Selectwoman Susan Bransfield.

#### 2. PLEDGE OF ALLEGIANCE

#### 3. APPROVE MINUTES

Motion was made by Scott Adamsons and seconded by Sharon Gibala to approve the minutes of the October 3, 2007 special joint meeting.

AYES: Scott Adamsons, John Anderson, Susan Bransfield, Brian Flood  
and Sharon Gibala

NAYS: None

ABSTAINED: Kathleen Richards

Motion carried.

Motion was made by Scott Adamsons and seconded by Sharon Gibala to approve the minutes of the October 3, 2007 financial meeting.

AYES: Scott Adamsons, John Anderson, Susan Bransfield, Brian Flood  
And Sharon Gibala

NAYS: None

ABSTAINED: Kathleen Richards

Motion carried.

Motion was made by John Anderson and seconded by Sharon Gibala to approve the minutes of the October 10, 2007 regular meeting. Motion passed unanimously.

#### 4. ACCEPT AGENDA

Motion was made by Kathleen Richards and seconded by Sharon Gibala to approve the agenda. Motion passed unanimously.

#### 5. COMMUNICATIONS / CORRESPONDENCE

State Representative James O'Rourke presented citations from the Connecticut General Assembly to Captain Joseph R. DeRing and Corporal Andrew Gildersleeve in recognition of their service to their country.

Mr. Reg Farrington of the Veterans Affairs Committee presented proclamations from the Town of Portland to Captain Joseph R. DeRing and Corporal Andrew Gildersleeve. He stated that the American Legion will have a breakfast for all Portland veterans on Saturday, November 10th.

The meeting recessed at 7:43 p.m.

The meeting reconvened at 7:52 p.m.

Mrs. Bransfield read an email from Lisa Martin of 13 Freedom Way asking that the Board of Selectmen reconsider the town's policy for plowing private roads. Mrs. Bransfield stated that she will contact Ms. Martin to tell her that the policy will remain as is.

Mrs. Bransfield stated that there will be a pandemic flu drill on Saturday, November 3rd from 8:00 a.m. to 11:00 a.m. at Portland High School.

Letter was received from Robert Swerkin of East Hampton expressing his appreciation to Charles Jarzabek for his help in trapping his lost dog.

## 6. PUBLIC COMMENT

None

## 7. OLD BUSINESS

A) Revisions to Ordinance - Chapter 14, Planning, Article I "General," Section 14-1(a) "Fee for Land Use Applications"

Mrs. Bransfield read a letter from Deanna Rhodes asking the Board of Selectmen to move forward to resolve the discrepancies between the printed fees and the actual fees being collected. The Board of Selectmen will review this issue and discuss it at a future meeting.

## B) APPOINTMENTS TO BOARDS AND COMMISSIONS

None

## 8. NEW BUSINESS

A) Public Works Water Division Update

Mrs. Bransfield advised that a letter was sent to all water users notifying them of a violation. Rick Kelsey explained that a water sample was taken on August 28th and he was notified the next day that the sample was contaminated with coliform bacteria. The Water Department was advised to take another sample at the same location and there was no coliform in the second sample. It was determined that the outside faucet was not properly sanitized and the samples were contaminated. Mr. Kelsey stated that the water system was, at no time, contaminated. He stated that he will change the procedure for how sampling points are sanitized.

B) Discussion of Draft Ordinance

Jeanne Dilworth distributed information pertaining to questions raised by Selectman Adamsons and Attorney McQuade at the last meeting..

Mrs. Dilworth reviewed the Ethics Commission's responses to suggestions made by Mr. Adamsons. With regard to Sec. 1-6(f)(1), Mrs. Bransfield commented that union contract negotiations are governed by state law and settlements that are agreed upon may not reflect the ordinance.

Mrs. Dilworth stated that Attorney McQuade's comments reflected his feeling that employees should be eliminated from consideration of this ordinance. Mrs. Dilworth stated that the Ethics Commission disagreed with this.

In sections 1-7 and 1-8, the recommended insertion of the word "knowingly" was discussed. Mrs. Dilworth agreed to work on modifying the phrase to change the wording to "can reasonably infer".

With regard to Section 1-14(j), Mrs. Bransfield felt that there could be a first amendment conflict. Terri Larson stated that she would like the Ethics Commission to review this.

Mr. Flood questioned the cost to implement the documents considering come of the court costs and taking depositions. Mrs. Dilworth stated that the Ethics Commission does not have a final figure as yet. She stated that a notary public can take depositions and she suggested that one person on the commission be sworn in as a notary public. The Ethics Commission has already begun work on controlling costs.

Mrs. Dilworth asked to meet with the Board of Selectmen on November 28th.

#### C) Refund of Excess Payments

Motion was made by Sharon Gibala and seconded by Scott Adamsons to approve the refund of taxes to William M. Johnson for \$86.96. Motion passed unanimously.

Motion was made by John Anderson and seconded by Kathleen Richards to approve the refund of taxes to ARI Fleet LT for \$204.05. Motion passed unanimously.

#### STATUS & COMMITTEE REPORTS

Mrs. Bransfield reported that the Charter Revision Commission has submitted the draft charter amendments to the Town Clerk. The Board of Selectmen will need to schedule a public hearing within 45 days.

#### PUBLIC COMMENT

None

#### BOARD OF SELECTMEN GENERAL INFORMAL DISCUSSION

None

Motion was made by John Anderson and seconded by Kathleen Richards to adjourn the meeting at 9:45 p.m. Motion passed unanimously.

Respectfully submitted,

Virginia Darna  
Recording Clerk