

**BOARD OF SELECTMEN
FINANCIAL MEETING and SPECIAL JOINT MEETING
WITH THE BOARD OF EDUCATION
March 3, 2010 at 7:30 PM**

Present: Susan Bransfield-First Selectwoman, Carl Chudzik, Kathy Richards, Mark Finkelstein and Sharon Peters

Absent: Brian Flood, John Anderson

Others: Andrea Alfano-BOE, Christopher Phelps-BOE, Marianne Rhode-BOE, Ben Srb-BOE; members of the press and public

1. FIRST SELECTWOMAN CALL FINANCIAL MEETING TO ORDER

Susan Bransfield called the meeting to order at 7:30 pm.

2. PLEDGE OF ALLEGIANCE

3. APPROVE MINUTES: (Regular) February 17, 2010

There was a motion by Sharon Peters, seconded by Kathy Richards to approve the minutes of the February 17, 2010 meeting.

4. ACCEPT AGENDA

Mrs. Bransfield requested that Item #12 be added to the agenda: Resolution – Agreement between McVAC Environmental and the Town of Portland for Sewer Cleaning and Televising Services. All other items following will be renumbered accordingly.

There was a motion by Kathy Richards, seconded by Sharon Peters to accept the agenda as amended. Vote unanimous, motion carried.

5. COMMUNICATIONS / CORRESPONDENCE:

Bill Willinsky gave an update on the Veterans Affairs Committee (VAC) and their recent drive for residents of Portland currently deployed.

6. PUBLIC COMMENT : none

7. Schools Facilities Study Committee: **Should 4 or more members of the Board of Education attend it shall constitute a quorum and therefore be considered a special joint meeting.*

Susan Bransfield read into the record a resolution of the Board of Selectman, Resolution Creating a Study Committee to Investigate Space Needs for Portland Schools and Outlining Procedures and Responsibilities for the Study Committee.

WHEREAS, the Portland Board of Education has expressed a concern as to the adequacy of school facilities in the future for the Portland Schools, especially with regards to Brownstone Intermediate School, Valley View Elementary School, Gildersleeve School and Portland Middle School, and

WHEREAS, the Board of Selectmen is desirous of assisting the Board of Education in the investigation as to the educational suitability and adequacy of space at all schools, and

WHEREAS, proper financial and educational management and planning require that any projects be part of a comprehensive Town-wide education facilities analysis, as opposed to separate and distinct studies/projects, and

WHEREAS, the Board of Selectmen recognizes the need to appoint a committee of interested citizens to investigate school space needs and to prepare a report on current and projected educational facility needs of all schools, and

WHEREAS, it is in the best interests of the Town and the Committee that the Board of Selectmen identify the Committee's responsibilities and establish procedures for the orderly discharge of those responsibilities using as guidelines the rules of procedure of the Board of Selectmen and Roberts Rules of Order, now therefore be it

RESOLVED that the Board of Selectmen, pursuant to Sec. 405 (5) of the Portland Charter, hereby creates a Schools Facilities Study Committee (hereinafter the Committee) consisting of seven (7) members. Four (4) members shall include two (2) members from the Board of Selectmen and two (2) members from the Board of Education as *voting* members of the Committee with all the rights, duties and responsibilities accorded committee members, and three (3) community members which may include one (1) parent of a school age child, one (1) member of the business community, and one other and be it further

RESOLVED that the Superintendent of Schools and the Director of Finance shall be *ex-officio non voting* members of the Committee with all the rights, duties and responsibilities accorded *ex-officio* members, and be it further

RESOLVED that the committee may review current and future projections of school enrollments, current and projected use of existing facilities, adequacy of number of classrooms and core facilities, and be it further

RESOLVED that the Board of Selectmen and the Board of Education retain the right to decide whether to replace any members who may resign or be removed for failure to participate in the work of the Committee, and if such members are not replaced, the actual number of members shall be those members serving at any given time, and be it further

RESOLVED that the Committee shall convene an organizational meeting prior to April 30, 2010 at which time officers shall be selected and rules of procedure adopted, which rules of procedure, shall provide that any vote recommending any action related to space needs shall be approved by a vote of fifty percent plus one of the then current membership of the Committee, and be it further,

RESOLVED that any Committee member who is absent from three consecutive meetings or four meetings in a three month period without notification to the Chair of sufficient cause while such

member is not in attendance shall result in the automatic removal of said member from the Committee, and be it further,

RESOLVED, that the scope and direction of the Committee's responsibilities shall be, but not necessarily limited to the following:

1. The Committee shall consider among its first tasks a review of all relevant reports completed to date including but not limited to: the *October 1999 High School Facilities Study Report*, the *September 1999 Gildersleeve Future Space Considerations*, the *1990 School Facilities Study Committee Report* and the updated *Enrollment Projection Report (2008)* .
2. The committee shall prepare a report for submission to the Board of Education and to the Board of Selectmen relating to the current and future space needs of the Portland Schools by August 31, 2010 to be presented to a joint Board of Selectmen and Board of Education meeting no later than October 1, 2010.
3. The committee shall, if it deems it necessary recommend to the Board of Selectmen the engagement of the services of a professional firm or individual to serve as an independent consultant to aid in the review of student enrollments, technology and other kinds of needs together with the development of space needs and such other tasks as may be assigned by the Committee, and upon the approval by the Board, the First Selectman, in accordance with the Charter, shall enter into a contract(s) with such firm or individual;
4. The Committee shall adhere to all aspects of the Freedom of Information Law dealing with public agencies;

RESOLVED, that the Committee shall continue to function until such time as the work called for in this resolution is completed, at which time the committee shall notify the Board of Selectmen, and the Board of Selectmen shall disband the Committee.

* * *

Mark Finkelstein moved approval of the resolution, seconded by Sharon Peters. Mr. Finkelstein asked if the time set forth in the resolution is enough time to identify, gather and consider data. Mr. Phelps replied that the BOE feels that the deadline set forth in the resolution is feasible.

Kathy Richards moved, seconded Sharon Peters, to add Gildersleeve School to the first paragraph of the resolution. Vote unanimous, motion carried.

Members of the public interested in serving on the Study Committee are encouraged to contact the First Selectman's office to express their interest. The Board of Selectman will make the final appointments.

The vote on the original motion by Mark Finkelstein was unanimous, motion carried. Appointments to this committee will be put on the next agenda of the BOS.

8. FIRE MARSHAL BUDGET REQUEST

Discussion of this request was postponed until after the monthly budget report.

9. Resolution: Supplemental Appropriation Capital Improvements Fund, Municipal Parking Lots Improvements

WHEREAS, there is a need to repave and improve the storm drainage system to the Municipal Parking Lot and contiguous third party-owned parking areas located at #264 and #270-272 Main Street; and

WHEREAS, there is a sum of \$35,000 to be contributed to these improvements from the third party owners of properties #264 and #270-272 Main Street located contiguous to the Municipal Parking Lot;

NOW THEREFORE BE IT RESOLVED, that the amount of \$35,000 is hereby additionally appropriated to the line item *Public Works – Building Maintenance (Municipal Parking Lot Improvements)* in the Capital Improvement Plan, (account #08-141-000-89090), to be funded by an increase of \$35,000 in the *Other Revenues – Capital Improvement Plan*, account #08-141-000-00354.

**A Special Town Meeting is required, per Section 503 of the Portland Town Charter.*

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Susan Bransfield read this resolution into the record. Mark Finkelstein moved adoption of this resolution, seconded by Kathy Richards.

There was a motion to send this resolution to a town meeting on 3-17-10 at 6:30 pm by Mark Finkelstein, seconded by Carl Chudzik. Vote unanimous, motion carried.

10. HIGH STREET WATER MAIN REPLACEMENT PROJECT

RESOLUTION MODIFYING SCOPE OF HIGH STREET
WATER MAIN REPLACEMENT PROJECT

WHEREAS, the voters of the Town approved, at a referendum held on November 4, 2008, a resolution for the appropriation of \$816,000 and the authorization of bonds, notes and other obligations in the same amount for High Street Water Main Replacement (the "Resolution").

WHEREAS, the Resolution authorized the Board of Selectmen to determine the scope and particulars of the High Street Water Main Replacement project (the "Project") and to reduce or modify the scope of the Project. If the scope of the Project is reduced or modified, the entire appropriation may be spent on the Project as so reduced or modified.

WHEREAS, the Town has received prices through a bid process for the Project, and based on those prices, the Town cannot complete the Project as described in the Resolution within the amount appropriated for the Project.

WHEREAS, the Board of Selectmen wants to modify the scope of the Project and spend the entire appropriation on the Project as so modified.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The scope of the Project is modified to reduce the installation of linear feet of pipe to approximately 3,400 linear feet of new ten inch diameter cement lined ductile iron pipe starting near the intersection of High Street and Marlborough Street running northerly near or through the intersection of High Street and Spring Street. The remainder of the Project as described in the Resolution shall not change; and

2. The original purpose of the Project is not significantly changed by this modification to the scope of the Project; and

3. The entire appropriation of \$816,000 shall be spent on the Project as modified.

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Susan Bransfield read the resolution into the record, Resolution Modifying Scope of High Street Water Main Replacement Project. Kathy Richards moved adoption of this resolution, seconded by Sharon Peters. Vote unanimous, motion carried.

Agreement between Nutmeg Gravel & Excavating, Inc. and the Town of Portland for High Street Water Main Construction Services

RESOLVED, that the First Selectwoman, Susan S. Bransfield, be and hereby is authorized to act on behalf of the Town of Portland to enter into an agreement with Nutmeg Gravel & Excavating, Inc., 631 Old Harford Road, P.O. Box 688, Colchester, CT 06415, for the purpose of providing construction services for High Street Water Main Project; the total approximate cost of the contract is \$550,000 of which will be funded through the Drinking Water State Revolving Loan Fund.

* * *

Susan Bransfield read into the record the resolution, Agreement between Nutmeg Gravel and Excavating, Inc., and the Town of Portland for High Street Water Main Construction Services. Mark Finkelstein made a motion, seconded by Kath Richards to adopt this resolution. Vote unanimous, motion carried.

11. LOW PRESSURE SEWER SYSTEMS PROCEDURES & AGREEMENT

Low Pressure Sewer Systems Procedures and Agreement

RESOLVED, that the Low Pressure Sewer Systems (LPSS) Evaluation and Installation Procedures* as recommended by the Water and Sewer Commission at their January 4, 2010 meeting are hereby approved.

* * *

Mark Finkelstein made a motion, seconded by Sharon Peters, to waive the reading and adopt this resolution. Vote unanimous, motion carried.

12. Resolution: Agreement between McVAC Environmental and the Town of Portland for Sewer Cleaning and Televising Services.

Agreement between McVAC Environmental and the Town of Portland for Sewer Cleaning and Televising Services

RESOLVED, that the First Selectwoman, Susan S. Bransfield, be and hereby is authorized to act on behalf of the Town of Portland to enter into an agreement with McVAC Environmental, 481 Grand Avenue, West Haven, CT 06513, for the purpose of cleaning and televising the sewage collection system; the total approximate cost of the contract is \$39,915 of which will be funded through the Sewer Department Capital Non-recurring Fund.

* * *

Mark Finkelstein moved to waive the reading and adopt this resolution, seconded by Carl Chudzik. Vote unanimous, motion carried.

13. Energy Efficiency ARRA Project – Bid Waiver Request

**Request for Waiver of Bid Requirements
Municipal Energy Efficiency and Conservation Block Grant
HVAC and Controls Contract**

WHEREAS, we are in receipt of the Municipal Energy Efficiency and Conservation Block Grant in the amount of \$52,615; and

WHEREAS, Perfectemp, Inc. with their subcontractor Universal Building Controls has performed a special energy conservation proposal to provide the optimal Digital Control / Energy Management System; and

WHEREAS, Perfectemp, Inc. has performed additional grant filing to help the Town obtain funding from Connecticut Light and Power in the amount of \$18,823.89; and

WHEREAS, Perfectemp, Inc. of 635 Old Turnpike Road, Plantsville, CT 06479 is our current HVAC contractor; now therefore be it

RESOLVED, that the Board of Selectmen hereby waives the bid requirements as it pertains to the HVAC Controls work at the Public Library associated with the Municipal Energy Efficiency and Conservation Block Grant. In addition, we authorize the First Selectwoman Susan Bransfield to enter into any and all agreements associated with these grants and this project.

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Susan Bransfield read this resolution into the record. Mark Finkelstein moved adoption of the resolution seconded by Kathy Richards. Vote unanimous, motion carried.

14. MONTHLY BUDGET REPORT

Tom Robinson, Finance Director, reviewed the monthly budget report for the Board of Selectman. Mark Finkelstein asked if there is money available in the budget to cover the requested increase in the Fire Marshal's budget. Mr. Robinson replied that he believes there is money to cover the requested increase.

Discussion of Fire Marshal Budget Request: Mark Finkelstein made a motion that \$2,000.00 be transferred from the contingency fund to the Fire Marshal's line item, seconded by Sharon Peters. Vote unanimous, motion carried.

15. REFUNDS OF EXCESS PAYMENTS:

There was a motion by Mark Finkelstein, seconded by Kathy Richards, to refund McCue Mortgage Co., the amount of \$1,157.43.

There was a motion by Mark Finkelstein, seconded by Kathy Richards, to refund Porsche Leasing LTD, the amount of \$219.06.

There was a motion by Mark Finkelstein, seconded by Kathy Richards, to refund Vogt, Kurt W., the amount of \$4.52.

There was a motion by Mark Finkelstein, seconded by Kathy Richards, to refund Ruitto, James J or Gould Ruitto E M, the amount of \$123.46.

16. **APPOINTMENTS TO BOARDS AND COMMISSIONS** (Re-appointments, vacancies, etc.)

Richard Cote, 383 Williams St., Chairman of the Sewer and Water Commission, addressed the BOS to request that a minority member be appointed to the commission. Carl Chudzik made a motion, seconded by Mark Finkelstein, to appoint Tom Nash to the Sewer and Water Commission, vote:

Ayes: Carl Chudzik, Susan Bransfield, Mark Finkelstein, Kathy Richards

Nays: none

Abstain: Sharon Peters

Motion carried.

17. PUBLIC COMMENT : none

18. BOARD OF SELECTMEN GENERAL INFORMAL DISCUSSION

The new Parks and Recreation Spring/Summer brochure has been printed.

19. FOLLOW UP ITEMS: no discussion

20. ADJOURN MEETING

There was a motion to adjourn the meeting by Mark Finkelstein, seconded by Kathy Richards. Vote unanimous, motion carried. The meeting was adjourned at 8:50 pm.

Respectfully Submitted,

Laura Siena, Board Clerk