

Minutes: Tuesday, April 14, 2009 7:30pm Senior Center

Present: Brenda Constantino, Richard Holton, Jeffrey Kriete (Act. Chr.) Sherry Seidman. Sharon Lessard, FRC Intake Officer (act.)

Guests : Mrs. M. Yanus, Clinton Tax Collector, Mrs. Joan Angellini, Westbrook Town Clerk

Mr. Kriete gave a briefing on Fair Rent Commissions statewide as well as in Westbrook and their statutory duties. He introduced Mrs. Yanus, Clinton Tax Collector, who explained that Clinton is in the process of establishing their own FRC due to specific Clinton housing concerns and is interested eventually in exploring the possibility of establishing a regional FRC amongst the local towns.

Mr. Kriete explained that the annual town meeting next week includes an unexpected motion to fill the expired terms of four of the present FRC members – Pytlik, Seidman, Kriete and Holton. Kriete, Holton and Seidman, all present, indicated their willingness to be nominated for another term and Mr. Kriete stated he would contact Mr. Pytlik, prior to the meeting, regarding his interest in re-nomination. Mr. Kriete stated he would ensure the nomination procedure for all and seek, with the Town Clerks help, to seek staggered terms in the future.

FRC Standard Operating Procedures were discussed and agreed upon as follows: Intake Officer – In order to provide a knowledgeable contact person during business hours and to screen potential cases, Ms. Lessard, Senior Center Director, has been acting as FRC Intake officer. Ms. Lessard described her experiences as FRC Intake officer to date and explained in detail that although she had found no cases that met the state statute requirements for a hearing her involvement in several of these potential cases served to mediate significantly serious misunderstanding between neighbors and management that resulted in the resolving ongoing and serious conflicts. It was agreed by all that she continue, with our thanks as a “volunteer” and it was specified that a letter be sent to the Selectmen advising them of her special role and that consideration should be made to making these duties part of her permanent town job description.

After due consultation, it was agreed that Ms. Lessard should maintain a log book recording all contacts she makes with any potential FRC clients. It was further agreed that these contacts need not be reported immediately to the Commission if Ms. Lessard is able to resolve them. However in any case where there is a question of FRC responsibility a formal Hearing Application form shall be prepared by the applicant and forwarded to the FRC chair or secretary for review and action by the FRC.

Extensive discussion accepted the following procedure to be followed upon submission of an FRC application; Upon receipt of a hearing application, the Intake officer shall inform the Chair and Secretary. The Commission Chair shall schedule a full commission hearing. All parties shall be informed by certified mail of the hearing time, date and process. Attorney appearance notice shall be required prior to hearing. . Hearings shall be conducted in a formal, judicial manner and practice. All parties shall be sworn, witnesses shall be sequestered, the Chair shall direct the process and the secretary shall ensure appropriate taped and written documentation is made for potential Superior Court review. The commission may request appropriate legal advice from the town attorney.

Commission members shall meet privately and by majority vote, render a written decision, which shall be delivered via certified mail to all parties. Potential conflict of interest concerns should be made prior the actual hearing to the Chair by all parties. Ex Parte contact between members of the Commission and parties to a complaint are inappropriate and if they occur, by design or accident , must be reported to the Commission Chair or Secretary , who will consult with the full Commission prior to the hearing on any appropriate action.

A discussion was held on educating Westbrook citizens about the FRC . The Westbrook Notes have been printing a notice for the last year and it was recommended that the town web site and the annual report contain a similar notice as well as some small notices be posted on the town bulletin board. The secretary shall inform the other town offices personally of the FRC and request their referral to the Intake officer of any potential cases. The possibility of obtaining a town ordinance directing all landlords to post or deliver a notice of the FRC existence was discussed.

A discussion of the FRC responsibilities to report suspected housing violations was held and it was agreed that a letter be sent to the Selectman asking for specific guidance. Upon a observation by Richard Holton, a discussion was held agreeing that we had no information as to local prices for rental and that it would be necessary to establish a price list. Information as to local prices for rentals and that it would be to necessary to establish a price list a price list.

A discussion on the Hearing Application rough form was held and possible improvements. Agreed it would be changed as we gain experience.

Upon nomination by J. Kriete, Richard Holton was elected Chairman. Mr. Kriete volunteered and was elected Secretary.

Meeting ended at 8:45.

Jeffrey T. Kriete
Secretary