

From: [Vanderslice, Lynne](#)
To: [Rochester, Jacqueline](#)
Subject: for meeting
Date: Friday, July 31, 2020 4:05:15 PM

This plus Ira's charge

EMAIL FROM DEB REGARDING HOLD OVER:

Lynne,

Here is the concern I raised tonight about whether the Fire Commission is properly constituted. I think it is important for Ira to review this asap.

- 14A-4 states that Fire Commissioners serve for two-year terms. 14A-4 does not provide the right to remain in the position longer until a successor is appointed (i.e. holdover).
- C-41 provides holdover for "required appointed officers" as described in C-35, but Fire Commissioners do not fall into this category.
- C-41 also provides holdover for other appointed officials as described in C-36 "unless otherwise provided in this Charter." Since 14A-4 specifically provides for only a two-year term, the term of a Fire Commissioner is in fact "otherwise provided in this Charter." Accordingly C-41 does not create holdover for Fire Commissioners.
- The Fire Commission has had only one legal member since last year.
- It is not clear whether actions made during recent months by the Fire Commission were done legally. It would be best to fill the Commission and ratify past actions.

Thanks,

Deborah

EMAIL FROM IRA REGARDING WPCA:

Wednesday, July 22, 2020 2:57 PM

Lynne: I understand that a conflict question was raised as to whether the members of the Board of Selectmen (BOS) could also serve as the Water Pollution Control Authority (WPCA). In my opinion there is no conflict. Indeed, Westport's Charter provides that the BOS is also the WPCA. The WPCA is governed by separate statutes and regulations. The WPCA's authority is very focused, and I see no conflict. Ira Bloom

Ira W. Bloom
Berchem Moses PC
1221 Post Road East
Westport, CT 06880

Direct Dial: (203) 571-1715
Fax: (203) 226-1641
ibloom@berchemmoses.com
www.berchemmoses.com
[My Profile](#)