

**WESTBROOK CITY COUNCIL
FINANCE COMMITTEE MEETING MINUTES
MONDAY APRIL 22, 2019
WESTBROOK HIGH SCHOOL, ROOM 114**

CALL TO ORDER

Meeting called to order at 6:33 PM by Committee Chair Michael Foley.

City Councilors Present: Victor Chau (Ward 2); Michael T. Foley (At-Large); Ann E. Peoples (At-Large); Gary Rairdon (Ward 4, President); Anna A. Turcotte (Ward 3, Vice President)

City Councilors Absent: Brendan Rielly (Ward 1)

Other City Officials Present: Jerre Bryant (City Administrator); Natalie Burns (Legal Counsel); Eric Dudley (Director of Engineering & Public Services); Stephen Fields (Assistant City Administrator/Director of Human Resources); Angela Holmes (City Clerk); Suzanne Knight (Finance Director); Michael Sanphy (Mayor)

POTHOLE DAMAGE CLAIMS

Committee Chair Foley gave the floor to Mr. Bryant to outline the topic of the evening. Mr. Bryant stated that the City received a claim from Pamela Zorda regarding an incident where her vehicle struck a pothole. The claim was submitted to the City's insurance company for liability coverage. However, the insurance company rejected the claim. Ms. Zorda contacted the Mayor's Office and asked to appeal this decision to City Council.

Committee Chair Foley gave the floor to Ms. Burns to describe the City's legal responsibility regarding pothole damage claims. Ms. Burns cited a State law which states that municipalities are liable for defects in the street of up to a maximum of \$6,000. However, the municipality is not liable unless it has received notice of the defect in the street and has had the notice in hand for at least 24 hours.

Committee Chair Foley invited Ms. Zorda to the podium to present her appeal request. Ms. Zorda outlined the incident and her request. Ms. Zorda noted that she spoke with a City employee who told her he had hit the same pothole.

Committee Chair Foley invited Mr. Dudley to provide feedback. Mr. Dudley stated that he was the employee who hit the pothole, and he spoke with Ms. Zorda. After hitting the pothole, he called the Public Services crew to the site to fill the hole.

The following individuals provided comments and/or questions: President Rairdon, Committee Chair Foley, Councilor Peoples, Mr. Dudley, Mr. Bryant

Motion to deny the claim submitted by Ms. Zorda.

Moved by Councilor Peoples, seconded by President Rairdon.

Committee Chair Foley opened the floor for comments. The following individuals spoke: President Rairdon, Francine Downs (Portland resident, claimant's sister)

Motion carried by a show of hands. None opposed. Claim denied.

ADJOURNMENT

Motion to adjourn at 6:51pm.

Moved by President Rairdon, seconded by Vice President Turcotte.

Motion carried by a show of hands. None opposed.