

Special Town Meeting March 12, 2014

Town Clerk, Debra H. Denette called the Special Town Meeting to order at 8:00 pm at the Town Grange, Town Street, East Haddam. Seven people (7) people were in attendance. The Pledge of Allegiance was recited.

First Selectman Mark Walter motioned to nominate Mrs. Denette as Moderator. Scot Mackinnon seconded the motion. Additional nominations were solicited, none were offered. Ed Blaschik motioned to close nominations, Emmett Lyman seconded the motion. The motion closing nominations carried unanimously via voice vote. The vote appointing Mrs. Denette to serve as Moderator, carried unanimously via voice vote.

The Moderator briefly defined the rules of conduct and presented the call of the meeting, she requested that the call be amended to correct an error, specifically to replace the reference to map #2731 to map numbers #4478-4479 under item 1. Dave Denette motioned to amend the call as noted above. Mr. Lyman seconded the motion to amend the call. The motion amending the call carried unanimously via voice vote. Mr. Denette and Mr. Lyman than motioned and seconded respectively to accept the call as amended. The motion accepting the revised call carried unanimously.

Item #1 Mr. Mackinnon motioned, Ernest Malavasi seconded that the legislative body herein assembled accept a conveyance from Robert Casner to the Town of East Haddam the right to enter upon the hereinafter described real property for the purposes of maintaining a drainage right of way situated on the northerly side of Ridge Road and shown on a map entitled, "Resubdivision Plan - Lot 37 - 'Kensington Woods' Section V - Ridge Road - East Haddam, Connecticut - Date 09-16-2013; Revised 10-02-2013 and 10-11-2013 - Scale 1" = 40' "" prepared by Richard F. Mihok, P.E., 18 Laurel Lane, Marlborough, Connecticut 06447, said map #4478-4479 being on file with the Town Clerk of the Town of East Haddam.

Opportunity for discussion was offered, none was held. The Moderator called for a vote on item #1. The motion accepting the conveyance from Robert Casner to the Town of East Haddam the right to enter upon the hereinafter described real property for the purposes of maintaining a drainage right of way situated on the northerly side of Ridge Road and shown on a map entitled, "Resubdivision Plan - Lot 37 - 'Kensington Woods' Section V - Ridge Road - East Haddam, Connecticut - Date 09-16-2013; Revised 10-02-2013 and 10-11-2013 - Scale 1" = 40' "" prepared by Richard F. Mihok, P.E., 18 Laurel Lane, Marlborough, Connecticut 06447, said map #4478-4479 being on file with the Town Clerk of the Town of East Haddam carried unanimously via voice vote.

Item 2: Mr. Lyman motioned, Mr. Walter seconded that the legislative body herein assembled consider and act upon the recommendation of the Board of Selectmen and the Board of Finance to accept a gift in the amount of \$25,000 in support of the Harris Property/East Haddam Center for Community Agriculture.

Opportunity for discussion was offered. Mr. Walter stated that this is a very generous gift from the owners of INCORD, Inc. Mr. and Mrs. Bob Martin and Mr. Ed Ritz. There being no further discussion the Moderator called for a vote. The motion to accept a gift in the amount of \$25,000 in support of the Harris Property/East Haddam Center for Community Agriculture carried unanimously with gratitude.

Item 3: Mr. Mackinnon motioned, Mr. Lyman seconded that the legislative body herein assembled consider and act upon the following resolution as recommended by the Board of Selectmen:

RESOLVED: That the Purchasing Ordinance adopted by Town Meeting, September 11, 1996, is hereby amended to follows:

All contracts for, and single purchases of supplies, materials, equipment and contractual services (except utilities, gravel and materials necessary on an as needed basis) shall be based, when possible, on competitive bids if such purchase price exceeds [~~DELETE: seven thousand five hundred dollars (\$7,500.00)~~] [ADD: fifteen thousand dollars (\$15,000)]. If the purchase can reasonably be anticipated to fall between [~~DELETE: five thousand (\$5,000) and seven thousand five hundred dollars (\$7,500)~~] [ADD: seven thousand five hundred dollars (\$7,500) and fifteen thousand dollars (\$15,000)] the purchase order shall be accompanied by documentation for 2 price quotes. This documentation shall be maintained in Town records for one (1) year. If such purchase price exceeds [~~DELETE: seven thousand five hundred dollars (\$7,500.00)~~] [ADD: fifteen thousand dollars (\$15,000)], the Selectmen, when possible, shall invoke an advertised\sealed bid process.

The First Selectman, acting on behalf of the appropriate agency, shall solicit sealed bids by the sending of notice to perspective suppliers and by advertising in a newspaper having a general circulation in said Town of East Haddam. The First Selectman may place advertisements in other periodicals, trade magazines, etc., but may not exempt above said newspaper. Each sealed bid shall be publicly opened at the time stated in the notice soliciting such bid. Bids selected by this process shall be publicly awarded at a Board of Selectmen's meeting.

All purchases or contracts above [~~DELETE: seven thousand five hundred dollars (\$7,500.00)~~] [ADD: fifteen thousand dollars (\$15,000)] shall be based on at least two (2) competitive bids. When at least two (2) such bids shall not have been received, the Board of Selectmen may, at the request of the town agency represented, void the bid and direct said agency to identify and negotiate with at least two (2) suppliers (one of whom shall be the sole bidder of the voided bid if there was only one (1) such bidder) for the best price and product for the Town of East Haddam. Such negotiated purchase or contract must be approved by the Board of Selectmen before placed into effect.

If the low bidder is not a local business (as defined hereinafter), then the next low bidder, provided it is within ten percent of the next low bidder, may at its option, if it is a local business, match the bid of the low bidder. The Board of Selectmen retains the sole judgment, within its discretion, to determine what constitutes low bidder and next low bidder, after due consideration to base bid, allowances and alternates to a bid, as they may apply. For the purpose of this provision only, "local business" is defined as a business or individual which is assessed real, personal, or motor vehicle taxes in East Haddam on the previous October 1 to the date of the bid opening.

Also, in lieu of the standard competitive bid process, any agency of the Town of East Haddam may:

1. With prior approval of the Board of Selectmen use one (1) or more of the following options:
 - a) A Request for Proposal (RFP) - Vendors of goods or services will be asked to submit a proposed solution or solutions (including costs) to a problem or issue described in writing by the town. Prices are finalized by negotiation.
 - b) A Request for Qualifications (RFQ) - Vendors of professional services will be asked to present their qualifications for resolving the problem or issue at hand. Price will be negotiated with the vendor deemed best qualified.
 - c) Simple negotiations with appropriate legitimate suppliers.
 - d) An Agent of Record - the Town retains an agent to seek out and evaluate proposals and to bring forward a recommended course of action.

All such purchases or contracts shall be approved by the Board of Selectmen before awarded or placed into effect.

2. The town agency, at its discretion, may award such purchase or contract to the legal State low bidder, a supplier which has been selected by the State of Connecticut's purchasing procedure following a competitive bid.

If after the awarding of any bid or its appropriate alternative as described herein, changes in the scope of work or specifications become necessary, they shall be done only through a work change order system as developed by the First Selectman. All payments for such changes shall be made with the appropriate distinctions as such.

The Board of Selectmen reserve the right to accept or reject any and all, or any and all parts of any bids and may waive any informalities in the bidding.

Copies of said ordinance are on file in the Town Clerk's Office during regular business hours.

Opportunity for discussion was offered. Mr. Walter advised that the ordinance has had no change since 1996 and the thresholds are becoming increasingly burdensome to work within. It was noted that the entire ordinance book is being "codified". Mr. Blaschik questioned why this ordinance was singled out. There being no further discussion, the Moderator called for a vote on acceptance of the increases to the purchasing ordinance as noted above. The motion accepting the ordinance carried unanimously via voice vote.

Item 4: Craig Mansfield motioned, Mr. MacKinnon seconded that the legislative body herein assembled consider and act upon the recommendation of the Board of Finance to approve a transfer in the amount of \$204,258.00 from the General Fund (781-579790) to the Board of Education Capital Reserve Fund (25-115160-25790).

Mr. Walter deferred to Mrs. Varricchio to speak to the request. Responsive to inquiry from Mr. Denette, Mrs. Varricchio reported that this transfer represents unspent funding on the Board of Education. Returning unexpended financing has offered an incentive to the school system to be more frugal. This practice was put in place in 2010. There being no further discussion, the Moderator called for a vote on the transfer of \$204,258.00 from the General Fund to the Board of Education Capital Reserve Fund. The motion carried unanimously via voice vote.

Item 5: Mr. Mackinnon motioned, Mr. Lyman seconded that the legislative body herein assembled consider and act upon the recommendation of the Board of Finance to approve a transfer of an amount not to exceed \$261,363.00 from the Board of Education Capital Reserves (25-115160-25790) to the Capital Projects Fund for Board of Education for the purpose of matching grant funds for the School Security Grant (account 25-578888).

Mr. Walter deferred to Mr. Mansfield who advised that this grant is a 50% matching grant for security upgrades at all three schools. Mr. Blaschik inquired whether the needed upgrades really cost \$500,000.00. Mr. Mansfield responded affirmatively. There being no further questions, the Moderator called for a vote. The motion authorizing the transfer of \$261,363 carried unanimously.

There being no further business to discussion Mr. Blaschik motioned to adjourn at 8:15 p.. Mr. Mackinnon seconded the motion, the motion carried unanimously via voice vote.

Attest: March 13, 2014
 Debra H. Denette
 Town Clerk