

TOWN COUNCIL MAJORITY OFFICE

ORDINANCE COMMITTEE

February 16, 2016

PRESENT Rich Kehoe, Temporary Chair, Councillors Bill Horan and Esther Clarke

ALSO

PRESENT Rich Gentile, Assistant Corporation Counsel

CALL TO ORDER

Chair Kehoe called the meeting to order at 6:12 p.m.

NOMINATION OF OFFICERS

Chair:

Bill Horan placed the name of Rich Kehoe as **Chair** of the Ordinance Committee. There being no other nominations, Rich Kehoe was appointed Chair.

Secretary:

Esther Clarke placed the name of Bill Horan as **Secretary** of the Ordinance Committee. There being no other nominations, Bill Horan was appointed Secretary.

ADOPTION OF RULES GOVERNING MEETINGS

MOTION By Esther Clarke
seconded by Bill Horan
to **adopt** Robert's Rules of Order as the rules that shall govern parliamentary procedure at all subcommittee meetings, with the exception that (1) the Chair shall not be required to restate the motion of any Council member unless requested by another Councillor, or when in the discretion of the Chair, such restatement is necessary to avoid any confusion as to the motion; and (2) where such rules are in conflict with the provisions of the State Statutes, the Town Charter, or Town Ordinances.
Motion carried 3/0.

ESTABLISHMENT OF MEETING DATES

MOTION By Esther Clarke
seconded by Bill Horan
to **hold** meetings at the **call** of the Chair.
Motion carried 3/0.

STORAGE OF RECORDS

MOTION By Esther Clarke
 seconded by Bill Horan
 to **store** records in the Town Council office.
 Motion carried 3/0.

APPROVAL OF MINUTES

September 14, 2015 Meeting

MOTION By Esther Clarke
 seconded by Bill Horan
 to **approve** the September 14, 2015 Ordinance meeting minutes.
 Motion carried 3/0.

OPPORTUNITY FOR RESIDENTS TO SPEAK

None

OLD BUSINESS

Review of Obsolete Boards and Commissions: §15-3 Personnel Appeals Board

The Chair provided an overview of the Personnel Appeals Board issue, which has been before the Ordinance Committee for several meetings; it had been encompassed with other changes to boards/commissions that are still pending. The Committee noted that time is of the essence when addressing the Personnel Appeals Board issue. Rich Gentile, Assistant Corporation Counsel, indicated that limiting the Personnel Appeals Board membership to people who are not already on another board and/or commission has become a problem with regard to finding people to serve on the board. The Committee agreed to merely prohibit the Personnel Appeals Board members from being a Town employee or elected official, but allowing those board members to also serve on another board or commission of the Town. There was a slight amendment to the February 16th draft to so indicate that change.

MOTION By Bill Horan
 seconded by Esther Clarke
 to send the amended February 16th draft of §15-3 Personnel
 Appeals Board Membership to the Town Council for the
 purposes of setting a public hearing date.
 Motion carried 3/0.

D R A F T
(02-16-16)

Section 4. Section 15-3 of the East Hartford Code of Ordinances is repealed and the following is substituted in lieu thereof:

Insofar as possible, the members of the Personnel Appeals Board shall be selected so that there shall be one (1) member associated with labor, one (1) member associated with management, and one (1) member not associated directly with either management or labor. No member of the Board [of] or the alternate panel shall be a Town employee or elected official. [Employee, official or member of any board or commission of the Town]. The alternates shall be appointed from the same categories as the regular members.

NEW BUSINESS

Technical Revisions: §10-7 Bidding Procedures

The Committee reviewed what seemingly is some inconsistent language in subsection (a) of section 10-7, which currently reads in the on-line version as follows: "...except for professional services as provided in subsection (c) of this section...". Rich Gentile noted that in his review of the old language prior to placing the language on-line, the section read as follows: "...except for professional services *and except* as provided in subsection (c) of this section...". The words *and except* were deleted in the on-line version but were in the 2007 version of the ordinance. A review of the Ordinance Committee minutes showed that subsection (a) was not amended to delete the words *and except* in any way between 2007 to present day. The Committee agreed that no further action on was necessary since that language can simply be placed in the on-line version and would be consistent with the most recent changes by the Town Council to this subsection. The Committee also noted that in subsection (d) Capitol should be spelled with an "a" not an "o" (Capital); since this is a typo corrections can be made without further action by the Council.

DRAFT
(02-16-16)

Sec. 10-7. Bidding Procedures.

(a) All single purchases and contracts, except for professional services and except as provided in subsection [(b)] (c) of this section, in which the amount of expenditure is estimated to be ten thousand dollars or [greater] more, shall be made from or let by sealed bids. All purchases, except for those for professional services and except as provided in subsection (c) of this section of less than ten thousand dollars, but [greater] more than five thousand dollars, shall be substantiated by three written quotations which shall be held as a permanent record for audit and public inspection.

(d) The provisions of subsections (a) and (b) of this section and section 10-8 and section 10-9 of the town ordinances do not apply if a single purchase or contract in excess of ten thousand dollars is made or let based on a bid, either through a competitive bidding process or reverse auction process, received by (1) a federal or state government, (2) a regional governmental entity, including but not limited to the [Capitol] Capital Region Council of Governments; (3) a purchasing consortium of state governments, including but not limited to the Western States Contracting Alliance; or (4) the Connecticut Conference of Municipalities, when such government, governmental entity or purchasing consortium has received such bid through a sealed competitive bidding process and the bidder agrees to offer such goods or professional services at that bid to municipal governments in Connecticut.

ADJOURNMENT

MOTION By Esther Clarke
 seconded by Bill Horan
 to **adjourn** (6:32 p.m.)
 Motion carried 3/0.

cc: Mayor Leclerc
Town Council
Rich Gentile, Assistant Corporation Counsel