

**TOWN OF EAST HAMPTON
AGENDA REPORT**

AGENDA ITEM: 5a

Item to be presented by: Town Manager

DATE: January 22, 2013

SUBJECT: Contract for Professional Services to Assist in Preparation of the Towns Grant Application for the Small Cities Community Development Program (CDBG)

DEPARTMENT: Town Manager

RECOMMENDED ACTION

Award contract to L. Wagner & Associates to assist the Town in preparing grant applications for the State's Small Cities Community Development Block Grant (CDBG) program and authorize the Town Manager to sign the contract with L. Wagner and Associates to commence work.

BACKGROUND

The Town issued a Request for Proposal (RFP) for firms interested in assisting the Town to develop this year's grant application for the Small Cities CDBG program.

ALTERNATIVE ACTIONS

Other direction as determined by the Town Council.

FISCAL IMPACT

Fees for these services will be paid out of, and are fully contingent upon the Town actually being awarded a grant under this program.

**TOWN OF EAST HAMPTON
AGENDA REPORT**

Agenda Item #: LoC

Item to be presented by: Town Manager

DATE: January 22, 2013

SUBJECT: Department of Emergency Management & Homeland Security Authorizing Resolution

DEPARTMENT: Town Manager's Office

RECOMMENDED ACTION

That Council approves the resolution and authorizes the Town Manager to execute the Memorandum of Agreement on behalf of the Town for the State of Connecticut Department of Emergency Management and Homeland Security.

BACKGROUND

Each year The Department of Emergency Management and Homeland Security (DEMHS) region sends to each town The Emergency Management Performance Grant (EMPG). This Grant allows for reimbursement to the towns for some of the costs related to maintaining their respective Emergency Operations Centers (EOC) based upon the current budget for their respective EOC's.

To assist in the completion of the EMPG requirements, the Town must approve the resolution. This will give the Town Manager the authority to work on the Town Council's behalf, in completing the EMPG Application allowing for the reimbursement to take place. The agreement is for the Federal Fiscal Year beginning on October 1, 2012.

ALTERNATIVE ACTIONS

Other direction as determined by Town Council.

FISCAL IMPACT

The Town benefits from the grant funds obtained.

AUTHORIZING RESOLUTION OF THE
EAST HAMPTON TOWN COUNCIL

I, Sandra M. Wieleba, Town Clerk of the Town of East Hampton, do hereby certify that the following is a true and correct copy of a resolution adopted by the East Hampton Town Council at its duly called and held meeting on Tuesday, February 28, 2012, at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded or revoked and is at present in full force and effect:

RESOLVED, that the Town Council may enter into with and deliver to the State of Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security, any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Michael Maniscalco, Town Manager of the Town of East Hampton, is authorized and directed to execute and deliver any and all documents on behalf of the Town Council and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents.

The undersigned further certifies that Michael Maniscalco now holds the office of Town Manager and that he has held that office since July 1, 2012.

IN WITNESS WHEREOF: The undersigned has executed this certificate this 23rd day of January, 2013.

Sandra M. Wieleba, Town Clerk

**TOWN OF EAST HAMPTON CT
TAX INCENTIVE**

Section 1. Purpose:

To formally establish a tax incentive program in accordance with Section 12-65b of the Connecticut General Statutes that will entice businesses and jobs to the Town of East Hampton with the intent to diversify and grow the tax base.

Section 2. Definitions:

Tax Abatement- The reduction of taxes on a property.

Anniversary- The reoccurring date when a tax abatement was awarded by the Town Council.

Section 3. Requirements: The Town of East Hampton shall enter into a written agreement that shall provide for the temporary tax abatement subject to the following requirements:

- a. Acceptable & Viable business- Applicant must present viable plans for the development of a business which fits in with the Plan of Conservation and Development and within all zoning regulations as determined by Planning & Zoning and is endorsed as a viable business by the Economic Development Commission.
 - i. The applicant is responsible for the application for endorsements from both agencies.
 - ii. Receipt of written endorsement from both agencies must be supplied to the Town Council at the time of consideration.
- b. Minimum investment- the business development must be identified as having a minimum investment of \$XXX. [This investment can include the building or renovation of a structure and purchase of equipment over the dollar amount of \$XXX.]
- c. Minimum job creation- The proposed business must create XXX of permanent fulltime jobs within the Town of East Hampton.
- d. Ownership- Property must be owned by the applicant but renovations of existing structures or building of new structures cannot have started at the time of review by the Town Council.
- e. Back taxes- applicant cannot owe any back taxes for this or any other property in the Town of East Hampton. This is to be verified via a letter from the Tax Collector at the time of application.
 - i. The applicant is responsible to obtain a letter of no backed taxes from the Tax Collector.
 - ii. The letter must be supplied to the Town Council at the time of consideration.

Comment [Jylkka1]: Would there be any circumstances in which Planning & Zoning would not be involved in the approval process? I'm thinking of an item that only needs a building permit.

The State of CT Manufacturing Machinery and Equipment Exemption Program provides for 100 % exemption of local property taxes on qualified, newly acquired manufacturing machinery and equipment. Would there be the potential for an applicant to receive an abatement from the town for this type of equipment? Probably needs to be addressed in Section 5.

Comment [Jylkka2]: What about full time equivalents? What happens if there are layoffs and how would we know?

Comment [Jylkka3]: What about leasehold improvements?

Section 5. Tax abatement: The Town Council of East Hampton shall abate X percent of taxes per every \$XXX worth of investment above the minimum investment.

Comment [Jylkka4]: Any thoughts for a graduated scale? What would happen in a reval. year in which the initial investment is reduced due to market conditions. Equipment will naturally decrease in value year over year as a result of depreciation.

Section 6. Term: The Council will award the Abatement for a 3 year interval. An applicant cannot reapply for the abatement again if they received a abatement within a 5 year period. For documentation purposes the Anniversary date will be considered the beginning of the year for

Section 7. Reporting for Abatement recipients: The Town of East Hampton will require specific information regarding businesses that are awarded a tax abatement on a yearly basis. The following is required information:

- a. Physical location of business on the anniversary date.
- b. Current applicant phone number and address.
- c. Number of current employees.
- d. Number of current employees who have a permanent residence in East Hampton.
- e. A brief narrative as to how the tax abatement has helped their business grow in East Hampton.

Reports are to be submitted to the Town Managers office for retention and dissemination to the Town Council.

**Town of East Hampton
 Additional Appropriation / Transfer Request Form
 Fiscal Year 2012-2013**

Fund: Capital Reserve Fund
Department: Board of Education

Additional Appropriation
Transfer

The following additional appropriation / transfer is recommended for board approval.

TRANSFER FROM

50941000	5741	93210	H.S. Emergency Generator (IT Room)	\$ 15,000
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TRANSFER TO

50941000	5720	93210	H.S. IT Room Generator Wiring	\$ 15,000
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Explanation
 See attached

Source of Funds

Funding is from a 2012-2013 Capital Reserve Fund project that was for the purchase and installation of a stand-alone generator to power the Information Technology room/equipment at the High School. Currently there is \$15,000 available.

Proposed Resolution

Resolved, that the Town Council approve the above budget transfer in the amount of \$15,000 for the generator wiring project.

<u>Approved</u>	<u>Yes</u>	<u>No</u>	<u>Date</u>
Board of Finance	X		12-17-2012
Town Council			

**East Hampton Public Schools
East Hampton, Connecticut**

MEMO

Date: December 11, 2012
To: Matthew Walton
From: Kevin Reich, Operations Manager
Subject: Reallocation Request - Generator

The East Hampton Board of Education is requesting that the funds budgeted to install an emergency generator at the East Hampton High School be reallocated to provide wiring to wire the High School server room to the existing generator at the High School. Higgins Electric has verified that the existing generator has the capacity to provide power to the server room at the High School whenever there is a loss of power. The cost to wire the server room to the existing generator is approximately \$15,000.00. There is presently \$15,000.00 in the 2012-2013 Capital Improvement Plan to purchase a new generator.

If you have any questions, please contact me at 860-365-4000. Thank you in advance for your consideration.

cc: Michael Maniscalco
Jeff Jylkka
Judith A. Golden, Ph.D
Mark Laraia
Glenn Gemma

**Town of East Hampton
 Additional Appropriation / Transfer Request Form
 Fiscal Year 2012-2013**

Fund: Capital Reserve Fund
Department: Board of education

Additional Appropriation
Transfer

The following additional appropriation / transfer is recommended for board approval.

TRANSFER FROM
 50942610 5430 93005 High School Building Envelope Repairs \$ 18,225

TRANSFER TO
 50962610 5430 93032 Board of Education Central Office Fire \$ 18,225

Explanation
 See attached

Source of Funds
 Funding is from unspent funds in the Board of Education building envelope repair project (Capital Reserve Fund) and unspent insurance proceeds of \$3,772. The total cost for the project is \$21,997.

Proposed Resolution
 Resolved, that the Town Council approve the above budget transfer in the amount of \$18,225.

<u>Approved</u>	<u>Yes</u>	<u>No</u>	<u>Date</u>
Board of Finance	X		12-17-2012
Town Council			

**East Hampton Public Schools
East Hampton, Connecticut**

MEMO

Date: December 11, 2012
To: Matthew Walton
From: Kevin Reich, Operations Manager
Subject: Reallocation Request – Underground Wiring

The East Hampton Board of Education is requesting that the funds budgeted for the East Hampton High School building envelope repairs be reallocated to install an underground power line and increase the service to 400 amp at the old Town Hall at 94 Main Street. The existing overhead power line was torn off in July and the building caught fire. To lessen the Board of Education's and the Town's liability, the proposed power line should be installed underground. The bid to upgrade the service and install the underground cable is \$21,997.00 less insurance reimbursement of \$3,772.00 for a total project cost of \$18,225.00.

The Board of Education is requesting that \$18,225.00 be reallocated from the High School building envelope repair account in the Capital Improvement Plan which presently has \$38,038.00.

If you have any questions, please contact me at 860-365-4000. Thank you in advance for your consideration.

cc: Michael Maniscalco
Jeff Jylkka
Judith A. Golden, Ph.D
Mark Laraia
Glenn Gemma

**TOWN OF EAST HAMPTON
AGENDA REPORT**

AGENDA ITEM: _____

Item to be presented by: Town Manager

DATE: January 8, 2013

SUBJECT: **BOARD OF EDUCATION—New 400 amp Underground Electric Service**
94 Main Street; East Hampton, CT

DEPARTMENT: Facilities

RECOMMENDED ACTION

Move to award the contract for the above-mentioned project to the lowest qualified bidder, Higgins Enterprises, Inc., for their bid proposal in the amount of \$21,997.00.

BACKGROUND

The BOE overhead electrical service was ripped off of the building during paving work in the parking lot. The insurance paid us the cost to replace the overhead service in the amount of \$3,772.00. The BOE decided to increase the size to 400 amp and go underground. The Town received the following three bids for this underground service:

COMPANY	BID AMOUNT
Higgins Enterprises, Inc.	\$21,997.00
P&M Electric	\$33,995.00
Cunningham Construction	\$41,025.00

ALTERNATIVE ACTIONS

Other direction as determined by the Town Council.

FISCAL IMPACT

The BOE will be responsible for the cost of \$21,997.00 (\$3,772.00 from the insurance claim and remaining balance of \$18,225.00). All CL&P fees are included in the bid.

From: Reich, Kevin
Sent: Thursday, January 17, 2013 11:09 AM
To: Maniscalco, Mike
Subject: FW: BOE Electric Service

Please review below. I am still waiting for SLAM to share with me their thoughts on the proposed wiring project for the server room and Mr. Higgins is preparing the information on the 200 amp vs. 400 amp question. I have also asked him to give me a quote if we just put the wire back up as before and leave the service at 200amp.

From: MED3787@aol.com [mailto:MED3787@aol.com]
Sent: Thursday, January 17, 2013 9:11 AM
To: Reich, Kevin
Subject: BOE Electric Service

Kevin

As discussed by phone this morning, you were questioned why the bids had such a large difference in the costs from the low that was submitted by Higgins Electric, to the highest bidder that was in the \$40,000 range.

For your information, this occurs quite often in the bidding process. Some contractors throw a wild price out there without ever really taking the time to actually work up the assumed hours and material it takes to do the project and others like Higgins work very hard to get the project and estimate their work and material costs properly.

We have worked with Higgins Electric on many projects and John is very responsible and trustworthy. He finishes on time and his workmanship is very good.

One of the other reasons that Higgins bid this project at that price is he is local so there is minimal travel time involved with the project as compared to other contractors that bid. Also he did most of his research and already had contacted the utility company prior to our design involvement with the project. Another reason he was probably low is that he does a lot of the work himself and he is efficient at it.

We strongly recommend that Higgins be given the work, but keep in mind that you have exceeded the bid's 60 day hold on the pricing. Cost of materials might have gone up by now so you need to check with him if there are additional costs associated with the acceptance of the bid at this late date. But I would suspect that they would still be your lowest bidder.

If you have any questions, please call.

Steve Durkee
M/E Design Associates, Inc
422 Highland Ave
Cheshire, CT 06410
203-271-3787

Maniscalco, Mike

From: Jylkka, Jeff
Sent: Thursday, January 10, 2013 10:27 AM
To: Rich Dufour
Cc: Maniscalco, Mike
Subject: ET 428 specifications (2).DOC
Attachments: ET 428 specifications (2).DOC.doc

Rich,

Attached are specs we received from the Town of Colchester. Please look them over and see if they are sufficient for your needs.

Jeff Jylkka, CPA
Finance Director
Town of East Hampton
860.267.7548

Maniscalco, Mike

From: Rich Dufour <richdufour@comcast.net>
Sent: Tuesday, January 15, 2013 10:14 AM
To: Jylkka, Jeff; Maniscalco, Mike
Cc: 'Mike Rich'; Gregory Voelker; 'Brett Salafia'; eric@safefire.net; 'Eric Valli'; bcg6163@aol.com
Subject: RE: ET 428 specifications (2).DOC

Hi Jeff,

I received last night that the bid spec's are not even close to what we are looking at for a vehicle that would meet our department needs.

I should have some help on this for you in the next day or so. We understand that this might affect our bid timeline but we can adjust the time line once we get this package right.

Thanks for your help on this.

Rich

From: Jylkka, Jeff [<mailto:JeffJylkka@easthamptonct.org>]
Sent: Tuesday, January 15, 2013 8:52 AM
To: Rich Dufour; Gregory Voelker
Cc: Maniscalco, Mike
Subject: FW: ET 428 specifications (2).DOC

Rich,
Attached are draft bid specs for the Engine Tanker. Please confirm receipt.

Jeff

From: Jylkka, Jeff
Sent: Thursday, January 10, 2013 10:27 AM
To: Rich Dufour
Cc: Maniscalco, Mike
Subject: ET 428 specifications (2).DOC

Rich,
Attached are specs we received from the Town of Colchester. Please look them over and see if they are sufficient for your needs.

Jeff Jylkka, CPA
Finance Director
Town of East Hampton
860.267.7548

Maniscalco, Mike

From: Rich Dufour <richdufour@comcast.net>
Sent: Friday, January 04, 2013 9:55 AM
To: Maniscalco, Mike; Jylkka, Jeff
Cc: 'Mike Rich'; Gregory Voelker; Olzacki, Kris; 'Eric Valli'; eric@safefire.net; bcg6163@aol.com; 'Brett Salafia'
Subject: FW: New Engine Bid Package for Town Manager
Attachments: Engine Committee Recommendations For Bid - Copy for Town Manager Revised 1 3 2012.docx; Attachement 1 Whelen Lighting Spec's Revised.xls; Attachment 2 New Engine Radio Requirements.pdf

Dear Mike,

Attached are the final specifications for the new fire truck which were reviewed and approved last night.

The Board of Fire Commissioners and the Fire department would like to thank you and Jeff for helping us out with this purchase.

Regards,

Rich Dufour

08-28-2012

New Engine Radio Requirements

- 850.⁰⁰ 1- LB Motorola CDM1250 46 mhz Radio w/ Roof mounted Gain Antenna
1600.⁰⁰ w/ Pyramid SVR250 UHF Vehicle repeater with Multi Unit Logic + Roof Antenna
250.⁰⁰ w/ Pump Panel Microphone, Speaker and Head Set
350.⁰⁰ 1- VHF Motorola CDM1250 150 mhz Radio w/ Roof mounted Gain Antenna
850.⁰⁰ 1 UHF Motorola CDM1250 450 mhz Radio w/ Roof mounted Gain Antenna
900.⁰⁰ 1- KNOX Box unit interfaced To low band radio
600.⁰⁰ 1- Motorola HT1250/750 6 unit charger mounted in Cab
2250.⁰⁰ 3- Motorola HT1250 UHF Portable Radios w/ Speaker Mic
8050.⁰⁰ Total above

BILL OF MATERIALS FOR EAST HAMPTON FIRE DEPARTMENT REV:

**** NOTE THE BILL OF MATERIALS IS A PRELIMINARY PRODUCT LIST QUANTITIES AND PRODUCT LISTED MAY CHANGE AFTER PROPOSAL DRAWINGS ARE REVIEWED.**

Truck #

ZONE A UPPER

QTY'S

- 1) **MODEL FN72QLED FREEDOM SERIES ALL LED LIGHT BAR LENGTH 72".**
- 2) **MODEL PFP2 PIONEER LED FLOOD MOUNTED TO BROW OF CAB. MOUNTING BRACKET TO BE DETERMINED BY CUSTOM CHASSIS.**

ZONE A LOWER

- 2) **MODEL M6R M SERIES RED LED LIGHT HEADS.**

ZONE B UPPER

ZONE IS COVERED BY DEVICES MOUNTED IN ZONE "A" AND "C" UPPER

ZONE B LOWER

- 2) **MODEL M6R M SERIES RED LED LIGHT HEADS SIDE FRONT BUMPER .**
- 2) **MODEL WIONSMCR ION SERIES RED LINEAR LED LIGHT HEAD SURFACE MNT. SIDE MID BODY, REAR CORNER BODY RUB RAIL.**

ZONE C UPPER

- 2) **MODEL MCFLED2R FREEDOM SERIES MICRO EDGE RED LED LIGHT HEADS.**

ZONE C LOWER

- 2) **MODEL M6R M6 SERIES RED LED LIGHT HEADS SURFACE MNT.**

ZONE D UPPER

ZONE IS COVERED BY DEVICES MOUNTED IN ZONE "A" AND "C" UPPER

ZONE D LOWER

- 2) **MODEL M6R M SERIES RED LED LIGHT HEADS SIDE FRONT BUMPER .**
- 2) **MODEL WIONSMCR ION SERIES RED LINEAR LED LIGHT HEAD SURFACE MNT. SIDE MID BODY, REAR CORNER BODY RUB RAIL.**

LED SCENE LIGHTING

- 4) **Model PCP2 with recess mount zone B and D and 2 qty PFP1 with recess mount for zone c rear.**

- 2) **MODEL PFP2 PIONEER SERIES LED FLOOD LIGHT MOUNTED ONTO POLES.**
- 2) **MODEL 870870B1THRU BODY TOP ADJUST PULL UP POLE ASSY. 57" DC**

SIREN / SPEAKERS

- 2) **MODEL SA315P 100 WATT SPEAKER.**

1) **MODEL 295SLSA1 200 WATT AMPLIFIER.**

BRAKE / TAIL TURN LIGHTS

2) **MODEL M6BTT M SERIES LED BRAKE / TAIL MOUNTED IN M6FCV4 HOUSING.**

2) **MODEL M6T M SERIES LED TURN INDICATOR.**

2) **MODEL M6BUW M SERIES LED BACK UP LIGHT MOUNTED IN M6FCV4 HOUSING.**

UNDERBODY GROUND ILLUMINATION LIGHTING

10) **MODEL PELCC PERIMETER GROUND ILLUMINATION LIGHTING 4 PER SIDE, AND 2 REAR ALL MOUNTED UNDERBODY OF APPARATUS. 1 PER SIDE FOR PUMP PANEL ILLUMINATION AND 1 EACH SIDE BEHIND CAB.**

COMPARTMENT ILLUMINATION LIGHTING

MODEL FLUORENT WHITE LED TUBE LIGHTING 2 PER COMPARTMENT.

4) F54PC 54"FLUORENT LED COMPARTMENT. (SIDE COMPARTMENT DRIVER SIDE)

2) F18PC 18"FLUORENT LED COMPARTMENT (SIDE COMPARTMENT DRIVER SIDE)

2) F09PC 9"FLUORENT LED COMPARTMENT. (SIDE COMPARTMENT PASS SIDE)

4) F27PC 27"FLUORENT LED COMPARTMENT SIDE COMPARTMENT PASS SIDE)

2) F45PC 45"FLUORENT LED COMPARTMENT. (REAR COMPARTMENT)

ABOVE QUANTITIES MAY VARY PENDING COMPARTS AND SIZE.

CAB INTERIOR ILLUMINATION LIGHTING

2) 60CREGCS 6" ROUND 6 WHITE / 6 RED DIODE WITH SWITCHES LED COMPARTMENT.

EAST HAMPTON FIRE DEPARTMENT

Committee recommendations:

1. Pump: 1500 GPM, side mount - Waterous
2. Tank: 750 gallon poly tank
3. Engine/Transmission/Drive Train – Minimum Detroit 450 HP, matching Allison transmission, matching front and rear axle, independent front suspension
4. Engine fan thermostatically controlled
5. Foam Tank: 20 gallon tank with drain plug – single dedicated foam line to front trash line
6. Front bumper: minimum 150' 1 3/4" high combat trash line
7. Painted heavy duty front bumper with Rookie Sticks
8. Single source manufacturer for cab, body and chassis
9. 5 man cab including interior cabinet with roll up door
10. Hose bed: Must accommodate: 2000' 5" hose, 300' 3" hose, 200' 2 1/2" hose with Stinger attached provided by manufacturer – (hose bed must accommodate high combat hose for 2 1/2 " and 3")
11. LDH Water thief mounted on tail board provided by manufacturer
12. Cross lay: Single width – (2) 200' 1 3/4" high combat hose pre-connect (optional 3rd 1 3/4" cross lay if room permits), (1) 200' 2 1/2" pre-connect high combat – color coded.
13. Cabinets: Roll up doors. (Roll out trays, Pull out boards) – LED lighting
14. Air Packs: (4) – cab + (4) driver side cabinet + (8) spare bottles mounted around rear wheel wells
15. Discharge lines: (2 each) driver side, passenger side, rear. Passenger side LDH discharge
16. Hard suction intake: Front suction mounted above bumper – with 90 degree swivel and separate primer, driver side and passenger side – all intakes gated
17. Waterous valves
18. Hard suction: (3) 12' lengths 6" dia. a) Hydraulic rack with lift mechanism on the ends mounted passenger side.
19. Ladders: Mounted through the body. Ladders – 24', 14'', 10' attic, little giant
20. Deck gun: Pre-piped
21. Generator: 10 KW - Hydraulic – cord reel on passenger side
22. GPS with external antenna supplied by manufacturer
23. Emergency lighting: Whelen – see attached

24. Federal Q Siren mounted on top of front bumper
25. Pre wired for radios, Knox Box, etc.
26. Radios – see attached
27. Passenger side speedometer and emergency light control switches
28. All valves manually operated. Direct link connect
29. Pressure gages for all discharges lines
30. Spray on bed liner type material in cab and pump panel – Linex protective coating/Sparliner
31. Hand tool/light/extinguisher mounted interior rear of cab
32. Electric windows
33. Heated mirrors
34. Remote adjustable Mirrors
35. Jake break
36. Emergency Air Intake shut off w/manual reset
37. OnSpot tire chains
38. Air dryer for air brake system
39. Manual drain air tanks
40. ABS Brake system
41. Differential lock
42. Fuel/Water separator
43. Air conditioning
44. Tilt/Telescope steering wheel
45. Seats: Driver – air ride, height adjustable, manual slide. All seats Kevlar fabric. Passenger seats must accommodate Scott Packs – similar to H. O. Bostrom style
46. On board Battery charger/air compressor
47. Auto eject air & electrical – mounted rear of truck on driver side
48. Tire air pressure monitors
49. Front bumper spot mirror for visibility
50. Intermittent wipers
51. Front & Rear tow hooks – closed
52. Side mounted docking lights
53. Rear mounted clearance lights
54. Perforated grip type diamond plate running boards/steps
55. Elbows on all discharges including LDH with reducing caps

56. Safety: Roll over protection, air bags front and side, back up camera (built in/recessed)
57. Wiring: Hard wired
58. Reflective stripes and rear chevrons per NFPA code
59. Lettering
60. Tool mounting per customer specifications

MEMORANDUM FROM THE LAW OFFICES OF
 HALLORAN & SAGE LLP
 225 Asylum Street
 Hartford Connecticut 06103

TO: Mike Maniscalco
 FROM: Duncan J. Forsyth
 Richard P. Roberts
 DATE: December 5, 2012
 RE: 82 Main Street Parking Lot

You have asked for some guidance with regard to both the allowed, or not allowed, uses of the parking lot at 82 Main Street in East Hampton.

The parcel in question is on the northeasterly side of Main Street and adjacent to a commercial building currently under renovation. The Town signed a Lease Agreement with the State of Connecticut Department of Transportation in November 1990 ("Lease") for two parcels on the northeasterly and northwesterly sides of Main Street. The northeasterly parcel is .849 acres. The northwesterly parcel is 2.151 acres. The original Lease term was for a period of 20 years commencing on December 1, 1990 which the Town having the right to renew the Lease for two successive 20 year periods. Thus, the first renewal period would run until November 30, 2030. The annual rental fee is \$100 paid in advance of each Lease year. The recitals in the Lease state that the Town has requested to utilize the property for "additional municipal parking". There is no other anticipated use set forth in the Lease.

In addition to the annual payment of \$100.00, the Town is required to pay to the State 20% of the gross revenue it derives from municipal parking or municipal related subleases. If such revenue is generated, the Town must provide financial statements reflecting such revenue in the manner set forth in Section 4 of the Lease.

Section 7 of the Lease allows the Town to "establish and publish daily, weekly, annual and/or other periodic parking-fee schedule(s)." However, when the parcel is used for public parking, such must be conducted on a "non-discriminatory basis" based on the following factors:

- (a) The location and/or the number of parking spaces to be utilized at one time;
- (b) The amount and/or frequency of parking fee, charges or levies assessed for such use;
- (c) The duration of such use; or
- (d) The fact that the user is or is not: a local resident; a local taxpayer; a high-volume user; or a user in conjunction with a local enterprise, activity or organization.

The following examples take into consideration the factors listed above:

- Charging a minimal hourly rate to Town residents while charging an exorbitant hourly rate to non-residents would likely be deemed discriminatory.
- Waiving the parking fee for individuals who obtained a voucher or receipt from a retail establishment conducting business in the adjacent building might be deemed a legitimate ancillary benefit to patrons of those businesses.

- Limiting the number of hours that individuals could park on the site would be deemed a legitimate restriction.
- Allowing overnight parking for residents of apartment units in the adjacent building after normal commercial business hours would likely be allowed.
- Restricting the number of parking spaces available to various businesses or users so that there is a reasonably equitable allocation would probably be permissible.
- Reserving some portion of the spaces for short-term use and others for long-term use may be permissible if there is a rational policy underlying the allocation.

The parcel cannot be assigned or sublet for purposes fulfilling Planning and Zoning requirements of nearby properties for purposes of parking lot space requirements or building lot coverage – except for municipal use.

Additionally, the parcel cannot be sublet or assigned by the Town without prior written approval of the State.

Town of East Hampton
20 East High Street
East Hampton, CT 06424

Procurement Manager
Job Description

The role of the Town of East Hampton Procurement Manager is to plan, execute, and finalize purchasing and procurement strategies for materials and services. The Procurement Manager generally deals with anything relating to the ordering of goods and supplies for the Town, determines if inventory quantities are sufficient for the needs of the Town and orders more supplies as needed. Maintains contractual relationships with vendors.

General Description

In general, the Procurement Manager performs all procurement and contracting activities including pre-qualification, money management, negotiation and preparation of contracts. The Procurement Manager processes requests for purchases. They must first determine whether there is any of the requested product left in inventory and may have to research the Internet or catalogs to find suppliers. They may prepare invitation-to-bid forms and mail them to prospective suppliers or publicly post them. The Procurement Manager may also have to interview prospective suppliers either face-to-face or over the phone to check prices. They then put together spreadsheets with price comparisons and other information about each prospective supplier.

Supervision Received

Work is performed under the supervision of Town Manager.

Supervision Exercised:

None.

Essential Duties and Responsibilities

- Monitors and analyzes trends in Town spending and inventory control in order to make recommendations for the future, and to identify areas for possible savings.
- Compiles requested materials and records to draw up purchase orders for the procurement of materials and services.
- Negotiates contracts with suppliers to obtain best price and service.
- Develops and prepares contracts.
- Maintains records of goods ordered and received.
- Locates vendors of materials, equipment or supplies, and interviews them in order to determine product availability and terms of sales.
- Prepares and processes requisitions and purchase orders for supplies and equipment.
- Controls purchasing department budgets.
- Obtains, administers and coordinates grants.
- Reviews purchase order claims and contracts for conformance to Town policy.
- Analyzes market and delivery systems in order to assess present and future material availability.
- Develops and implements purchasing and contract management instructions, policies, and procedures.
- Participates in the development of specifications for equipment, products or substitute materials
- Resolves vendor or contractor grievances, and claims against suppliers.

- Represents Town in negotiating contracts and formulating policies with suppliers.
- Reviews, evaluates, and approves specifications for issuing and awarding bids.
- Directs and coordinates activities of personnel engaged in buying, selling, and distributing materials, equipment, machinery, and supplies.
- Prepares bid awards requiring Town approval.
- Prepares reports regarding market conditions and merchandise costs.
- Administer on-line purchasing systems.
- Arrange for disposal of surplus materials.

Nonessential Duties

Performs related work as required.

Knowledge, Skills and Abilities

KNOWLEDGE is required to perform math, including calculations using fractions, percent's, and/or ratios, read technical information, compose a variety of documents, and/or facilitate group discussions, and analyze situations to define issues and draw conclusions. Specific knowledge-based competencies required to satisfactorily perform the functions of the job include: pertinent codes, policies, regulations and/or laws, Federal and State purchasing regulations, and complex purchasing and accounting work in compliance with State and Federal regulations, GASB accounting procedures, Town policies and procedures. Knowledge of business and management principles involved in strategic planning, resource allocation, production methods, and coordination of people and resources. Knowledge of raw materials, production processes, quality control, costs, and other techniques for maximizing the effective manufacture and distribution of goods.

SKILLS are required to perform multiple, technical tasks with a need to occasionally upgrade skills in order to meet changing job conditions. Specific skill-based competencies required to satisfactorily perform the functions of the job include: operating standard office equipment including utilizing pertinent software applications, planning and managing projects, purchasing and financial management, and developing effective working relationships. Computer skills, communications skills, and organizational skills are required.

ABILITY is required to schedule activities, meetings, and/or events; often gather, collate, and/or classify data, and use job related equipment. Flexibility is required to work with others in a variety of circumstances, analyze data utilizing a variety of complex processes, and operate equipment using standardized methods, work with data of varied types and/or purposes. Problem solving is required to analyze issues and create action plans. Problem solving with data requires analysis based on organizational objectives, and problem solving with equipment is moderate. Specific ability-based competencies required to satisfactorily perform the functions of the job include: communicating with diverse groups, meeting deadlines and schedules, working as part of a team, flexible to changing conditions, working with multiple projects, dealing with frequent interruptions and changing priorities, and maintaining confidentiality.

- Active Listening -- Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times.
- Critical Thinking -- Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems.
- Judgment and Decision Making -- Considering the relative costs and benefits of potential actions to choose the most appropriate one.
- Reading Comprehension -- Understanding written sentences and paragraphs in work related documents.
- Active Learning -- Understanding the implications of new information for both current and future problem-solving and decision-making.

- Management of Material Resources -- Obtaining and seeing to the appropriate use of equipment, facilities, and materials needed to do certain work.
- Negotiation -- Bringing others together and trying to reconcile differences.

Preferred Qualifications

Requires a bachelor's degree from an accredited college or university in purchasing, business or other closely related field and six (6) years' experience in governmental procurement with a minimum of three (3) years in a supervisory/managerial role; or eight (8) years of progressively responsible experience in governmental procurement with a minimum of three (3) years in a supervisory/managerial role.

Special Requirements

Must possess and maintain a valid Connecticut motor vehicle operator's license. Certification through the National Institute of Governmental Purchasing (NIGP) is preferred.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job the employee is frequently required to talk or hear; sit; use hands to finger, handle, feel or operate objects, tools, or controls, and reach with hands and arms. The employee is occasionally required to stand or walk. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, distance vision, peripheral vision, depth perception and the ability to adjust focus.

Work Environment

The Procurement Managers normally work in a well-lit office with minimal noise and frequently use computers and telephones. The Procurement Manager's work may be varied, and may be asked to work additional hours if necessary. Outdoor work and/or warehouse/storage room work may be required.

The usual and customary methods of performing the job's functions require the following physical demands: some lifting, carrying, pushing, and/or pulling; some stooping, kneeling, crouching, and/or crawling; and significant fine finger dexterity.

General Guidelines

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change. This is a non-exempt position.

**Town of East Hampton
20 East High Street
East Hampton, CT 06424**

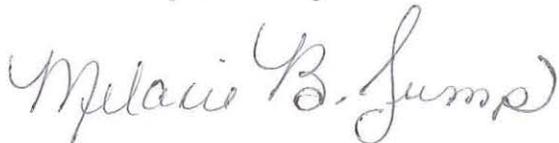
**Nancy Hasselman, CCMC
Collector of Revenue
Town of East Hampton**

January 18, 2013

To: The East Hampton Town Council

**Please find copies of tax refunds for your review. The total
refund equals \$1889.19.**

Thank you for your assistance.



**Melanie Jump, CCMC
Assistant Collector of Revenue**

7.38	+
1,614.17	+
16.67	+
18.31	+
16.33	+
6.49	+
5.50	+
20.13	+
42.69	+
9.16	+
36.22	+
77.62	+
18.52	+
1,889.19	+
0.00	+