

**TOWN OF EAST HAMPTON  
AGENDA REPORT**

AGENDA ITEM: 4

Town Manager Approval: RD (cls)

Item to be presented by: Robert Drewry

DATE: September 15, 2010

SUBJECT: Discuss and approve amendment changes to Chapter 109 of the Town of East Hampton Ordinances to abolish the position of Chief of Police and to restructure the Police Department Set Public Hearing date.

DEPARTMENT: Town Manager's Office

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RECOMMENDED ACTION

Discuss and approve amendment changes to Chapter 109 of the Town of East Hampton Ordinances to abolish the position of Chief of Police and to restructure the Police Department. Set public hearing date.

BACKGROUND

Because of the actions taken by the Town Manager on June 22, 2010 to "right size" the Town's Police Department and to bring it more into financial alignment with peer Towns; council is required to modify its existing ordinance as it relates to the Police Department.

ALTERNATIVE ACTIONS

Other direction as determined by Town Council.

FISCAL IMPACT

There is a projected savings of upwards of \$429,478.21 for the fiscal 2011/12 budget and a savings of approximately \$283,000 in the current budget we are currently operating under. In addition, long term savings in pension costs and obligations are currently being calculated and would increase the savings considerably.

MARSH & BOUREGY, LLC  
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JANE R. MARSH

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September 10, 2010

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New Jersey and New York

Ms. Melissa Engle Chairperson  
East Hampton Town Council  
20 East High Street  
East Hampton, CT 06424

Re: Proposed Ordinance Amending Chapter 109

Dear Ms. Engel:

At your request I have reviewed a document entitled Proposed Ordinance (Revised August 16, 2010), your existing ordinances on the subject, statutes and case law on municipal powers in this area.

Finding the proposed language a little unclear in its structure, I spoke with Attorney Sommaruga, who agreed that certain modifications would address this and make the proposed ordinance more direct and clearly stated. The Proposed Ordinance (Revised-September 15, 2010) attached represents the changed version which I approve.

The import of the structure change which the Council would be making, if this ordinance as drafted were to be adopted, is that the position of police lieutenant, which presently exists, would then include the former duties of the police chief, subject to the oversight of the Town Manager.

I trust my review has accomplished the goal the Council was seeking. If I can be of further assistance, please let me know.

Sincerely,

  
Jane R. Marsh

**PROPOSED ORDINANCE (Revised-September 15, 2010)**

Be it ordained by the Town Council of the Town of East Hampton:

That Section 109-2 of the Code of Ordinances is hereby amended by deleting/striking the current language and inserting new language (in bold):

**Pursuant to Chapter III of the Town Charter and §7-99 of the Connecticut General Statutes, the Town Manager shall possess the same responsibility for the administration of the Police Department as he or she possesses for all other Town agencies, offices and departments. Pursuant to Chapter III of the Town Charter, §§7-148(c)(4)(A) and 7-148(c)(5)(C) of the Connecticut General Statutes, and based upon merit and fitness alone, the Town Manager shall appoint a Chief of Police and all sworn law enforcement officers for the Department, including but not limited to a lieutenant.**

That Section 109-3 of the Code of Ordinances is hereby amended by deleting/striking the current language and inserting new language (in bold):

~~The Chief of Police, subject to such rules and regulations as are adopted by the Town Council, shall have general management, administrative and supervisory control over all operations of the Department. The Chief of Police shall be the traffic authority for the Town of East Hampton.~~

- a. **The position of Chief of Police is hereby abolished.**
- b. **The lieutenant shall provide day-to-day management of the Police Department. Excluding the administrative oversight duties assigned to the Town Manager under Chapter III of the Town Charter, the lieutenant shall also be vested with all powers, responsibilities, and duties that were formerly exercised by the Chief of Police consistent with the general statutes and the ordinances, rules, and regulations of the Town of East Hampton. The lieutenant shall be the traffic authority for the Town of East Hampton.**
- c. **All ordinances and/or parts thereof now in force and inconsistent with any part of this ordinance are hereby repealed. All remaining references to the position of Chief of Police contained in the Code of Ordinance are hereby stricken and are hereby replaced with the position of police lieutenant.**

# TOWN OF EAST HAMPTON AGENDA REPORT

AGENDA ITEM: 6

Town Manager Approval: RD (cls)

Item to be presented by: Dan Wolfram

DATE: September 15, 2010  
SUBJECT: 13 Watrous Interim Remedial Action Project  
DEPARTMENT: Brownfields Redevelopment Agency

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## RECOMMENDED ACTION

It is recommended that the contract be awarded to TMC Services, Inc.. Their bid is in the amount of \$118,225.00.

## BACKGROUND

The invitation to bid for the project was posted on the State of Connecticut DAS website. The Town received 7 sealed bids. The bids were opened on August 23, 2010.

A subcommittee of the Brownfields Redevelopment Agency was formed to review the bids and make a recommendation regarding an award of a contract. After reviewing the bid documents for the apparent low bidder Cisco LLC., the subcommittee determined that Cisco LLC did not provide evidence of the necessary experience needed to conduct a PCB remediation. Because this project is a PCB remediation project and it subject to complex laws and regulations (commonly referred to as the PCB Mega Rule) it is the recommendation of the subcommittee that the contract be awarded to the second lowest bidder (the lowest qualified bidder) TMC Services Inc. TMC provided evidence of significant PCB remediation experience.

Note: The bid was based on estimated quantities of contaminated soil removal. The actual quantities will be adjusted to fully utilize the EPA clean up grant which has a balance of approximately \$139,850. The remedial work will remove the soils identified as having the highest concentrations of PCBs and install a chain link fence secure the property until such time as additional funds are available to complete the clean up of the property.

## ALTERNATIVE ACTIONS

Not award the bid and re-advertise the project.

## FISCAL IMPACT

The construction costs will paid for using an EPA clean up grant.

**TOWN OF EAST HAMPTON  
AGENDA REPORT**

AGENDA ITEM: 7

Town Manager Approval: RD (signature)

Item to be presented by: Robert Drewry

DATE: August 10, 2010

SUBJECT: Explanatory Text for November 2, 2010 ballot question

DEPARTMENT: Town Clerk's Office

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RECOMMENDED ACTION

That the Town Council approves and authorizes the Town Clerk to prepare and print explanatory text of local question approved for submission to the electors on November 2, 2010.

BACKGROUND

Section 9-369b of the Connecticut General Statutes may, by vote of its legislative body, authorize the preparation and printing of concise explanatory text of local proposals or questions approved for submission to the electors of a municipality. The explanatory text has been prepared by the Town Clerk and reviewed and approved by the Town Attorney as required under this statute. The legislative body does not need to approve the language, but just the preparation and printing of the explanatory text.

ALTERNATIVE ACTIONS

Other direction as determined by Town Council.

FISCAL IMPACT

There may be financial savings if the question is approved by the electors based upon the explanatory text being used as an educational tool. Failure to approve the recommendations to the Charter by the electors, due to the lack of an explanation as to impact of the proposed changes, would prevent the Town from updating its Charter which has not been done since 1987.

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

September 10, 2010

To: The East Hampton Town Council

Please find copies of tax refunds for your review. The total refunds equal \$12,485.32.

Thank you for your assistance.

*Nancy Hasselman, CCMC*

Nancy Hasselman, CCMC  
Collector of Revenue

10.00 +  
77.94 +  
4.32 +  
24.98 +  
65.20 +  
203.13 +  
106.73 +  
137.39 +  
409.54 +  
51.25 +  
65.92 +  
31.98 +  
3,061.88 +  
3,305.36 +  
234.71 +  
191.69 +  
48.96 +  
139.14 +  
63.99 +  
34.85 +  
2,136.54 +  
37.09 +  
110.42 +  
100.67 +  
134.10 +  
82.38 +  
5.89 +  
77.71 +  
76.99 +  
42.89 +  
4.60 +  
4.97 +  
19.23 +  
113.89 +  
67.32 +  
46.96 +  
49.23 +  
101.95 +  
127.53 +  
5.12 +  
11.06 +  
3.87 +  
8.38 +  
109.41 +  
10.00 +  
76.68 +  
77.30 +  
109.24 +  
153.78 +  
9.49 +  
279.16 +  
5.24 +  
3.35 +  
13.92 +  
12,485.32 \*