

## Town of Hartford Ordinance Committee Meeting Minutes

September 11, 2024

### Attendance:

Daryl Boness, Jane Quint, Lou Brann, Paul Burmeister, Cindy Violette

### Guest Attendees:

Kathleen Landry, Ken Violette

The meeting started at 6:00 pm and our 2 alternates, Paul Burmeister and Jane Quint, were allowed to be active members to make up for Bim's and Jeremy's absence. The minutes of the August meeting were accepted as written; Daryl made the motion to accept and Cindy seconded it; all who were present at the August meeting voted in favor.

A brief review of actions from our last meeting and replies from the Selectboard were given to members who were not present. We recommended to the Selectboard to produce a warrant to repeal the Hartford No-spray Ordinance. The Selectboard has not responded to that so it is unclear yet as to what they will do. We also asked the Selectboard for instructions on what the foci of a solar ordinance should be. Their reply at a Selectboard meeting was that we should be mindful of private landowners and should be sure to have safety measures for decommissioning or abandonment of solar fields. There are ordinances from several towns that we can use for examples and a model Solar Ordinance developed by the Maine Audubon Society.

We were asked by the Selectboard to look at the Administrative Ordinance, Part 2, especially concerning competitive bidding. One question specifically asked of the committee was to evaluate the language as to who determined whether a competitive bid was required. The committee has reviewed the ordinance in this regard and found several sections that were ambiguous or in conflict. The committee unanimously agreed that section 2-22 clearly states that the selectboard has control over all financial transactions. Given this, it is logical that conflicting language between section 2-23 and 2-37A, should be resolved by providing language that gives the Selectboard the responsibility for determining whether a competitive process was required, not the bid committee.

We then discussed the ambiguity in the language in 2-23 regarding what is meant by "major" in 2-23A of this section. By consensus, the committee agreed that it was better to set a threshold dollar amount that would define "major" rather than leaving this to the potential for inconsistent interpretation. After discussion it was agreed by consensus to recommend \$25,000 as the threshold that would require a competitive process. The Selectboard could decide to put a job/project that is estimated to be less than \$25,000 out to bid if they feel it's beneficial to the town. The committee then discussed the possible need in emergency situations to have a mechanism to override the requirement for a competitive bid process. The committee agreed by consensus that such a clause should be developed. Clarification of "Emergency" is needed. The definition of emergency is an unforeseen combination of circumstances or resulting state that calls for immediate action, urgent need.

Under section 2-23C the Selectboard may extend a contract for two additional years beyond the stated maximum of a three-year contract. It seemed this contradicted the notion that the maximum period for a single contract was three years. The committee agreed by consensus that the extension of two years clause should be deleted.

Discussion about the composition and function or duties of the bid committee, which is created under the Road Committee duties under, section 2-37A led to the idea that a more general process was needed and the idea of the Selectboard using ad hoc committees appropriate for whatever the competitive bid process was about (roads or otherwise) made more sense than a standing Bid Committee with fixed positions that were targeting road-related matters. This led to a consensus agreement to recommend deleting the bid committee in favor of an ad hoc committee process.

This review of the Administrative Ordinance Part 2 will continue at our next meeting.

Meeting adjourned at 7:59 PM