

**TOWN OF EAST HAMPTON
AGENDA REPORT**

Agenda Item: 60a

Item to be presented by: Michael Maniscalco

DATE: August 6, 2013

SUBJECT: Epoch Arts Roof Replacement- Contract Award Recommendation

DEPARTMENT: Office of the Town Manager

BID TABULATION:

See attached Bid Tabulation Form

RECOMMENDED BIDDER:

The Imperial Company is the contractor with the lowest qualifying Base Bid total of \$215,800.00.

PROJECT BUDGET:

This project was the recipient of a \$250,000 State of Connecticut STEAP Grant. The total project fees are not anticipated to exceed the grant amount.

DESCRIPTION OF PROJECT BIDDING:

The Epoch Arts Roof Replacement project was advertised and bids were reviewed in compliance with the State of Connecticut Department of Economic and Community Development Bidding, Contracting & Consulting Guidelines for State Programs, revised October 2012.

The recommended bidder was determined based upon their compliance with the above mentioned guidelines and submission of the lowest qualifying bid.

BIO OF RECOMMENDED BIDDER:

The Imperial Company is a restoration & roofing contractor located in Cromwell Connecticut.

FINANCE DEPARTMENT REVIEW:

Funds available



ANCHOR

ENGINEERING SERVICES, INC.

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41 Sequin Drive • Glastonbury, CT • 06033

August 8, 2013

Mr. Michael Maniscalco
East Hampton Town Manager
20 East High Street
East Hampton, CT 06424

Re: Epoch Arts Roof Replacement Project, Contractor Recommendation
East Hampton, CT

Dear Mr. Maniscalco:

Anchor Engineering Services, Inc. has completed a review of the bids submitted for the above referenced project. Enclosed please find the project bid tabulation.

As shown in the tabulation, The Imperial Company, Inc. submitted the lowest total base bid in the amount of \$215,800.00 and lowest base bid plus alternates in the amount of \$284,550.00.

Based on a submission of the lowest qualifying bid and our review of the subsequent information submitted by The Imperial Company, Anchor Engineering Services, Inc. recommends that The Imperial Company be awarded the contract for the Epoch Arts Roof Replacement project.

Due to the partial roof deck replacement anticipated on the Epoch Arts Theater portion of the building Anchor Engineering recommends formally authorizing The Imperial Company to proceed with the base bid contract of \$215,800.00 and reviewing the available budget with Town staff and members of Epoch Arts Inc. to determine whether bid alternates will be considered once the existing roofing material has been removed.

If you have any questions regarding the above or the enclosed information, please don't hesitate to contact me at (860) 633-8770.

Sincerely,

Brandon J. Handfield, P.E.
Associate

Enc. Bid Tabulation

EPOCH ARTS - ROOF REPLACEMENT
 BID OPENING - 2:00 PM, TUESDAY, JULY 30, 2013
 EAST HAMPTON TOWN HALL

				Beaulieu Company		Domack Restoration, LLC.		The Imperial Company, Inc.		Silktown Roofing	
				Yes	No	Yes	No	Yes	No	Yes	No
Acknowledge Addendum No. 1 dated 07/11/13				X		X		X		X	
Acknowledge Addendum No. 2 dated 07/17/13				X		X		X		X	
Acknowledge Addendum No. 3 dated 07/24/13				X		X		X		X	
Amended Bid Proposal				X		X		X		X	
Non-Collusion Affidavit				X		X		X		X	
Bidders Qualification Statement				X		X		X		X	
CHRO – Contract Compliance Regulations Notification to Bidders				X		X		X		X	
Contractor's Minority Business Enterprises Utilization Form					X	X		X		X	
Affidavit Minority Business Enterprises				X		X		X		X	
Non-Collusion Affidavit of Subcontractor					X	X		X		X	
Contractor Certification Regarding OSHA				X		X		X		X	
Subcontractor Certification Regarding OSHA					X	X		X		X	
5% Bid Security				X		X		X		X	
ITEM NO.	CONSTRUCTION ITEM	QUANT.	PAY UNIT	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
1	Base Bid No. 1 - Roof (A) Replacement	1	LS		\$129,500.00		\$112,000.00		\$128,000.00		\$134,034.00
2	Base Bid No. 2 - Roof (B&C) Replacement	1	LS		\$121,550.00		\$120,000.00		\$87,800.00		\$121,172.00
3	Bid Alternate No. 1 - Warehouse No. 1 Roof Replacement	1	LS		\$41,132.00		\$32,000.00		\$30,850.00		\$30,038.00
4	Bid Alternate No. 2 - Warehouse No. 2 Roof Replacement	1	LS		\$10,283.00		\$14,000.00		\$14,950.00		\$22,252.00
5	Bid Alternate No. 3 - Install Gutters & Downspouts - Roof B&C)	1	LS		\$12,450.00		\$4,650.00		\$11,550.00		\$18,900.00
6	Bid Alternate No. 4 - Install Hatchway on Roof (C)	1	LS		\$4,807.00		\$4,200.00		\$2,900.00		\$1,887.00
7	Bid Alternate No. 5 - Removal of Stairwell on Roof (A)	1	LS		\$13,580.00		\$10,000.00		\$8,500.00		\$3,160.00
A	Replacement of Damaged or Deficient Wood Roof Decking	1	SF	\$12.00		\$7.25		\$5.00		\$8.00	
B	Replacement of Damaged or Deficient Corrugated Metal Roof Decking	1	SF	\$8.00		\$9.00		\$5.75		\$6.50	
C	Replacement of Damaged or Deficient Concrete Roof Decking	1	SF	\$12.00		\$12.50		\$17.00		\$20.00	
BASE BID TOTAL					\$251,050.00		\$232,000.00		\$215,800.00		\$255,206.00
GRAND TOTAL					\$333,302.00		\$296,850.00		\$284,550.00		\$331,443.00

- Bid results depicted on this tabulation were opened and read aloud at 2:00pm, Tuesday July 30, 2013 at the East Hampton Town Hall
- Unit Price in Words and Estimated Quantities were used in calculating Bid Tabulations if mathematical inconsistencies were found on Bid Proposal Forms.
- The Imperial Company, Inc. is the apparent low bidder.

**TOWN OF EAST HAMPTON
AGENDA REPORT**

AGENDA ITEM: 6b

DATE: July 1, 2013
SUBJECT: **Town Hall copiers**
DEPARTMENT: Finance

BACKGROUND

The Town is currently due to replace its current copier inventory over the next several months. The Town leases its copiers and has a current inventory of 12 copiers. All of these copiers have been leased through A&A Office Systems Inc. Included in the 12 copiers are one for the WPCA and one for the Chatham Health District. Currently, all copiers with the exception of one are off lease and are approaching 5 years of age. As units approach the end of their useful life they will need to be replaced. A&A Office Systems currently holds a state contract for copiers (#12PSX0026) and I am recommending that Town Council authorize the Town of purchase off of this contract.

RECOMMENDED MOTION

Resolved that the Finance Director be authorized to procure goods and services from A&A Office Systems Inc. of Middletown, CT in accordance with State of CT contract #12PSX0026.

ALTERNATIVE ACTIONS

Bid for the copiers.

FISCAL IMPACT The cost for all copiers excluding the WPCA and Chatham Health District is approx. \$1,500 per month.

TOWN OF EAST HAMPTON AGENDA REPORT

Agenda Item: loc

Item to be presented by: Tom McMahon
Director of Technology

DATE: July 22, 2013

SUBJECT: IT Network Equipment

DEPARTMENT: Capital Reserve Fund / Board of Education

Product Line	Product Description	Vendor	Contract	Estimated Value
Dell/Sonicwall	Router	CDWG	PEPPM	\$23,000
Meraki	Switches	CDWG	PEPPM	\$55,000

REQUEST

The East Hampton Board of Education IT Department requests permission to purchase networking equipment by utilizing PEPPM National Cooperative Contracts.

BACKGROUND

This project focuses on upgrading the IT infrastructure of the East Hampton Public Schools to current standards. The majority of the equipment being replaced is "End of Life", which is an indication from the manufacturer that the product is in the end of its useful lifetime and will no longer be supported. Once installed, this equipment will allow the Public Schools to take advantage of data speeds appropriate to the services that we are required to provide.

The PEPPM Program is the result of a nationally affiliated group of Agencies, coordinated by the Central Susquehanna Intermediate Unit, a.k.a. "CSIU", which seeks and awards bids on technology equipment, software and supplies on behalf of schools, agencies and libraries. This program called PEPPM (pronounced PEPum), is a national technology bidding and purchasing program for schools, agencies and libraries.

The educational agencies soliciting the bids for their respective jurisdiction have individually awarded bids in their respective states, based on their own applicable statutes. However, the Agencies come together nationally for the purpose of aggregating their demand for product and their buying power. In so doing, they have coordinated the bidding process with each other, and have centrally evaluated the bid responses. After awards, they coordinate on publicizing the contracts to school districts and other eligible agencies.

RECOMMENDED MOTION

Motion to authorize the Board of Education to purchase from CDWG, the above networking equipment from the PEPPM National Cooperative Contract.

ALTERNATIVE ACTIONS

Bid the requested equipment

FISCAL IMPACT

This project will be funded from the school technology capital account (93009) which has previously been approved by the Capital Committee, Board of Finance, and the Town Council. There is currently \$87,553 available for this project.



ANCHOR

ENGINEERING SERVICES, INC.

AGENDA
ITEM # 60d

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41 Sequin Drive • Glastonbury, CT • 06033

August 1, 2013

Mr. Michael Maniscalco
East Hampton Town Manager
20 East High Street
East Hampton, CT 06424

Re: On-Call Storm Drainage Installation & Repair, Contractor Recommendation
East Hampton, CT

Dear Mr. Maniscalco:

Anchor Engineering Services, Inc. has completed a review of the bids submitted for the above referenced project. Enclosed please find the project bid tabulation.

As shown in the tabulation, H.E. Butler Construction Company (Butler Construction) submitted the lowest total bid in the amount of \$165,950.00.

Per the Town of East Hampton's knowledge of previous work performed by Butler and the submission of the lowest qualifying bid, Anchor Engineering Services, Inc. recommends that Butler Construction be awarded the 2-year contract for On-Call Storm Drainage Installation & Repair.

If you have any questions regarding the above or the enclosed information, please don't hesitate to contact me at (860) 633-8770.

Sincerely,

Brandon J. Handfield, P.E.
Associate

Enc. Bid Tabulation

ON-CALL STORM DRAINAGE INSTALLATION & REPAIR

BID OPENING - 2:00 PM, TUESDAY, JULY 9, 2013

EAST HAMPTON TOWN HALL

				H.E. Butler Construction Company, LLC		Wiese Construction, Inc.	
				Yes	No	Yes	No
5% Bid Security				X		X	
Non-Collusion Affidavit				X		X	
Bid Proposal				X		X	
Equipment List				X		X	
Project Reference Form				X		X	
Acknowledge Addendum No. 1 dated 07/3/13				X		X	

ITEM NO.	CONSTRUCTION ITEM	QUANT.	PAY UNIT	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
1	Underdrain	2,000	LF	\$22.25	\$44,500.00	\$39.00	\$78,000.00
2	12" Dia. HDPE Pipe	200	LF	\$35.00	\$7,000.00	\$45.00	\$9,000.00
3	15" Dia. HDPE Pipe	200	LF	\$38.00	\$7,600.00	\$45.00	\$9,000.00
4	Type 'C' Catch Basin	5	EA	\$2,280.00	\$11,400.00	\$2,000.00	\$10,000.00
5	Type 'CL' Catch Basin	5	EA	\$2,280.00	\$11,400.00	\$2,000.00	\$10,000.00
6	Catch Basin Infiltrator	5	EA	\$3,500.00	\$17,500.00	\$2,500.00	\$12,500.00
7	Type 'DG' Endwall	5	EA	\$2,750.00	\$13,750.00	\$1,000.00	\$5,000.00
8	Type 'L' Endwall	5	EA	\$2,500.00	\$12,500.00	\$1,000.00	\$5,000.00
9	12" Dia. HDPE Flared End Unit	5	EA	\$250.00	\$1,250.00	\$350.00	\$1,750.00
10	15" Dia. HDPE Flared End Unit	5	EA	\$250.00	\$1,250.00	\$375.00	\$1,875.00
11	12" Dia. Concrete Flared End Unit	5	EA	\$700.00	\$3,500.00	\$375.00	\$1,875.00
12	15" Dia. Concrete Flared End Unit	5	EA	\$750.00	\$3,750.00	\$375.00	\$1,875.00
13	Underdrain Flared End Unit	5	EA	\$250.00	\$1,250.00	\$200.00	\$1,000.00
14	Connection to Catch Basin	10	EA	\$250.00	\$2,500.00	\$50.00	\$500.00
15	Pavement Repair	500	SY	\$40.00	\$20,000.00	\$35.00	\$17,500.00
16	Topsoil, Seed, Fertilize & Mulch	1,000	SY	\$6.80	\$6,800.00	\$5.00	\$5,000.00
TOTAL					\$165,950.00		\$169,875.00

1. Bid results depicted on this tabulation were opened and read aloud at 2:00pm, Wed. 7/9/13 at the East Hampton Town Hall
2. Unit Price in Words and Estimated Quantities were used in calculating Bid Tabulations if mathematical inconsistencies were found on Bid Proposal Forms.
3. H.E. Butler Construction Company apparent low bidder.



ANCHOR

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August 1, 2013

Mr. Michael Maniscalco
East Hampton Town Manager
20 East High Street
East Hampton, CT 06424

Re: On-Call Concrete Sidewalk Installation & Repair, Contractor Recommendation
East Hampton, CT

Dear Mr. Maniscalco:

Anchor Engineering Services, Inc. has completed a review of the bids submitted for the above referenced project. Enclosed please find the project bid tabulation.

As shown in the tabulation, Garofalo & Saraceno, LLC submitted the lowest total bid in the amount of \$166,700.00.

Based on a submission of the lowest qualifying bid and our review of the subsequent information submitted by Garofalo & Saraceno, LLC, Anchor Engineering Services, Inc. recommends that Garofalo & Saraceno, LLC be awarded the 2-year contract for the On-Call Concrete Sidewalk Installation & Repair project.

If you have any questions regarding the above or the enclosed information, please don't hesitate to contact me at (860) 633-8770.

Sincerely,

Brandon J. Handfield, P.E.
Associate

Enc. Bid Tabulation

ON-CALL SIDEWALK INSTALLATION & REPAIR

BID OPENING - 2:00 PM, TUESDAY, JULY 9, 2013

EAST HAMPTON TOWN HALL

					Garofalo & Saraceno, LLC	
					Yes	No
5% Bid Security					X	
Non-Collusion Affidavit					X	
Bid Proposal					X	
Equipment List					X	
Project Reference Form					X	
Acknowledge Addendum No. 1 dated 07/3/13					X	
ITEM NO.	CONSTRUCTION ITEM	QUANT.	PAY UNIT	UNIT PRICE	EXTENDED PRICE	
1	New Concrete Sidewalk	4,000	SF	\$9.00	\$36,000.00	
2	New Concrete Ramp	1,200	SF	\$11.00	\$13,200.00	
3	Concrete Sidewalk Replacement	4,000	SF	\$8.00	\$32,000.00	
4	Concrete Ramp Replacement	1,200	SF	\$10.00	\$12,000.00	
5	Concrete Curb	1,200	LF	\$32.00	\$38,400.00	
6	Bituminous Concrete	500	SY	\$45.00	\$22,500.00	
7	Topsoil, Seed, Fertilize & Mulch	1,000	SY	\$3.00	\$3,000.00	
8	Bituminous Concrete for Driveways	2,400	SF	\$4.00	\$9,600.00	
TOTAL					\$166,700.00	

1. Bid results depicted on this tabulation were opened and read aloud at 2:00pm, Wed. 7/9/13 at the East Hampton Town Hall
2. Unit Price in Words and Estimated Quantities were used in calculating Bid Tabulations if mathematical inconsistencies were found on Bid Proposal Forms.
3. Garofalo & Saraceno, LLC apparent low bidder.
4. Item no. 5 & 6 revised based upon amended quantities and unit pricing requested by Anchor Engineering and received 7/26/13 from Garofalo & Saraceno.



ANCHOR

ENGINEERING SERVICES, INC.

41 Sequin Drive · Glastonbury, CT · 06033

AGENDA
ITEM # 6f

T: 860.633.8770
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August 9, 2013

Mr. Michael Maniscalco
East Hampton Town Manager
20 East High Street
East Hampton, CT 06424

Re: Electrical System Modifications to Provide Standby Power, Contractor Recommendation
East Hampton, CT

Dear Mr. Maniscalco:

Anchor Engineering Services, Inc. has completed a review of the bids submitted for the above referenced project. Enclosed please find the project bid tabulation.

As shown in the tabulation, Higgins Enterprises, Inc. submitted the lowest total base bid in the amount of \$102,800.00 and lowest base bid plus alternates in the amount of \$94,550.00 calculated based upon State of Connecticut Prevailing Wage Rates.

Per the Town of East Hampton's knowledge of previous work performed by Higgins Enterprises, Inc. and the submission of the lowest qualifying bid proposal utilizing Prevailing Wage Rates, we recommend that Higgins Enterprises, Inc. be awarded the contract to provide standby power to Memorial School, Center School and the Middle School as described in the bid documents.

Prior to formally awarding the project to Higgins Enterprises, Inc. and executing an agreement, we recommend reviewing the available project budget to determine whether bid alternates will be considered at this time. If you have any questions regarding the above or the enclosed information, please don't hesitate to contact me at (860) 633-8770.

Sincerely,

Brandon J. Handfield, P.E.
Associate

Enc. Bid Tabulation

Cc: Kevin Reich, Operations Manager, East Hampton Public Schools

ELECTRICAL SERVICE MODIFICATIONS - STANDBY POWER							
BID OPENING - 2:00 PM, WEDNESDAY, JULY 3, 2013							
EAST HAMPTON TOWN HALL							
BIDDER	Bids Received						
	BASE BID NO. 1	BASE BID NO. 2	BASE BID NO. 3	BID ALT. NO. 1	BID ALT. NO. 2	PROJECT TOTALS (BASE BIDS)	PROJECT TOTALS (WITH ALTERNATES)
Daniels Electric	\$ 32,400.00	\$ 24,300.00	\$ 40,700.00	\$ (5,200.00)	N/A	\$ 97,400.00	\$ 92,200.00
Electrical Services Group	\$ 43,540.00	\$ 33,191.00	\$ 51,403.00	\$ (6,102.00)	N/A	\$ 128,134.00	\$ 122,032.00
Higgins Enterprises	\$ 35,450.00	\$ 24,850.00	\$ 42,500.00	\$ (8,250.00)	N/A	\$ 102,800.00	\$ 94,550.00

Bid Tabulation Clarifications:

1. Bid results depicted on this tabulation were opened and read aloud at 2:00pm, Wednesday 7/3/13 at the East Hampton Town Hall
2. Bids received from Electrical Services Group & Higgins Enterprises were submitted based upon State of CT Prevailing Wage Rates.
3. Higgins Enterprises, Inc. apparent low bidder for base bid only and base bid plus alternates calculated based upon State of CT Prevailing Wage Rates.

Business Incentive Program Ordinance

A. Business Incentive Program Ordinance; Authority

Subject to Connecticut General Statutes (CGS) Sec. 12-65b and Sec. 12-65h the Town of East Hampton (the Town) may, by affirmative vote of its legislative body, enter into a written agreement with any party owning or proposing to acquire an interest in real property, or in interest in real property upon which is located or proposed to be located a manufacturing facility as defined in subdivision (72) of CGS Sec. 12-81, fixing the assessment of the real property and all improvements to be constructed thereon and therein or of the personal property located in the manufacturing facility, which is the subject of the agreement in accordance with the provisions of Section I of this Ordinance.

B. Purpose

The purpose of the Business Incentive Program is, in accord with the Town's Plan of Conservation and Development (POCD), to attract new businesses to the Town, promote the expansion of existing businesses (including home-based businesses relocating into commercial and industrial zones), and to encourage the rehabilitation and reuse of vacant commercial and industrial buildings. It is the intent of the Town: (1) to assist in the creation of jobs for local residents, (2) to create long term tax base growth through the appropriate replacement, reconstruction, expansion or remodeling of existing business facilities, (3) to encourage the construction of new commercial and industrial facilities in accord with the Future Land Use Plan found in the Town's POCD, and (4) to encourage substantial investment in new machinery, equipment and other personal property subject to taxation within the Town.

C. Economic Development Commission

The East Hampton Economic Development Commission (EDC or "the Commission") shall provide any property owner or lessee with general information concerning the Business Incentive Program (the Program), prepare and supply interested parties with an Application to participate in the Program and any other information that may be reasonably requested by an interested party. An "interested party" is one who owns or proposes to acquire an interest in real property as defined in CGS Sec. 12-65b and who is considering replacement, reconstruction, expansion, or remodeling of existing business facilities located or to be located in East Hampton. The EDC may perform research about any party applying to participate in the Program and may request of any such party any relevant information that in the opinion of the EDC bears upon consideration of the application. The EDC shall obtain from the Tax Assessor an evaluation of the impact of any proposed abatement of taxes on the applicable Grand List and an estimate of the impact on future Grand Lists.

D. General Requirements

Applications properly filed with the Town will be considered for the Program, provided:

1. Applicant must possess a good environmental practices history and be able to demonstrate adequate financial strength to finance the proposed capital improvements

- and expansions to the real property and machinery and equipment purchases that would be the subject of the agreement.
2. The proposed use is located in an appropriate zone as defined by East Hampton's Zoning Regulations.
 3. The proposed use receives approvals, licenses, and permits of the East Hampton Planning and Zoning Commission and of other East Hampton, State of Connecticut and federal agencies, boards, commissions, and officials having jurisdiction with respect to the project, as required.
 4. No real estate property tax or other tax or fee or municipal charge due East Hampton by the Applicant, the businesses, or any other business organization or entity owned or controlled by the Applicant is unpaid at the time the Application is submitted or at any time thereafter.
 5. If the Applicant is relocating its business to East Hampton, the applicant should provide a five year history of tax assessments and payments to the municipality or municipalities and/or other political subdivisions in which its business was operated.
 6. The project must have a clear economic benefit to East Hampton, as described by the Applicant on the application.

E. Application Procedure

All tax incentive requests shall be made in writing on a form referred to as Business Incentive Program Application ("the Application") published and provided by the EDC and approved by the Town Council ("Council"). The application and all accompanying documentation shall be submitted in duplicate at the Office of the Town Clerk. Upon receipt by the Clerk, one copy of the Application and materials shall be provided to the EDC for preliminary review and the Clerk should provide notice to the Council that an Application has been submitted. "Receipt by the Clerk" means an Application and all accompanying documentation required in accordance with all applicable provisions of this Ordinance is submitted.

The following timeframes for action are not mandatory, but the EDC and the Council should strive to meet them: From date of receipt by the Clerk of the Application the EDC shall have 45 days to review the Application, request additional information and meet with the Applicant and/or the Applicant's representative. Provided the Applicant has submitted all of the information required in the Application, by the Ordinance, and by the EDC, the EDC will within 30 days thereafter report its findings to the Council. The Council will place the report on the agenda of the next regularly scheduled Council meeting for discussion and at their following meeting take action. If the Council approves the report, the Town Manager and the Applicant shall enter into a written agreement.

F. Assessment of the Property Subject to the Agreement

The East Hampton Assessor shall, in the Assessor's sole discretion, determine the assessment of the real property or the personal property and any and all improvements constructed or to be constructed on or in the real property which is the subject of the agreement.

G. Guidance for Scoring Applications and Implementing this Ordinance

The purpose of this ordinance is to encourage economic growth in the Town that is in accord with the POCD in effect at the time of the given application. The POCD reflects the strongest expression of the Town's intentions for its future development, character, and quality of life. Accordingly, there is room for flexibility in scoring under Criteria listed in Section H of this Ordinance.

When scoring a new application, the members of the EDC should strive for consistency and transparency. Like applications should receive like treatment. It is appropriate – even essential – for the EDC to consult the scoring of previously granted applications when scoring a new application. Consistency between like applications must be balanced, however, with the goals of the POCD in effect at the time. Where no similar application has been submitted, care should be taken to score the new application relative to the goals of the POCD and relative to the merits of any previous application.

When approving or denying an application the EDC should issue a written statement showing the scoring and briefly explaining its reasoning. The EDC is the final arbiter of applications under this Ordinance.

H. Scoring Criteria Category Definitions

1. Location: Projects within those areas zoned “Commercial” or “Industrial” according to the Zoning Map for the Town of East Hampton (*see* POCD) are eligible for scoring under this category. Properties in those zones are eligible for a maximum of 5 points with the following exceptions:
 - a. Village Center: Properties located in the Village Center district as defined by the Zoning Map for the Town of East Hampton are eligible for a maximum of 10 points.
 - b. Cobalt Center: Properties located on Route 66 between its junction with Old Depot Hill Road and its junction with Old Middletown Road are eligible for a maximum of 7 points.
2. Use: In accord with the needs identified by the POCD and as appropriate to the site and location in town, the following uses may qualify for points: Transient housing (hotels/motels), rental housing, workforce housing, light industrial/light manufacturing, healthcare and medical services, high-technology businesses, retail, and dining. Projects for these uses may be awarded 5 points. At the EDC’s discretion, “high needs” uses under these categories may be awarded up to 10 points.
3. Brownfields: East Hampton contains a number sites designated as “Brownfields” by the USEPA. Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties protects the environment, reduces blight, and takes development pressures off greenspaces and working lands – all of which are goals of East Hampton’s POCD.

Any application that proposes to remediate and commit to reuse a Brownfield as designated by the EPA or the State of Connecticut is eligible for 10 points.

Depending upon the project, financing and other factors, the Town may also seek to partner with the applicant for Federal grant funding or supply other in-kind considerations.

4. Revitalization of an existing, inhabited structure, such revitalization defined as at least:
 - a. Façade improvement: Substantial investment in improving the outward appearance of the structure or to restore non-trivial deterioration as determined by the Commission, or
 - b. Rehabilitation: Significant alteration of the interior and/or exterior of a property that would result in a greater than 25% increase in its valuation, or
 - c. Historical: Additional points may be awarded to either of the forgoing categories where the property is designated as “historic” by recognized Town, State or National authorities (including the Connecticut Trust for Historic Preservation), or lies within a Town-designated historic district, and such designation or location requires the adoption of techniques or design elements.

The Commission may award between 5 and 10 points for any project that falls into one of these three categories. Placement in the range is at the discretion of the Commission and will take into account such things as the cost and difficulty of the work.

5. Use of a Vacant Property: The applicant may be awarded 5 points if proposing to occupy a building which has been unoccupied for a period greater than 12 months at the time the applicant signed a lease or closed on the property. If, in the opinion of the EDC, the property can be considered “blighted,” 10 points may be awarded.
6. Number of Jobs Created: Points may be awarded based upon the number of non-seasonal Full Time Equivalent positions (FTEs) the business will generate:

1-5 FTEs: 5 points
5-10 FTEs: 7 points
More than 10 FTEs: 10 points

7. Cost of Services to the Town: A project or use proposed by an applicant may require the Town to assume an extraordinary cost beyond those costs contemplated by an impact fee. For example: a chemical manufacturer may require the Town to retrain and potentially re-equip its fire protection services. If the Commission determines such is the case, no points may be awarded under this category.

If no such cost exists, 5 points may be awarded.

The Commission may ask the Applicant to pay for a Fiscal Impact Analysis, to be conducted by a consultant approved by the Commission.

The Applicant may be given the opportunity to show that the Commission’s determination of the cost to the Town is in error, however, the Commission makes the final determination

8. Design of the Building or Renovation: The Commission may award 10 points when applicant can show that the design of the renovation brings the structure into compliance with current Town Building Design Guidelines for its zone.

The Commission may award 5 points when an applicant can show that the design of a new structure complies with current Town Building Design Guidelines for its zone.

9. Sustainable Building: The Commission may award 2 points for each of the following and up to 10 points total:

- If the investment will result in the business generating at least 20% of its own energy requirements.
- If the investment will result in the business feeding energy back into the grid.
- If the project meets at minimum LEED Gold standard or equivalent (As of this writing, LEED is the dominant evaluation system in the US market and the one favored for use by the GSA.)
- If the project requires a public transportation node such as a bus stop.
- If the project supplies a recharge station for electric vehicles.
- Water-saving fixtures throughout.

“Sustainability” characteristics and measures are constantly evolving and the Commission may update this list periodically as it sees fit.

10. Amount Invested

10 points	\$3M or larger investment in construction or renovations
9 points	\$1M or larger investment in construction or renovations
8 points	\$800k or larger investment in construction or renovations
7 points	\$500k or larger investment in construction or renovations
6 points	A business new to that parcel investing over \$300k or a business existing on that parcel investing at least \$250k in construction or renovations
5 points	A business new to that parcel investing over \$200k or a business existing on that parcel investing at least \$100,000 in construction or renovations

I. Tax Incentive Tiers and Implementation

Depending upon the number of points an Application receives, it may be denied or, subject to a vote by the Council, provided with one of tiers of tax abatement as follows:

Fewer than 24 points: Denied

25-44 points: Third tier benefit: 70% of fixed assessment abated for two years, or 50% of fixed assessment abated for four years.

45-69 points: Second tier benefit: 70% of fixed assessment abated for three years, or 50% of fixed assessment abated for five years.

More than 70 points: Highest benefit: 100% of fixed assessment abated for years 1-3, 70% of fixed assessment abated for years 4-5, 50% of fixed assessment abated for year 6.

The Town may abate real estate property taxes based on increased real property tax assessments up to but not more than the percentages shown above.

The fixed assessment period shall commence the first fiscal year for which a tax list is prepared on the [DATE] immediately following the issuance of a Certificate of Occupancy by the appropriate building official for construction of the buildings or manufacturing facilities or other structures and all improvements in or on the real property which is the subject of the agreement. Notwithstanding anything written in this Ordinance, the Town may, in its sole discretion, offer to enter into an agreement with the Applicant for the abatement of taxes of a lesser percentage and/or fewer years.

On a case by case basis, the Town may provide other incentives in addition to the incentives provided by CGS Sec. 12-65b and Sec. 12-65h or in lieu thereof as follows: (1) waiver of building permit fees; (2) waiver of filing fees with land use agencies; or, (3) provision of in-kind services such as construction of access roads, or road widening, construction of storm drains and culverts, sidewalks, or curbing, extension of water and/or sewer lines or other public improvements.

Machinery and equipment defined in subdivision (72) of CGS Sec. 12-81 and intended to qualify for tax relief pursuant to Sec. 12-65h shall have for federal income tax purposes a depreciable useful life of five or seven years.

Construction shall commence within six months of approval by the Town and shall be completed no later than 24 months from the date of approval by the Town. The times for commencement and completion of the construction are mandatory except Applicant's performance may be excused when the Applicant is prevented from performing by causes beyond the Applicant's control, including natural disasters or other calamities or a state or national declared state of emergency.

J. Default by the Owner or Lessee Under the Terms of the Agreement

In the event the owner or lessee of the real property:

1. Fails to pay real estate and/or personal property taxes when due and payable;
2. Fails to commence or complete on time the construction of all improvements upon the property which is the subject of the agreement;
3. Becomes insolvent or bankrupt or files any debtor proceedings or others file such debtor proceedings against the owner or lessee, in any court, in any jurisdiction, state or federal, and does not withdraw such filing within 90 days or such other proceedings have not been dismissed or withdrawn by such other parties within 90 days or makes an assignment for the benefit of creditors or if the property or lease is taken under and writ of execution or becomes the subject of foreclosure proceedings;
4. Abandons the real property or in the case of the lessee purports to assign its lease without the express consent of the Town as set forth in Section K of this Ordinance;
or,
5. Fails to perform any obligation of owner or lessee under the terms of the agreement;

such event shall constitute a material default of the agreement and the Town may terminate the agreement on the giving of written notice whereupon (a) the right of the owner and/or lessee under the terms of the agreement shall cease and come to an end; and (b) the property owner and/or lessee shall be obligated to repay the Town the amounts of all tax abatements retroactive to the due date of the first abated tax payment plus interest at the rate set and payable pursuant to provisions of CGS Sec. 12-146, all waived fees, if any, and all actual costs to the Town in providing in-kind considerations to the property owner and/or the lessee.

In the event of failure to pay a tax when due and if such delinquency continues for six months and one day, the Town shall terminate the agreement whereupon (i) the right of the owner and/or lessee to receive the tax abatement and any other considerations granted under the terms of the agreement shall be terminated; and (ii) the property owner and/or lessee shall be obligated to repay the Town the amounts of all tax abatements retroactive to the due date of the first abated tax payment plus interest at the rate set and payable pursuant to provisions of CGS Sec. 12-146, all waived fees, if any, and all actual costs to the Town in providing in-kind considerations to the property owner and/or the lessee.

K. Assignment of the Agreement

The agreement between the town and the Applicant shall not be assigned by the Applicant to any person(s) or business organization or entity or estate or trust without the express consent of both the Council and the Board of Finance which shall signify their consents by an affirmative vote taken at a separate meeting of each body duly noticed for the stated purpose. A conveyance of real property or a transfer of ownership of the business or substantially all of the assets of the business which is the subject of the agreement to a person or business organization or entity that is not owned or controlled by the Applicant, shall not constitute a valid assignment of the agreement or vest any rights under the agreement in the grantee of the real property or transferee of the business or of the assets of the business or allow for enforcement of any obligations of the Town against the Town by the grantee or transferee including but not limited to any remaining tax abatements under the terms of the agreement. A "controlled entity" means a business which is eighty or more percent owned by the grantor or transferor.

L. Amendments to Applicable Statutes

All references in this Ordinance to CGS Sec. 12-65b or Sec. 12-65h or Sec. 12-81 or any other section of CGS made herein shall include all amendments to such statutes enacted and signed into law subsequent to the effective date of this ordinance.

M. Effective Date

This ordinance shall become effective fifteen days after publication in a newspaper having circulation in the Town. Adopted _____, [date]. Published [paper], [date]/

**TOWN OF EAST HAMPTON
AGENDA REPORT**

Agenda Item: 7b

Item to be presented by: Jeff Jylkka

DATE: August 13, 2013

SUBJECT: Pension plan authorized representative

DEPARTMENT: Finance

BACKGROUND

The Town of East Hampton currently administers and maintains a defined benefit pension plan to provide benefits to substantially all full time employees, except certified personnel of the Board of Education who are covered under the State Teachers' Retirement System.

The Town Council at their October 22, 2011 meeting approved the Town Manager (John Weichsel) as an authorized plan representative. A resolution is needed to update the name of the authorized signer.

RECOMMENDED MOTION

Resolved, that the Town Manager, Michael Maniscalco is authorized to act as a representative for the Town of East Hampton Retirement Income Pension Plan.

ALTERNATIVE ACTIONS

None

FISCAL IMPACT

None

Town of East Hampton
 Water Pollution Control Authority
 P.O. Box 218, 20 Gildersleeve Drive
 East Hampton, Connecticut 06424-0218
 Telephone (860) 267-2536, FAX (860) 267-9913

To: Mike Maniscalco, Town Manager
 XC: Jim Carey, Thad King
 Re: Additional water supply for the VCWS
 Date: August 7, 2013
 From: V. F. Susco, Jr.

A potable water supply well is characterized as the groundwater portion of the hydrologic cycle. As the name implies, groundwater comes from either the cracks or crevices found in bedrock or in pore spaces found in the saturated zone of sand and gravel aquifers. The difference between a well in bedrock and one in sand and gravel is the difference between night and day. Bedrock wells are limited in production and their water quality has shown to deteriorate over time. Sand and gravel wells produce greater volumes, have a sustained yield, and show very little deviation in water quality over time.

The geology of East Hampton has proven to have very few sand and gravel aquifers, this has resulted in East Hampton's dependence upon bedrock wells. The development of additional bedrock wells to augment the VCWS has been studied in the past but to no avail. The failure to add additional supply can be found in how a public water supply is permitted in the State of Connecticut. It is neither simple, quick, nor inexpensive. It requires outside professional expertise and the buy-in from the public at every step. Each step can become complicated and take on a "life of its own".

The development of a public water supply well requires the following steps:

- Source Investigation, Test Boring and Pump Testing
- Regulatory Permitting and Environmental Analysis
- Engineering Design
- Construction Design
- Debt and Maintenance Costs

Source Investigation, Test Boring and Pump Testing – In the State of Connecticut the Department of Health Services oversees the quality of the water to be utilized for a public water system.

First, to site a potential well or wellfield, available land must be located in a relatively undeveloped area, keeping in mind that property within the sanitary radius of each proposed well must be in the direct control of the utility, aquifer protection regulations could extend certain indirect controls outward from the 200-foot limit.

A Data Collection Plan is the next step. This document is a “paper review” and includes a review of geological information based on published data such as bedrock and surface geological maps, soil survey maps, and well records. Also included would be an evaluation of hydrogeologic conditions, including watershed size and recharge capability. The Town has performed numerous “paper” studies dating back to the 1960’s. These studies have shown that very few areas in the town have groundwater potential. Further information can be found in the Town’s Water Supply Plan.

Upon review of this information a test well can then be installed. Long term pump testing/yield testing (typically 5 days per Town regulations) is conducted in accordance with DEEP and DPH requirements to evaluate safe yield. It is important this testing be deemed “acceptable” by these departments; therefore the testing is conducted during the low flow conditions, such as the fall of the year. Level ‘A’ aquifer modeling is not required for a rock well but is for a sand and gravel well.

Regulatory Permitting and Environmental Analysis – With a positive source investigation, installation of a test well and pump testing in hand, the process of obtaining regulatory permits and approvals at the local, state, and federal levels to use the water can begin. The Phase 1-A Application for Certificate of Public Convenience & Necessity sets the stage for development of the water supply and quickly can lead to municipal planning & zoning and inland wetland permits and approvals. If not already available, inland wetland delineations are necessary to determine impacts (due to filling for construction) or indirect wetland impacts (due to groundwater drawdown). Bedrock wells typically have limited withdrawal rates not requiring Army Corps of Engineers Permit or 401 Water Quality Certification, however, sand and gravel wells will require these permits. If all conditions are met only the DOHS can designate the test well as a potable water supply.

In the State of Connecticut the Department of Energy and Environmental Protection oversees the quantity of groundwater withdrawals. A DEEP Water Diversion Permit is required for all groundwater withdrawals exceeding 50,000 gallons per day (gpd). A single bedrock well will not produce this limit, however, multiple bedrock wells in a single field could and so, a water diversion permit application will be required once the limit is exceeded. It must include: additional wetlands hydraulic analysis, results of a five-day aquifer pump test and several additional reviews. The diversion analysis predicts the response of the aquifer and watercourses under different pumping scenarios. It will determine exactly where the water will come from, the amount that can be withdrawn and how many wells can be installed. The amount of the permitted withdrawal is most important to the DEEP and the Town. The VCWS has a safe yield of 21,600 gpd so, depending upon the “additional supply” a Water Diversion Permit may or may not be required.

Engineering Design – At this point the need for professional engineering becomes paramount. This would include: how is this water supply to be integrated into the current VCWS. What type of treatment will be necessary, where will the treatment be offsite/onsite, if offsite, where will it be located, what is necessary to connect to the existing distribution system, what pump sizes and settings will be necessary and finally how is water storage to be handled.

Construction Design - System components and integration of a new potable water supply for the VCWS is heavily dependent upon two fundamental components:

- First, the location of the new water supply source and treatment plant to the current VCWS.
- Second, the proposed water demand within the current VCWS system. Will the need for more water be at the north end of the system ultimately leading to servicing the Route 66 corridor or to the south to stem known contamination issues at the Colchester Avenue Citgo Station.?

Maintenance and Debt Costs - Annual maintenance operating costs will include; land leasing (if the property cannot be purchased) for any infrastructure to be built, electric supply, emergency (backup) power supply, water treatment equipment and chemicals, pipe and pump repairs and replacement, and regulatory compliance such as water testing, manpower, etc, etc, etc. The question that always needs to be asked is “will the added expense be offset by the customer base to be served?”

Summary

The area immediately surrounding the VCWS does not lend itself to finding additional water supplies as the area is “highly developed” making it difficult to establish the necessary sanitary radius and the long history of documented contamination in the area will prohibit the DOHS from siting a well (refer to the recent 13 Summit Street decision).

To the south, the next nearest site to the VC would be the “Pelletier” property located off of South Main Street. This was recently proposed to the Town Council for purchase but no action was taken.

To the north, the Christopher Brook area was explored in the 1990’s to no avail and interconnecting with the Edgemere Condominium Association has severe drawbacks due to a lack of a suitable second supply.

Further away to the southwest groundwater exploration was proposed for the Butler Sand Pit, corner of Route 16 & 149, but the property owner declined our invitation.

To the west, and further away, investigations conducted at two well locations along the Connecticut River, namely the ‘Rand Property’ and the ‘High Point Estates’ property proved not worthy. Discussions to utilize the “Pine Brook Aquifer” were tabled several years ago due to limited potential but could serve as a starting point again depending upon the quantity desired.

Several interconnections have been discussed: Interconnecting the VCWS with the ROWS was discussed but the additional supply from the ROWS fourth well was not significant enough to overcome the cost of the interconnection. Interconnecting with the Library/Senior Center system provided a reliable “second” source for the library but did little to augment the supply of the VCWS.

Water regionalization discussions with other water suppliers in the Town has some promise but they have been stymied due to a lack of excess supply. Since inception, the Spice Hill area has added ten more wells to meet the same demand and they still must truck water during the summer. Poor water quality on a large parcel off of Route 66 was the downfall of those discussions. Currently discussions with a local developer and the Connecticut Water Company are on-going for water rights from the Laurel Ridge system.

Recently a "spring" was offered to resolve the issues of the VCWS. Recognizing the state will never approve a spring but would potentially consider a properly installed water supply well, several concerns have to be considered; adequate sanitary radius, adequate safe yield, access to the site and proper treatment.

Finally, the subject of water is never far removed, especially as we enter the late summer and early fall when ground water levels reach their annual low point. To emphasize this, as recently as Monday, August 5, 2013 the WPCA received an inquiry for water service at 17 Watrous Street, for Bevin Bell Manufacturing, LLC. Our records indicate a similar call was received last year about this same time as the lack of water from the private well serving the property continues to be an issue. This request when added to the request for 13 Summit Street will exceed the safe yield of the VCWS.

CHATHAM HEALTH DISTRICT

Serving the Towns of Colchester, East Haddam, East Hampton, Haddam, Hebron, Marlborough & Portland

To: Michael Maniscalco, East Hampton Town Manager

Cc: Vincent Susco, Jr., Public Utilities Administrator, Brandon J. Handfield, P.E., Anchor Engineering, James Carey, Administrator of Planning Zoning Building

From: Thad King, Director of Health *TK*

Date: 08/05/2013

Re: Village Center Water System – Additional Water

The question of bringing additional water to the Village Center Water System is dependent upon two additional factors which are undefined within the context of this request. First, what is the preferred source of the water and second what is the desired quantity.

Typically the quantity drives the choice of the source. If the interest is only to meet the request of the proposed 13 Summit Street development, the quantity required is 7,000 gallons per day, which is currently the Village Center System excess water capacity. No additional connections however could be allowed to the system. That amount of water can be supplied by a bed rock well approved for withdrawal of 6.5 gallons per minute but less than 10 gallons per minute.

A more proactive approach would be to look at existing potential connections, such as those properties with known contamination, and project future demand. The quantity required is not likely to be reliably supplied by low yielding bedrock wells.

The two alternatives that have been previously considered that are most promising outside of a town wide system are:

1. Interconnection of existing systems. Included in this option would be Royal Oaks, the Community Center Water System, and the approved system for the proposed development on South Main Street, presently not owned by the Town.
2. Development of a water supply well in sand and gravel on Town property in the Pine Brook aquifer.

Alternatives and system development are detailed in the East Hampton Water Supply Plan most recently updated in 2010 and is the best available reference for the public health related discussion on this matter.

Agriculture Commission Ordinance / Version 2 – Draft 8/8/13

Whereas: The town of East Hampton recognizes that there is a significant amount of land and residents participating in an agricultural way of life.

Whereas: The Town of East Hampton wishes to enhance communication between the Municipal body and the East Hampton agricultural community.

Whereas: The Town of East Hampton wishes to promote, protect and preserve the quality of life and the character of East Hampton as per the East Hampton Plan of Conservation and Development.

Be it resolved that the Town of East Hampton hereby creates an Agriculture Commission (the “Commission”) to be advisory to the Town Council and other Town officials and follow the provisions set forth in Connecticut General Statutes 7-131a. and Public Act No. 11-188 in addition to the following charges.

CHARGES: The Commission shall extol the role of East Hampton’s natural resources and agriculture as major contributors to the Town’s quality of life and the economy. The Commission will advocate for agricultural issues before non-profit agencies, civic organizations, municipal boards and commissions, elected officials and residents. The Commission will adhere to and promote East Hampton’s “Right to Farm” ordinance while fostering public awareness of the importance of agriculture and how this enhances and preserves East Hampton’s small town character.

In addition, the Commission shall:

1. Provide information to local farmers and to municipal boards and commissions about the benefits of a balance between agriculture and other land uses.
2. Provide information and guidance on protecting farmland and agricultural viability -- related to zoning, wetlands, watercourses, public works and others – to town departments and other boards and commissions and residents.
3. Promote the value of agriculture to the Town in areas of property taxes, environment, employment and other quality of life and economic issues.
4. Increase awareness of East Hampton’s agricultural enterprises, including recognizing and supporting existing and new farms and identifying opportunities to preserve and expand agriculture.
5. Serve as a conduit between local farmers and East Hampton government, non-profit agencies, civic organizations and non-farm residents and provide advisory services.
6. Act as a town resource for agriculture and conservation information; educate municipal officials about agricultural laws and safety issues.
7. Identify grant sources for farmers and municipalities.
8. Support local, regional and state vocational agricultural programs concerning agricultural matters.
9. Identify innovative opportunities for agriculture.
10. Create a climate that supports the economic viability of agriculture in East Hampton.

MEMBERSHIP: The Agriculture and Conservation Commission shall consist of seven (7) voting members and three (3) alternate members appointed by the Town Council. In addition, a student member of East Hampton High School Science department shall serve as a non-voting ex-officio member appointed by the Town Council. The failure of a voting member to attend four (4) consecutive meetings of the Commission may constitute cause for the Town Council to remove the member and fill the position thus vacated. A chair and vice chair/secretary shall be elected by the Commission and serve for a term of two (2) years.

LENGTH OF TERM: Staggered three (3) year terms, with initial appointment to be three (3) members serving for three (3) years, two (2) members serving for two (2) years, and two (2) members serving for one (1) year. Alternate members shall serve staggered three (3) year terms with one (1) member serving for three (3) years, one (1) member serving for two (2) years and one (1) member serving for one (1) year. The ex-officio student member shall serve a one (1) year term.

This Ordinance shall take effect fifteen (15) days after publication in accordance with Connecticut General Statutes. Dated at East Hampton Connecticut this ___ day of _____ 2013.

Note: The above ordinance was adapted from Lebanon's "Agriculture and Conservation Commission Ordinance." Items 1 and 6-10 are from the State of Connecticut's Public Act No. 11-188: an Act authorizing local and regional agricultural councils and concerning consideration of agriculture in local plans of Conservation and Development and Zoning Regulations. This Act was approved 7/13/11.

8/8/13 Draft

DRAFT

Right to Farm Ordinance – DRAFT 8/8/13

Section I: Purpose and Intent

Agriculture plays a significant role in East Hampton's heritage and future. The Town officially recognizes the importance of farming to its rural quality of life, heritage, public health, scenic vistas, tax base, wetlands, wildlife, and local economy. This Right to Farm ordinance encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmland within East Hampton by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies.

It is the declared policy of the Town of East Hampton to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food and other agricultural products and for its natural and ecological value. It is hereby further determined that whatever impact may be caused to others through generally accepted agricultural practices, such impact is offset and ameliorated by the benefits of farming to the neighborhood, community and society in general.

Section II: Definitions

The terms "agriculture" and "farming" shall have all those meanings set forth in Section 1-1(q) of the Connecticut General Statutes, as amended.

Section III: Right to Farm

The Right to Farm is hereby recognized to exist within the Town of East Hampton. No present or future agricultural operation conducted or maintained in a manner consistent with accepted agricultural practices, which is engaged in the act of farming as defined in this ordinance shall become or be considered, a nuisance solely because such activity resulted or results in any changed condition of the use of adjacent land. Agricultural operations may occur any day or night provided such activities do not violate applicable health, safety, fire, zoning, wetlands, life safety, environmental or building codes and regulations and shall include, without limitation:

- 1) The incidental noise from livestock or farm equipment used in generally acceptable farming practices;
- 2) Odors from livestock, manure, fertilizer or feed;
- 3) Dust and fumes associated with normally accepted farming practices;
- 4) The use of agricultural chemicals provided such chemicals and the method of their application conform to practices approved by the State of Connecticut; and
- 5) Irrigation and water management associated with normally accepted farming practices.

Inspection and approval of the agricultural or farming operation, place, establishment or facility by the Commission of Agriculture or his/her designee shall be prima facie evidence that such operations follow generally accepted agricultural practices. Nothing contained in this ordinance shall restrict the powers of East Hampton's Inland Wetlands Commission, Planning and Zoning Commission, Building or Health Departments under Connecticut General Statutes"

Section IV: Gateway Signs: "East Hampton – A Right to Farm Community"

An "East Hampton – A Right to Farm Community" sign will be posted at appropriate Town entry points within 60 days of this effective date.

This Ordinance shall take effect Fifteen (15) days after publication in accordance with the Connecticut General Statutes.

Dated at East Hampton Connecticut this ___ day of _____ 2013. Effective the ___ day of _____ 2013.

**STANDARD BERKSHIRE COUNTY MULTIPLE LISTING SERVICE
RIGHT TO FARM DISCLOSURE NOTIFICATION**

▶ **1. PARTIES.** Seller(s) Name(s) _____ ("SELLER")
Buyer(s) Name(s) _____ ("BUYER")
Broker / Corporation _____ ("BROKER")
Property Address _____ ("Property")

2. DISCLOSURE REQUIREMENTS:

Not later than 21 days after the purchase and sale contract is entered into, or prior to the sale or exchange of real property if no purchase and sale agreement exists, for the purchase or exchange of real property, or prior to the acquisition of a leasehold interest or other possessory interest in real property the landowner shall present the buyer or occupant with the following disclosure notification.

3. NOTICE OF RIGHT TO FARM:

The City/Town of _____ has adopted Right to Farm Bylaws:

It is the policy of this community to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations including the ability to access water services for such property under certain circumstances.

▶ **4. BUYER ACKNOWLEDGMENT**

I acknowledge receipt of this Right to Farm Disclosure Notification. A copy of this disclosure notification will be filed with the Board of Selectmen or its designee prior to the sale, purchase, exchange or occupancy of such real property.

Signature of Buyer

Printed Name

Today's Date

Signature of Buyer

Printed Name

Today's Date



Right to Farm



Town of Becket
557 Main Street
Becket, MA 01223d



Town of Becket Right to Farm Town

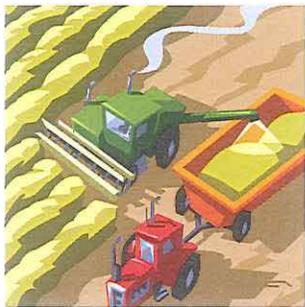


Phone: 413-623-8934
Web site:
www.townofbecket.org



Right to Farm Disclosure

“It is the policy of the Town of Becket to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers that the property they are about to acquire lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Purchasing, and henceforth occupying land within Becket means that one should expect and accept such conditions as a normal and necessary aspect of living in Becket.”



Farming Activities

“Farming” shall encompass activities including, but not limited to, the following:

- operation and transportation of slow-moving farm equipment over roads within the town;
- control of pests including, but not limited to, insects, weeds, predators, and disease organisms of plants and animals;
- application of manure, fertilizers, and pesticides, according to state law and regulation;
- conducting agriculture-related educational and farm-based recreational activities, provided that the activities are related to marketing the agricultural output or services of the farm;
- processing and packaging of the agricultural output of the farm and the operation of a farmer’s market or farm stand including signage thereto;
- maintenance, repair, or storage of seasonal equipment or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products;
- relocation of earth and the clearing of ground for farming operation;
- construction and use of farm structures and facilities for the storage of animal wastes, farm equipment, pesticides, fertilizers, agricultural products and livestock, for the processing of animal wastes and agricultural products, for the sale of agricultural products, and for the use of farm labor, as permitted by local and state building codes and regulations; including construction and maintenance of fences.

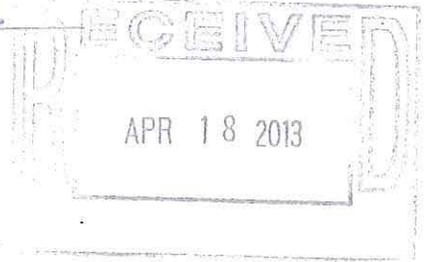
Right to Farm Declaration

The Right to Farm is hereby recognized to exist with the Town of Becket. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this Bylaw are intended to apply exclusively to those agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Right to Farm Bylaw shall be deemed as acquiring any interest in land, or imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning bylaw. This Bylaw does not supercede local, state or federal laws or regulations or private covenants.

Town of Becket

557 Main Street
Becket, MA 01223

Phone: 413-623-8934
Fax: 413-623-6036



TOWN OF EAST HAMPTON, CONNECTICUT

ASSESSMENT DEFERRAL PROGRAM APPLICATION

I. Applicant Information

- A. Property Address: 265 West High St.
Map 06 Block 12 Lot 9
- B. Owner: Traditional Innovations LLC
- C. Nature of owner's interest in the property (i.e., sole owner, 50% share-holder, etc.):
Brian Cutler 55% of LLC
- D. Name, mailing address and phone number of person to contact concerning application (i.e. owner or authorized agent):
Name: BRIAN CUTLER
Address: 265 W. HIGH ST.
E HAMPTON 06424

II. Rehabilitation/New Construction

- A. Expected date of commencement: SEP 4/2013
- B. Expected date of completion: FEB, 14, 2014.
- C. Type of Rehabilitation or Construction (specify):
New Commercial Building
- D. Property Use (please list all proposed uses)
SPORT FACILITY
RETAIL / STORE FRONT

E. Square Footage of New Construction 38,000
F. Approximate Cost of Proposed Construction \$2.8.

III. Current Assessed Value of Property

Land 196540
Building(s) 107250
(If more than one, list assessment on each and check building(s) to be improved) 12240

IV. Other Tax Subsidies

A. Are you receiving abatement or deferral of tax increases for the subject property under any other program? () Yes (X) No

If so, describe: _____

V. Sworn Statement

I certify that all information in this application, and all information furnished in support of this application, is true and complete to the best of my knowledge and belief.

[Signature]
Signature (Property Owner)

4/18/13
Date

Subscribed and sworn to me this 18 day of April 2013.
[Signature]
Name and Title: Clerk or Commissioner
of the Superior Court, Notary Public,
Justice of the Peace, Judge

[Signature]
Signature

BERNICE G. BARTLETT
NOTARY PUBLIC
MY COMMISSION EXPIRES JAN. 31, 2014

EAST HAMPTON, CONNECTICUT
ASSESSMENT DEFERRAL PROGRAM

ASSESSMENT DEFERRAL AGENT AUTHORIZATION FORM

I hereby authorize: BRIAN CUTLER
Name

265 W. HIGH ST
Address

E. Hampton CT 06424

to complete and file any necessary forms and documents necessary for Assessment Deferral for the property located at 265 West High Street of which I am the owner. I understand that by doing this, I am taking responsibility for all statements made by the agent in my behalf.

BRIAN CUTLER
Property Owner

4/18/13
Date

[Signature]
Signature

EAST HAMPTON, CONNECTICUT

ASSESSMENT DEFERRAL PROGRAM

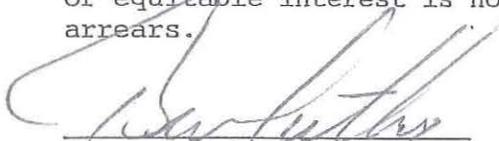
NOTORIZED STATEMENT ON EAST HAMPTON PROPERTY TAXES

I solemnly swear or affirm, with knowledge of the penalties for perjury and false statement, that the property located at

265 West High St.

(address of subject property)

or any other East Hampton property in which I have a legal, financial, or equitable interest is not in any tax or legally assessed fee arrears.


Signature (Property Owner)

4/18/13
Date

Subscribed and sworn by me this 18 day of April, 2013.


Name and Title: ~~Clerk or~~
~~Commissioner of the Superior~~
~~Court, Notary Public, Justice~~
~~of the Peace, or Judge~~


Signature

BERNICE C. BARTLETT
NOTARY PUBLIC
MY COMMISSION EXPIRES JAN. 31, 2014

Note: Subsequent revelation of false statement shall result in the immediate revocation of any agreement and the payment of all taxes abated to the date of the agreement.

EAST HAMPTON, CONNECTICUT
ASSESSMENT DEFERRAL PROGRAM

ASSESSMENT DEFERRAL REVIEW: BUILDING/ZONING

PROPERTY ADDRESS: 265 W. HIGH ST.

MAP 06 BLOCK 12 LOT 9

PROPERTY OWNER: Traditional Innovations LLC

DATE RECEIVED: 4-16-2013

- 1. Zoning Compliance Review No Violations
Project approved P&Z 10/20/10, Modification approved
- 2. Code Infraction Verification No Code violations PE 4/13/13
- 3. Building Plans Review Plan reviewed & approved
10/20/10 by P&Z Modification approved 4/3/13
- 4. Rehabilitation and/or Construction Cost Estimates _____
As stated \$ 2,839,200.⁰⁰

I have reviewed the proposed project and find it and required supporting materials in compliance with the Criteria for Eligibility as set forth in the approved Resolution and Establishment of Criteria.

James P. Carey
Authorized Signature

4/17/13
Date

EAST HAMPTON, CONNECTICUT

ASSESSMENT DEFERRAL PROGRAM

ASSESSMENT DEFERRAL REVIEW: ASSESSOR

Property Address: 265 W. HIGH ST.

Map 06 Block 12 Lot 9

Property Owner: TRADITIONAL INNOVATIONS LLC

Date Received: _____

1. Assessment prior to rehabilitation and/or new construction:
\$ 0 - DEMO OF CURRENT BLDG.

2. Anticipated post-rehabilitation and/or new construction
assessment:
\$ 1,987,440.

3. Explanation of Increase: NEW CONSTRUCTION

4. Change in assessment caused by rehabilitation:

Amount: 1,987,440 Percentage: 100%

Approved; anticipated increase in assessment of
rehabilitation, additions/or new construction is 35% or more.

Rejected; anticipated assessment increase is less than 35%.

Approved; cost of new construction is in excess of \$150,000.

Rejected; cost of new construction is less than \$150,000.

Carol Ann Tyle
Authorized Signature

April 18, 2013
Date

EXHIBIT C

EAST HAMPTON, CONNECTICUT

ASSESSMENT DEFERRAL PROGRAM

ASSESSMENT DEFERRAL NOTICE

(12-65 C-F)

PROPERTY ADDRESS: 265 W. WIGG ST.

Map 06 Block 12 Lot 9

OWNER: TRADITIONAL INNOVATIONS LLC.

ASSESSMENT BEFORE REHABILITATION: \$ 0

ASSESSMENT AFTER REHABILITATION: \$ 1,987,440

ASSESSMENT INCREASE CAUSED BY REHABILITATION \$ _____

<u>DEFERRAL SCHEDULE</u>	<u>YEAR</u>	<u>ASSESSMENT</u>
YEAR 1 (0% OF INCREASE)	<u>Oct, 2013</u>	<u>100%</u>
YEAR 2 (20% OF INCREASE)	<u>Oct, 2014</u>	<u>100%</u>
YEAR 3 (40% OF INCREASE)	_____	_____
YEAR 4 (60% OF INCREASE)	_____	_____
YEAR 5 (80% OF INCREASE)	_____	_____
YEAR 6 (100% OF INCREASE)	_____	_____

NOTE: In the event of a general revaluation in any year following the commencement of the assessment deferral, the property assessment shall shift accordingly and the deferred assessment shall be increased or decreased in proportion to the increase or decrease in the total assessment on such property as a result of such general revaluation.

Economic Development Commission
Town of East Hampton
20 East High Street
East Hampton, CT 06424

July 16, 2013

To: East Hampton Town Council

At the June 18, 2013 meeting of the Economic Development Commission, it was unanimously voted to accept the tax deferral application for the Sports on 66 complex at 265 West High Street and to make a recommendation to the Town Council to accept the application.

Best regards,



Cindy Rooth, Chairman, EDC

cc: Town Manager

**EAST HAMPTON PUBLIC SAFETY
FACILITY COMMITTEE RESOLUTION**

8-8-13 Draft

Whereas, the Town's Police Department and Fire Department facilities need to be reviewed and a plan needs to be developed and implemented to ensure that these public safety facilities provide the dedicated space, infrastructure and technology needed to offer the best public safety practices and program for our community;

Whereas, the Town Council passed a motion on _____ to establish a Public Safety Facility Committee for the purpose of planning and overseeing the development, design and Facility of a Public Safety Center; and

Whereas, there is a recognized need by the Town to comply with State and Federal mandates, State Statutes and best practices for police and fire protection; and

Whereas, it is necessary that the Town's legislative body create a Public Safety Facility Committee in order for the Town of East Hampton to receive possible funding from the State or Federal government; nonprofit organizations; and public and private foundations; and

Whereas, it is also essential that such a Public Safety Center be planned and completed in the most cost-efficient and transparent manner for the benefit of our taxpayers; it is therefore,

Resolved by the East Hampton Town Council, effective as of the date hereof, that the East Hampton Public Safety Facility Committee is established to plan and provide the necessary oversight for or with respect to a Public Safety Center; and is further resolved that the East Hampton Public Safety Facility Committee shall have the following powers and duties and be constituted as follows:

Creation, Compensation, Composition, Term, Vacancies

- (a) *Membership.* There shall be one (1) Public Safety Facility Committee with a membership composed of seven (7) members and 2 alternates. All members shall serve without compensation and shall be appointed by the Town Council. Alternate members, when seated shall have all the powers and duties of a member of the committee. When alternates are not seated, they are encouraged to be active participants in all member discussions.
- (b) *Composition.* The members shall be comprised of residents or tax taxpayers with a diversity of professional expertise, specialization and life experience. Such diversity may be represented with expertise in the following professional backgrounds: public safety, architecture, landscape and/or Facility planning, finance and banking, network/IT, construction, purchasing/procurement, engineering, education, public works. There shall be no elected officials serving on this committee.
- (c) *Term.* The term of office shall be for the length of the proposed project.

The duly authorized Public Safety Facility Committee shall continue as a complete committee during the entire course of the project regardless of changes in the composition of the Town Council and the Board of Finance.

- (d) *Removal.* A member of the committee may be removed for cause by a majority of Town Council or by a two-thirds (2/3) vote of the entire membership of the Town Council.
- (e) *Vacancies.* The Public Safety Facility Committee shall fill a vacancy from the alternates where a member of the committee resigns and the Town Council shall replace the alternate by appointment.
- (f) *Resignations.* Any member may resign from the committee by notifying the Town Manager with a 30 day written notice.
- (g) *Ex officio members.* The Town Manager, Police Chief, Chairman of the Board of Fire Commissioners, the Public Works Director, or their designee, shall be ex officio members of the Public Safety Facility Committee without vote.
- (h) *Town Staff.* The Town shall provide appropriate support staff for the Public Safety Facility Committee.
- (i) *Parents and/or Residents.* The town manager shall be responsible for annually appointing three (3) members of the community who are registered voters of the town to represent diverse interests and who may act as reporting liaisons to various organizations or committees.
- (j) All committee members shall be governed by the Town of East Hampton Code of Conduct and Code of Ethics.

Powers and Duties

The Public Safety Facility Committee shall have the following duties and powers:

- 1) Review the Town Facilities Study, the Fire Department consultant's report (due out by end of September 2013), and any other reference material provided by the Town Manager, the Police Chief and the Board of Fire Commissioners.
- 2)
- 3) Visit the Town Police Department and the Fire Department Stations 1, 2 and 3. Visit newly-constructed Public Safety Complexes, PDs and FDs in Connecticut.
- 4) Identify options for a joint PD/FD/Youth Center and make recommendations to the Town Council within 12 months. Report quarterly to the Town Council with progress reports.
- 5) Determine the scope of work for the project to include overall goals and objectives, proposed location(s), overall space requirements and square footage, grant and funding opportunities; and proposed schedule.
- 6) Request the Town Council and Board of Finance to appropriate necessary funds for preliminary planning and site studies. If property is to be acquired, follow Town Charter and Board of Finance regulations for acquisition/purchase.
- 7) Select an architect through a Request for Proposal process as prescribed in Chapter 117 of the East Hampton Purchasing Ordinance.

- 8) Upon appropriation of such funds, to hire an architect to *draft plans* for construction of a Public Safety Center to provide technology and facilities for best practices for our Police and Fire Departments to protect our community.
- 9) The Public Safety Facility Committee shall retain a construction and/or project manager to fulfill its duties and responsibilities.
- 10) To approve *preliminary plans and specifications* for the project; obtain approval of preliminary plans and specifications by the Police Chief and Board of Fire Commissioners; and request the Town Council and Board of Finance to appropriate necessary funds for the total project costs.
- 11) To analyze and approve final plans and specifications of such project; obtain approval of such final plans and specifications by the Town Manager, Police Chief and Board of Fire Commissioners; and through the Town purchasing agent advertise for and receive bids for the construction of the project or any portion thereof.
- 12) Upon recommendation of the Town purchasing agent to vote award of construction contract bid to the most responsible bidder and, upon a majority vote of the Town Council to authorize the Town Manager to sign on behalf of the Town to enter into contract for construction of such project.
- 13) To be responsible for construction of such project through their appropriate agents and town's inspectors.
- 14) To examine and approve all payments in connection with the construction of such project with the advice of its agents, the project architect, and the town inspector.
- 15) To analyze and approve any change orders in the approved plans for such project within the limits of the total project appropriations.
- 16) To have province over and final approval of all expenditures of the project, including furnishings, equipment or any other appurtenances to the Facility's or grounds.
- 17) To select a name for the Public Safety Center project thus constructed.
- 18) To approve and accept the completed project subject to the advice of its agents, the project architect and the town's inspectors.
- 19) To turn the Facility and grounds over to _____ as soon as possible after final completion and acceptance.
- 20) To obtain the necessary clearance and approval of any local or state board or agency as may be required for any of the duties and powers enumerated in this resolution.
- 21) The Public Safety Facility Committee created by this resolution shall cease and its membership be terminated without further action of the Town Council once the assigned project has been turned over to _____; provided, having that any and all insurance coverage applicable to the Public Safety Facility Committee and its members shall continue in accordance with the Town of East Hampton standard practices and policies.

Reports on work progress required.

The Public Safety Facility Committee shall submit, on a quarterly basis, budget and expenditure reports prepared in accordance with generally accepted accounting principals to the Town Council and the Board of Finance. Prior to their submission, such reports shall be reviewed by the Town's Finance Director. Annual budget and expenditure reports prepared in accordance with generally accepted accounting principals shall be audited by the Town's outside auditors and submitted to the Town Council and the Board of Finance. In conjunction with such annual reports, the along with the Finance Director, shall provide and/or update any revisions to any projected expenditures for the project. The Finance Director shall further certify that the FacilityPublic Safety Facility Committee has established and explained generally accepted internal control measures. The Public Safety Facility Committee shall also periodically report on the progress of its work to the Town Council and Board of Finance.

Adopted this _____ day of _____, 2013.

Town Council

Susan B. Weintraub, Chairperson

Glenn S. Suprono, Vice Chairman

Kyle R. Dostaler

Derek M. Johnson

Ted Hintz, Jr.

George Pfaffenbach

Barbara W. Moore

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

August 9, 2013

To: The East Hampton Town Council

Documentation of tax refunds are available in the tax office for your review if you so desire. The total refunds equal \$5,776.81.

Thank you for your assistance.

Nancy Hasselman CCMC

Nancy Hasselman, CCMC
Collector of Revenue

87.88 +
3.33 +
85.96 +
23.35 +
11.32 +
7.00 +
56.77 +
279.18 +
74.32 +
4,606.19 +
61.63 +
265.77 +
54.33 +
79.89 +
79.89 +
5,776.81 *