



**EAST HAMPTON PUBLIC SCHOOLS
ADMINISTRATIVE OFFICES**

94 Main Street
East Hampton, Connecticut 06424-1119
TELEPHONE (860) 365-4000
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JUDITH A. GOLDEN, Ph.D.
Superintendent of Schools

KEVIN M. REICH
Assistant Superintendent of Schools

Laurie Gonzalez
Director of Special Education &
Pupil Personnel Services

Karen Hitchcock Asetta
School Business Manager

TO: Robert Drewry, Interim Town Manager

FROM: Judith A. Golden, Ph.D., Superintendent of Schools 

SUBJECT: Summary of Settlement with the East Hampton Administrators' Association

DATE: December 7, 2010

Attached please find a summary of the settlement agreed to with the East Hampton Administrators' Association in October. Please also take note that in the current 2010-2011 school year all administrators donated three furlough days to the district for a savings of over \$20,000. I would be happy to attend the Town Council meeting on the 14th to answer any questions if you believe it will be helpful. Please do not hesitate to contact me if you have need for further information.



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Summary of the Settlement with the East Hampton Administrators' Association

December 7, 2010

At its regular meeting on October 12, 2010, the East Hampton Board of Education approved an agreement with the East Hampton School Administrators' Association that sets forth the salaries and insurance benefits for the school administrators for the 2011-2012 and 2012-2013 Fiscal Years. The agreement is the result of negotiations for a successor three-year collective bargaining agreement (July 1, 2011 through June 30, 2014) that requires the parties to reopen negotiations on wages and insurance for the last year of the contract. The agreement was ratified by the administrators last week. The settlement was reached by the parties on September 22, 2010 without the assistance and cost of mediation.

A summary of the settlement is as follows:

- There will be no increases to administrators' base salaries and no step increment cost in 2011-2012. Administrators will be paid in accordance with the 2010-2011 Salary Schedule. In 2012-2013, administrators will receive a General Wage increase of 1.8%, plus any step increment. No step increment cost is anticipated based on present employment.
- In 2011-12, administrators will receive a one-time payment to a tax sheltered annuity in the amount of \$2,000 each. This is in consideration of the administrators' willingness to delay approximately 1.5% of their contracted 2009-2010 salary increase for one year, in furlough days, followed by their willingness to freeze their current salaries for next year.
- Effective July 1, 2011, the employee co-payment for emergency room visits will double and the quantity for prescription drug mail orders will decrease for purposes of savings

on insurance costs. Also, effective July 1, 2011 approximately half of the administrators will increase their contribution rate for dental insurance by 10%. Effective July 1, 2012, the employee cost share for both dental and medical insurance will increase by 1% to 16% for those in the PPO plan and to 6% for those enrolled in a Health Savings Account Plan.

- The two-tier vacation schedule was eliminated. As a result, administrators with less than eight years of employment service with the district will receive an additional week of vacation and the same amount as the more senior administrators.
- The net direct budgetary cost to the Board will be \$11,580 or 1.21% of the salary account in 2011-2012, and \$15,846 or 1.66% of the salary account in 2012-2013. The base salary account will grow \$17,198 or 1.8% over the two years.

TOWN OF EAST HAMPTON AGENDA REPORT

AGENDA ITEM: 4B

Town Manager Approval: RD (CS)

Item to be presented by:
Kerry Nielson, Director of Community &
Environmental Planning

DATE: December 14, 2010

SUBJECT: Lake Pocotopaug Watershed Signage Project

DEPARTMENT: Community & Environmental Planning

RECOMMENDED ACTION

Review the proposed project for the placement of approximately 15+/- signs to be put up within the Lake Pocotopaug Watershed.

BACKGROUND

The following is a proposal for a project to involve placing signs within Lake Pocotopaug Watershed at fifteen (15) or so locations within the watershed to notice individuals of when they are entering the watershed area. The Conservation-Lake Commission has been discussing the project for a few months now and would like to move forward with these signs to notice residents and visitors alike when they are entering the watershed region. They will be typical of signs in other lake watersheds you have probably seen in other communities. The ultimate goal to educate individuals to where the watershed area is located and to remind people indirectly to the land mass that ultimately affects the health of the lake. Placement of these signs could serve to remind people daily, and as a visual reminder of the importance of taking care of the lake.

The signs will be approximately 12" by 18" in size and will be placed in the town right-of-way (ROW) and a few in the State of CT DOT right-of-way along Rt. 66. The signs will indicate "Entering into the Lake Pocotopaug Watershed" and will meet requirements of DOT standards for lettering, font, and coloring for reflecting and will be placed on break away poles per DOT standard requirements. Entry permits will be obtained for the signs to be placed along Rt. 66 and installers would conduct "call before you dig" policy, and it is my understanding that the Town's Police Chief as traffic authority must approve the sign plan with specific sign locations. It is also understood that either East Hampton Public Works Department may install the watershed signs or perhaps a sign company could be contracted to install the signs, if need be, to do the work. It is estimated that the signs could be done for around \$60 a piece so approximately \$900-\$1000 for 15 or so locations on the streets, plus labor for the project; so I am estimating that the project costs and labor to install should cost less than \$2500. As you know, the Conservation-Lake Commission has a budget to utilize, so this can be funded out of their budget. The Conservation-Lake Commission has indicated that education of the lake watershed is important to them and they have set education of lake/conservation issues as a one priority of their goals to achieve this year.

ALTERNATIVE ACTIONS

Other direction as determined by the Town Council.

FISCAL IMPACT

Project Costs < \$2500 out of FY 2010 Conservation-Lake Commission Budget

**TOWN OF EAST HAMPTON
AGENDA REPORT**

AGENDA ITEM: 4C

Town Manager Approval: RD (cls)

Item to be presented by: Thomas Cordeiro

DATE: December 14, 2010
SUBJECT: Approval of Arts & Cultural Commission Ordinance
DEPARTMENT: Town Manager

RECOMMENDED ACTION

That Council approve the Arts & Cultural Commission ordinance.

BACKGROUND

The draft ordinance was amended at the November 23, 2010 meeting. The Public Hearing is scheduled for Tuesday, December 14th, just prior to the Regular Town Council Meeting.

The original draft was completed by reviewing many Arts & Cultural Commission ordinances from surrounding communities. Justin Richardson from CCM was consulted and he provided draft ordinances from the Towns of Oxford, Ansonia, Enfield and Glastonbury. Ordinances from Middletown, Newtown and Naugatuck were also reviewed. Attorney Ken Antin from the D'Aquila Law offices was also consulted.

ALTERNATIVE ACTIONS

Other direction as determined by Council.

FISCAL IMPACT

TBD

Town of East Hampton Arts and Cultural Commission

Draft Approved by the East Hampton Town Council and Sent to Public Hearing on November 23, 2010

SECTION I: Establishment

There is hereby established a Commission in East Hampton known as the "East Hampton Arts and Cultural Commission" (EHACC). This commission shall be formed to foster, promote, encourage and celebrate the excellence, enjoyment, and abundance of Arts and Culture in East Hampton.

SECTION II: Appointment, Terms and Vacancies, Compensation

The Commission shall consist of nine (9) members, who shall be appointed by the East Hampton Town Council. No more than six (6) of the Commission's members shall be members of the same political party. The Commission's members will be electors of the town chosen for their knowledge, competence, or experience in the arts or cultural activities. Initially, three members will be appointed to terms that end on December 31, 2013, three members will be appointed to terms that end on December 31, 2012, and three members will be appointed to terms that end on December 31, 2011. All future terms will run for three year periods ending on December 31 of the third year. Vacancies shall be filled by the Town Council for the balance of the unexpired term. In addition, there will be a non-voting "student ad-hoc member" consisting of an East Hampton High School student with interest in arts and culture who will be selected by the Superintendent of Schools or High School Principal to provide bi-directional communication between the Arts and Cultural Commission and local students active in the arts.

The members of the Commission shall serve without compensation, but shall be reimbursed for necessary budgeted expenses incurred in the performance of their official duties.

SECTION III: Purpose

The Commission is intended to support and promote interesting, innovative and entertaining programs that are representative of the fine, applied and performing arts in East Hampton. The Commission will promote a supportive climate to attract artists of all ages, cultures and areas of interest as well as to promote participation in our community. Through its endeavors, the East Hampton Arts and Cultural Commission will help to broaden understanding of and the appreciation for artistic diversity, cultural awareness and a sense of community spirit.

SECTION IV: Organization; Rules and Regulations; Meetings

The Commission shall annually elect a Chairperson, a Vice-Chairperson, and a Secretary, and shall have the power to make rules and regulations for the transaction of its business. All its meetings shall be held at an accessible place and be open to the public.

SECTION V: Duties and Responsibilities

The East Hampton Arts and Cultural Commission shall have the following duties and responsibilities:

- a. To make an initial survey of the cultural and artistic resources of the Town of East Hampton including civic organizations, community theatre companies, local artists, dance studios, and local private and civic events.
- b. Produce and update an ongoing Arts and Cultural Events Calendar which may be distributed and promoted in hard-copy or e-mail and posted on the Town of East Hampton website.
- c. To stimulate, encourage and promote community involvement in arts and cultural events in East Hampton.
- d. To advise and make recommendations to the Town Council on matters of arts and cultural significance to the Town of East Hampton on at least an annual basis.
- e. The commission may pursue and receive federal, state and municipal or private monies for the purpose of fostering, assisting and encouraging the arts and to encourage the participation in, and promotion, development and appreciation of artistic and cultural activities. All funds so received will be held and expended in accordance with the requirements of any governmental granting body and of the East Hampton Charter and Code of Ordinances.
- f. To enter into contracts within the limits of the funds available, with individuals, organizations and institutions for services and programs which meet the objectives of the Commission. All such contracts will require the prior approval of the Town Manager and will conform to the requirements of the East Hampton Charter and Code of Ordinances for purchases by town agencies.

SECTION VI: Expenses

The Commission shall prepare a proposed estimate of receipts and expenditures and may submit a proposed budget to the Town Manager as provided in the Code of the Town of East Hampton.

SECTION VII: Auxiliary Services

The Commission may recommend to the Town Manager the appointment of employees, and the use of facilities and services, necessary for the discharge of its duties.

TOWN OF EAST HAMPTON
AGENDA REPORT

AGENDA ITEM: 4D

Town Manager Approval: RD (es)

Item to be presented by: Ruth Plummer, Parks & Recreation

DATE: December 14, 2010
SUBJECT: Cranberry Bog Lease
DEPARTMENT: Parks and Recreation

RECOMMENDED ACTION

Enter into lease agreement between Kiely Enterprises LLC for property known as Cranberry Bog.

BACKGROUND

Traditionally the Town of East Hampton has had an informal agreement with the Kiely Family that allowed the public to ice skate on the pond known as Cranberry Bog on Smith Street.

The Town has provided a certificate of Insurance but the parties had no legal lease agreement. At the recommendation of the Kiely family's attorney Ken Barber, a formal lease agreement was drafted and edited by Town Attorney Jean D'Aquila.

The Parks and Recreation Advisory Board has reviewed this document and are in support of the formal agreement.

ALTERNATIVE ACTIONS

Don't enter into the lease agreement. It is reasonable to assume that this action would jeopardize the community accessing Cranberry Bog for skating or other activities.

FISCAL IMPACT

Annual rental fee of \$1.00
Property and Liability Insurance coverage

**TOWN OF EAST HAMPTON
AGENDA REPORT**

AGENDA ITEM: 5B

Town Manager Approval: RD (cls)

Item to be presented by: Robert Drewry

DATE: December 14, 2010
SUBJECT: Discussion & Approval of Employee Handbook
DEPARTMENT: Town Manager/Human Resources

RECOMMENDED ACTION

That Council review changes/additions as recommended at the Town Council Meeting of October 26, 2010.

BACKGROUND

The recommendations of the Town Council, CIRMA and follow-up suggestions from Attorney Mark Sommaruga were integrated into the Employee Handbook. Changes include updates to the email usage/retention sections.

ALTERNATIVE ACTIONS

Other direction as determined by Council.

FISCAL IMPACT

None at this time.

**TOWN OF EAST HAMPTON
AGENDA REPORT**

AGENDA ITEM: 5C

Town Manager Approval: RD (ed)

Item to be presented by: Robert Drewry

DATE: December 14, 2010

SUBJECT: Discussion of Draft Budget Calendar and Budget Policy Statement

DEPARTMENT: Town Manager

RECOMMENDED ACTION

Review draft budget calendar. Discuss the upcoming budget policy statement.

BACKGROUND

Council needs to prepare and finalize the budget policy statement for distribution and agree upon the budget calendar.

ALTERNATIVE ACTIONS

Other direction as determined by Council.

FISCAL IMPACT

None

AGENDA
ITEM # 9A

D'Aquila Law Offices, LLC

100 Riverview Center · Suite 205

Middletown, CT 06457

Telephone: (860) 704-0290

Facsimile: (860) 704-0545

December 8, 2010

Robert G. Drewry
Interim Town Manager
Town of East Hampton
20 East High Street
East Hampton, CT 06424

Dear Interim Town Manager Drewry:

You have asked that we opine upon whether East Hampton Town Council candidate Chatham Carillo may serve on the Town Council without being in violation of the "Hatch Act." Please accept this letter in response to the question.

Federal law (the Hatch Act, 5 U.S.C. §§ 1501 et seq.) generally restricts certain political activities of executive branch employees of the federal government. This Act also restricts the political activity of state and local government employees who work in connection with federally funded programs. This latter restriction would apply to a state or local employee whose salary is federally funded and to a state or local employee who performs duties in connection with an activity that is financed in whole or in part by federal funds. *Special Counsel v. Gallagher*, 44 M.S.P.R. 57, 61 (1990).

The first query is whether Ms. Carillo is an employee of the federal government. She is not. She is an employee of the state legislative branch of government, as Legislative Aide to State Senator Eileen M. Daily.

The second query is whether Ms. Carillo's salary is federally funded. Ms. Carillo has represented to us that her salary is not federally funded. We assume that Ms. Carillo's representation is accurate for purposes of this opinion.

The third query is whether Ms. Carillo, as Legislative Aide to Senator Daily, performs duties in connection with an activity or activities financed in whole or in part by federal funds. Ms. Carillo has represented to us that she does not. We assume that Ms. Carillo's representation is accurate for purposes of this opinion.

Connecticut has a "little Hatch Act." See C.G.S. § 5-266a. This statute restricts the political activities of persons employed in the classified state service or in the Judicial Department.

C.G.S. § 5-198 exempts numerous state positions from "classified service." Included within those several exemptions are "all officers and employees of the Legislative Department." (See C.G.S. § 5-198 (b)).

Hence we conclude that candidate Chatham Carillo is neither covered by the federal Hatch Act or Connecticut's "little Hatch Act."

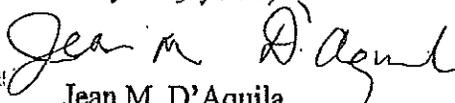
We specifically do not opine upon whether Ms. Carillo's proposed Town Council activities will or might constitute a conflict of interest with her role as a state employee. We have not been asked to do so.

If she were indeed a classified state employee or an employee of the state's Judicial Department, Ms. Carillo would be prohibited by C.G.S. § 5-266a (b) from engaging in any political activity or performing official duties for the Town while on state duty or within any period of time during which she is expected to perform services for which she is compensated by the State.

Because she is a non-classified, non-Judicial Department employee, the provisions of C.G.S. § 5-266a (b) do not apply to Ms. Carillo. However, we do encourage Ms. Carillo to receive assurances or a ruling from the Office of State Ethics that it does not foresee conflicts associated with Ms. Carillo's proposed service on the East Hampton Town Council.

Please contact the undersigned should you have any questions. Thank you.

Very truly yours,


Jean M. D'Aquila

JMD:ser

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

December 10, 2010

To: The East Hampton Town Council

Please find copies of tax refunds for your review. The total refunds equal \$342.04.

Thank you for your assistance.

Nancy Hasselman, CCMC

Nancy Hasselman, CCMC
Collector of Revenue

0.0
32.83 +
5.32 +
15.98 +
164.59 +
23.66 +
26.23 +
5.00 +
68.43 +
342.04 *