

**TOWN OF EAST HAMPTON
AGENDA REPORT**

Town Manager Approval: _____



Item to be presented by:

DATE: April 14, 2009
SUBJECT: Codification of Water Regulations
DEPARTMENT: Town Clerk's Office

RECOMMENDED ACTION: To authorize the Town Clerk to submit the approved water regulations to our codifier.

BACKGROUND: All ordinances and regulations are approved by the town council prior to submission to our codifier.

ALTERNATIVE ACTIONS: None

FISCAL IMPACT : None

EH: Clerks Office

AGENDA ITEM: _____



Regulations for Acceptance of Public Water Systems under the Certificate of Public Convenience & Necessity

1. With numerous proposed Public Water Systems (PWS) coming before the Town it is imperative that certain regulations be in place to assure continuity and standardized operations between systems. To assure this and to protect the Town the following regulations shall be the basis for a Certificate of Public Convenience & Necessity for any Public Water Systems to be owned and operated by the Town of East Hampton through its WPCA.

General Requirements

2. As the WPCA will be the water service provider for any proposed new public water system in the Town's ESA it shall have input into and approve the developer's plans for water supply, treatment and distribution. The developer shall keep the WPCA informed of the status of its water supply, treatment and distribution plans at all times and in addition all water supply, treatment and distribution plans for the development shall satisfy all governmental regulatory requirements and those of the WPCA. The Developer shall build, test and place into service the completed community water supply, meet all financial requirements specified herein and train WPCA personnel before the Town will accept ownership and operations.

3. A developer seeking to transfer a PWS to be owned by the Town of East Hampton and operated through its WPCA is required to have a meeting with the WPCA prior to the Town entering into an agreement to own and operate the PWS. The purpose of the meeting will be to determine what steps will be necessary for the developer to undertake to establish, to the satisfaction of the WPCA that (1) a sufficient quantity of ground water will be available to support the project and (2) non-interference with existing public and/or private water supply wells.

4. When a project has a projected Average Daily Demand (based upon design population of the proposed PWS in accordance with the requirements of RCSA Section 16-262m) which when multiplied by a safe daily yield factor of 1.50 is less than or equal to 50,000 gallons per day, the developer shall meet with the WPCA's consultant to determine the site-specific requirements to test the PWS's aquifer under stress conditions. Such testing shall, in general, include, subject to modification imposed by the WPCA's consultant, a five (5) day aquifer test of the well(s) pursuant to RCSA Section 19-13-B51 et seq., evaluation of groundwater flow boundary conditions, and monitoring of the public and/or private water supply wells before, during and after the aquifer test within predetermined radius and other antecedent conditions as required. Should additional monitoring wells be required upon private land and the landowner objects, such well shall be excluded from the monitoring requirement. The WPCA shall determine, based upon the results of the testing, whether there will be (1) a sufficient quantity of ground water available to support the project and (2) non-interference with existing public and/or private water supply wells.

5. When a project has a projected Average Daily Demand (based upon design population of the proposed PWS in accordance with the requirements of RCSA Section 16-262m) which when multiplied by a safe daily yield factor of 1.50 exceeds 50,000 gallons per day, the developer shall apply for a water diversion permit pursuant to Connecticut General Statutes Section 22a-365 et seq. Should a water diversion permit be issued by the DEP, such permit shall be transferred at no cost to the Town.

6. Upon the successful completion and affirmative findings for the conditions outlined in either section four (4) or five (5) above the WPCA shall recommend that the Town Manager be authorized to enter into an agreement to own and operate the PWS by the Town of East Hampton through its WPCA.

7. All infrastructure associated with water supply and treatment shall be constructed on land deeded in fee simple to the WPCA. All wells developed shall be utilized at their maximum safe yield as determined by a yield test described in the PHC 19-13-B51k (b). The following minimum separating distances are required by PHC Regulation 19-13-B51 and 19-13-B103:

<u>Well Yield</u>	<u>Minimum Distance</u>
Under 10 gpm	75'
10 to 50 gpm	150'
over 50 gpm	200'

Note: All separating distances shown should be measured horizontally

8. A PWS to be owned by the Town of East Hampton and operated through its WPCA shall complete the applicable corrosion control treatment requirements and steps described in RCSA Section 19-13-B102 (j) et seq and provide corrosion control treatment approved by the WPCA, in Phase II of the Certificate of Public Convenience and Necessity (construction of the water treatment plant). Such corrosion control treatment shall be acceptable to the WPCA and similar to other PWS's owned by the Town of East Hampton and operated through its WPCA.

9. All costs associated with the development of the PWS, including attorney's fees, shall be borne by the Developer. The WPCA shall provide estimates for each phase of the proposed public water system as follows:

9a. For the purpose of securing payment for Engineering Review Services the WPCA shall provide three (3) separate cost estimates, one estimate for each phase of the Certificate of Public Convenience & Necessity; Phase I-A, I-B and II. If the estimate proves to be insufficient to cover the actual costs to the WPCA for the Engineering Review Services, the developer shall make such further payments as shall be required upon notification by the WPCA.

9b. 1 Upon approval of Phase I-B of the Certificate of Public Convenience & Necessity in accordance with Section 16-262m of the General Statutes of Connecticut by the CTDPH and prior to construction, the WPCA shall provide an additional estimate for Construction Inspection Services in connection with the water treatment plant construction and distribution piping, valves, hydrants and appurtenances.

9b. 2 The developer shall make separate deposits with the WPCA which represents the WPCA's estimate of costs for construction inspection costs for "Phase II costs" that may be incurred by the WPCA pursuant to this scope of work. The developer further agrees that this estimate will be subject to a final accounting at which time any funds remaining after payment of the WPCA's engineering and/or inspection costs shall be returned to developer. Should the WPCA's engineering and/or inspection costs exceed the deposit, then developer shall pay the difference to the WPCA within 30 days of the WPCA's provision of a written statement of same to developer.

9b. 3 This estimate does not include an estimate for unforeseen expenses such as legal issues or additional project elements. The developer will be direct billed within 30 days for these expenses as they are incurred by the WPCA.

9c. 1 For the purpose of securing payment for construction costs, the developer agrees before commencing any work to post a Construction Performance Bond with the WPCA in the amount determined by the WPCA, or an authorized agent thereof, to be sufficient to defray construction costs. The required construction bond may be satisfied by letter of credit, cash bond or surety bond. The developer further agrees that in case said amount proves to be insufficient at any time during the progress of the work, the developer shall make such further deposits as shall be required upon notification by the WPCA.

9c. 2 Upon acceptance in writing from the State Department of Public Health that said public water system is complete, the Developer will provide for a warranty period which will conclude one-year after the final Certificate of Occupancy is issued. Concurrently, the construction bond will be returned and a maintenance bond in the amount of 10% of the construction bond will be required to secure the warranty period.

9d. The developer shall agree to provide a pro-forma analysis acceptable to the WPCA of system operations (expenses & revenue) for the full build out of the system. The developer acknowledges that once the Town accepts and begins operating the system the Town will not be responsible for a financial deficit associated with the operation prior to the full build out of the development. The developer shall deposit with the WPCA an amount which represents one year of operational expenses, representing the full expense budget which may be expected and incurred by the WPCA for the system. The developer further agrees that this deposit will be utilized by the WPCA to offset any financial deficit associated with the operations. The deposit will be subject to an annual accounting at which time the deposit shall be adjusted to maintain an amount equal to the full year operational expenses. Said deposit shall continue until full build out of the development is achieved or revenues exceed expenses.

9e. The WPCA will assess Service Connection Cost for each lot to be connected and billed to the developer at such time as the developer applies to connect the public water system to the lot. Applications for the installation and connection of new water service shall be made on forms provided by the WPCA and signed by the developer or a duly authorized representative. Service connection charges shall fund a potable water sinking fund to be use at the discretion of the WPCA. Service connection charges are subject to change by the WPCA. The current service connection charge is \$1,250.00 per Equivalent Meter Unit (EMU).

ADOPTED: March 3, 2009 by unanimous vote of the WPCA

**TOWN OF EAST HAMPTON
AGENDA REPORT**

Town Manager Approval: 

Item to be presented by: BOF

DATE: April 14, 2009
SUBJECT: Adoption of Budget
DEPARTMENT: Town Managers Office

RECOMMENDED ACTION:

- 1). Adopt the budget
- 2). Set the date for the Town Meeting (Monday April 27, 2009 @ 7:00pm – High School)
- 3). Set the date for the Town Referendum (Tuesday May 5, 2009 @ 7:30pm – High School)

BACKGROUND:

Council Members have been given the proposed Town Managers budget that was presented to the BOF. The BOF reduced the Town Managers budget by \$110,000 and will be presenting their recommended budget to the Town Council this evening.

Attached is the presentation that Town Staff gave to the BOF at the budget workshop held on Friday March 13, 2009.

ALTERNATIVE ACTIONS:

As determined by the Town Council

FISCAL IMPACT :

The recommended budget as forwarded by the BOF would require a .38 mill rate increase for fiscal year 2009/2010.

EH: Clerks Office

AGENDA ITEM: 6B, C, D

**TOWN OF EAST HAMPTON
AGENDA REPORT**

Town Manager Approval: _____



Item to be presented by: Ruth Plummer

DATE: April 14, 2009

SUBJECT: Resolution for Recreational Trails Program Grant

DEPARTMENT: Parks and Recreation

RECOMMENDED ACTION

Adopt the resolution required for the State of Connecticut Department of Environmental Protection grant in the amount of \$35,005.45

BACKGROUND

The Town of East Hampton was awarded a grant by the State of Connecticut Department of Environmental Protection in the amount of \$35,005.45. The funding is for the development of the Air Line State Park Trail from Smith Street to Watrous Street. An updated budget of \$49,000.00 and detailed scope of the project has been submitted to the DEP.

ALTERNATIVE ACTIONS

Other direction as determined by Town Council.

FISCAL IMPACT

The fiscal impact on the Town of East Hampton is the 20% in-kind match required by the grant. This match will be met with the Public Works Department's labor and use of equipment approximately \$9800.00 in-kind.

EH: Clerks Office

AGENDA ITEM: _____

11A

TOWN OF EAST HAMPTON AGENDA REPORT

Town Manager Approval: _____



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

DATE: April 7, 2009

SUBJECT: Adoption of Certified Resolution for Submittal of the Senior Center Renovations Project for application to the Small Cities Community Development Block Grant Program through the Connecticut Department of Economic and Community Development (DECD)

DEPARTMENT: Building, Planning & Zoning Dept.

RECOMMENDED ACTION

1. Review the proposed project and plans for the East Hampton Senior Center Renovations.
2. Conduct public hearing for consideration of submittal of Senior Center Renovations for submission of project along with grant application in the amount of \$750,000 to the Connecticut Department of Economic and Community Development through the Small Cities Community Development Block Grant Program.
3. Adopt Certified Resolution for Submittal of the Senior Center Renovations Project for application to the Small Cities Community Development Block Grant Program through the Connecticut Department of Economic and Community Development (DECD)

BACKGROUND

The following certified resolution is to submit the Senior Center Renovations valued at \$750,000 as a project for consideration under the Small Cities Community Development Block Grant Program with the Connecticut DECD. This federally funded program is passed through the Department of Economic & Community Development from the U.S. Department of Housing & Urban Development (HUD). The application must meet one of three (3) national objectives in order to be eligible for this assistance. The project must serve to assist 1.) Low to Moderate income persons with an area benefit, and limited clientele 2.) Direct Benefit (housing rehabilitation and jobs) in slum and blight areas, area basis, or spot slum and blight or 3.) Urgent Need which is sudden and unexpected, within 18 months, and no other funds available. This proposed project would meet the first criteria to meet low to moderate income persons with an area benefit. The elderly and approximately seven or eight other block groups meet the criteria for "low to moderate income persons". This resolution if approved, will allow Town Staff, along with Consultant, L. Wagner & Associates to submit the grant application and all appropriate material, to the DECD by the grant submittal deadline of May 29th, 2009.

The Senior Center is in great need of expansion and renovations to its existing facility in order to meet the growing needs of Senior Citizens with the Town of East Hampton. Census numbers outlined in the East Hampton Plan of Conservation and Development show that the Town will have 4,058 Seniors in the Year 2020 up from 1,644 Seniors in the Year 2000. The current facility built in approximately 1986 has currently outgrown what is needed to serve the Town's Senior population. The Senior Center currently provides such services to the Town's Seniors such as transportation, medical services, access to assistance programs, exercise programs, nutrition programs, social and recreational programs, and other education, information and advocacy programs. The proposed renovations to the center will add approximately 1,500 sq. ft. to the existing 5,000 sq. foot facility and generally will add an expanded kitchen area, larger multi-purpose room to the facility, American for Disabilities Act (ADA) and energy efficiency improvements,

parking improvements, and will provide for better room definition within the facility to address space issues. Finally the renovations should provide for more storage within the facility and better ingress and egress via the main entrance to the facility. Please see the specific plans submitted by Friar Associates Inc.

ALTERNATIVE ACTIONS

Other direction as determined by the Town Council.

FISCAL IMPACT

None

EH: Clerks Office

AGENDA ITEM: 11B

**TOWN OF EAST HAMPTON
AGENDA REPORT**

Town Manager Approval: _____



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

DATE: April 7, 2009

SUBJECT: Adoption of Fair Housing Resolution, Fair Housing Policy Statement, and Title IV Equal Opportunity Statement for the Town of East Hampton.

DEPARTMENT: Building, Planning & Zoning Dept.

RECOMMENDED ACTION

1. Recognition and adoption of the Town of East Hampton Fair Housing Resolution.
2. Recognition and adoption of the Town of East Hampton Fair Housing Policy Statement.
3. Recognition and adoption of the Title IV Equal Opportunity Statement.

BACKGROUND

April is designated as Fair Housing Month and the Town of East Hampton wishes to readdress its commitment to and support of the principles and practices of Fair Housing and Equal Opportunity. In the next several weeks the Town is committed to providing information available to the public and employees regarding fair housing opportunities and other equal opportunities. The Town is also committed to seeking out workshops and other networks to educate and better inform the public and employees about Fair Housing, Equal Opportunity, and American with Disabilities Act (ADA) improvements to public buildings. This effort to promote Fair Housing and Equal Opportunity for all during this month will also coincide to meet requirements for the application process for the Senior Center renovations projected being submitted under the Small Cities Community Development Block Grant Program, and is important for any future application requests.

ALTERNATIVE ACTIONS

Other direction as determined by the Town Council.

FISCAL IMPACT

None

EH: Clerks Office

AGENDA ITEM: _____

11C

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

April 14, 2009

To: The East Hampton Town Council

Please find copies of tax refunds for your review. The total refunds equal \$1077.80.

Thank you for your assistance.



Nancy Hasselman, CCMC
Collector of Revenue

	3•8300	+
	4•9400	+
	25•3800	+
	73•5700	+
	116•7900	+
	62•8400	+
	281•2000	+
	275•1800	+
	68•0300	+
	154•5300	+
	11•5100	+
011		
	1,077•8000	*

**TOWN OF EAST HAMPTON
AGENDA REPORT**

Town Manager Approval: JK

Item to be presented by: Frank Grzyb
Facilities Manager

DATE: April 14, 2009

SUBJECT: HAZARDOUS MATERIALS REMOVAL/BUILDING DEMO
3 WALNUT AVENUE, EAST HAMPTON, CT

DEPARTMENT: Facilities

RECOMMENDED ACTION

Acknowledgement of contract award to the lowest qualified bidder, Wiese Construction, Inc., for the above-referenced project in the amount of \$19,550.00. No action is required this is for information purposes only.

BACKGROUND

The Town received ten bids for the above-referenced project. Wiese Construction was the low bidder and is qualified to complete this project.

ALTERNATIVE ACTIONS

Other direction as determined by the Town Council.

FISCAL IMPACT

This project will be paid for with funds left over from the water tower demolition grant.

**TOWN OF EAST HAMPTON
AGENDA REPORT**

Town Manager Approval: JKM

Item to be presented by: Frank Grzyb
Facilities Manager

DATE: April 14, 2009

SUBJECT: EXTERIOR IMPROVEMENTS/ASBESTOS REMOVAL AT FIRE PUMP BUILDING
3 WALNUT AVENUE, EAST HAMPTON, CT

DEPARTMENT: Facilities

RECOMMENDED ACTION

Acknowledge contract award to the lowest qualified bidder, P.F. Mik Construction Company, LLC, for the above-referenced project in the amount of \$43,949.00. No action is required this is for information purposes only.

BACKGROUND

The Town received six bids for the above-referenced project. P.F. Mik Construction was the low bidder and is qualified to complete this project.

ALTERNATIVE ACTIONS

Other direction as determined by the Town Council.

FISCAL IMPACT

This project will be paid for with funds left over from the water tower demolition grant.