

Myself, Kevin Flannery and George Coshow talked of the necessity of alternates for the Board of Assessment Appeals last time we met. We have presented this to the Council in the past, and they did not feel the need to have alternates to our board. There is no BAA ordinance locally, the town acts in accordance with CGS 9-199. Section (b) states that the town council may appoint an alternate for each member of the board. Section (c) states the council , by ordinance, may appoint additional members for any assessment year. I am requesting the council place this as an agenda item for their meeting and consider our request. There is no cost to the town for alternates.

We have specific, state mandated dates to complete our spring and fall work. With the possibility of illness, family emergency or whatever, the town would quite possibly not be able to meet those dates. There may be state penalties to the town, but not that I am aware of. The only penalty I can see is that anyone coming before the board would not be able to have their assessment changed if we do not finish our work on time.

My board works many days and into the nights, particularly during the spring session, which is the real estate hearings. During a reevaluation year, the number of taxpayers coming to us is very high, this past year there were approximately 273 properties heard. We anticipate the numbers this coming spring to be equally high. We meet at times that are convenient to the taxpayers and, generally, that involves a lot of evening sessions. We have to visit many properties to properly measure buildings, or assess the condition of structures and land use, which we do during a day when we are not hearing appeals, or during the day before hearings begin.

We prefer using the Eaton Smith meeting room, the size and set-up are conducive to all parties feeling comfortable, there is adequate seating, lighting and table room to work and spread out maps and other documents the public presents to us. We also set a final date, which is open to the public, but we do not schedule any appointments on that day so that we have sufficient time to go over all that has transpired over the course of the month and discuss and make our decisions. We meet and do this even if we don't feel well because there are no alternates to fall back on. Sometimes work hours will not permit all of us to be present and that slows us down and extends the hours it takes to complete the task. I have been on the BAA for the past ten years and we do not let politics or friendships sway our decisions. My board members are honest, fair and hardworking. We would appreciate alternates with the same morals and work ethics.

Residents that are interested in the positions are: Gem Marshall, John Hines and Nancy Ninesling.

**For the present, we would like the council to appoint three alternates that, at minimum, would be conversant in valuing property and have access to a mentor (appraiser or realtor) if not formally trained. Board members require some classroom training (which is available through notification from the assessors office) as the regulations are very specific.

**For the future, we would like the council to draft an ordinance that would put the alternate positions on the ballot, every four years, letting the public make the decision of who should hold those alternate positions, rather than council appointments which could conceivably

change every two years, or allow the BAA members to appoint the alternates or replace them if they can no longer fulfill the obligation. We would ask that the council make the decision as to which way this should be handled in the future.

Below is an overview of the state statute I refer to.

State statute Sec. 9-199 Assessors and Boards of Assessment Appeals. Alternate members . Each town shall elect a board of assessment appeals consisting of three members and shall elect such officers at regular municipal elections for terms of four years. (b) The board of selectmen may appoint an alternate for each member of the board of assessment appeals. Each alternate member shall be an elector of the municipality. When seated, an alternate member shall have all the powers and duties of a member of the board of assessment appeals. (c) Notwithstanding the provisions of subsection (a) of this section or of any special act, municipal charter or home rule ordinance, a municipality may, by ordinance, authorize its legislative body to appoint additional members to the board of assessment appeals for any assessment year.

Respectfully submitted,

Barbara Suprono
Chairman, Board of Assessment Appeals
/bjs

Subj: BAA alternates
Date: 3/25/2011 10:24:29 A.M. Eastern Daylight Time
From: ghcoshow@sbcglobal.net
To: TissaHale@aol.com

Dear Melissa,

Once again BAA is roaring into action without a life-line. God forbid anyone of us should not be available due to sickness or emergency, but who's to know. It seems like a very simple task to create alternates for the board, and if someone can move fast enough it might be done in time for November elections if needed, or be appointed by TC as allowed by statutes. Obviously Jeff never got to it, and Bob hasn't either.

George Coshow
26 Shipyard Road, Middle Haddam, CT 06456-0118
(860) 267-1412
ghcoshow@sbcglobal.net

----- Forwarded Message -----

From: "O'Keefe, Jeff" <jokeefe@easthamptonct.org>
To: ghcoshow@sbcglobal.net; "Engel, Melissa" <tissahale@aol.com>
Cc: "Tyler, Carol Ann" <ctyler@easthamptonct.org>; "Connors, Linda" <Assessor3@easthamptonct.org>; "Sirois, Cathy" <execsec@easthamptonct.org>
Sent: Fri, July 9, 2010 4:55:36 PM
Subject: Re: BAA alternates

Melissa. I agree we should do this. I have seen first hand the increasing work load these three board members have been faced with the past few years. If you agree I will put it on the councils agenda for their August meeting.

----- Original Message -----

From: George Coshow <ghcoshow@sbcglobal.net>
To: Engel, Melissa; O'Keefe, Jeff
Cc: Tyler, Carol Ann; Connors, Linda
Sent: Fri Jul 09 16:43:38 2010
Subject: BAA alternates

Barbara Suprono, BAA chairman, Kevin Flannery and I talked of the necessity of alternates last time we met and I said I'd do something. While the re-charter committee was in full bore I suggested to them that BAA alternates should be considered. I received a round-about reply that this is more properly the subject of an ordinance. Attached is a portion of the state's general regs that discusses BAA and alternates.

Background. There is no BAA ordinance, the town acts in accordance with CGS 9-199 without repeating it via local law. The first paragraph of the attached copy discusses election of BAA members, and section (b) says that the town council may appoint an alternate for each member of the board. That sounds authoritative enough and actionable.

Discussion. BAA is up against hard, state-mandated dates to complete its spring and fall work. With the possibility of illness, family emergency or whatever, the town would be in a tough position to meet the dates. I have no idea of any penalties involved, just hard work into the night by staff and board members to catch up and answer state inquiries. And as with any emergency, illness, etc., there is no guarantee the absent member would finally present him or herself to get the job done, and form the mandatory three-member BAA. Alternates might be appointed at the last minute by a fast-acting TC, but at a minimum a member should be conversant in valuing property and have access to a mentor if not formally trained. Board members require some classroom training (infrequently given) as the regulations are very specific. This makes last-minute scrambling by TC to appoint a replacement ineffective to the task of qualified and motivated people addressing appeals.

Recommendation. Town Council should act without an ordinance to appoint an alternate for each elected BAA member. I recommend availing the public opportunity to comment on the proposed action, and that TC request each partisan town committee represented on the board to nominate alternates.

Note: I have undertaken this on my own after discussion some time ago with the other board members, and ask that the assessors send a copy of this e-mail to each.

George Coshow
26 Shipyard Road, Middle Haddam, CT 06456-0118
(860) 267-1412
ghcoshow@sbcglobal.net

Sec. 9-199. Assessors and boards of assessment appeals. Alternate members. (a) Unless otherwise provided by law, each town shall elect three assessors and a board of assessment appeals consisting of three members and shall elect such officers at regular municipal elections for terms of four years. Such assessors and members of the board of assessment appeals shall hold office for the term for which they are elected and until their successors are elected and have qualified. When the number of assessors or the number of members of the board of assessment appeals to be elected by any town is even, no person shall vote for more than one-half the number, and when the number to be elected is odd, no person shall vote for more than a bare majority of the number, provided the legislative body of any town may provide that the electors of such town vote for the full number of assessors or members to be elected thereat, any provision of the special acts to the contrary notwithstanding. The candidates in number sufficient to fill such offices who have the highest number of votes shall be elected. Nothing in this section shall be construed to affect the method of rotation of assessors or members of a board of assessment appeals legally in effect on October 1, 1976.

(b) The legislative body of a municipality or, in the case of a municipality for which the legislative body is a town meeting or a representative town meeting, the board of selectmen may appoint an alternate for each member of the board of assessment appeals. Each alternate member shall be an elector of the municipality. When seated, an alternate member shall have all the powers and duties of a member of the board of assessment appeals.

(c) Notwithstanding the provisions of subsection (a) of this section or of any special act, municipal charter or home rule ordinance, a municipality may, by ordinance, authorize its legislative body to appoint additional members to the board of assessment appeals for any assessment year.

(1949 Rev., S. 501, 502, 503, 515; 1951, S. 106b; 1953, S. 680d; P.A. 76-173, S. 7; P.A. 95-132, S. 4, 5; 95-283, S. 28, 68; P.A. 00-120, S. 11, 13; P.A. 02-49, S. 4.)



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Middletown, CT 06457
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April 13, 2011

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

Re: Town of East Hampton – Alternates for Board of Assessment Appeals
Our File No. 2666-001

Dear Mr. Drewry:

You and the Town Council have asked that I look into the proper manner of appointing alternates to the Board of Assessment Appeals. At the April 12, 2011 Town Council Meeting, a request to appoint alternates from Mr. George Coshow was considered by the Council. Council Chairperson Melissa Engel thereafter provided me with Mr. Coshow's e-mail request.

Mr. Coshow is correct that there is no Town Ordinance pertaining to the Board of Assessment Appeals ("BAA"). Hence, the Town of East Hampton's BAA is elected pursuant to the provisions of C.G.S. §9-199 (a), as amended by Section 4 of Public Act 10-84. In effect, the three members of the BAA are elected for terms of four years and hold office until their successors are elected and have qualified.

Subsection (b) of C.G.S. § 9-199 allows the Town Council (as legislative body) to "appoint an alternate for each member of the board of assessment appeals." Alternates must be electors of course, and when seated, have all the powers and duties of a member. It appears that no Ordinance is required for the appointment of BAA alternates.

I highly recommend the above statute be followed quite literally. If alternates are to be appointed, then a specific alternate is appointed for BAA member Barbara Suporono; and one for member George Coshow; and one for member Kevin Flannery. That full member's alternate would serve for as long as the full member serves. The alternate would only be seated when his/her corresponding full member could not be seated.

My further suggestion is that the BAA member's alternate be appointed from the same political party as the member. In this way, we are assured that the minority representation rules are followed.

Finally, I must highlight that this letter addresses the issue of alternates only. C.G.S. §9-199 (c) authorizes a municipality's legislative body to appoint additional members (i.e. full members) to the Board for "any assessment year." This action **does** require an Ordinance.

Please let me know if you have any questions.

Very truly yours,



Jean M. D'Aquila

JMD/ser

cc: Assessor Carol Ann Tyler

TOWN OF EAST HAMPTON
AGENDA REPORT

Agenda Item: 56

Item to be presented by:
Ruth G. Plummer Parks and Recreation Director

DATE: February 14, 2012

SUBJECT: Reconsideration of Sears Park Sticker fee structure

DEPARTMENT: Parks and Recreation

RECOMMENDED ACTION

Set fees as originally recommended by the Parks and Recreation Advisory Board for the 2012 season.

BACKGROUND

At the direction of the Town Council, The Parks and Recreation Advisory Board discussed the proposal to not charge a fee for vehicles to use Sears Park as traditionally done.

After lengthy discussion and careful reconsideration Len Heroux made the following motion: *Based on the recommendation of the Parks and Recreation Director it is the Advisory Board's recommendation that we not remove the Sears Park sticker fees due to the unknown impact on park operations and the potential for jeopardizing the safety and level of services currently provided.* Deb McKinney seconded the motion. All Approved (4-0).

Important considerations behind this recommendation are:

Nominal fees are charged for Sears Park stickers. Like many government agencies we use this concept of nominal fees for many reasons.

- o Residents with the desire to use Sears Park have a vested interest in the park. We do not see the fees as a deterrent but a commitment to the park as a public resource. The purchase of a Sears Park sticker is a commitment up front. A family using the park 9 times in the summer equates to \$1.11 per day unit cost.
- o Anecdotally we know there is a direct correlation between fees and the perceived value of the out come. Residents have a strong sense of ownership when it comes to Sears Park but not all residents use their park.

The 2012-2013 Fiscal Year Budget has been calculated and submitted.

- Park operations are funded through our operating budget. There is \$62,016.60 budgeted for Part time/Seasonal Salaries
 - o Park staff includes: Park Attendants (6); Life Guards (9); Parks Maintenance Staff (2); Seasonal Park Maintainers(2)

Budgets and staffing levels directly correlating to the operation of Sears Park are based on past experience and projected expectations.

- Historically we sell 1100 – 1200 vehicles stickers (including day passes) annually. Average 3 people per car we can reasonably say that 3300 to 3600 people use Sears Park at least once probably more. Of those 1200 vehicles, 214 patrons launched boats at least once. If these 3600 people use the park 9 times during the summer our staff and facility have managed 29,700 patrons in 10 weeks.

Conclusion:

The Parks and Recreation Department and Advisory Board can not recommend implementing a change that could impact park operations 3 months before the summer season. Careful consideration should be given to the effect this change will have on Sears Park, and the department's budget.

If the goal is to increase use of Sears Park, financial commitments and capital improvements should be considered.

ALTERNATIVE ACTIONS

FISCAL IMPACT

No decrease in revenue to the General Fund.

Draft Resolution of the Town Council

WHEREAS, the Town of East Hampton is proceeding forward to improve Sears Park with a performance gazebo and other improvements; and

WHEREAS, the neighboring property at 64 North Main Street has an existing access right of way over a portion of Sears Park which will interfere with the Town's development plans; and

WHEREAS, the owners of 64 North Main Street are agreeable to releasing said right of way at no cost to the Town, provided the Town is agreeable to conveying a small truncated triangle piece of property to them as well as an easement, both at no cost to them, which, together, will give their property access to North Main Street.

NOW THEREFORE, BE IT RESOLVED BY THE EAST HAMPTON TOWN COUNCIL, as follows:

- The Town of East Hampton shall quitclaim a small piece of property to the owners of 64 North Main Street, East Hampton as shown on a certain map or plan entitled "Sears Park Easement and Land Transfer Between Bruce Tolhurst And Town of East Hampton, North Main Street, Town of East Hampton, Connecticut, prepared by CLA Engineers, Inc., Civil Structural Surveying, 317 Main Street, Norwich, CT 06360 (860) 886-1966 Fax (860)886-9165, Project No.: CLA-4495, Proj. Engineer RLM, Date: 7/5/11, Sheet No. 1, Revised 10/27/11 Rev. Prop. Conveyance & Access Easement, Revised 12/5/11 Rev. Prop. Conveyance & Access Easement", said piece of property having a truncated triangular configuration being shown on said map or plan as "PROPERTY TO BE CONVEYED BY TOWN OF EAST HAMPTON TO TOLHURST AREA=2,485±S.F."
- The Town of East Hampton shall quitclaim an Access Easement to benefit the property at 64 North Main Street, East Hampton, as shown on the above-referenced map or plan as a cross hatched area designated as "ACCESS EASEMENT TO BE GRANTED BY TOWN OF EAST HAMPTON TO TOLHURST".
- The Town of East Hampton shall accept from the owners of 64 North Main Street, a release and quitclaim of all of their right, title and interest in and to a certain right of way depicted on the above-referenced map or plan as "TOLHURST TO RELINQUISH ALL RIGHTS IN AND TO THE PROPOSED STREET (SHADED) AS DEPICTED ON MAP REFERENCE."
- Interim Town Manager John Weichsel shall be authorized to execute all documents necessary to effectuate the aforesaid transfers.

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**EAST HAMPTON HIGH SCHOOL
BUILDING COMMITTEE RESOLUTION**

Where as, the Board of Education at its January 9, 2012 meeting, passed a motion to request that the Town Council create a school building committee for the purpose of renovations to the East Hampton High School.

Resolved that the East Hampton Town Council on _____, 2012 hereby establishes the East Hampton High School Building Committee with regard to high school renovations at the East Hampton High School described as follows:

Creation, Compensation, Composition, Term, Vacancies

- (a) *Membership.* There shall be one (1) school building committee with a membership composed of seven (7) members. All members shall serve without compensation and shall be appointed by the Town Council.
- (b) *Composition.* The members shall be comprised of resident tax taxpayers with a diversity of professional expertise, specialization and life experience. Membership may also include representation from the field of education and/or resident parents with school age children. Such diversity may be represented with expertise in the following professional backgrounds: architecture, landscape and/or building planning, finance and banking, network/IT, construction, purchasing/procurement, engineering, education, public works.
- (c) *Term.* The term of office shall be for the length of the proposed project.

The duly authorized school building committee shall continue as a complete committee during the entire course of the project regardless of changes in the composition of the Town Council, the Board of Education and the Board of Finance.
- (d) *Removal.* A member of the committee may be removed for cause or by a two-thirds (2/3) vote of the entire membership of the Town Council. In the event that a voting member is absent from three (3) consecutive regular meetings, that member may be removed by the Town Council for cause.
- (e) *Vacancies.* All vacancies shall be filled by the Town Council with Town Manager approval.
- (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 Superintendent of Schools and the Town Manager or a designee shall be ex officio members of the school building committee without vote.
- (h) *Town Staff.* The Town shall provide a staff person to manage the project on behalf of the Town.
- (i) *Parents and/or Residents.* The high school principal shall be responsible for annually appointing two (2) parents who are residents and registered voters of the town to represent student interests who may act as reporting liaisons to the PTO or other such organizations or committees.

Powers and Duties

The Building Committee shall have the following duties and powers:

- 1) To determine the scope of work for the project and select an architect through a Request for Proposal process as prescribed in Chapter 117 of the East Hampton Purchasing Ordinance.
- 2) To request the Town Council and Board of Finance to appropriate necessary funds for preliminary planning and site studies.
- 3) Upon appropriation of such funds, to hire an architect to *draft plans* for construction of new science labs in order to meet programmatic requirements and other such school building projects to meet building code/ADA requirements and to upgrade technology and improve facility infrastructure.
- 4) The committee and architect shall review any and all existing conceptual plans that have been developed for the High School renovation project, which includes, among other things, demolishing the two school wings (class rooms 40-46 and 51-54 et al.). The committee shall consider maintaining these two sections for future town use by the creation of (i.e.) new firewalls and other means to divide and make these two wings separate buildings apart from the main high school structure.
- 5) To approve *preliminary plans and specifications* for the project; obtain approval of preliminary plans and specifications by the Board of Education; initiate filing applications with the state department of education for review of preliminary plans and specifications; and request the Town Council and Board of Finance to appropriate necessary funds for the total project costs.
- 6) To analyze and approve final plans and specifications of such project; obtain approval of such final plans and specifications by the Board of Education; initiate filing application with the State Department of Education for review of *final plans and specifications*; and through the Town purchasing agent advertise for and receive bids for the construction of the project or any portion thereof.

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- 7) 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.
- 8) To be responsible for construction of such project through its agents and town's inspectors.
- 9) 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.
- 10) To analyze and approve any change orders in the approved plans for such project within the limits of the total project appropriations.
- 11) To have province over and final approval of all expenditures of the project, including furnishings, equipment or any other appurtenances to the buildings or grounds.
- 12) To select a name for the school building project thus constructed.
- 13) To approve and accept the completed project subject to the advice of its agents, the project architect and the town's inspectors.
- 14) To turn the building and grounds over to the Board of Education as soon as possible after final completion and acceptance.
- 15) 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.
- 16) The school building committee created by this resolution shall cease and desist once the assigned project has been turned over to the Board of Education.

Reports on work progress required.

The school building committee shall report at least once a month on the progress of its work directly to the Town Council, The Board of Education and the Board of Finance.

EAST HAMPTON TOWN COUNCIL

Requests to Consult with a Contracted Town Attorney

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Town Council To obtain legal information from Town Attorneys, a Town Council member must put in writing what legal questions or opinions they are requesting and submit it to the Town Manager for review and input.

If the Town Manager determines this is not a time-sensitive issue, there will be an opportunity for all Town Council members to review the written request and include their questions as well. The Town Manager will indicate a deadline when all requests must be received by his/her office. The Town Manager will contact the Town Attorney and the response will be emailed to all Town Council members as soon as it is available.

The Town Manager may also recommend that an Executive Session be scheduled to discuss the legal matter in question. This request should be made to the Town Council Chair to call a meeting.

If the legal question regards the Town Manager, the Chair will call an Executive Session and the Town Council will determine how to proceed. If it is determined that attorney input is required, the Town Council Chair will contact the attorney and schedule an Executive Session with the entire Town Council.

Town Manager The Town Manager may continue the practice of contacting Town Attornies concerning any matter under their jurisdiction, including personnel issues in order to make an informed decision.

When legal fees reach \$500.00 for any Town Council member's question, the Town Manager shall discuss the issue with the Town Council at the next scheduled Town Council meeting in executive session, or request a Special Meeting be called.

EAST HAMPTON TOWN COUNCIL

Involvement In Personnel Issues

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Personnel Issues

The Town Manager, as described in the Town Manager Job Description shall have primary responsibility for supervising and evaluating employees and shall meet with approved labor union representatives to resolve personnel grievances and/or complaints as necessary.

The Town Manager shall also directly negotiate with labor unions to propose contracts which must be approved by the Town Council.

No Town Council member, other elected and appointed officials, or residents, shall attend or in any way be engaged in meetings involving personnel matters.

Keeping the Council Informed

The Town Manager shall, in Executive Session, keep the Town Council informed of any personnel issue that may result in:

- Termination of an employee and/or
- Litigation.

In addition, the Town Manager must seek approval for any proposed new or revised labor contract.

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

February 10, 2012

To: The East Hampton Town Council

Please find copies of tax refunds for your review. The total refunds equal \$8,593.23.

Thank you for your assistance.

Nancy Hasselman, CCMC

Nancy Hasselman, CCMC
Collector of Revenue

	0.00	+
	2.00	+
	9.00	+
	21.47	+
	2,332.90	+
	6.30	+
	109.58	+
	22.52	+
	4,211.65	+
	1,000.00	+
	164.27	+
	146.05	+
	5.00	+
	3.00	+
	559.49	+
	8,593.23	*