


MEMORANDUM

TO: Town Council

FROM: David E. Cox, Town Manager 

DATE: October 8, 2021

SUBJECT: Agenda Information – 10/12/2021

The following is additional or summary information regarding matters on the upcoming Town Council Agenda. The numbering below follows the agenda and some routine or self-explanatory items are not discussed in this memo. As you review your packet materials, please do not hesitate to contact the appropriate staff member or me prior to the Council meeting with any questions or concerns. Often, these conversations can help staff and me be prepared for the Council meeting and be ready to facilitate a more productive and efficient meeting for everyone.

6 Presentations

6a Economic Development Commission Mission Statement – EDC Chairman Matthew Reich will present a proposed mission statement for the Economic Development Commission, which was developed and is recommended by the Commission. As the Council may recall, the Economic Development Commission is one of the only advisory Boards and Commissions that does not have a purpose or mission stated in the Town Code as part of its creating and authorizing legislation. After the Council receives the presentation, it may be appropriate for the Council to determine by consensus whether the proposed statement is consistent with its vision of the EDC and whether staff should develop an ordinance that could be used to insert language in keeping with that purpose/mission statement into the Town Code. The ordinance, if one is desired, would be developed for review by the Council at an upcoming meeting and action to set a public hearing could be taken once the ordinance is prepared and reviewed.

8 Resolutions/Ordinances/Policies/Proclamations

8a Review and consideration of an ordinance establishing a moratorium on Adult-Use Cannabis –

The Council is asked to consider an ordinance that would establish a one year moratorium on the cannabis-related commercial activities recently authorized in State Law. In consultation with the Planning and Zoning Commission during a combined session of the two bodies, it was determined that the Council would consider a temporary moratorium to allow the time for consideration of the new regulations, review of various approaches to local regulation and receipt of public input. The moratorium will temporarily prohibit the various classes of cannabis-related growing, processing and sales activities from taking place in East Hampton until a final decision is reached. Further, the ordinance, which is the subject of a public hearing scheduled for earlier in this meeting, includes a prohibition of the “smoking, vaping, use, consumption or possession” of cannabis products on Town owned or controlled properties and acknowledges that a similar prohibition exists on State owned properties. Enacting the moratorium sends a clear message to the State, who will issue the licenses for

the growing, processing and sales activities, that no such licenses should be issued for East Hampton. Based on recommendations from the Attorney, amendments were made to the proposed ordinance related to the ordinance title, the section title and to add the reference to the State property prohibition against use of cannabis, which includes the Air Line Trail and other facilities. A revised version of the Ordinance is included with this memorandum.

Recommendation: Approve the proposed ordinance.

9 Continued Business

9b Update regarding the selection of a Poet Laureate – As the Council may recall, in April of this year, it referred the question of selection of a new Poet Laureate for the Town to the Town’s Arts and Cultural Commission and asked the Commission to develop a selection process and to make a recommendation to the Council regarding a person to appoint to the position. The Arts and Cultural Commission has considered the question, appropriate qualifications and has developed a planned process for selecting a recommended candidate. That material is presented to the Council for its approval. If approved by the Council, the process calls for applications in November, review of qualifications and works in December with a recommendation to the Council in January. The position is proposed as two year appointment as East Hampton Poet Laureate, which is an honorary, unpaid position.

Recommended Action: Approve the proposed process.

10 New Business

10a Police Department General Orders – Police Chief Woessner will present information to supplement his attached memorandum regarding a revision to the recently adopted revised Use of Force General Order. As directed by the Connecticut Police Officer Standards and Training Board (POST), the Use of Force General Order (3.1), which was replaced in its entirety in September, is being updated to clarify the statements regarding prohibitions on the use of chokeholds and neck restraints. The new language outlines specific holds and restraints that are prohibited except in cases where the “use of deadly physical force is necessary.”

Recommended Action: Approve the revised Use of Force General Order.

The remainder of the items are of a routine nature, in the sole purview of the Council or are announcements. Please contact me or the appropriate staff member with questions or concerns.

Town of East Hampton
Town Council Public Hearing
Tuesday, September 28, 2021
Town Hall Meeting Room & Zoom

MINUTES

Present: Chairman Pete Brown, Vice Chairman Dean Markham, Council Members Tim Feegel, Derek Johnson, Mark Philhower, and Kevin Reich and Town Manager David Cox.

Not Present: Barbara Moore

Call to Order

Chairman Brown called the meeting to order at 6:15 p.m.

Public Hearing for an Ordinance Amending Article III of Chapter 130 of the Code of the Town of East Hampton Regarding Board of Finance Term Limits

Mr. Cox provided an overview of the proposed changes to the ordinance. Currently the language indicates that a member may not “serve” more than two consecutive terms. The new language would state that a member may not be “elected” to more than two consecutive terms. This language is the same as the Board of Education term limits.

There were no public comments on the amended ordinance.

A motion was made by Mr. Reich, seconded by Mr. Philhower, to close the public hearing at 6:18pm.
Voted (6-0)

Adjournment

A motion was made by Mr. Reich, seconded by Mr. Philhower, to adjourn the meeting at 6:18pm.
Voted (6-0)

Respectfully Submitted,

Cathy Sirois
Recording Clerk

Town of East Hampton
Town Council Regular Meeting
Tuesday, September 28, 2021
Town Hall Council Chambers and Zoom

MINUTES

Present: Chairman Pete Brown, Vice Chairman Dean Markham, Council Members Tim Feegel, Derek Johnson (via Zoom), Mark Philhower and Kevin Reich and Town Manager David Cox (via Zoom) and Finance Director Jeff Jylkka

Not Present: Barbara Moore

Call to Order & Pledge of Allegiance

Chairman Brown called the meeting to order at 6:30 p.m. in the Town Hall Council Chambers and via Zoom.

Adoption of Agenda

A motion was made by Mr. Reich, seconded by Mr. Philhower, to adopt the agenda as presented. Voted (6-0)

Approval of Minutes

A motion was made by Mr. Reich, seconded by Mr. Johnson, to approve the minutes of the Town Council Regular Meeting of September 14, 2021 as written. Voted (6-0)

Public Remarks

None

Presentations

None

Bids & Contracts

None

Resolution/ Ordinances/ Policies/ Proclamation

Proclamation for Paul's & Sandy's Too 50th Anniversary

A motion was made by Mr. Reich, seconded by Mr. Markham, to adopt a proclamation honoring Paul's & Sandy's Too on its 50th Anniversary.

Review & Possible Adoption of an Ordinance Amending Article III of Chapter 130 of the Code of the Town of East Hampton Regarding Board of Finance Term Limits

Mr. Cox reviewed that currently the language indicates that a member may not "serve" more than two consecutive terms. The new language would state that a member may not be "elected" to more than two consecutive terms. This language is the same as the Board of Education term limits. A Public Hearing was held for this item just prior to the Council Meeting but no members of the public provided any remarks.

A motion was made by Mr. Reich, seconded by Mr. Philhower, to adopt the revised ordinance as presented. Voted (6-0)

Review of an Ordinance Amending the Code of the Town of East Hampton Regarding Establishing a Moratorium on Certain Activities Related to Adult-Use Cannabis and Consideration of a Motion to Set a Public Hearing

Mr. Cox provided an overview of a draft ordinance that would establish a one-year moratorium on the cannabis related commercial activities recently authorized in State law. The Town Council and Planning & Zoning Commission held a workshop to discuss the topic and determined a one-year moratorium would allow time for consideration of the new regulations. A Public Hearing will allow for comments from residents on the topic.

A motion was made by Mr. Markham, seconded by Mr. Reich, to set a Public Hearing for Tuesday, October 12, 2021 at 6:30pm at the start of the Town Council Regular Meeting. Voted (6-0)

Continued Business

Sub-Committee Reports & Updates

Mr. Reich noted that the High School Athletic Fields Committee is scheduled to meet on Thursday, October 7th at 2:00pm.

Mr. Feegel reported the ARP Sub-Committee will be meeting in a couple weeks. Chairman Brown reported a change in the committee with Mr. Johnson coming off the committee and Mr. Markham being added.

Review & Possible Approval of Job Descriptions

- 1. Crew Leader – Building Maintenance (Facilities)**
- 2. Chief Mechanic**
- 3. Mechanic/Maintainer III**
- 4. Mechanic’s Aide/Maintainer II**

Mr. Cox provided an overview of the job descriptions noting that there were minor changes to the Mechanic’s descriptions adding in wording regarding appropriate training.

A motion was made by Mr. Reich, seconded by Mr. Feegel, to approve the Crew Leader – Building Maintenance, Chief Mechanic, Mechanic/Maintainer III and Mechanic’s Aide/Maintainer II job descriptions as presented. Voted (6-0)

New Business

Review & Possible Approval of FY 2021 End of Year Transfer to Capital Reserve Fund

Mr. Jylkka provided an overview of the End of Year Transfer that was approved by the Board of Finance.

A motion was made by Mr. Markham, seconded by Mr. Philhower, to approve the additional appropriation of \$400,000 to the Capital Reserve Fund as presented. Voted (6-0)

Review & Possible Approval of RFP for Sears Park Boat Launch Replacement

Parks & Recreation Director Jeremy Hall provided an overview of the RFP for the Sears Park Boat Launch Replacement. The RFP closes on October 22nd and work is anticipated to begin the 2nd week of November.

A motion was made by Mr. Philhower, seconded by Mr. Markham, to approve the RFP for the Sears Park Boat Launch Replacement as presented. Voted (6-0)

Review & Possible Approval of RFP for Summit/Watrous Street Properties

Mr. Cox provided an overview of the RFP for the redevelopment of 13 Summit Street, 1 Watrous Street and 13 Watrous Street. The RFP seeks developer partners to coordinate with the Town to redevelop the Town-owned properties at 1 and 13 Watrous Street and the property at 13 Summit Street.

A motion was made by Mr. Philhower, seconded by Mr. Reich, to approve the RFP for the Summit/Watrous Street Properties as presented. Voted (6-0)

Town Manager Report

Mr. Cox provided an overview of his written report which will be included with the minutes filed in the Town Clerk's Office.

Appointments

None

Tax Refunds

A motion was made by Mr. Philhower, seconded by Mr. Reich, to approve tax refunds in the amount of \$4,377.36. Voted (6-0)

Public Remarks

None

Communications, Correspondence & Announcement

None

Adjournment

A motion was made by Mr. Reich, seconded by Mr. Feegel, to adjourn the meeting at 7:26pm. Voted (6-0)

Respectfully Submitted,

Cathy Sirois
Recording Clerk

Economic Development Commission: Mission Statement

(Includes comments from commission members at June 2021 meeting and Town Manager, and by Town Council Vice Chairman Markham – liaison to the commission – via email)

The East Hampton Economic Development Commission will lead and support projects that contribute to the successful attraction of new businesses, retain established businesses and improve the quality of life of East Hampton residents, visitors and tourists. These objectives will form the pillars **around** which the commission will center its efforts.

Attract New Businesses

The commission **will** conduct initiatives and make recommendations that aim to create a town environment that welcomes businesses across industries and sectors. Increasing the commercial tax base, job creation, and meeting the needs of town residents shall guide efforts to attract new businesses. Commission members are encouraged to explore available avenues, including but not limited to the development of promotional materials and advising on the modification of town policies, and collaborate with relevant town officials, boards, and commissions.

Retain and Nurture Existing Businesses

The commission shall conduct initiatives that help support and retain the current business footprint while nurturing growth opportunities for existing businesses. Commission members are encouraged to act as a liaison and engage with local business sectors to explore opportunities for general promotion and broad growth, including but not limited to town promotional initiatives, networking events, representation at regional business associations and support of tourism in our community and surrounding area.

Tourism and Beautification

The commission **are encouraged to support tourism programs** and beautification initiatives within the Town of East Hampton. The commission members will generate initiatives in collaboration with town officials and town business owners using marketing materials across media platforms, press releases, and all available resources within the approved budget. The commission together with town officials, business owners, **and local tourism district are** encouraged to develop plans **to promote** new points of interest, green spaces, historical landmarks and other sites to direct new tourism.

- The commission will create and promote tourism for the purpose of added revenue for the local economy, job creation and enhancing the town's art and cultural representation.
- Together with town officials and small business owners, commission members **are welcome to** cultivate indoor and outdoor projects that attract public spectators. Beautification initiatives shall include capital and non-capital projects, including but not limited to: planting gardens, enhancing existing town land, adding art and cultural pieces to indoor/outdoor spaces, creating new aesthetic places within town owned and operated buildings, enhancement of existing historical landmarks and any other approved projects presented at public EDC meetings.
- To increase tourism and beautification year over year, the commission members **are** encouraged to collaborate, liaise and initiate plans with stakeholders in the local municipalities to apply for grants, utilize local community organizations, and work within existing budgets.

Town of East Hampton
Middlesex County, Connecticut

DRAFT – October 7, 2021 [\(Showing Revisions\)](#)

Ordinance No. 2021.03

**An Ordinance ~~Amending the Code of the Town of East Hampton~~ Regarding
Establishing a Moratorium on Certain Activities Related to Adult-Use
Cannabis**

WHEREAS, the Connecticut General Assembly passed legislation that legalizes adult use of cannabis in the State of Connecticut, which legislation was approved as Senate Bill No. 1201, June Special Session, Public Act No. 21-1, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (hereinafter “the Act”), and;

WHEREAS, the Act contains provisions allowing municipalities to prohibit or place reasonable restrictions on cannabis establishments and activities, and;

WHEREAS, the Town Council, in consultation with the East Hampton Planning and Zoning Commission, determines that careful and planful consideration of appropriate prohibitions or regulations related to Adult-Use Cannabis will require more time than is available under the Act before State of Connecticut licenses or permits could be issued for the various retail, growing, ~~and~~ processing [and consumption](#) activities addressed in the Act, and;

WHEREAS, the Town Council determines that a moratorium on certain activities is appropriate to provide time for the community to review the issues and consider appropriate prohibitions or regulations.

NOW, THEREFORE, pursuant to Section 2.4 of the Town of East Hampton Charter, the Town Council of the Town of East Hampton does hereby ordain as follows:

Section 1: Chapter ~~185-155~~ of the Code of the Town of East Hampton regarding [Adult-Use Cannabis](#), ~~Adult-Use~~ is hereby established as follows:

Chapter ~~185~~[155](#)

[Adult-Use Cannabis](#), ~~Adult-Use~~

§ ~~185~~[155](#)-1 Moratorium Established.

For the purpose of providing sufficient time for review and consideration of appropriate prohibitions or regulations related to Cannabis Establishments as that term is used and defined in Connecticut Public Act No. 21-1, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis, a moratorium is hereby established and all said Cannabis Establishments shall be prohibited. During said moratorium, the Town will not accept or consider applications or requests related to establishing a Cannabis Establishment. Said moratorium shall expire on October 1, 2022 if not repealed or extended prior to that date.

§ ~~185155~~-2 Use of Cannabis or Cannabis Products Prohibited.

For the term of the moratorium established under section ~~185155~~-1 of this Chapter, the smoking, vaping, use, consumption or possession of Cannabis or Cannabis Products, as those terms are used and defined in Connecticut Public Act No. 21-1, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis, is expressly prohibited on Town owned or Town controlled property including, but not limited to, buildings, grounds, parks, vehicles, and equipment. The prohibition described herein is in addition to any prohibitions described in the aforementioned Act including those prohibiting smoking, vaping, use, consumption or possession of Cannabis or Cannabis Products on property owned or controlled the State of Connecticut including, but not limited to, the Air Line Trail, Salmon River State Forest and Hurd Park.

Section 2: This ordinance is effective immediately upon its adoption and publication in accordance with Connecticut Statutes.

Approved this ____ day of _____, 2021.

TOWN COUNCIL

ATTEST

James Brown, Chairperson

Kelly Bilodeau, Town Clerk

Town of East Hampton
Middlesex County, Connecticut

DRAFT – October 7, 2021 (CLEAN)

Ordinance No. 2021.03

**An Ordinance Regarding Establishing a Moratorium on Certain Activities
Related to Adult-Use Cannabis**

WHEREAS, the Connecticut General Assembly passed legislation that legalizes adult use of cannabis in the State of Connecticut, which legislation was approved as Senate Bill No. 1201, June Special Session, Public Act No. 21-1, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (hereinafter “the Act”), and;

WHEREAS, the Act contains provisions allowing municipalities to prohibit or place reasonable restrictions on cannabis establishments and activities, and;

WHEREAS, the Town Council, in consultation with the East Hampton Planning and Zoning Commission, determines that careful and planful consideration of appropriate prohibitions or regulations related to Adult-Use Cannabis will require more time than is available under the Act before State of Connecticut licenses or permits could be issued for the various retail, growing, processing and consumption activities addressed in the Act, and;

WHEREAS, the Town Council determines that a moratorium on certain activities is appropriate to provide time for the community to review the issues and consider appropriate prohibitions or regulations.

NOW, THEREFORE, pursuant to Section 2.4 of the Town of East Hampton Charter, the Town Council of the Town of East Hampton does hereby ordain as follows:

Section 1: Chapter 155 of the Code of the Town of East Hampton regarding Adult-Use Cannabis is hereby established as follows:

Chapter 155

Adult-Use Cannabis

§ 155-1 Moratorium Established.

For the purpose of providing sufficient time for review and consideration of appropriate prohibitions or regulations related to Cannabis Establishments as that term is used and defined in Connecticut Public Act No. 21-1, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis, a moratorium is hereby established and all said Cannabis Establishments shall be prohibited. During said moratorium, the Town will not accept or consider applications or requests related to establishing a Cannabis Establishment. Said moratorium shall expire on October 1, 2022 if not repealed or extended prior to that date.

§ 155-2 Use of Cannabis or Cannabis Products Prohibited.

For the term of the moratorium established under section 155-1 of this Chapter, the smoking, vaping, use, consumption or possession of Cannabis or Cannabis Products, as those terms are used and defined in Connecticut Public Act No. 21-1, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis, is expressly prohibited on Town owned or Town controlled property including, but not limited to, buildings, grounds, parks, vehicles, and equipment. The prohibition described herein is in addition to any prohibitions described in the aforementioned Act including those prohibiting smoking, vaping, use, consumption or possession of Cannabis or Cannabis Products on property owned or controlled the State of Connecticut including, but not limited to, the Air Line Trail, Salmon River State Forest and Hurd Park.

Section 2: This ordinance is effective immediately upon its adoption and publication in accordance with Connecticut Statutes.

Approved this ____ day of _____, 2021.

TOWN COUNCIL

ATTEST

James Brown, Chairperson

Kelly Bilodeau, Town Clerk

Poet Laureate



Overview

The Poet Laureate serves as an advocate for poetry and promotes the appreciation of and participation in poetry and literary arts activities among East Hampton residents.

Timeline (approximate)

Application deadline:	November 18, 2021
Panel review:	December 16, 2021
Award notification:	January 11, 2022
Poet Laureate term:	January 2022 through December 31, 2023 (2 years)

Duties

- Make 1 or 2 public presentations during town sponsored events each year.
- Foster public appreciation of poetry in the community.

Terms of Service

- The East Hampton Poet Laureate will serve a term of two (2) years, with reappointment a possibility.
- The Poet Laureate must remain a resident of East Hampton during his/her term.
- The East Hampton Town Council reserves the right to revoke the tenure of the Poet Laureate if he/she fails to fulfill his/her duties or is involved in criminal or unethical activities.
- There will be no honorarium (payment).

Eligibility

- Applicants must be a resident of the Town of East Hampton.
- Applicants must possess an outstanding reputation & distinction in the field of poetry.
- Applicants must be at least 18 years old.

Application Process

- Applications will be available at the Town Hall, Library & Dexters.
- Applicants will submit a cover letter, resume, and several selections of their work in paper or electronic format. See contact information below for details.
- Applicants will give a presentation to the East Hampton Arts & Culture Commission.

Review Process

- The Arts & Culture Commission will recommend a Poet Laureate candidate to the Town Council for appointment.
- The selection criteria:
 - Excellence of the poet's work.
 - Commitment to fostering appreciation and participation in poetry.

Contact

Electronic submissions: arts@easthampton.org
 Paper submissions: East Hampton Arts & Culture Commission
 c/o Town Hall/Town Manager's Office
 1 Community Drive
 East Hampton, CT 06424

*Submitted by the East Hampton Arts & Culture Commission:
 Carol Lane, Mindy Maynard, Ellen Paul, Melissa Pionzio, Betty Sennett, Rebecca Tinelle & Ed Yocher*



East Hampton Police Department
1 Community Drive
East Hampton, CT 06424



Dennis Woessner
Chief of Police

October 5, 2021

To: David Cox, Town Manager

From: Dennis Woessner, Chief of Police 

Subject: General Order approval

Attached to this memorandum is a General Orders which I am submitting for approval:

General Order 3.1, Use of Force, is an existing General Order which was approved by the Town Council on September 14, 2021. The Police Officer Standards and Training Council (POSTC) made a minor change to the policy on September 21, 2021. The change added additional wording for chokeholds and neck restraints.

Any additions to these General Orders are marked in red and deletions are crossed out and noted in yellow.



EAST HAMPTON POLICE DEPARTMENT

GENERAL ORDER 3.1

RULES OF CONDUCT

SUBJECT: USE OF FORCE

Issue Date: TBD

Effective Date: TBD

Distribution: All Personnel

Amends/Rescinds GO: 3.1 dated 9/15/21

Review Date: Annually

Per Order of:

Dennis Woessner, Chief of Police

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting

I. PURPOSE

The law enforcement profession recognizes and values the sanctity of human life and respect for every person's rights and dignity. As guardians of a lawful and ordered society, police officers are vested with significant authority, the judicious use of which serves to protect public safety while fortifying public confidence in the legitimacy of the police. A peaceful resolution is the best, most desired outcome in all situations. To that end, police officers must use only the level of force necessary to achieve legitimate, lawful purposes and resolve each situation they face fairly and safely. Acknowledging that circumstances may compel the use of physical force upon a person, up to and including deadly force, police officers must view the use of force as a last resort.

II. POLICY

Police officers must use only the minimum level of force necessary to achieve a lawful purpose. Any use of force must be reasonable, proportionate to the threat, and employed in a manner consistent with this policy. While not an actual use of force, the mere presence of a police officer can be intimidating to some. Therefore, officers should be mindful of their body language and tone of voice upon arrival at a scene and throughout their interaction with subjects, complainants, and witnesses.

III. DEFINITIONS

- A. "Acting in a Law Enforcement Capacity" means any on-duty police officer or any off-duty police officer who identifies themselves as such and asserts their law enforcement authority.
- B. "Active Resistance" means any physical act undertaken by a subject against an officer that could reasonably impede or defeat the officer's lawful attempt to gain control of the subject.
- C. "Chokehold/Neck Restraint" means a physical maneuver or other method of restraint applied to the neck area or that otherwise impedes the ability to breathe or restricts blood circulation to the brain.
- D. "Deadly Force" means any force that is likely to cause serious injury or death.
- E. "Deadly weapon" means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles.
- F. "De-escalation" means the use of strategies and/or techniques to reduce the intensity of or stabilize a conflict or potentially volatile situation.
- G. "Imminent" means likely to occur at any moment; impending.
- H. "Last resort" means a final course of action, used only when other reasonable options are unavailable or have failed.
- I. "Less-Lethal Force" means any force that is not likely to cause serious physical injury or death. Less lethal force includes weaponless defensive and control techniques (such as open hand strikes, elbow or closed fist strikes, leg sweeps, kicks, and forcible restraint), weapons and munitions (such as OC spray or chemical agents such as tear gas, CEW, projectiles like rubber bullets and bean-bag rounds, batons and other impact weapons, and flash bang devices), and K9.
- J. "Mitigation" means the action of reducing the danger, severity, seriousness, or potential harmfulness of a condition or circumstance.
- K. "Necessary" means an action chosen when, in an officer's judgement, no effective alternative exists.
- L. "The objectively reasonable standard" is the legal standard used to determine the lawfulness of a use of force under the Fourth Amendment to

the U.S. Constitution. The U.S. Supreme Court established this standard in its ruling in *Graham v. Connor* (490- U.S. 386, 1989).

- M. "Officer created jeopardy" means situations where officers needlessly put themselves in a position where they must use deadly force to protect themselves.
- N. "Passive Resistance" means an unarmed, non-violent person's failure or refusal to cooperate with a police officer's lawful directions, such as in an act of civil disobedience or by a non-violent handcuffed person. Passive resistance generally involves lack of voluntary movement by the resister.
- O. "Police officer," as used in this policy, means any Connecticut "peace officer," as defined in CGS 53a-3.
- P. "Physical Force" means any intentional contact used upon or directed toward the body of another person, including restraint and confinement.
- Q. "Positional Asphyxia" is a condition where the supply of oxygen to a person's body is deficient because their body position prevents them from breathing adequately, usually as a result of an airway obstruction or limitation in chest wall expansion.
- R. "Proportional Force" means force that is reasonably necessary to overcome the level of resistance, aggression, or threat an officer confronts.
- S. "Reasonable" means sound, fair, sensible, and not excessive under the circumstances.
- T. "Reasonable belief that a person has committed an offense" means a reasonable belief in facts or circumstances which if true would in law constitute an offense. If the facts or circumstances would not legally constitute an offense, an incorrect belief that they do, even if reasonable, does not justify the use of physical force.
- U. "Serious Physical Injury" means physical injury that creates a substantial risk of death, serious protracted and obvious disfigurement, a serious health impairment, or an extended loss or impairment of any body part or bodily organ.
- V. "Unreasonable Force" means any force applied in a manner inconsistent with this policy or applicable law.
- W. "Unreasonable Risk" means unwarranted exposure to the possibility of a negative consequence.

IV. MORAL AND ETHICAL OBLIGATIONS REGARDING THE USE OF FORCE

All police officers must comply with this policy and uphold the legal, moral, and ethical obligations of their sworn service to the public, including:

A. Duty to Render Aid

An officer shall render aid and request an emergency medical service (EMS) response as soon as possible for any person who sustains an injury, complains of injury, or otherwise exhibits signs of medical distress including shortness of breath, altered mental status, or loss of consciousness.

An EMS response shall be requested for any person subjected to the use of a firearm, impact weapon, impact projectile, conducted energy weapon (CEW), oleoresin capsicum (OC) spray, or K-9 apprehension. A supervisor shall be immediately notified of any EMS response initiated under these conditions, and injuries shall be documented and photographed whenever possible.

B. Duty to Intervene

Any police officer acting in a law enforcement capacity who witnesses the use of force by any other officer, regardless of rank or department, that the witnessing officer knows to be unreasonable, must intervene to attempt to stop such use of force. The witnessing officer shall intervene in any manner necessary to stop any unreasonable use of force, including by verbal or physical means or both. Unreasonable force is any force applied in a manner inconsistent with this policy or applicable law.

These requirements do not apply to officers acting in an undercover capacity if intervening will significantly compromise their safety or the safety of another.

In rare cases, exigent circumstances may prevent an officer from complying with these requirements. For example:

- (1) An officer may be engaged in a simultaneous attempt to apprehend another person.
- (2) An officer may be actively engaged in rendering aid to a seriously injured person.
- (3) An officer may be separated by space, elevation, physical barriers, terrain, or other hazards or impediments that prevent access necessary to intervene.

If circumstances prevent or impede effective intervention, these circumstances shall be promptly reported and documented.

Any officer who fails to intervene in an incident involving unreasonable use of force that they witness may be subject to disciplinary action and criminal prosecution for the actions the offending officer took.

C. Duty to Report

Any police officer acting in a law enforcement capacity who witnesses or otherwise becomes aware of the use of force by any other officer, regardless of rank or department, that the witnessing officer knows to be unreasonable shall notify a supervisor as soon as practicable. The witnessing officer shall also prepare a written report that thoroughly explains how force was used and submit that report as prescribed by Department procedures.

Any officer who fails to report any unreasonable use of force as required by this policy may be subject to disciplinary action and criminal prosecution.

D. Prohibition Against Retaliation

The Department and its employees are strictly prohibited from taking any retaliatory, discriminatory, or punitive action against any officer who acts in good faith in accordance with this policy or cooperates in any internal or criminal investigation related thereto.

V. DE-ESCALATION AND MITIGATION

Officers should use force as a last resort and employ de-escalation and mitigation techniques to the greatest extent practicable. Officers are not required to delay taking protective measures that are immediately necessary or to place themselves or others at imminent risk of harm in order to attempt de-escalation, but they should consider the following options that might minimize or avoid the use of force:

- A. Using a non-threatening, non-confrontational tone of voice
- B. Listening carefully and expressing empathy
- C. Slowing down the pace of an incident
- D. Waiting to take action until the threat subsides
- E. Placing additional space or barriers between the officer and a person
- F. Permitting a person to move about

- G. Permitting a person to ask questions or engage in conversation
- H. Tactical repositioning or seeking cover
- I. Requesting additional resources

De-escalation is most effective when done purposefully, with patience and flexibility. These techniques should only be employed when circumstances permit, and it is safe to do so.

VI. USE OF PHYSICAL FORCE

The use of force by an officer shall be necessary, reasonable and proportionate to the threat encountered. Physical force may only be used to achieve a lawful purpose. Before resorting to physical force and whenever safe and feasible, officers should first make reasonable attempts to gain compliance through verbal commands and allowing appropriate time under the circumstances for voluntary compliance.

A. Considerations

Before deciding to use physical force, an officer should consider the following:

- (1) The immediacy of the threat
- (2) The nature and severity of the crime or circumstances
- (3) The nature and duration of actions taken by the subject
- (4) Whether the subject is actively resisting custody
- (5) Whether the subject is attempting to evade arrest by flight
- (6) The number of subjects in comparison to the number of officers
- (7) The size and condition of the subject in comparison to the officer
- (8) The age, health, and condition of the subject
- (9) The subject's violent history, if known
- (10) The presence of a hostile crowd or agitators
- (11) Whether the subject is under the influence of drugs or alcohol to the extent it would affect their tolerance towards pain

B. Permissible Purposes for the Use of Physical Force

When necessary and reasonable, an officer may use proportionate physical force to:

- (1) Gain control of a subject who poses an imminent risk to the officer, themselves, or a third person.
- (2) Effect an arrest of a person whom the officer reasonably believes to have committed an offense unless the officer knows the arrest is not authorized.
- (3) Effect an arrest pursuant to a warrant unless the officer knows the arrest warrant is invalid.
- (4) Prevent the escape from custody of a person unless the officer knows the custody is not authorized.
- (5) Gain compliance to a lawful order.

C. Prohibitions on the Use of Physical Force

The following actions are prohibited:

- (1) Using physical force against any handcuffed or restrained person except to the extent necessary to counter active resistance, prevent escape, prevent the person from sustaining injury, or prevent the person from injuring another.
- (2) Using physical force for the purpose of retaliation.
- (3) Using physical force against a person whose health, age, physical condition, or circumstances make it likely that serious physical injury will result.
- (4) Standing on or kneeling on the neck of another person.

D. Restrictions on the Use of Physical Force

The following are prohibited except under circumstances where deadly force is deemed reasonable and necessary, consistent with this policy:

- (1) ~~The use of a chokehold or neck restraint.~~ **The intentional use of a chokehold or neck restraint, including but not limited to: (1). Arm Bar hold, (2). Carotid artery hold, (3). Lateral vascular neck restraint, (4). Neck restraint or hold with a knee or other object, is prohibited. The**

use of choke hold or neck restraint may only be used when the use of deadly physical force is necessary.

- (2) Intentional strikes to the head, neck, spine, or sternum with an impact weapon, improvised impact weapon, knee, kick, or hard object, or striking the head against a hard surface.
- (3) The intentional discharge of a less-lethal launcher projectile at close range to the head, neck, or chest.

VII. POSITIONING OF PERSONS UNDER OFFICER'S CONTROL

Restrained persons shall be positioned so that breathing is not obstructed. Restrained persons should be maintained in a seated position or placed on their side. Restrained persons should not be placed in a prone or other position that increases the risk of positional asphyxia.

VIII. LESS LETHAL FORCE

An officer may use less lethal force when reasonable and necessary to overcome the use or imminent use of force against an officer or a third person. The level of less lethal force used must be proportionate to the threat, perceived or existing. Less lethal force may not be used against any person engaged in passive resistance.

IX. USE OF DEADLY PHYSICAL FORCE

Deadly force must be used as a last resort. Any use of deadly force must be reasonable and necessary. When feasible and consistent with personal safety, an officer shall give warning of his or her intent to use deadly physical force.

A. Permissible Purposes for Deadly Force

A police officer is justified in using deadly force upon another person only when his or her actions are objectively reasonable under the given circumstances at that time and the officer reasonably believes the use of deadly force is necessary to:

- (1) Defend himself or herself or another person from the use or imminent use of deadly physical force, or
- (2) Effect an arrest of a person if the following circumstances exist:
 - a. The officer reasonably believes the person has committed or attempted to commit a felony that involved the infliction of serious physical injury and

- b. The officer has determined there are no available reasonable alternatives to the use of deadly force and
 - c. The officer believes that the use of deadly force creates no unreasonable risk of injury to any other person.
- (3) Prevent the escape of a person if the following circumstances exist:
- a. The officer reasonably believes the person has committed a felony that involved the infliction of serious physical injury and poses a significant threat of death or serious physical injury to others.
 - b. The officer has determined there are no available reasonable alternatives to the use of deadly force.
 - c. The officer believes that the use of deadly force creates no unreasonable risk of injury to any other person.

B. Prohibitions on the Use of Deadly Force

- (1) Deadly force may not be used against any person for the purpose of protecting property.
- (2) Deadly force may not be used against any person who poses a threat only to themselves.

C. Use of Firearms

The discharge of a firearm by an officer in any setting other than a training or testing exercise, or to dispatch an animal, shall be considered a use of deadly force. The discharge of a firearm against another person should be considered a last resort.

The discharge of a firearm is prohibited:

- (1) When, in the professional judgment of the officer, doing so will unnecessarily endanger an innocent person.
- (2) In the defense of property.
- (3) To summon assistance, except in an emergency and no other reasonable means is available.
- (4) When fired as a warning shot.

- (5) When fired at or into a moving or fleeing vehicle, except:
- a. To counter an imminent threat of death or serious physical injury from an occupant by means other than the vehicle.
 - b. When a driver is intentionally placing others in the vehicle's path causing an imminent risk of serious injury, such as driving into a crowd of assembled persons or into an occupied area not intended for vehicular traffic.
 - c. When an officer is unavoidably in the path of a vehicle and cannot move to safety. Officers are strongly discouraged from positioning themselves in the actual or potential path of travel of any vehicle.

D. Post Event Review of Deadly Physical Force Incidents

A post event review regarding any use of force shall determine whether any involved officer acted in a manner consistent with or inconsistent with this policy.

Officers must be aware that they are subject to the standards set forth by State Law. In accordance with State Law, evaluations of an officer's actions related to a use of deadly force will consider, *but are not limited to*, the following factors:

- (1) Whether the person possessed or appeared to possess a deadly weapon
- (2) Whether the officer engaged in reasonable de-escalation measures prior to using deadly force
- (3) Whether any unreasonable conduct of the officer led to an increased risk of an occurrence of the situation that precipitated the use of deadly force.

Officers should be aware that the statutory language "but are not limited to" may mean that factors not specified in law or in this policy are considered in the evaluation of an officer's actions.

X. REPORTING USES OF FORCE

A. Required Reporting and Review

A reportable use of force is any use of force described in this policy, including:

- (1) Striking another person with an open or closed hand, elbow, knee, club or baton, kicking another person
- (2) Using OC spray, CEW, or less lethal projectile
- (3) Using a chokehold or neck restraint
- (4) Pointing a firearm, less lethal launcher, or CEW laser sight at a person
- (5) The discharge of a firearm, for other than training, testing, or to dispatch an animal
- (6) Any action that results in, or is alleged to have resulted in, injury or death of another person

The electronic State of Connecticut Police Officer Standards and Training Council *Use of Force* form shall be completed for any incident that involves a reportable use of force. A separate form shall be completed for each person subjected to a reportable use of force. Except as provided below, the officers involved shall complete the form as soon as is practical. The required supervisory review of any use of force shall be completed in a timely manner.

The Office of the Chief State's Attorney Inspector General shall investigate any incident in which an officer uses deadly force or in which a death occurs as a result of any use of force, and shall direct the completion of reports as deemed necessary.

The department shall document and maintain a record of any incident in which an officer reports or is aware of an unreasonable, excessive, or illegal use of force as specified in this policy. This record shall include, at minimum, the name of the officer(s) involved; the date, time, and location of the incident; a description of the circumstances; and the names of any victims and witnesses present, if known.

B. Annual Use of Force Reporting

Each year, but not later than February 1st of the following year, the department shall ensure that a copy of each completed *State of Connecticut – Police Officer and Standards Training Council - Use of Force Report* and any other required documents are submitted in electronic form to the Criminal Justice Policy and Planning Division of the Office of Policy and Management. Prior to the submission of these reports, the department shall redact any information that may identify a minor, victim, or witness.

XI. TRAINING

The Police Officer Standards and Training Council (POSTC) will oversee development and implementation of a single, standardized training curriculum to include lesson plans and presentation material regarding all aspects of this policy for the purposes of in-service or review training. To qualify for POSTC credit, Use of Force training must be delivered by a POSTC certified Use of Force instructor. The Department may elect to offer additional training in any area of this policy, but such training may not supplant any portion of the POSTC approved training module. Any additional training offered must be delivered by a POSTC certified Use of Force instructor using a POSTC approved lesson plan.

All Departments shall ensure that every peace officer bound by this policy completes all required POSTC Use of Force training prior to December 31, 2022 unless granted an extension by the DESPP/POSTC Academy Administrator. Thereafter, the Department shall ensure that every officer completes the POSTC recertification training module no less than once annually.

Prior to receiving authorization to carry any department issued firearm, baton, OC or CEW each member of the Department will receive training on this Use of Force policy and the policy that applies to the device the officer is being training on. Additionally, all members of the Department shall receive initial department approved training in firearms, baton, OC, and CEW prior to being authorized to carry them. That training shall be in accordance with the manufacturers recommendation and POST policy. Refresher training and officer's ability to demonstrate proficiency will reoccur on an annual basis. Remedial training will be provided for officers failing to demonstrate proficiency.

XII. AUTHORIZED WEAPONS/ LESS LETHAL OPTIONS

For the purpose of this General Order the following lethal and less lethal devices are authorized to be carried by members of this department, while on-duty, unless otherwise specifically authorized by the Chief of Police.

- A. Glock .45 Caliber pistols (Model 21 or 30)
- B. Bushmaster or Colt AR style rifles .223 caliber
- C. Remington 12-gauge shotguns
- D. Taser X26P
- E. ASP batons
- F. Guardian OC spray

XIII. RELATED POLICIES

Other policies related to this and department use of force policies include but may not be limited to:

- A. Oath of Office
- B. Ethics
- C. Firearms
- D. Conducted Electrical Weapon
- E. Less-Lethal Weapons/Munitions
- F. Pursuit
- G. Crowd Control
- H. Body Camera/In-Car Camera
- I. Canine Unit

Office of the COLLECTOR OF REVENUE

KRISTY MERRIFIELD, CCMC

kmerrifield@easthamptonct.gov



October 12, 2021

To: The East Hampton Town Council,

The documentation for the tax refunds listed below is available in the Office of the Collector of Revenue for your review. There are eight (8) refunds totaling \$1,830.73.

Respectfully Submitted,

Kristy L. Merrifield, CCMC
Collector of Revenue

0. CL

21.65 ⊕

362.21 ⊕

537.88 ⊕

21.65 ⊕

345.30 ⊕

21.13 ⊕

363.80 ⊕

157.11 ⊕

008

1,830.73 ⊕

BOARD AND COMMISSION SUMMARY SEPTEMBER 2021

Arts & Culture Commission

The Arts & Culture Commission met on September 16 at the Joseph N. Goff House. Brian Corvo from the Brownfields Redevelopment Agency gave a presentation on the properties in and around the Village Center. The application for the Poet Laureate was approved by the Commission. They also reviewed their budget and upcoming expenditures.

Board of Finance

The Board of Finance met on September 20 for their regularly scheduled meeting. The Board Members unanimously approved a motion to recommend to the Council that a \$400,000 transfer from revenue to the Capital Reserve Fund be made. Discussion was also had on distributing the Tax Breakdown Information Sheet in a separate mailing this fall since it was not included in the tax bill mailings.

Brownfields Redevelopment Agency

The Brownfields Redevelopment Agency met on September 27. The members discussed the draft of the RFP that will be sent to Town Council for the Summit/Watrous properties. The members discussed the 1 Watrous, 13 Watrous, and 3 Walnut properties. There was also discussion of getting other agencies interested and involved in the project for the 1 and 13 Watrous properties and any future projects. Ms. Yenknor provided some information on possible grants for future projects. The grant process would begin in early 2022.

Clean Energy Task Force

The Clean Energy Task Force met on September 7. The members discussed the participants of the car show event and the remaining tasks left to finish before the event date. More flyers and posters will be passed around town and the surrounding towns to gain more awareness and spread the information. The members assigned tasks to perform during the event itself.

Commission on Aging

The Commission on Aging met on September 9 at the Senior Center. They discussed the upcoming launch of the senior survey scheduled for September 17 and all of the details and items that need to be completed prior to that date. The Commission also met on September 24 to discuss follow up details for the senior survey after the publication.

Conservation-Lake Commission

The Conservation-Lake Commission met on September 9. The members received an unofficial presentation from John Tucci from Everblue Lakes. He gave some updates and insight about the lake and the aeration system. He suggested keeping up with the Bio Blast treatments. The members were informed about a land trust trying to obtain a piece of land to make into conservation land for a rattlesnake reserve. The members received brief updates on the federal funded projects and the next steps. The members discussed the lake level and the excessive draw down that needs to occur in the middle of October. There are various repairs needing to be made around the lake. Sears Park also has a project to construct a new boat launch and the draw down would cut a significant part of the cost from the project. There was a petition formed that 100 people signed to perform the excessive draw down so they can make needed repairs to their property along the lake shore.

Design Review Board

The Design Review Board met on September 16. The members reviewed and discussed the plan review for 193 East High Street for Route 66 package store. The store will be expanded in the back for installation of walk-in coolers and in the front to give more space inside the store. The members discussed the traffic patterns and flow for the area and coming in and out of the parking lot for the package store. The members recommended the plan go back to be redesigned and reevaluated.

Economic Development Commission

The Economic Development Commission held a special meeting on September 1. The members discussed the sign designs and the updated estimated cost for the signs. The members authorized the funds for the last part of the money to order the signs. It may take 3-5 weeks for delivery and installation of the signs.

The Economic Development Commission held their regular meeting on September 21. The members discussed the ongoing items under old business such as the bells on the bridge event, holiday decorations, home based business workshops, and town business recognition. The members discussed adding the Business of the Month application form to the town website to easily fill out online and submit. A certificate for Paul's and Sandy's 50th anniversary was drafted, and the members reviewed and approved the certificate. The commission's mission statement will be presented to the Town Council to be approved.

Ethics Commission

No meeting

Fire Commission

The Fire Commission held a special meeting on September 27 to take the place of their regular meeting of September 13. The members approved the purchase of 7 sets of turnout gear and 7 sets of boots & helmets. The Fire Marshal and Fire Chief provided their monthly report. All of the dry hydrants around the lake have been repaired except for American Distilling which will be complete within their schedule. The hydrant across from Cobalt Lodge is complete. There is still work to be done on the hydrant on Chestnut Hill. The ladder truck repairs are being worked on. The tankers are in production with delivery in November. The members also discussed vaccine status for members and the long range 5 and 10 year plans.

Inland Wetland Watercourses Agency

The Inland Wetland Watercourses Agency met on September 29.

New Business

- A. IW-21-022: Global 66, LLC. 265 West High Street – Site Plan Modification including new drive aisle and parking area, installation of culvert to carry existing drainage, installation of a retaining wall, and new drainage facilities within the Upland Review Area. Map 06/ Block 12/ Lot 9. Mr. Hill made a motion to continue Application IW-21-022 to the next regularly scheduled meeting October 27, 2021. The motion was seconded by Vice-Chairman Wilson. Vote: 6-0
- B. IW-21-023: Christine Weidemer, 33 Bay Road – Repairs to Existing Seawall on Lake Pocotopaug and Installation of new drywell. Map 9A / Block 70/ Lot 27. Vice-Chairman Wilson made a motion to continue Application IW-21-023 to the next regularly scheduled meeting October 27, 2021. The motion was seconded by Mr. Boule. Vote: 6-0

- C. IW-21-024: Susan Woodson, 31 Bay Road – Repairs to Existing Seawall on Lake Pocotopaug. Map 91/ Block 70/ Lot 26. Vice-Chairman Wilson made a motion to continue Application IW-21-024 to the next regularly scheduled meeting October 27, 2021. The motion was seconded by Mr. Boule. Vote: 6-0

Joint Facilities

The Colchester –East Hampton Joint Facilities Board met on September 21 via Zoom The force main project has been approved and is expected be completed by December 10, 2021. Due to pending materials (8 to 10 weeks), no start date has been established. The Air Line Trail is expected to be kept open during the repair work. Public notification will be posted via Colchester and East Hampton websites, Park and Recreation and local newspapers. The LED light upgrade is scheduled to being in October. The Board approved the agreed upon Joint Facilities union contract. Vote 5-0, Motion Passed

Library Advisory Board

The Library Advisory Board met on September 13. Members discussed the space planning project. They reviewed a Master Planning Study and a Program Study for Potential Growth from 4D Design and Decorating.

Middle Haddam Historic District Commission

The Middle Haddam Historic District Commission met on September 23. The members reviewed and discussed the application for applicants Bryna Linett and Peter Shapiro. The members approved of the application as presented.

Parks & Recreation Advisory Board

The Parks & Recreation Advisory Board met on September 7. A presentation was given by Art Thatcher from Greenplay on a master plan/needs assessment process. An application has been received for a memorial bench at Sears Park. The members received updates from the Air Line Trail Sub-Committee, the HS Athletic Fields Committee and the Seamster Park Playground Committee. There was also discussion of the Air Line Trail Ghost Run being held this season.

Planning & Zoning Commission

The Planning & Zoning Commission met on September 1.

Tom Heidel for Middlesex Land Trust: Request for Support of grant application for Open Space and Watershed Land Acquisition (OSWA) Grant. Middlesex Land Trust is planning to acquire 147 acres, specifically 1.8 acres within East Hampton by applying for a grant. This grant could pay 50-60% of the purchase price. Chairman Zatorski made a motion for a letter by the Commission of support to the Rattlesnake Brook Preserve. The motion was seconded by Mr. Sennett. Vote: 7-Yes; 0-No.

Public Hearings:

- A. Application PZC-21-014: Martin Scovill, 117 Colchester Ave., Re-subdivision for 3 lots in R4 Zone. Map 27/ Block 87A/ Lot 12A-4. Approved.
- B. Application PZC-21-015: JCG Properties, LLC., 9 Middle Haddam Rd., Special Permit for Veterinary Clinic per Sections 4.2 and 8.4.N. Map 01C/Block 9/Lot 5. Approved.
- C. Application PZC-21-016 Nancy Donald, Robert and Sue Briere, 91-93 Lake Dr., 2 Lot Subdivision at 91-93 Lake Drive in R1 Zone. Map 25/Block 64/Lot 56. Approved.

New Business:

- A. Application PZC-21-017: Kim Novak, 26 Lakeview St., Zone Change: Commercial to R1. Map 05A/Block85/Lot 18A. Public Hearing Set.
- B. Application PZC- 21-018: Tushar Shah, 193 East High St., Site Plan Modification in C Zone, Sec. 5.2B. Map 09A/Block 76/Lot11-5. Public Hearing Set.
- C. Application PZC- 21-019: Global 66, LLC, 265 West High St., Special Permit to convert a portion of Sports on 66 into storage units in C Zone, Sec. 5.2C. Map 6/Block 12/Lot 9. Public Hearing Set.
- D. Application PZC-21-020: Warren Scott Cross, 201 West High St., Special permit to open a brewery/taproom in the C Zone, Sec 5.2C. Map 12/Block 36/Lot 3-1. Public Hearing Set.

Water Pollution Control Authority

The Water Pollution Control Authority Board met on September 7 via Zoom. The Pine Trail and North Main force main replacement projects will be deferred to 2022. The engineering company is looking at possibly lining the 4” pipe for Pine Trail because of the close proximity to the lake. The owner of 13 Summit Street has voiced his concerns regarding his outstanding sewer use charges. The outstanding bills run from 2012 to 2019 at approximately \$60,461.00. Over the period noted the property owner has not reached out to the WPCA regarding these charges and any possibly solutions. The Board denied the request to waive the outstanding sewer use fees. Vote: 5-0, Motion Passed. A virtual Public Hearing was held on September 7 to allow property owners to be heard regarding the proposed annual sewer use rates effective on October 1, 2021. No public was present. The proposed sewer rate increase would be \$520.00/EDU and for those properties served by grinder pumps maintained by the WPCA the WPCA fee will increase to \$200.00/EDU totaling \$720.00. Vote: 6-0. Motion Passed.

Zoning Board of Appeals

No meeting