


MEMORANDUM

TO: Town Council

FROM: David E. Cox, Town Manager 

DATE: December 9, 2021

SUBJECT: Agenda Information – 12/14/2021

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 Sustainable CT presentation – The Clean Energy Task Force will present information to the Council regarding Sustainable CT and encourage the Council to take steps to register and participate in the activities promoted by the organization. Sustainable CT refers to itself as “a statewide initiative that inspires and supports communities in becoming more resilient, inclusive and efficient.” The Institute for Sustainable Energy at Eastern Connecticut State University led and coordinated development of the Sustainable CT program and provides staff support and administration of the program. More information on the program is found on the website <https://sustainablect.org/>. If the Council is potentially interested in registering with Sustainable CT, it would be appropriate to plan a continuation of the topic at an upcoming meeting. Such discussion could include consideration of the Resolution used to approve registering.

7 Bids and Contracts

7a Agreement for Phase I Water Engineering with Environmental Partners – The Council is asked to consider the proposed scope of services and cost for the first phase of work on the Water System Evaluation and Design. In this initial phase, which has been reviewed by the Water Subcommittee, Environmental Partners will update the Town’s previous information regarding options for moving ahead, assist in determining the specific project the Town desires to pursue, develop the updated cost estimates for the work, and prepare the required Preliminary Engineering Report for funding. The last step of this first phase also includes development of the scope of services for the second phase which is expected to involve design

of the first project and assisting the Town in working through the approval process. In accordance with the RFQ process used to select Environmental Partners, the initial focus of any proposed Water System projects will be on the Village Center and ensuring an expanded water source to meet future needs and support growth of that system. Environmental Partners has proposed a three part process involving data collection, document review and kick off meetings; preparation of a Preliminary Engineering Report; and participation in public review meetings to review the proposed plan contained in the Report. The anticipated cost for the work, which would be expected to take about three months, is a not to exceed amount of \$47,600.

Recommendation: Approve the Scope of Services

8 Resolutions/Ordinances/Policies/Proclamations

8a Proclamation honoring Sergeant Tim Dowty – The Council plans to adopt a Proclamation to honor Sergeant Tim Dowty, who is retiring from the Town this month after nearly 25 years of service to the community. It is anticipated that the Proclamation will be presented to Sergeant Dowty at a small celebration on his last day.

8b Ordinance Establishing a Mission Statement for the Economic Development

Commission - In follow up to a previous presentation from the Economic Development Commission regarding a proposed mission statement for the Commission, development of an ordinance to incorporate the purpose and mission into the Town Code and a public hearing on the matter held at this meeting, the Town Council is asked to give final consideration to the Ordinance. As the Council will 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. This ordinance addresses that matter.

Recommendation: Approve the ordinance.

10 New Business

10a Review of updated Police Department General Orders – The Town Council is asked to consider updates to two existing General Orders to incorporate changes made by the Connecticut Police Officer Standards and Training Council. The changes are described in Police Chief Woessner’s memorandum included in the Agenda Packet.

Recommendation: Approve the changes to the General Orders.

10b Discussion of the petition to accept Fern Lane as a Town Road – The Council is asked to consider a petition received from the property owners on Fern Lane asking the Town to take over ownership and maintenance of the road. A memo discussing the matter and a potential method by which the Council could accept the road is included in this Agenda Packet. In short, staff is recommending that if the Council desires to accept the road, it should be improved to an acceptable standard prior to being accepted.

Recommendation: Determine whether the Council will consider the acceptance.

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 Regular Meeting
Tuesday, November 23, 2021
Town Hall Council Chambers and Zoom

MINUTES

Present: Chairman Mark Philhower, Vice Chairman Tim Feegel, Council Members Pete Brown, Brandon Goff, Eric Peterson, Kevin Reich and Alison Walck and Town Manager David Cox

Call to Order & Pledge of Allegiance

Chairman Philhower 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. Goff, seconded by Ms. Walck, to adopt the agenda with the removal of Item 9a – Discussion & Possible Action Regarding the Behavior of the Inland Wetlands Watercourses Agency Chairman as presented. Voted (7-0)

Approval of Minutes

A motion was made by Ms. Walck, seconded by Mr. Peterson, to approve the minutes of the Town Council Regular Meeting of November 9, 2021 as written. Voted (7-0)

Public Remarks

None

Presentations

None

Bids & Contracts

None

Resolution/ Ordinances/ Policies/ Proclamation

Review & Consideration of the Budget Policy Statement

The Budget Policy Sub-Committee presented an updated Budget Policy Statement to the Council. The approved version will be included with the minutes filed in the Town Clerk's Office.

A motion was made by Mr. Reich, seconded by Mr. Goff, to adopt the 2022-2023 Budget Policy Statement as presented. Voted (7-0)

Continued Business

Sub-Committee Reports & Updates

The ARP Sub-Committee will meet in early December.

The High School Athletic Fields Committee met on November 18. The irrigation is installed, and the grading is being done. Sod will be laid down beginning November 30. There will be a meeting in December and then will be on hold until Spring. A question was asked about the backstop and if it can be added in. Jeremy Hall noted it could possibly be added in as an add alternate. Mr. Hall

was also asked about pickleball courts. He noted that will come to Council in the Capital budget. Lines have been added to the current tennis courts for pickleball.

Ms. Walck reported that she attended the Commission on Aging meeting where the survey results were reviewed. She also attended the Housing Authority Meeting. They are looking at opening their Community Room again after Covid. She also spoke to JoAnn Ewing at the Senior Center regarding transportation and Covid.

Mr. Goff reported the Appointments Sub-Committee will meet again on Tuesday, November 30th at 5:30pm.

New Business

Consideration of Parks & Recreation Department Community Survey

Parks & Recreation Director Jeremy Hall provided an overview of the proposed Recreation Needs Assessment survey. It was recommended to extend the due date into January due to the holidays.

A motion was made by Mr. Reich, seconded by Mr. Brown, to approve the Needs Assessment Survey with the extended due date. Voted (7-0)

Consideration of Modification to Fire Department Awards Program

Fire Commission member Darin Hurne provided information on the updates to the Fire Department Awards Program. One change calls for an additional \$50 recognition of the individual serving as the Department's Public Information Officer. The other changes are administrative changes that correct the rank order and related award amounts.

A motion was made by Mr. Reich, seconded by Ms. Walck, to approve the amendments to the Fire Department Awards Program as presented. Voted (7-0)

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. In addition to the written report, Mr. Cox reported that the boat launch project has been delayed until January due to material delays. The proposals for the RFP for 1 Watrous/13 Watrous/13 Summit were due last Friday. No proposals were received.

Appointments

Board of Finance Appointment

A motion was made by Mr. Peterson, seconded by Ms. Walck, to appoint Deborah Cunningham to the Board of Finance. Voted (7-0). This appointment fills the vacancy left by Eric Peterson when he was elected to the Town Council.

A motion was made by Mr. Goff, seconded by Mr. Reich, to appoint Donna Goodspeed to the Housing Authority. Voted (7-0)

Tax Refunds

A motion was made by Mr. Goff, seconded by Ms. Walck, to approve tax refunds in the amount of \$1,166.90. Voted (7-0)

Public Remarks

None

Communications, Correspondence & Announcement

Clean Energy Task Force 2021 Electric Car Show Report

The Council members received the Clean Energy Task Force 2021 Electric Car Show Report. Mr. Philhower commented that he thought it was a very good show.

Adjournment

A motion was made by Mr. Brown, seconded by Mr. Reich, to adjourn the meeting at 7:07pm.
Voted (7-0)

Respectfully Submitted,

Cathy Sirois
Recording Clerk

TOWN OF EAST HAMPTON

Resolution Supporting Participation
In the Sustainable CT Municipal Certification Program

WHEREAS, Sustainable CT is a comprehensive, statewide, action-oriented voluntary certification program, built by and for municipalities, with the vision that: *Sustainable CT communities strive to be thriving, resilient, collaborative, and forward-looking. They build community and local economy. They equitably promote the health and well-being of current and future residents. And they respect the finite capacity of the natural environment.*

WHEREAS, Sustainable CT is designed to boost local economies, help municipal operations become more efficient, reduce operating costs, and provide grants and additional support to municipalities.

WHEREAS, the Town of East Hampton embraces an ongoing process of working toward greater sustainability, selecting which actions it chooses to pursue from the voluntary menu of actions provided by Sustainable CT.

RESOLVED, by the Town Council of the Town of East Hampton that we do hereby authorize the Town Manager, or designee, to serve as the Town of East Hampton's Sustainable CT contact person for the Sustainable CT Municipal Certification process and authorize him to complete Municipal Registration on behalf of the Town of East Hampton.

RESOLVED, that to focus attention and effort within the Town of East Hampton on matters of sustainability, and in order to promote the East Hampton Town Council's local initiatives and actions toward Sustainable CT Municipal Certification, the East Hampton Town Council revises the role of the Clean Energy Task Force to serve as a Sustainability Team.

RESOLVED, that the first meeting of the Sustainability Team must be held within 90 days of passing this resolution and that the Sustainability Team shall meet as frequently as needed, but no less than quarterly.

RESOLVED, that the Sustainability Team shall report annually to the East Hampton Town Council on the progress of its activities toward Sustainable CT certification, with reports and presentations made publicly available.

Approved this 14th day of December 2021.

TOWN COUNCIL

Mark Philhower, Chairperson

ATTEST

Kelly Bilodeau, Town Clerk



**EAST HAMPTON
CERTIFICATION
2021**





WHAT IS SUSTAINABLE CT?

- Mission-driven, rigorous certification program
- Understands economic, environmental, and human well-being are linked
- Free, voluntary, grass roots + municipal, “for towns, by towns” effort
- Developed by the Institute for Sustainable Energy, ECSU, in partnership with the Connecticut Conference of Municipalities (CCM)
- Rewards CT towns for completing sustainability “actions” across town systems, for example:
 - Local economy
 - Land and Natural Resources
 - Arts and Culture
 - Planning
 - Transportation systems
 - Infrastructure
 - Public Services
 - Housing



FACTS and FIGURES

- Established in 2017
- Two levels of certification: BRONZE and SILVER
- Level determined in part by points earned for actions accomplished
- As of December 2021, over half of CT municipalities (126 of 169) registered for certification; and 69 registrants have earned BRONZE (42) or SILVER (27)

WHY GO FOR CERTIFICATION?

the PROCESS

1.

Helps identify sustainability gaps and opportunities

2.

Provides rallying point and community-wide opportunity to share in collective vision

3.

Offers access to matching funds for projects

4.

Recognizes/showcases our accomplishments and commitment to sustainability

5.

Promotes civic pride

6.

Serves as tool to attract new business, smart development, skilled workforce, new families

the CREDENTIAL



WHAT DOES ACTION LOOK LIKE?

EXAMPLES OF THE 200+ QUALIFYING POSSIBILITIES

- Purchasing of sustainable goods and services
- Watershed protection programs
- Arts and culture initiatives
- Inventory and assessment of historic resources
- Pro-sustainability permitting process
- Agriculture friendly practices
- Energy use reduction across municipal buildings
- Healthy and sustainable food networks
- Housing needs assessment





TOWN

WHO IS ON THE TEAM?

- Town Council
- Town Manager
- Town Departments



RESIDENTS

- Elected officials
- Volunteers

SUSTAINABLE CT

- Key staff available one-on-one, through webinars, connections, and robust suite of digital tools and templates.

HOW WILL WE GET THERE?



JAN 2022



MONTHS



2023

- **Establish Sustainability Team** of Town employees/resident volunteers of 3 members, one of which must be an elected official or staff member
- **Partner with Town** departments and commissions while minimizing time demands
- **Create inventory of accomplishments** and establish time-lines ongoing and new projects
- **Establish goals** for achieving maximum points
- **Submit draft application** and support materials to Sustainable CT for input and counsel
- **Strengthen and complete application**
- **Submit final application** for BRONZE



HOW CAN TOWN COUNCIL HELP?

- Provide INPUT, GUIDANCE, and APPROVALS for viable actions
- Help promote and communicate East Hampton's participation in program
 - Across: municipal, professional, and personal networks
- Assist with key introductions
- Volunteer to join an Action Team
 - Recruiting for: Energy, Environment, Affordable Housing
- Participate/support participation in possible training sessions/webinars
 - e.g., watershed preservation; sustainable purchasing
- Recommend possible candidates to serve as project interns
- Ask lots of questions
- Be a source for solutions
- Pass the resolution to begin the process

IMAGINE A
SUSTAINABLE,
THRIVING,
VIBRANT,
INCLUSIVE,
INVITING,
INNOVATIVE,
CELEBRATED,
RECOGNIZED
EAST HAMPTON.



JOIN SUSTAINABLE CT, ADOPT THE RESOLUTION TO GET STARTED



**THERE IS NO POWER FOR CHANGE
GREATER THAN A COMMUNITY
DISCOVERING WHAT IT CARES
ABOUT.**

Margaret Wheatley





November 30, 2021

Mr. David Cox, Town Manager
Town of East Hampton
One Community Drive
East Hampton, CT 06424

**RE: Proposal for Preliminary Engineering Report (PER) Preparation
Water System Evaluation and Preliminary Design Project**

Dear Mr. Cox,

Environmental Partners (EP) is very pleased about our selection to assist the Town of East Hampton (Town) with engineering consulting services for the proposed Water System Evaluation and Design project. EP understands that the Town wishes to assess the most feasible and cost effective long term technical approach for this program, and then perform preliminary design services for the expansion of or addition to the water system. The Town also wishes to seek potential grant and loan funding for the proposed water system improvements through the American Rescue Plan Act (ARPA) and/or the recently approved Infrastructure Investment and Jobs Act.

Both of these federal programs will likely provide funding for water system improvement projects through the Drinking Water State Revolving Loan Fund (DWSRF). The Connecticut Department of Public Health (CTDPH) requires that a Preliminary Engineering Report (PER) be prepared as a prerequisite for their Drinking Water State Revolving Loan Fund (DWSRF) program.

This proposal includes the scope of services and fee associated with preparing the PER in accordance with the format presented in the attached interagency memorandum. The PER is required as the first phase of work that evaluates the alternatives, establishes the scope and direction of the project, and then initiates the Preliminary Engineering Design process.

The PER is described as a planning document required by many state and federal funding agencies as part of the process for obtaining financial assistance for development of drinking water, wastewater, solid waste, and stormwater facilities. The PER should "include a description of existing facilities and a description of the issues being addressed by the proposed project. The PER should identify alternatives, present a life cycle cost analysis of technically feasible alternatives and propose a specific course of action. The report should also include a detailed current cost estimate of the recommended alternative".

PROJECT DESCRIPTION

EP has presented below our understanding of the Town's Water System Evaluation and Preliminary Design project.

Project Background

Like many other communities in Connecticut, East Hampton wishes to maintain its rich history while also preserving the small neighborhood charm and atmosphere. Similarly, the Town's existing water system components have provided drinking water for growth in separate sections of the Town, defined as the following three distinct water systems:

- Village Center,
- Royal Oaks, and
- Hampton Woods (pending)

These three water systems have their own water supply, treatment and water distribution system components to supply drinking water to sections of the Town. The Village Center also operates a dual fire suppression system, which is supplied by a pump system that lifts surface water impounded from a local creek. Hampton Woods is a residential development that is currently under construction and will ultimately be accepted and become part of the Town.

With this recent growth and the potential development of smaller residential neighborhoods and commercial areas, the Town has been challenged to extend their existing water systems to serve these more remote areas and to interconnect the three existing water systems.

Project Funding

The Town must prepare and submit the PER to CTDPH to be considered for potential grant and loan funding of future water system improvements through the DWSRF program. EP will assist the Town in further addressing the availability of future water supply sources and expansion of the Town's existing water system to unserved areas of the community during the preliminary design phase.

As required by CTDPH, EP will document the Town's water supply and system expansion alternatives in a Preliminary Engineering Report (PER). The document will present past documented information on facility sizing and siting along with updated, planning-level costs through construction, implementation and startup as the first phase on this proposed project. We have listed our proposed preliminary design phase services below.

SCOPE OF SERVICES

In our recent meetings, the Town has stressed the importance of expanding water service to the Village Center, surrounding residential areas, and the Route 66 commercial corridor while also reducing the number of smaller isolated water systems in the community.

Challenges often arise finding high quality potable sources in areas of proximity to water systems. During this first stage of the preliminary design phase, EP will assist the Town of East Hampton by reviewing existing reports and evaluations to better understand the past engineering work. By reviewing this available information EP will then prepare the PER and alternatives analyses, which will identify the following future supply alternatives:

- Do nothing (CTDPH requires this alternative.)
- Assessing existing groundwater supplies, and the potential to increase permitted groundwater supply volumes.

- Expanding the existing water system to include the permitted Oakum Dock well supply.
- Developing another groundwater supply closer to the Downtown area.

To meet Federal and CTDPH funding requirements, EP proposes the following scope of services for preparing the PER. The outline described in our scope for the document is consistent with the format outline in the attached interagency memorandum:

Task 1 – Collect Data, Review Documents and Attend Kickoff Meeting

EP will prepare a Request for Information (RFI) letter requesting data and information from the Town that will be needed to execute the project. Following submission of the RFI letter, our Project Team will attend an initial kickoff meeting to discuss the letter with the Town staff along with additional details concerning:

- existing and potential water sources,
- available information (including the existing water system documents),
- documented history of the system,
- future water supply needs and
- project administrative issues,
- describe existing water system components, and
- document our review of the available information

Task 2 – Prepare Preliminary Engineering Report (PER)

In conformance with the outline of the interagency memorandum attached, EP will prepare a PER for the Town to submit to the DWSRF Program. In general, this PER will include the following project information:

- Project Planning
- Existing Facilities
- Need for Project
- Alternatives Considered
- Selected Alternative
- Description of the Proposed Project
- Final Report

We anticipate evaluating up to four alternatives, one of which is considered the “no construction” alternative, as listed above. To further define the project and the final design services, EP will perform the following tasks in connection with the PER report:

- Prepare a project plan for review by the Town and CTDPH
- Schedule and attend up to three meetings with the Town and CTDPH
- Review available documents provided by the Town
- Confirm water quality information, if available, while determining potential future water sources
- Perform a desktop evaluation for developing another groundwater supply closer to the Downtown area.
- Document our findings, observations and recommendations in the PER

- Update project cost estimates from 2006 Preliminary Engineering Report
- Develop scope of work and engineering fee for final design of the selected alternative

Task 3 – Attend Review Meetings

EP will forward a draft copy of the PER to the Town for review and then schedule a meeting to discuss the draft document. We will then revise the report with comments provided by the Town and forward the Final Document to the Town for submission to the CTDPH and the DWSRF Program administrator.

As required by Federal Law, the State of Connecticut, Regulations of the Connecticut State Agencies (RCSA) and the Drinking Water State Revolving Fund (DWSRF) program, EP agrees to comply with all equal opportunity and affirmative action laws and regulations including RCSA Section 22a-482-2(d)25 and 4(f)2(B) and CSS 46a-77 and 4a-60.

PROJECT FEE AND SCHEDULE

EP proposes to complete the above Tasks 1 through 3, as described above, including all labor and expenses, for the not-to-exceed lump sum price of \$47,600.

We anticipate that Tasks 1 through 3 can be completed within twelve weeks of receiving an authorization to proceed.

Once the design approach and scope of services has been established in connection with the approval of the PER, then EP will prepare and forward a subsequent proposal for engineering design services for your review and approval.

PROPOSAL ACCEPTANCE

If this proposal is acceptable to you, we will draft a separate Contract Agreement which meets with the requirements of the CTDPH and DWSRF Program. Please do not hesitate to contact us, if you have any questions or require additional information. We look forward to working with East Hampton on this important project.

Sincerely,



Environmental Partners Group, Inc.
William G. Murphy, PE, CPMSM
Regional Manager
P: 860.469.4402
E: wgm@envpartners.com



Environmental Partners Group, Inc.
Chuck Adelsberger, PE, BCEE
Senior Project Manager
P: 617.657.0255
E: ca@envpartners.com



January 16, 2013

INTERAGENCY MEMORANDUM

Attached is a document explaining recommended best practice for the development of Preliminary Engineering Reports in support of funding applications for development of drinking water, wastewater, stormwater, and solid waste systems.

The best practice document was developed cooperatively by:

- US Department of Agriculture, Rural Development, Rural Utilities Service, Water and Environmental Programs;
- US Environmental Protection Agency (EPA), Office of Water, Office of Ground Water and Drinking Water and Office of Wastewater Management;
- US Department of Housing and Urban Development (HUD), Office of Community Planning and Development;
- US Department of Health and Human Services, Indian Health Service (IHS);
- Small Communities Water Infrastructure Exchange;

Extensive input from participating state administering agencies was also very important to the development of this document.

Federal agencies that cooperatively developed this document strongly encourage its use by funding agencies as part of the application process or project development. State administered programs are encouraged to adopt this document but are not required to do so, as it is up to a state administering agency's discretion to adopt it, based on the needs of the state administering agency.

A Preliminary Engineering Report (Report) is a planning document required by many state and federal funding agencies as part of the process of obtaining financial assistance for development of drinking water, wastewater, solid waste, and stormwater facilities. The attached Report outline details the requirements that funding agencies have adopted when a Report is required.

In general the Report should include a description of existing facilities and a description of the issues being addressed by the proposed project. It should identify alternatives, present a life cycle cost analysis of technically feasible alternatives and propose a specific course of action. The Report should also include a detailed current cost estimate of the recommended alternative. The attached outline describes these and other sections to be included in the Report.

Projects utilizing direct federal funding also require an environmental review in accordance with the National Environmental Policy Act (NEPA). The Report should indicate that environmental issues were considered as part of the engineering planning and include environmental information pertinent to engineering planning.

For state administered funding programs, a determination of whether the outline applies to a given program or project is made by the state administering agency. When a program or agency adopts this outline, it may adopt a portion or the entire outline as applicable to the program or project in question at the discretion of the agency. Some state and federal funding agencies will not require the Report for every project or may waive portions of the Report that do not apply to their application process, however a Report thoroughly addressing all of the contents of this outline will meet the requirements of most agencies that have adopted this outline.

The detailed outline provides information on what to include in a Report. The level of detail required may also vary according to the complexity of the specific project. Reports should conform substantially to this detailed outline and otherwise be prepared and presented in a professional manner. Many funding agencies require that the document be developed by a Professional Engineer registered in the state or other jurisdiction where the project is to be constructed unless exempt from this requirement. Please check with applicable funding agencies to determine if the agencies require supplementary information beyond the scope of this outline.

Any preliminary design information must be written in accordance with the regulatory requirements of the state or territory where the project will be built.

Information provided in the Report may be used to process requests for funding. Completeness and accuracy are therefore essential for timely processing of an application. Please contact the appropriate state or federal funding agencies with any questions about development of the Report and applications for funding as early in the process as practicable.

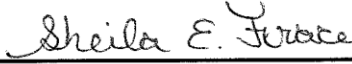
Questions about this document should be referred to the applicable state administering agency, regional office of the applicable federal agency, or to the following federal contacts:

Agency	Contact	Email Address	Phone
USDA/RUS	Benjamin Shuman, PE	ben.shuman@wdc.usda.gov	202-720-1784
EPA/DWSRF	Kirsten Anderer, PE	anderer.kirsten@epa.gov	202-564-3134
EPA/CWSRF	Matt King	king.matt@epa.gov	202-564-2871
HUD	Stephen Rhodside	stephen.m.rhodside@hud.gov	202-708-1322
IHS	Dana Baer, PE	dana.baer@ihs.gov	301-443-1345

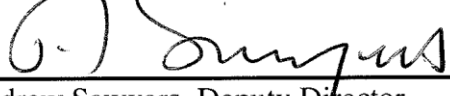
Sincerely,

 1/16/13


Jacqueline M. Ponti-Lazaruk, Assistant Administrator
USDA, Rural Development, Rural Utilities Service, Water and Environmental Programs

 01/16/13

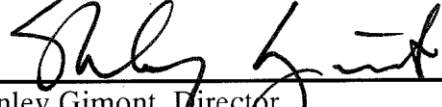
Sheila Frace, Acting Deputy Director
US EPA, Office of Water, Office of Wastewater Management

 1/16/13

Andrew Sawyers, Deputy Director
US EPA, Director, Office of Water, Office of Ground Water and Drinking Water

 1/16/13

Ronald Ferguson, PE, RABM, Director
Division of Sanitation Facilities Construction, Indian Health Service

 1-16-13

Stanley Gimont, Director
Office of Block Grant Assistance, US Department of Housing and Urban Development

Attachment

WORKING GROUP CONTRIBUTORS

Federal Agency Partners	
USDA, Rural Development, Rural Utilities Service (Chair)	Benjamin Shuman, PE
EPA, Office of Water, Office of Ground Water and Drinking Water	Kirsten Anderer, PE
EPA, Office of Water, Office of Ground Water and Drinking Water	CAPT David Harvey, PE
EPA, Office of Water, Office of Wastewater Management	Matt King
EPA, Office of Water, Office of Wastewater Management	Joyce Hudson
EPA, Region 1	Carolyn Hayek
EPA, Region 9	Abimbola Odusoga
HUD, Office of Community Planning and Development	Stephen M. Rhodeside
HUD, Office of Community Planning and Development	Eva Fontheim
Indian Health Service	CAPT Dana Baer, PE
Indian Health Service	LCDR Charissa Williar, PE
USDA, Rural Development, Florida State Office	Michael Langston
USDA, Rural Development, Florida State Office	Steve Morris, PE

State Agency and Interagency Partners	
Arizona Water Infrastructure Finance Authority	Dean Moulis, PE
Border Environment Cooperation Commission	Joel Mora, PE
Colorado Department of Local Affairs	Barry Cress
Colorado Department of Public Health & Environment	Michael Beck
Colorado Department of Public Health & Environment	Bret Icenogle, PE
Georgia Office of Community Development	Steed Robinson
Idaho, Department of Environmental Quality	Tim Wendland
Indiana Finance Authority	Emma Kottlowski
Indiana Finance Authority	Shelley Love
Indiana Finance Authority	Amanda Rickard, PE
Kentucky Division of Water	Shafiq Amawi
Kentucky Department of Local Government	Jennifer Peters
Louisiana Department of Environmental Quality	Jonathan McFarland, PE
Maine Department of Health and Human Services	Norm Lamie, PE
Minnesota Pollution Control Agency	Amy Douville
Minnesota Pollution Control Agency	Corey Mathisen, PE
Missouri Department of Natural Resources	Cynthia Smith
Montana Department of Commerce	Kate Miller, PE
North Carolina Department of Commerce	Olivia Collier
North Carolina Rural Center	Keith Krzywicki, PE
North Carolina Department of Commerce	Vickie Miller, CPM
Rhode Island Department of Health	Gary Chobanian, PE
Rhode Island Department of Health	Geoffrey Marchant

ABBREVIATIONS

NEPA – National Environmental Policy Act

NPV – Net Present Value

O&M – Operations and Maintenance

OMB – Office of Management and Budget

Report – Preliminary Engineering Report

SPPW – Single Payment Present Worth

USPW – Uniform Series Present Worth

GENERAL OUTLINE OF A PRELIMINARY ENGINEERING REPORT

- 1) PROJECT PLANNING
 - a) Location
 - b) Environmental Resources Present
 - c) Population Trends
 - d) Community Engagement

- 2) EXISTING FACILITIES
 - a) Location Map
 - b) History
 - c) Condition of Existing Facilities
 - d) Financial Status of any Existing Facilities
 - e) Water/Energy/Waste Audits

- 3) NEED FOR PROJECT
 - a) Health, Sanitation, and Security
 - b) Aging Infrastructure
 - c) Reasonable Growth

- 4) ALTERNATIVES CONSIDERED
 - a) Description
 - b) Design Criteria
 - c) Map
 - d) Environmental Impacts
 - e) Land Requirements
 - f) Potential Construction Problems
 - g) Sustainability Considerations
 - i) Water and Energy Efficiency
 - ii) Green Infrastructure
 - iii) Other
 - h) Cost Estimates

- 5) SELECTION OF AN ALTERNATIVE
 - a) Life Cycle Cost Analysis
 - b) Non-Monetary Factors

- 6) PROPOSED PROJECT (RECOMMENDED ALTERNATIVE)
 - a) Preliminary Project Design
 - b) Project Schedule
 - c) Permit Requirements
 - d) Sustainability Considerations
 - i) Water and Energy Efficiency
 - ii) Green Infrastructure

- iii) Other
- e) Total Project Cost Estimate (Engineer's Opinion of Probable Cost)
- f) Annual Operating Budget
 - i) Income
 - ii) Annual O&M Costs
 - iii) Debt Repayments
 - iv) Reserves

7) CONCLUSIONS AND RECOMMENDATIONS

DETAILED OUTLINE OF A PRELIMINARY ENGINEERING REPORT

1) PROJECT PLANNING

Describe the area under consideration. Service may be provided by a combination of central, cluster, and/or centrally managed individual facilities. The description should include information on the following:

- a) Location. Provide scale maps and photographs of the project planning area and any existing service areas. Include legal and natural boundaries and a topographical map of the service area.
- b) Environmental Resources Present. Provide maps, photographs, and/or a narrative description of environmental resources present in the project planning area that affect design of the project. Environmental review information that has already been developed to meet requirements of NEPA or a state equivalent review process can be used here.
- c) Population Trends. Provide U.S. Census or other population data (including references) for the service area for at least the past two decades if available. Population projections for the project planning area and concentrated growth areas should be provided for the project design period. Base projections on historical records with justification from recognized sources.
- d) Community Engagement. Describe the utility's approach used (or proposed for use) to engage the community in the project planning process. The project planning process should help the community develop an understanding of the need for the project, the utility operational service levels required, funding and revenue strategies to meet these requirements, along with other considerations.

2) EXISTING FACILITIES

Describe each part (e.g. processing unit) of the existing facility and include the following information:

- a) Location Map. Provide a map and a schematic process layout of all existing facilities. Identify facilities that are no longer in use or abandoned. Include photographs of existing facilities.
- b) History. Indicate when major system components were constructed, renovated, expanded, or removed from service. Discuss any component failures and the cause for the failure. Provide a history of any applicable violations of regulatory requirements.
- c) Condition of Existing Facilities. Describe present condition; suitability for continued use; adequacy of current facilities; and their conveyance, treatment, storage, and disposal capabilities. Describe the existing capacity of each component. Describe and reference compliance with applicable federal, state, and local laws. Include a brief analysis of overall current energy consumption. Reference an asset management plan if applicable.

- d) Financial Status of any Existing Facilities. (Note: Some agencies require the owner to submit the most recent audit or financial statement as part of the application package.) Provide information regarding current rate schedules, annual O&M cost (with a breakout of current energy costs), other capital improvement programs, and tabulation of users by monthly usage categories for the most recent typical fiscal year. Give status of existing debts and required reserve accounts.
- e) Water/Energy/Waste Audits. If applicable to the project, discuss any water, energy, and/or waste audits which have been conducted and the main outcomes.

3) NEED FOR PROJECT

Describe the needs in the following order of priority:

- a) Health, Sanitation, and Security. Describe concerns and include relevant regulations and correspondence from/to federal and state regulatory agencies. Include copies of such correspondence as an attachment to the Report.
- b) Aging Infrastructure. Describe the concerns and indicate those with the greatest impact. Describe water loss, inflow and infiltration, treatment or storage needs, management adequacy, inefficient designs, and other problems. Describe any safety concerns.
- c) Reasonable Growth. Describe the reasonable growth capacity that is necessary to meet needs during the planning period. Facilities proposed to be constructed to meet future growth needs should generally be supported by additional revenues. Consideration should be given to designing for phased capacity increases. Provide number of new customers committed to this project.

4) ALTERNATIVES CONSIDERED

This section should contain a description of the alternatives that were considered in planning a solution to meet the identified needs. Documentation of alternatives considered is often a Report weakness. Alternative approaches to ownership and management, system design (including resource efficient or green alternatives), and sharing of services, including various forms of partnerships, should be considered. In addition, the following alternatives should be considered, if practicable: building new centralized facilities, optimizing the current facilities (no construction), developing centrally managed decentralized systems, including small cluster or individual systems, and developing an optimum combination of centralized and decentralized systems. Alternatives should be consistent with those considered in the NEPA, or state equivalent, environmental review. Technically infeasible alternatives that were considered should be mentioned briefly along with an explanation of why they are infeasible, but do not require full analysis. For each technically feasible alternative, the description should include the following information:

- a) Description. Describe the facilities associated with every technically feasible alternative. Describe source, conveyance, treatment, storage and distribution

facilities for each alternative. A feasible system may include a combination of centralized and decentralized (on-site or cluster) facilities.

- b) Design Criteria. State the design parameters used for evaluation purposes. These parameters should comply with federal, state, and agency design policies and regulatory requirements.
- c) Map. Provide a schematic layout map to scale and a process diagram if applicable. If applicable, include future expansion of the facility.
- d) Environmental Impacts. Provide information about how the specific alternative may impact the environment. Describe only those unique direct and indirect impacts on floodplains, wetlands, other important land resources, endangered species, historical and archaeological properties, etc., as they relate to each specific alternative evaluated. Include generation and management of residuals and wastes.
- e) Land Requirements. Identify sites and easements required. Further specify whether these properties are currently owned, to be acquired, leased, or have access agreements.
- f) Potential Construction Problems. Discuss concerns such as subsurface rock, high water table, limited access, existing resource or site impairment, or other conditions which may affect cost of construction or operation of facility.
- g) Sustainability Considerations. Sustainable utility management practices include environmental, social, and economic benefits that aid in creating a resilient utility.
 - i) Water and Energy Efficiency. Discuss water reuse, water efficiency, water conservation, energy efficient design (i.e. reduction in electrical demand), and/or renewable generation of energy, and/or minimization of carbon footprint, if applicable to the alternative. Alternatively, discuss the water and energy usage for this option as compared to other alternatives.
 - ii) Green Infrastructure. Discuss aspects of project that preserve or mimic natural processes to manage stormwater, if applicable to the alternative. Address management of runoff volume and peak flows through infiltration, evapotranspiration, and/or harvest and use, if applicable.
 - iii) Other. Discuss any other aspects of sustainability (such as resiliency or operational simplicity) that are incorporated into the alternative, if applicable.
- h) Cost Estimates. Provide cost estimates for each alternative, including a breakdown of the following costs associated with the project: construction, non-construction, and annual O&M costs. A construction contingency should be included as a non-construction cost. Cost estimates should be included with the descriptions of each technically feasible alternative. O&M costs should include a rough breakdown by O&M category (see example below) and not just a value for each alternative. Information from other sources, such as the recipient's accountant or other known technical service providers, can be incorporated to assist in the development of this section. The cost derived will be used in the life cycle cost analysis described in Section 5 a.

Example O&M Cost Estimate	
Personnel (i.e. Salary, Benefits, Payroll Tax, Insurance, Training)	
Administrative Costs (e.g. office supplies, printing, etc.)	
Water Purchase or Waste Treatment Costs	
Insurance	
Energy Cost (Fuel and/or Electrical)	
Process Chemical	
Monitoring & Testing	
Short Lived Asset Maintenance/Replacement*	
Professional Services	
Residuals Disposal	
Miscellaneous	
Total	

* See Appendix A for example list

5) SELECTION OF AN ALTERNATIVE

Selection of an alternative is the process by which data from the previous section, “Alternatives Considered” is analyzed in a systematic manner to identify a recommended alternative. The analysis should include consideration of both life cycle costs and non-monetary factors (i.e. triple bottom line analysis: financial, social, and environmental). If water reuse or conservation, energy efficient design, and/or renewable generation of energy components are included in the proposal provide an explanation of their cost effectiveness in this section.

- a) Life Cycle Cost Analysis. A life cycle present worth cost analysis (an engineering economics technique to evaluate present and future costs for comparison of alternatives) should be completed to compare the technically feasible alternatives. Do not leave out alternatives because of anticipated costs; let the life cycle cost analysis show whether an alternative may have an acceptable cost. This analysis should meet the following requirements and should be repeated for each technically feasible alternative. Several analyses may be required if the project has different aspects, such as one analysis for different types of collection systems and another for different types of treatment.
1. The analysis should convert all costs to present day dollars;
 2. The planning period to be used is recommended to be 20 years, but may be any period determined reasonable by the engineer and concurred on by the state or federal agency;
 3. The discount rate to be used should be the “real” discount rate taken from Appendix C of OMB circular A-94 and found at (www.whitehouse.gov/omb/circulars/a094/a94_appx-c.html);
 4. The total capital cost (construction plus non-construction costs) should be included;

5. Annual O&M costs should be converted to present day dollars using a uniform series present worth (USPW) calculation;
6. The salvage value of the constructed project should be estimated using the anticipated life expectancy of the constructed items using straight line depreciation calculated at the end of the planning period and converted to present day dollars;
7. The present worth of the salvage value should be subtracted from the present worth costs;
8. The net present value (NPV) is then calculated for each technically feasible alternative as the sum of the capital cost (C) plus the present worth of the uniform series of annual O&M (USPW (O&M)) costs minus the single payment present worth of the salvage value (SPPW(S)):

$$\text{NPV} = C + \text{USPW (O\&M)} - \text{SPPW (S)}$$

9. A table showing the capital cost, annual O&M cost, salvage value, present worth of each of these values, and the NPV should be developed for state or federal agency review. All factors (major and minor components), discount rates, and planning periods used should be shown within the table;
10. Short lived asset costs (See Appendix A for examples) should also be included in the life cycle cost analysis if determined appropriate by the consulting engineer or agency. Life cycles of short lived assets should be tailored to the facilities being constructed and be based on generally accepted design life. Different features in the system may have varied life cycles.

- b) Non-Monetary Factors. Non-monetary factors, including social and environmental aspects (e.g. sustainability considerations, operator training requirements, permit issues, community objections, reduction of greenhouse gas emissions, wetland relocation) should also be considered in determining which alternative is recommended and may be factored into the calculations.

6) PROPOSED PROJECT (RECOMMENDED ALTERNATIVE)

The engineer should include a recommendation for which alternative(s) should be implemented. This section should contain a fully developed description of the proposed project based on the preliminary description under the evaluation of alternatives. Include a schematic for any treatment processes, a layout of the system, and a location map of the proposed facilities. At least the following information should be included as applicable to the specific project:

- a) Preliminary Project Design.

- i) Drinking Water:

Water Supply. Include requirements for quality and quantity. Describe recommended source, including site and allocation allowed.

Treatment. Describe process in detail (including whether adding, replacing, or rehabilitating a process) and identify location of plant and site of any process discharges. Identify capacity of treatment plant (i.e. Maximum Daily Demand).

Storage. Identify size, type and location.

Pumping Stations. Identify size, type, location and any special power requirements. For rehabilitation projects, include description of components upgraded.

Distribution Layout. Identify general location of new pipe, replacement, or rehabilitation: lengths, sizes and key components.

ii) Wastewater/Reuse:

Collection System/Reclaimed Water System Layout. Identify general location of new pipe, replacement or rehabilitation: lengths, sizes, and key components.

Pumping Stations. Identify size, type, site location, and any special power requirements. For rehabilitation projects, include description of components upgraded.

Storage. Identify size, type, location and frequency of operation.

Treatment. Describe process in detail (including whether adding, replacing, or rehabilitating a process) and identify location of any treatment units and site of any discharges (end use for reclaimed water). Identify capacity of treatment plant (i.e. Average Daily Flow).

iii) Solid Waste:

Collection. Describe process in detail and identify quantities of material (in both volume and weight), length of transport, location and type of transfer facilities, and any special handling requirements.

Storage. If any, describe capacity, type, and site location.

Processing. If any, describe capacity, type, and site location.

Disposal. Describe process in detail and identify permit requirements, quantities of material, recycling processes, location of plant, and site of any process discharges.

iv) Stormwater:

Collection System Layout. Identify general location of new pipe, replacement or rehabilitation: lengths, sizes, and key components.

Pumping Stations. Identify size, type, location, and any special power requirements.

Treatment. Describe treatment process in detail. Identify location of treatment facilities and process discharges. Capacity of treatment process should also be addressed.

Storage. Identify size, type, location and frequency of operation.

Disposal. Describe type of disposal facilities and location.

Green Infrastructure. Provide the following information for green infrastructure alternatives:

- Control Measures Selected. Identify types of control measures selected (e.g., vegetated areas, planter boxes, permeable pavement, rainwater cisterns).
- Layout: Identify placement of green infrastructure control measures, flow paths, and drainage area for each control measure.
- Sizing: Identify surface area and water storage volume for each green infrastructure control measure. Where applicable, soil infiltration rate, evapotranspiration rate, and use rate (for rainwater harvesting) should also be addressed.
- Overflow: Describe overflow structures and locations for conveyance of larger precipitation events.

- b) Project Schedule. Identify proposed dates for submittal and anticipated approval of all required documents, land and easement acquisition, permit applications, advertisement for bids, loan closing, contract award, initiation of construction, substantial completion, final completion, and initiation of operation.
- c) Permit Requirements. Identify any construction, discharge and capacity permits that will/may be required as a result of the project.
- d) Sustainability Considerations (if applicable).
- i) Water and Energy Efficiency. Describe aspects of the proposed project addressing water reuse, water efficiency, and water conservation, energy efficient design, and/or renewable generation of energy, if incorporated into the selected alternative.
- ii) Green Infrastructure. Describe aspects of project that preserve or mimic natural processes to manage stormwater, if applicable to the selected alternative. Address management of runoff volume and peak flows through infiltration, evapotranspiration, and/or harvest and use, if applicable.
- iii) Other. Describe other aspects of sustainability (such as resiliency or operational simplicity) that are incorporated into the selected alternative, if incorporated into the selected alternative.
- e) Total Project Cost Estimate (Engineer's Opinion of Probable Cost). Provide an itemized estimate of the project cost based on the stated period of construction. Include construction, land and right-of-ways, legal, engineering, construction program management, funds administration, interest, equipment, construction contingency, refinancing, and other costs associated with the proposed project. The construction subtotal should be separated out from the non-construction costs. The non-construction subtotal should be included and added to the

construction subtotal to establish the total project cost. An appropriate construction contingency should be added as part of the non-construction subtotal. For projects containing both water and waste disposal systems, provide a separate cost estimate for each system as well as a grand total. If applicable, the cost estimate should be itemized to reflect cost sharing including apportionment between funding sources. The engineer may rely on the owner for estimates of cost for items other than construction, equipment, and engineering.

- f) Annual Operating Budget. Provide itemized annual operating budget information. The owner has primary responsibility for the annual operating budget, however, there are other parties that may provide technical assistance. This information will be used to evaluate the financial capacity of the system. The engineer will incorporate information from the owner's accountant and other known technical service providers.
- i) Income. Provide information about all sources of income for the system including a proposed rate schedule. Project income realistically for existing and proposed new users separately, based on existing user billings, water treatment contracts, and other sources of income. In the absence of historic data or other reliable information, for budget purposes, base water use on 100 gallons per capita per day. Water use per residential connection may then be calculated based on the most recent U.S. Census, American Community Survey, or other data for the state or county of the average household size. When large agricultural or commercial users are projected, the Report should identify those users and include facts to substantiate such projections and evaluate the impact of such users on the economic viability of the project.
- ii) Annual O&M Costs. Provide an itemized list by expense category and project costs realistically. Provide projected costs for operating the system as improved. In the absence of other reliable data, base on actual costs of other existing facilities of similar size and complexity. Include facts in the Report to substantiate O&M cost estimates. Include personnel costs, administrative costs, water purchase or treatment costs, accounting and auditing fees, legal fees, interest, utilities, energy costs, insurance, annual repairs and maintenance, monitoring and testing, supplies, chemicals, residuals disposal, office supplies, printing, professional services, and miscellaneous as applicable. Any income from renewable energy generation which is sold back to the electric utility should also be included, if applicable. If applicable, note the operator grade needed.
- iii) Debt Repayments. Describe existing and proposed financing with the estimated amount of annual debt repayments from all sources. All estimates of funding should be based on loans, not grants.
- iv) Reserves. Describe the existing and proposed loan obligation reserve requirements for the following:
- Debt Service Reserve – For specific debt service reserve requirements consult with individual funding sources. If General Obligation bonds are proposed to be used as loan security, this section may be omitted, but this should be clearly stated if it is the case.

Short-Lived Asset Reserve – A table of short lived assets should be included for the system (See Appendix A for examples). The table should include the asset, the expected year of replacement, and the anticipated cost of each. Prepare a recommended annual reserve deposit to fund replacement of short-lived assets, such as pumps, paint, and small equipment. Short-lived assets include those items not covered under O&M, however, this does not include facilities such as a water tank or treatment facility replacement that are usually funded with long-term capital financing.

7. CONCLUSIONS AND RECOMMENDATIONS

Provide any additional findings and recommendations that should be considered in development of the project. This may include recommendations for special studies, highlighting of the need for special coordination, a recommended plan of action to expedite project development, and any other necessary considerations.

Appendix A: Example List of Short-Lived Asset Infrastructure

Estimated Repair, Rehab, Replacement Expenses by Item within up to 20 Years from Installation)	
Drinking Water Utilities	Wastewater Utilities
<p>Source Related</p> <ul style="list-style-type: none"> Pumps Pump Controls Pump Motors Telemetry Intake/ Well screens Water Level Sensors Pressure Transducers 	<p>Treatment Related</p> <ul style="list-style-type: none"> Pump Pump Controls Pump Motors Chemical feed pumps Membrane Filters Fibers Field & Process Instrumentation Equipment UV lamps Centrifuges Aeration blowers Aeration diffusers and nozzles Trickling filters, RBCs, etc. Belt presses & driers Sludge Collecting and Dewatering Equipment Level Sensors Pressure Transducers Pump Controls Back-up power generator Chemical Leak Detection Equipment Flow meters SCADA Systems
<p>Treatment Related</p> <ul style="list-style-type: none"> Chemical feed pumps Altitude Valves Valve Actuators Field & Process Instrumentation Equipment Granular filter media Air compressors & control units Pumps Pump Motors Pump Controls Water Level Sensors Pressure Transducers Sludge Collection & Dewatering UV Lamps Membranes Back-up power generators Chemical Leak Detection Equipment Flow meters SCADA Systems 	<p>Collection System Related</p> <ul style="list-style-type: none"> Pump Pump Controls Pump Motors Trash racks/bar screens Sewer line rodding equipment Air compressors Vaults, lids, and access hatches Security devices and fencing Alarms & Telemetry Chemical Leak Detection Equipment
<p>Distribution System Related</p> <ul style="list-style-type: none"> Residential and Small Commercial Meters Meter boxes Hydrants & Blow offs Pressure reducing valves Cross connection control devices Altitude valves Alarms & Telemetry Vaults, lids, and access hatches Security devices and fencing Storage reservoir painting/patching 	

Proclamation

SERGEANT TIMOTHY DOWTY

WHEREAS, Sergeant Timothy Dowty commenced his career with the Town of East Hampton, Connecticut on January 6, 1997 as a Patrolman; and

WHEREAS, Sergeant Timothy Dowty was promoted to the rank of Sergeant on June 19, 2007 and held that position with honor until his retirement on December 18, 2021; and

WHEREAS, Sergeant Timothy Dowty, over his 24 plus-year career, worked as the Field Training Coordinator, Training Officer, Taser Instructor, OC Instructor, Baton Instructor and Defensive Tactics Instructor for the Department in addition to his regular patrols, service to the community and numerous criminal investigations which resulted in the arrests and convictions of individuals; and

WHEREAS, Sergeant Timothy Dowty honed his skills and increased his abilities through training in disciplines including the FBI National Academy, interview & interrogation methods, homicide investigation, first line supervision, incident command, active shooter preparation and response and numerous other training courses; and

WHEREAS, Sergeant Timothy Dowty was a dedicated and valued member of the East Hampton Police Department and was respected by his peers and community alike for his professionalism and compassion which he exemplified in his everyday duties.

NOW, THEREFORE, WE THE EAST HAMPTON TOWN COUNCIL, on behalf of the citizens of East Hampton, extend our best wishes to Sergeant Timothy Dowty on his retirement and acknowledge his notable career and his commitment to public service.

EAST HAMPTON TOWN COUNCIL

Mark Philhower, Chairman

Timothy Feegel, Vice Chairman

James Brown

Brandon Goff

Eric Peterson

Kevin Reich

Alison Walck

Dated this 14th day of December 2021

Town of East Hampton
Middlesex County, Connecticut

DRAFT – November 4, 2021

Ordinance No. 2021.04

An Ordinance Amending Chapter 33 of the Code of the Town of East Hampton Regarding Economic Development Commission

WHEREAS, the Code of the Town of East Hampton provides for the establishment of an Economic Development Commission at Chapter 33 by indicating membership, terms, and other organizational structure information, and;

WHEREAS, said Chapter does not provide a specific purpose, intent or mission of the Economic Development Commission unlike other similar bodies of the Town, which are generally defined in the Code or State Statute, and;

WHEREAS, the Town Council, in coordination with the current members of the Economic Development Commission, desires to outline a mission for the Economic Development Commission by amending the Code to provide as follows.

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: Section 33-2 of the Code of the Town of East Hampton regarding Purpose and Mission is created as follows:

§ 33-2 Purpose and mission.

The purpose of the Economic Development Commission is to lead and support efforts, initiatives and projects that contribute to the attraction of new business and tourism opportunities, retention of established business and tourism, and improvement of the quality of life of East Hampton residents, visitors and tourists.

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

Mark Philhower, Chairperson

Kelly Bilodeau, Town Clerk



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



Dennis Woessner
Chief of Police

December 8, 2021

To: David Cox, Town Manager
From: Dennis Woessner, Chief of Police
Subject: General Order approval

Attached to this memorandum are two existing General Orders which I am submitting for approval:

General Order 3.6, Pursuit Policy, is an existing General Order which was approved by the Town Council on June 22, 2021. The Police Officer Standards and Training Council (POSTC) made a few minor changes to the policy on November 18, 2021. The changes added exceptions to situations in which Tire Deflation Devices may be used.

General Order 5.23, Use of Body Worn and Dashboard Cameras, 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 few minor changes to the policy on November 18, 2021. The changes added additional language to include when body camera and in car camera video recordings may be reviewed by Officers and when the recordings can be released to the public.


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 3.6

RULES OF CONDUCT

SUBJECT: PURSUIT POLICY		
Issue Date: TBD	Effective Date: TBD	Distribution: All Personnel
Amends/Rescinds GO: dated 6/23/2021		Review Date:
Per Order of:  Dennis Woessner, Chief of Police		
<i>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>		

POSTC Model Policy Police Motor Vehicle Pursuit Policy

I. PURPOSE

On November 14, 2019, the Police Officer Standards and Training Council (POSTC) adopted a Model Pursuit Policy. This policy was updated in accordance with Public Act 19-90, Section 5, which updates Connecticut General Statute 14-283a "Adoption of state-wide policy for pursuits by police officers. Reports." The purpose of the policy was to establish a Uniform Statewide Pursuit Policy in accordance with the provisions of 14-283a-1 to 14-283a-4, inclusive and section 14-283a of the Connecticut General Statutes. The policy shall serve as the minimum standard for all police pursuits in Connecticut, involving POSTC Certified Police Officers. Additional requirements adopted by an individual police agency shall not conflict with any provision of this policy.

The East Hampton Police Department is adopting the POSTC Model Pursuit Policy and is adding certain sections that deal specifically with the officer and supervisory responsibilities, as it applies to reporting requirements for pursuits.

II. POLICY

Pursuits of fleeing motor vehicles may present a danger to the lives of the public, officers, and those vehicle occupants involved in the pursuit. Each police agency shall be responsible for assisting police officers in the safe performance of their duties.

III. DEFINITIONS

1. "Pursuit" means an attempt by a police officer in an authorized emergency vehicle to apprehend any occupant of another moving motor vehicle, when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing the speed of such vehicle or by ignoring the police officer's attempt to stop such vehicle.
2. "Authorized emergency vehicle" means a police vehicle equipped with operable emergency equipment, including audible siren and red or blue flashing lights, while such vehicle is being operated by a police officer.
3. "Primary unit" means the police vehicle operated by a police officer that initiates a pursuit or any police vehicle operated by a police officer that assumes control of the pursuit.
4. "Secondary unit" means any police vehicle operated by a police officer that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.
5. "Supervisor" means a person designated by the police agency to have supervisory control over the operation of the agency's vehicles during a pursuit.
6. "Communications" means the central dispatch center or personnel staffing the central dispatch center of the police agency in the jurisdiction where the pursuit is occurring.
7. "Uniform Statewide Pursuit Policy, "known as "the policy" or "this policy," means Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies.
8. "Police agency" means the Division of State Police within the Department of Public Safety, including local police officers serving in municipalities with a Resident State Trooper, or an organized municipal police department.
9. "Crime of Violence" -An offense in which physical force, the attempted use or threatened use of physical force, is used against another person(s) for the purpose of, injuring, damaging or abusing another person(s), or any offense that is a felony and that involves a substantial risk that physical force against another person may

be used in the course of committing the offense.

IV. PROCEDURES

A. Initiation of Pursuit

1. A police officer may only engage another vehicle in a pursuit if the officer has reasonable suspicion to believe that the driver or occupant has committed or is attempting to commit a crime of violence, or there are exigent circumstances that warrant the need to apprehend the suspect in a timely manner because of the potential for harm to the public if the apprehension does not occur. The officers must be able to articulate the exigent need to apprehend the driver or occupant because of the potential harm or risk to the public.
2. Offenses that constitute Infractions, property crimes, (to include stolen motor vehicles), non-violent misdemeanors and non-violent felonies shall not be justification to engage in a pursuit of another vehicle, absent articulable exigent circumstances.
3. The officers involved in the pursuit and their supervisors shall continuously reassess the factors listed above to determine whether the pursuit shall continue or be terminated.
4. A pursuit shall not be undertaken, even if allowable by other provisions of this policy, unless and until the officer, based upon the information available to him/her at the time, shall make an objectively reasonable determination that the threat of imminent death or serious physical injury to the officer, the public or both, created by the pursuit is less than the immediate or potential danger to the public, should the suspect(s) or occupant(s) remain at large. A decision to engage in a pursuit shall be based upon the following:
 - a. The underlying crime for which the operator or occupants are suspected of committing;
 - b. Whether the identity of the operator or occupant is known and apprehension by other means is possible;
 - c. That the immediate danger to the public and the police officer created by the pursuit is less than the immediate danger to the public should the occupants of the pursued vehicle remain at large;
 - d. Location, speed, direction of other traffic, population density, type of vehicle being pursued and operators driving behaviors;
 - e. Environmental factors such as, weather, time of the day, visibility;
 - f. Relative capability of the police vehicle(s) and the vehicle being pursued;

- g. Road conditions, including surface type, wet, icy, dry roadway. Road typography, traffic controls;
- h. The presence of other people in the police vehicle;
- i. Population density, vehicular and pedestrian traffic.

V. PURSUIT OPERATIONS

1. All authorized emergency vehicle operations shall be conducted in strict conformity with Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies, and section 14-283a of the Connecticut General Statutes.
2. Upon engaging in or entering into a pursuit, the pursuing vehicle shall activate appropriate warning equipment. An audible warning device shall be used during all such pursuits.
3. Upon engaging in a pursuit, the police officer shall immediately notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. The police officers shall keep communications updated on the pursuit. Communications personnel shall immediately notify any available supervisor of the agency or agencies involved in such pursuit, clear the radio channel of non-emergency traffic, and relay necessary information to other police officers of the involved police agency or agencies, and adjacent police agencies in whose direction the pursuit is proceeding.
4. When engaged in a pursuit, police officers shall drive with due regard for the safety of persons and property.
5. Unless circumstances dictate otherwise, a pursuit shall consist of no more than three police vehicles, one of which shall be designated as the primary unit. No other personnel shall join the pursuit unless instructed to participate by a supervisor.
6. The primary unit involved in the pursuit shall become secondary when the fleeing vehicle comes under police air surveillance or when another unit has been assigned primary responsibility.

VI. SUPERVISORY RESPONSIBILITIES

1. When made aware of a pursuit, the appropriate supervisor shall evaluate the situation and conditions that caused the pursuit to be initiated, the need to continue the pursuit, and shall monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used. Such supervisor shall also have the authority to terminate the pursuit. When the agency supervisor communicates a termination directive, all agency vehicles shall disengage warning devices and cease the pursuit.

2. Where possible, a supervisory police officer shall respond to the location where a vehicle has been stopped following a pursuit.
3. If the supervisor is not a sergeant, or higher rank, he will notify a sergeant of the pursuit as soon as practical.

VII. PURSUIT TACTICS

1. Police officers not engaged in the pursuit as the primary or secondary unit shall not normally follow the pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.
2. When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, such unit shall become the secondary unit when a marked unit becomes available as the primary unit, and such unit shall disengage from the pursuit when another marked unit becomes available as the secondary unit.
3. Motorcycles may be used for a pursuit in exigent circumstances including, but not limited to, situations where a felony has been committed, deadly force has been used by a vehicle occupant, or the pursuit is necessary to preserve a life, provided that weather and related conditions allow such pursuit to continue. Motorcycles shall disengage from the pursuit when support from marked patrol units becomes available.
4. Once the pursued vehicle is stopped, police officers shall utilize appropriate police officer safety tactics and shall be aware of the necessity to utilize only the force the police officer reasonably believes to be necessary to take occupants into custody.
5. All intervention techniques short of deadly force shall be used when it is possible to do so in safety and when the police officers utilizing them have received appropriate training in their use. Such techniques shall include, but not be limited to, boxing in the vehicle or using controlled termination *devices such as stop sticks*.
6. Roadblocks are prohibited unless specifically authorized by the supervisor in charge after consideration of the necessity of applying deadly physical force to end the pursuit.

VIII. USE OF FIREARMS DURING A PURSUIT

1. Officers shall not discharge their firearms at a moving vehicle or its occupants unless, the occupants are using, or threatened the use of deadly physical force, against the officer or another person present, by means other than the vehicle.
 - a. This does not preclude exigent circumstances such as, but not limited to, where the officer reasonably believes there are no other means available to avert the threat of the vehicle, or if such vehicle is being utilized as a weapon against the officer(s), or another person, such as in a vehicle ramming attack.
 - b. No officer should intentionally position his or her body into the path of a fleeing motor vehicle, unless such action is a tactic approved by the law enforcement unit, that employs such police officer and in accordance with an established written policy. Whenever possible, the involved officer should make an effort to move to an area of safety if the vehicle becomes a threat, including retreating from the threat, if practical.

IX. TERMINATION OF THE PURSUIT

1. The police officer serving as the primary unit engaged in the pursuit shall continually re-evaluate and assess the pursuit situation, including all of the initiating factors, and terminate the pursuit whenever he or she reasonably believes that the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.
2. The pursuit may be terminated by the primary unit at any time.
3. A supervisor may order the termination of a pursuit at any time and shall order the termination of a pursuit when the potential danger to the public outweighs the need immediate apprehension. Such decision shall be based on information known to the supervisor at the time of the pursuit.
4. A pursuit may be terminated if the identity of the occupants has been determined, immediate apprehension is not necessary to protect the public or police officers, and apprehension at a later time is feasible.
5. A pursuit may be terminated when the police officers are prevented from communicating with their supervisors, communications or other police officers.
6. A pursuit shall be terminated if the police officer knows or is reasonably certain, that the fleeing motor vehicle is being operated by a juvenile and the suspected offense is not a violent felony.

X. INTER-JURISDICTIONAL PURSUITS

1. The primary unit shall notify communications when it is likely that a pursuit will continue into a neighboring police agency's area of law enforcement responsibility or cross the state line. Municipal police agencies and the State Police shall notify each other whenever entering the other's area of law enforcement responsibility.
2. A pursuit into a bordering state shall comply with the laws of both states and any applicable inter-agency agreements.
3. In all cases where a pursuit enters an area of law enforcement responsibility of a police agency other than that of the initiating police agency, the police agency in pursuit shall be responsible for immediately notifying the police agency responsible for such area. The desk officer or duty supervisor for the police agency responsible for such area shall determine if assistance is necessary and police officers from police agencies other than the initiating agency shall not join the outside pursuit unless:
 - a. Directed by such duty supervisor or desk officer; or
 - b. The involved pursuit unit is unable to request assistance; or
 - c. The situation demands immediate assistance. The supervisors of the respective police agencies involved in the pursuit shall communicate with each other to determine the respective responsibilities of each police agency and to determine which police agency will assume primary operational control of the pursuit. The supervisors shall also communicate with each other regarding any external conditions pertinent to the continued conduct of the pursuit. Communications between police agencies shall be controlled by inter-agency police radio systems, if they exist, or by telephone, or by both.
4. In all cases where the pursuit enters a municipality without a regularly organized police department, notification shall be made to the State Police troop responsible for that area. Such troop shall maintain radio communications with all local police officers serving in any such municipality.
5. Agencies pursuing a vehicle into another jurisdiction must notify that jurisdiction as soon as practical, provided that agency with all available information pertinent to the pursuit, including but not limited to:
 - a. The reason(s) for the pursuit, or primary offense the driver or occupant(s) are believed to have committed
 - b. Location, speed, and direction of travel
 - c. Vehicle and occupant(s) description
 - d. The number of vehicles and agencies involved in the pursuit

- e. Whether assistance is requested/needed or not
- f. Other available information as to the conditions of the pursuit

The pursuing agency will notify the other jurisdiction whether or not the pursuit has been terminated or is leaving their jurisdiction.

Any agency involved in the pursuit may, at its discretion, choose to terminate its involvement in a pursuit at any time. The supervisor and the police officers involved in the pursuit shall make their own determination whether their officers shall enter, continue or terminate the pursuit within their jurisdiction.

XI. POST-PURSUIT REPORTING

1. Whenever a police officer engages in a pursuit, the police officer shall file a written report on the appropriate form required by his or her agency describing the circumstances. This report shall be reviewed by the appropriate supervisor or supervisors to determine if policy has been complied with and to detect and correct any training deficiencies. Each officer will complete the POSTC Pursuit Tracking Form (attached). Section 20 is for supervisory approval.
2. Each police agency shall periodically analyze its police pursuit activity and identify any additions, deletions or modifications warranted in agency pursuit procedures.
3. Post-Pursuit reports shall be completed for each police pursuit in accordance with department policy and training. Supervisors will ensure the POSTC Pursuit Tracking Form is completed, including section 20, and forwarded to the Chief of Police for his review and submission per POSTC General Notice 19-04.
4. In accordance with Section 14-283a-1 to 14-283a-4, inclusive and section 14-283a of the Connecticut General Statutes Not later than January 31, 2020, and annually thereafter, each Chief of Police and the Commissioner of the Department of Emergency Services and Public Protection shall submit an annual report to the Police Officers Standards and Training Council regarding pursuits by police officers, on the standardized form developed and promulgated by POSTC
5. Each police agency involved in the pursuit must report their involvement to POSTC on the designated reporting form. Departments shall indicate on the form whether they were the initiating agency or a secondary unit.

XII. OTHER PURSUIT CONSIDERATIONS

1. High speed operation - A police officer in pursuit may operate their vehicle at a speed that the condition of the vehicle, existing road, traffic, environmental conditions, and the officer's driving abilities will safely permit.
2. Number of involved pursuit vehicles - No more than three police vehicles shall be actively involved in a pursuit, unless directed otherwise by a commander, superior officer, or supervisor, however, all police officers should be alert to the progress and location of any nearby and ongoing pursuit.
3. Offensive driving tactics are limited - Deliberate contact between vehicles, (i.e., intentional collision, PIT Maneuver, or ramming) shall not be attempted unless permission is obtained from a supervisor, in accordance with established written policy.
4. Spacing of Vehicles - All police units in active pursuit shall space themselves at reasonable and safe distances to permit adequate braking and reaction times if any preceding vehicle stops, slows, turns, becomes disabled or collides with any vehicle or object.
5. Police officers shall operate available emergency warning lights and their vehicle siren to alert other motorists to unexpected pursuit vehicle maneuvers.
6. A police pursuit vehicle entering any intersection against traffic control signals or signs shall slow to safe speeds and be prepared to slow or stop to avoid any collision.

XIII. FORCED STOP PROCEDURES (ALTERNATIVE MEASURES)

1. Forced stop procedures, to include but not limited to PIT Maneuver, Boxing-in, and Intentional collision (Roadblocks), short of deadly force, may be considered to stop a fleeing vehicle;
2. Forced stop procedures may be considered when the necessity for an immediate apprehension outweighs the dangers presented to all parties involved and innocent persons.
3. Forcing vehicles to stop usually presents serious safety hazards to participants and any innocent persons who are present.
4. Forced stop procedures must be reasonably and properly applied by police officers

who have received appropriate training in their use and have received authorization from their supervisor, absent exigent circumstances.

5. Forced stop procedures shall be conducted in accordance with department policy and training.

A. Roadblocks

1. Use of a roadblock, ramming or forcing a vehicle from the roadway may be employed if deadly force can be reasonably applied to apprehend one of the following persons, after all other reasonable alternatives have been exhausted or would be ineffective;
 - A dangerous fleeing felon - A person for whom there is reasonable cause to believe that the person has committed a violent felony involving an actual or threatened attack which the police officer has reasonable cause to believe could or has resulted in death or serious physical injury; or
 - Any person who is operating a motor vehicle recklessly and in such a manner as to be reasonably likely to cause death or serious injury to any other person should they be allowed to continue operation of the vehicle.
 - The use of a roadblock shall be used in accordance with department policy and training.

B. Boxing-In

1. Boxing in shall only be performed at relatively low speeds. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to police officers, the public and the occupants of the violator vehicle.
2. Boxing in normally requires two or more police units to position themselves around the violator to form a box at low speeds pursuits. Once the fleeing vehicle is blocked, the police pursuit vehicles slowly and gradually reduce their speed, causing the violator to stop.
3. It must be anticipated that a violator may attempt to maneuver past the lead blocking vehicle or intentionally collide with it or one of the other blocking vehicles to move out of the box.

4. Boxing-in techniques shall be used in accordance with department policy and training.

C. Intentional Collision of the Offending Vehicle

1. A deliberate contact between a police vehicle and a violator's vehicle and is intended to cause the violator to spin or leave the roadway in a slow and controlled manner.
2. This technique should be used in accordance with department policy and training.
3. When considering intentional collision of a violator, each police officer and supervisor must be aware that these actions may result in serious physical injury or death and may activate the vehicle airbags or fuel system shut-offs causing the police vehicle to become disabled.

D. Tire Deflation Devices – Stop Sticks

1. Police officers must first complete a department required training course on the use of Tire Deflation Devices. These devices shall only be used in accordance with department policy.
2. Stop Sticks shall not be deployed to stop Motorcycles, or other vehicles with less than four (4) wheels.

3. EXCEPTIONS:

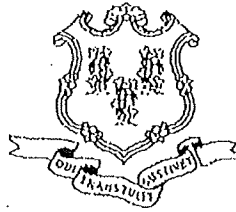
- a. IMMEDIATE ACTION - Forced stop procedures utilizing the tire deflation devices must be reasonably and properly applied by police officers who have received appropriate training in their use and have received authorization from their supervisor. Prior authorization shall not be required in exigent circumstances involving a rapidly evolving commission of a violent crime, requiring the police officer to take immediate action.
- b. PURSUIT PREVENTION - Prior to attempting a motor vehicle stop or after stopping a motor vehicle, situations may arise where a police officer reasonably believes that the operator may attempt to; escape, elude law enforcement or otherwise initiate a pursuit. Officers may consider a prophylactic measure, thereby preventing the engagement in a pursuit by utilizing tire deflation devices. The officer employing such measures will

comply with all additional requirements under this policy.

XIV. VEHICLE PURSUIT TRAINING

Police officers who drive police vehicles shall be given initial and biennial update training in the agency's pursuit policy and in safe driving tactics. The provisions of Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies shall be a part of the curriculum for all police basic recruit-training and re-certification programs in Connecticut.

1. Pursuit Training Programs shall consist of:
 - a. Knowledge of applicable statutes
 - b. Court decisions impacting police pursuits
 - c. Department policy
 - d. Supervisory and individual responsibilities in a police pursuit
 - e. Reporting requirements
 - f. Inter-jurisdictional considerations
 - g. Pursuit driving skills and techniques.



STATE OF CONNECTICUT

DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION

Police Officer Standards and Training Council
Connecticut Police Academy

Pursuit Tracking Form

Department Name: East Hampton Police Department

Primary Secondary

1. Reason for pursuit: _____
2. Date and time of pursuit: _____
3. Primary pursuit vehicle operator: _____
4. Type of vehicle utilized in pursuit: _____
5. In car video: Yes/No
6. Body worn camera: Yes/No
7. Location pursuit initiated: _____
8. Location pursuit terminated: _____
9. Location pursuit concluded, if not terminated: _____
10. Who terminated pursuit: _____
11. Reason for pursuit termination: _____
12. Weather conditions: _____
13. Number of police vehicle(s) involved: _____
14. Was there a collision as a result of the pursuit: Yes/No
15. Injuries resulting from the pursuit: _____
16. Describe damage to vehicles involved if question #14 was answered Yes:

17. Age of offender involved in pursuit: _____
18. Does offender have a criminal history? Yes/No
19. External video available: Yes/No
20. Was pursuit reviewed Yes/No, findings of supervisor, provide a brief narrative: _____


Please submit completed forms to: PursuitForms@ct.gov



STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
Police Officer Standards and Training Council
Connecticut Police Academy

GENERAL NOTICE 21-10

To: Chief Law Enforcement Officers
Training Officers
Protective Services
Resident Troopers

From: Karen Boisvert 
Academy Administrator

Date: November 29, 2021

Subject: Pursuit POSTC Model Policy Revised 11/18/21

At the November 18, 2021, regular meeting, the Police Officer Standards and Training Council approved the following changes to the Pursuit POSTC Model Policy. The changes are located on page 8 of the policy and have been highlighted for easy identification. A Word version of the updated policy is located on the POST website under Latest News and/or Featured Links; *Police Motor Vehicle Pursuit Policy Link*.

1. EXCEPTIONS

a. IMMEDIATE ACTION - Forced stop procedures utilizing the tire deflation devices must be reasonably and properly applied by police officers who have received appropriate training in their use and have received authorization from their supervisor. Prior authorization shall not be required in exigent circumstances involving a rapidly evolving commission of a violent crime, requiring the police officer to take immediate action.

b. PURSUIT PREVENTION - Prior to attempting a motor vehicle stop or after stopping a motor vehicle, situations may arise where a police officer reasonably believes that the operator may attempt to; escape, elude law enforcement or otherwise initiate a pursuit. Officers may consider a prophylactic measure, thereby preventing the engagement in a pursuit by utilizing tire deflation devices. The officer employing such measures will comply with all additional requirements under this policy.

Questions or comments may be directed to my attention either by e-mail karen.boisvert@ct.gov or phone 203-427-2601.

KB:kb

POSTC Model Policy

Police Motor Vehicle Pursuit Policy

Sec. 1. Purpose

The purpose of this policy is to establish a Uniform Statewide Pursuit Policy in accordance with the provisions of 14-283a-1 to 14-283a-4, inclusive and section 14-283a of the Connecticut General Statutes. This policy shall serve as the minimum standard for all police pursuits in Connecticut, involving POSTC Certified Police Officers. Additional requirements adopted by an individual police agency shall not conflict with any provision of this policy.

Sec. 2. Policy

Pursuits of fleeing motor vehicles may present a danger to the lives of the public, officers, and those vehicle occupants involved in the pursuit. Each police agency shall be responsible for assisting police officers in the safe performance of their duties.

Sec. 3. Definitions

1. "Pursuit" means an attempt by a police officer in an authorized emergency vehicle to apprehend any occupant of another moving motor vehicle, when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing the speed of such vehicle or by ignoring the police officer's attempt to stop such vehicle.
2. "Authorized emergency vehicle" means a police vehicle equipped with operable emergency equipment, including audible siren and red or blue flashing lights, while such vehicle is being operated by a police officer.
3. "Primary unit" means the police vehicle operated by a police officer that initiates a pursuit or any police vehicle operated by a police officer that assumes control of the pursuit.
4. "Secondary unit" means any police vehicle operated by a police officer that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.
5. "Supervisor" means a person designated by the police agency to have supervisory control over the operation of the agency's vehicles during a pursuit.
6. "Communications" means the central dispatch center or personnel staffing the central dispatch center of the police agency in the jurisdiction where the pursuit is occurring.
7. "Uniform Statewide Pursuit Policy, "known as "the policy" or "this policy," means Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies.
8. "Police agency" means the Division of State Police within the Department of Public Safety, including local police officers serving in municipalities with a Resident State Trooper, or an organized municipal police department.

9. "Crime of Violence" -An offense in which physical force, the attempted use or threatened use of physical force, is used against another person(s) for the purpose of, injuring, damaging or abusing another person(s), or any offense that is a felony and that involves a substantial risk that physical force against another person may be used in the course of committing the offense.

Sec. 4. Procedures

A. Initiation of Pursuit

1. A police officer may only engage another vehicle in a pursuit if the officer has reasonable suspicion to believe that the driver or occupant has committed or is attempting to commit a crime of violence, or there are exigent circumstances that warrant the need to apprehend the suspect in a timely manner because of the potential for harm to the public if the apprehension does not occur. The officers must be able to articulate the exigent need to apprehend the driver or occupant because of the potential harm or risk to the public.
2. Offenses that constitute Infractions, property crimes, (to include stolen motor vehicles), non-violent misdemeanors and non-violent felonies shall not be justification to engage in a pursuit of another vehicle, absent articulable exigent circumstances.
3. The officers involved in the pursuit and their supervisor's shall continuously reassess the factors listed above to determine whether the pursuit shall continue or be terminated.
4. A pursuit shall not be undertaken, even if allowable by other provisions of this policy, unless and until the officer, based upon the information available to him/her at the time, shall make an objectively reasonable determination that the threat of imminent death or serious physical injury to the officer, the public or both, created by the pursuit is less than the immediate or potential danger to the public, should the suspect(s) or occupant(s) remain at large. A decision to engage in a pursuit shall be based upon the following:
 - a. The underlying crime for which the operator or occupants are suspected of committing;
 - b. Whether the identity of the operator or occupant is known and apprehension by other means is possible;
 - c. That the immediate danger to the public and the police officer created by the pursuit is less than the immediate danger to the public should the occupants of the pursued vehicle remain at large;
 - d. Location, speed, direction of other traffic, population density, type of vehicle being pursued and operators driving behaviors;
 - e. Environmental factors such as, weather, time of the day, visibility;
 - f. Relative capability of the police vehicle(s) and the vehicle being pursued;
 - g. Road conditions, including surface type, wet, icy, dry roadway. Road typography, traffic controls;
 - h. The presence of other people in the police vehicle;

- i. Population density, vehicular and pedestrian traffic.

Sec. 5. Pursuit Operations

1. All authorized emergency vehicle operations shall be conducted in strict conformity with Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies, and section 14-283a of the Connecticut General Statutes.
2. Upon engaging in or entering into a pursuit, the pursuing vehicle shall activate appropriate warning equipment. An audible warning device shall be used during all such pursuits.
3. Upon engaging in a pursuit, the police officer shall immediately notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. The police officers shall keep communications updated on the pursuit. Communications personnel shall immediately notify any available supervisor of the agency or agencies involved in such pursuit, clear the radio channel of non-emergency traffic, and relay necessary information to other police officers of the involved police agency or agencies, and adjacent police agencies in whose direction the pursuit is proceeding.
4. When engaged in a pursuit, police officers shall drive with due regard for the safety of persons and property.
5. Unless circumstances dictate otherwise, a pursuit shall consist of no more than three police vehicles, one of which shall be designated as the primary unit. No other personnel shall join the pursuit unless instructed to participate by a supervisor.
6. The primary unit involved in the pursuit shall become secondary when the fleeing vehicle comes under police air surveillance or when another unit has been assigned primary responsibility.

Sec. 6. Supervisory Responsibilities

1. When made aware of a pursuit, the appropriate supervisor shall evaluate the situation and conditions that caused the pursuit to be initiated, the need to continue the pursuit, and shall monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used. Such supervisor shall also have the authority to terminate the pursuit. When the agency supervisor communicates a termination directive, all agency vehicles shall disengage warning devices and cease the pursuit.
2. Where possible, a supervisory police officer shall respond to the location where a vehicle has been stopped following a pursuit.

Sec. 7. Pursuit Tactics

1. Police officers not engaged in the pursuit as the primary or secondary unit shall not normally follow the pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.
2. When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, such unit shall become the secondary unit when a marked unit becomes available as the primary unit, and such unit shall disengage from the pursuit when another marked unit becomes available as the secondary unit.

3. Motorcycles may be used for a pursuit in exigent circumstances including, but not limited to, situations where a felony has been committed, deadly force has been used by a vehicle occupant, or the pursuit is necessary to preserve a life, provided that weather and related conditions allow such pursuit to continue. Motorcycles shall disengage from the pursuit when support from marked patrol units becomes available.
4. Once the pursued vehicle is stopped, police officers shall utilize appropriate police officer safety tactics and shall be aware of the necessity to utilize only the force the police officer reasonably believes to be necessary to take occupants into custody.
5. All intervention techniques short of deadly force shall be used when it is possible to do so in safety and when the police officers utilizing them have received appropriate training in their use. Such techniques shall include, but not be limited to, boxing in the vehicle or using controlled termination *devices such as stop sticks*.
6. Roadblocks are prohibited unless specifically authorized by the supervisor in charge after consideration of the necessity of applying deadly physical force to end the pursuit.

Sec. 8. Use of Firearms during a Pursuit

1. Officers shall not discharge their firearms at a moving vehicle or its occupants unless, the occupants are using, or threatened the use of deadly physical force, against the officer or another person present, by means other than the vehicle.
 - a. This does not preclude exigent circumstances such as, but not limited to, where the officer reasonably believes there are no other means available to avert the threat of the vehicle, or if such vehicle is being utilized as a weapon against the officer(s), or another person, such as in a vehicle ramming attack.
 - b. No officer should intentionally position his or her body into the path of a fleeing motor vehicle, unless such action is a tactic approved by the law enforcement unit, that employs such police officer and in accordance with an established written policy. Whenever possible, the involved officer should make an effort to move to an area of safety if the vehicle becomes a threat, including retreating from the threat, if practical.

Sec. 9. Termination of the Pursuit

1. The police officer serving as the primary unit engaged in the pursuit shall continually re-evaluate and assess the pursuit situation, including all of the initiating factors, and terminate the pursuit whenever he or she reasonably believes that the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.
2. The pursuit may be terminated by the primary unit at any time.
3. A supervisor may order the termination of a pursuit at any time and shall order the termination of a pursuit when the potential danger to the public outweighs the need immediate apprehension. Such decision shall be based on information known to the supervisor at the time of the pursuit.

4. A pursuit may be terminated if the identity of the occupants has been determined, immediate apprehension is not necessary to protect the public or police officers, and apprehension at a later time is feasible.
5. A pursuit may be terminated when the police officers are prevented from communicating with their supervisors, communications or other police officers.
6. A pursuit shall be terminated if the police officer knows or is reasonably certain, that the fleeing motor vehicle is being operated by a juvenile and the suspected offense is not a violent felony.

Sec. 10. Inter-Jurisdictional Pursuits

1. The primary unit shall notify communications when it is likely that a pursuit will continue into a neighboring police agency's area of law enforcement responsibility or cross the state line. Municipal police agencies and the State Police shall notify each other whenever entering the other's area of law enforcement responsibility.
2. A pursuit into a bordering state shall comply with the laws of both states and any applicable inter-agency agreements.
3. In all cases where a pursuit enters an area of law enforcement responsibility of a police agency other than that of the initiating police agency, the police agency in pursuit shall be responsible for immediately notifying the police agency responsible for such area. The desk officer or duty supervisor for the police agency responsible for such area shall determine if assistance is necessary and police officers from police agencies other than the initiating agency shall not join the outside pursuit unless:
 - a. Directed by such duty supervisor or desk officer; or
 - b. The involved pursuit unit is unable to request assistance; or
 - c. The situation demands immediate assistance. The supervisors of the respective police agencies involved in the pursuit shall communicate with each other to determine the respective responsibilities of each police agency and to determine which police agency will assume primary operational control of the pursuit. The supervisors shall also communicate with each other regarding any external conditions pertinent to the continued conduct of the pursuit. Communications between police agencies shall be controlled by inter-agency police radio systems, if they exist, or by telephone, or by both.
4. In all cases where the pursuit enters a municipality without a regularly organized police department, notification shall be made to the State Police troop responsible for that area. Such troop shall maintain radio communications with all local police officers serving in any such municipality.
5. Agencies pursuing a vehicle into another jurisdiction must most notify that jurisdiction as soon as practical, provided that agency with all available information pertinent to the pursuit, including but not limited to:
 1. The reason(s) for the pursuit, or primary offense the driver or occupant(s) are believed to have committed
 2. Location, speed, and direction of travel
 3. Vehicle and occupant(s) description
 4. The number of vehicles and agencies involved in the pursuit

5. Whether assistance is requested/needed or not
6. Other available information as to the conditions of the pursuit

The pursuing agency will notify the other jurisdiction whether or not the pursuit has been terminated or is leaving their jurisdiction.

Any agency involved in the pursuit may, at its discretion, choose to terminate its involvement in a pursuit at any time. The supervisor and the police officers involved in the pursuit shall make their own determination whether their officers shall enter, continue, or terminate the pursuit within their jurisdiction.

Sec. 11. Post-Pursuit Reporting

1. Whenever a police officer engages in a pursuit, the police officer shall file a written report on the appropriate form required by his or her agency describing the circumstances. This report shall be reviewed by the appropriate supervisor or supervisors to determine if policy has been complied with and to detect and correct any training deficiencies.
2. Each police agency shall periodically analyze its police pursuit activity and identify any additions, deletions or modifications warranted in agency pursuit procedures.
3. Post-Pursuit reports shall be completed for each police pursuit in accordance with department policy and training.
4. In accordance with Section 14-283a-1 to 14-283a-4, inclusive and section 14-283a of the Connecticut General Statutes Not later than January 31, 2020, and annually thereafter, each Chief of Police and the Commissioner of the Department of Emergency Services and Public Protection shall submit an annual report to the Police Officers Standards and Training Council regarding pursuits by police officers, on the standardized form developed and promulgated by POSTC
5. Each police agency involved in the pursuit must report their involvement to POSTC on the designated reporting form. Departments shall indicate on the form whether they were the initiating agency or a secondary unit.

Sec. 12 Other Pursuit Considerations

1. High speed operation - A police officer in pursuit may operate their vehicle at a speed that the condition of the vehicle, existing road, traffic, environmental conditions, and the officer's driving abilities will safely permit.
2. Number of involved pursuit vehicles - No more than three police vehicles shall be actively involved in a pursuit, unless directed otherwise by a commander, superior officer, or supervisor, however, all police officers should be alert to the progress and location of any nearby and ongoing pursuit.
3. Offensive driving tactics are limited - Deliberate contact between vehicles, (i.e., intentional collision, PIT Maneuver, or ramming) shall not be attempted unless permission is obtained from a supervisor, in accordance with established written policy

4. Spacing of Vehicles - All police units in active pursuit shall space themselves at reasonable and safe distances to permit adequate braking and reaction times if any preceding vehicle stops, slows, turns, becomes disabled or collides with any vehicle or object.
5. Police officers shall operate available emergency warning lights and their vehicle siren to alert other motorists to unexpected pursuit vehicle maneuvers.
6. A police pursuit vehicle entering any intersection against traffic control signals or signs shall slow to safe speeds and be prepared to slow or stop to avoid any collision.

Sec. 13. Forced Stop Procedures (Alternative Measures)

1. Forced stop procedures, to include but not limited to PIT Maneuver, Boxing-in, and Intentional collision. Roadblocks), short of deadly force, may be considered to stop a fleeing vehicle;
2. Forced stop procedures may be considered when the necessity for an immediate apprehension outweighs the dangers presented to all parties involved and innocent persons.
3. Forcing vehicles to stop usually presents serious safety hazards to participants and any innocent persons who are present.
4. Forced stop procedures must be reasonably and properly applied by police officers who have received appropriate training in their use and have received authorization from their supervisor, absent exigent circumstances.
5. Forced stop procedures shall be conducted in accordance with department policy and training.

A. Roadblocks

1. Use of a roadblock, ramming or forcing a vehicle from the roadway may be employed if deadly force can be reasonably applied to apprehend one of the following persons, after all other reasonable alternatives have been exhausted or would be ineffective;
 - A dangerous fleeing felon - A person for whom there is reasonable cause to believe that the person has committed a violent felony involving an actual or threatened attack which the police officer has reasonable cause to believe could or has resulted in death or serious physical injury; or
 - Any person who is operating a motor vehicle recklessly and in such a manner as to be reasonably likely to cause death or serious injury to any other person should they be allowed to continue operation of the vehicle.
 - The use of a roadblock shall be used in accordance with department policy and training.

B. Boxing-In

1. Boxing in shall only be performed at relatively low speeds. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to police officers, the public and the occupants of the violator vehicle.
 2. Boxing in normally requires two or more police units to position themselves around the violator to form a box at low speeds pursuits. Once the fleeing vehicle is blocked, the police pursuit vehicles slowly and gradually reduce their speed, causing the violator to stop.
 3. It must be anticipated that a violator may attempt to maneuver past the lead blocking vehicle or intentionally collide with it or one of the other blocking vehicles to move out of the box.
 4. Boxing-in techniques shall be used in accordance with department policy and training.
- C. Intentional Collision of the Offending Vehicle
1. A deliberate contact between a police vehicle and a violator's vehicle and is intended to cause the violator to spin or leave the roadway in a slow and controlled manner.
 2. This technique should be used in accordance with department policy and training.
 3. When considering intentional collision of a violator, each police officer and supervisor must be aware that these actions may result in serious physical injury or death and may activate the vehicle airbags or fuel system shut-offs causing the police vehicle to become disabled.
- D. Tire Deflation Devices – Stop Sticks
1. Police officers must first complete a department required training course on the use of Tire Deflation Devices. These devices shall only be used in accordance with department policy.
 2. Stop Sticks shall not be deployed to stop Motorcycles, or other vehicles with less than four (4) wheels.

3. EXCEPTIONS

a. IMMEDIATE ACTION - Forced stop procedures utilizing the tire deflation devices must be reasonably and properly applied by police officers who have received appropriate training in their use and have received authorization from their supervisor. Prior authorization shall not be required in exigent circumstances involving a rapidly evolving commission of a violent crime, requiring the police officer to take immediate action.

b. PURSUIT PREVENTION - Prior to attempting a motor vehicle stop or after stopping a motor vehicle, situations may arise where a police officer reasonably believes that the operator may attempt to; escape, elude law enforcement or otherwise initiate a pursuit. Officers may consider a prophylactic measure, thereby preventing the engagement in a pursuit by utilizing

tire deflation devices. The officer employing such measures will comply with all additional requirements under this policy.

Sec. 14. Vehicle Pursuit Training

Police officers who drive police vehicles shall be given initial and biennial update training in the agency's pursuit policy and in safe driving tactics. The provisions of Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies shall be a part of the curriculum for all police basic recruit-training and re-certification programs in Connecticut.


1. Pursuit Training Programs shall consist of:
 - a. Knowledge of applicable statutes
 - b. Court decisions impacting police pursuits
 - c. Department policy
 - d. Supervisory and individual responsibilities in a police pursuit
 - e. Reporting requirements
 - f. Inter-jurisdictional considerations
 - g. Pursuit driving skills and techniques.



EAST HAMPTON POLICE DEPARTMENT

GENERAL ORDER 5.23

PATROL FUNCTIONS

SUBJECT: USE OF BODY WORN AND DASHBOARD CAMERAS		
Issue Date: TBD	Effective Date: TBD	Distribution: All Personnel
Amends/Rescinds GO: dated 9/15/2021		Review Date: Annual
Per Order of:  Dennis Woessner, Chief of Police		
<i>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>		

I. PURPOSE

- A. The purpose of this policy is to set standards related to the use, management, storage and retrieval of digital multimedia video files stored on or generated from the use of department issued or approved body-worn and dashboard cameras, including but not limited to:
1. Creating video and audio records to contribute to the accurate documentation of critical incidents, police-public contacts, crime and accident scenes, and arrests.
 2. Preserving visual and audio information for use in current and future investigations in accordance with applicable guidelines referenced herein.
 3. Capturing crimes in-progress, whether committed against the police officer or the community, and to preserve evidence for presentation in court.
 4. Documenting police response to an incident.
 5. Aiding in the documentation of victim, witness or suspect statements pursuant to an on-scene response and/or documentation of the advisement of rights, and consents to conduct a lawful search, when applicable.

6. Reducing the number of false complaints made against a police officer in the course and scope of his or her official police duties.
- B. The purpose of equipping police officers with issued or approved body-worn and dashboard cameras is to assist in the following:
1. **Strengthening police accountability** by documenting incidents and encounters between officers and the public.
 2. **Resolving officer-involved incidents and complaints** by providing an objectively independent record of events.
 3. **Improving agency transparency** by allowing the public to see video evidence of police activities and encounters in accordance with applicable laws regarding public disclosure.
 4. **Identifying and strengthening officer performance** by using footage for officer training and monitoring when appropriate and consistent with the law.
 5. **Improving evidence documentation** for investigation, prosecutions, and administrative reviews of employee performance and/or civil actions.

II. POLICY

- A. All department issued or approved body-worn and dashboard cameras equipment and media associated with the body-worn and dashboard cameras, data, images, video/audio and metadata captured, recorded, or otherwise produced by the body-worn and dashboard cameras shall not be viewed, copied, released, disclosed, or disseminated in any form or manner outside the parameters of this policy pursuant to the department's FOI policy and practice.
- B. Each law enforcement unit shall require usage of a dashboard camera in each police patrol vehicle used by any police officer employed by such unit in accordance with the unit's policy adopted by the unit based upon the guidelines developed and maintained jointly by the POST Council and the Commissioner of DESPP.
- C. Each police officer shall use body worn camera equipment while interacting with the public in such sworn member's law enforcement capacity in accordance with the department's policy, if adopted by the department and based upon the guidelines established by the POST Council and DESPP.

- D. This policy does not govern the use of surreptitious/covert recordings devices used in undercover operations

III. DEFINITIONS

- A. Body-worn (BWC): A body-worn camera is an “on-the-body” video and audio recording system worn by a police officer to capture digital multimedia evidence as an additional means of documenting specific incidents in the field in the course and scope of his/her police duties.
- B. Dashboard Camera (DC) - A camera that affixes to a dashboard or windshield of a police vehicle that electronically records video of the view through the vehicle's windshield and has an electronic audio recorder that may be operated remotely.
- C. Police Patrol Vehicle: Any state or local police vehicle other than an administrative vehicle in which an occupant is wearing body worn camera equipment, a bicycle, a motor scooter, an all-terrain vehicle, an electric personal assistive mobility device, or an animal control vehicle.
- D. Digital Multimedia Video Files (DMVF): Digital multimedia files consist of all digital recordings, to include but not limited to audio, video, photographs, and their associated metadata. Metadata includes any digital identifiers that are captured as part of the actual recording, such as date/time, GPS coordinates, labeling, etc.
- E. Evidence Transfer Management (ETM): ETM is the transfer of media from the body-worn and dashboard cameras to a secured server or other reliable secured storage source. The method of evidence transfer management for body-worn and dashboard cameras shall be approved by the Chief of Police.

IV. PROCEDURES

- A. Beginning of the shift procedures
1. Issued or approved body-worn and dashboard cameras shall be operated in accordance with the manufacturer's recommended guidelines, department training and department policies and procedures.
 2. Prior to the beginning of each shift, the police officer issued or assigned a body-worn and dashboard cameras shall test and perform an inspection to ensure that the body-worn and dashboard

cameras has a properly charged battery and is functioning correctly.

- (a) If problems are encountered with any component of the system, the body-worn and dashboard cameras shall not be used and the police officer shall arrange for repair or replacement through department established procedures. The Police Officer should be immediately provided a replacement BWC/DC, when practicable.
- (b) Malfunctions, damage, loss or theft of any issued or approved body-worn and dashboard cameras shall be immediately reported by the police officer to the on-duty shift supervisor or other responsible person as designated by the Chief of Police. The Police Officer should be immediately provided a replacement BWC, if practicable.

B. Use and activation of an issued or approved body-worn and dashboard cameras.

- 1. Police officers issued or assigned a body-worn camera shall wear such camera on his/her outmost garment and shall position it above the midline of his/her torso when in use.
- 2. Police officers issued or assigned a body-worn and dashboard cameras shall activate the camera while interacting with the public in a law enforcement capacity.
 - (a) For the purposes of this policy, "interacting with the public in a law enforcement capacity," means that a police officer is in personal contact with one or more members of the public, the purpose of which is to conduct a self-initiated investigation into, or to respond to a third-party complaint involving, the possible commission of any offense, violation or infraction.
 - (b) In addition, police officers equipped with body-worn and dashboard cameras shall record the following:
 - 1. Vehicular pursuits;
 - 2. Motor vehicle stops;
 - 3. Motorist assists;
 - 4. The taking of statements from suspects, witnesses and victims;
 - 5. The conducting of interviews with suspects, witnesses and

victims;

6. Transportation and processing of prisoners;
 7. Any incident or event not otherwise prohibited by this policy, which may be dangerous, unpredictable, or potentially useful for department training purposes;
 8. Situations where a police officer, by reason of training and experience, determines that the incident should be documented on video.
9. Foot Pursuits
 10. Any incident or event not otherwise prohibited by this policy, where the police officer anticipates a use of force encounter may occur.
 11. Serving arrest and search warrants.

Note: At no time shall police officers disregard officer safety or the safety of the public for the purpose of activating or utilizing the body-worn and dashboard cameras.

3. Once the body-worn and dashboard cameras is activated for the purpose of documenting an interaction with the public in a law enforcement capacity, it should remain activated until the interaction with the public has concluded to ensure the integrity of the recording, except as otherwise provided for by law or by this policy.
 - (a) Additional police officers arriving on a scene that have been issued or assigned a body-worn and dashboard cameras shall also record the interaction with the public, and shall also continue to record until the completion of the incident.
 - (b) For purposes of this policy, conclusion of an interaction with the public occurs when a police officer terminates his/her law enforcement contact with a member of the public.
- C. When an issued or approved body-worn and dashboard cameras is not to be activated or should be deactivated:
1. Except as otherwise required by this policy, no police officer shall use body-worn or dashboard recording equipment to intentionally record:
 - (a) A communication with other law enforcement agency personnel, except as the officer performs his or her duties;

- (b) An encounter with an undercover officer or informant;
 - (c) When an officer is on break or is otherwise engaged in a personal activity;
 - (d) A person undergoing a medical or psychological evaluation, procedure or treatment;
 - (e) Any person other than a suspect to a crime if an officer is wearing his/her issued or approved body-worn camera in a hospital or other medical facility setting; or
 - (f) In a mental health facility, unless responding to a call involving a suspect to a crime who is thought to be present in the facility.
 - (g) Any private conversation to which the officer is not a party: or
 - (h) Any telephonic conversation unless specifically authorized by law while in the performance of their official duties.
 - (i) A strip search
 - (j) In a locker room, changing room or restroom, unless confronting a violent or assaultive suspect or in an incident involving the anticipated use of force.
2. Deactivation of a body-worn and dashboard cameras under certain circumstances:
- (a) Although generally, body-worn and dashboard cameras should remain activated until the conclusion of an incident, police officers may deactivate the body-worn and dashboard cameras should he/she determine that, based upon the circumstances; the investigation could be significantly hampered if the recording were to continue. Whenever possible, police officers should consult with supervisors before making the decision to deactivate their body-worn and dashboard cameras.
 - (b) Whenever possible, a police officer who deactivates the body-worn and dashboard cameras during the course of an event in which this policy otherwise requires recording, shall both record on the camera the reason for the interruption or termination of recording prior to deactivating the body-worn and dashboard cameras, and document such event in his/her report.

- (c) When circumstances prevent a police officer from activating a BWD/DC, or cause a camera to be deactivated in accordance with the guidelines established within this policy, the officer shall activate or reactivate their cameras as soon as practical.

D. Malfunction of Body-worn and dashboard cameras

If any malfunctioning or unintentional failure to record in accordance with this policy occurs, the police officer shall document the reason and notify his/her supervisor regarding the lack of recording. Such documentation shall be in a manner determined by the Chief of Police.

E. End of Shift Procedures

1. Police Officers shall ensure that all files from an issued or approved body-worn and dashboard cameras are securely downloaded and retained in accordance with section I of this policy, with sufficient frequency so as to ensure that there remains adequate data storage available for recording future incidents.
2. Officers shall cause the recorded video to be stored, downloaded, transferred or otherwise saved and labeled or cataloged as evidence in the following circumstances:
 - (a) Any incident where an arrest is made or may be made, and/or a search is conducted;
 - (b) An event that captures an officer's reportable use of force in the discharge of his/her official duties;
 - (c) Any interaction with the public where the officer determines that it would be prudent to retain the recording for longer than the minimum retention period set forth in this policy.
 - (d) An event that is a major motor vehicle or criminal incident involving death, serious injury, or catastrophic property damage.

V. TRAINING

No police officer shall use an issued or approved body-worn and dashboard cameras prior to being trained in accordance with statutes in the use of the equipment, and in the retention of data created by such equipment, except that any police officer using an issued or approved body-worn and dashboard cameras prior to October 1, 2015, may continue to do so before undergoing such training. Every police officer must receive training on the proper care and maintenance of the equipment at least annually.

VI. RESPONSIBILITIES OF SUPERVISORY PERSONNEL**A. Chief of Police**

1. The Chief of Police shall designate one or more department members to oversee and administer the storage and management of all digital multimedia video files generated by the use of issued or authorized body-worn and dashboard cameras.
2. The Chief of Police may authorize BWC/DC policy that provides additional guidelines and training requirements not mandated by this policy, provided that it does not conflict with state or federal law or the provisions set forth in this policy.
3. The Chief of Police shall ensure the BWC/DC data collection and storage is purged from the systems operation storage and/or software program in accordance with the State of Connecticut Library Records of Retention schedule and department policy.
4. The Chief of Police shall ensure that body-worn and dashboard cameras video files that are subject to a preservation request or court order are appropriately catalogued and preserved.
5. The Chief of Police shall approve the method of evidence transfer management (ETM) from the body-worn and dashboard cameras to a secured storage server, cloud, website or other secured digital media storage.

B. Supervisors

1. Supervisors shall ensure that police officers equipped with issued or approved body-worn and dashboard cameras are using the camera and audio in accordance with policy and procedures as defined herein.
2. Supervisors shall periodically inspect issued or approved body-worn and dashboard camera equipment assigned to police officers to ensure proper operability per testing protocols provided through training and manufacturer's recommendations.
3. Supervisors or other persons designated by the Chief of Police may periodically review issued or approved body-worn and dashboard cameras recordings of traffic stops and citizen contacts in accordance with this policy as well as reports generated as a result of these incidents to:

- (a) Ensure body-worn and dashboard cameras equipment is operating properly;
- (b) Ensure that police officers are utilizing the body-worn and dashboard cameras appropriately and in accordance with policies and procedures; and
- (c) Identify any areas in which additional training policy revisions or guidance is required.
- (d) Supervisors shall ensure that all body-worn and dashboard cameras video files are appropriately preserved in accordance with this policy.

VII. AUTHORIZED PERSONNEL ACCESS TO UPLOADED DIGITAL MULTIMEDIA VIDEO FILES

- A. General access to digital multimedia video files shall be granted to authorize personnel only. Accessing, copying, or releasing any digital multimedia video files for other than official law enforcement purposes is strictly prohibited, except as otherwise required by state and federal statutes, policies and procedures.
 - 1. The Chief of Police or his/her designee may review specific body-worn and dashboard cameras digital multimedia video files for the purpose of training, performance review, critique, early intervention inquiries, civil claims, administrative inquiry, or other articulable reason.
 - 2. A police officer may review a recording from his or her body-worn and/or dashboard recording equipment in order to assist such officer with the preparation of a report or otherwise in the performance of his or her duties.
 - 3. If a police officer is giving a formal statement about the use of force, or if an officer is the subject of a disciplinary investigation in which a recording from body-worn and/or dashboard recording equipment is being considered as part of a review of an incident, the police officer shall have the right to review such recording in the presence of the officer's attorney or labor representative. Further, such police officer shall have the right to review recordings from other police officers' body-worn and/or dashboard recording equipment capturing the police officers' image or voice during the incident under review.

4. If a police officer is giving a formal statement about the use of force or if a police officer is the subject of a disciplinary investigation in which a recording from body-worn recording equipment or a dashboard camera with a remote recorder, is being considered as part of a review of an incident, the officer shall have the right to review (A) such recording in the presence of the officer's attorney or labor representative, and (B) recordings from other body-worn recording equipment capturing the officer's image or voice during the incident. Not later than forty-eight hours following an officer's review of a recording under subparagraph (A) of this subdivision, or if the officer does not review the recording, not later than ninety - six hours following the initiation of such disciplinary investigation, whichever is earlier, such recording shall be disclosed, upon request, to the public, subject to the provisions of C.G.S. 29-6d subsection (g).
 5. If a request is made for public disclosure of a recording from body - worn recording equipment or a dashboard camera of an incident about which (A) a police officer has not been asked to give a formal statement about the alleged use of force, or (B) a disciplinary investigation has not been initiated, any police officer whose image or voice is captured on the recording shall have the right to review such recording in the presence of the officer's attorney or labor representative. Not later than forty-eight hours following an officer's review of a recording under this subdivision, or if the officer does not review the recording, not later than ninety-six hours following the request for disclosure, whichever is earlier, such recording shall be disclosed to the public, subject to the provisions of C.G.S. 29-6d subsection (g).
- B. Under no circumstances shall any individual with access to body-worn and dashboard cameras media or data files be allowed to use, show, reproduce or release recordings for the purpose of ridicule or embarrassment of any police officer or individual, or for other non-law enforcement related purposes. This includes disclosure of any portion of a body-worn and dashboard cameras video file to a media organization unless such disclosure has been approved by the Chief of Police or his/her designee.
- C. Digital multimedia video files may be reviewed by individuals other than the recording police officer in any of the following situations:

1. By a department member investigating or adjudicating a complaint regarding a specific act of officer conduct;
2. By technical support staff for purposes of assessing proper functioning of body and dashboard cameras;
3. By the Internal Affairs Unit or other Unit or person(s) designated by the Chief of Police, when participating in an official misconduct investigation concerning a specific act or officer conduct alleged in a complaint of misconduct;
4. By a sworn law enforcement officer who is participating in a criminal investigation;
5. By the Municipality's legal representative;
6. Any other personnel designated by the Chief of Police.
7. Law enforcement personnel may review a recording from their own issued or assigned body-worn and dashboard recording equipment in order to assist such officer in providing a statement as a witness to events which are the subject of a department internal administrative inquiry, including officer shooting investigations;
8. By representatives of the Division of Criminal Justice, Municipal Attorneys, Office of the Attorney General, retained counsel and other representatives authorized by the municipality, such as municipal insurance carriers, in the course of their official duties; or
9. By other department personnel as authorized by the Chief of Police or his/her designee.

VIII. RELEASING OR DUPLICATING BODY-WORN AND DASHBOARD CAMERAS RECORDINGS

- A. Releasing Body-worn and dashboard cameras Digital Multimedia Video Files

Processing Freedom of Information Act (FOIA) requests:

All FOIA requests for body-worn and dashboard cameras digital multimedia video files shall be processed through the office of the Chief of Police or his/her designee.

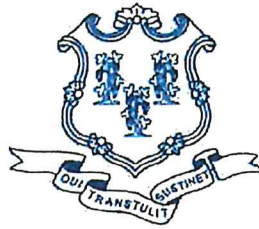
- B. Duplicating Body-worn and dashboard cameras Digital Multimedia Video Files
1. When a police officer who is required to produce a digital multimedia video file pursuant to a subpoena or other court order, the Chief of Police or other designee shall arrange, prior to the date of the court appearance, for a copy of the required portion of the original video file to be duplicated.
 2. The original video file, as well as any duplicate copy, shall be held as evidence in accordance with this policy.

IX. STORAGE AND RETENTION

- A. Digital multimedia video files shall be maintained in an approved storage location, such as a server, storage device, cloud storage, website or other approved secure storage media, authorized by the Chief of Police.
- B. All digital multimedia video files shall be securely stored in accordance with state record retention laws and Department policy.
1. Digital multimedia video files not reproduced for evidentiary purposes or otherwise required to be preserved in accordance with this policy shall be maintained for a period of a minimum of ninety (90) days.
 2. Digital multimedia video files shall be preserved while a case remains open and under investigation, or while criminal or civil proceedings are ongoing or reasonably anticipated, or in accordance with the State Records of Retention schedule, whichever is greater.
 3. Nothing in these guidelines shall require a law enforcement unit to store such data for a period longer than one year, except in the case where the unit knows the data is pertinent to any ongoing civil, criminal or administrative matter.
 4. All other digital multimedia video files reproduced for evidentiary purposes or otherwise caused to be preserved shall be maintained for a minimum of four (4) years.
 - (a) Digital multimedia video files shall be preserved in accordance with any specific request by representatives of the Division of Criminal Justice, Municipal Attorney, Officer of the Attorney General,

retained counsel and other authorized claims representatives in the course of their official duties.


- (b) The law enforcement unit shall not require to store such data for a period longer than one year, except in the case where the unit knows the data is pertinent to any ongoing civil, criminal or administrative matter.
- (c) Digital multimedia video files shall be preserved in response to oral, electronic or written preservation requests from any member of the public where such requests indicate that litigation may be reasonably anticipated.
 - (i.) All such preservation requests shall promptly be brought to the attention of the recipient's supervisor and the Municipal Attorney's office.



STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
Police Officer Standards and Training Council
Connecticut Police Academy

GENERAL NOTICE 21-09

To: Chief Law Enforcement Officers
Training Officers
Protective Services
Resident Troopers

From: Karen Boisvert 
Academy Administrator

Date: November 29, 2021

Subject: Use of Body Worn and Dashboard Cameras POSTC Model Policy Revised
11/18/21

At the November 18, 2021, regular meeting, the Police Officer Standards and Training Council approved the following changes to the Use of Body-Worn and Dashboard Cameras POSTC Model Policy. The changes are located on page 8 of the policy and have been highlighted for easy identification. A Word version of the updated policy is located on the POST website under Latest News and/or Featured Links; [Use of Body-Worn and Dashboard Cameras POSTC Model Policy Link.](#)

c. If a police officer is giving a formal statement about the use of force or if a police officer is the subject of a disciplinary investigation in which a recording from body-worn recording equipment or a dashboard camera with a remote recorder, is being considered as part of a review of an incident, the officer shall have the right to review (A) such recording in the presence of the officer's attorney or labor representative, and (B) recordings from other body-worn recording equipment capturing the officer's image or voice during the incident. Not later than forty-eight hours following an officer's review of a recording under subparagraph (A) of this subdivision, or if the officer does not review the recording, not later than ninety - six hours following the initiation of such disciplinary investigation, whichever is earlier, such recording shall be disclosed, upon request, to the public, subject to the provisions of C.G.S. 29-6d subsection (g).

d. *If a request is made for public disclosure of a recording from body - worn recording equipment or a dashboard camera of an incident about which (A) a police officer has not been asked to give a formal statement about the alleged use of force, or (B) a disciplinary investigation has not been initiated, any police officer whose image or voice is captured on the recording shall have the right to review such recording in the presence of the officer's attorney or labor representative. Not later than forty-eight hours following an officer's review of a recording under this subdivision, or if the officer does not review the recording, not later than ninety-six hours following the request for disclosure, whichever is earlier, such recording shall be disclosed to the public, subject to the provisions of C.G.S. 29-6d subsection (g).*

Questions or comments may be directed to my attention either by e-mail karen.boisvert@ct.gov or phone 203-427-2601.

KB:kb

**State of Connecticut
Police Officer Standards and Training Council
Draft Policy
Use of Body Worn and Dashboard Cameras**

Department Issued or Approved Body-worn and Dashboard Cameras

A. Purpose

1. The purpose of this policy is to set standards related to the use, management, storage and retrieval of digital multimedia video files stored on or generated from the use of department issued or approved body-worn and dashboard cameras, including but not limited to:
 - a. Creating video and audio records to contribute to the accurate documentation of critical incidents, police-public contacts, crime and accident scenes, and arrests.
 - b. Preserving visual and audio information for use in current and future investigations in accordance with applicable guidelines referenced herein.
 - c. Capturing crimes in-progress, whether committed against the police officer or the community, and to preserve evidence for presentation in court.
 - d. Documenting police response to an incident.
 - e. Aiding in the documentation of victim, witness or suspect statements pursuant to an on-scene response and/or documentation of the advisement of rights, and consents to conduct a lawful search, when applicable.
 - f. Reducing the number of false complaints made against a police officer in the course and scope of his or her official police duties.
2. The purpose of equipping police officers with issued or approved body-worn and dashboard cameras is to assist in the following:
 - a. Strengthening police accountability by documenting incidents and encounters between officers and the public.
 - b. Resolving officer-involved incidents and complaints by providing an objectively independent record of events.
 - c. Improving agency transparency by allowing the public to see video evidence of police activities and encounters in accordance with applicable laws regarding public disclosure.

- d. Identifying and strengthening officer performance by using footage for officer training and monitoring when appropriate and consistent with the law.
- e. Improving evidence documentation for investigation, prosecutions, and administrative reviews of employee performance and/or civil actions.

B. Policy

1. All department issued or approved body-worn and dashboard cameras equipment and media associated with the body-worn and dashboard cameras, data, images, video/audio and metadata captured, recorded, or otherwise produced by the body-worn and dashboard cameras shall not be viewed, copied, released, disclosed, or disseminated in any form or manner outside the parameters of this policy pursuant to the department's FOI policy and practice.
2. Each law enforcement unit shall require usage of a dashboard camera in each police patrol vehicle used by any police officer employed by such unit in accordance with the unit's policy adopted by the unit based upon the guidelines developed and maintained jointly by the POST Council and the Commissioner of DESPP. (effective July 1, 2022)
3. Each police officer shall use body-worn camera equipment while interacting with the public in such sworn member's law enforcement capacity in accordance with the department's policy, if adopted by the department and based upon the guidelines established by the POST Council and DESPP. This includes all police officers assigned to other agencies or Task Force's, including state and federal agencies.
4. This policy does not govern the use of surreptitious/covert recordings devices used in undercover operations

C. Definitions

1. Body-worn (BWC): A body-worn camera is an "on-the-body" video and audio recording system worn by a police officer to capture digital multimedia evidence as an additional means of documenting specific incidents in the field in the course and scope of his/her police duties.
2. Dashboard Camera (DC) - A camera that affixes to a dashboard or windshield of a police vehicle that electronically records video of the view through the vehicle's windshield and has an electronic audio recorder that may be operated remotely.
3. Police Patrol Vehicle: Any state or local police vehicle other than an administrative vehicle in which an occupant is wearing body worn camera equipment, a bicycle, a motor scooter, an all-terrain vehicle, an electric personal assistive mobility device, or an animal control vehicle.
4. Digital Multimedia Video Files (DMVF): Digital multimedia files consist of all digital recordings, to include but not limited to audio, video, photographs, and their associated

metadata. Metadata includes any digital identifiers that are captured as part of the actual recording, such as date/time, GPS coordinates, labeling, etc.

5. Evidence Transfer Management (ETM): ETM is the transfer of media from the body-worn and dashboard cameras to a secured server or other reliable secured storage source. The method of evidence transfer management for body-worn and dashboard cameras shall be approved by the Chief of Police.

D. Procedures

1. Beginning of the shift procedures
 - a. Issued or approved body-worn and dashboard cameras shall be operated in accordance with the manufacturer's recommended guidelines, department training and department policies and procedures.
 - b. Prior to the beginning of each shift, the police officer issued or assigned a body-worn and dashboard cameras shall test and perform an inspection to ensure that the body-worn and dashboard cameras has a properly charged battery and is functioning correctly.
 - (1) If problems are encountered with any component of the system, the body-worn and dashboard cameras shall not be used and the police officer shall arrange for repair or replacement through department established procedures. The Police Officer should be immediately provided a replacement BWC/DC, when practicable.
 - (2) Malfunctions, damage, loss or theft of any issued or approved body-worn and dashboard cameras shall be immediately reported by the police officer to the on-duty shift supervisor or other responsible person as designated by the Chief of Police. The Police Officer should be immediately provided a replacement BWC, if practicable.
2. Use and activation of an issued or approved body-worn and dashboard cameras.
 - a. Police officers issued or assigned a body-worn camera shall wear such camera on his/her outmost garment and shall position it above the midline of his/her torso when in use.
 - b. Police officers issued or assigned a body-worn and dashboard cameras shall activate the camera while interacting with the public in a law enforcement capacity.
 - (1) For the purposes of this policy, "interacting with the public in a law enforcement capacity," means that a police officer is in personal contact with one or more members of the public, the purpose of which is to conduct a self-initiated investigation into, or to respond to a third-party complaint involving, the possible commission of any offense, violation or infraction.

- (2) In addition, police officers equipped with body-worn and dashboard cameras shall record the following:
 - a. Vehicular pursuits;
 - b. Motor vehicle stops;
 - c. Motorist assists;
 - d. The taking of statements from suspects, witnesses and victims;
 - e. The conducting of interviews with suspects, witnesses and victims;
 - f. Transportation and processing of prisoners;
 - g. Any incident or event not otherwise prohibited by this policy, which may be dangerous, unpredictable, or potentially useful for department training purposes;
 - h. Situations where a police officer, by reason of training and experience, determines that the incident should be documented on video.
 - i. Foot Pursuits
 - j. Any incident or event not otherwise prohibited by this policy, where the police officer anticipates a use of force encounter may occur.
 - k. Serving arrest and search warrants.

Note: At no time shall police officers disregard officer safety or the safety of the public for the purpose of activating or utilizing the body-worn and dashboard cameras.

- c. Once the body-worn and dashboard cameras is activated for the purpose of documenting an interaction with the public in a law enforcement capacity, it should remain activated until the interaction with the public has concluded to ensure the integrity of the recording, except as otherwise provided for by law or by this policy.
 - (1) Additional police officers arriving on a scene that have been issued or assigned a body-worn and dashboard cameras shall also record the interaction with the public, and shall also continue to record until the completion of the incident.
 - (2) For purposes of this policy, conclusion of an interaction with the public occurs when a police officer terminates his/her law enforcement contact with a member of the public.
3. When an issued or approved body-worn and dashboard cameras is not to be activated or should be deactivated:
 - a. Except as otherwise required by this policy, no police officer shall use body-worn or dashboard recording equipment to intentionally record:

- (1) A communication with other law enforcement agency personnel, except as the officer performs his or her duties;
 - (2) An encounter with an undercover officer or informant;
 - (3) When an officer is on break or is otherwise engaged in a personal activity;
 - (4) A person undergoing a medical or psychological evaluation, procedure or treatment;
 - (5) Any person other than a suspect to a crime if an officer is wearing his/her issued or approved body-worn camera in a hospital or other medical facility setting; or
 - (6) In a mental health facility, unless responding to a call involving a suspect to a crime who is thought to be present in the facility;
 - (7) Any private conversation to which the officer is not a party; or
 - (8) Any telephonic conversation unless specifically authorized by law while in the performance of their official duties;
 - (9) A strip search;
 - (10) In a locker room, changing room or restroom, unless confronting a violent or assaultive suspect or in an incident involving the anticipated use of force
- b. Deactivation of a body-worn and dashboard cameras under certain circumstances:
- (1) Although generally, body-worn and dashboard cameras should remain activated until the conclusion of an incident, police officers may deactivate the body-worn and dashboard cameras should he/she determine that, based upon the circumstances; the investigation could be significantly hampered if the recording were to continue. Whenever possible, police officers should consult with supervisors before making the decision to deactivate their body-worn and dashboard cameras.
 - (2) Whenever possible, a police officer who deactivates the body-worn and dashboard cameras during the course of an event in which this policy otherwise requires recording, shall both record on the camera the reason for the interruption or termination of recording prior to deactivating the body-worn and dashboard cameras, and document such event in his/her report.
- c. When circumstances prevent a police officer from activating a BWD/DC, or cause a camera to be deactivated in accordance with the guidelines established within this policy, the officer shall activate or reactivate their cameras as soon as practical.

4. Malfunction of body-worn and dashboard cameras
 - a. If any malfunctioning or unintentional failure to record in accordance with this policy occurs, the police officer shall document the reason and notify his/her supervisor regarding the lack of recording. Such documentation shall be in a manner determined by the Chief of Police.

5. End of shift procedures
 - a. Police Officers shall ensure that all files from an issued or approved body-worn and dashboard cameras are securely downloaded and retained in accordance with section I of this policy, with sufficient frequency so as to ensure that there remains adequate data storage available for recording future incidents.

 - b. Officers shall cause the recorded video to be stored, downloaded, transferred or otherwise saved and labeled or cataloged as evidence in the following circumstances:
 - (1) Any incident where an arrest is made or may be made, and/or a search is conducted;

 - (2) An event that captures an officer's reportable use of force in the discharge of his/her official duties;

 - (3) Any interaction with the public where the officer determines that it would be prudent to retain the recording for longer than the minimum retention period set forth in this policy;

 - (4) An event that is a major motor vehicle or criminal incident involving death, serious injury, or catastrophic property damage.

E. Training

- a. No police officer shall use an issued or approved body-worn and dashboard cameras prior to being trained in accordance with statutes in the use of the equipment, and in the retention of data created by such equipment, except that any police officer using an issued or approved body-worn and dashboard cameras prior to October 1, 2015, may continue to do so before undergoing such training. Every police officer must receive training on the proper care and maintenance of the equipment at least annually.

F. Responsibilities of Supervisory Personnel

1. Chief of Police

- a. The Chief of Police shall designate one or more department members to oversee and administer the storage and management of all digital multimedia video files generated by the use of issued or authorized body-worn and dashboard cameras.
- b. The Chief of Police may authorize BWC/DC policy that provides additional guidelines and training requirements not mandated by this policy, provided that it does not conflict with state or federal law or the provisions set forth in this policy.
- c. The Chief of Police shall ensure the BWC/DC data collection and storage is purged from the systems operation storage and/or software program in accordance with the State of Connecticut Library Records of Retention schedule and department policy.
- d. The Chief of Police shall ensure that body-worn and dashboard cameras video files that are subject to a preservation request or court order are appropriately catalogued and preserved.
- e. The Chief of Police shall approve the method of evidence transfer management (ETM) from the body-worn and dashboard cameras to a secured storage server, cloud, website or other secured digital media storage.

2. Supervisors

- a. Supervisors shall ensure that police officers equipped with issued or approved body-worn and dashboard cameras are using the camera and audio in accordance with policy and procedures as defined herein.
- b. Supervisors shall periodically inspect issued or approved body-worn and dashboard camera equipment assigned to police officers to ensure proper operability per testing protocols provided through training and manufacturer's recommendations.
- c. Supervisors or other persons designated by the Chief of Police may periodically review issued or approved body-worn and dashboard cameras recordings of traffic stops and citizen contacts in accordance with this policy as well as reports generated as a result of these incidents to:
 - (1) Ensure body-worn and dashboard cameras equipment is operating properly;
 - (2) Ensure that police officers are utilizing the body-worn and dashboard cameras appropriately and in accordance with policies and procedures; and
 - (3) Identify any areas in which additional training policy revisions or guidance is required.

- d. Supervisors shall ensure that all body-worn and dashboard cameras video files are appropriately preserved in accordance with this policy.

G. Authorized Personnel Access to Uploaded Digital Multimedia Video Files

1. General access to digital multimedia video files shall be granted to authorized personnel only. Accessing, copying, or releasing any digital multimedia video files for other than official law enforcement purposes is strictly prohibited, except as otherwise required by state and federal statutes, policies and procedures.
 - a. The Chief of Police or his/her designee may review specific body-worn and dashboard cameras digital multimedia video files for the purpose of training, performance review, critique, early intervention inquiries, civil claims, administrative inquiry, or other articulable reason.
 - b. A police officer may review a recording from his or her body-worn and/or dashboard recording equipment in order to assist such officer with the preparation of a report or otherwise in the performance of his or her duties.
 - c. *If a police officer is giving a formal statement about the use of force or if a police officer is the subject of a disciplinary investigation in which a recording from body-worn recording equipment or a dashboard camera with a remote recorder, is being considered as part of a review of an incident, the officer shall have the right to review (A) such recording in the presence of the officer's attorney or labor representative, and (B) recordings from other body-worn recording equipment capturing the officer's image or voice during the incident. Not later than forty-eight hours following an officer's review of a recording under subparagraph (A) of this subdivision, or if the officer does not review the recording, not later than ninety - six hours following the initiation of such disciplinary investigation, whichever is earlier, such recording shall be disclosed, upon request, to the public, subject to the provisions of C.G.S. 29-6d subsection (g).*
 - d. *If a request is made for public disclosure of a recording from body - worn recording equipment or a dashboard camera of an incident about which (A) a police officer has not been asked to give a formal statement about the alleged use of force, or (B) a disciplinary investigation has not been initiated, any police officer whose image or voice is captured on the recording shall have the right to review such recording in the presence of the officer's attorney or labor representative. Not later than forty-eight hours following an officer's review of a recording under this subdivision, or if the officer does not review the recording, not later than ninety-six hours following the request for disclosure, whichever is earlier, such recording shall be disclosed to the public, subject to the provisions of C.G.S. 29-6d subsection (g).*

2. Under no circumstances shall any individual with access to body-worn and dashboard cameras media or data files be allowed to use, show, reproduce or release recordings for the purpose of ridicule or embarrassment of any police officer or individual, or for other non-law enforcement related purposes. This includes disclosure of any portion of a body-worn and dashboard cameras video file to a media organization unless such disclosure has been approved by the Chief of Police or his/her designee.
3. Digital multimedia video files may be reviewed by individuals other than the recording police officer in any of the following situations:
 - a. By a department member investigating or adjudicating a complaint regarding a specific act of officer conduct;
 - b. By technical support staff for purposes of assessing proper functioning of body and dashboard cameras;
 - c. By the Internal Affairs Unit or other Unit or person(s) designated by the Chief of Police, when participating in an official misconduct investigation concerning a specific act or officer conduct alleged in a complaint of misconduct;
 - d. By a sworn law enforcement officer who is participating in a criminal investigation;
 - e. By the Municipality's legal representative;
 - f. Any other personnel designated by the Chief of Police;
 - g. Law enforcement personnel may review a recording from their own issued or assigned body-worn and dashboard recording equipment in order to assist such officer in providing a statement as a witness to events which are the subject of a department internal administrative inquiry, including officer shooting investigations;
 - h. By representatives of the Division of Criminal Justice, Municipal Attorneys, Office of the Attorney General, retained counsel and other representatives authorized by the municipality, such as municipal insurance carriers, in the course of their official duties; or
 - i. By other department personnel as authorized by the Chief of Police or his/her designee.

H. Releasing or Duplicating Body-worn and Dashboard Cameras Recordings

1. Releasing body-worn and dashboard cameras digital multimedia video files
 - a. Processing Freedom of Information Act (FOIA) requests:
 1. All FOIA requests for body-worn and dashboard cameras digital multimedia video files shall be processed through the office of the Chief of Police or his/her designee.

2. Duplicating body-worn and dashboard cameras digital multimedia video files
 - a. When a police officer who is required to produce a digital multimedia video file pursuant to a subpoena or other court order, the Chief of Police or other designee shall arrange, prior to the date of the court appearance, for a copy of the required portion of the original video file to be duplicated.
 - b. The original video file, as well as any duplicate copy, shall be held as evidence in accordance with this policy.

I. Storage and Retention

1. Digital multimedia video files shall be maintained in an approved storage location, such as a server, storage device, cloud storage, website or other approved secure storage media, authorized by the Chief of Police.
2. All digital multimedia video files shall be securely stored in accordance with state record retention laws and Department policy.
 - a. Digital multimedia video files not reproduced for evidentiary purposes or otherwise required to be preserved in accordance with this policy shall be maintained for a period of a minimum of ninety (90) days.
 - b. Digital multimedia video files shall be preserved while a case remains open and under investigation, or while criminal or civil proceedings are ongoing or reasonably anticipated, or in accordance with the State Records of Retention schedule, whichever is greater.
 - c. Nothing in these guidelines shall require a law enforcement unit to store such data for a period longer than one year, except in the case where the unit knows the data is pertinent to any ongoing civil, criminal or administrative matter.
 - d. All other digital multimedia video files reproduced for evidentiary purposes or otherwise caused to be preserved shall be maintained for a minimum of four (4) years.
 1. Digital multimedia video files shall be preserved in accordance with any specific request by representatives of the Division of Criminal Justice, Municipal Attorney, Officer of the Attorney General, retained counsel and other authorized claims representatives in the course of their official duties.
 2. The law enforcement unit shall not require to store such data for a period longer than one year, except in the case where the unit knows the data is pertinent to any ongoing civil, criminal or administrative matter.

3. Digital multimedia video files shall be preserved in response to oral, electronic or written preservation requests from any member of the public where such requests indicate that litigation may be reasonably anticipated.
 - a. All such preservation requests shall promptly be brought to the attention of the recipient's supervisor and the Municipal Attorney's office.



MEMORANDUM

TOWN COUNCIL

Mark Phillhower
Chairperson

Tim Feegel
Vice Chairperson

James Brown


Brandon Goff

Eric Peterson

Kevin Reich

Alison Walck

TO: Town Council

FROM: David E. Cox, Town Manager 

DATE: December 9, 2021

SUBJECT: Fern Lane Road Acceptance Petition

In November, I received a Petition addressed to the Council and Town Manager from residents on Fern Lane requesting the Town accept Fern Lane as a Town road and to take over maintenance. I shared that petition with the Council at that time. At the December meeting, the Council will be asked to review the petition, consider its options and to determine how it wishes to respond.

It is my understanding, although I have not researched the specific information, that a similar request was received in the past. Needless to say, it was determined at that time not to accept the road. As the Council considers the new request, I will offer the thoughts of staff on a path the Council could use if it wished to grant the request and accept the road.

By way of background, Fern Lane is a dead end road in the Middle Haddam area of an approximate length of 1,700 feet. The road is abutted by seventeen (17) properties, fifteen (15) of which are directly accessed from the road. As a private road, access is achieved by way of easements or other access grants across private property and a specific parcel of land is not dedicated to the purpose of holding the road. Further, there is no information on the construction of the traveled road in terms of pavement profile or depth and the existing road is generally less than 15 feet in total width.

Staff recommends that if the Council desires to accept the road, that it be first brought to an acceptable standard of construction and be contained within an appropriate right of way. Staff does not recommend that the road be brought to the current standard for newly platted and constructed roads. However, it is recommended that the road be reconstructed to the current standards of sub-base, base, and asphalt with a minimum width of 22 feet to allow 11-foot lanes in both directions. Reconstruction provides an appropriate road for typical residential traffic including garbage and recycling vehicles, public works vehicles and public safety equipment and further provides the durability expected in Town-owned or Town-maintained roads. Additionally, an appropriate storm water drainage system likely using swales should be included to move storm water away from the road and to



Town Council - Fern Lane Road Acceptance Petition
December 9, 2021

act as a snow storage location in the winter. All of this infrastructure should be contained in a Right of Way deeded to the Town of sufficient width. Staff believes this would be a minimum of 32 feet in width depending on the field conditions.

In a manner similar to any subdivision, staff recommends that the residents cooperate together to undertake the work identified above. This would involve the group directly engaging a surveyor to understand the existing property lines and any important land information and benchmarks, an attorney to undertake any necessary land transfer activities and an engineer to design the road in response to survey and field conditions such as existing grade and the presence of ledge. The residents could also then engage a road construction company to undertake the work. This is the single largest expense, so it will likely be a matter the Town and the residents would have to work out and may be undertaken by the Town.

Staff has preliminarily reviewed the situation regarding construction of a new road in the area of the existing road. Public Works Director Walsh prepared the attached conceptual plan, which shows the roadway and attendant drainage swales with driveway culverts, and conservatively estimated the cost of design and construction at just under \$500,000. No estimation has been made of the cost to undertake land transaction activities for Right of Way creation including related surveying and legal costs.

If the Council desired to accept the road after it was upgraded and agreed that the costs should be borne by the residents/property owners, but the Council also desired to assist, State law does support an option that allows the Town to fund some of the work and assess the benefitting property owners for the cost over time. Section 148 (c)(2)(G) of the Connecticut Statutes provides that the Town may “*prescribe the form of proceedings and mode of assessing benefits ... in making public improvements to be paid for, in whole or in part, by special assessments, and prescribe the manner in which all benefits assessed shall be collected.*” This law allows the Town to establish a public review process to set a special assessment and establish the payment amount and timeline.

A Special Assessment process should involve a number of steps including:

1. A determination by the Council whether it wishes to proceed with the improvement and acceptance of the road and the process.
2. A preliminary meeting with residents to outline the process and determine their interest in proceeding.
3. Establish and implement the work plan to design the improvement, better estimate its costs and develop the Right of Way.



Town Council - Fern Lane Road Acceptance Petition
December 9, 2021

4. Final determination on how the costs will be covered including, if an assessment process is used, over what time frame will property owners need to pay the assessment.
5. Either a public hearing or, as an alternative, a signature from each property owner indicating willingness to participate in the project and to be assessed an amount.
6. Undertake the work, accept the project and Right of Way and implement the assessment including filing appropriate documents in the land records.

Further, at an appropriate point in the design process once a more formal understanding of the road design is complete the project will need to be presented to the Planning and Zoning Commission for its consideration and approval. Such review will likely need to include consideration of variances to the Town's road construction and right of way standards. Preliminarily, staff has identified the following standards from which this road would likely vary. Others may be identified as the road is designed in detail.

1. Right of Way width – Standard is 50 feet. Estimate is 32 feet.
2. Cul-de-sac length – Standard Maximum is 1,000 feet. Estimate is 1,700 feet +/-.
3. Cul-de-sac diameter – Standard is 80 feet. Estimate is 40 feet.
4. Pavement width – Standard for this type of road would be 24 feet. Estimate is 22 feet.

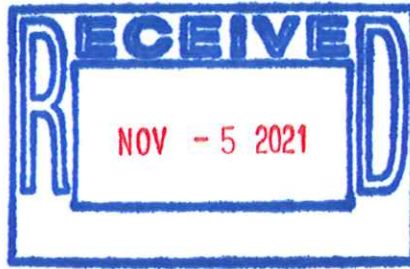
Petitioning and presenting to the Planning and Zoning Commission is also an item staff recommends be undertaken by the residents/property owners directly in a manner similar to a developer.

The Council is asked to review the request and the possible method by which the request could be honored and determine whether it wishes to proceed and under what general terms.

DC

Attachments

cc: Matt Walsh, Public Works Director
Jeremy DeCarli, Planning and Zoning Official



October 23, 2021

Dear Town Council and Town Manager,

The residents of Fern Lane would like to request your consideration in accepting Fern Lane as a recognized town road. All have signed below in agreement of this request.

In speaking with Jeremy DeCarli, he suggested the town could accept the road with an exception to the standard, as to avoid major upgrades. It seems this would be reasonable given Fern Lane's historical nature and significance in the historic section of Middle Haddam. Fern Lane already appears on several town maps.

In addition, the road has historically been maintained by the town for well over 40 years. This includes plowing, patching, brush trimming, sweeping and occasionally full paving. In recent years it has been severely neglected to the point of its current state of deterioration.

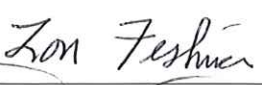
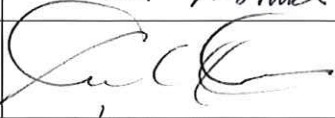


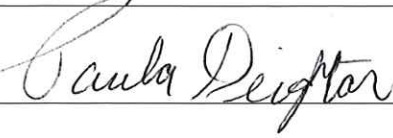

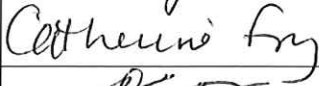

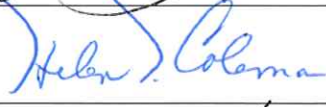




As taxpayers we feel this is a reasonable request. We would like to see a direct benefit from our tax dollars and receive the same services as others. This would relieve the residents of a huge burden, eliminate safety concerns, and provide some positive impact to a neighborhood that has had to endure major commercial encroachment and construction. As you know, Fern Lane is a quiet road with just 14 mature single-family homes and few children.

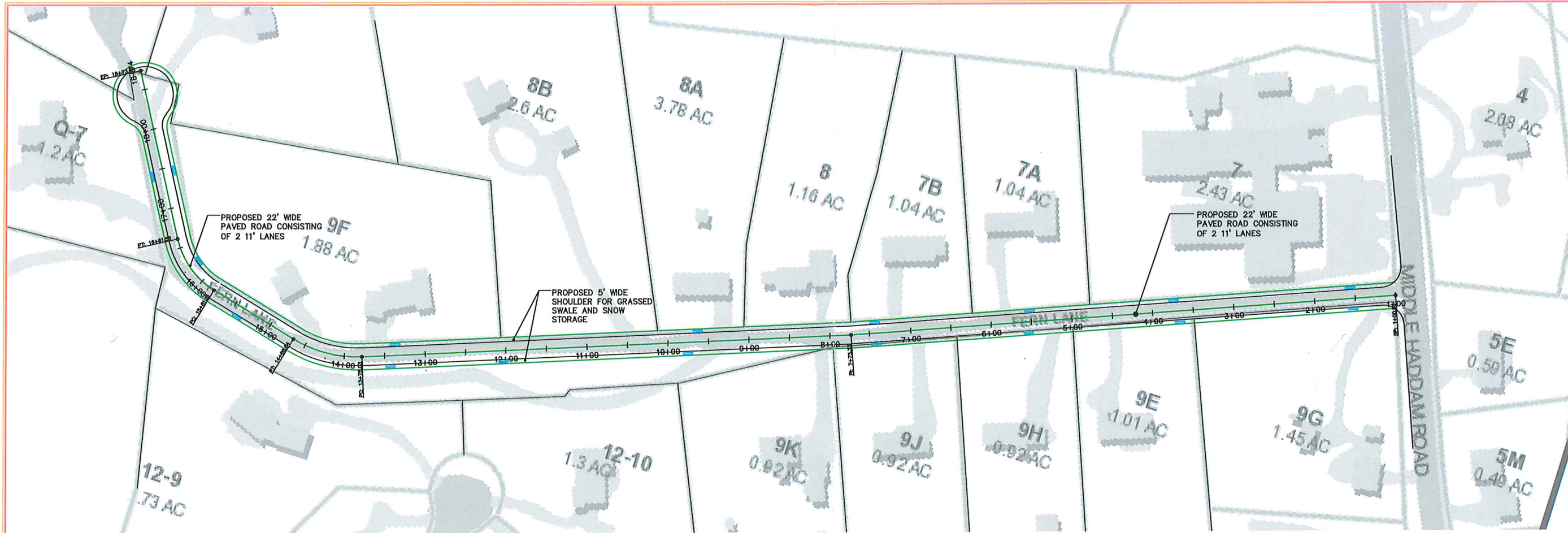
Please accept Fern Lane as a town road, remove the "Private Way" sign, replace with "No Outlet" and complete the badly needed maintenance to bring Fern Lane back. The residents would really appreciate the peace of mind in knowing the road will be properly maintained going forward.

Thank you for your consideration,

The Residents of Fern Lane

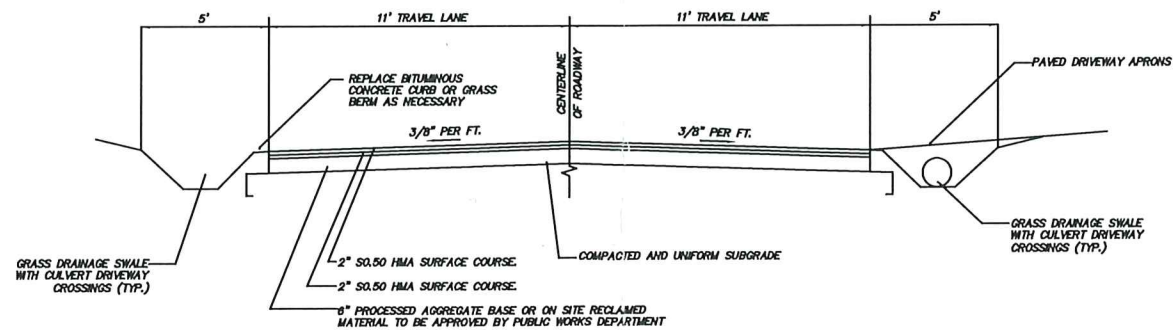
Name	Signature	Address	Contact Information
Todd & Pam Hatfield	Todd Hatfield Pam Hatfield	37 Fern Lane	pamelahatfield@ sbcglobal.net
MARK & MARTHA URBANOWICZ	Mark Urbanowicz Martha Urbanowicz	40 FERN LANE	markurbanowicz @SBCGLOBAL.NET
Tom Trevethan	Tom Trevethan	33 Fern Lane	Tatrevethan@gmail.com
CAROLE BYSTREK	Carole Bystrek	18 FERN LANE	CAROLE SUNSHINE @ SBC GLOBAL.NET
Peter Zory	Peter Zory	12 Fern Lane	860 267 6174
Bernadette Grogg	Bernadette Grogg	" " "	" " "
Therese Fishman	Therese Fishman	13 Fern Lane	theresefishman@gmail.com 860-267-0604

Name	Signature	Address	Contact Information
LON FISHMAN		13 FERN LN	860-267-0607
RICHARD E. KNOTEK		10 FERN LANE	860-638-9361 RKNOTEK@AOL.COM
Wm C. DeMore		3 Fern Lane	860-267-9016
Sylvia W. DeMore		3 Fern Lane	860 267 9016
Paula Deighton		17 Fern lane	860-267-1924
MARK DEIGHTON		17 FERN LANE	860-267-1924
Catherine Fry		27 fern lane	860 267-7071
JOHN C. FRY		22 Fern Lane	john.c.fry@sbglobal.net
HELEN N. COLEMAN		21 FERN LANE	860-267-8079 Gaf-hnc 21@
MICHAEL PISAGALLINI		16 FERN LANE	860 508 3099 ^{comcast} net.
Michelle Levy		28 Fern Lane	dolphina@comcast 860-398-3000 net
Peter Levy		28 Fern Lane	notbud powell@ Comcast.net
KAREN ASETTA		5 FERN LANE	counting.karen@ cs.com



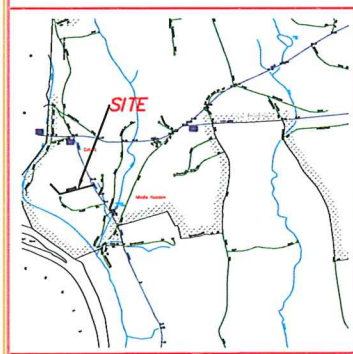
GENERAL NOTES

1. MAPPING IS BASED ON TOWN OF EAST HAMPTON GIS ARIEL IMAGERY. SCALE IS APPROXIMATE.
2. THIS IS A CONCEPTUAL ROADWAY DESIGN FOR THE PURPOSES OF OBTAINING A PRELIMINARY OPINION OF PROJECT COST. SIGNIFICANT SITE CONSTRAINTS MAY OR MAY NOT EXIST THAT COULD SIGNIFICANTLY IMPACT THE ENGINEERED DESIGN AND THE OVERALL PROJECT COST.



TYPICAL ROADWAY CROSS SECTION

N.T.S.



LOCATION MAP



DEPARTMENT OF PUBLIC WORKS
1 PUBLIC WORKS DRIVE
EAST HAMPTON CONNECTICUT

DESCRIPTION	DATE	BY

FERN LANE
CONCEPTUAL LAYOUT
EAST HAMPTON
CONNECTICUT

M.W. DESIGNED	DRAWN	CHECKED
SCALE 1"=60'		
DATE DEC, 2021		

1 OF 1

CP-1

SHEET NAME

Road Length approximatly 1,700'
Proposed area of pavemnt approximatley 4155 S.Y.

Item	Unit	Quantity	Unit Price	Cost
4" S0.5 HOT MIX Asphalt	Tons	975	\$ 96.00	\$ 93,600.00
Reclaiming existing asphalt	S.Y.	2644	\$ 3.00	\$ 7,932.00
Excavation	C.Y.	1,500	\$ 12.00	\$ 18,000.00
Preparation of subgrade	S.Y.	1,511	\$ 5.00	\$ 7,555.00
Processed aggregate base In place	C.Y.	503	\$ 80.00	\$ 40,240.00
Drainage swale excavation 2' deep	L.F.	3,400	\$ 15.00	\$ 51,000.00
Driveway Cross Culverts 15" 20' long	E.A.	16	\$ 1,800.00	\$ 28,800.00
Rock Excavation	C.Y.	100	\$ 200.00	\$ 20,000.00
Clearing and Grubbing	L.S.	1	\$ 60,000.00	\$ 60,000.00
Erosion and Sedimentation Control	L.S.	1	\$ 20,000.00	\$ 20,000.00
			Sub Total	\$ 347,127.00
Mobilization and Demobilization 10%	L.S.	1	10%	\$ 34,712.70
Construction Staking 3%	L.S.	1	3%	\$ 10,413.81
maintenance and protection of Traffic 5%	L.S.	1	5%	\$ 17,356.35
			Sub total	\$ 409,609.86
Contingency 10%				\$ 40,960.99
			Total	\$ 450,570.85
Estimated Engineering and Surveying Cost	L.S.	1	10%	\$ 40,960.99
Total Preliminary opinion of project cost to property owners				\$ 491,531.83
Total Preliminary opinion of project cost to each individual property owner				\$ 32,768.79

Notes

Assumes State Bid Price to be completed out side of bid package.
Average width 14' exising pavemnt
To buid additional road width +- 12"

For Road Widening

All dead trees with in the porposed right of way to be removed as part of the project. Trees to be removed as determined by Town Tree Warden.

This is to be completed by the Property owners in advance of the town undertating the project.

APPOINTMENT SUB-COMMITTEE

The following are recommendations from the Appointment Sub-Committee from the November 30, 2021 meeting:

- Marlene Geary – Economic Development Commission
- Nico Guerrera – Conservation-Lake Commission - Alternate
- Jordan Higgins – Economic Development Commission
- Barbara Moore – CT Office of Tourism

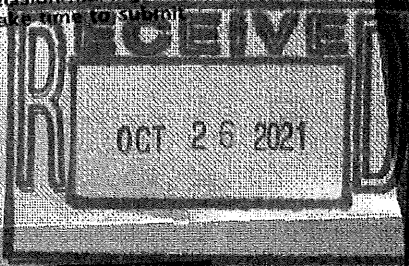
**APPLICATION FOR APPOINTMENT OR RE-APPOINTMENT TO BOARDS,
COMMISSIONS OR COMMITTEES**

Volunteer involvement on boards, commissions and agencies is important to the vitality and success of local government. All citizens should consider at some time in their lives, contributing to their community with their service and talent. It takes more than living in a community to be part of it. Your Town needs volunteers to carry out local decision-making and to promote a quality of life that is important to our Town's future. Please take time to submit your name as a possible volunteer on a local board, commission or agency.

Sincerely,

EAST HAMPTON TOWN COUNCIL

Pete Brown, Chairman
Dean Markham, Vice Chairman
Derek Johnson
Mark Philhower
Tim Feegel
Barbara Moore
Kevin Reich



RETURN TO: OFFICE OF THE TOWN MANAGER
1 Community Drive
East Hampton, CT 06424

Name: Marlene J Geary

Address: Wangonk Trail, East Hampton

1st Choice: Water + Sewer Commission

2nd Choice: Economic Development

3rd Choice: Planning + Zoning (or Library or Arts)

Home: _____

Work: _____

Cell: _____

Email Address: _____

- | | |
|-------------------------------------|---|
| 1. Arts & Culture Commission | 12. Housing Code Board of Appeals |
| 2. Board of Fire Commissioners | 13. Inland Wetlands Watercourses Agency |
| 3. Brownfields Redevelopment Agency | 14. Library Advisory Board |
| 4. Building Code Board of Appeals | 15. Middle Haddam Historic District Commission |
| 5. Clean Energy Task Force | 16. Northern Middlesex County Cable TV Advisory Council |
| 6. Commission on Aging | 17. Parks & Recreation Advisory Board |
| 7. Conservation-Lake Commission | 18. Planning & Zoning Commission |
| 8. Design Review Board | 19. Town Cemetery Board |
| 9. Economic Development Commission | 20. Water Pollution Control Authority |
| 10. Ethics Commission | 21. Other (please specify) |
| 11. Housing Authority | |

If you have any questions or require additional information, please contact the Town Manager's Office at 267-4468. Please read and complete all three pages of this application, sign and return to the Town Hall at the above listed address.

Revised 10/2020
Page 1 of 3

Background Information

To be considered for appointment or re-appointment, you must complete the following:

- 1. Registered Voter? Yes No
- 2. Party Affiliation: Democrat
- 3. New Appointment: Yes No
- 4. If Reappointment, Years Served: _____
- 5. How many years as a local resident? 11
- 6. Why do you wish to serve on the indicated Board, Commission or Committee?
I'd like to put energy into the town.

7. Skills & abilities you would bring to local government:

Organizational leadership. I can help to drive collaboration.

8. Other local appointments held or presently serving:

9. Occupation / Background:

Senior Manager, Pratt & Whitney, F135 Technical Managment

10. Have you ever been convicted of a crime? Yes No If yes, please explain below

11. Education	Name of School	Date Graduated
High School:	<u>Glastonbury High School, Glastonbury, CT</u>	<u>1988</u>
College:	<u>Arizona State University</u>	<u>2018</u>
Other:	<u>Rensselaer Polytechnic Institute</u>	<u>May 2022</u>

**APPLICATION FOR APPOINTMENT OR RE-APPOINTMENT TO BOARDS,
COMMISSIONS OR COMMITTEES**

Volunteer involvement on boards, commissions and agencies is important to the vitality and success of local government. All citizens should consider at some time in their lives, contributing to their community with their service and talent. It takes more than living in a community to be part of it. Your Town needs volunteers to carry out local decision-making and to promote a quality of life that is important to our Town's future. Please take time to submit your name as a possible volunteer on a local board, commission or agency.

Sincerely,

MAY 27 2021

MAY 27 2021

EAST HAMPTON TOWN COUNCIL

Pete Brown, Chairman
Dean Markham, Vice Chairman Tim Feegel
Derek Johnson Barbara Moore
Mark Philhower Kevin Reich

RETURN TO: OFFICE OF THE TOWN MANAGER
1 Community Drive
East Hampton, CT 06424

Name: Nico Guerrero
Address: Blue Heron Dr. East Hampton
1st Choice: 5 - Clean Energy Taskforce
2nd Choice: 7 - Conservation Lake Commission
3rd Choice: 1 - Arts and Culture

☎ Home: _____ ☎ Work: _____ ☎ Cell: _____

Email Address: _____

- | | |
|-------------------------------------|---|
| 1. Arts & Culture Commission | 12. Housing Code Board of Appeals |
| 2. Board of Fire Commissioners | 13. Inland Wetlands Watercourses Agency |
| 3. Brownfields Redevelopment Agency | 14. Library Advisory Board |
| 4. Building Code Board of Appeals | 15. Middle Haddam Historic District Commission |
| 5. Clean Energy Task Force | 16. Northern Middlesex County Cable TV Advisory Council |
| 6. Commission on Aging | 17. Parks & Recreation Advisory Board |
| 7. Conservation-Lake Commission | 18. Planning & Zoning Commission |
| 8. Design Review Board | 19. Town Cemetery Board |
| 9. Economic Development Commission | 20. Water Pollution Control Authority |
| 10. Ethics Commission | 21. Other (please specify) |
| 11. Housing Authority | |

If you have any questions or require additional information, please contact the Town Manager's Office at 267-4468. Please read and complete all three pages of this application, sign and return to the Town Hall at the above listed address.

Background Information

To be considered for appointment or re-appointment, you must complete the following:

1. Registered Voter?¹ Yes No

2. Party Affiliation: Green

3. New Appointment: Yes No

4. If Reappointment, Years Served: 6 months

5. How many years as a local resident? 1 year

6. Why do you wish to serve on the indicated Board, Commission or Committee?

I would like to contribute to keeping the town green and clean, as well as give to the community in some capacity.

7. Skills & abilities you would bring to local government:

Technology skills, previous experience on the wetlands commission, an interest in clean energy and the environment

8. Other local appointments held or presently serving:

Wetlands Watercourses Agency until June 2021

9. Occupation / Background:

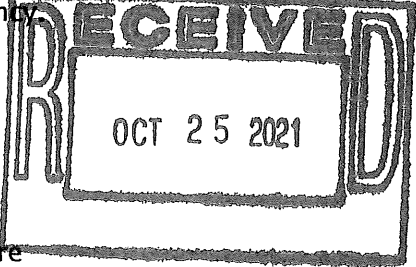
Account Manager / Software + I.T.

10. Have you ever been convicted of a crime? Yes No If yes, please explain below:

11. Education	Name of School	Date Graduated
High School:	<u>Wolcott High School</u>	<u>2000</u>
College:	<u>University of Connecticut</u>	<u>2005</u>
Other:	<u>Quimipiac University</u>	<u>2009</u>

**APPLICATION FOR APPOINTMENT OR RE-APPOINTMENT TO BOARDS,
COMMISSIONS OR COMMITTEES**

Volunteer involvement on boards, commissions and agencies is important to the vitality and success of local government. All citizens should consider at some time in their lives, contributing to their community with their service and talent. It takes more than living in a community to be part of it. Your Town needs volunteers to carry out local decision-making and to promote a quality of life that is important to our Town's future. Please take time to submit your name as a possible volunteer on a local board, commission or agency.



Sincerely,

EAST HAMPTON TOWN COUNCIL

Pete Brown, Chairman
 Dean Markham, Vice Chairman Tim Feegel
 Derek Johnson Barbara Moore
 Mark Philhower Kevin Reich

**RETURN TO: OFFICE OF THE TOWN MANAGER
 1 Community Drive
 East Hampton, CT 06424**

Name: Jordan Higgins
 Address: Whispering Woods Road, East Hampton, CT
 1st Choice: Economic Development Commission
 2nd Choice: _____
 3rd Choice: _____
 Home: _____ Work: _____ Cell: _____
 Email Address: ~~_____~~

- | | |
|-------------------------------------|---|
| 1. Arts & Culture Commission | 12. Housing Code Board of Appeals |
| 2. Board of Fire Commissioners | 13. Inland Wetlands Watercourses Agency |
| 3. Brownfields Redevelopment Agency | 14. Library Advisory Board |
| 4. Building Code Board of Appeals | 15. Middle Haddam Historic District Commission |
| 5. Clean Energy Task Force | 16. Northern Middlesex County Cable TV Advisory Council |
| 6. Commission on Aging | 17. Parks & Recreation Advisory Board |
| 7. Conservation-Lake Commission | 18. Planning & Zoning Commission |
| 8. Design Review Board | 19. Town Cemetery Board |
| 9. Economic Development Commission | 20. Water Pollution Control Authority |
| 10. Ethics Commission | 21. Other (please specify) |
| 11. Housing Authority | |

If you have any questions or require additional information, please contact the Town Manager's Office at 267-4468. Please read and complete all three pages of this application, sign and return to the Town Hall at the above listed address.

Background Information

To be considered for appointment or re-appointment, you must complete the following:

- 1. Registered Voter? Yes No
- 2. Party Affiliation: Unaffiliated
- 3. New Appointment: Yes No
- 4. If Reappointment, Years Served:
- 5. How many years as a local resident? 1

6. Why do you wish to serve on the indicated Board, Commission or Committee?

Recently purchased property in East Hampton and have a long-term stake in town's success; I see great economic potential which - if harnessed - will improve quality of life

7. Skills & abilities you would bring to local government:

Leadership; Strategic Thinking and Decision-Making; Supervisory Experience; Written/Oral Communication; Negotiator

8. Other local appointments held or presently serving:

9. Occupation / Background:

Strategic Sourcing Manager, Pratt + Whitney; 2021-Present
Aircraft Maintenance and Acquisition Officer, U.S. Air Force; 2016-2021

10. Have you ever been convicted of a crime? Yes No If yes, please explain below:

11. Education

Name of School

Date Graduated

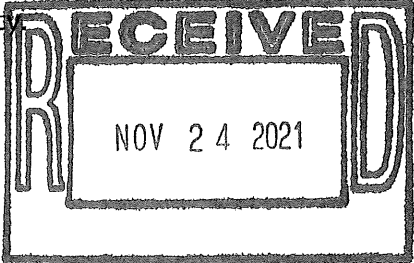
High School: Middletown High School 2012

College: U.S. Air Force Academy 2016

Other:

**APPLICATION FOR APPOINTMENT OR RE-APPOINTMENT TO BOARDS,
COMMISSIONS OR COMMITTEES**

Volunteer involvement on boards, commissions and agencies is important to the vitality and success of local government. All citizens should consider at some time in their lives, contributing to their community with their service and talent. It takes more than living in a community to be part of it. Your Town needs volunteers to carry out local decision-making and to promote a quality of life that is important to our Town's future. Please take time to submit your name as a possible volunteer on a local board, commission or agency.



Sincerely,

EAST HAMPTON TOWN COUNCIL

Mark Philhower, Chairman
Tim Feegel, Vice Chairman Pete Brown
Brandon Goff Eric Peterson
Kevin Reich Alison Walck

RETURN TO: OFFICE OF THE TOWN MANAGER
1 Community Drive
East Hampton, CT 06424

Name: Barbara Moore

Address: _____

1st Choice: Tourism

2nd Choice: _____

3rd Choice: _____

☎ Home: _____

☎ Work: _____

☎ Cell: _____

Email Address: _____

- | | |
|-------------------------------------|---|
| 1. Arts & Culture Commission | 12. Housing Code Board of Appeals |
| 2. Board of Fire Commissioners | 13. Inland Wetlands Watercourses Agency |
| 3. Brownfields Redevelopment Agency | 14. Library Advisory Board |
| 4. Building Code Board of Appeals | 15. Middle Haddam Historic District Commission |
| 5. Clean Energy Task Force | 16. Northern Middlesex County Cable TV Advisory Council |
| 6. Commission on Aging | 17. Parks & Recreation Advisory Board |
| 7. Conservation-Lake Commission | 18. Planning & Zoning Commission |
| 8. Design Review Board | 19. Town Cemetery Board |
| 9. Economic Development Commission | 20. Water Pollution Control Authority |
| 10. Ethics Commission | 21. Other (please specify) |
| 11. Housing Authority | |

If you have any questions or require additional information, please contact the Town Manager's Office at 267-4468. Please read and complete all three pages of this application, sign and return to the Town Hall at the above listed address.

Background Information

To be considered for appointment or re-appointment, you must complete the following:

1. Registered Voter? Yes No

2. Party Affiliation: Democratic

3. New Appointment: Yes No

4. If Reappointment, Years Served: _____

5. How many years as a local resident? 50 yrs

6. Why do you wish to serve on the indicated Board, Commission or Committee?

I think it is important for our community to expand Tourism and work with our surrounding towns. We already have many local opportunities and we need to expand them.

7. Skills & abilities you would bring to local government:

I know Chamber of Commerce members and many others in our surrounding towns

8. Other local appointments held or presently serving:

9. Occupation / Background:

Retired — Had a catering business for 40 years which gave me the opportunity to meet many people in EH and other towns

10. Have you ever been convicted of a crime? Yes No If yes, please explain below:

11. Education Name of School

Date Graduated

High School: Shelton High School

1965

College: University of Bridgeport

1967

Other: _____



Office of the COLLECTOR OF REVENUE
JACQUELINE LANGDON CCMC
JLangdon@easthamptonct.gov

December 14, 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 five (5) refunds totaling \$1,689.87.

Respectfully Submitted,

A handwritten signature in blue ink that reads 'Jacqueline Langdon CCMC'.

Jacqueline Langdon, CCMC
Assistant Tax Collector
Collector of Revenue

••0••
284•36 +
670•95 +
521•51 +
62•57 +
150•48 +
1,689•87 *

BOARD AND COMMISSION SUMMARY NOVEMBER 2021

Arts & Culture Commission

The Arts & Culture Commission met on November 18th at the Joseph N. Goff House. Three applications were received for the Poet Laureate position. The commission will meet with each applicant at their December meeting. No applications have been received to date for the Capstone or other grants. The 2022 meeting dates were approved.

Board of Finance

The Board of Finance met for the Organizational Meeting for the newly elected Board on Monday, November 29th. A list of the organizational items discussed and voted on are listed below:

- Chairperson – Alannah Coshow
- Vice Chairperson – Bridget McLennan
- Rules of Procedure – Robert’s Rules
- Meeting Times and Dates for 2022 - 3rd Monday of the month or Tuesday when Monday is a holiday at 7:00 pm unless otherwise noted
- Committee/Liaison Assignment Discussion
 - Town Council (Coshow / McLennan)
 - Board of Education (Bonaccorso / Bennington)
 - Economic Development Commission (Cunningham)
 - Lake / Conservation (Jenks*)
 - Fire Commissioners (Bonaccorso)
 - Brownfields/Redevelopment (Cunningham)
 - Park & Rec. Advisory Board (Coshow)
 - HS Athletic Field Renovation (Brown)
 - Capital Committee (Brown / Bennington)

* Mr. Jenks informed the members that due to his party affiliation change (to Republican) and the results of the election (Republican sweep) he will most likely need to resign as of January 22, 2022. While still considering his options, Mr. Jenks agreed to continue to be liaison for the Lake Commission until such time that he is no longer on the Board.

Brownfields Redevelopment Agency

The Brownfields Redevelopment Agency met on November 22nd. The well at 13 Watrous Street was filled in by the Department of Public Works in collaboration with a well driller. The paperwork is being submitted for the final payout and closeout of the grant. There was discussion of using ARP funds for projects at 3 Walnut Avenue. The Phase I for 13 Summit Street is underway. No proposals were received for the RFP for 13 Summit/1 Watrous/13 Watrous. The 2022 meeting dates were approved with a change in meeting start time from 7:00pm to 6:30pm.

Clean Energy Task Force

The Clean Energy Task Force met on November 9th. The members discussed clean energy solutions and programs with guest John Greeno. There were great points and ideas that came from the discussion. There were many organizations and contacts mentioned for the members to start

discussions with and to obtain help for future programs. The members discussed their presentation to the Town Council to join Sustainable CT. The 2022 meeting dates were approved.

Commission on Aging

The Commission on Aging met on November 18th. Members received updates from the Senior Center Director and the Housing Authority liaison. The 2022 meeting dates were approved. The main discussion of the meeting was the results of the survey. Members will work to prepare a presentation for the Town Council.

Conservation-Lake Commission

The Conservation-Lake Commission met on November 18th. The members received a presentation from John Tucci of Everblue Lakes. The data collected from the lake by NEAR for 2019, 2020, and 2021 was evaluated and analyzed by Mr. Tucci. The members reviewed and discussed a plan review for 23 Bay Road for a sea wall reconstruct. The members moved to send it back to the Land Use Department with some recommendations. The members were given updates for the watershed projects and federal funding and received updates for the lake level and lake smart program. The 2022 meeting dates were approved, and the meeting time will remain 7:00pm. The members discussed the possible implementation of an ordinance or regulation banning fertilizer in the Lake Pocotopaug watershed. The document will be drafted for review, possible approval and implementation. The members suggested taking that time to educate the homeowners about the regulation.

Design Review Board

No meeting

Economic Development Commission

The Economic Development Commission met on November 16th. A presentation for the Village Center Plan was given to the commission members by Jeremy DeCarli. Points included increasing the interconnectivity of the Airline Trail and the businesses in the Village Center and building up the pedestrian and bike friendly infrastructure. The determined study area within the Village Center spans from Memorial School to Epoch Arts. The members discussed the signs promoting the Village Center, the bells on the bridge and holiday tie in, the online submission form for Business of the Month and recognition of New Business, and businesses and approvals by the Planning and Zoning commission. The 2022 meeting dates were approved

Ethics Commission

No meeting

Fire Commission

The Fire Commission met on November 8. The members received the Fire Marshal and Fire Chief's reports. The members were updated on the dry hydrant project, the tanker and ladder truck progress, and the possible increase to the stipend. The 2022 meeting dates were approved.

Inland Wetland Watercourses Agency

The Inland Wetland Watercourses Agency met on November 29th.

Continued Applications:

- 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. Dean Kavalkovich made a motion to approve the application using the standard short form. Pete Wall seconded the motions. Vote: 5-0

New Applications:

- A. IW-21-025: Middletown Sportsmen's Club, Champion Hill Road – Construction of Fire Access Road partially in Upland Review Area and a bridge over intermittent stream. Map 11/ Block 40A/ Lot 18. Josh Wilson made a motion to continue the application to the December 22 meeting. Pete Wall seconded the motion. Vote: 5-0
- B. Show Cause Hearing: Cease & Desist, 23 Bay Road, Amy Rio & William Carter. Construction of seawall without Permit. Map 09A/ Block 70/ Lot 23. Dean Kavalkovich made a motion to leave the Cease & Desist in Place. Josh Wilson seconded the motions. Vote: 5-0
- C. Application IW-21-026: William Carter, 23 Bay Road. Construct seawall along Lake Pocotopaug. Map 09A/ Block 70/ Lot 23. Josh Wilson made a motion to continue the application to the December 22 meeting and Dean Kavalkovich seconded the motion with the following conditions:
 - 1. The stone wall be built as shown on plans to prevent the erosion of the shoreline as the lake level rises
 - 2. The wall location must be shown on an A-2 survey prior to the next meeting
 - 3. Staff is to determine whether or not other work that has taken place on the property is covered under a previously issued permit. Vote: 5-0

New Business

- A. Approval of 2022 Meeting Calendar - Josh Wilson made a motion to approve the calendar as presented. Pete Wall seconded the motion. Vote: 5-0

Old Business

- A. Review and Approval of Proposed Settlement of Appeal in Throckmorton v. East Hampton IWWA, regarding activities at 135 & 136 Middle Haddam Road. Scott Hill made a motion to approve the Propose Settlement of Appeal as presented. Dave Boule Seconded. Vote: 5-0

Joint Facilities

Information will be included in December Report

Library Advisory Board

The Library Advisory Board met on November 1st. The Library Director provided an update on the library space planning project. She also presented a draft FY 22/23 budget. The 2022 meeting dates were approved.

Middle Haddam Historic District Commission

The Middle Haddam Historic District Commission met on November 18. The members reviewed and discussed two plan reviews. One was to replace four windows and a French wooden door. The other was for white fencing 4 to 4 ½ feet high to enclose the back, sides, and front yard around the house. The two plans were approved by the members. The 2022 meeting dates were approved.

Parks & Recreation Advisory Board

The Parks & Recreation Advisory Board met on November 2nd. Greenplay LLC conducted a focus group and fielded public comments.

Planning & Zoning Commission

The Planning & Zoning Commission met on November 3.

New Business:

- A. Application PZC-21-022: Atlantis Marketing, 1&5 Colchester Ave and 157 Main St. for a Zone Change from R-2 to Commercial. Map 07A/ Block 56/ Lots 21, 22, 24 Motion to Accept Application and Set a Public Hearing for January 5, 2022 by Roy Gauthier, Second By Rowland Rux. Vote: 5-2 7.

Old Business:

- A. Application PZC-21-021: Global 66, LLC, 265 West High St., Site Plan Modification, Map 6/Block 12/Lot 9 Motion to continue Application to December 1, 2021 Regular Meeting by Kevin Kuhr per applicant's request, Second by Rowland Rux. Vote: 7-0 B.
- B. Discussion: Accessory Dwelling Units "As of Right". Tabled to December 1, 2021 Meeting by Chairman.
- C. Discussion: Update Sign Regulation to Include PO/R Zone Sign Standards. Tabled to December 1, 2021 Meeting by Chairman.
- D. Discussion: Home Based Occupations Tabled to December 1, 2021 Meeting by Chairman

Water Pollution Control Authority

Information will be included in the December Report

Zoning Board of Appeals

No meeting