


MEMORANDUM

TO: Town Council

FROM: David E. Cox, Town Manager 

DATE: February 18, 2021

SUBJECT: Agenda Information – 2/23/2021

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.

7 Resolutions/Ordinances/Policies/Proclamations

7a Consideration of an Amended Police Department General Order – Police Chief Woessner has provided information and will present regarding an amendment of the Department’s General Order regarding drug testing. Updates have been made to this existing order in compliance with the recent changes in State Statute and in accordance with the requirements of the Police Officer Standards and Training (POST) Council.

Recommended Action: Approve the General Order.

7b Resolution Regarding Release of Revisionary Interest – When the Town acquired the property on which the Cobalt Fire Station (Company 2) sits, the property was received with a condition that if the Town stopped using the property for a fire house or related use, the property would revert back to the original owner or the heirs. Representatives of the original owner have reached out to the Town and offered to remove the revisionary interest condition on the property thereby allowing the Town to use or dispose of the property in any manner it sees fit. While there have been no discussions regarding discontinuing use of the property for fire-related activities, it would be appropriate to eliminate this condition of ownership. After discussion regarding the process with the Town Attorney, it has been determined that the Council has the authority to accept the release without review by other bodies as the Town already owns the property. As such, the Council is asked to accept the release via resolution after which staff would work with the representatives to effect the release and record the appropriate documents.

Recommended Action: Approve the Resolution accepting the release of revisionary interest.

8 Continued Business

8a Consideration of a motion to appropriate funds to Chatham Health District – At its February 9, 2021 meeting, the Council indicated a willingness to share a portion of the Town’s Coronavirus Relief Fund (CRF) grant with the Chatham Health District to cover its overruns related to addressing the pandemic. The action by the Council called for a recommendation by the Board of Finance as required under Town Code. The Board of Finance reviewed the request by Chatham Health District for support of unfunded expenses, which are expected to be approximately \$93,000 in the next six months. The Board of Finance has recommended that the Town allocate \$19,368.20 from the Town’s unanticipated CRF grant to the District as a one-time additional payment. Based on that action and the Town Code, the Council is asked to adopt a **motion to appropriate \$19,368.20 to the Chatham Health District from unanticipated Coronavirus Relief Fund grant revenue as recommended by the Board of Finance.**

Recommended Action: Approve the aforementioned motion.

9 New Business

9a Discussion and possible action related to use of 94 Main Street by the Board of Education – The Board of Education will be considering a proposal from the Superintendent to use the vacant Town-owned building at 94 Main Street (former Board of Education offices) for the District’s Transition Program and its IT Department. Relocation of these functions to the 94 Main building will allow the spaces they currently occupy at the High School and Memorial School to be used for more appropriate school-related uses. In addition to these new uses, the property would continue to be used for storage by the District and the Parks and Recreation Department and there would be some space in the building for additional offices if that need arose. As noted in the material from Superintendent Smith, the operational expenses of the building would revert back to the Board of Education and the Parks and Recreation and Public Works Departments would continue to handle the grounds and parking lot maintenance. The Council is asked to determine whether this use of the building is acceptable or whether it wishes to pursue an alternative use or sale.

Recommended Action: Approve the Board of Education use.

9b Discussion of an action plan for 1 Watrous Street - The Council is asked to consider how it wishes to proceed with the clean-up and sale of the Town-owned property at 1 Watrous Street, which is an environmentally challenged site in the Village Center. A separate memorandum on this matter is included in the agenda materials and the Council is asked to discuss whether it wishes to proceed with an RFP process to engage a partner developer to assist with the clean up and redevelopment/reuse of the property.

Recommended Action: Initiate a discussion.

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, February 9, 2021
Virtual Meeting via Zoom

MINUTES

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

Call to Order

Chairman Brown called the meeting to order at 6:30 p.m.

Adoption of Agenda:

A motion was made by Ms. Moore, seconded by Mr. Reich, to adopt the agenda as written. Voted (7-0)

Approval of Minutes

A motion was made by Mr. Reich, seconded by Mr. Johnson, to approve the minutes of the Town Council Regular Meeting of January 26, 2021 as written. Voted (7-0)

Public Remarks

None

Presentations

None

Bids & Contracts

None

Resolution/ Ordinances/ Policies/ Proclamation

- a) **Discussion and Consideration of an Amendment to the Police Department Uniform Standards and Dress Code General Order/Policy**
- b) **Discussion and Consideration of a Police Department Mental Health Wellness Checks General Order/Policy**
- c) **Discussion and Consideration of a Police Department Employee Assistance Program General Order/Policy**
- d) **Discussion and Consideration of an Amendment to the Police Department Code of Conduct General Order/Policy**

Police Chief Dennis Woessner provided an overview of the changes to the Uniform Standards and Dress Code and the Code of Conduct and presented the new General Orders for Mental Health Wellness Checks and the Employee Assistance Program.

A motion was made by Mr. Philhower, seconded by Mr. Johnson, to approve General Order 2.9 Uniform Standards and Dress Code, General Order 8.10 Mental Health Wellness Checks, General

Order 8.11 Employee Assistance Program and General Order 4.3 Code of Conduct, as presented.
Voted (7-0)

Continued Business

Discussion Regarding a Potential Town Code Amendment Concerning Hunting on Town Land

Mr. Cox provided an overview of the past discussion regarding hunting on town land. Mr. Philhower spoke about the benefit of allowing hunting of waterfowl to control the geese population.

A motion was made by Mr. Markham, seconded by Ms. Moore, to postpone this item indefinitely.
Voted (7-0)

Discussion of Allocating a Portion of the Coronavirus Relief Funds to the Chatham Health District

Mr. Cox reported that the Chatham Health District Board met, and the member towns have agreed to the 20% portion of their Coronavirus funds to be distributed to the Chatham Health District.

A motion was made by Mr. Markham, seconded by Mr. Philhower, to appropriate 20% of the Town's COVID funding to Chatham Health District pending a recommendation from the Board of Finance.
Voted (7-0)

New Business

Discussion and Consideration of an Amended Job Description for the Prevention Coordinator

The Prevention Coordinator position is ready to be advertised. The job description is being updated to ensure that it outlines the obligations of the current grant and allows for other grant funded activities. The Prevention Council has reviewed and approved the new version of the job description.

A motion was made by Ms. Moore, seconded by Mr. Philhower, to approve the amended job description for the Prevention Coordinator as presented. Voted (7-0)

Town Manager Report

Mr. Cox provided an overview of the Town Manager's Report, which will be included with the minutes filed in the Town Clerk's Office. He also reported that the Annual Report is complete and will distributed soon and put on the Town website. Mr. Cox spoke with WFSB news regarding snow expenses noting that the department is on budget and he gave kudos to the Public Works staff and appreciates their efforts during snow operations.

Mr. Markham noted a concern about lake front properties and the revaluation. Mr. Cox noted he is going to have a Revaluation presentation for the Council.

Appointments

The Appointments Sub-Committee will meet on Thursday, February 11th for interviews of new candidates for boards and commissions.

Tax Refunds

A motion was made by Mr. Philhower, seconded by Mr. Johnson, to approve tax refunds in the amount of \$20,031.73. Voted (7-0)

Public Remarks

None

Communications, Correspondence & Announcement

None

Adjournment

A motion was made by Mr. Reich, seconded by Ms. Moore, to adjourn the meeting at 7:15pm. Voted (7-0)

Respectfully Submitted,

Cathy Sirois
Recording Clerk



East Hampton Police Department

1 Community Drive
East Hampton, CT 06424



Dennis Woessner
Chief of Police

February 18, 2021

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

Attached to this memorandum is a General Orders which I am submitting for approval. Any wording which is proposed to be deleted has a line drawn through it and new wording is marked in red.

General Order 4.6, **Employee Drug Testing**, is an existing General Order which requires modification to be in compliance with the Police Accountability Bill (House Bill 6004). The bill requires that each police officer be tested for illegal drug use, to include anabolic steroids, once every three years as part of their Police Officer Standards and Training Council recertification process.



EAST HAMPTON POLICE DEPARTMENT

GENERAL ORDER 4.6

DISCIPLINARY PROCEDURES

SUBJECT: EMPLOYEE DRUG TESTING POLICY		
Issue Date: TBD	Effective Date: TBD	Distribution: All Personnel
Amends/Rescinds GO: dated 5/2/2014		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>		

I. PURPOSE

The purpose of this General Order is to establish and provide guidelines for the East Hampton Police Department's random drug testing policy for all employees.

II. POLICY

To ensure a safe, healthful, and productive work environment and to protect the health and welfare of the citizens of the Town of East Hampton, the East Hampton Police Department ("EHPD" or "Department") has adopted this policy to address drug and alcohol abuse by sworn personnel. To ensure the integrity and preserve public trust and confidence in a fit and drug-free law enforcement profession, this department has implemented the following random drug-testing program.

III. DEFINITIONS

Controlled Substance: Any drug included in Schedules I through V, as defined by Section 802(6) of Title 21 of the United States Code (21 USC 802(6)), the possession of which is unlawful under Chapter 13 of that title, or any drug included within the definition of "Controlled substance" in Title 21A, Chapter 420B of the Connecticut General Statutes (for example, but not limited to: cocaine, marijuana, barbiturates, amphetamines, morphine.) The term does not include the use of prescribed drugs which have been legally obtained and are being used for the purpose for which they were prescribed.

Drug Test: The compulsory production and submission of a urine sample by an employee in accordance with departmental procedures for chemical analysis to detect

prohibited drug usage

Illegally-Used Drug: Any prescribed drug which is legally obtainable but has not been legally obtained or is not being used for prescribed purposes, all designer drugs not listed in the Controlled Substances Act (for example, but not limited to: MDA, fentanyl), and any other over-the-counter or non-drug substances (for example, but not limited to: airplane glue) being used for other than their intended purpose.

Reasonable Suspicion of Drug and/or Alcohol Use: The reasonable suspicion standard for drug testing of sworn personnel is based upon a specific objective fact(s) and reasonable inferences drawn from that fact(s) in light of experience that the individual may be involved in the use of any illegally-used drug, controlled substance, or alcohol.

IV. PROCEDURES

A. Prohibited Activity

The following rules apply to all applicants and probationary and permanent employees while on and off duty:

1. No employee shall illegally possess any controlled substance.
2. No employee shall ingest any controlled or other dangerous substance except as prescribed by a licensed medical practitioner.
3. No employee shall ingest any prescribed medication in amounts beyond the recommended dosage.
4. Any employee who unintentionally ingests or is made to ingest a controlled substance shall immediately report the incident to his supervisor so that appropriate medical steps may be taken to ensure the employee's health and safety.
5. Any employee having a reasonable basis to believe that another employee is illegally using or is in possession of any controlled substance shall immediately report the facts and circumstances to his supervisor.
6. Discipline of employees for violation of this policy shall be in accordance with the **East Hampton Police Department's Code of Conduct General Order, 4.3 and Appendix C of the Collective Bargaining Agreement**. EHPD Disciplinary Policy — G.O. # 4.3.

B. Employee Random Drug Testing

All sworn personnel are subject to random testing each quarter when selected by the Chief of Police. Each sworn officer will be chosen at least once in a three-year period and may be selected more than once during the three-year period.

C. Renewal of a Police Officer's Certification and Required Drug Testing

In accordance with Public Act, No. 20-1, Section 3, Subsection 10 (House Bill No. 6004) "To renew the certification of those police officers who have satisfactorily completed review training programs and submitted to a urinalysis drug test that screens for controlled substances, including, but not limited to anabolic steroids, the result of which indicated no presence of any controlled substance not prescribed for the officer."

1. Beginning with certification expiration date of 6/30/2021 and every certification period thereafter, all Police Officers as defined in CGS Sec. 7-249a (9) shall meet the recertification requirements established in Special Session 20-1 and maintain documentation as proof of successful fulfillment of these requirements.
2. Although the requirements for recertification have changed, the POSTC process to recertify will remain the same. Upon successful completion of all recertification requirements, agencies shall submit a POSTC-52 (Police Officer Recertification Form) to the Certification division.
3. Police Officers unable to satisfactorily complete the recertification requirements prior to the expiration date on the card shall "forfeit" such officer's appointment and position unless recertified (CGS Section, 7-294e) or granted extension from POSTC.
4. Police Officers in a "forfeit" status will not be a certified police officer. POSTC has the power to restore a forfeited certification. All requests to restore a certification shall be submitted to the certification compliance officer for POSTC consideration and action.
5. Within the three-year review period all officers must submit to a urinalysis drug test-screened for control substances to include anabolic steroids, which indicates no presence of a controlled substance not prescribed for the officer.
6. To comply with the new POSTC guidelines the following tests will be performed: Lab Based 10 Panel and 21791N Steroid Test. These

tests may have to be modified occasionally to ensure continued compliance with POSTC.

D. Drug Testing Procedure

1. The Chief of Police or Designee manages the mandatory drug testing program.
2. The Chief or Designee will notify each selected employee during working hours to report to **Concentra Urgent Care in East Hartford Connecticut or any other QUEST facility that performs the required drug testing**, the laboratory during that tour of duty or immediately afterward.
3. Employees will go to the **facility** private laboratory where the drug test will be administered, and specimens obtained.
4. The employee will **be provided with the Employer's Authorization for Examination or Treatment Form, which he/she will bring to the facility. The employee will be required to complete all other relevant forms as required by the facility, which may include a release and chain of custody forms.** ~~fill out and sign a records release form and a chain of custody form, both available at the laboratory~~
5. If the employee is unable to provide the required sample, the employee must stay in the lab area and drink water for up to two hours in an attempt to produce the sample. If still unable to produce the sample, the employee may need to seek medical attention from the employee's own physician.
6. If a second sample is required, the lab will take the test and forward the results to the Chief of Police.

E. Pre-Employment Testing

All applicants for the position of Sworn Police Officer will be required to submit to a drug test. The Department will not knowingly employ as a Sworn Police Officer any individual who actively abuses alcohol, an illegally-used drug, or a controlled substance. All applicants for the position of Sworn Police Officer will be advised in connection with their application for employment that, prior to being offered a

position, they will be required to submit to a drug screen. Failure to consent to such a test, or a verified positive result, will disqualify the applicant for employment in a position subject to pre-employment testing.

F. Drug Test Results

1. Medical Review Officers (MRO) are licensed physicians who are certified to review, interpret and consult with the agency on the drug test results. MRO's will determine if a donor (Police Officer) has a prescription for a particular substance and if that prescription or medication is being followed/taken appropriately.
2. The lab will forward all drug test results to the Chief of Police for review. Following the review, the Chief of Police will file the report in the proper employee medical file and retained per state law.
3. Drug test results and records will be kept in a medical file in Police Administration.
4. All records pertaining to department-required drug tests are confidential and will not be provided to other employers or agencies without the written permission of the person whose records are sought.

G. Disciplinary Measures

1. EMPLOYEES REFUSING TO BE TESTED will be placed on leave with pay until an investigation for the violation of directives is completed and reviewed by the Chief of Police. Refusing to submit to a drug or alcohol test, or switching or adulterating any blood or urine sample, may result in a recommendation of termination.
2. THE CHIEF OF POLICE will contact employees with confirmed positive results to get an explanation on the drug test. The Chief of Police will confer with the MRO and if properly explained, the test will be classed as a negative test. If not, the officer shall be subject to the provisions of the East Hampton Police Department's Code of Conduct General Order, 4.3 and/or Appendix C of the Collective Bargaining Agreement. EHPD Disciplinary Policy – G.O. # 4.3.

H. Discipline for Violation

Any violation of the Town of East Hampton's Substance Abuse Policy shall **may** lead to disciplinary action up to and including termination. The severity of the action chosen will depend on the circumstances of each case. The Chief may, at his discretion, suspend any disciplinary action while an Officer is undergoing substance abuse treatment.

~~Refusing to submit to a drug or alcohol test (except as regards Condition of Promotion testing), or switching or adulterating any blood or urine sample, shall result in a recommendation of termination.~~

RESOLUTION

East Hampton Town Council

A Resolution Regarding Acceptance of a Release of Revisionary Interest in the Town Owned Property at 366 West High Street

WHEREAS, on or about September 28, 1953, Reuben E. Ostergren (Ostergren) deeded a parcel of land currently identified as 366 West High Street with a parcel ID of 01C-7-6A to the Chatham Fire Association, Inc. via the document recorded in Volume 72 at Page 12 of the records held by the Town Clerk of the Town of East Hampton (1953 Deed), a copy of which document is attached hereto as Exhibit A; and

WHEREAS, the instrument effecting the land transfer included revisionary interests held by the grantor (Ostergren) as follows “Said premises are to be used as the site for a fire house with its usual appurtenances only, and in the event said use is abandoned for one year said land shall revert to the grantor or his heirs;” and

WHEREAS, on or about October 31, 1977, the Chatham Fire Association, Inc. deeded said parcel of land to the Town of East Hampton via the document recorded in Volume 136 at page 376 et seq (1977 Deed), a copy of which document is attached hereto as Exhibit B, and which document acknowledged and transferred the parcel with the revisionary interests as described herein and in the aforementioned 1953 Deed; and

WHEREAS, the current beneficiaries of the revisionary interests as heirs to Ostergren desire to release said revisionary interests.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Town of East Hampton Town Council, that the Town finds the release of the revisionary interests in the best interests of the Town of East Hampton and will therefore accept the release of the revisionary interests.

BE IT FURTHER RESOLVED that the Town Council hereby directs the Town Manager to take the necessary steps and to execute, or have executed, any documents necessary and to have said documents recorded with the Town Clerk to effect the release of the revisionary interests in cooperation with the current heirs to Ostergren.

Approved this 23rd day of February, 2021.

TOWN COUNCIL

ATTEST

James Brown, Chairperson

Kelly Bilodeau, Town Clerk

To all People to whom these Presents shall come, - Greeting:

Know Ye, THAT I, Reuben E. Ostergren,

of the Town of East Hampton

County of Middlesex State of Connecticut, for the consideration of

One dollar and other valuable considerations, but less than \$100.00 received to my full

satisfaction of Chatham Fire Association, Inc., a corporation of the State of Connecticut, located in the Town of East Hampton, County of Middlesex and State of Connecticut, do give, grant, bargain, sell and confirm unto the said Chatham Fire Association, Inc., a certain piece or parcel of land situated in the Village of Gobalt, Town of East Hampton and County of Middlesex and State of Connecticut, bounded and described as follows:

- NORTHERLY forty-four (44) feet by other land of said Reuben E. Ostergren, said line being eighteen (18) feet North of the North foundation wall of the fire house on the premises;
- EASTERLY one hundred forty-four (144) feet by other land of the grantor, said line being twelve (12) feet East of the East foundation wall of said building.;
- SOUTHERLY forty-four (44) feet by State Highway Route 6A; and
- WESTERLY one hundred forty-four (144) feet by other land of the grantor, by a line six (6) feet West of the West foundation wall of said building.

Said premises are to used as the site for a fire house with its usual appurtenances only, and in the event said use is abandoned for one year said land shall revert to the grantor or his heirs.

Being a portion of the premises conveyed to the grantor by Charles Tibbals as of record.

To Have and to Hold, the above granted and bargained premises, with the appurtenances thereof, unto it the said grantee its heirs and assigns forever, to it and their own proper use and behoof. And also, I the said grantor do for my self my heirs, executors and administrators, covenant with the said grantee its heirs and assigns, that at and until the ensembling of these presents I am well seized of the premises, as a good indefeasible estate in fee simple, and have good right to bargain and sell the same in manner and form as is above written, and that the same is free from all encumbrances whatsoever.

And Furthermore, I the said grantor do by these presents bind my self and my heirs forever to WARRANT AND DEFEND the above granted and bargained premises to it the said grantee its heirs and assigns against all claims and demands whatsoever.

In Witness Whereof, I have hereunto set my hand and seal this 28th day of September in the year of our Lord nineteen hundred and fifty-three.

Signed, sealed, and delivered in presence of D. A. Carlson J. V. Bowman

Reuben E. Ostergren [L. S.] [L. S.] [L. S.]

State of Connecticut, Middlesex County, ss., Portland, September 28, A. D. 19 53

Personally appeared, Reuben E. Ostergren signer and sealer of the foregoing instrument, and acknowledged the same to be his free act and deed, before me.

D. A. Carlson Notary Public.

Received for Record September 29, 1953

, at 3 h 00 m P. M., and recorded by me. Shueca M. Walli Town Clerk.

WARRANTEE DEED

No. 114 (10 Pt.)

Cleveland Legal Blank Service, Inc.
Hartford, Connecticut

To all People to whom these Presents shall come, Greeting:

KNOW YE, THAT Chatham Fire Association, Inc., a corporation organized and existing under the laws of the State of Connecticut and located in the Town of East Hampton, County of Middlesex and State of Connecticut, acting herein by
its
hereunto duly authorized,
for the consideration of one or more dollars,

received to its full satisfaction of the Town of East Hampton, a Connecticut municipal corporation having its territorial limits within the Town of East Hampton, County of Middlesex and State of Connecticut,

does give, grant, bargain, sell and confirm unto the said Town of East Hampton, its successors and assigns forever,

A certain piece or parcel of land with the buildings thereon and appurtenances thereto situated in the Village of Cobalt, Town of East Hampton, County of Middlesex and State of Connecticut, and being bounded and described as follows:

Northerly forty-four (44) feet by land now or formerly of Reuben E. Ostergren, said line being eighteen (18) feet North of the North foundation wall of the fire house on the premises;
Easterly one hundred forty-four (144) feet by land now or formerly of Reuben E. Ostergren, said line being twelve (12) feet East of the East foundation wall of said building;
Southerly forty-four (44) feet by State Highway Route 6A; and
Westerly one hundred forty-four (144) feet by land now or formerly of Reuben E. Ostergren, by a line six (6) feet West of the West foundation wall of said building.

Being the same premises acquired by the Chatham Fire Association, Inc., by warranty deed from Reuben E. Ostergren dated September 28, 1953 and duly recorded in the East Hampton Land Records.

Said premises are subject to a restriction relating to its use as a fire house contained in said deed.

"No Conveyance Tax collected

Theresa M. Hall
Asst. Town Clerk of East Hampton"

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto it the said grantee, its heirs, successors, and assigns forever, to its and their own proper use and behoof. And also, it the said grantor does for itself, its heirs, executors, administrators, and successors, covenant with the said grantee, its heirs, successors, and assigns, that at and until the ensembling of these presents, it is well seized of the premises, as a good indefeasible estate in Fee Simple; and has good right to bargain and sell the same in manner and form as is above written and that the same is free from all incumbrances whatsoever, except as hereinbefore mentioned.

And Furthermore, it the said grantor does by these presents bind it self and successors and assigns its/ heirs forever to Warrant and Defend the above granted and bargained premises to it the said grantee, its heirs, successors, and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

In Witness Whereof, Chatham Fire Association, Inc., has caused these presents to be executed in its corporate name and behalf and its corporate seal to be affixed hereto by

~~Hereunto~~ this 11th day of October, 1977.
 Signed and Delivered in the presence of: Chatham Fire Association, Inc.
 By Francis T. Walsh Jr.
 Its PRESIDENT hereunto duly authorized.
Mildred Nichols

STATE OF CONNECTICUT, } ss. 19
 COUNTY OF

Personally Appeared
 Signer(s) of the foregoing Instrument, and acknowledged the same to be free act and deed, before me.
 Notary Public / J. of Peace / Commissioner of Superior Court

STATE OF CONNECTICUT, } ss. East Hampton, October 31 1977
 COUNTY OF MIDDLESEX

Personally Appeared Francis T. Walsh Jr.
 as aforesaid, Signer of the foregoing Instrument, and acknowledged the same to be his free act and deed as such and the free act and deed of said corporation/partnership, before me.

Grantees' Address: Pauline L. Maricham
 Notary Public / J. of Peace / Commissioner of Superior Court

RECEIVED FOR RECORD AT E. HAMPTON, CT.
 ON 11/4/77 AT 4:48 P. M.
 Attest: PAULINE L. MARIQHAM, Town Clerk
 NOTARY PUBLIC
 My Commission Expires March 31, 1981

To Have and to Hold the above granted and bargained premises, with the appurtenances thereof, unto it the said grantee, its heirs, successors, and assigns forever, to its and their own proper use and behoof. And also, it the said grantor does for and assigns, itself, its heirs, executors, administrators, and successors, covenant with the said grantee, its heirs, successors, and assigns, that at and until the ensembling of these presents, it is well seized of the premises, as a good indefeasible estate in Fee Simple; and has good right to bargain and sell the same in manner and form as is above written and that the same is free from all incumbrances whatsoever, except as hereinbefore mentioned.

And Furthermore, it the said grantor does by these presents bind it self and successors and assigns its/ heirs forever to Warrant and Defend the above granted and bargained premises to it the said grantee, its heirs, successors, and assigns, against all claims and demands whatsoever, except as hereinbefore mentioned.

In Witness Whereof, Chatham Fire Association, Inc., has caused these presents to be executed in its corporate name and behalf and its corporate seal to be affixed hereto by

~~hereunto~~ this 31st day of October 19 77.
 Signed and Delivered in the presence of: Chatham Fire Association, Inc.
 [Signature] By [Signature]
 [Signature] Its PRESIDENT
 hereunto duly authorized.

STATE OF CONNECTICUT, } ss. 19
 COUNTY OF

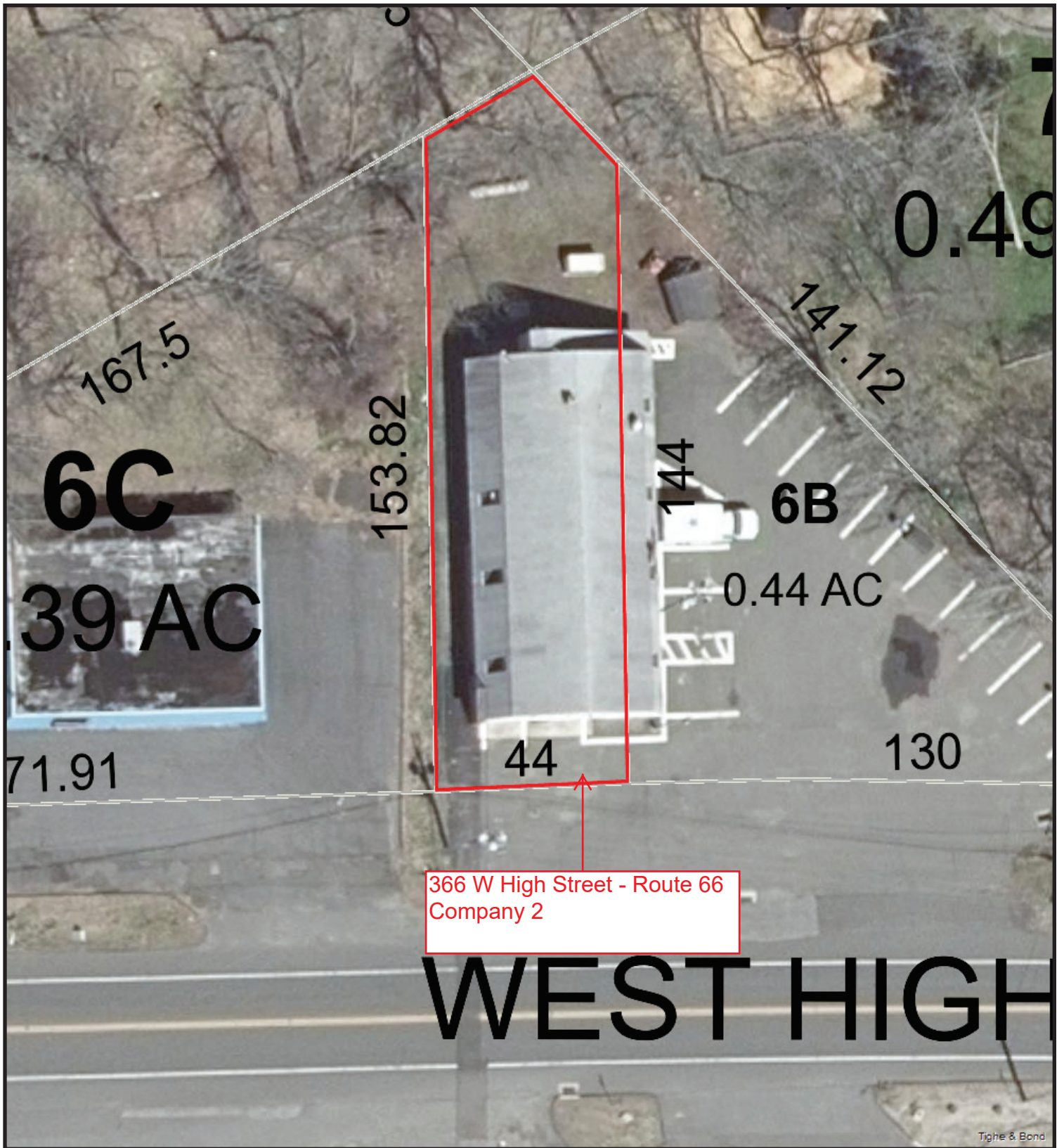
Personally Appeared
 Signer(s) of the foregoing Instrument, and acknowledged the same to be free act and deed, before me.
 Notary Public / J. of Peace / Commissioner of Superior Court

STATE OF CONNECTICUT, } ss. East Hampton, October 31 19 77
 COUNTY OF MIDDLESEX

Personally Appeared Francis T. Walsh Jr.
 as aforesaid, Signer of the foregoing Instrument, and acknowledged the same to be his free act and deed as such and the free act and deed of said corporation/partnership, before
 [Signature]
 Grantees' Address:
 Notary Public / J. of Peace / Commissioner of Superior Court

RECEIVED FOR RECORD AT E. HAMPTON, CT.
 ON 11/4/77 AT 4:01 P. M.
 Attest: PAULINE L. MARKHAM, Town Clerk

NOTARY PUBLIC
 My Commission Expires March 31, 1981



Company 2

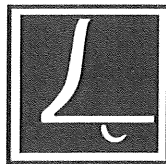
2/18/2021 11:22:48 AM

Scale: 1"=31'

Scale is approximate

The information depicted on this map is for planning purposes only.
It is not adequate for legal boundary definition, regulatory
interpretation, or parcel-level analyses.





**EAST HAMPTON
PUBLIC SCHOOLS**

PAUL K. SMITH
Superintendent of Schools

RODNEY L. MOSIER II
Director of Special Education
and Pupil Personnel Services

MARY E. CLARK
Director of Curriculum and Instruction

1 COMMUNITY DRIVE, SUITE 1
EAST HAMPTON, CONNECTICUT 06424
860-365-4000

KAREN HITCHCOCK ASETTA
School Business Manager

Consideration for 94 Main

To the East Hampton Board of Education and David Cox, Town Manager:

I am requesting that the Board of Education approve the use of 94 Main for the East Hampton Public Schools and, upon approval, forward the request to the Town Council for their consideration.

The Plan for the property is as follows:

1. **Move the Special Education Transition Program to the first floor of 94 Main.** This program is designed for specific post-graduate special education students from the age of 18-22 and is housed at the High School. We are required to educate students who qualify for this program through the age of 22. We contract with ECDC to provide educational and life-skills programming and internships, receiving a discount as we provide the space. We receive a further discounted as we have two tuition students in the program. Moving this program allows us to move the STARS program at the High School from its current location in a regular education classroom to the more specialized, multi-purpose space it requires that is currently occupied by the Transition Program.
2. **Move the technology department (3 full-time personnel and student part-time help) to the second floor of 94 Main.** These staff members are housed at the Memorial School in three of the small offices in the main office suite. While the space is not inappropriate, the second floor of 94 Main offers much more workshop space for the specialized nature of the technology department. Vacating the Memorial School offices allows for several people who do not have private counselling space or office space, including the special education team leader and other counselors who need appropriate venues for their work.
3. **Keep the garage storage at 94 Main for the school and the recreation department.** The current storage facility holds education supplies including extra furniture and the graduation set up, along with recreation supplies for the towns' programs. Selling the property would require rental of a facility to house the many items in storage.

The advantage of utilizing 94 Main for these two programs is that the space requires little adjustment to meet our needs.

1. **Using the space for these two programs does not require a code change for usage.** Since the students are 18 years of age and older, the building, which already meets business codes, does not have to be dramatically altered to meet education codes.
2. **The space requires minimal physical changes.** Don Harwood has reviewed the spaces and been in contact with a contractor. Don feels there are minor modifications to the second floor (two doors, paint, and some minor electrical work) that could be done in the next month. The plan would be

to move IT in during the April school vacation week if that works for our technology department. There is enough furniture in storage to accommodate IT. Don suggests tackling the first floor in phase two, ensuring that it is ready prior to the end of this fiscal year. We may need to purchase some furniture for the first floor. Don feels the project is very doable and confirms that we can make it functional very quickly.

Other considerations:

1. **The Board of Education would pay for the utilities, upkeep, and internet for the building.** Depending on the repairs needed on an annual basis, the annual cost to maintain and provide internet to 94 Main is approximately \$20,000 - \$25,000. The rental of storage units to accommodate the garage contents for both programs (school and recreation) would likely be as much.
2. **As a town building, the town would continue to mow, plow, and maintain the grounds.**
3. **The amount of cars in the lot would be less or at least similar to the amount present when the Board of Education offices were located at 94 Main,** allowing for ample overflow Main Street parking throughout the day.

The original Center School at 94 Main, as an historic building, has served the community since 1866. Keeping it occupied with school/town programming allows us to maintain its rich history at a time when our Main Street is undergoing a sense of renewal as the center of East Hampton.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul K. Smith', with a long horizontal flourish extending to the right.

Paul K. Smith



MEMORANDUM

TOWN COUNCIL

James Brown
Chairperson

Dean Markham
Vice Chairman

Tim Feegel


Derek Johnson

Barbara Moore

Mark Philhower

Kevin Reich

TO: Town Council

FROM: David E. Cox, Town Manager 

DATE: February 18, 2021

SUBJECT: 1 Watrous Street

The Town has owned the property at 1 Watrous Street since about April 2016. During its ownership, the Town has removed a water tower, provided basic clean up and secured the structure at the site. The property was listed for sale in 2019 and remains on the market today (\$225,000) despite the broker's listing agreement having expired. In 2020, the Town received a grant through the Connecticut Brownfield Land Bank to undertake environmental review of the property. The environmental reviews have been completed and the Council is being asked to consider a process for moving ahead with clean up and sale/reuse of the building.

History

Property records of the Town indicate that the structure was built in 1927. However, it is likely that the initial portions of the building were actually constructed in the late 1800's. Over the years, the building has been used for various manufacturing and service businesses but eventually fell into disrepair and became delinquent on taxes. The Town acquired the property through tax sale in 2016. After acquiring the property, the Town cleaned it of debris and made the initial attempt to market it for sale.

Environmental Review

In coordination with the Connecticut Brownfield Land Bank, Phase I and Phase II environmental review of the property was performed as was a more detailed Hazardous Building Materials review of the structure. Those reports have been distributed to the Council previously. As expected, those reviews identified various contaminants and pollutants in the soils and in the building including PCBs, asbestos and lead paint. The Land Bank is currently developing an estimated cost for remediation of the environmental issues at the site. As of today, the estimate for building remediation only is approximately \$160,000. Based on costs to date for work on 13 Watrous, I believe the Town could estimate as much as \$500,000 to remediate the entire property before it can be reused. I anticipate that the Town will have access to various grants that can be used to aid in remediation of the environmental issues at the site. Those grants will come with some expense by the Town.



Potential Sale

While the property was actively marketed, the Town received a few inquiries on the property and staff met with at least two separate interested parties. One party has made an offer well below the Town's listed price and, as part of the offer, showed a potential appearance for the structure, which would be used for unspecified commercial activity. Knowing that there are significant anticipated remediation costs along with major expenses to repair and update the building for reuse, the party was told that any decision on how the Town wished to move forward would be delayed. In addition, given the uncertainties of the site and the potential costs, it is important to understand the financial ability of a new owner to undertake those efforts in the context of an overall plan so that the Town can benefit from a redevelopment rather than being in a position to retake ownership of the property in the future. Additionally, it is likely important to the Town that it know what the future plan for the property might be and what the anticipated likelihood of success for the future activity is. Also, a redevelopment plan for 1 Watrous Street could include development of the 13 Watrous Street property as a single project meeting the needs of both the Town and the potential developer. Such an option should be explored as well.

Request for Proposals

As such, I am recommending that the Town undertake a Request for Proposals (RFP) process related to the future development of the site. Such process would include solicitation of proposals that include discussion of the proposed reuse of the building and related development of the 13 Watrous site along with the terms of a transaction that would likely include Town involvement in the clean-up and some financial involvement by the developer along with an assessment of the financial capabilities of the developer. I know that the Town has attempted disposal of property by RFP in the past without much success. I believe we can build on that effort and utilize the contacts that have been made regarding the property as well as the efforts of the real estate professional to solicit interest that will give the Town the opportunity to actively understand and control the future of the site.

If the Council agrees with this approach, staff and I will work with appropriate Town Boards and Commissions as well as appropriate grant-awarding agencies to develop an RFP that will be used to solicit proposals that address, at minimum:

- Potential reuse of the building
- Potential development of the extended site including 13 Watrous
- A proposed near term and long term financial arrangement including support of the Town's grant efforts, support of remediation costs, building/site redevelopment, off site or extended site development and future joint use of the site, sale of the building/site.
- Financial abilities of the developer



Town Council – 1 Watrous Street

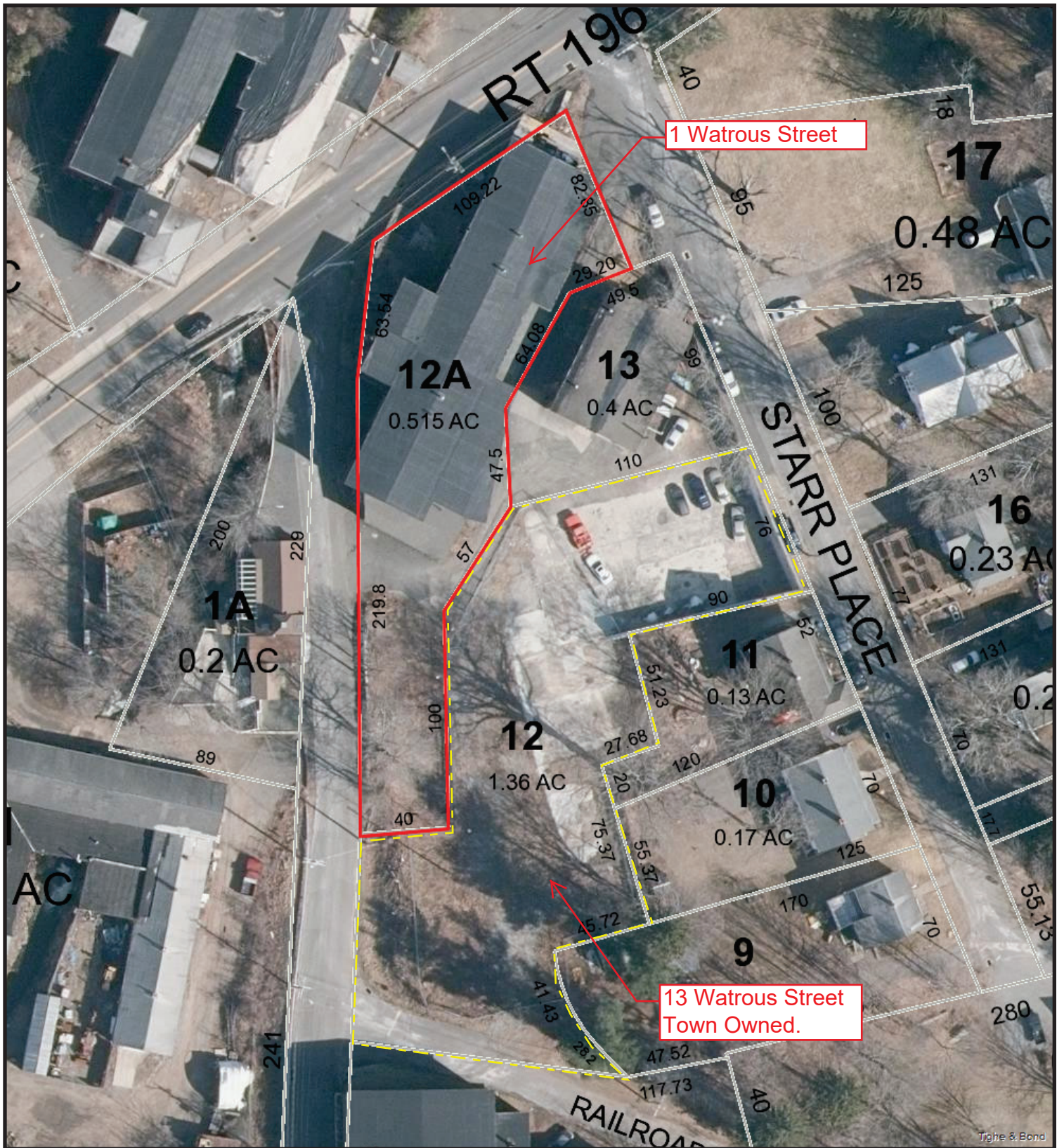
February 18, 2021

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- Potential future financial support from the Town

Those proposals would be reviewed by a committee to be selected in the future and may also be subjected to review by the Planning and Zoning Commission or other Town bodies. Ultimately, a vote of the Town Meeting would determine the fate of a sale.

DC



1 Watrous Street

2/18/2021 11:20:22 AM

Scale: 1"=62'

Scale is approximate

The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analyses.



Office of the COLLECTOR OF REVENUE
KRISTY MERRIFIELD, CCMC
kmerrifield@easthamptonct.gov



February 23, 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 seven (7) refunds totaling \$7,083.08.

Respectfully Submitted,

Kristy L. Merrifield, CCMC
Collector of Revenue

165.44	⊕
409.65	⊕
183.37	⊕
302.90	⊕
355.93	⊕
5,313.84	⊕
351.95	⊕
7,083.08	⊕

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BOARD AND COMMISSION SUMMARY JANUARY 2021

Arts & Culture Commission

The Arts & Culture Commission met on January 21 via Zoom. One grant application has been received for the \$500 grant. The grant deadline is April 1. No applications have been received for the \$200 Capstone grant. Ms. Sennett spoke with the Town Manager's Office about the hardware needed for the Art Gallery. Commission members agreed a COVID Creative exhibit highlighting creative accomplishments by members of the community would be a worthy idea to pursue. The Goff House Concerts are expected to begin at the end of June for six Thursdays.

Board of Finance

The Board of Finance met on January 19 via Zoom for their regularly scheduled meeting. No action of note was taken. Discussion items included 2020 Audit results and continued discussion on a BOE non-lapsing account for unexpended funds.

Brownfields Redevelopment Agency

The Brownfields Redevelopment Agency met on Monday, January 25 via Zoom. The members were updated on items being worked on within the town including water and the St. Clements new banquet hall construction. The members discussed the properties at 1 Watrous Street, 13 Watrous Street, and 3 Walnut Avenue. The members also received an update on the power point presentation for the Town Council. The information and documents are being collated and included into the power point. It should be finished for the March 9th meeting.

Clean Energy Task Force

The Clean Energy Task Force met on Tuesday, January 5. Jessica LeClair from Sustainable CT presented to the members about the organization. There are 160 towns that are registered with the organization with 61 towns becoming certified and 1,855 actions being completed. There is a 6-step process that has to be completed to enroll in the organization. A resolution and project plan must be written up and approved by the Town Council to start the enrollment process. The members made a motion to come up with a resolution for the Town Council to approve to join Sustainable CT. The members discussed getting John Hall for the February meeting and John Greeno for the March meeting as presenters. The members also discussed the power plant down the river. Their generator system will be redone and will be blowing smoke pollution into town. The members want to talk with the contact person, John Greeno, about this upcoming problem.

Commission on Aging

The Commission on Aging met on Thursday, January 14 via Zoom. The members received an update on the progression of the vaccine roll out. They discussed the Senior Center budget and will write a letter in support of a full time assistant. They began discussions of a 2021 Round Table. The Housing Authority Director has been invited to the February meeting.

Conservation-Lake Commission

The Conservation-Lake Commission met on Thursday, January 14 via Zoom. The members performed five plan reviews. The members discussed the budget for next year and the watershed projects under the grant. There was discussion on the topics under old business such as the review of the RFQ for Lake Limnologist, the sub-committee report on education, the advisory panel update, the lake smart program, and the lake level.

Design Review Board

The Design Review Board met on Thursday, January 21 via Zoom. The members discussed and approved/recommended two plan reviews for 249 West High Street for a new gas station and for 97 Main Street for Po's Rice and Spice for new parking area, deck, and sight improvements. The members briefly discussed the new signage plan for the Gulf gas station in the Village Center. They contacted Jeremy DeCarli about an update, but there hasn't been a response yet.

Economic Development Commission

The Economic Development Commission met on Tuesday, January 19 via Zoom. The members discussed the Bells on the Bridge Project, the business package promotion and tourism, reviewed the approvals and minutes from the last Planning and Zoning meeting, new business banner locations, Belltown Spotlight on Business, and the town beautification. The members also received an update from the Town Manager regarding the vaccination process for employees and the public.

Ethics Commission

No meeting

Fire Commission

The Fire Commission met on Monday, January 11 via Zoom. The Fire Chief presented the members with equipment that needed replacing. The members approved of the equipment purchases. The members also discussed purchasing an online training model to fill in for in-person training. Since COVID-19 the in-person trainings dropped due to proximity and number of attendees. The Fire Chief and Fire Marshal gave their reports to the members. The members also discussed updates for the dry hydrants, the AC upgrade, and discussed the budget for the next fiscal year. The members approved of the proposed fire lane for 101 Main Street and discussed the contact people for the NFIRS reports for the state. The members nominated the Fire Chief and Marty Swan as the contact people.

Inland Wetland Watercourses Agency

The Inland Wetland Watercourses Agency met on Wednesday, January 27 via Zoom.

Continued Applications:

- A. IW-20-034: John Uliano, 29 Pocotopaug Dr., To construct a pool and 2 retaining walls within the Upland Review Area. Map 25/Block 64/Lot 20A-1. Approved
- B. IW-20-035: Edgewater Hill Enterprises, LLC., East High St., to construct Salt Pond Apartments (40 units); a phase of the Edgewater Hills Master Plan. Map 10A/Block 85/Lot5C. Approved.
- C. IW-20-039: Donald Ballsieper, Navajo Trail, New home construction with the Upland Review Area. Map 09A/Block 74/Lot 167. Approved.
- D. IW-20-040: Cary L. Gagnon, 5 Boulder Road, to install bike trails and wooden bridges

in the wetlands and upland review area. Map 03A/Block 44/Lot 23F. Approved.

New Applications:

- A. IW-21-001: Steve and Diane Lanney, 13 Sears Lane, to construct a new single-family home within the Upland Review Area. Map 04A/Block 63B/Lot 10. Continued.
- B. IW-21-002: Mary Ann Hubert, 68 Spellman Point, to enlarge existing deck by 4' within the Upland Review Area. Map 09A/Block 70/Lot 9. Agent Approval

Public Hearings:

- A. IW-20-036: Connecticut Contractors Group, LLC., Daniel Street, Subdivision. Map 13/Block 51/Lot 1. Approved

Joint Facilities

The Colchester –East Hampton Joint Facilities Board met on January 19th via Zoom. The Joint Facilities committee reviewed and discussed the recommended operating and revenue budget for 2021/22 fiscal year. Any changes or corrections will be made at the February 16, 2021 meeting. There was a force main break off River Rd. in Colchester. Repairs were made the same day with limited damages. Mr. Clayton presented a video inspection of the Middletown Avenue pump station (MAPS) showing the mechanical workings of the pump station.

Library Advisory Board

The Library Advisory Board met on Monday, January 4 via Zoom. The members discussed the Library budget. They also discussed and approved the revised Circulation Policy. This will be forwarded to the Town Council for final approval. The Library received a \$1,000 donation from the Community Foundation of Middlesex County. There are no restrictions on the gift other than it be used for something fun as soon as possible.

Middle Haddam Historic District Commission

The Middle Haddam Historic District Commission met on Thursday, January 28 via Zoom. The members reviewed and discussed a plan review for replacing existing windows with 12 over 12 double-hung insert windows. The applicant joined the zoom meeting to present and answer questions for the commission members. The application was approved of as presented. The members discussed the new proposed zone change in the historic district.

Parks & Recreation Advisory Board

The Parks & Recreation Advisory Board met on Tuesday, January 5 via Zoom. The members discussed the Master Plan goals and objectives and the timeline. They were also updated on upcoming programming. They were updated on the budget and capital projects.

Planning & Zoning Commission

The Planning & Zoning Commission met on Wednesday, January 6 via Zoom.

Public Hearings

- A. Application PZC-20-025: Z Incorporated / Cobalt Health Care, 29 Middle Haddam Rd., for a Special Permit and Site Plan Modification for a 2698 sq. ft. addition. Map 01C/Block 9/Lot 7. Approved with conditions
- B. Proposed Text Amendment to Sections 2.2, 4.2, 4.3, 4.4 and 8.4 to allow Veterinary

Clinics in the R-2, R-3 and R-4 Zones. Approved with changes

- C. Application PZC-20-023: JCG Properties, LLC., 9 Middle Haddam Rd., for a Zone Change from R2 to Commercial for approximately 5 acres to operate a veterinary clinic. Map 01C/Block 9/Lot 5. Applicant withdrew application

New Business:

- A. Application PZC-20-024: Paula Free, 249 West High St., for a special permit per Sec. 8.4 Motor Fuel Filling Station for a proposed convenience store. Map 06/Block 12/Lot 1B. Public hearing set for February 3rd.
- B. Application PZC-20-026: Long Hill Estates, LLC., Long Hill Estate Subdivision, for a Zone Change R-2 to C. Map 06/Block 12/Lot 8. Public hearing set for February 3rd.
- C. Application PZC-20-027: Connecticut Contractors Group, LLC., Young/Daniel Street Subdivision. Map 13/Block 51/Lot 1. Public hearing set for February 3rd.

Town Facility Building Committee

The Town Facility Building Committee met on Thursday, January 7 via Zoom. The members received updates for the architect, construction manager, and the OPM for the project. The AV is 95% installed. In the Council chambers, the original monitors were removed, and new, slightly bigger monitors were installed. This issue is being investigated and a solution will be discussed. The members approved of one change order and didn't approve of the other change order. The members also approved of one invoice and tabled the other two invoices.

The Town Facility Building Committee met on Thursday, January 28 via Zoom. The members discussed open items. They also discussed a change order that will be brought to the next meeting regarding a glass change. It was also noted that CT Water has approved a change to a 2" meter for water.

Water Pollution Control Authority

The Water Pollution Control Authority Board met on January 5 via Zoom. The reduced interest rate option on delinquent revenue payments mandated by Executive Order 2020-7S due to the Covid-19 pandemic is still in place. This is low interest rate program at a rate of .25% for taxes, water and sewer bills. Mr. Clayton reported on two (2) new possible subdivisions. One located near Long Hill Rd and their probability in connecting to sewer and the second is five (5) apartment buildings which will be located behind the Town Hall.

Zoning Board of Appeals

No meeting.