

MEMORANDUM

TO: Town Council

FROM: David E. Cox, Town Manager 

DATE: July 21, 2022

SUBJECT: Agenda Information – 7/26/2022

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.

8 Continued Business

8b Determination regarding Adult Use Cannabis Regulation – As the Council will recall, in October 2021, an ordinance was adopted establishing a temporary one-year moratorium on cannabis-related commercial activities in East Hampton in response to the State Law adopted last summer that provided the framework for legal recreational adult use cannabis growth, production and sales. Prior to establishing the moratorium, the Council met in a combined meeting with the Planning and Zoning Commission to discuss the matter. At the June 14 Council meeting, comments were received at a public hearing on the matter of whether the Town should allow Adult Use Cannabis activities. After discussion, the Council tabled the matter to allow further consideration and to collect information on any nearby municipal decisions on the matter. The Council is asked at this meeting to discuss how it wishes to proceed. There are two fundamental questions the community must answer; whether it wishes to allow any of the regulated activities and, if so, how will they be regulated. As a reminder, production and sales license types for Adult Use Cannabis that can be regulated or prohibited by the municipality include Retailer, Hybrid Retailer (both adult-use and medical), Cultivator, Micro-Cultivator, Product Manufacturer, Food and Beverage Manufacturer, Product Packager, and Delivery or Transport. These are described briefly in the material found in the agenda packet from the Southeastern Connecticut Council of Governments (SCCOG). Materials have also been included from the Lower Connecticut River Council of Governments (RiverCOG), of which East Hampton is a member, identifying recent status of regulations in neighboring municipalities as well as drafts of regulations allowing certain activities in Cromwell and Durham.

The Council is asked to consider the feedback received and discuss whether it is ready to determine a direction for Adult Use Cannabis in Town based on the State Law. If the Council wishes to entertain some or all of the allowed uses, the Planning and Zoning Commission would be asked to develop appropriate regulations. If the Council determines that some or all of the uses should be prohibited, staff will draft the appropriate ordinance to put the prohibition in the Town Code.

Recommendation: Determine whether any activities will be allowed.

9 New Business

9a Consideration of action related to Tax Assessment Appeal Settlements– The Council is asked to consider approval of the settlements related to tax assessment appeals from the owners of CVS (50 East High Street) and Stop n Shop (11 East High Street) properties in the Fair Market Value amounts of \$5.1 million and \$10,225 million respectively. This translates to Assessment Values of \$3,750,000 and \$7,157,500 respectively. These are cases that were filed related to the 2020 Grand List and the resultant values will be applied to the 2021 Grant List and future Grand Lists unless there are improvements, or a revaluation is performed.

Recommendation: Approve the two settlements.

9b Consideration of action related to the Town Manager Assessment – The Council may take action related to completion of the Town Manager’s annual performance evaluation including any salary adjustment.

Recommendation: None.

9c Consideration of the Agreement related the Global 66 Business Incentive Program – The Council is asked to consider the formal Agreement Regarding Property Tax Assessment for Global 66, LLC related to the property at 265 West High Street. As the Council will recall, an application for assessment reduction under the Business Incentive Program was approved for a Second Tier incentive. The property owner has opted for a 70% reduction for three (3) years. The reduction in assessed value applies to the property improvements (not the land value) and will commence in the first Grand List after the improvements have received a Certificate of Occupancy. The agreement has been reviewed by the owner and is acceptable to them.

Recommendation: Approve the Agreement.

9d Consideration of various General Orders for the Police Department – The Council is asked to consider amendments to three existing General Orders and one new General Order as described in Chief Woessner’s memo. The updates apply to General Orders related to Securing Prisoners, Prisoner Transportation and Bomb Threat, Special Response Team and Hostage Negotiation Team Response. The new General Order relates to Vehicle Escort by the Police Department, which outlines the times and process by which one or more Police Department vehicles would escort other vehicles on the road such as funeral processions or for dignitaries.

Recommendation: Approve the General Orders.

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, July 12, 2022
Town Hall Council Chambers and Zoom

MINUTES

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

Absent: Brandon Goff

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 Ms. Walck, seconded by Mr. Feegel, to adopt the agenda with the addition of 5b for the Displayed Gardens event. Voted (6-0).

Approval of Minutes

A motion was made by Ms. Walck, seconded by Mr. Feegel, to approve the minutes of the Town Council Regular Meeting of June 28, 2022 as written. Voted (6-0)

Public Remarks

Dan Roy from the Parks & Rec Advisory Board wanted to express his support of the full-time position for program manager for the Parks & Rec department. If the position isn't accepted, it would stunt the growth and progress the Board and Parks & Rec has made.

Deborah McKinney Chairman of the Parks & Rec Advisory Board wanted to express her support of the full-time position for program manager for the Parks & Rec department. She stated the position should be paid through the Parks & Rec special revenue account. She urges the council members to approve of the position that was presented back in June.

Presentations

Public Review of Preliminary Engineering Report

Chuck Adelsberger and Ann Marie Turbeville gave a presentation on their preliminary report for having water accessible to more areas of town where water is needed most. Their evaluation after performing tests and collecting data is to make sure the sites producing water are viable enough to sustain the areas of town. They have two possible sites to test the water source and determine the viability of both sites. They used a power point presentation to show which sites will be tested and to explain their process and data collection.

Displayed Gardens Event

Council Member Walck wanted to acknowledge Melissa Pionzio and Rebecca Tinelle for their efforts and work putting together the Display Gardens event in town.

Bids & Contracts

None

Resolutions/Ordinances/Policies/Proclamations

Resolution for Historic Document Preservation Grant

The grant from the State is through the library and helps to preserve historic maps in the vault. The town is required to keep documents and maps stored in the vault.

A motion was made by Mr. Reich, seconded by Mr. Peterson, to accept the resolution for the Historic Document Preservation Grant. Voted (6-0)

Continued Business

Sub-Committee Reports & Updates

The water sub-committee had the engineering presentation. The Athletic Field Project is set for July 25th to apply the tennis court surface. The irrigation system at the school needs electrical work to be finished by the end of the month.

Consideration of Actions Regarding a Stone Wall Repair Project

- 1) **Waive Bidding:** A motion was made by Mr. Reich, seconded by Mr. Feegel, to waive the bidding for the stone wall repair project. Voted (6-0)

- 2) **Award Contract:** There are 3 bids before the members to consider.
A motion was made by Ms. Walck, seconded by Mr. Reich, to award the bid to Mark F. Defranchesco. Voted (6-0).

- 3) **Resolution Regarding ARPA Funds:** The members discussed the resolution regarding the ARPA funds for the town. There was discussion of which account the money would be withdrawn from.

A motion was made by Mr. Peterson, seconded by Ms. Walck, to use funds from the sidewalk account for the 11 Lakeview stone wall. Voted (6-0)

Consideration of Parks & Recreation Program Lead Position 100% Program Funded

Mr. Hall came before the Council to present and discuss the consideration of a Parks & Recreation program lead position that is 100% program funded. This proposed position was presented to the Council members at the June 14th meeting. This position would be fully funded by the programs. It would help with the current programs and aid in propelling the department into the future. Two years ago the part-time position was approved by the Town Council. The position then was covered 70% by the special revenue account. This new proposal has the position covered 100% by the special revenue account. The members wanted to make clear whether the position would be contract or union to ensure there is no backlash in the future with any complications.

A motion was made by Ms. Walck, seconded by Mr. Feegel, to approve of the Program Lead position as presented as long as it is 100% self-funded from the special revenue account. Voted (4-2). Mr. Brown and Mr. Reich against.

New Business

Consideration of RFP for Watershed Projects

The RFP for the Watershed Projects have been provided for the Council members to review. There are 3 additional projects that are capital funded; Sear's Park, Brookhaven, and Spellman Point. One project includes filter socks with three levels to ensure the run-off water filters before infiltration. The increase in size for the pipe by the Edgewater catch basin won't overflow or cause infiltration as stated by the engineers for the project. Mr. Reich has recused himself for the discussion and voting of the projects.

A motion was made by Mr. Peterson, seconded by Mr. Feegel, to approve of the RFP's for the Watershed projects presented. Voted (5-0-1 Mr. Reich recused).

Town Manager Report:

A written report has been provided for the members to review with their meeting packets. Touchless plumbing will be installed in the Senior Center and Library. Pizza with a cop event is being developed. This program is being set up in the hopes that the youth will get acquainted with the police department and vice versa. The K9, Ardo, will be coming back to work after recovering from getting hurt.

Appointments:

None

Tax Refunds:

None

Public Remarks – See above instructions

None

Communications, Correspondence & Announcements

Old Home Days and the festival are being held this weekend.

Executive Session

Discussion of Town Manager Performance Evaluation

A motion was made by Mr. Philhower, seconded by Ms. Walck, to go into executive session at 7:34 P.M. Voted (6-0).

Executive Session ended at 8:15pm

Possible Action on Executive Session Item

None

Adjournment

The meeting adjourned at 8:15pm

Respectfully Submitted,

Katrina Aligata
Recording Clerk



Municipal Obligations Related to the Passage of Public Act 21-1: *An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis*

**Prepared by Justin LaFountain, CZEO, Planner II
August, 2021**

Overview

On June 22, 2021, Governor Ned Lamont signed [Public Act No. 21-1](#), which legalizes the adult use of cannabis products and establishes a framework for regulating a cannabis industry in Connecticut. The legislation has many wide-ranging impacts related to cannabis, including legalizing the possession of cannabis by adults age 21 and over (up to 1.5 ounces on their person and up to 5 ounces in homes or locked in vehicle glove boxes), erasing previous marijuana convictions, and declaring that the smell of marijuana is no longer justification for police to search a motor vehicle. Additionally, beginning July 1, 2023, individuals age 21 and older may cultivate up to three mature and three immature cannabis plants at their residence without any special permissions.

Legal cannabis establishments will be licensed by the Connecticut Department of Consumer Protection but must also receive municipal zoning approval. Final license approval by the State of Connecticut will not be granted without local zoning approval. The law defines cannabis establishments as any cannabis producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer (retail and medical), food and beverage manufacturer, product manufacturer, product packager, and delivery service or transporter. These categories are further defined later in this document. It is anticipated that new cannabis establishments may begin to appear in Connecticut as early as the end of 2022.

Importantly, the new legislation authorizes municipal governments to regulate certain aspects of cannabis locally, including the location of production, sales, and usage. Municipalities that are home to cannabis retailers (including hybrid retailers) or micro-cultivator establishments will receive revenues equal to 3% of gross receipts of those establishments.

The municipality's governing body (town meeting, board of selectmen, etc.) and its zoning commission both have roles to play in regulating cannabis operations and use. This paper will discuss the specific issues municipalities and municipal zoning commissions should address. This document is not intended to provide legal advice. The legislation discussed herein is new, and municipal attorneys should be consulted with any legal questions. For further information, we recommend the [municipal impact overview](#) from the Connecticut Office of Policy and

Management (OPM) and this [video](#) from the Connecticut Chapter of the American Planning Association (CCAPA) and the Connecticut Association of Zoning Enforcement Officials (CAZEO).

Zoning Regulations

Planning and zoning commissions (or zoning commissions where the two bodies are not combined) are permitted to regulate cannabis establishments through municipal zoning regulations. Zoning regulations may prohibit cannabis establishments, establish reasonable restrictions on the hours and signage of cannabis establishments, or place proximity restrictions on cannabis establishments from churches, schools, charitable institutions, hospitals, veteran’s homes, and/or military barracks (Sec. 148 (b)).

Regulations That Do Not Address Cannabis

If a municipality chooses not to address cannabis establishments specifically in their zoning regulations, the new law states that cannabis establishments shall be permitted as if they were any other similar use in any zone (Sec. 148 (c)). The intent of the legislation was that existing zoning for similar uses (e.g., liquor stores) would apply to cannabis retailers by default, but that specificity is absent in the statute.

Cannabis Establishment License Types

The new law will enable a variety of cannabis-related businesses, from indoor cannabis growers, to producers of edible cannabis products, to retail stores, to delivery services. The law establishes eight different State license types which could be used in defining each specific cannabis establishment in zoning regulations. Each license has unique attributes. The license types relating to land use are as follows:

License Type	License Description
Retailer License	A retailer may purchase and sell recreational cannabis to consumers and research programs. This license excludes medical marijuana dispensaries and hybrid retailers.
Hybrid Retailer License	A hybrid retailer may purchase and sell recreational cannabis, along with medical marijuana products.
Cultivator License	A cultivator may cultivate, grow, and propagate cannabis at an indoor establishment of not less than 15,000 square feet of grow space.
Micro-Cultivator License	A micro-cultivator may cultivate, grow, and propagate cannabis at an indoor establishment of not less than 2,000 square feet and not more than 10,000 square feet of grow space.
Product Manufacturer License	A product manufacturer may obtain cannabis, and extract and manufacture cannabis products.
Food and Beverage Manufacturer License	A food and beverage manufacturer may own and operate a business that obtains cannabis, and creates food and beverages using cannabis.

Product Packager License	A product packager may package and label cannabis products.
Delivery Service or Transporter License	A delivery service may deliver recreational cannabis to consumers, and may deliver medical marijuana to qualifying patients. A transporter may transport cannabis products between cannabis establishments, laboratories, and research programs.

It is important that municipalities address the variety of cannabis-related uses enabled by the new legislation. For example, if cannabis retail stores are addressed within the zoning regulations, but cannabis cultivators are not, the cultivators would by default be regulated by the zoning of the nearest similar use already in the zoning regulations.

The law allows municipalities to grant zoning approvals to a maximum of one retailer and one micro-cultivator per every twenty-five thousand residents of a municipality, until June 30, 2024, when the Connecticut Department of Consumer Protection (DCPD) may increase the permitted number (Sec. 148 (e)). Until that date, a city of 40,000 residents, for example, would be allowed up to two retailers and two-micro-cultivators. The number of establishments of other license types is unlimited. In order to monitor compliance, retailer and micro-cultivator licenses require a special permit or other affirmative approval from the municipality (Sec. 148 (g)).



An existing cannabis retailer in Lee, MA. (Photo credit: Josh Landes, WAMC; wamc.org/new-england-news/2019-07-05/lee-mas-first-recreational-marijuana-shop-opens)

While municipalities may restrict a delivery service from basing its business locally, municipalities may not prohibit delivery of cannabis products within municipal limits (Sec. 83 (b)).

Signage

The Public Act includes restrictions on signage for cannabis establishments (Sec 33). Signage is prohibited from:

- Targeting or being designed to appeal to individuals under 21;
- Claiming or implying that cannabis products have curative or therapeutic effects;
- Being visible to the public within 500 feet of an elementary or secondary school ground, recreation center, child care center, playground, park, or library;
- Including the words ‘drug store,’ ‘pharmacy,’ ‘apothecary,’ ‘drug(s),’ or ‘medicine shop;’ or
- Advertising any specific brand or kind of cannabis product.

The law notes that zoning commissions may establish reasonable restrictions regarding the hours and signage of cannabis establishments (Sec. 148 (b)).

Notification of Regulation Changes

If zoning regulations are amended in regards to cannabis establishments, the chief zoning official¹ must notify the Secretary of the Connecticut Office of Policy and Management no more than 14 days from the adoption of the changes (Sec. 148 (b)). Such changes are to be submitted via email to daniel.morley@ct.gov. The zoning official must also notify the Connecticut Department of Consumer Protection.²

Referendum Provision

An important caveat to the above information is the referendum provision of the new law, which enables voters to force a referendum on whether the retail sale of cannabis will be allowed within the municipality. A referendum must be held if 10% of registered voters in a municipality petition for such a referendum. Although the legal ramifications of a referendum vote that conflicts with existing zoning regulations are uncertain, amending the zoning regulations to be in harmony with the referendum results would be wise to avoid future legal conflicts.

Municipal Ordinances

Regulation of Public Smoking of Cannabis

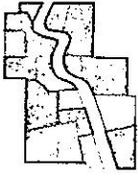
Municipal governing bodies also have authority over certain aspects of cannabis. As of October 1, 2021, governing bodies have the authority to establish ordinances regulating the use of cannabis in lighted cigarette, pipe, or similar form on land under the control of the municipality. Current ordinances related to the use of tobacco products may be sufficient to address this topic, but they should be reviewed if a municipality wishes to also prohibit the smoking of cannabis on municipal land. If a municipality with a population of greater than 50,000 people chooses to limit cannabis consumption on public lands, the municipality must designate a place where public consumption of cannabis is permitted. If they choose, municipalities may also prohibit and set fines for the smoking of cannabis in outdoor sections of restaurants ((Sec. 84 (H) (xvi)). The law does not allow municipalities to prohibit the use of edible cannabis products on municipally-controlled land or outdoor restaurant spaces.

Recouping of Public Service Costs

Municipalities may charge a retailer or hybrid retailer for any necessary and reasonable costs incurred by the municipality for public safety services, including costs to direct traffic, relating to the opening of the establishment. Municipalities may charge retailers for expenses incurred only in the first 30 days after opening, and charges may not exceed \$50,000 (Sec. 83 (d)). Separate local host agreements, such as those entered into by municipalities and cannabis establishment operators in Massachusetts, are not permitted (Sec. 83 (c)).

¹ The term 'chief zoning official' is undefined at this time but presumed to mean the Zoning Enforcement Officer.

² As of the writing of this paper, a specific email address for DCP has not been provided.



FOR FILE

Lower Connecticut River Valley Council of Governments
145 Dennison Road Essex, CT 06426 | +1 860 581 8554 | www.rivercog.org
Regional Planning Committee

May 2, 2022

Mr. Frank DeFelice, Chairman
Durham Planning & Zoning Commission
30 Town House Road
P.O. Box 428
Durham, CT 06422

SUBJECT: Petition to Allow Cannabis Establishments by Special Permit in Certain Zones
Petitioners: Durham Planning & Zoning Commission

Dear Mr. DeFelice:

The Durham Planning & Zoning Commission has submitted the proposed zoning regulation petition to the RiverCOG Regional Planning Committee for review for intermunicipal impacts pursuant to Section 8-3b of the Connecticut General Statutes. The petition proposes the addition of Section 14.7, regulations that will permit the establishment of cannabis establishments, both dispensaries and producers (micro-cultivators) in certain districts according to newly adopted standards. These comments are offered for the consideration of the Durham Planning & Zoning Commission at its public hearing scheduled to commence on Wednesday, May 4, 2022.

Findings

At its monthly meeting on Monday, April 25, 2022, members of the RPC discussed five petitions concerning the sale and cultivation of cannabis, one of which was the Durham petition. Three of the petitions proposed regulations to establish sales and production of cannabis (Cromwell, Durham and Westbrook), one proposed a six-month moratorium (Westbrook – proposal of the two petitions at the same time), and one which proposed a prohibition of cannabis establishments with limited exceptions (Old Saybrook).

In an effort to more fully understand the ramifications of the various petitions and the permitting of the sale and production of cannabis, members were presented with background on the issues of cannabis sales and production and the status of cannabis regulation adoption in the RiverCOG towns and surrounding adjacent towns. Members also heard and participated in a staff description of a Friday, April 22, 2022 site tour of the CT Pharma production site in Rocky Hill. RPC members expressed no significant concerns regarding the intermunicipal impacts of sale of adult-use cannabis other than costs to a town and parking management issues, which were acknowledged to be more “internal” to a town’s decision-making process. Members came away with an understanding that from an

RiverRPC

intermunicipal impact perspective, however, production facility odor management and considerations regarding water use and disposal were of most concern.

When discussing the three petitions that would permit the establishment of cannabis production facilities, it was noted that only the Durham regulations include an important standard that allows the Planning & Zoning Commission to consider requesting an Odor Dispersion Analysis that would assist in deciding whether concerns regarding production odor issues warrant more attention before approving a Special Permit application. The other regulations did not. For the purposes of this intermunicipal impact review, members concurred that such an analysis would be most important for a production facility that might be located close to the Durham municipal border, thereby potentially impacting properties in a neighboring town. Comments sent to the other two towns included a recommendation to include odor management language similar to that included in the Durham petition.

Members of the RPC also expressed concerns about potential water use and discharge in production facilities and suggested that language be included in the regulation that would allow the Planning & Zoning Commission to review water use characteristics of a facility. Depending upon location, water use characteristics could impact properties in adjacent towns. For sites where there is no public water available, information regarding the whereabouts of a well-fed water system would seem important in determining the viability of cannabis production plants.

Thank you for the opportunity to comment on the proposed regulations. If the Commission has any questions regarding this review or any other land use issue, please don't hesitate to contact us at 860-581-8554.

For the Commission,



J. H. Torrance Downes
Deputy Director, RiverCOG

Copy via email to:

Joe Pasquale, Durham Alternate to the Regional Planning Committee

RiverRPC

(NEW) Special Regulations: Section 14.7 - Cannabis Establishments

14.7.1: Purpose

The purpose of this section is to allow for the comprehensive review and deliberation on cannabis establishments to ensure any cannabis establishments as proposed, is in harmony with and will not have a detrimental effect with on the surrounding area and that both the operation and location are protective of public health and welfare.

14.7.2: Definition of Terms:

For the purpose of this section, the terms referred to herein shall be defined and used as outlined in PA-21-1.

Cannabis Establishment: a non-profit, person(s) or business entity otherwise engaged in an activity which would be defined as a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, transporter and, delivery service by PA-21-1 (SB 1201).

Cannabis Hybrid Retailer- means a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products at a cultivating facility.

Cannabis Retailer means a person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufacturers and food and beverage manufacturers and sell cannabis to consumers and research programs.

Cultivator-means a person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with no less than fifteen thousand square feet of grow space.

Delivery service: means a person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in a section 21a-408 of the general statutes, or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to chapter 368v of the general statutes that have protocol for handling and distribution of cannabis that has been approved by the department, or a combination thereof.

Micro-cultivator means a person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an *establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space*, prior any expansion authorized by the commissioner.

Food and Beverage Manufacturer: means a person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.

Producer: means a person that is licensed as a medical marijuana producer pursuant to section 21a-408i of the general statutes and any regulations adopted thereunder.

Product Manufacturer: means a person that is licensed to obtain cannabis, extract and manufacture products exclusive to such license type.

Product packager: means a person that is licensed to package and label cannabis.

Transporter: means a person licensed to transport cannabis between cannabis establishments, laboratories and research programs.

14.7.3 Cannabis Establishments Allowed by Special Permit:

Non-Conforming Properties by Use: This Provision does not apply to any non-conforming commercial or industrial use in a residential zone. These uses are strictly prohibited in all Residential zones including on legal non-conforming properties.

License Type	Commercial	Industrial	Farm Res.	Main St.
Cannabis Hybrid Retailer	NA	SP	NA	NA
Cannabis Retailer	SP	SP	NA	NA
Cultivator	NA	NA	NA	NA
Micro-cultivator	NA	SP	NA	NA
Food and Beverage Manufacture	NA	SP	NA	NA
Producer	NA	SP	NA	NA
Product Manufacturer	NA	SP	NA	NA
Product Packager	NA	SP	NA	NA

Cannabis retailers, micro-cultivators and cultivators may be allowed by Special Permit in accordance with Section 14.7.3 of the Regulations and are subject to the standards below:

14.7.4 Cannabis Retailers:

1. All retailers shall comply with the following standards:
 - a. Shall not be located with 500 feet of any church, school, park, playground, or childcare facility.
 - b. Hours of operation shall not extend beyond 8:00 a.m. to 10:00 p.m. Monday- Saturday, Sunday 10:00 a.m. to 6:00 p.m.
 - c. No consumption on the premises.
2. Application requirements include:
 - a. A provisional license issued for a retail operation issued by the Connecticut Department of Consumer Protection
 - b. Operational Plan which includes:
 - Hours of operation
 - Security and access plan
 - Proposed signage
 - Odor Management- monitoring and mitigation

14.7.5 Micro-cultivators:

1. All micro-cultivators shall comply with the following standards:
 - a. All cultivation shall be conducted within an enclosed building.
 - b. State of Connecticut Micro-cultivators License shall be obtained from the State of Connecticut and filed upon the Land Records for the Town of Durham.
 - c. Minimum 1,000 feet to a residential structure. The Commission may consider increasing the separating distance based on site topography, height of proposed building and adjacent buildings, Odor Dispersion Analysis, and any other factors that may be site specific.
2. Application requirements include:

- a. A provisional license issued for a micro cultivation or cultivation operation issued by the Connecticut Department of Consumer Protection
- b. Operational Plan which shall include:
 - Hours of operation
 - Security and access plan
 - Proposed signage
 - Odor Control Plan- monitoring and mitigation

14.7.6 Conditional Approval:

A. Special Permits shall be approved with the condition that the applicant obtains the appropriate Dispensary or Production Facility license issued by the State of Connecticut Department of Consumer Protection (or other State agency as regulatory changes occur).

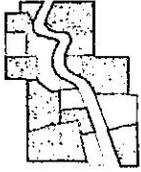
B. The conditional approval shall become finalized upon the receipt by the Town Planner of a copy of the Department of Consumer Protection-issued license.

C. The conditional approval shall expire if the applicant fails to provide the Town Planner with a copy of the Department of Consumer Protection-issued license within six months of the date of the TPZ's conditional approval.

1. A six-month extension of such conditional approval shall be granted to the applicant upon written notification to the Town Planner that an application for a Department of Consumer Protection license has been filed, indicating the expected decision date of the Department of Consumer Protection license.

D. No entity shall operate without a valid, current license.

FOR FILES



Lower Connecticut River Valley Council of Governments

145 Dennison Road Essex, CT 06426 | +1 860 581 8554 | www.rivercog.org
Regional Planning Committee

May 2, 2022

Ms. Alice Kelly, Chairman
Cromwell Planning & Zoning Commission
41 West Street
Cromwell, CT 06416

SUBJECT: Petition to Permit the Sale and Cultivation of Cannabis by Special Permit
Petitioner: Cromwell Planning & Zoning Commission

Dear Ms. Kelly:

The subject petition has been submitted to the Regional Planning Committee (RPC) for review for potential intermunicipal impacts to RiverCOG municipalities pursuant to Section 8-3b of the Connecticut General Statutes. The petition establishes regulations that will allow the sale and cultivation of cannabis through a Special Permit process, all according to CGS Sections 21a-240 and 21a-408 et seq. These comments are submitted for the consideration of the Cromwell Planning & Zoning Commission at its continued public hearing scheduled for Tuesday, May 5, 2022.

Intermunicipal Impacts

At its monthly meeting on Monday, April 25, 2022, members of the RPC discussed five petitions concerning the sale and cultivation of cannabis, one of which was the Cromwell petition. Three of the petitions proposed regulations to establish sales and production of cannabis (Cromwell, Durham and Westbrook), one proposed a six-month moratorium (Westbrook – proposal of the two petitions at the same time), and one which proposed a prohibition of cannabis establishments with limited exceptions (Old Saybrook).

In an effort to more fully understand the ramifications of the various petitions and the permitting of the sale and production of cannabis, members were presented with background on the issues of cannabis sales and production and the status of cannabis regulation adoption in the RiverCOG towns and surrounding adjacent towns. Members also heard and participated in a staff description of a Friday, April 22, 2022 site tour of the CT Pharma production site in Rocky Hill. RPC members expressed no significant concerns regarding the intermunicipal impacts of sale of adult-use cannabis other than costs to a town and parking management issues, which were acknowledged to be more “internal” to a town’s decision-making process. Members came away with an understanding that from an intermunicipal impact perspective, however, production facility odor management and considerations regarding water use and disposal were of most concern.

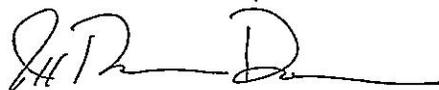
It was noted that the standards included in the Cromwell petition made no mention of managing potential odors of production and recommend that language be added that requires

RiverCOG

an odor management plan that is based on an Odor Dispersion Analysis. Where such production facilities would be separated from residential uses within a town by virtue of being permitted in an industrial zone, there could be circumstances where that industrial zone might be located on a town boundary where residential properties exist across that boundary in the adjacent town. The odor management provision would protect those residential property owners. Further, because of concern over the water use characteristics of production facilities, it was recommended that the P&Z should include a requirement for an analysis of water use (both consumption and discharge) as a decision-making tool as well. With these additional standards, RPC members felt that adverse intermunicipal impacts would be managed to the greatest degree possible.

Thank you for submitting the subject petition for review and considering the suggestions offered in this letter. If the Planning & Zoning Commission has any questions regarding this or any other regional issue, please feel free to contact me at (860) 581-8554.

For the Committee,



J. H. Torrance Downes
Deputy Director, RiverCOG

Copies via email to:

Mr. Frank DeFelice, Chair, RPC

Mr. Nick Demetriades, Cromwell Representative to the RPC

Mr. Anthony LaCava, Cromwell Alternate to the RPC

RiverCOG

April 5th Public Hearing
Referred: 3/18/22

Intermunicipal
Referral
Cromwell
Application# 22-06

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR AMENDMENT TO THE ZONING REGULATIONS

Name: Town of Cromwell P2C
Address: 41 West Street
Cromwell CT 06052
Telephone: 203-632-3422 Email: spopper@cromwellct.com

A. Request to Change an Existing Regulation:

1. Current Article Number: _____

2. Current Regulation wording (attach if necessary):

3. Proposed Change wording (attach if necessary):

B. Request to Create a New Regulation:

1. Suggested Article Number: 3.5.C.4. and 6.11

2. Zoning District(s) to be Affected by New Regulation: F. and HB

3. Wording of New Regulation (attach if necessary):
see attached

C. Reason for Proposed Change or New Regulation:

Establish new zoning regulations to allow by special permit the sale and cultivation of cannabis.

Arthur B. Popper
(Applicant)

3/15/22
(date)

Cromwell

6.11 ADULT USE CANNABIS (Draft prepared by Town Staff)

6.11.A. **Purpose:** The purpose of this section is to regulate the location and operation of medical marijuana dispensary facilities, medical and production facilities, and adult-use cannabis retail and cultivation. The intent of these Regulations is to minimize any adverse impacts of such facilities, and to protect and preserve Cromwell's neighborhoods, commercial districts, property values and quality of life.

6.11.B Special Permit Required.

The sales and cultivation of cannabis may be authorized as a Special Permit provided the use is allowed in the district, and the following standards are met.

6.11.C. Definitions:

1. "Adult-Use Retailer" means a person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufactures and food and beverage manufacturers and to sell cannabis to consumers and research programs.
2. "Cannabis" means marijuana, as defined in section 21a-240 of the general statutes.
3. "Cannabis product" means cannabis that is in the form of a cannabis concentrate or a product that contains cannabis, which may be combined with other ingredients, and is intended for use or consumption.
4. "Consumer" means an individual who is twenty-one years of age or older;
5. "Cultivation" has the same meaning as provided in section 21a-408 of the general statutes.
6. "Cultivator" means a person that is licensed to engage in the cultivation, growing, and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.
7. "Dispensary facility" means a place of business where medical marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers and for which the Connecticut Department of Consumer Protection has issued a dispensary facility permit under CGS Sec. 21a-408 et seq. as they may be

amended and Sections -1 to 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended.

8. "Hybrid retailer" means a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.
9. "Micro-cultivator" means a person licensed to engage in the cultivation, growing, and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the Commissioner of Consumer Protection.
10. "Production facility" means a secure, indoor facility where the production of medical marijuana occurs and is operated by a person to whom the Connecticut Department of Consumer Protection has issued a production facility permit under CGS Sec. 21a-408 et seq. as amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended.

6.11.D. Applicability:

1. Medical marijuana dispensary facilities and production facilities shall be governed by CGS Sec. 21a-408 et seq. as amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended and permitted only in the following zones, subject to special permit approval in accordance with Section 8.7 of these Regulations, site plan approval in accordance with Section 8.6 of these Regulations, and the requirements of this section.
2. Cannabis retail and hybrid-retail facilities shall be governed by The Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA"), the Public Act 21-1 / Senate Bill 1201 as amended inclusive of the Regulations of Connecticut State Agencies as they may be amended and permitted only in the following zone, subject to special permit approval in accordance with Section 5.2 of these Regulations, site plan approval in accordance with Section 5.3 of these Regulations, and the requirements of this section.
3. Adult-use cannabis cultivator and micro-cultivator facilities shall be governed by the RERACA, the Public Act 21-1 / Senate Bill 1201 as amended inclusive of the Regulations of Connecticut State Agencies as they may be amended and

permitted only in the following zones, subject to special permit approval in accordance with Section 8.7 of these Regulations, site plan approval in accordance with Section 8.6 of these Regulations, and the requirements of this section.

a. Industrial Zone District for Adult – Use Cannabis Cultivator and Micro-cultivator facilities.

b. Highway Business Zone District for Adult-Use Cannabis Retailer, Hybrid-retailer and Medical Marijuana Dispensary facility only.

6.11.E. Separation Requirements: Uses identified in this section shall be subject to the following separation restrictions:

1. No medical marijuana production, or adult-use cannabis cultivator or micro-cultivator facility shall be allowed within 100 feet of a church, temple or other place used primarily for religious worship, public building, private recreation area, or a school, playground, park or child day care facility.
2. No medical marijuana production facility, or adult-use cannabis cultivator or micro-cultivator facility shall be allowed on a site that is less than 100 feet from any property that is zoned for single-family residential use as a permitted use.
3. No medical marijuana dispensary facility or production facility, or adult use cannabis retailer, hybrid-retailer, cultivator, or micro-cultivator facility shall be allowed within the same building, structure or portion thereof that is used for residential purposes, or that contains another medical marijuana dispensary, production facility, or adult use cannabis retail, hybrid retail, cultivator, or micro-cultivator facility.
4. No adult-use cannabis retail or hybrid-retailer shall be located less than 500 feet from another adult-use cannabis retail or hybrid-retail. Distance shall be measured from the radius of the front door to front door of each establishment.
5. All distances contained in this section, other than those specified in the subsection "E" above shall be measured by taking the nearest straight line between the respective lot boundaries of each site.

6.11.F. Minimum Floor Area Requirements:

1. No medical marijuana production facility shall be allowed in a building with less than 25,000 square feet of gross floor area.

6.11.G. Sign and Exterior Display Requirements:

1. Exterior signage shall be in compliance with Section 5.3 of the Zoning Regulations.

6.11.H. Off-Street Parking Requirements:

1. Required off-street parking shall be in compliance with Section 5.2 of these regulations.

6.11.I. Security Requirements:

1. All medical marijuana dispensary facilities and production facilities shall have an adequate security system to prevent and detect diversion, theft or loss of marijuana utilizing commercial grade equipment meeting at least the minimum requirements of Sec. 21a-408-62 of the State of Connecticut Regulations.
2. The hours of operation for medical marijuana dispensary facilities shall be limited to between 7:00 a.m. and 7:00 p.m., all days of the week.
3. There shall be no limitation on the hours of operation for medical marijuana production facilities, all days of the week.

6.11.J. Conditional Approval:

1. Special Permits shall be improved with the condition that the applicant obtains the appropriate Dispensary or Production Facility license issued by the State of Connecticut Department of Consumer Protection (or other State agency as regulatory changes occur).
2. The conditional approval shall become finalized upon the receipt by the Director of Planning and Development of a copy of the Department of Consumer Protection-issued license.
3. The conditional approval shall expire if the applicant fails to provide the Director of Planning and Development with a copy of the Department of

Consumer Protection-issued license within six months of the date of the Planning and Zoning Commission's conditional approval.

A six-month extension of such conditional approval shall be granted to the applicant upon written notification to the Director of Planning and Development that an application for a Department of Consumer Protection license has been filed, indicating the expected decision date of the Department of Consumer Protection license.

4. No entity shall operate without a valid, current license.

6.11.K. Connecticut Department of Consumer Protection Approval:

1. The applicant shall provide the Director of Planning and Development with a copy of the appropriate Dispensary or Production Facility license issued by the State of Connecticut Department of Consumer Protection, and any subsequent renewed license.

Town	Region	Hearing Date	Approval Date	Regulation Number
Berlin	Capitol	TBD	TBD	TBD
Bozrah	Southeast COG	TBD	TBD	TBD
Cheshire	Naugatuck Valley	TBD	TBD	TBD
Chester	RiverCOG	TBD	TBD	TBD
Clinton	RiverCOG	NA	11/8/2021	Section 27.1, 27.2, 27.3
Colchester	Southeast COG	TBD	TBD	TBD
Cromwell	RiverCOG	4/19/22 (cont)	Pending	Sections 3.5.C.4, 6.11
Deep River	RiverCOG	5/18/2022	TBD	TBD
Durham	RiverCOG	5/4/2022	Pending	Section 14.7
East Haddam	RiverCOG	6/14/2022	TBD	TBD
East Hampton	RiverCOG	TBD	TBD	TBD
East Lyme	Southeast COG		10/28/2021	Section 11.2.13, 25.5
Essex	RiverCOG	TBD	TBD	TBD
Fenwick	RiverCOG	NA	NA	NA
Franklin	Southeast COG	TBD	TBD	TBD
Glastonbury	Capitol	NA	NA	NA
Haddam	RiverCOG	NA	NA	TBD
Hebron	Southeast COG	NA	NA	TBD
Killingworth	RiverCOG	6/1/2022	TBD	500-238, 239, 240, 241
Lebanon	Southeast COG	NA	NA	NA
Lyme	RiverCOG	May, 2022	TBD	TBD
Madison	South Central COG	TBD	TBD	TBD
Marlborough	Capitol	TBD	TBD	TBD
Meriden	South Central COG	NA	11/29/21 Eff.	Section 213-30 M-2; M-3
Middlefield	RiverCOG	NA	10/12/2021	Section 3.7
Middletown	RiverCOG	NA	8/19/2021	Section 16.6, 40.04, 40.05
Montville	Southeast COG	TBD	TBD	TBD
Newington	Capitol	NA	Winter	TBD
North Branford	South Central COG			TBD
Old Lyme	RiverCOG	NA	NA	TBD
Old Saybrook	RiverCOG	5/2/2021	5/2/22 Eff. 5/2/22	TBD
Portland	RiverCOG	7/14/2022	7/14/2022 (TBD)	Section 9.88
Rocky Hill	Capitol	NA	NA	Section 4.B.2, 4.B.6, 6.O.1
Salem	Southeast COG	TBD	TBD	TBD
Southington	Capitol	NA	9/25/2021	24-Nov
Sprague	Southeast COG	NA	NA	NA
Wallingford	South Central COG	NA	NA	Section 6.34
Waterford	Southeast COG	TBD	TBD	TBD
Westbrook	RiverCOG	5/26/2022	TBD	Section 6.S
Wethersfield	Capitol	TBD	TBD	TBD

Decision	Description
Moratorium TBD	12-month; (August, 2021 to August, 2022)
Moratorium TBD	12 month; February 2022 to February 2023
Prohibition	Medical and Recreational Marijuana
Moratorium	12-month; (September 20, 2021 to September 20, 2022)
Sales/Cultivation TBD	Establish Cannabis Sales/Production
TBD	Establish Cannabis Sales/Production
TBD	Establish Cannabis Sales/Production; Moratorium in Effect.
Moratorium	6-month; (Exp. 6/22, to be extended)
Moratorium	12-month; (10/21/21 to 10/21/22)
Sales/Cultivation	Retail and Micro-Cultivator, LI Zone (one site available)
Moratorium	12-month; (12/31/21 to 12/31/22)
NA TBD	Will not address. Residential and Golf Zoning Only
TBD	P&Z looking for public input
Moratorium	12-month; Extends through March 1, 2023
Prohibition	All recreational cannabis establishments.
Moratorium	Expires 12/31/2022
Moratorium	One-year; July 1, 2022 through July 1, 2023
Cultivation Only	Permits cultivation, prohibits sales
Prohibition	All cannabis uses prohibited
Moratorium TBD	9-month; (November 5, 2021 through August 5, 2022)
TBD	Moratorium Expired 5/23/22, not renewed.
Sales/Cultivation	Microcultivator (11/29/21); Retail/Hybrid (9/14/21)
Prohibition	All cannabis uses prohibited
Sales/Cultivation TBD	Retail Sales and Microcultivation
TBD	
Sales/Cultivation	Two hybrid dispensaries, microcultivators (2)
Moratorium	Ongoing moratoriums
Prohibition	All retail sales and cultivation
Prohibition	Prohibition, new retail, manufacturing cultivation.
Moratorium	Moratorium, August 1, 2022 through May 1, 2023
Sales/Cultivation TBD	Medical Marijuana Dispensaries, Producer
TBD	To be brought up in several months after PoCD
Prohibition	All uses, buildings and structures prohibited in all districts
Sales/Cultivation	Industrial Zone only
Prohibition	Prohibition of all cannabis establishments
Moratorium	12-month; Expires mid Decemnrber, 2022
Moratorium	6-month; (5/26/22 to 11/26/22)
Moratorium	6 month, expand to an additional 6 month to 12/31/2022

Contact	Comments
Maureen Guisti, ZEO; Fran Semnoski, Admin John Herring, ZEO	As of 6/1/2022, still in discussions.
Mike Glidden, Town Planner John Guskowski, ZEO	Medicinal microcultivators permitted by SpEx in Industria
Kathy King, ZEO; Lisa DeMaria, Admin Stacy Kilgus, Land Use Administrator Stu Popper, Planner	Retail sales in Highway Business Zone; Cultivation in Indu:
John Guskowski, Steve Hrantauk, ZEO; Robin Newton, Planner/ZEO	Cont'd public hearing, 6/1/2022 Likely approval of sales/ç Considering approval. A back-up moratorium is in place a
Jim Ventres, LUA Jeremy DeCarli, LUA Bill Mulholland, ZEO; Karen Zmitruk, Admin Carey Duques, ZEO	
Marilyn Ozol, ZEO Ron Chalecki, ZEO Rebecca Augur, Director of Planning/Land Use Bill Warner, Town Planner	Working on getting feedback from town residents..... (6/7
Matt Bordeaux, Town Planner Tom Talbot, ZEO Phil Chester, Town Planner Ross Byrne, ZEO	BOS to put together questionnaire near election time for
Erin Mannix ZEO Peter Hughes, Town Planner Paul Dickerson, City Planner Robin Newton, Planner Marek Kozikowski, Planner	P&Z considering a ban on retail/manufacturing Current draft regulations will propose permitting all asper
Liz Burdick, Planning Director Renata Bertotti, Town Planner Eric Knapp, Town Planner	P&Z investigating what other towns are doing... One dispensary is converted medical, the other is new rec
Dan Bourret, ZEO; Kim Barrows, Admin Chris Costa, Town Planner/ZEO Linda Tripp, Admin; Dan Bourret Development Coord	Two approved medical facilities allowed for recreational I
Kim Ricci, Planner/ZEO Justin LaFountain, Planner (SECCOG) Maryellen Edwards Phil Chester, Town Planner Kevin Pagini, Town Planner	P&Z "slammed" with applications, PoCD rewrite. End of s
Abby Piersall, Planning Director Peter Gillespie, Town Planner; Mike D'Amato Denise Bradley, Director of Planning	Summer discussions by P&Z with likely plan to bring regul Moratorium. Regulations being considered June 27th. If a

il Districts

ustrial Zone District

roduction
and may be extended.

'/2022)

public input

cts of r

creational/medical

IF they get licenses

summer, early fall.

lations forward in early fall
adopted, moratorium lifted

TOWN OF EAST HAMPTON
AGREEMENT REGARDING REAL
PROPERTY TAX ASSESSMENT
GLOBAL 66, LLC FOR 265 WEST HIGH STREET
EAST HAMPTON, CONNECTICUT

This Agreement is entered into this ___ day of _____, 2022 by and between the TOWN OF EAST HAMPTON, a municipal corporation and body politic having its corporate limits located within the County of Middlesex and State of Connecticut (hereinafter the “Town”), and Global 66, LLC of East Hampton, Connecticut (“Company”) a Connecticut corporation with a principal place of business at 244 Middletown Avenue, East Hampton, Connecticut.

WITNESSETH:

WHEREAS, Company is responsible to pay all real property taxes associated with the real property known as 265 West High Street, East Hampton, Connecticut (“the Real Property”); and

WHEREAS, Company intends to make improvements to the land and structures on the Real Property, including the significant renovation of approximately 81,000 square foot commercial building and associated site improvements located on the Real Property (the “Facility”); and

WHEREAS, the estimated costs to be invested by Company in making the above-described improvements to and constructing the Facility on the Real Property will be a minimum of \$_____; and

WHEREAS, the Town, acting by and through its duly authorized Tax Assessor, will assess and value the Real Property and personal property on the Grand List of October 1, 2022.

WHEREAS, the Town wishes to assist Company in its plans to add real property and personal property value to the Town’s tax base; and

WHEREAS, the Town wishes to assist Company to develop its site and building plans as submitted and approved by the Planning and Zoning Commission; and

WHEREAS, in consideration of the above, the Town is willing to provide tax relief to Company pursuant to the East Hampton Business Incentive Program Ordinance as a Tier II tax abatement for a period of three (3) years commencing with the first date that tax payments are due under the Grand List following the date of issuance of the Certificate of Occupancy for the Facility (the “Abatement Term”); and

NOW, THEREFORE, in consideration of the foregoing, the parties hereby covenant and agree that:

1. Cost of Improvements: The costs for the improvements shall equal or exceed \$1.5 million in construction costs. Company will install and properly account to the Town for all taxable personal property assets added to or installed in the Facility.
2. Certificate of Occupancy: Company will obtain a Certificate of Occupancy not later than twenty-four (24) months from the date of this Agreement. Company shall actively operate or cause said Facility to operate as a storage facility with limited retail sales at the Real Property for not less than the Abatement Term from the date of the Certificate of Occupancy.
3. Employment: Company shall use its best efforts to employ or cause to be employed at least one (1) full-time and two (2) part-time employees at said Facility throughout the Abatement Term.
4. Reduction of Assessment: Commencing with the issuance of a Certificate of Occupancy, the Real Property tax assessment shall be established on the Grand List for the period following the issuance of the Certificate of Occupancy, and the Town shall grant to Company a 70% reduction in its Real Property improvements assessment such that the net effect of the reduced assessment reduces the tax liability for the Real Property over the three (3) year period according to a schedule attached hereto as Exhibit A, including the above-described Improvements and the construction of the Facility (the "Abatement").
5. Abatement Period: The Abatement Term shall be for a period of three (3) years commencing with the first date that tax payments are due under the Grand List following the date of issuance of a Certificate of Occupancy for the Facility; provided, however, that if such assessment is changed by any future Town revaluation, the tax payments due under the new assessed value of the Real Property shall be adjusted for the remainder of the Abatement Term in accordance with the terms of the Abatement set forth in Paragraph 4 above.
6. Tax Payment: Company shall maintain all tax obligations owed by it to the Town current and in good standing during the Abatement Term.
7. Certification of Value of Site Improvements: Company shall be required to provide proof via affidavit of an appropriate officer within one year after the commencement of operations at the Facility as to a) the actual value of the site improvements and that said improvements are substantially in conformance with the provisions hereof as to the scope of construction; b) the cost of construction (a minimum of \$1.5 million) and c) the number and type (full-time or part-time) of employees employed at such Facility.
8. Ongoing Employment Obligations: Notwithstanding anything herein contained to the contrary, Company and the Town acknowledge and agree that, while Company shall make every good faith effort to maintain and employ at least one (1) full-time and two (2) part-time employees during the Abatement Term, economic circumstances, financial considerations, and employee transience may make it impossible to maintain precisely the level of employment described herein. Accordingly, Company and the Town acknowledge that variations in the numbers of employees will occur and may continue for unspecified periods

of time during the term of this Agreement. Company will, upon request, disclose to Town its employment statistics no more than once per year. Subject to the above requirement of good faith and Company's cooperation in disclosing all efforts made to comply with the employment parameters stated herein, such variations shall not otherwise constitute a default of this Agreement provided the Facility is operating in accordance with applicable law and Company is in compliance with the terms of this Agreement in all other respects.

9. Default: The following events shall constitute and event of default: Company at any time fails pay real estate and/or personal property taxes when due and payable, or; Company fails to commence or complete on time the construction of all improvements upon the property which is the subject of the agreement, or; Company, within 10 years of the date of the Agreement, becomes insolvent or bankrupt or files any debtor proceedings or others file such debtor proceedings against the owner or lessee in any court, in any jurisdiction, state or federal, and does not withdraw such filing within 90 days, or such other proceedings have not been dismissed or withdrawn by such other parties within 90 days, or; Company makes an assignment for the benefit of creditors, or; Company property or lease is taken under a writ of execution or becomes the subject of foreclosure proceedings, or; Company abandons at any time the real property or in the case of the lessee purports to assign its lease without the express consent of the Town as set forth in this Ordinance, or; Company fails to perform any obligation of owner or lessee or attain any benchmark set under the terms of this Agreement. In such event of default, the Town shall provide notice to the Company of such event of default, and the Company shall have thirty (30) days from such notice within which to cure such default. In the event Company fails to cure the default with thirty (30) days of such notice, then this Agreement shall be null and void and the Company shall reimburse the Town for all tax relief provided to Company, retroactive to the due date of the first abated tax payment plus interest at the rate set and payable pursuant to the provisions of Conn. Gen. Stat. §12-146, or other applicable statute, plus all prior waived fees, if any, plus all actual costs to the Town in providing in-kind considerations to the Company, and the Town shall be under no obligation to grant further tax relief hereunder.

10. Legal Action to Enforce the Terms: In the event that the Town must resort to legal action to enforce the terms of this Agreement, any amount determined by a Court of competent jurisdiction to be due from Company shall be subject to interest at the rate of eighteen percent (18%) per annum. Such interest shall accrue from the postmark date for the notice of default described in Paragraph 9. In addition, the Town shall be entitled to recover from Company all costs of collection, including reasonable attorney's fees, incurred in enforcing this Agreement.

11. No Further Abatement: Company acknowledges and agrees that the Abatement offered pursuant to this Agreement is not binding upon the Town, and shall not continue, beyond the three (3) year Abatement Term agreed to herein.

12. No Admission as to Values: Company and the Town acknowledge and agree that the values placed upon the Real Property, the Facility, and/or the Improvements as a result of the Abatement shall not now or at any other time be construed as an admission by any party or as evidence of any kind as to the true fair market value of the Real Property, the Facility, and/or the Improvements.

13. Notices: All notices hereunder are to be sent by the Town to Company at the following address or to such other address as requested by the Company or its successors or assigns: 244 Middletown Avenue, East Hampton, CT 06424 Attention: Wayne Rand. All such notices shall be sent via certified mail, return receipt requested, or overnight mail service. Notices are deemed effective upon delivery. Any refusal to accept such delivery shall still constitute the delivery of proper notice.

14. Assignment: Company may not assign or otherwise transfer its rights or obligations under this Agreement without the prior written authorization of the Town Council and Economic Development Commission which shall signify their consents by an affirmative vote taken at a separate meeting of each body duly noticed for the stated purpose. A conveyance of the Real Property or a transfer of ownership of the Company business or substantially all of the assets of the Company to a person or business organization or entity that is not a "controlled entity" which is owned or controlled by the Company, shall not constitute a valid assignment of the Agreement or vest any rights under the Agreement in the grantee of the Real Property or transferee of the Company or the assets of the Company or allow for enforcement of any obligations of the Town against the Town by the grantee or transferee including but not limited to any remaining tax abatements under the terms of the Agreement. A "controlled entity" means a business which is eighty or more percent owned by the Company as grantor or transferor.

15. Release of Liability: Company and/or its successors or assigns releases the Town and its agents, servants and employees from any and all liability, of whatever nature, legal or equitable, which may have arisen or which may arise in connection with this Agreement, including the implementation hereof.

16. Indemnification: Company and/or its successors or assigns shall defend and indemnify the Town and any of its agents, servants and employees against any action, claim or suit of any nature whatsoever, arising from the Town's being a party to this Agreement and/or any undertaking of its obligations hereunder.

17. Execution: This Agreement has been executed by the parties' respective agents, duly authorized and acting in his or her official capacity.

18. Amendment: This Agreement may be amended only by mutual consent of the parties, and any amendments to this Agreement shall be in writing and shall be duly executed and dated by the respective parties.

19. Complete Agreement: This Agreement represents the entire and complete understanding and agreement of the parties, and any and all prior written or oral agreements not otherwise contained in this Agreement shall be and are hereby null and void and of no force or effect.

20. Choice of Law and Venue: In the event that litigation or other dispute resolution process arises, all litigation and dispute resolution shall take place in the State of Connecticut, Judicial District of Middlesex, and the Agreement shall be construed in accordance with Connecticut law, without regard to its conflict of law provisions.

21. Notice of Tax Abatement: Upon the execution of this Agreement, a copy of this Agreement or a proper “Notice of Tax Abatement Agreement” shall be filed upon the land records of the Town with respect to the Real Property.

22. Special Conditions: In addition to all other terms and conditions of this Agreement, the Town’s obligations under this Agreement are conditioned on the following (“the Conditions”):

(a) Project Financing: Company demonstrates to the reasonable satisfaction of the East Hampton Finance Director that it has private financing and state and federal grants in place in an amount sufficient to undertake and complete the project;

(b) Property Maintenance: Company demonstrates that it has maintenance contracts in place to keep the property maintained during the period of construction;

(c) Non-Transferable: As set forth in Paragraph 14 herein, Company acknowledges and affirms that this tax abatement is non-transferable and any transfer of the tax abatement to a non-related entity shall be an event of default.

In the event that the Company fails to satisfy the Conditions set forth in this Special Conditions paragraph, this Agreement shall be null and void and the Real Property as improved shall be assessed in accordance with the Connecticut General Statutes without regard to the terms and conditions of this Agreement.

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SIGNATURES FOLLOW

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals as of the day and year first written above.

COMPANY: GLOBAL 66, LLC

Witnessed By:

By: _____
Its Member, Duly Authorized

TOWN OF EAST HAMPTON

Witnessed By:

By: _____
Its Town Manager, Duly Authorized

EXHIBIT A

PROPERTY TAX ASSESSMENT REDUCTION SCHEDULE
GLOBAL 66, LLC FOR 265 WEST HIGH STREET

Anticipated Agreement Year	Anticipated Grand List Year	265 West High Street Improvements Assessment Abatement	265 West High Street Land Assessment Abatement
1	2022	70%	N/A
2	2023	70%	N/A
3	2024	70%	N/A



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



Dennis Woessner
Chief of Police

July 19, 2022

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

Attached to this memorandum are four (4) General Orders which I am submitting for approval:

General Order 5.10, Securing Prisoners, is an existing General Order which required updating to reflect changes required by the Police Officer Standards and Training Council (POSTC) Accreditation Standards. The changes include language specific to the standard, such as how long someone can be held in a temporary holding area, required minimum physical conditions of the facility and required inspections of the facility. A few minor changes were also made to the General Order. Any additions are marked in red and deletions are crossed out and marked in yellow.

General Order 5.11, Prisoner Transportation, is an existing General Order which required updating to reflect changes required by the Police Officer Standards and Training Council (POSTC) Accreditation Standards. The changes include language specific to the standard, such as recording the search of a prisoner of the opposite sex on in car camera or body worn camera systems, being sensitive to the LGBTQ populations when conducting searches of prisoners and what to do if a prisoner escapes. A few minor changes were also made to the General Order. Any additions are marked in red and deletions are crossed out and marked in yellow.

General Order 7.1, Bomb Threat, SRT (Special Response Team), and HNT (Hostage Negotiation Team) Response is an existing General Order which required updating to reflect changes required by the Police Officer Standards and Training Council (POSTC) Accreditation Standards. Any additions are marked in red and deletions are crossed out and marked in yellow.

General Order 5.25, Vehicle Escorts is a new General Order which was required to satisfy the requirements outlined in the Police Officer Standards and Training Council (POSTC) Accreditation Standards.



EAST HAMPTON POLICE DEPARTMENT

GENERAL ORDER 5.10 PATROL FUNCTIONS

SUBJECT: SECURING PRISONERS		
Issue Date: TBD	Effective Date: TBD	Distribution: All Personnel
Amends/Rescinds GO: 9/11/2019		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 policy is to establish a procedure for securing and controlling prisoners in the East Hampton Police Department (“EHPD”) holding facilities.

II. POLICY

It is the policy of the East Hampton Police Department to ensure the safety of East Hampton Police employees, prisoners under their control, and the general public. EHPD holding facilities will be managed and operated pursuant to the practices established herein, in a manner consistent with maintaining the safety and security of EHPD facilities and its occupants.

III. DEFINITIONS

Custody: Legal or physical control of a person in an area or facility or while in transit; legal, supervisory, or physical responsibility for a person.

Detainee: A person in the custody of EHPD personnel and whose freedom of movement is at the will of EHPD personnel.

Holding Facility: A confinement facility outside of a jail where detainees are housed, receive meals, and can be detained for periods involving days and overnight stays for a period of not more than 72 hours, excluding holidays and weekends.

In Custody: Being under the full control of a law enforcement officer.

Inventory: A detailed, itemized list, report, or record of items in one's possession or the process of making such a list, report, or record.

Processing: Includes pre-booking activities involving detainees in custody, after which detainees may either be released from custody by one of several means or be escorted to a holding facility, at which time they would be booked.

IV. PROCEDURES

A. Securing Weapons

1. Entering a secure and confined area with a potentially hostile prisoner or prisoners, while carrying weapons, increases the potential for injury to officers and prisoners.
2. Firearms, Tasers, knives, and other weapons as determined by the Chief of Police, are prohibited in all prisoner areas, including temporary holding cells, jail cells, prisoner interview and interrogation, and booking processing rooms, unless authorized as described below. Weapon storage lockers shall be located at the entrances to the cellblock area in the sally port, at other points of entry into the holding facility, and near any other temporary holding rooms in the police building. All personnel, including members of other agencies, shall be required to secure their firearms, Tasers, and knives in these lockers prior to entering the holding facility, cellblock area, or any other area containing a detainee or prisoner.
3. Weapons such as OC spray and batons may be taken into holding and cellblock areas, provided they are secured and under the control of the employee.
4. It shall be the responsibility of all supervisors to enforce this directive. The only exceptions or conditions where firearms and/or Tasers shall be allowed in these areas are during bona-fide emergencies, including:
 - a. Situations where it is suspected or known that a detainee has obtained a weapon
 - b. Situations where a detainee has taken a hostage
 - c. Other emergencies; with the approval of the Shift Supervisor
5. **If an officer goes to another facility, either to pick up or drop off a prisoner, they will follow the rules of that agency as they apply to securing their weapons. If the facility lacks weapon storage lockers, the officer will secure their weapons in their police vehicle.**

B. Minimum Physical Conditions for Holding Facility

1. Adequate lighting as required by local code or ordinance.
2. Circulation of fresh or purified air in accordance with local public health Standards.
3. Access to a toilet and drinking water.
4. Access to wash basin or shower for detainee held in excess of eight hours.
5. A bed for each detainee held in excess of eight hours.
6. Bedding issued to detainees held overnight should be clean, sanitary and fire retardant.
7. The holding facility has an automatic fire alarm and heat and smoke detection system, which has been approved in writing by state or local fire officials.
 - a. A weekly documented visual inspection and a semi-annual documented testing of fire equipment; and
 - b. A daily visual inspection and documented testing of the automatic fire detection devices and alarm systems as required by local fire code

C. Security Checks and Facility Inspection

1. Proper maintenance and inspection of all EHPD holding facilities is essential to prisoner security and ensuring the safety of those utilizing the facilities.
 - a. Prior to and immediately after placing a prisoner in a temporary holding cell, jail cell, prisoner interview and interrogation room, booking or processing room, or holding cell, the area(s) shall be checked for weapons, contraband, and/or visible damage. Discovery of any of these items will be documented and immediately reported to the Shift Supervisor.
 - b. Cleaning staff will conduct and document visual inspections of all EHPD holding facilities when servicing them. The supervisor **The**

Chief of Police or his designee will **also** ensure that a detailed weekly inspection of all EHPD holding facilities be conducted. The purpose of these documented inspections will be to identify and correct any conditions that may threaten the safety of EHPD employees **or prisoners**. **The weekly documented inspections will cover the following:**

1. **First aid kits located in the holding facility and replenished as necessary**
2. **Sanitation of the facility specifically for the control of vermin and pests**
3. **Security inspection of the facility (bars, locks, windows, walls, floors, ventilator covers, glass panels, access plates, protective screens, doors, and other security devices) including searching for weapons and contraband**
4. **Fire retardant blankets are present**
5. **Sufficient food/drinks present**
6. **Fire protection equipment present (pull boxes/sprinkler heads/main fire panel in lobby showing no errors or alarms)**

D. Prisoner Search

1. Placing a prisoner in a EHPD facility without ensuring that (s)he is properly searched for weapons and/or contraband creates an unnecessary risk. All prisoners will be properly searched prior to being placed into an EHPD holding facility. Any item that could be used to inflict harm to the prisoner or an officer such as: medications, shoelaces, belts, ties, headbands, matches, sharps, etc. will be removed from the prisoner. Items which are removed from the prisoner will be noted on the Prisoner Inventory Form and secured in the prisoner locker in the cell block area. Any contraband or evidence found on the prisoner will also be listed and then held as evidence.
2. The prisoner should be searched by a same sex officer whenever possible. **Officers shall be sensitive to the LGBTQ populations when conducting searches. When appropriate ask the prisoner whom they would prefer to conduct the search.** In the event that a same sex officer **or requested sex officer** is not working and the officer must conduct the search, officers should use **their body worn camera** **either the video camera** or the building CCTV camera(s) to record the search of a prisoner of the opposite sex. **Strip and**

body cavity searches are covered under General Order 1.7

E. Placement of a Prisoner in an EHPD Temporary Holding Facility

1. Restraining devices should be removed from prisoners prior to placing them in a **temporary** holding facility unless the officer feels that the removal will be a security/escape risk. **The facility is equipped with a metal bar which one end of the restraining device can be attached to if the officer feels it is necessary to further secure the prisoner.**
2. **The temporary holding facility is used for the processing of prisoners and is intended to be short term, no longer than 2 hours. The facility has the same minimum physical conditions as the cells, except access to water and a bathroom. Should the prisoner need access to a bathroom or water the prisoner may be removed from the temporary holding facility and placed into a normal cell, which has all the required amenities.**
3. **The facility is equipped with the same audio and visual recording and fire suppression systems as the rest of the cells and prisoner processing area.**
4. **The entire holding facility (temporary holding, processing and cells) is a restricted access area. When prisoners are present only officers, attorneys or bail commissioners/bondsmen are allowed into these areas. The facility has sufficient security measures to prevent the escape of prisoners, to include multi-factor access control.**

F. Holding Facilities for Males, Females, and/or Juveniles

1. **All cells in this Department's holding facility are separate units. The cells are situated in such a way that sight and sound separation can be achieved, even during loud conversations.**
2. **Juveniles taken into custody for a violation of law shall be kept separate from adult offenders and shall not be confined in the adult cellblock area. If detention is necessary, the juvenile will be placed in Interview Room #118 or another suitable room and will not be left unattended. If a juvenile is detained the officers report will list the time they were detained, what room they were held in, what time they were released and to whom.**
3. **The Department has five (5) cells in which to hold prisoners. In the rare occasion that we needed additional cells to handle the processing of multiple arrests or needed additional cells to hold prisoners, we have an agreement with the Middletown Police Department to hold our prisoners.**

G. Entering an Occupied Cell

1. Personnel assigned to the Holding Facility are permitted to enter an occupied cell for official and legitimate police business only, including:
 - a. For a medical emergency involving the detainee
 - b. To subdue, restrain, and control a violent detainee
 - c. To transfer or release a detainee from custody
 - d. To search a cell, having detected suspicious activity on the part of the detainee
 - e. To recover contraband, evidence, or weapons possessed by a detainee
2. When warranted in the above situations and/or practical to do so, there shall be a minimum of two employees present when an occupied cell must be entered. This is to ensure that detainees do not have an opportunity to take keys and weapons from an officer, injure an officer, or escape. When it is necessary to search an occupied cell, the detainee shall, when feasible, first be transferred to another cell.

H. Monitoring of Prisoners

1. Television and Audio Monitors
 - a. Once a prisoner is in a cell block the dispatcher/desk officer and/or detention officer shall activate all cell block cameras and audio monitors ensuring that they are both in working order. When prisoners of the opposite sex are being monitored it is imperative to ensure that the dispatch monitors **and/or cell block cameras in the cells** are operational. **The viewing of these cameras is restricted to only those individuals requiring access to them for law enforcement purposes and are not viewable by the general public. This will reduce the possibility of invading a detainee's personal privacy.**
 - b. In the event that a cell block camera or audio camera is not working the shift supervisor shall be notified and the prisoner moved to a cell where the camera is operational. If the audio device is broken, the officers can communicate via portable radio.
 - c. It is the responsibility of the dispatcher/desk officer and detention officer to monitor the cell block cameras and to report any problems to the on-duty supervisor. The desk officer/dispatcher and detention officer are responsible for ensuring that the TV monitor(s) and audio

device(s) are operational at the beginning of their shift and if any problems are discovered, the shift supervisor shall be notified.

- d. The cell camera will be pointed in such a way that the personal privacy of the arrestee is not unnecessarily compromised.

2. Physical checks

- a. While a prisoner is in the custody of EHPD the prisoner shall be monitored and physically checked on at least once every ½ hour. If a prisoner requires special attention he/she will be physically checked once every 15 minutes. An example of this would be is a prisoner was having suicidal thoughts and was taken to a medical facility to be evaluated, and subsequently medically cleared to be brought back to EHPD to be held, they would be checked every 15 minutes. The time of the check and the name of the detention officer shall be noted **on the prisoner log sheet.** ~~in the prisoner log book.~~
- b. Whenever there is a change of shift, the oncoming supervisor shall physically check the prisoner and note the time of the check and the name of the supervisor **on the prisoner log sheet.** ~~in the prisoner log book.~~ Prior to a detention or monitoring officer being relieved, the prisoner shall be physically checked. The time and relieving officer's name will be noted **on the prisoner log sheet.** ~~in the prisoner log book.~~

I. Prisoner Phone Calls, Visitors, and Packages

1. Phone calls

- a. While in custody of the East Hampton Police Department a prisoner shall be allowed to make phone calls for their release, or to call their attorney. The cost of the phone calls will be borne by the Town of East Hampton. The prisoner shall make their phone call from inside the holding cell. The officer should dial the telephone for the prisoner, and then hand the cordless phone to the prisoner. The detention officer shall note the telephone number that the prisoner called and the time in the prisoner log book. If the prisoner is talking to their attorney the officer shall leave the immediate area until the call is finished. When the call is completed in a reasonable amount of time, an officer will remove the telephone from the cell. Prisoner phone calls shall not be recorded or monitored by any means.

2. Visitors

- a. Prisoners will not be allowed any visitors except as noted below.

Attorneys: The representing attorney must be searched prior to entering the building and must show proper identification prior to being admitted into the secured area of the building. Attorney visits will usually be limited to thirty (30) minutes, the time of which will be noted in the prisoner log book. The attorney will be escorted to the interview room where he may communicate with his/her client.

Bail Commissioners/Bondsmen: The bail commissioner/bondsman shall be allowed access to the prisoner. The detention officer will note the name of the bail commissioner/bondsman as well as the beginning and ending times of the visit in the prisoner log book.

Police Personnel: Members of other police departments and/or non-essential personnel must first receive permission from the on-duty supervisor before entering the holding facility area. Armed personnel will secure their firearms, tasers, and knives in one of the weapon lockers located outside the holding facility area prior to entering.

3. Packages

- a. Prisoners shall receive no packages from any person while in the custody of the East Hampton Police Department.

J. Prisoner Meals

1. Prisoners will be fed as close to the following times as possible: 0700hrs., 1200hrs., 1800hrs. The time of the feeding will be noted **on the prisoner log sheet.** ~~in the prisoner log book.~~ If the prisoner refuses to eat, the time will be noted **on the prisoner log sheet.** ~~in the prisoner log book.~~ Prisoners shall be fed meals that do not require the use of any metal utensils, tools, or equipment which are prohibited in EHPD jail cells and holding areas. Plastic utensils are allowed.

K. Medical Attention

The safety and security of individuals in the custody of EHPD is the responsibility of EHPD and its employees. Every reasonable effort will be made to accommodate medical needs of any prisoner or detainee of EHPD. **Procedures for gaining access to medical services are posted in areas used by prisoners.**

1. Emergency Medical Care

- a. Whenever an officer determines that a prisoner or detainee needs medical attention an ambulance will be called to the police department for medical treatment and/or transportation to the appropriate medical facility.
- b. The prisoner log **sheet** ~~book~~ will note the time of departure of the prisoner and the on-duty supervisor will be notified. The transporting officer will take copies of the prisoner's identification, suicide form, and any other information necessary to identify the prisoner.
- c. The prisoner may be escorted by an officer in the rear of the ambulance or the officer may follow the ambulance in a police vehicle to the intended medical facility and they will remain with the prisoner until relieved by another East Hampton Police officer. The determination of the location of the escort officer will be made by the shift supervisor or officer in charge, based upon the behavior of the prisoner.
- d. The prisoner will be handcuffed behind the back if it will not further complicate the injuries or medical condition and will remain handcuffed until at the hospital. If the prisoner cannot be handcuffed behind the back due to injuries, the ambulances have restraints that can be attached to the stretcher. The restraints will remain on until the prisoner reaches the medical facility, at which time their security officer will make contact with the escorting officer. The escorting officer will abide by the policies and procedures set forth by the medical facility. The East Hampton officer will remain with the prisoner until he/she is released or relieved by another officer.
- e. Upon release, the prisoner must receive a release from the treating doctor stating the treatment given and that the prisoner has been released from the medical facility. The officer will then transport the prisoner back to the East Hampton Police Department. The officer will notify the dispatcher by radio that the prisoner is en route to the police department and state the mileage of the police vehicle. The **desk officer**/dispatcher will note the time and mileage in the CAD system.
- f. The prisoner, upon arrival at the East Hampton Police Station, will be returned to his/her cell. The dispatcher will note in the CAD system, the time of arrival at headquarters and the mileage of the transporting vehicle. The cell shall be searched prior to placing the prisoner in it. The prisoner will then be searched, un-handcuffed and placed in a cell. The time the prisoner was returned to his/her cell will be noted **on the prisoner log sheet**. ~~in the prisoner log book~~. If the prisoner must be

admitted to the hospital, the on-duty supervisor shall be notified and a decision will be made with regards to the security of the prisoner.

- g. If at anytime the shift supervisor or officer in charge believes that additional personnel are needed to safely transport or secure a prisoner at a medical facility, additional officers will be assigned to the detail.

2. Medication and/or medical issues

- a. If the arrestee is to be placed in a cell, the processing officer shall determine the following regarding the current health of the detainee:

- (1) If the prisoner is presently under a doctor's care? If so, obtain physician's name.

- (2) Does the prisoner have any physical injuries/limitations or illnesses, or does (s)he require any medications.

- (3) If prescription medicine is taken from the prisoner, record instructions **on the prisoner log sheet** in the prisoner log book and notify the shift supervisor.

- (4) If prescribed medication is administered, the shift supervisor will ensure the date, time and type of medicine is recorded **on the prisoner log sheet.** in the prisoner log book. The administering officer shall also initial the form.

- b. If the prisoner does not make bond and is brought to court, the marshal shall be made aware of any medical conditions that the prisoner may have.

3. Suicide Screening and Prevention

- a. Prior to securing a prisoner in a EHPD cell block or holding area, the detention/processing officer shall complete the **East Hampton PD suicide prevention screening form,** and the CT Judicial Marshal's Detainee Behavior Questionnaire (JD-MS-5) to identify any visual or verbal indications of a suicidal risk profile. The two most significant areas of concern are suicidal history and suicidal thinking. These two areas have a very high risk potential. The higher the number of any risk factors that are identified, the higher the likelihood of a suicide attempt.

- b. When the processing officer identifies a potential suicide risk, the officer shall notify the on-duty supervisor immediately. In extreme cases an emergency examination/committal shall be completed and the prisoner sent to an emergency room for evaluation. An officer will remain with the prisoner until released from the hospital. Once the prisoner is released from the hospital the on-duty supervisor will determine if the prisoner must remain under constant observation until released from the EHPD detention facility.
- c. If a prisoner with identified suicide risk factors is going to be arraigned in court, the Judicial Marshals will be notified of the risk and provided a copy of the Marshal's Detainee Behavior Questionnaire Form (JD-MS-5.)

4. Medical Kit

In the event of a medical emergency in the cell block, a first-aid kit is located in **a locker in the booking area.** ~~communication/squad room.~~ The first-aid kit will undergo a weekly **documented** inspection, by **agency personnel.** ~~the Administrative Supervisor.~~

L. Holding Facility Threats

1. All incidents that threaten the holding facility, or any person therein, shall be reported to the Shift Supervisor, who shall initiate corrective measures, if necessary, to address the threat. All such threats shall be documented in a police report.
2. **In the event of an emergency in the holding facility the officer has three ways to notify dispatch or other officers of the emergency:**
 - a. **Use their portable radio to notify dispatch/officers of the emergency (a bi-directional amplifier system has been installed in the holding area to ensure reliable communications)**
 - b. **Use the emergency button (orange in color) on their portable radios to notify dispatch of the emergency**
 - c. **Use the phone in the booking area to report the emergency to dispatch**

M. Cell Block Fire

1. In the event of a fire threat in the cell block or **temporary** holding facility housing a prisoner, the dispatcher and/or detention officer shall immediately:
 - a. Notify the fire department

- b. Notify the Shift Supervisor
- c. Notify the nearest available patrol unit to respond **in a priority mode** to headquarters to assist in clearing the cellblock/holding facility
- d. Remove all prisoners from the cell blocks and handcuff them
- e. Remove all prisoners to **the sallyport or other** a secure area away from the fire and remain with them
- f. Place the prisoner(s) into a patrol car, if available
- g. Notify area agencies and request assistance in housing the East Hampton prisoner(s) **if necessary**
- h. **Provide first aid to any prisoner requesting and/or needing it**
- i. **Request an ambulance to evaluate and/or transport a prisoner in need to the hospital**

N. Prisoner Escape from Holding Facility

1. In the event a prisoner escapes from the holding facility, the primary objective is to recapture the prisoner, prevent injury to the public, property or to police officers. In the event of an escape, the officer responsible for the prisoner shall:
 - a. Notify the dispatcher and the on-duty supervisor
 - b. Make an immediate attempt to recapture the prisoner. If an immediate recapture is not possible, it is more prudent to await the assistance of other police officers
 - c. Notify the Chief of Police or his designee of the escape
 - d. Notify the surrounding police departments of the prisoner escape via the police hotline (RAFS and other frequencies) and request their assistance
 - e. A teletype will be sent via the COLLECT system advising of the escape with information about the escape including, name, date of birth, last known address, description including scars, marks, tattoos and other identifying characteristics. The teletype will be cancelled once the prisoner is located.
 - f. If the escapee is not recaptured within the normal tour of duty of the officer's shift he/she shall prepare an application for an arrest warrant on the charge of escape. The Chief's States Attorney of the Middletown Court shall be advised of the escape.
 - g. Document the circumstances surrounding the escape and

efforts made to capture the escapee

- h. The Chief of Police may, based upon the circumstances, direct that an internal affairs investigation be conducted pertaining to violation of Department policies.

O. Prisoner Release

1. All prisoners will be released pursuant to procedures established in EHPD General Order 5.7, Arrest Processing.

P. Training

1. All officers will receive initial training on this General Order, specifically the the operation of the holding facility and fire response procedures, as part of their initial Field Training and Evaluation Program. Remedial training will be conducted as needed.



EAST HAMPTON POLICE DEPARTMENT

GENERAL ORDER 5.11

PATROL FUNCTIONS

SUBJECT: PRISONER TRANSPORTATION		
Issue Date: TBD	Effective Date: TBD	Distribution: All Personnel
Amends/Rescinds GO: 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 clear guidelines for East Hampton Police Department Officers to follow prior to, during, and immediately after a prisoner transport, including procedures relating to the safety of officers, prisoners, and the general public during transport operations.

II. POLICY

Transporting prisoners is an inherently dangerous responsibility. Ensuring the safety of officers, prisoners, and the general public requires that the transporting officer must not assume that someone else has searched a prisoner or a transport vehicle. All prisoners, regardless of sex, age, race, perceived threat, or the nature of the offense committed, shall at a minimum, be checked for weapons and contraband prior to being transported. In addition, all transport vehicles shall be searched by the transport officer prior to and immediately after a prisoner transport in order to mitigate the risk to officers of prisoners escaping, gaining access to dangerous items or having an opportunity to destroy potential evidence.

III. DEFINITIONS

Detainee: A person in the custody of agency personnel and whose freedom of movement is at the will of agency personnel.

Disabled Detainee: A detainee with an anatomical, physiological, or mental impairment that hinders mobility.

In Custody: Being under the full control of a law enforcement officer.

Prisoner: Any person, regardless of age or sex, who is either arrested or taken into custody for an alleged violation of any criminal or traffic law, or pursuant to a warrant or other court order or directive, whether for transfer to a detention facility, court proceeding, arranging for bond or pending release or one who is taken into protective custody for transport to a mental facility for evaluation and/or admission as a mental health patient.

Transport Vehicle: The vehicle used for transporting a prisoner from one point to another. The transport vehicle may be the patrol vehicle, such as in the case of transporting a prisoner after an arrest, or a specially designed prisoner transport vehicle such as a bus or van. This term does not refer to commercial vehicles, such as buses, trains, or airplanes that may be used for prisoner transport.

Transporting Officer: An East Hampton Police Officer who is responsible for transporting a prisoner from one point to another.

IV. PROCEDURE

A. Search of Prisoner Transport Vehicles

1. In order to mitigate the opportunity for prisoners to use or destroy weapons or contraband, the rear passenger compartment of every transport vehicle shall be searched by the operating officer:
 - a. At the beginning of the officer's shift
 - b. Prior to placing any individual in the transport vehicle
 - c. Immediately after transporting an individual in the vehicle
2. The officer will document in a written report whenever (s)he locates any items, including weapons and/or contraband during the vehicle search.

B. Search of Prisoner(s) by Transporting Officer

1. All persons taken into custody present a potential risk to the safety of the transporting officer. Therefore, all prisoners shall be searched for weapons and/or contraband prior to being transported.
2. When available, an officer of the same gender will conduct prisoner searches. When an officer of the same gender is unavailable, a second officer will witness the search and/or the search will be recorded on the **in car camera, body worn camera or the department's security cameras.** ~~vehicle video camera or building video camera when available and practicable.~~

3. **Officers shall be sensitive to the LGBTQ populations when conducting searches. When appropriate ask the prisoner whom they would prefer to conduct the search.**

C. Prisoner Restraining Devices to be Used During Transport

1. All East Hampton Police Department prisoners being transported for any reason shall be restrained with appropriate devices that provide for the safety and security of both prisoners and officers. As a rule, prisoners will be secured with handcuffs behind their back; however, officer discretion may be used when determining what type of restraint device may be appropriate for prisoners who may be the exception to the rule. Race and gender will not be considered as a factor in determining whether or not a prisoner will be restrained during transport. The determination of how a prisoner will be restrained will be based upon an assessment of the prisoner's flight risk or propensity for violence, based upon; the severity of the charges, the prisoners' physical condition (age, illness, injury, etc.), the distance to be transported, and the mode of transportation.
2. Prisoners will never:
 - a. Be handcuffed to any part of a vehicle
 - b. Be handcuffed to a member of the opposite sex
 - c. Be handcuffed to an adult, when they are a juvenile; unless they are related
3. Officers will document the restraint technique used for each prisoner in their report.
4. Mentally ill and physically handicapped prisoners present unique conditions that may dictate special care and treatment during the transport process. Such prisoners shall be transported in the most secure and safe manner possible. If the mental illness or physical handicap prevents a safe and secure transportation in a police vehicle, an ambulance may be called to assist with transport. These circumstances still require an evaluation by the transporting officer of the violence/flight risk of the prisoner being transported.

D. Transport Vehicle Configuration/Safety Barriers

1. The safety and security of officers, prisoners, and the public is best achieved by utilizing appropriate equipment.

2. Any police vehicle that is likely to be used for prisoner transport shall be equipped with a protective safety barrier between the front and rear seats or rear compartment. The barrier shall be configured and constructed in such a way as to prevent prisoners from having access to the driver's compartment.
3. Vehicles not normally used for prisoner transports are not required to be equipped with safety barriers. When it becomes necessary to transport a prisoner in one of these vehicles, officers shall follow the guidelines established in Section E. of this General Order.
4. The following modifications will be made to East Hampton police vehicles designed for prisoner transportation:
 - a. Manual door locks on rear doors shall be disabled
 - b. Crank handles for manually operated windows will be removed
 - c. Rear door handles will be deactivated
 - d. Electric rear door and window controls will be driver controlled

E. Prisoner Location During Transport

1. When transporting prisoners, officers will ensure the safety of the officer and the security and safety of the prisoner and the general public by following these guidelines:
 - a. Officers shall transport prisoners using a vehicle with a physical security screen, **unless one is not available**
 - b. Prisoners will be seated in the passenger side of the rear seat
 - c. Officers shall place the safety belt on all prisoners, unless doing so may expose the officer to risk of injury from a violent prisoner
 - d. Transporting officers will take the most direct route to their destination unless circumstances dictate otherwise
 - e. When a prisoner is transported in a vehicle without a physical security screen, a patrol vehicle equipped with security screen will be dispatched to facilitate a secure transport. However, if a vehicle with a security screen is not available, **the prisoner will be secured in the front passenger seat of the patrol vehicle**. Officers will radio in their location periodically to dispatch so fellow officers can monitor the transport.
 - f. Transport officers will notify the dispatcher of their location and starting mileage prior to transport. The transport officer will notify the dispatcher when they arrive at their destination and **the ending mileage**.

F. Interruptions of a Prisoner Transport

The primary duty of the transporting officer is to safely deliver the prisoner(s) in their care. Only when there is a clear risk of death or injury to a third party and with the specific approval of the shift supervisor may the transporting officer stop to render assistance to other parties during a prisoner transport. Certain circumstances may dictate the need to stop and render assistance.

1. Secondary calls

- a. When the transporting officer encounters a non-emergency need for law enforcement service, the officer will not stop but will report the need to the dispatcher. Officers assigned to the incident will be directed to explain to citizens the reasons why the transporting officers did not stop.
- b. When the transporting officer observes an emergency situation, they shall report it to the dispatcher and request permission from the shift supervisor or officer in charge to render assistance. Only after receiving approval, will they stop and render assistance. A backup officer will be immediately dispatched to handle the call so the transporting officer can resume the transport. Upon being relieved, the transporting officer will verify the security of the prisoner and advise dispatch when they resume.

2. Tending to prisoner needs

- a. Transport officers will not stop to address routine needs of prisoners being transported. However, if necessary, transport officers may stop to address medical needs of the prisoner being transported. Officers should be aware that prisoners may be employing a diversionary tactic designed to facilitate an escape or a physical attack on the transporting officer. Prior to stopping to render assistance, the transport officer will advise the shift supervisor of the situation and receive approval. A back-up officer will be immediately dispatched to assist.

3. Long distance transports

- a. Interruption of prisoner transports may be necessary when traveling more than three hours. When a transport of more than three hours is anticipated, a second officer will be assigned to assist during transport. At least one officer of the same sex as the prisoner will assist with a long distance transport in anticipation of the required use of public rest room facilities.
- b. When refueling or stopping for a meal, the location will be chosen at random by the transport officer.

- c. If the prisoner requires the use of a restroom, two officers will escort the prisoner to the restroom. Private facilities or other law enforcement facilities should be used when available. It is recommended that planned stops at law enforcement facilities along the route be pre-arranged. One officer will inspect the facility prior to allowing the prisoner to enter. Handcuffs may be removed to allow the prisoner to use the restroom facility and to wash up. Unoccupied restrooms will be used whenever possible.
- d. Prisoners will never be permitted to communicate with anyone during transport. Family members, friends and attorneys will not be permitted to accompany a prisoner nor shall the transport be interrupted to allow for communication by the prisoner with any other person.

G. Transporting Sick, Injured, or Disabled Prisoners

1. Transporting handicapped, sick or injured prisoners presents additional problems. Prisoners with physical or mental handicaps often need special handling techniques with which officers may not be familiar. Such unfamiliarity should be addressed prior to initiating the transport.
2. Prior to transporting the prisoner, the transporting officer shall determine any special medical conditions for the transport which have been established by a physician, or medical control. Prisoners who require medical treatment during the transport, will not be transported in a standard police vehicle but in an ambulance, wheelchair van or other suitable vehicle staffed with personnel medically qualified to administer whatever care may be necessary.
3. Restraint devices will only be used when absolutely necessary to prevent escape of the prisoner, and only when a physician or medical control has stated that the use of a physical restraint will not injure the prisoner.

H. Prisoners Transported to a Medical Facility

1. Officers will ride in the ambulance when transporting a prisoner to a medical facility to prevent violent assaults on ambulance personnel, for evidentiary purposes, and to reduce the risk of escape.
2. Prisoners should be restrained during transport to and from medical facilities, unless prevented by injury or when medical personnel request the restraints be removed to allow for examination and treatment.
3. The transporting officer will remain with the prisoner during examination and treatment, except when a doctor or medical staff requests the officer leave the treatment area. In that event, an officer shall take a position that prevents escape.

4. If the prisoner is violent or an escape risk, the transporting officer will request dispatch to notify hospital security, or the local police agency where the facility is located.
5. Officers will remain with prisoners who are admitted to a medical facility until they are discharged from the hospital, released on bond or PTA, or arraigned at the hospital.

I. Documentation to Accompany Prisoners

1. Proper identification of prisoners being transported and special concerns or risks presented by such prisoners is necessary to ensure the safety of officers and the public.
2. Prisoners being transported between facilities will be identified by reliable means, such as booking records, photograph, fingerprints, identifications, or personal knowledge of the transporting officer.
3. The transporting officer will carry all documentation relative to the prisoner's identification, destination, escape risk, suicidal tendencies, or unusual medical conditions. Transporting officers should also carry a properly executed governor's warrant or waiver for interstate transports.
4. Transporting officers will document transfer of custody in their written report.

J. Prisoner Escape

1. In the event of a prisoner escape during transport, the primary objective is to recapture the prisoner, prevent injury to the public, property or to police officers. In the event of an escape, the transporting officer(s) shall:
 - a. Notify the dispatcher and the on-duty supervisor
 - b. Make an immediate attempt to recapture the prisoner. If an immediate recapture is not possible, it is more prudent to await the assistance of other police officers
 - c. **Notify the Chief of Police or his designee of the escape**
 - d. **Notify the surrounding police departments of the prisoner escape via the police hotline (RAFS and other frequencies) and request their assistance.** Notify the nearest local police authority, when not in East Hampton, and follow their directions

- e. A teletype will be sent via the COLLECT system advising of the escape with information about the escape including, name, date of birth, last known address, description including scars, marks, tattoos and other identifying characteristics. The teletype will be cancelled once the prisoner is located
- f. If the escapee is not recaptured within the normal tour of duty of the transporting officer, that officer shall prepare an application for an arrest warrant on the charge of escape. The Chief's States Attorney of the Middletown Court shall be advised of the escape.
- g. Document the circumstances surrounding the escape and efforts made to capture the escapee
- h. The Chief of Police may, based upon the circumstances, direct that an internal affairs investigation be conducted pertaining to a violation(s) of Department policies



EAST HAMPTON POLICE DEPARTMENT

GENERAL ORDER 7.1 SPECIAL OPERATIONS

SUBJECT: Bomb Threat, SRT, and HNT Response		
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 guidelines and procedures for East Hampton Police Department (“Department”) personnel responding to the scene of calls which may involve a to hostage situations, incidents involving barricaded persons, or other crisis type situations which pose imminent danger to human life.

II. POLICY

It is the policy of the East Hampton Police Department that tactical response situations shall be dealt with on an individual basis. The type and magnitude of police response to the threat shall be based upon reasonable actions commensurate with all facts and evidence available. Suspects who use hostages to affect their escape are desperate individuals who, if allowed to escape, will pose a continuing threat to their hostage and to the public at large. In special emergency situations, the Department will make every effort to ensure the safety of hostages, innocent bystanders, and Department officers while attempting to safely arrest the suspect(s).

III. DEFINITIONS

Barricaded Person: A person using an obstruction (i.e. building, car, etc.) and the threat of deadly force to accomplish a certain goal or, in the case of a criminal, to prevent capture.

Cordon: To identify a perimeter, establish a barricade.

Crisis Negotiators: Members of the State Police or local officers who are specially trained in crisis intervention and negotiation techniques.

Crisis Situation: Any incident involving violence or potential act of violence in which law enforcement officers are at a disadvantage and subject to extreme danger; and/or, any situation where an individual(s) poses a danger to themselves or others.

Hostage Situation: An incident involving a person being held by a suspect who is reasonably believed to be armed, as a means of forcing compliance with some demand

Hot Zone: The radius in which injuries and deaths are expected.

Tactical Operator - A law enforcement officer who is trained and certified in the use of special weapons and tactics who is utilized in various capacities. ~~meeting the US Department of Homeland Security SRT Team Classification System.~~

IV. PROCEDURE

A. Hostage and Barricaded Situations/Special Response Teams

1. Initial Notification and Response:

This phase consists of the initial response, containment, and evaluation of a crisis situation which occurs at a fixed location. Upon receipt of information that a crisis situations exists, the following actions shall be immediately initiated:

a. Communications shall:

- (1) Dispatch Patrol Officers and Sergeant or Officer in Charge (OIC);
- (2) At the request of the Sergeant or OIC, notify the Chief of Police;
- (3) Compile a separate written log of information received and calls dispatched concerning the crisis situation;

- (4) Restrict radio communications and designate a special channel for the crisis situation, if necessary; and
- (5) Notify the **Middletown Police Department** ~~State Police~~ **Communication center** and request tactical deployment or request mutual assistance from surrounding agencies who have tactical capabilities. Including **the State Police** or the Capitol Region **Emergency Response Team**. ~~ERT.~~ or the **Middletown Police ERT.**

2. The First Officer on the Scene Shall:

- a. Determine the nature of the situation;
- b. Relay information to Communications, as necessary;
- c. Request clear radio channel;
- d. Contain the situation as much as possible;
- e. Detain all persons having information regarding the suspect(s) and circumstances surrounding the situation;
- f. Provide the Supervisor with an estimate of back-up support requirements
- g. Give the exact location of the incident and the number of units required to establish an inner perimeter;
- h. Instruct responding units of safest access routes;
- i. If necessary, treat and evacuate any wounded persons.

3. The First Supervisor on the Scene Shall:

- a. Evaluate the situation and modify or affirm back-up requirements
 - (1) If the situation warrants immediate action (i.e., a sniper firing, a barricaded subject firing, an armed subject with hostages, etc.) the member shall request the Middletown Police ERT and/ or Connecticut State Police Special Weapons and Tactics Team respond immediately and make every effort to contain and de-escalate the situation.

- (2) If there is not sufficient time for the Special Weapons and Tactics Team to respond and the situation has become an immediate threat to human life, the Sergeant or OIC (Supervisor) shall coordinate the immediate action necessary to stabilize the situation.
 - (3) **Activate the Blue Plan to request additional assistance from surrounding towns.**
- b. Initiate a written log of actions taken
 - c. Advise the Chief of Police of the circumstances via secure communications
 - d. Debrief initial response unit(s)
 - e. Ensure an inner and outer perimeter are established and adjacent areas are cleared of all uninvolved persons
 - f. Establish a command post, (i.e., a field headquarters from which the Incident Commander directs operations and from which all planning and responses to crisis situations shall be coordinated), advising all concerned units of the incident location and of any streets or areas which may be unsafe for responding units to enter. The command post shall not be located in the line or sight of fire.
 - g. Direct all responding members of the Department and of any other agency to report to the command post for assignment and briefing prior to deployment
 - h. Direct members of the Department not to fire their weapons unless their lives or the life of another is in imminent danger, or as directed by the Incident Commander to neutralize the situation.
 - i. Request for ambulance, rescue, fire, or surveillance equipment to report to the command post.
 - j. Deploy additional personnel when they respond:
 - (1) Assign personnel to cover exits and possible escape routes being certain to position them so they are not accessible to fire.
 - (2) Assign personnel to vehicle and pedestrian control.
 - (3) Maintain a list of the location of deployed personnel.

- k. The Sergeant or OIC (Supervisor) shall be responsible for compiling all of the initial on-scene intelligence regarding:
- (1) Location of suspect (floor, room, roof, etc.)
 - (2) Types of weapons to which the suspect may have access.
 - (3) Identification of suspect, including complete physical description, mental state, and physical condition.
 - (4) Suspect's purpose.
 - (5) The crime suspect has committed (assault, robbery, disturbance).
 - (6) Physical description of any hostage and his physical and mental condition, communicating this information to all responding personnel.

4. Call Out Procedures for Crisis Situations:

Crisis negotiators should be utilized whenever members of the Department are confronted with individuals who are suicidal or barricaded, as well as in hostage taking and kidnapping situations. The procedure for call out of crisis negotiators shall be as follows:

- a. Upon being confronted with a situation where a negotiator is needed the officer on scene will notify his/her supervisor. The supervisor will make a determination if the services of a crisis negotiator are in fact necessary. If the supervisor determines that the services of a crisis negotiator are in fact necessary, the supervisor will direct the dispatch center to contact the Middletown Police Negotiations or request mutual aid for surrounding agencies who have certified negotiators to respond. In addition, the Chief of Police will be notified.
- b. In situations involving armed individuals where crisis negotiators are requested to respond to the scene, the SWAT team will also be notified to respond to the scene.

5. Call Out Procedures for Special Response Teams:

Special Response Teams shall be utilized to assist the Department when their personnel cannot adequately handle an event or situation. The onsite supervisor is authorized to request a SRT Team to assist the Department.

6. Command Operation:

Field officers and supervisor(s) shall, as soon as practical, transfer operational control and coordinating authority to Special Weapons and Tactics Team personnel who have specialized crisis situation training and experience.

- a. The Incident Commander shall evaluate initial reports and insure that an attempt has been made to establish a line of communication with the crisis principal (i.e., the person(s) responsible for initiating and/or sustaining a crisis situation) and:
 - (1) Establish liaison with the on-site **Connecticut State Police** SWAT Commander to determine the **need for additional resources** **possible call-up of back-up** and plans of action.
 - (2) Determine the necessity to evacuate the area (i.e., homes, apartments, businesses, schools, and churches).
 - (3) Allow the onsite **SWAT Commander** ~~Tactical Commander~~ **Connecticut State Police** to conduct and direct the actual tactical operations once the decision has been made to initiate the tactical assault.
 - (4) Relay information to Communications regarding manpower deployment and information relative to the suspect and any hostages.
 - (5) Contact the State Attorney's Office as soon as possible.
 - (6) **Maintain press relations until the arrival of the Chief of Police who will assume those duties.** **Community Relations Officer.**
 - (7) Evaluate the situation and determine the degree of danger to any hostage, office member, or citizen and whether perimeter deployment is adequate.
 - (8) **Notify the Chief of Police to advise him of the situation.**
 - (9) Consider establishing a mobile reserve at the assembly area to relieve personnel previously assigned to other tasks.
 - (10) Ensure off-duty personnel will only be utilized if they possess a technical skill or pertinent knowledge associated with the

situation.

- (11) Take any other action deemed necessary to resolve the situation in the safest manner possible.

7. Coordination and Cooperation Between Special Operations Teams/Hostage Negotiation Teams and Other Operational Components

Once an operation is undertaken, it will be the responsibility of the Incident Commander to establish and maintain coordination and cooperation with the SRT Commander and HRT Personnel to alleviate potential misunderstandings among the SRT and HRT unit and all involved personnel, to provide for the safety of involved members, and to facilitate success of the operation. These other components include:

- a. Commander/Officer-in-Charge
- b. Special Operations Teams (SRT/Sniper)
- c. Hostage Negotiation Team (HNT)
- d. Communications Center
- e. Other involved units or components

8. Press Procedures

- a. **The media** ~~Newspersons~~ will be allowed such access as safety and law enforcement needs will allow during crisis situations.
- b. Under no circumstances will **the media** ~~newspersons~~ be allowed into the inner perimeter during a crisis situation.
- c. **The media** ~~Newspersons~~ will be placed together in a designated location as designated by the incident ~~scene~~ commander.
- d. All requests by **the media** ~~newspersons~~ shall be coordinated through the **designated public information officer or the Chief of Police.** ~~Community Relations Officer.~~

9. Reports

- a. Immediately following the conclusion of the crisis situation, all logs, audio and video tapes, and/or photographs shall be collected by the Incident Commander/ Case Officer or his designee.

- b. The Incident Commander/ Case Officer shall file a report of the activities which shall consist of the following:
 - (1) All reports relating to the incident.
 - (2) Copies of written logs relating to the incident.
 - (3) Photographs of the incident scene, if available.
 - (4) Diagram of the incident scene.
 - (5) Critique of operational tactics.
 - (6) Any suggestions for correction of operational errors or procedural deficiencies.

10. General Instructions

- a. Officers responding to a crisis situation will report to the Command Post or to a designated staging area. Assisting officers will not deploy on their own.
- b. When duly assigned to a specific duty, assisting officers are expected to maintain absolute control of their post to assure the safety of innocent persons and to prevent escape of the perpetrator(s).
- c. Assisting officers will not act individually unless ordered to do so or, if failing to act, would jeopardize the safety or lives of other personnel or citizens.
- d. Units directed to respond in emergency status shall terminate the use of emergency lights/siren at a reasonable distance from the crisis scene.
- e. Upon arrival at the scene, officers shall change radio frequency to the designated operational channel.
- f. Officers assigned to a crisis situation shall execute containment procedures, and evacuations where necessary for public safety.
- g. Units shall refrain from radio transmission related to the crisis situation except when necessary, and then only on the designated channel.

- h. Unassigned units shall remain clear of the crisis area and shall not enter the area unless directed.



EAST HAMPTON POLICE DEPARTMENT

GENERAL ORDER 5.25 PATROL FUNCTIONS

SUBJECT: VEHICLE ESCORTS		
Issue Date: TBD	Effective Date: TBD	Distribution: All Personnel
Amends/Rescinds GO:		Review Date:
<p>Per Order of:</p> <p style="text-align: center;"></p> <p style="text-align: center;">Dennis Woessner, Chief of Police</p>		
<p><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></p>		

I. PURPOSE

To establish procedures for vehicle escort provided by the East Hampton Police Department.

II. POLICY

It is the policy of the East Hampton Police Department that, under certain circumstances, sworn officers may escort vehicles with due regard for the safety of all individuals.

III. PROCEDURES

A. Requests for various vehicle escorts are occasionally received by the Department. They could range from escorts for funeral processions to dignitary protection or hazardous material transportation. Generally, requests for vehicle escorts originate out of the office of the chief of police. Personnel should be aware of the hazardous circumstances which are present while conducting escorts. Thus, all escorts will be done with either a marked or unmarked police vehicle equipped with sufficient emergency lighting to provide maximum visibility to other motorists.

B. Escorts of non-emergency equipped vehicles, including civilian vehicles, in

an emergency situation are prohibited.

- C.** Escorts of public officials and dignitaries will be conducted with the appropriate personnel representing the official or dignitary and members of this department. Specific duties and assignments of police personnel would be handled by the shift supervisor assigned to the detail.
- D.** Escort requests of an unusual nature, such as for hazardous materials, oversized loads, parades, etc., shall be approved by the Chief of Police.
- E.** Officers assigned to escorts choose the travel route. Factors to be considered in selection the travel route are, but not limited to:
- Time of day
 - Local traffic
 - Workload
 - Road Hazards
 - Permit requirements
 - Weather
- F.** Officers must refuse an escort which presents an unreasonable hazard to their safety or that of the public, after consulting with their supervisor. The primary concern in all escorts is to ensure the safety of the officers involved, persons being escorted, and the public. It is the secondary concern of police personnel to ensure minimal disruption to the normal traffic flow.
- G.** Police vehicles actively involved in traffic control during an escort assignment shall have their emergency lighting equipment in operation at all times. Intermittent use of the siren may be required as a warning to other motorists. No escorted vehicle shall be permitted to exceed the posted speed limits.
- H.** The officer in charge of a funeral escort will determine the manageable number of vehicles that can be escorted, based on assigned personnel, route, and weather conditions. Generally, processions with less than 15 vehicles will not be escorted unless circumstances dictate otherwise. In the event that the procession is larger than anticipated and cannot be safely escorted with available staffing, the officer in charge will advise the procession coordinator that there will be a delay to await additional assistance. The procession can either proceed without an escort at its own risk or the officer may take a manageable number of vehicles, to include the family vehicle and funeral coach. Additionally, funeral home personnel shall be advised of the need to have all participating vehicles illuminate their headlights and activate their four-way flashers. Placarding for the lead and last vehicle should also be recommended.

- I. Officers shall enter controlled intersections only on a green traffic signal. The officer may take control of the intersection; however, once this is done, control shall be maintained until the last vehicle in the procession has passed through the intersection. Escorted vehicles shall not be allowed to proceed against a red traffic signal, unless at the direction of a police officer.



July 26, 2022

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 nine (9) refunds totaling \$1,440.47.

Respectfully Submitted,

Kristy L. Merrifield, CCMC
Collector of Revenue

	0.00
	66.06
	5.68
	593.92
	124.65
	25.16
	394.49
	15.84
	53.99
	160.68
009	1,440.47
	0.00

**BOARD AND COMMISSION SUMMARY
JUNE 2022****Arts & Culture Commission**

The Arts & Culture Commission met on June 16 at the Joseph N. Goff House. They discussed the upcoming Garden Tour/Plein Air Event. They discussed the Rotary Bells and a possible bell tour. The commission received a thank you from Stacey Gibson's students for the grant they were awarded for their activities. They discussed the budget and next year's student art awards.

Board of Finance

The Board of Finance met for the regularly scheduled meeting on June 20, 2022. Board Members unanimously approved the Tax Suspension list as presented and were informed by Superintendent Smith of the discussions being had around school safety. Members also began a preliminary discussion around the feasibility of consolidating/restructuring Town and BOE IT services.

Brownfields Redevelopment Agency

No meeting

Clean Energy Task Force

The Clean Energy Task Force met on June 7. Their discussion revolved around plans for the 2022 Electric Car Show scheduled for September 24 at the High School.

Commission on Aging

The Commission on Aging met on June 9 at the Senior Center and via Zoom. Mr. Atherton provided an overview of the happenings at the Senior Center. The three sub-committees for the survey reported on their work to date and discussed how and what to present to the Town Council.

Conservation-Lake Commission

The Conservation-Lake Commission met on June 9. An update for the communication and liaison report was given. The members reviewed the plans for the Stormwater Retrofit Projects for the Town of East Hampton. There was some discussion and clarification for some projects. The members made a motion to give their support of the projects to the Inland Wetlands and Watercourses Commission. The town is waiting for the Attorney General to sign the contract for the projects. Once the contract is initiated, the RFP can be sent out and the projects can start. There were no updates for the Lake Smart Program and the Advisory Panel.

Design Review Board

No meeting

Economic Development Commission

The Economic Development Commission met on June 21. There was discussion on the Bells on the Bridge event, New Business Update/New Business with Planning & Zoning Approval/ Review of P&Z Minutes, New Signage for Business Recognition, and Developing Guidelines on the Business Incentive Program. The members received an update from the Town Manager and a presentation on the new Village Center Streetscapes Improvements plan.

Fire Commission

The Fire Commission met on June 13. The Fire Chief's report was read out for the members to hear. There was discussion about the dry hydrants. The last in-lake pipe to fix at American Distilling has been scheduled to be fixed on June 30th. The Comstock Trail dry hydrant may need to have a scheduled cleaning since debris and leaves were found inside. The Ladder Truck is back fully in service and awaiting a few small fixes. The members discussed the need for a fire department boat. It was suggested to order the boat under the new budget for the next fiscal year. The list of members for the awards program was cleaned up and marked as either active, inactive, or terminated. The revised list was sent to Chairman Salafia to review. There was discussion about members taking leaves of absence and having their awards program change. The members went into executive session.

Inland Wetlands Watercourses Agency

No meeting

Joint Facilities

Information will be included with July report.

Library Advisory Board

The Library Advisory Board met on June 6 via Zoom. The members discussed a hybrid option for future meetings. The Library Board chairman resigned from the board. The members voted to name Jesse Alford as the new Chairman. Some board members volunteered to assist with the Summer Reading Kickoff. The Friends of the Library are planning a book sale in the fall.

Middle Haddam Historic District Commission

The Middle Haddam Historic District Commission held a special meeting on June 16. The members reviewed and discussed four plan reviews. Two plans were to replace existing windows, one was for 25 feet of picket fence and privacy fence, and the last plan was to pave an existing dirt driveway. The members approved of all the plans with some conditions for the fence application. The members briefly discussed previous applicants, the Robinsons, with the progress on their property. The members discussed having the permission to put up a bulletin board at the post office to hang up flyers, ads, and announcements for the commission.

Parks & Recreation Advisory Board

The Parks & Recreation Advisory Board met on June 7. The 2022 Enrichment Grant was not received this year. Updates were given from the Air Line Trail Sub-Committee and the Seamster Park Playground Committee. The money received through the golf tournament will be used for a new piece of playground equipment. The track portion of the High School Fields project is complete.

Planning & Zoning Commission

The Planning & Zoning Commission met on June 1.

Public Hearings:

- a. PZC-22-006: James Marino, 27 Salmon Run for 2 lot Subdivision Map 35/ Block 95/ Lot 7/ 51. Vice-Chairman Kuhr made a motion to recognize map dated April 17, 2022 project 22-006 and approve application. Mr., Rux seconded the motion. Vote: 6-1 (Mr. Sennett)
- b. PZC-22-007: Carrie Sue Clausi, 124 Tartia Road, for 2 Subdivision Map 27/ Block 54/ Lot 7. Mr. Kuhr made a motion to approve the subdivision. Ms. Wright seconded the motion. Vote: 7-0

Water Pollution Control Authority

Information will be included with July report.

Zoning Board of Appeals

The Zoning Board of Appeals met on June 13.

Public Hearings:

- a. Application ZBA-22-003: Patricia Santangelo, 40 Eastham Bridge Rd., reduce front set back from 50' to 46' to build front porch. Map 24/ Block 64/ Lot 4A-17. Applicant withdrew application due to lack of sufficient hardship.
- b. Application ZBA-22-002: Atlantis Marketing, 1 Colchester Ave., 5 Colchester Ave. and 157 Main St for a variance to increase lot coverage from 30.4% to 36.9% and reconstruction and expansion of legal non-conforming uses in the R-2 Zone. Map 7A/ Block 56/ Lots 22, 21, and 24. John Tuttle made a motion to close the Public Hearing. Margaret Jacobson seconded the motion. Vote: 5-0 George Pfaffenbach made a motion to approve the application as presented. John Tuttle seconded the motion. Vote: 0-5 Motion failed unanimously. Application denied.