


MEMORANDUM

TO: Town Council

FROM: David E. Cox, Town Manager 

DATE: May 21, 2020

SUBJECT: Agenda Information – 5/26/2020

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

8a 2020-2021 Town and BOE Budgets – This will be the Council’s second review of the proposed Town budget for the upcoming fiscal year. It is anticipated that significant time will be made available for public comment and that discussion regarding the proposed and Board of Finance recommended budget will continue. At this point, the recommended budget includes total expenditures of \$47,738,587 and a potential mill rate increase of \$0.57 or 1.71%. The Council anticipates continued review of the budget at future meetings including the June 9 regular Council meeting.

9 New Business

9a Easement for Aeration Equipment – The Council is asked to consider and approve a proposed easement for the second aeration equipment location. An agreement for an easement has been reached with the owner of 60 Spellman Point Road, also known as Map 09A/Block 70A/Lot 11.

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.

DC

Town of East Hampton
Town Council Regular Meeting
Tuesday, May 12, 2020
Virtual Meeting via Zoom

MINUTES

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

Call to Order

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

Adoption of Agenda:

A motion was made by Ms. Moore, seconded by Mr. Johnson, to add item 9C – Budget Calendar to the agenda. Voted (7-0)

A motion was made by Mr. Johnson, seconded by Mr. Philhower, to adopt the agenda as amended. Voted (7-0).

Approval of Minutes

A motion was made by Mr. Philhower, seconded by Mr. Johnson, to approve the minutes of the Town Council Regular Meeting of April 28, 2020 as written. Voted (7-0)

Public Remarks

None

Presentations

Route 66 Corridor Study Presentation

Sam Gold and Rob Haramut from the Lower CT River Valley Council of Governments and Chris Granatini from Tighe and Bond attended the meeting to provide an overview of the East Hampton/Portland Route 66 Corridor Study that studied long term improvements to the Route 66 Corridor in both communities. The documents and slide show will be included with the minutes filed in the Town Clerk's Office.

Bids & Contracts

Bid Award for Lake Pocotopaug Watershed Improvements

The Conservation-Lake Commission has met and is recommending a contract for watershed improvements. Proposals were sought for eight watershed locations consisting of Sears Park, Wangonk South and North Beaches, Sears Place, Seven Hills, Skyline Estates, Mott Hill, Clark Hill and Hawthorne. Contractors were asked to identify a cost per site and the total cost of all sites was used to formulate the cost for the entire job. Butler Construction is the low bidder and is recommended in the amount of \$320,000. The funding for this project is \$182,000 in grant funds and \$138,000 from the Watershed Improvements line in the Capital Reserve Fund.

A motion was made by Mr. Markham, seconded by Mr. Johnson, to award the bid for Lake Pocotopaug Watershed Improvements to Butler Construction in the amount of \$320,000 as noted above for Lake Pocotopaug Watershed Improvements. Voted (7-0)

Resolution/ Ordinances/ Policies/ Proclamation

Limited Duty Policy

The Limited Duty Policy outlines the availability of limited duty (light duty) assignments for Officers who are recuperating from injuries and are not able to return to normal duties due to lifting or endurance restrictions or other limitation but who are able to perform some police department related duties. The policy makes limited duty available at the Town's discretion, outlines eligibility for work and non-work-related injuries as well as the required information needed from the attending physician.

A motion was made by Mr. Philhower, seconded by Mr. Reich, to approve General Order 8.9 Light Duty as presented. Voted (7-0)

Continued Business

None

New Business

Discussion of Municipal Salaries

Mr. Philhower and Mr. Feegel requested the discussion of municipal salaries related to the 2021 budget. Mr. Philhower thanked Mr. Cox for removing his pay raise from the budget. Mr. Philhower and Mr. Feegel would like a pay freeze on all town and Board of Education employees, union and non-union. Mr. Cox noted there is no executive order on union agreements, but he indicated the unions are willing to discuss. Ms. Moore noted this should be discussed during budget deliberations. Mr. Cox was asked to reach out to the unions and the Board of Education/Superintendent.

Review of WPCA Water Budget

Scott Clayton, Public Utilities Administrator, was present to provide an overview of the WPCA Water Budget. There is no rate increase. In early June the WPCA will hold a public hearing then the budget will go back to the Town Council on June 9th for approval. The proposed budget will be included with the minutes filed in the Town Clerk's Office.

Budget Calendar

Mr. Markham recommended a special budget calendar prior to the Town Council approving the budget.

- Special Meeting Workshop - Thursday, May 21st
- Regular Meeting – Tuesday, May 26th
- Possible Special Meeting – Tuesday, June 2nd
- Regular Meeting – Tuesday, June 9th

A motion was made by Mr. Markham, seconded by Ms. Moore, to revise the budget calendar to include the meetings listed above. Voted (7-0)

Town Manager Report

Mr. Cox provided an overview of the Town Manager Report. He also reported that the Board of Finance approved the draft budget and it has been emailed to the Town Council and is available on the town website. He reported that as of today approximately 13% of the East Hampton workforce has filed initial unemployment claims. This is lower than the national average. East Hampton tends to run behind the State figures. The move to the new Town Hall occurred over the weekend and staff has begun working out of the new building as of Monday.

Mr. Feegel would like a report on building permits and CO's for each meeting. He also noted an issue regarding Public Works employees.

Mr. Johnson asked for clarification on the police officer position and if this position should be filled. Mr. Cox noted the ½ year position was approved in last year's budget.

Mr. Markham asked if there is a Certificate of Occupancy on the new Town Hall. Mr. Cox noted there is a Temporary CO due to code issues that are now resolved. Mr. Brown would like a list of the issues, when they arose and how they were addressed.

Appointments

None

Tax Refunds

A motion was made by Mr. Philhower, seconded by Ms. Moore, to approve tax refunds in the amount of \$459.24. Voted (7-0)

Public Remarks

None

Communications, Correspondence & Announcement

None

Adjournment

A motion was made by Mr. Reich, seconded by Ms. Moore, to adjourn the meeting at 8:35pm. Voted 7-0)

Respectfully Submitted,

Cathy Sirois
Recording Clerk

ACCESS EASEMENT AND AGREEMENT
FOR THE INSTALLATION OF A COMPRESSOR UNIT AND ASSOCIATED IMPROVEMENTS

KNOW ALL PERSONS BY THESE PRESENTS:

That KEVIN KUHR, having an address at 60 SPELLMAN POINT ROAD, East Hampton, CT (hereinafter referred to as "Grantor") for consideration of One Dollar (\$1.00) and other good and valuable consideration received to his full satisfaction, does give, grant, bargain, and sell and confirm upon the TOWN OF EAST HAMPTON (hereinafter referred to as "Grantee"), its successors and assigns in perpetuity, an access easement, under, over and across portions of land owned by the Grantor located at 60 SPELLMAN POINT ROAD, also known as Map 09A/Block 70A/Lot 11 on the East Hampton Assessor's Map, as is hereinafter described- as follows:

Said right-of-way and easement is shown and designated as "Easement Area in Favor of the Town of East Hampton" on property known as 60 Spellman Point Road, Map 09A/Block 70A/Lot 11 on the East Hampton Assessors Map, also known as the "Kuhr Property" and more particularly bound and described on a Plan entitled "EverBlue Aeration Project – Kuhr" on File in the Town of East Hampton at Volume ____, Page_____.

The purpose of said easement is to allow for the construction, installation, and maintenance of an "EverBlue Lakes EBC-300 Aeration System" compressor structure and associated connections as shown on the aforementioned Plan in order to provide for in-lake aeration treatment to Lake Pocotopaug.

Within the aforementioned easement area, which affects 60 Spellman Point Road, Map 09A/Block 70A/Lot 11 on the East Hampton Assessors Map, the Grantee shall have full rights, privilege, and easement to enter upon the said premises by its officers, employees, servants and agents, for the purpose of accessing upon, over, under and across said easement area, together with the further right, privilege and easement to construct the aforementioned compressor unit and make all associated connections to it as shown within the easement area on said map, including:

1. The right to construct the compressor unit as shown on the aforementioned plan;
2. The right to install an above-ground meter and pedestal (or similar structure to support the meter) and to run electrical and other utility lines upon, under, or over said area to the compressor unit;
3. The right to trim, cut, clear and otherwise remove trees, limbs, branches, and underbrush from the easement area which may interfere with the exercise of the rights granted hereunder; and
4. The duty and obligation to maintain the easement area so that it functions properly and is presentable, and to restore disturbed areas to as near their former appearance as reasonably possible.

In consideration of being granted access to the subject property the Grantee shall indemnify and hold harmless the Grantor, its agents, employees, contractors, and representatives from and against any claims, damages, losses, costs or expenses of any kind, financial or otherwise, sustained or arising from this Easement.

Upon termination of the in-lake aeration treatment program, or upon the abandonment and/or disuse of the "EverBlue Lakes EBC-300 Aeration System", the Grantee, at its sole expense, shall remove the unit and any structure or connections associated with the unit or project and restore the property to its original condition at its sole expense.

The Grantor will take all reasonable efforts, at its own expense, to minimize the impact on the Grantor, and its use and enjoyment of the beach.

The Grantor reserves to itself, its heirs, successors, and assigns in perpetuity, the right to continue to use the land within the aforesaid easement area for any uses and purposes which shall not interfere with the use thereof or the rights of the Grantee in fulfilling the purpose for which this easement is granted.

It is expressly provided that the Grantor further covenants with Grantee that is lawfully seized and possessed of the property described above and has a good and lawful right to convey it, or any part thereof and that the granting of this easement shall be binding upon the Grantor and unto its successors and that no agreement or understanding varying or extending the same shall be binding upon either party hereto unless the same be in writing, and duly signed. This Easement shall be binding upon the successors and assigns of the parties hereto and shall run with the land until such time as it may be abandoned by the Grantee.

This easement shall be extinguished upon the termination of the in-lake aeration treatment program and removal of all associated equipment.

Signed this [DAY] day of [MONTH, YEAR]

STATE OF CONNECTICUT:

:ss. East Hampton

COUNTY OF MIDDLESEX:

Personally Appeared [OWNER], Signer of the forgoing Instrument, and acknowledged the same to be [his/her] free act and deed, before me.

Notary Public

My Commission Expires: _____



May 26, 2020

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 is one (1) refund totaling \$482.46.

Respectfully Submitted,

Kristy L. Merrifield, CCMC
Collector of Revenue

001	482.46	⊞
	482.46	⊞

BOARD AND COMMISSION SUMMARY

APRIL 2020

Arts & Culture Commission

No meeting

Board of Finance

The Board of Finance held a Public Hearing and Budget Presentation on April 20. Budget workshops with all departments were held on April 21, 22, 23, 24 and 25. A special budget deliberation meeting was held on April 30.

Brownfields Redevelopment Agency

The Brownfields Redevelopment Agency met on April 27 via Zoom. The members received an update on the Coronavirus within the town and were informed on the new Town Hall move in progress. The members discussed the projects for 1 Watrous Street, 13 Watrous Street, and 3 Walnut Avenue. Updates were given to the members for each of the projects. The members then discussed the use of online meetings for the next couple of months and different ways to gain more memberships to the agency.

Clean Energy Task Force

No meeting

Commission on Aging

The Commission on Aging met on April 9 via Zoom. Ms. Ewing provided an overview of the impact the Covid-19 outbreak is having on services and events for the seniors. Members discussed having a virtual roundtable meeting with other senior centers.

Conservation-Lake Commission

The Conservation-Lake Commission held a special meeting on April 29 via Zoom. The members discussed the low impact development (LID) projects for the 319 Grant. The members discussed the plans for the Sear's Park project. The members received an update on the property easements and the Christopher Brook property as well. The members approved of the capital funding for the low impact development projects.

Design Review Board

No meeting

Economic Development Commission

The Economic Development Commission held a special meeting on April 29 via Zoom. The members discussed how to help the Events Magazine with gaining more advertisers for local businesses. This would help to keep the magazine. The members approved of the \$500 for the full-page ad in the magazine. The business pamphlet was also discussed by the commission members. They decided to print after the opening of the new Town Hall to have the most accurate information for the town. It was also decided to print the pamphlets in smaller batches twice a year. The cost of that will be investigated. Christopher Miller is a senior at East Hampton High School. For his senior project he wants to create a tourism guide for the town. The members have scheduled a special meeting for the

business pamphlet and for Christopher to present his proposal to the members of the commission.

Ethics Commission

No meeting

Fire Commission

No meeting

Inland Wetland Watercourses Agency

The Inland Wetland Watercourses Agency met on April 29 via Zoom.

Agent Approvals:

- A. IW-20-010: Stephen Woods, 64 North Maple St., to install a 27' AG pool in the Upland Review Area. Map 19/Block 39A/Lot 10A-14

Continued Applications:

- A. IW-20-006: Town of East Hampton, Sears Place. Installation of LID Drainage Swale, Map 04A/ Block 63/ Lot 1. Approved (7-0)

New Applications:

- A. IW-20-009: Peter and Sheila Engel, Markham Rd., Three lot Re-subdivision and associated driveway improvements for a common drive in the Upland Review Area. Map 35/Block 91/Lot 2-3A. Continued to the next regularly scheduled meeting on May 27, 2020 (7-0)
- B. As of Right Determination: Lake Aeration Project - in Lake portion of project to include air lines and diffusers. Approved as an As of Right project (7-0)

Joint Facilities

No meeting

Library Advisory Board

The Library Advisory Board met on April 6 via Zoom. The members reviewed the budget and strategic planning efforts.

Middle Haddam Historic District Commission

No meeting

Parks & Recreation Advisory Board

No meeting

Planning & Zoning Commission

The Planning & Zoning Commission met on April 1 via Zoom.

Public Hearings for April 1, 2020:

- A. Application PZC-20-001: Sports on 66, LLC., 265 West High St., for a Special Permit to sell Alcohol as an accessory use. (Sec. 8.4.B). Map 6/Block 12/Lot 20. Continued to May 6, 2020 PZC Regular meeting. (7-0)
- B. Application PZC-20-002: Stanislaw Oleksenko, 11 Cone Road, 4 lot subdivision of 14.766 acres parcel. Map 6/Block 36/Lot 6A. Continued to May 6, 2020 PZC

Regular Meeting (7-0)

- C. Application PZC-20-003: Lisa Sherman, for an Amendment to Zoning Regulation 5.4.A PO/R Zone. Continued to May 4, 2020 PZC Regular meeting (7-0)
- D. Application PZC-20-004: Lisa Sherman, 50 Main St., for a Zone Change: R-1 to PO/R. Map 02A/Block 47/Lot 25 Continued to May 4, 2020 PZC Regular meeting (7-0)

New Business:

- A. Application PZC-20-006: American Equities, LLC., 35 West Point Rd., for a site plan modification to construct a commercial 38' x 29' storage garage. Map 05A/Block 84/Lot 1. Approved (7-0)

Town Facility Building Committee

The Town Facility Building Committee met on April 16 via Zoom. Members received an update on the Amenta Emma contract. The OPM provided an update on the construction and items to be completed. Seven change orders were approved. Nine invoices were approved, and one was tabled. It was noted the Grand opening will be postponed until large groups can gather again.

The Town Facility Building Committee held a special meeting on Thursday, April 30 via Zoom. A brief overview was provided for the architect and construction manager. Three change orders were approved.

Water Pollution Control Authority

The Water Pollution Control Authority Board held a virtual meeting on April 4th. Per Governors orders, municipalities will need to implement a program for delinquent revenue payments due to the Covid-19 pandemic. The Town Council will notify Mr. Clayton of the payment arrangements they put into effect. The WPCA By-law language in relation to Sewer Use Charges will be rewritten to incorporate the 2X/year billing option. The Committee reviewed the recommended operating and revenue Water Budget for 20/21 fiscal year. Any changes or corrections will be made at the May 5th meeting.

Zoning Board of Appeals

No meeting