

**TOWN COUNCIL  
TOWN OF EAST HAMPTON OF THE STATE OF CONNECTICUT  
RESOLUTION AUTHORIZING A LEASE-PURCHASE FINANCING TO FINANCE  
ENERGY EFFICIENCY LIGHTING AND INSTALLATION AT THE COMMUNITY  
CENTER**

**March 14, 2017**

WHEREAS, the Town of East Hampton of the State of Connecticut (the "Town") contemplates entering into a lease-purchase agreement to finance the costs of acquisition of energy efficiency lighting and installation related thereto (the "Project"); and

WHEREAS, the Town Council of the Town has determined that a true and very real need exists for the acquisition of the Project; and

WHEREAS, it is contemplated that interest on such lease-purchase financing shall be exempt from Federal income taxation; and

WHEREAS, the Town Council hereby determines that such a lease-purchase financing are in the best interests of Town; and

WHEREAS, it is contemplated that a payment may be due under the Agreement during the fiscal year ending June 30, 2017 and that the general fund has amounts sufficient for such payment; and

WHEREAS, the lease-purchase financing agreement will contain a non-appropriation provision; and

WHEREAS, The Town Council has the powers, among others, (1) to provide for the due execution of contracts of the Town, (2) to lease real and personal property for the Town, and (3) to enter into contracts for any services and to purchase or contract to purchase any supplies, materials, equipment and other commodities required by the Town.

**NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF EAST HAMPTON:**

1. That the Town undertake a lease-purchase financing in a principal amount not to exceed \$21,171, and with an amortization period not to exceed four (4) years, to finance the costs of the Project, the first payment on the lease-purchase financing may be made in the 2016/17 fiscal year from the general fund. The Project may include acquisition costs, equipment, legal fees, capitalized net interest cost and other financing costs, and other expenses related to the Project and its financing.



**FAIR HOUSING RESOLUTION  
TOWN OF EAST HAMPTON, CT**

**TOWN COUNCIL**

- Patience Anderson  
*Chairperson*
- Ted Hintz, Jr.  
*Vice Chairman*
- Peter Brown
- Melissa Engel
- Mark Philhower
- Josh Piteo
- Kevin Reich

Whereas, All persons are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

Whereas, Federal fair housing laws require that all individuals, regardless of race, color, religion, sex, handicap, familial status or national origin, be given equal access to all housing-related opportunities, including rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and

Whereas, Connecticut fair housing laws require that all individuals, regardless of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation, or gender identity or expression be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and

Whereas, the Town of East Hampton is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

**NOW THEREFORE, BE IT RESOVED**, That the Town of East Hampton hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase, obtain financing and enjoy all other housing-related services of their choice on a non-discriminatory basis as provided by state and federal law; and

**BE IT FURTHER RESOLVED**, That the Chief Executive Officer of the Town of East Hampton or his designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practice in the Town of East Hampton and for advising such person of the right to file a complaint with the State of Connecticut Commission on Human Rights and Opportunities (CHRO) or the U.S. Department of Housing and Urban Development (HUD) or to seek assistance from the CT Fair Housing Center, legal services, or other fair housing organizations to protect his or her right to equal housing opportunities.

Adopted by the Town of East Hampton on Tuesday, March 14, 2017

\_\_\_\_\_  
Sandra Wieleba, Town Clerk



### Fair Housing Policy Statement

It is the policy of the Town of East Hampton to promote fair housing opportunities and to encourage racial and economic integration in all its programs and housing development activities.

Programs funded and administered by this Town of East Hampton must comply with the provisions of Section 46a-64c of the C.G.S., and with related state and federal laws and regulations that prohibit discriminatory housing practices.

The Town of East Hampton or any of sub-recipient of the Town of East Hampton will carry out an affirmative marketing program to attract prospective buyers or tenants of all majority or minority groups, without consideration of race, color, religion, sex, national origin, ancestry, creed, sexual orientation, gender identity or expression, marital status, lawful source of income, disability, age or because the individual has children in all programs and housing development activities funded or administered by the Town of East Hampton.

The municipality's Town Manager is responsible for the enforcement and implementation of this policy. The Town Manager, Michael Maniscalco, may be reached at (860) 267-4468 or [mmaniscalco@easthamptonct.gov](mailto:mmaniscalco@easthamptonct.gov).

Complaints pertaining to discrimination in any program funded or administered by this Town of East Hampton may be filed with the Town Manager. The municipality's Grievance Procedure will be utilized in these cases.

Complaints may also be filed with the Commission on Human Rights and Opportunities, Special Enforcement Unit, 21 Grand Street, Hartford, CT 06106, Telephone (860) 541-3403 within 180 days of the alleged violation by submitting a notarized complaint and/or the Boston Regional Office of FHEO, U.S. Department of Housing and Urban Development, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Room 321, Boston, MA 02222-1092, Telephone (617) 994-8300 or 1-800-827-5005, TTY (617) 565-5453. A complaint may be filed with HUD within one year after an alleged violation. Additionally, an individual may file suit, at his/her expense, in Federal District Court or State Court within two years of an alleged violation. If the individual cannot afford an attorney, the Court may appoint one. A suit can be brought even after filing a complaint, if the complaining party has not signed a conciliation agreement and an Administrative Law Judge has not started a hearing. A court may award actual and punitive damages and attorney's fees and costs.

A copy of this policy statement will be given annually to all Town of East Hampton employees and they are expected to fully comply with it. In addition, a copy will be posted throughout the Town of East Hampton.

Revised 3/14/2017

\_\_\_\_\_

Date

\_\_\_\_\_

Michael Maniscalco, Town Manager

THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE by contacting the Town Manager's Office, Town of East Hampton, 20 East High Street, East Hampton, CT 06424 – Phone (860) 267-4468.



Office of the TOWN MANAGER  
MICHAEL MANISCALCO, MPA  
mmaniscalco@easthamptonct.gov

Town of East Hampton  
Compliance with Title VI of the Civil Rights Act of 1964

**TOWN COUNCIL**

- Patience Anderson  
*Chairperson*
- Ted Hintz, Jr.  
*Vice Chairman*
- Peter Brown
- Melissa Engel
- Mark Philhower
- Josh Piteo
- Kevin Reich

The Town of East Hampton does not discriminate in the provision of services, the administration of its programs, or contractual agreements. The Town of East Hampton seeks to fully carry out its responsibilities under the Title VI Regulations.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color or national origin in programs and activities receiving Federal financial assistance. Title VI provides that No person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any programs covered by the Regulations.

This policy is effectuated through the methods of administration outlined in the Town of East Hampton's Fair Housing Plan and is fully implemented to ensure compliance by the Town of East Hampton, as the recipient, and by sub-recipients. The cooperation of all personnel is required.

\_\_\_\_\_  
Michael Maniscalco, MPA  
Town Manager

\_\_\_\_\_  
Date



TOWN OF EAST HAMPTON

AFFIRMATIVE ACTION POLICY STATEMENT

**TOWN COUNCIL**

Patience Anderson  
*Chairperson*

Ted Hintz, Jr.  
*Vice Chairman*

Peter Brown

Melissa Engel

Mark Philhower

Josh Piteo

Kevin Reich

As Town Manager of the Town of East Hampton, I recognize the need for Affirmative Action and I pledge my commitment to undertake positive actions to overcome the present effects of past practices or barriers to equal employment opportunity and to achieve the full and fair participation of minorities, women, people with disabilities, older persons, and all other protected groups found to be underutilized in the Town of East Hampton's work force or affected by policies having an adverse impact. In the spirit of Executive Order 11, signed by Governor Ella Grasso November 21, 1975, and Executive Order 9, signed by Governor William A. O'Neill on January 3, 1984, I further state that this Town of East Hampton will comply with the anti-discrimination provisions of the state and federal laws and regulations listed at the end of this section.

I recognize the hiring difficulties experienced by minorities, people with disabilities and by many older persons and, where appropriate, I have set goals to overcome the present effects of past discrimination, if any, to achieve the full and fair utilization of such persons in the work force. I further pledge that the Town of East Hampton will affirmatively provide services and programs in a fair and impartial manner.

Where adverse impact is identified, the Town of East Hampton will: (1) review its personnel policies and procedures to ensure that barriers, which unnecessarily exclude protected classes and practices, which have an illegal discriminatory impact, are identified and eliminated; (2) explore alternative approaches to employ minorities and members of protected classes; (3) administer all terms, conditions, privileges and benefits of the employment process in an equitable manner; and (4) establish procedures for the extra effort that may be necessary to ensure that the recruitment and hiring of protected group members reflect their availability in the job market.

It is the policy of the Town of East Hampton to provide equal employment opportunities without consideration of race, color, religion, age, sex, marital status, national origin, genetic information, past/present history of mental disability, ancestry, mental retardation, learning or physical disabilities including but, not limited to blindness, sexual orientation, political belief or criminal record, unless the provisions of Section 46a-60(b), 46a-80(b) and 46a-81(b) of the Connecticut General Statutes are controlling or there is a bonafide occupational qualification excluding persons in one of the above protected groups. This policy applies to all aspects of the employer/employee relationship including, but not limited to, recruitment,



hiring, referrals, classifying, advertising, training, upgrading, promotion, benefits, compensation, discipline, layoff and terminations.

The Town of East Hampton will implement, monitor and enforce this Affirmative Action Policy Statement in conjunction with the applicable federal and state laws, regulations and executive orders listed below: 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> Amendments of the United States Constitution, Civil Rights Act of 1866, 1870, 1871, Equal Pay Act of 1963, Title VI and VII of the 1964 United States Civil Rights Act, presidential Executive Orders 11246, amended by 11375, (Nondiscrimination under federal contracts), Act 1 Section 1 and 20 of the Connecticut Constitution, Governor Grasso's Executive Order Number 11, Governor O'Neill Executive Order Number 9, the Connecticut Fair Employment Practices Law (46a-63-64). Discrimination against Criminal Offenders (46a-80). Connecticut General Statutes, Connecticut Code of Fair Accommodations Law (46-63-64), definition of Blind (46a-51 (1), definition of Physically Disabled (46a-51 (15), definition of Mentally Retarded (46a-51 (13), cooperation with the Commission of Human Rights and Opportunities (46a-77), Sexual Harassment (46-60-(a) Connecticut Credit Discrimination Law (360436 through 439), Title I of the State and the Local Fiscal Assistance Act of 1972 and the Americans with Disabilities Act of 1992.

This policy statement will be given annually to all Town of East Hampton employees and will also be posted throughout the Town of East Hampton. I also expect each supplier, union, consultant and other entity (s) with which we do business to comply with all applicable State and Federal Equal Opportunity laws and regulations. The Town of East Hampton will not knowingly do business with any entity debarred from participation in any federal or state program or found to be in violation of any state or federal anti-discrimination law.

I have assigned the responsibility to achieve the successful implementation of our goals and objectives to Lisa Seymour, Human Resources Coordinator, 860-267-4468 or [lseymour@easthamptonct.gov](mailto:lseymour@easthamptonct.gov)

\_\_\_\_\_

Date

\_\_\_\_\_

Michael Maniscalco, Town Manager

THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE FROM THE ADA-504 COORDINATOR BY CALLING (860) 267-4468.

Agenda Item: 5A

**CAPITAL RESERVE FUND**

**NEW TOWN HALL/POLICE STATION BUDGET TRANSFER AND APPROPRIATION FOR DESIGN FEES AND  
PRE-REFERENDUM SERVICES**

RESOLVED,

1. That the Town of East Hampton appropriate ONE HUNDRED TWENTY-EIGHT THOUSAND DOLLARS (\$128,000) for costs with respect to the proposed new Town Hall/Police Department facility. The appropriation may be spent for architectural, engineering, project management, construction management, legal fees and administrative costs related to pre-referendum project costs, including without limitation the preparation of schematic drawings and outline specifications for the project.
  
2. That the Town transfer funds from the following Capital Reserve Fund Project(s) to temporarily fund the project:
  - Mill Rate Stabilization (13900) \$128,000
  
3. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs paid from such temporary advances are reasonably expected to be reimbursed from the appropriation for the full costs of the project, including not in excess of \$128,000 of the proceeds of borrowings funding such appropriation, if and when approved.

FY 2016-2017 Budget Transfer

Agenda item: 5B

Transfer From:

Org	Object	Description	2017 Revised Budget
01010000	5230	Pension	15,487
01020000	5230	Pension	124
01060135	5230	Pension	42,021
01060136	5230	Pension	14,045
01060137	5230	Pension	15,798
01060138	5230	Pension	45
01070000	5230	Pension	15,542
01210211	5230	Pension	12,101
01210212	5230	Pension	158,498
01210213	5230	Pension	136
01320000	5230	Pension	9,091
01330000	5230	Pension	7,035
01410000	5230	Pension	36,270
01420000	5230	Pension	69
01430000	5230	Pension	60
01460000	5230	Pension	49
01510000	5230	Pension	118,687
01560000	5230	Pension	3,769
01610610	5230	Pension	23,075
01670000	5230	Pension	6,696
01680681	5230	Pension	18,700
			<b>\$ 497,298</b>

Transfer To:

01110000	5230	Pension	<b>\$ 497,298</b>
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Note: As the Town continues its transition to a defined contribution plan from a defined benefit plan, the individual allocations between departments has become more complicated and time consuming. Continuing this process offers little to no benefit. I am recommending that beginning in FY2018 the Town budget for its share of the pension contribution in the employee benefits budget. The Board of Education, WPCA & Jt. Facility will budget for their respective shares as well. In order to have a budget that is comparative from FY2017 to FY2018 I am proposing that the department budgets for the DB pension contribution be transferred to the employee benefits budget (FY2017). Not doing this would give the appearance that department budgets are decreasing from 17 to 18.



**Sirois, Cathy**

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**From:** Ted Hintz Jr <Ted@hintzcpa.com>  
**Sent:** Thursday, March 02, 2017 8:08 PM  
**To:** Town Council  
**Subject:** Attorney Contact

Good evening all,

As I let Mike know at Tuesday's meeting, per policy, I was in contact with Duncan this evening. I posed the question as to the legality of the exemption vote taken this past Tuesday. After reading code section 117-4A, I do not believe the vote was legal. The exemption states "unless a written justification is provided to the Town Council". Since the agenda item was originally to be for a waiver, as noted in the legal notice, and no written notice was given I believe the vote was illegal and therefore void.

He will be speaking with Mike to discuss.

I also find it curious that the town attorney knew nothing of the matter. As we have a RFP out, I was unaware that he had been dismissed. Frankly neither had he. He did hear in the tape that the Town had used Robinson and Cole for this matter. I did suggest if they were the ones who advised you on this matter, I would like an unbiased opinion. He could not disagree.

Regards,  
Ted

**Theodore W Hintz, Jr., CPA, CFP®**

**Hintz & Company, LLC**  
299 Marlborough Street  
PO Box 294  
Portland, CT 06480  
Phone: 860-342-3073  
Fax: 860-342-3075  
[www.hintzcpa.com](http://www.hintzcpa.com)

**Tax Advice Disclaimer:**

Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Hintz & Company, LLC would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

**Privilege and Confidentiality Notice:**

This communication and any accompanying documents are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon this communication is strictly prohibited. Moreover, any such disclosure shall not compromise or waive the attorney-client, accountant-client, or other privileges as to this communication or otherwise. If you have received this communication in error, please contact me at the above email address. Thank you.

## REQUESTS TO CONSULT WITH A CONTRACTED TOWN ATTORNEY

To obtain legal information from Town Attorneys, a Town Council member must contact the Town Council Chair or the Town Manager explaining their request.

All members of the council will be notified. The response from the Attorney will be emailed to all council members.

Keeping in mind that Legal Fees are increasing, we expect a monthly accounting of them and also expect a strong effort by the Town Manager and Town Council to reduce these costs.

11-12-13

MEMORANDUM FROM THE LAW OFFICES OF  
HALLORAN & SAGE LLP  
225 Asylum Street  
Hartford Connecticut 06103

TO:	Mike Maniscalco
FROM:	Duncan J. Forsyth Richard P. Roberts
DATE:	March 6, 2017
RE:	Section 117-4.A Exemption – Owner’s Project Manager Our File No. 07964.09 [17.01]

You have asked us to confirm that the Second Item in the Town Manager’s Report, for the reporting period of February 10, 2017 to February 24, 2017, serves as written justification consistent with the exemption provisions set forth in Section 117-4.A of the Town Code. In reviewing this matter we have reviewed Section 117-4.A of the Town Code, the Town Manager’s Report for the Reporting Period: February 10, 2017 to February 24, 2017 and the audio file of the Town Council Meeting of February 28, 2017.

Section 117-4.A states that legal, professional engineering, student educational and auditing services are completely exempt from the standard “Request For Proposal” process. However, “Consulting services shall be acquired through a ‘Request For Proposals process, unless a written justification is provided to the Town Council or Board of Education that a single source is uniquely qualified to provide the desired services.” (Emphasis added) You have advised us that the Town Manager’s Report, setting forth the basis for your belief that C&E Enterprises, LLC was uniquely qualified for the Town Hall/Police Department Project at Edgewater Hill, was provided to members of the Town Council on February 24, 2017, in advance of the February 28<sup>th</sup> Town Council meeting at which time the matter was considered and voted upon under Item 6.b of the Agenda.

Based upon our review, we can confirm that these actions are consistent with the provisions of Section 117-4.A. When discussing this matter with Councilman Ted Hintz, we were advised that no written justification had been provided to the Town Council. However, Section 117-4.A of the Town Code does not specify the content required in the written justification, or the means of its publication. That a majority of the Town Council members present and voting on February 28<sup>th</sup>, voted in favor of Item 6.b indicates that the Town Council, as a body, determined that the written justification, as set forth in the Town Manager’s Report, was sufficient.

If you have any questions, please do not hesitate to contact us.

BRIAN R. SMITH

280 Trumbull Street  
Hartford, CT 06103-3597  
Main (860) 275-8200  
Fax (860) 275-8299  
bsmith@rc.com  
Direct (860) 275-8224

March 9, 2017

Michael Maniscalco, MPA  
Town Manager  
Town of East Hampton  
20 E. High Street  
East Hampton, CT 06424

**Re: East Hampton Town Hall and Police Department Selection Process**

Dear Mr. Maniscalco:

We have been asked by you on behalf of the Town of East Hampton to confirm our prior oral conclusions and offer our written opinion regarding the Town Council's ability based on its code, charter and state law to exempt a proposal for services of the Owner's Project Manager ("OPM") from bidding when offered in conjunction with an offer for land in response to a request for proposal with respect to the East Hampton Property for Town Hall and Police Department.

**Background**

The Town issued a Request for Proposal ("RFP") to purchase land for constructing thereon a new East Hampton Town Hall and Police Department and referred to as RFP 2016-11 (attached as Exhibit A). The RFP was issued on November 17, 2016. The deadline for submissions was January 9, 2017 at 11 a.m. The Town received a total of eight timely responses. The Town Council members were provided a set of criteria that they each used to grade each of the eight proposals. The two proposals that received the highest grades were the Edgewater Hill proposal with a raw score of 152 and an average of 21.71 and the East High Street Wallace proposal with a raw score of 123 and a 17.57 average (see scoring sheet attached).

**Applicable Municipal Laws**

In rendering this opinion, we have reviewed those statutes, regulations, and ordinances which we deem relevant to this opinion and which are collectively referred to as the "Municipal Laws" consisting of the following:

# Robinson+Cole

Michael Maniscalco, MPA  
Town Manager  
Town of East Hampton  
March 9, 2017  
Page 2

1. Code of the Town of East Hampton, Connecticut (the "Code"), including the Town Charter for the Town of East Hampton, Connecticut, (adopted by the Town of East Hampton as amended through 11/8/2016) and, in particular, Code Section 117 "Purchasing".
2. Connecticut General Statutes ("C.G.S.") Chapter 98 - Municipal Powers, as applicable.

## **Documents**

We have also reviewed and relied upon the following documents, and certification, some of which are attached as exhibits:

1. Town of East Hampton Request for Proposal #2016-11 (the "RFP"). (Attached as Exhibit A.)
2. Minutes of the Town of East Hampton Town Council dated 1/23/2017, 1/31/17 and Town Council scoring sheet. (Attached as Exhibits B, C and D.)
3. Excerpt of Town Managers' report to Town Council as to Town Hall/PD Project.
4. Edgewater Hill Response to RFP.

## **Discussions**

We have also consulted with the following individual, and relied upon the validity and completeness of information provided by him, without independent verification:

1. Michael Maniscalco, MPA, East Hampton Town Manager

## **Assumptions and Qualifications**

We have assumed without independent inquiry and verification that: (1) each document submitted to or reviewed by us as an original is authentic; (2) each document submitted to or reviewed by us as a copy conforms to the original; (3) signatures on all documents examined by us are genuine (or notations on the scoring sheet); (4) all applications for governmental approvals, permits, and the like were made in good faith and are complete and accurate; (5) the information received through oral communications with the representatives of the Town is

Michael Maniscalco, MPA  
Town Manager  
Town of East Hampton  
March 9, 2017  
Page 3

complete and accurate; (6) the information contained in the files of governmental agencies is complete and accurate.

We have made no independent investigation as to the accuracy of information contained in such discussions, or any materials reviewed, but we have no reason to believe that such information is other than as reflected therein or as represented to us or that the minutes are inaccurate, invalid or ineffective.

Our opinion is limited to a review of the Municipal Laws listed herein and discussions referenced herein. No other review or investigation should be inferred. The scope of our review is limited to Municipal Laws as they concern the selection process the Town employed.

## **CODE OF THE TOWN OF EAST HAMPTON**

Based on our review of the Code of the Town of East Hampton, including its Charter and Section 117 of the Code (Purchasing) and discussions with Michael Maniscalco, the Town has set procedures available to it when considering purchase services.

We have been asked to opine as to whether the Town can consider engaging an OPM when the offer was made by a bidder in conjunction with a response to the RFP. The question of interpretation is typically left to the legislative body, in this case the Town Council, that enacted the relevant provisions of the Code and whether the language in the Code is plain and unambiguous.

### **Factual Background**

The Town Council specifically required the RFP and thereafter decided on the two best choices by a unanimous vote. See 1/23/17 Town Council Minutes. Thereafter, there was a discussion about an offer made by one of the two remaining candidates to also provide OPM services in return for a more attractive purchase price of the land. The RFP did not limit the responses but expressly stated it was "...seeking proposals from Land Owners, Developers, Firms and/or collaborative efforts for properties where a Town Hall and Police Department would be designed and built." RFP at 2. The Edgewater Hill proposal made its suggestion to offer OPM services as part of its RFP response package. The majority of the Council found that this was an attractive provision of the Edgewater Hill proposal. The issue of whether or not the Town Council could choose to accept the OPM services without bidding was made by it determining that there was an available exemption by single source provider as set forth in Section 117-4A of the Town Code.

# Robinson+Cole

Michael Maniscalco, MPA  
Town Manager  
Town of East Hampton  
March 9, 2017  
Page 4

Upon our review, we verbally confirmed with the Town Manager that the Town's single source exemption was applicable if the Town Council chose to make that finding.

Thereafter, in accordance with Section 117-4A, the Town Manager provided a written justification to the Town Council explaining why the proposed OPM service qualified under the Single Source Exemption. At the Town Council Meeting held February 28, 2017, the Town Council, after a full and frank discussion, deliberated and voted 5-2 finding that the exemption was applicable and to accept the OPM service.

## **Analysis**

Because Section 117-2 of the Code "Definitions" does not provide one for a single source provider, we are left with dictionary definitions or other common sense approaches to determine its meaning. The Town Manager has already utilized the American University definition that states:

*"A single source purchase is one where there are multiple sources of supply, but for specific reasons the item or service must be purchased from a specified vendor."*

The RFP specifically noted that the Town Council could negotiate with any proposed provider and could accept or reject any or all timely submitted proposals. In this instance, the Edgewater Hill proposal offered a service as an OPM in conjunction with the conveyance of a unique parcel of land that it owns and that was voted the most attractive site by a majority of the Town Council. Therefore, the Town Council, as the legislative body that enacted the provision, correctly accepted the Town Manager's definition of a single source exemption.

## **Conclusion**

We conclude that the Town Council, based upon the written justification provided by the Town Manager in accordance with Code Section 117-4A, had the necessary information before it to render a decision that the exemption applied and to vote on whether to accept OPM services. The fact that two of the Town Council members disagreed with the majority is simply part of the legislative process with which they must abide.

Michael Maniscalco, MPA  
Town Manager  
Town of East Hampton  
March 9, 2017  
Page 5

There are a number of cases throughout the country that have established that the dissenters in such a situation are neither aggrieved nor do they have standing to appeal to a court from such a vote. There is one decision in particular by the Connecticut Supreme Court that states:

Inherent in such a state of the law is the notion that the legislative function of any agency, by its very nature, involves the interaction of competing ideas that eventually resolve themselves in a decision that may not satisfy all of the agency's members. This is the essence of the legislative process, a process that should not be compromised by ready access to a supplemental forum for those dissenting members who are disappointed in the outcome.

Munhall v. Inland Wetlands Commission, 221 Conn. 46 at 52 (1992).

There was an RFP process, an independent grading process exercised by each of the Town Council members and agreement on who were the two best respondents to the RFP. In accordance with Code Section 117-4A, a written justification to the Town Council was provided concerning the appropriateness of exempting the OPM selection from bidding based on the single source exemption. The Town Council then properly exercised its function in making a decision.

### **Limitations**

We do not hold ourselves out as having training or expertise in any technical areas, such as engineering, surveying, or architecture. We offer no opinion in this letter as to the merits of the decision made by the Town Council to choose Edgewater Hill for OPM services. We are only opining that it was a process that was done in accordance with the Town Code and applicable municipal law.

Except as specifically set forth herein, no opinion is offered as to title to, or ownership of, any real or personal property related to the Edgewater Hill proposal or of any other proposal, or otherwise.

This opinion is rendered as of the date hereof, and we disclaim any undertaking to advise you hereafter of developments, factual or legal, hereafter occurring or coming to our attention, whether or not the same would, if now existing or known to us, cause any change or modification herein.




# Robinson+Cole

Michael Maniscalco, MPA  
Town Manager  
Town of East Hampton  
March 9, 2017  
Page 6

This opinion is solely as of the date hereof and we have no obligation to advise you with respect to matters hereafter arising. This opinion is rendered solely for the benefit of the addressees named herein. This opinion may not be relied upon by any other person or entity.

Very truly yours,

ROBINSON & COLE LLP

By:   
Brian R. Smith  
A Partner

Attachments

**TOWN OF EAST HAMPTON  
REQUEST FOR PROPOSAL  
Property for Town Hall & Police Department  
RFP #2016-11**

The Town of East Hampton will be accepting proposals from qualified firms, contractors and individuals interested in proposing a design build project with the intent of building a Town Hall and Police Department. Interested individuals and firms should request the proposal instructions and details from the Town Manager, 20 East High Street, East Hampton, CT 06424, or via the Town's website at [http://www.easthamptonct.gov/Pages/EastHamptonCT\\_Finance/index](http://www.easthamptonct.gov/Pages/EastHamptonCT_Finance/index).

Responses to the Proposal must be submitted to the Town Manager no later than **JANUARY 9, 2017 at 11:00 AM. LATE PROPOSALS WILL NOT BE CONSIDERED.**

Michael Maniscalco  
Town Manager

**TOWN OF EAST HAMPTON  
REQUEST FOR PROPOSAL  
For  
Property for Town Hall & Police Department**

**I. GENERAL INFORMATION**

**A. INTRODUCTION**

The Town of East Hampton has gone through multiple programming and facility studies from 2005 to the present. The resulting conclusion is that the Town Hall and Police Department no longer meet the needs of the Community and Staff. In order to continue to meet the needs of the community in the most efficient and effective manner possible the Town Council of East Hampton is seeking proposals from Land Owners, Developers, Firms and/or collaborative efforts for properties where a Town Hall and Police Department would be designed and built. The Town will consider proposals that put both facilities in the same location or in different locations. The Town will reserve its right to not accept and/or award any and all bids.

**B. BACKGROUND INFORMATION**

The Town of East Hampton is a classic New England community operating under a Town Meeting style with a Town Manager-Council form of government. Over the past 40 years the Town population has grown driving the town from just under 6,000 people in 1960 to just fewer than 13,000 in the 2010 census.

The Town is considered a full service community and the Town Hall and Police Department are located in the same facility. The Town Hall services are cramped into 8,000 Square Feet and the Town rents an additional 2048 Square Feet as an annex to house the Parks & Recreation and Youth & Family Services Departments. The Police Department is 2500 Square Feet and located below the Town Hall. Parking for the entire facility is a challenge with only 31 spaces available and entrance / exit onto Route 66 is challenging.

**C. BASIC SCOPE**

*Town Hall*

- Site requirements:
  - Lot size minimum: 2.75 acres (EH Zoning Regulations)
  - Parking requirements: 60-100 Spots (EH Zoning Regulations)
  - Easily accessible for the public. Should act as the front door of our community.

*Police Department*

- Site requirements:

-Lot size minimum: 2 acre (EH Zoning Regulations)

-Parking requirements: 27-45 Spots (EH Zoning Regulations)

-Easy access for vehicles to get onto a main road in an emergency situation

#### **D. MINIMUM QUALIFICATIONS FOR CONSIDERATION**

The proposals must meet the following minimum qualifications:

- Be located within the Town of East Hampton;
- No current liens or foreclosures on the property;
- Be owned by the individual signing off as the proposer.

#### **E. TERMS AND CONDITIONS**

The Proposer will be expected to transfer ownership of the proposed property as soon as possible subject to successful passage of all municipal approvals and contract execution. The Town of East Hampton reserves the right to cancel this process at any time should any of the following conditions exist:

- Funds are not appropriated;
- The Town, through changes in its requirements or method of operation, no longer has a need for this service;
- The Town is not satisfied with the level of services provided under the contract or the firm fails to comply with any terms and conditions outlined in the contract.

#### **Project Period**

It is the intent to purchase the property during the 2016-2017 and 2017-2018 fiscal years.

#### **Compensation**

The Town will make one single payment for identified property at the time of closing.

#### **Termination**

Unless otherwise agreed to, either party may terminate this Agreement at any time by giving the other party 30 days written notice. If this Agreement is terminated by the Town, the Town shall pay for all work performed and for all expenses incurred prior to the effective date of termination.

#### **Appraisal**

Consistent with Town Policy, the Town will have two appraisals conducted of the chosen proposal. Appraisals will be conducted by licensed appraisers and paid for by the Town. If the proposed price falls within \$10,000 (+/-) of the appraisals the Town will pay the proposed price. If the appraisals are more than \$10,000 (+/-) then the Town will offer the average of the two appraisals.

### **Freedom of Information**

The Town will not be liable for any costs incurred in the preparation of the response to this Request for Proposal. All proposal submissions and materials shall become the property of the Town and will not be returned. Respondents to this RFP are hereby notified that all proposals submitted and information contained therein and attached thereto shall be subject to disclosure under the Freedom of Information Act.

## **II. SUBMISSION OF PROPOSALS**

### **A. PROPOSAL INSTRUCTIONS**

By submitting a proposal, you represent that you have thoroughly examined and become familiar with the scope of services outlined in this RFP and you are capable of performing the work to achieve the Town's objectives. Respondents should clearly describe their specific qualifications, past projects of similar scope and the proposed location with offered price.

All Proposers are required to submit a **clearly marked original and five (5) copies** of their Proposal to Michael Maniscalco, Town Manager, 20 East High Street, East Hampton, CT by **JANUARY 9, 2017 at 11am**. All proposals will be opened publicly and recorded as received. Proposers may be present at the opening; however, there will be no public reading. Applications received later than the time and date specified will not be considered. The proposal must be submitted in a sealed envelope or package and the outside shall be clearly marked:

**SEALED REQUEST FOR PROPOSALS  
TOWN HALL PD PROPERTY PROCUREMENT NOTICE  
RFP-2016-11  
DATE – JANUARY 9, 2017  
TIME - 11:00 A.M.**

All respondents are required to submit the information detailed below. **Responses shall be organized and presented in the order listed below to assist the Town in reviewing and rating proposals.** Responses should be presented in appropriate detail to thoroughly respond to the requirements and expected services described herein and presented and clearly marked in the order within this written proposal.

- a. Table of Contents to include clear identification of the material provided by section and number.
- b. A letter of transmittal indicating the Owners interest in selling their property and any other information that would assist the Town in making a selection. This letter must be signed by a person legally authorized to sell the property. This letter also must affirm that the Owner has made themselves knowledgeable of those matters and conditions in the Town which would influence this Proposal.

- c. Name and telephone number of person(s) to be contacted for further information or clarification.
- d. A street address or name for the property offered (In the event that an applicant is using a name a street address or some way to determine the property location must be provided)
- e. A copy of the assessor's property card and the tax records showing all taxes are paid for the offered property.
- f. List of personnel to be assigned, including the principal contact (i.e. Realtors or attorneys representing the property owner).
- g. A detailed proposal regarding the proposed location including:
  - 1. Physical address
  - 2. Number of acres
  - 3. General description
  - 4. Access to utilities including: water, sewer, electric and natural gas
  - 5. Offered price
  - 6. Other: (i.e. permits or zoning approvals)
- h. A statement saying the Property Owner will hold the quoted property price firm through the end of April 2017.
- i. A statement saying the Property Owner understands and agrees with the appraisal requirements under Section I. E.
- j. A concluding statement as to why the proposed property(ies) is the best for the construction of a Town Hall and Police Department.
- k. Signed Non-Collusion Statement (ATTACHMENT A)

Proposals must be signed by the property owner. Must include the name, address and telephone number of a representative qualified to answer questions during the review process must be included.

## **B. TOWN CONTACTS**

- 1. All technical inquires relative to this RFP must be directed in writing to Mr. Michael Maniscalco, Town Manager at 20 East High Street, East Hampton, CT 06424 or [mmaniscalco@easthamptonct.gov](mailto:mmaniscalco@easthamptonct.gov)

2. For administrative or procurement questions concerning this proposal, please contact Jeff Jylkka, Finance Director at (860) 267-7548.

All questions, answers, and/or addenda, as applicable, will be posted on the Town's website, faxed, and/or emailed to all known respondents. Responses to requests for more specific contract information than is contained in the RFP shall be limited to information that is available to all respondents and that is necessary to complete this process. The request must be received at least five (5) business days prior to the advertised response deadline.

**No other East Hampton Town employee, elected official, or evaluation committee member should be contacted concerning this RFP during the proposal process. Failure to comply with this requirement may result in disqualification.**

### **III. EVALUATION AND SELECTION PROCESS**

#### **A. EVALUATION CRITERIA**

The following factors will be considered by the Town when evaluating proposals.

- Accuracy, overall quality, thoroughness and responsiveness to the Town's requirements as summarized herein.
- Offered Price
- Location
- Suitability for use.

#### **B. SELECTION PROCESS**

Following the review and evaluation of proposals, the Town reserves the right to request certain additional information. The Town Manager and Town Council will review the proposals based upon the criteria herein.

The information in this Request for Proposals will serve as the basis for the Town Manager and Town Council review and recommendation for a single property or multiple properties. Respondents are encouraged to address each of the factors thoroughly and provide additional information concerning background, qualifications and location.

This request for Proposals does not commit the Town of East Hampton to award a contract or to pay any costs incurred in the preparation of a proposal to this request. All proposals submitted in response to this request for proposals become the property of the Town of East Hampton. The Town of East Hampton reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with the selected respondents, the right to extend the contract

for an additional period, or to cancel in part or in its entirety the request for proposal, and to waive any informality if it is in the best interests of the Town to do so.

**C. TIMELINE**

The following schedule is anticipated. The Town intends to adhere to this schedule as closely as possible but reserves the right to modify the schedule in the best interest of the Town as required.

Publicize RFP	<b>November 16, 2016</b>
Last response to any questions	<b>December 19, 2016</b>
RFP Due Date	<b>January 9, 2017</b>
Evaluation of Proposals	<b>January 12, 2017</b>
Choose Final Proposal(s)	<b>January 23, 2017</b>



**ATTACHMENT A**

**TOWN OF EAST HAMPTON  
Property for Town Hall & Police Department  
PROCUREMENT NOTICE  
REQUEST FOR PROPOSAL  
RFP #2016-11**

**NON-COLLUSION STATEMENT**

The company/ individual submitting this proposal certifies that it is being submitted without any collusion, communication or agreement as to any matter relating to it with any other respondent or competitor. We understand that this proposal must be signed by an authorized agent to constitute a valid proposal.

Date: \_\_\_\_\_

Name of Company: \_\_\_\_\_

Name and Title of Agent: \_\_\_\_\_

By (SIGNATURE): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Town of East Hampton  
Town Council Special Meeting  
Tuesday, January 23, 2017  
Middle School Library

**MINUTES**

**Present:** Chairperson Patience Anderson, Vice Chairman Ted Hintz, Jr., Council Members Pete Brown, Melissa Engel, Mark Philhower, Josh Piteo and Kevin Reich and Town Manager Michael Maniscalco

**Call to order & Pledge of Allegiance**

Chairperson Anderson called the meeting to order at 6:30 p.m. in the Middle School Library.

**Review, Score and Possible Action on RFP Submissions for Property for Town Hall & Police Department**

Chairperson Anderson reported that eight RFP submissions were received. Each property will be scored based on Completeness, Scope, Location, Infrastructure Access and Other. The eight property locations are as follows: Between 153 and 167 West High Street, 37 South Main Street, East High Street-Wallace (M/L/B 32/85/7B), 48 & 50 West High Street, Edgewater Hill, 295 West High Street, 195 West High Street and 3 Main Street.

Each Council member provided their scores by category for each property submitted through the RFP. The Recording Clerk and Town Manager recorded the scores and provided an average score for each property. The top two scored properties are the Edgewater Hill property and the Wallace property on East High Street. By consensus the Council members agreed to have the top two property owners come to the next Town Council special meeting to review the properties in more detail. The meeting will be held on Tuesday, January 31, 2017 at the Town Hall. The interviews for the Building Committee members will be moved to Tuesday, February 7, 2017.

**Adjournment**

A motion was made by Ms. Engel, seconded by Mr. Brown to adjourn the meeting at 7:30 p.m. Voted (7-0)

Respectfully submitted,

Cathy Sirois  
Recording Clerk

Town of East Hampton  
Town Council Special Meeting  
Tuesday, January 31, 2017  
Town Hall Meeting Room

**MINUTES**

**Present:** Chairperson Patience Anderson, Vice Chairman Ted Hintz, Jr., Council Members Pete Brown, Melissa Engel, Mark Philhower, Josh Piteo and Kevin Reich and Town Manager Michael Maniscalco

**Call to order & Pledge of Allegiance**

Chairperson Anderson called the meeting to order at 6:30 p.m. in the Town Hall Meeting Room.

**Discussion with Property Owners of the Two Top Scored Properties for Town Hall and Police Department**

Council members heard a short presentation and asked questions of the two top scored properties from the Town Hall and Police Department RFP submissions. The properties included Linda and Ron Wallace's property on East High Street, which scored number two, and Steve and Lisa Motto's property in the Edgewater Hill development.

**Possible Action on Property for Town Hall & Police Department**

A motion was made by Ms. Engel, seconded by Mr. Brown, to award the RFP to Edgewater Hill Properties, Inc. and to direct the Town Manager to move forward with the appropriate measures necessary to secure the property to move forward with a Town Hall/Police Department. Voted (6-1) Mr. Hintz against.

**Discussion of Next Steps**

Interviews for the building committee will be scheduled for February 7<sup>th</sup> at 6:00 p.m. with plans to make appointments at the regular meeting of February 14<sup>th</sup>. A bid waiver will be on the agenda for February 14<sup>th</sup> for approval to be noticed in the paper and a vote on February 28<sup>th</sup>. Letters will be sent to all of the RFP applicants.

**Adjournment**

A motion was made by Mr. Brown, seconded by Mr. Piteo to adjourn the meeting at 7:50 p.m. Voted (7-0)

Respectfully submitted,

Cathy Sirois  
Recording Clerk

**EXHIBIT C**

6 4 2 3 1 5 7 8

	153 & 167 WEST HIGH STREET	37 SOUTH MAIN STREET	EAST HIGH STREET - WALLACE	48 & 50 WEST HIGH STREET	EDGEWATER HILL	259 WEST HIGH STREET	195 WEST HIGH STREET	3 MAIN STREET
PATIENCE ANDERSON	5 2 1	5 3 4	5 3 3	3 3 4	5 5 5	3 2 3 5	3 3 3	3 3 3
TED HINTZ, JR	3 1 2	5 1 2	5 3 3	3 1/2 3	4 2 2	2 1 1	2 1 1	2 1 1
PETE BROWN	3 1 1	5 3 4	5 3 5	3 2 4	3 3 3	1 2 3 4	1 1 2 2	1 1 2 2
MELISSA ENGEL	5 1 2	5 2 4	5 1 5	3 2 3	5 5 5	3 2 3	3 2 3	2 1 1
MARK PHILHOWER	3 1 2	5 2 2	5 4 4	3 2 3	5 4 4	Recuse	Recuse	Recuse
JOSH PITEO	5 2 1	5 2 3	5 4 4	3 2 4	5 5 5	3 2 5	3 2 2	2 2 4
KEVIN REICH	5 2 2	5 3 3	5 4 5	4 3 5	5 5 5	3 2 4	3 2 3	3 2 3
TOTAL	80.5	132	132	132	132	132	132	132

## Town Managers Report

As you review your packet and the reports please feel free to call me prior to the Council meeting with any questions or concerns (860)-682-5784. Often times these conversations can help me be prepared for the Council meeting and move things along in a more productive and efficient manner for everyone.

### **Bids & Contracts-**

**Award Contract for Program Evaluator for the Drug & Alcohol Prevention Grant-** Consistent with the requirements of the grant and the Town's purchasing ordinance the Town put out an RFP for the evaluator consulting services. The Town received one bid but a significant amount of interest. I believe this is due to the specialized nature of an evaluator needed for this grant. As a result, I am asking that the Council award the bid to Emily Melnick Consulting at an hourly rate not to exceed a total of \$15,000 consistent with what was budgeted in the grant for the evaluator consulting services.

*ACTION:* The Council can make a motion to award the bid to Emily Melnick Consulting at an hourly rate not to exceed a total of \$15,000.

\* **Owners Project Manager for Town Hall/PD Project Exemption-** After discussions with multiple Council members I was asked to look into the legality of a bid waiver. Through that review it was found that the scenario of hiring an Owners Project Manager (OPM) for a 4% fee and the Town would receive a donation of property to build the Town Hall better fits with exemption 117-4A single source provider. Through a legal review it has been determined that as a result of the awarded bid the Town has created a single entity that can provide the OPM services for the Town Hall/ Police Department at the Edgewater Hill development. The result of this is the OPM services can be exempt from bidding according to the bidding ordinance.

*ACTION:* The Council can make a motion to direct the Town Manager to implement exemption 117-4A for the purchasing of single source Owners Project Management services from C&E Enterprise, LLC for the Town Hall/Police Department Project at Edgewater Hill.

### **Resolutions/ Ordinances/ Policies/ Proclamations-**

**Resolution for Small Cities Grant-** In order for the Senior Housing authority to apply for the Small Cities Grant the Council needs to pass the resolutions in the packet. The resolution authorizes the Town Manager to make the application to the Department of Housing on their behalf.

*ACTION:* The Council can make a motion to approve the resolution as provided.

**Resolution for Historic Preservation Grant for Town Clerks Office-** Annually the Town Clerk applies for a Historic Preservation Grant to help with the preservation of

# A Proposal for the East Hampton Town Hall Campus



**BY EDGEWATER HILL PROPERTIES, LLC**



January 9, 2017

## Introduction

Edgewater Hill Properties, LLC, owned by Stephen and Lisa Motto, longtime residents of East Hampton, is pleased to present the Town Council of East Hampton with a proposal for the new East Hampton Town Hall, Police Station, and the Chatham Health and Board of Education.

We are prepared to **donate** 5.4 prime visibility acres to the Town for the construction of the new Town Hall Campus.

# Table of Contents



A. Letter of Transmittal

B. Contact Information and Qualifications

C. Property Location

D. Assessor's Card and Tax Information

E. List of Personnel

F. Detailed Proposal

- The Property
- Sample Renderings
- The Advantages of Edgewater Hill
- Donation to East Hampton
- Alternative Acquisition Option

G. Consent and Joinder and Required Statements

H. Concluding Statement

I. Signed Non-Collusion Statement

J. Legal Qualification



# Letter of Transmittal

January 9, 2017

Mr. Michael Maniscalco  
Town Manager  
20 East High Street  
East Hampton, CT 06424

RE: Request for Proposal

Dear Mr. Maniscalco:

It is with great pleasure that we present the attached response to the Town of East Hampton's request for proposals for a new Town Hall Campus. As you will see from the attached proposal, we propose to donate 5.4 acres and construct the campus for the Town either as a straight donation/construction project or as a lease with option to buy. In both cases, the land cost is zero. We are joined in this proposal by the current fee owners, George and Mary Loos from whom we have the right to acquire the land, and look forward to the opportunity to present the project in detail and to engage our team in further conversation with the town and its staff. This large site offers space for a substantial town complex, ample parking, room for facility and parking growth, live work opportunities for town staff and upon completion, adjacent shops and restaurants for the pleasure of staff and the community. Child care for staff is also a possibility through our current tenant, Educational Playcare. We have previously undergone significant and successful developments in East Hampton and are knowledgeable of the matters and conditions in the town which would, and have, influenced our proposal.

We hope you find our proposal as appealing and exciting as we do, and we look forward to working with you in the future!

Sincerely,

  
\_\_\_\_\_  
Lisa Motto

  
\_\_\_\_\_  
George A. Loos

  
\_\_\_\_\_  
Stephen Motto

  
\_\_\_\_\_  
Mary F. Loos



# Contact Information and Qualifications

## Contact Information

**STEPHEN J. MOTTO**  
**PRINCIPAL, EDGEWATER HILL PROPERTIES, LLC.**  
**OFFICE - (860)267-6822**  
**MOBILE - (860)398-0325**  
**FAX - (860)267-7322**  
**EMAIL - SJMOTTO@AOL.COM**

**LISA M. MOTTO**  
**PRINCIPAL, EDGEWATER HILL PROPERTIES, LLC.**  
**OFFICE - (860)267-6822**  
**MOBILE - (860)918-6784**  
**FAX - (860)267-7322**  
**EMAIL - LISAMOTTO3@AOL.COM**

## Qualifications

### **Stephen J. Motto:**

Stephen J. Motto is currently the president of Dream Developers of Connecticut, LLC and Edgewater Hill Properties, LLC and is in the process of constructing Edgewater Hill, a 79 acre mixed use traditional walkable community in East Hampton, CT. Stephen's experience varies greatly. His most recent projects with Dream Developers include the construction of a 16,000 square foot commercial building / daycare facility, a 7500 square foot medical office building, forty garden apartments and the reconstruction of Saint Mary's Ukrainian Catholic Church in Colchester, Connecticut. Dream Developers was also the construction management firm for the development of Lantern Lane, a 30 unit Active Adult Community in Vernon, Connecticut, and Stephen also previously completed the successful development of Laurel Ridge, an 88 home active adult community located here in East Hampton. Prior to acquiring Dream Developers, Stephen worked as a Senior Project Manager for LCM Construction, a division of The Daylar Group of Middletown, Connecticut. While with LCM, Stephen worked on the Hamilton Farm project located in Gladstone, New Jersey, The River Highlands in Cromwell, Connecticut and the Lake of Isles in North Stonington, Connecticut. In addition to the projects for LCM Construction, Stephen also project managed the construction of school facilities PS119, IS114 and PS130 for the New York School Construction Authority in Brooklyn and Queens, New York. He has over 25 years of experience in the commercial and residential construction industry and has worked with conventionally framed, pre-engineered and modular buildings systems.

# Qualifications

## Lisa M. Motto

### Experience:

**August 2003 – Present: Dream Developers of Connecticut, LLC & Edgewater Hill Properties, LLC, East Hampton, CT**

- **Treasurer, Member**
- Design and create new developments and subdivisions.
- Work alongside experienced architects, project engineers and marketing firms.
- Coordinate all sales prospects and provide focused approaches to target opportunities.
- Review all pricing, and coordinate all banking and lending requirements.
- Effectively communicate with customer and business associates on a continual basis to ensure needs are being met in a timely manner.
- Maintain a disciplined approach to financial decision making to ensure targeted plans are being met.
- Continuously keep a pulse on the market and the trends and demands within the industry.
- Work alongside accountants and attorneys to ensure that all financial systems are accurate and up to date and that all necessary insurances and licenses are in place and properly maintained.
- Assist with the hiring of all employees and handled the coordination of all benefits.

**November 2013 – April 2016: Aetna Inc., Hartford, CT**

- **Manager, New Business Underwriting NJ/NY Markets – Key and Select Accounts**
- Manage a team of 8 underwriters
- Coordinate the workflow for all new business submissions for the market segment.
- Participate in hiring process for Northeast Region and assist in training of new hires.
- Coordinate all sales prospect reporting for heads of sales and participate in weekly calls regarding sales pipeline and target opportunities.
- Review all pricing, approve concession requests and submit all escalations as necessary.
- Effectively communicate with Account Executives on a continual basis to ensure needs are being met in a timely manner.
- Strategize with heads of sales and key account executives regarding the market conditions and how best to position Aetna against the competition.

**June 2013 – November 2013: Aetna Inc., Hartford, CT**

- **Senior Underwriting Consultant – Renewal – St. Louis / Oklahoma Market**
- Managed the renewal process for a set volume of business.
- Regularly participated in broker calls and preliminary renewal discussions.
- Attended trainings and served as subject matter expert on several underwriting related topics.

# Qualifications

## April 2012 – June 2013: Aetna Inc., Hartford, CT

- **Senior Underwriting Consultant – New Business – Chicago Market**
- Handled the pricing of new business opportunities within the Mid-America region.
- Provided strategic direction to Account Executives.
- Responded to all customer requests in a timely fashion.
- Developed a strong understanding of the Accountable Care Act, its impact on the health insurance industry and how it has affected pricing.
- Multi-tasked on a daily basis and worked continuously to reprioritize work to meet the customer or broker's needs.

## July 2002 – July 2004: Aetna Inc. Middletown, CT

- **North Central Team Leader – Key Account New Business Underwriting**
- Helped to coordinate the transition of the Ohio, Kentucky and Illinois books of business for Aetna from the Chicago office to Middletown.
- Managed a team of underwriters and assisted them in developing their skills in order to advance their careers.
- Handled the hiring and interview process for the North Central New Business Underwriting team
- Had responsibility for making decisions regarding price strategy and ability to provide insurance to various customers in the 300-3,000 employee size market.
- Worked very closely with General Managers and Sales staff to ensure that we would be as aggressive as possible on cases with targeted risk characteristics to meet regional membership and financial plans.

## May 2000 – July 2002: Aetna Inc., Middletown, CT

- **Sales Consultant – National Accounts Sales Support**
- Provided direct support to field sales persons in responding to health and bundled product proposal requests for new and growth business.
- Applied project management principles in order to thoroughly execute quality proposals coordinated by top consulting firms.
- Assisted in the sale and successful bid process of numerous cases ranging from 3,000 to 60,000+ eligible employees.
- Responsibility for initial questionnaire responses through finals presentations.
- Coordinated Aetna's effort in responding to the Towers Perrin survey for 2001.
- Experience working with Microsoft Excel, Word, Powerpoint, and Outlook.

## Education: 1994-1998 University of Connecticut Storrs, CT

- Bachelors of Science in Business Administration
- Major: Management

# Property Location



## Property Location

The 5.4 acre parcel that we are proposing to donate to the Town is situated on Route 66 in East Hampton and is part of a larger 59 acre parcel currently considered forestry and located adjacent to the Edgewater Hill mixed use development. See the attached map for more detailed site identification and location.



# Assessor's Card & Tax Information

**EAST HIGH ST**

**Location** EAST HIGH ST

**Mblu** 10A/ 85/ 5C/ /

**Acct#** R06120

**Owner** LOOS GEORGE A + MARY F

**Assessment** \$9,910

**Appraisal** \$521,290

**PID** 4839

**Building Count** 1

**Current Value**

Appraisal			
Valuation Year	Improvements	Land	Total
2015		\$0	\$521,290
Assessment			
Valuation Year	Improvements	Land	Total
2015		\$0	\$9,910

**Owner of Record**

**Owner** LOOS GEORGE A + MARY F  
**Co-Owner**  
**Address** 126 EAST HIGH ST  
 EAST HAMPTON, CT 06424

**Sale Price** \$0  
**Certificate**  
**Book & Page** 256/ 715  
**Sale Date** 02/08/1993  
**Instrument** 29

**Ownership History**

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
LOOS GEORGE A + MARY F	\$0		256/ 715	29	02/08/1993

**Building Information**

**Building 1 : Section 1**

**Year Built:**  
**Living Area:** 0  
**Replacement Cost:** \$0  
**Building Percent Good:**  
**Replacement Cost Less Depreciation:** \$0

**Building Photo**

Building Attributes	
Field	Description
Style	Vacant Land
Model	

Grade:	
Story Height	
Foundation	
Exterior Wall 1	
Exterior Wall 2	
Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC Type:	
Total Bedrooms:	
Total Bthrms:	
Total Half Baths:	
# Extra Fixtures	
Total Rooms:	
Bath Style:	
Kitchen Style:	
Fireplace	
Fin Basement	
Fin Bsmt Qual	
Bsmt. Garages	
Gas Fireplace	



(<http://images.vgsi.com/photos/EastHamptonCTPhotos//default.j>)

**Building Layout**

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	

<

>

**Extra Features**

Extra Features	Legend
No Data for Extra Features	

**Land**

**Land Use**

Use Code	608
Description	Forest
Zone	C
Neighborhood	COM
Alt Land Appr Category	No

**Land Line Valuation**

Size (Acres)	59
Frontage	
Depth	
Assessed Value	\$9,910
Appraised Value	\$521,290

**Outbuildings**

Outbuildings	Legend
--------------	--------

No Data for Outbuildings

**Valuation History**

<b>Appraisal</b>			
Valuation Year	Improvements	Land	Total
2014	\$0	\$521,290	\$521,290
2012	\$0	\$521,290	\$521,290
2011	\$0	\$521,290	\$521,290

<b>Assessment</b>			
Valuation Year	Improvements	Land	Total
2014	\$0	\$5,370	\$5,370
2012	\$0	\$5,370	\$5,370
2011	\$0	\$5,370	\$5,370

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**Town of East Hampton**

Town of East Hampton  
 PO BOX 178  
 EAST HAMPTON, CT 06424  
 860-267-2300

**Payment Details**

Tax Payer Information	
<b>Bill #:</b>	2015-1-0006120 (REAL ESTATE )
<b>Unique ID:</b>	R06120
<b>District &amp; Flag:</b>	
<b>Name:</b>	LOOS GEORGE A + MARY F
<b>Address:</b>	
<b>Property Location:</b>	EAST HIGH ST 10A 85 5C
<b>Volume:</b>	
<b>Page:</b>	
<b>Town Benefit:</b>	0.00
<b>Elderly Benefit (C):</b>	0.00

Bill Information as of 12/16/2016					
<b>Due 1:</b>	07/01/2016	<b>Inst1:</b>	\$145.88	<b>Total Installment:</b>	\$291.76
<b>Due 2:</b>	01/01/2017	<b>Inst2:</b>	\$145.88	<b>Paid:</b>	\$291.76
<b>Due 3:</b>		<b>Inst3:</b>	\$0.00	<b>Tax/Princ/Bint Due:</b>	\$0.00
<b>Due 4:</b>		<b>Inst4:</b>	\$0.00	<b>Interest Due:</b>	\$0.00
<b>Assessment</b>	\$9,910	<b>Total:</b>	<b>\$291.76</b>	<b>Lien Due:</b>	\$0.00
<b>Exempt</b>	\$0	<b>Total</b>	\$0.00	<b>Fee Due:</b>	\$0.00
		<b>Adjustment:</b>			
<b>Net</b>	\$9,910	<b>Mill</b>	29.44	<b>Total Due:</b>	<b>\$0.00</b>
		<b>Rate</b>			
<b>To Pay This Bill in Full:</b>					<b>\$0.00</b>

Payment History						
Pay Date	Type	Tax/Principal	Interest	Lien	Fee	Total
07/11/2016	PAY	\$291.76	\$0.00	\$0.00	\$0.00	\$291.76

**\* Total Payments made to taxes in 2015: \$0.00**

**\* This is not a tax form, contact your financial advisor for information regarding tax reporting.**

# List of Personnel

## List of Personnel

**Main Contacts:** Stephen J. Motto & Lisa M. Motto  
Edgewater Hill Properties, LLC  
138 East High Street,  
East Hampton, CT 06424  
Office – (860) 267-6822  
Fax – (860) 267-7322  
Email – [SJMotto@aol.com](mailto:SJMotto@aol.com) or  
[Lisamotto3@aol.com](mailto:Lisamotto3@aol.com)

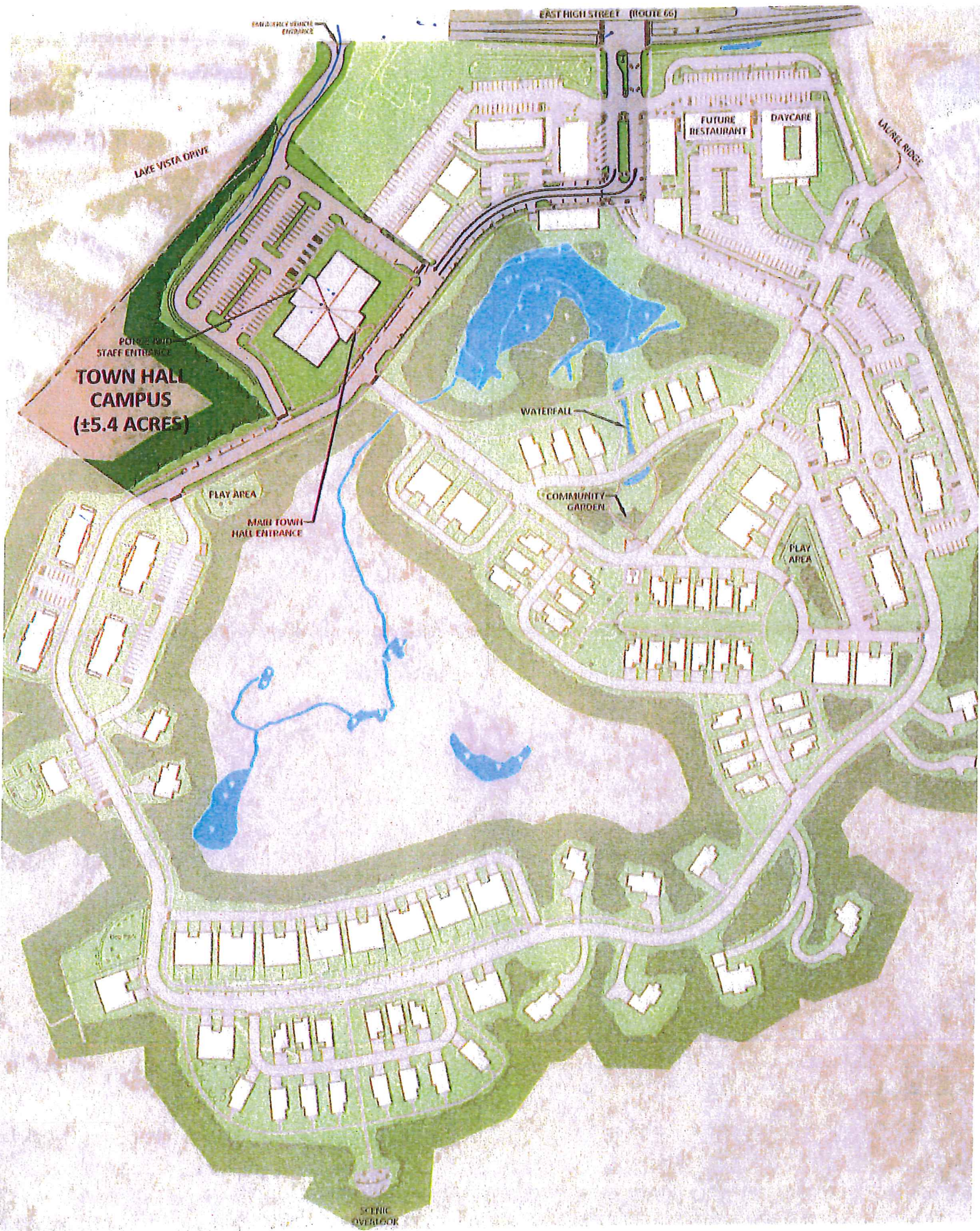
**Legal Counsel:** Attorney David Glissman  
86 Farmington Avenue  
Hartford, CT. 06105  
Phone – (860) 278-1900  
Fax – (860) 547-1191  
Email – [Dglissman@mrglaw.com](mailto:Dglissman@mrglaw.com)



# Detailed Proposal

## Detailed Proposal: The Property

The centrally located property that we are proposing to donate for the new Town Hall Campus is located in the Edgewater Hill mixed use development situated on Route 66 in East Hampton. It is currently part of a larger 59 acre parcel which is currently considered forestry. A smaller parcel of 5.4 acres would be split off for the Town of East Hampton in order to construct the new Town Hall Campus. Once developed, the location and the adjacent Edgewater Hill development will serve as a distinguished civic and commercial hub. This location not only contains more than enough parking spots for the Town's needs (between 60-100 for the town hall and 27-45 for the police department), but also contains undeveloped acreage upon which the Town can install additional parking and future outbuildings or otherwise utilize the same for ancillary purposes. The location's proximity to Route 66 makes it both accessible for the public and can allow for easy, private access to a main road for police and emergency personnel. Once appropriately designed and sited, the complex will be attractive and pleasing for employees and residents as well as visually stunning from the perspective of drivers along Route 66. Please see the map on the following page for a preliminary site layout.



EAST HIGH STREET (ROUTE 66)

HANDICAPPED VEHICLE ENTRANCE

LAKE VISTA DRIVE

LAUREL RIDGE

FUTURE RESTAURANT

DAYCARE

POUND ROAD  
STAFF ENTRANCE  
**TOWN HALL  
CAMPUS  
(±5.4 ACRES)**

WATERFALL

COMMUNITY GARDEN

PLAY AREA

MAIN TOWN HALL ENTRANCE

PLAY AREA

SCENIC OVERLOOK

## Detailed Proposal: The Property

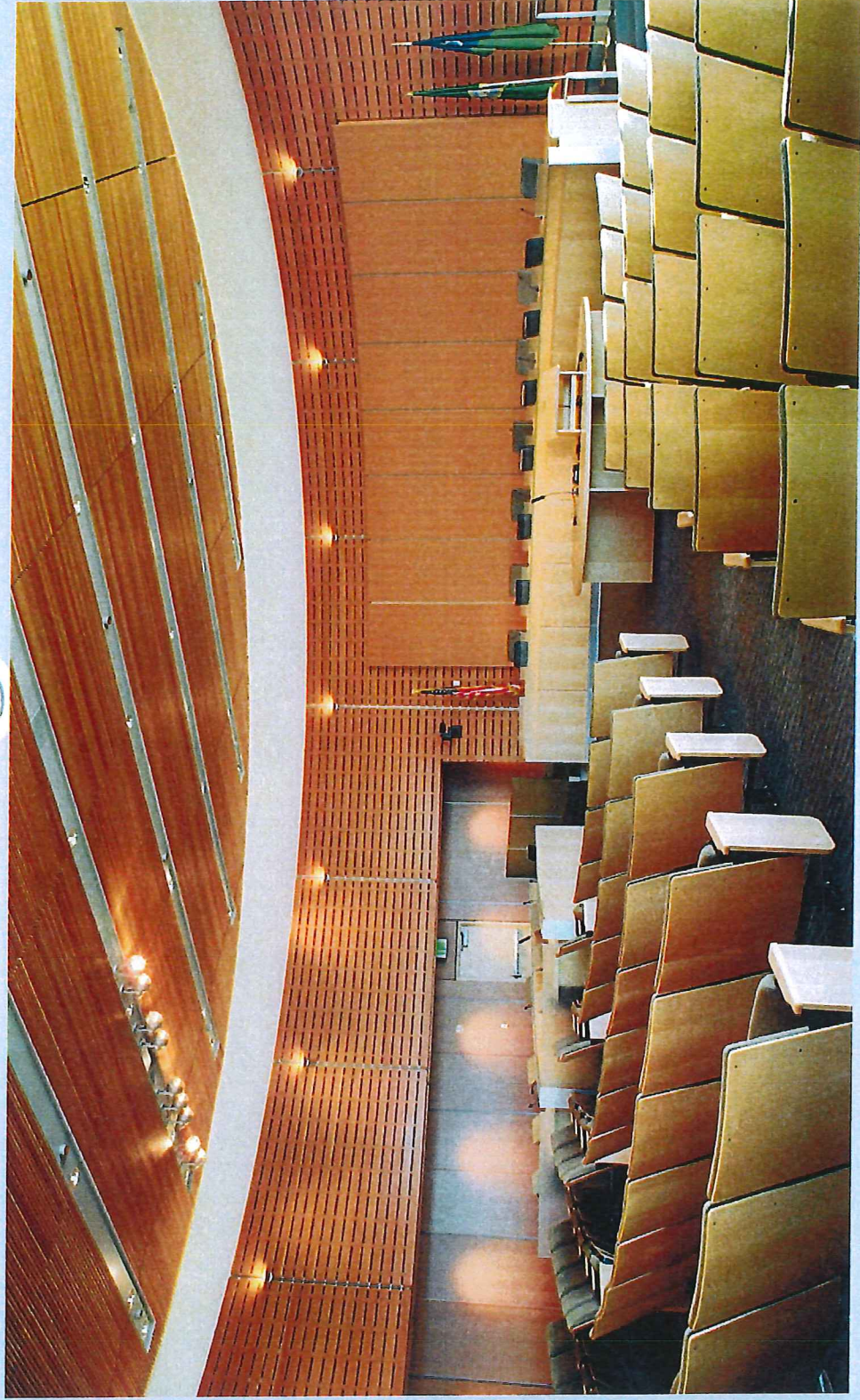
The property already has water, sewer, electric and natural gas availability. Additionally, the Town Hall Campus can be designed so as to allow for expansion over time since there is additional acreage within the parcel.

This location would not only facilitate more efficient private and public access but it would also greatly increase synergies within the various departments of the Town and between the townspeople themselves. The proximity of the mixed use Edgewater Hill development, which includes a first-class childcare center, and upon completion, is designed to include restaurants, shops, offices, single family homes, townhouses, condominiums and apartments, means that employees could live nearby and walk to work, and the public, including visitors coming from Route 66, can easily take advantage of the excellent food and shopping amenities planned for Edgewater Hill during their town hall visits.

# Detailed Proposal: Sample Rendering



# Detailed Proposal: Sample Rendering of Council Chambers



## Detailed Proposal: The Advantages of Edgewater Hill

Edgewater Hill is being designed and built to create a sense of togetherness and it will offer the Town of East Hampton the ability to create an authentic sense of place for our town facilities. Like East Hampton in general, it is a community that emphasizes a traditional neighborhood approach to living and is inspired by the era where neighbors knew neighbors and when being a part of the community had a deeper meaning than just owning and living on the land. Once developed, the Town Hall Campus will be a dignified pearl of East Hampton, surrounded by vibrant restaurants, shopping, professional services and homes.

## Detailed Proposal: The Advantages of Edgewater Hill

In addition to being able to live and work within the same locations, employees will have the ability to walk during their breaks and grab some lunch as the commercial portion builds out. They will be able to take walks around the development and safely cross the street or take advantage of the abundant parking already available. A day care center only adds to the amenities and services available to town staff.



## Detailed Proposal: The Advantages of Edgewater Hill

Because Edgewater Hill is being developed as a Traditional Neighborhood Mixed Use Development, there will be quick access to life's necessities and amenities, making life feel much less complicated and much more relaxed. The emphasis is on people and strolls on wide sidewalks rather than the automobile, despite there being plenty of wide roadways, parking, and access points to Route 66. Like East Hampton, Edgewater Hill is about small town charm and convenience, and we believe our property, with the completed Town Hall Campus, would best display what East Hampton has to offer to its residents and the rest of Connecticut.

## Detailed Proposal: Donation to East Hampton

Edgewater Hill Properties, LLC proposes to donate this high visibility, 5.4 acre property to the Town for the express purpose of constructing the Town Hall Campus. In exchange for this donation, Edgewater Hill Properties, LLC requests that they be able to select the architect and work alongside the Town in designing and constructing the new facilities. Because Edgewater Hill is a modern day mixed use development, it is very important that all buildings blend and compliment each other and meet the flavor and style of the community being built.

## Detailed Proposal: Donation to East Hampton

Edgewater Hill Properties, LLC will require that, as further consideration for the donation of the land, they be allowed to manage the construction of the new Town Hall Campus. They would do this on a cost-plus basis which would be based upon the market rate of 4%, a cost the Town would likely incur with any other construction manager. The Town of East Hampton would pay all actual competitive bid costs for the contractors and vendors without markup to Edgewater Hill Properties, LLC, as well as the fee for construction management to Edgewater Hill Properties. This keeps the process very simple and orderly for all parties involved, and significantly reduces the immediate costs to the Town since they will not be paying anything for the land itself.



## Detailed Proposal: Donation to East Hampton

In order to take advantage of this opportunity, construction of the new Town Hall Campus must commence within 24 months of signing an agreement with Edgewater Hill Properties, LLC and be diligently prosecuted to completion. In the event that construction is not started within this timeframe, the Town of East Hampton would need to contact Edgewater Hill Properties, LLC to develop a mutually acceptable solution.

## Detailed Proposal: Alternate Acquisition Option

We understand the desire for the Town of East Hampton to ultimately own their buildings but also recognize some of the financial challenges the Town is currently facing. Because of this, we have prepared a second option for the purchase of the new buildings:

The Town of East Hampton can opt to do a lease to buy arrangement whereby they lease from Edgewater Hill Properties, LLC for an agreed upon period (as much as 10-20+ years if needed) and then purchase the buildings. This will allow the Town the time to plan accordingly and defer some of the long term debt until they are ready to assume it. The land would be factored in at no charge, and the lease rate would be linked to the construction related costs. The option would require construction financing and thus this option is therefore made subject to receipt of the same, which given the quality of the credit behind the lease, is not expected to be an issue.



# Consent and Joinder And Required Statements

**CONSENT AND JOINDER**

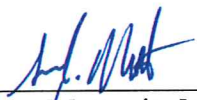
This letter, dated January 9, 2017, shall serve as authorization for Edgewater Hill Properties, LLC, and by extension its principals, Stephen and Lisa Motto, to submit a proposal to the Town of East Hampton (the “**Proposal**”) in response to the town’s Request For Proposal published November 16, 2016. The Proposal concerns property currently owned by the undersigned George and Mary Loos and located at 126 East High Street, East Hampton (the “**Property**”). The undersigned represents that Edgewater Hill Properties, LLC, currently holds an option, dated August 15, 2007 and exercisable at any time, to purchase the Property which is the subject of the Proposal. The undersigned further represents and agrees that if the town of East Hampton accepts the aforementioned Proposal, Edgewater Hill Properties, LLC shall have the right and power to exercise their option to purchase the Property from the undersigned and the undersigned shall cooperate with Edgewater Hills Property, LLC and the town of East Hampton in facilitating the consummation of the Closing.

By signing below, the undersigned consents to and joins Edgewater Hill Properties, LLC in submitting the Proposal to the town of East Hampton. Additionally, the undersigned and Edgewater Hill Properties, LLC agree to hold the quoted offer price, as stated in the Proposal, firm through the end of April 2017. The undersigned and Edgewater Hill Properties, LLC further agree with the appraisal requirements under Section I.E. of East Hampton’s Request For Proposal, to the extent that they are applicable to the terms of the Proposal.

  
\_\_\_\_\_  
George A. Loos

  
\_\_\_\_\_  
Mary F. Loos

Edgewater Hill Properties, LLC

By:   
\_\_\_\_\_  
Stephen Motto, its Member

# Concluding Statement



## Concluding Statement

Edgewater Hill Properties, LLC envisions the new Town Hall Campus and its surrounding areas to be a head-turning civic and commercial hub for East Hampton. Unlike most commercialized areas, the nature of the Town and the proximity to the Edgewater Hill development means that the Town Hall Campus will be able to retain a friendly, tranquil atmosphere while still inviting commercial traffic and opportunities for further development.

The property is in an exceptionally ideal location with easy access to roads and Route 66 for both the public and emergency vehicles. It also contains more than enough parking for the Town's needs. The adjacent Edgewater Hill community provides numerous services and amenities for the Town's employees working on the campus, and would generate further economic activity from people visiting East Hampton.

## Concluding Statement

The land would be donated at no cost to the Town provided Edgewater Hill Properties, LLC is able to choose the architect and manage the construction of the Town Hall Campus on a cost-plus basis, and Edgewater Hill Properties, LLC will work with the Town concerning its future acquisition of the buildings.

As residents of East Hampton, we, Stephen and Lisa Motto, are personally invested in the success and revitalization of East Hampton and believe the finished Town Hall Campus would serve as a beautiful, noteworthy and distinguished hub for our community.



# Signed Non-Collusion Statement

**ATTACHMENT A**

**TOWN OF EAST HAMPTON  
Property for Town Hall & Police Department  
PROCUREMENT NOTICE  
REQUEST FOR PROPOSAL  
RFP #2016-11**

**NON-COLLUSION STATEMENT**

The company/ individual submitting this proposal certifies that it is being submitted without any collusion, communication or agreement as to any matter relating to it with any other respondent or competitor. We understand that this proposal must be signed by an authorized agent to constitute a valid proposal.

Date: 1/9/17

Name of Company: Edgewater Hill Properties, LLC.

Name and Title of Agent: Member

By (SIGNATURE): [Signature]

Address: 138 East High Street  
East Hampton, CT 06424

Telephone Number: (860) 267-6822

**ATTACHMENT A**

**TOWN OF EAST HAMPTON  
Property for Town Hall & Police Department  
PROCUREMENT NOTICE  
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**NON-COLLUSION STATEMENT**

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Date: 1/9/17

Name of Company: \_\_\_\_\_

Name and Title of Agent: \_\_\_\_\_

By (SIGNATURE): Mary F. Loos George A. Snow

Address: 126 East High Street  
East Hampton, CT 06424

Telephone Number: (860) 267-6213

# Legal Qualification

## Legal Qualification


The preceding response to the Town of East Hampton's request for proposals is submitted on a non-binding basis for consideration by the Town Council and is not to be construed as an binding offer or the creation, upon acceptance, of any binding agreement by either party. This submission is for preliminary non-binding consideration only and is subject to the negotiation of detailed terms and conditions and the execution of appropriate agreements. Either party may terminate discussions at any time without further obligation to the other. Notwithstanding the preceding qualification, we submit this response with the hope and expectation that a mutually acceptable transaction can be crafted and that within two years, a beautiful new Town Hall complex will be under construction.

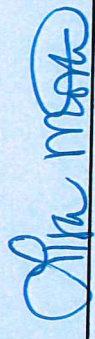
# Thank you



We appreciate the opportunity to provide you with our proposal and look forward to the opportunity to further explore the possibilities it presents.

Sincerely,  
Edgewater Hill Properties, LLC

By:   
Stephen Motto

By:   
Lisa Motto





**PERMITTING CONTRACT**

PROPERTY NAME: Lake Pocotopaug – East Hampton, CT  
CONTRACT DATE: January 30, 2017  
SUBMITTED TO: Peter Zawisza, Chairperson – East Hampton Lake Committee  
SUBMITTED BY: Joe Onorato  
SPECIFICATIONS: Permit filing for Lake Pocotopaug in East Hampton, CT.

**Permitting:**

1. SOLitude staff will be responsible for the following:
  - a. Prepare and file state pesticide use permit application with CT DEEP required to perform Copper Sulfate treatments at Lake Pocotopaug.
  - b. Filing of any notices or year-end reports with the appropriate agency as required by any related permit.
  - c. Notifying the client of any restrictions or special conditions put on the site with respect to any permit received, where applicable.

**Client Responsibilities:**

1. Client will be responsible for the following:
  - a. Providing information required for the permit application process upon request.
  - b. Providing Certified Abutters List for abutter notification where required.
  - c. Perform any public filings or recordings with any agency or commission associated with the permitting process, if required.
  - d. Compliance with any Order of Conditions or other special requirements or conditions required by the local municipality.
  - e. Compliance and enforcement of temporary water-use restrictions where applicable.

**General:**

1. Contractor is a licensed pesticide applicator in the state in which service is to be provided.
2. Individual Applicators are Certified Pesticide Applicators in Aquatics, Public Health, Forestry, Right of Way, and Turf/Ornamental as required in the state in which service is to be provided.
3. Contractor is a SePRO Preferred Applicator and dedicated Steward of Water. Each individual applicator has been trained and educated in the water quality

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testing and analysis required for site specific water quality management prescriptions, and utilizes an integrated approach that encompasses all aspects of ecologically balanced management. Each applicator has received extensive training in the proper selection, use, and application of all aquatic herbicides, algacides, adjuvants, and water quality enhancement products necessary to properly treat our clients' lakes and ponds as part of an overall integrated pest management program.

4. Contractor guarantees that all products used for treatment are EPA registered and labeled as appropriate and safe for use in lakes, ponds, and other aquatic sites, and are being applied in a manner consistent with their labeling.
5. All pesticide applications made directly to the water or along the shoreline for the control of algae, aquatic weeds, or other aquatic pests as specified in this contract will meet or exceed all of the contractor's legal regulatory requirements as set forth by the EPA and related state agencies for NPDES and FIFRA. Contractor will perform treatments that are consistent with NPDES compliance standards as applicable in and determined by the specific state in which treatments are made. All staff will be fully trained to perform all applications in compliance with all federal, state, and local law.
6. Contractor will furnish the personnel, equipment, materials, and other items required to provide the forgoing at his expense. Equipment will include trucks, boats, amphibious vehicles, all-terrain vehicles, utility vehicles, high volume tank sprayers, low volume tank sprayers, back-pack sprayers and other small equipment as required to properly access and perform treatments in the designated areas.
7. Contractor will maintain general liability and workman's compensation insurance.
8. Customer understands and acknowledges that there are irrigation restrictions associated with many of the products used to treat their lakes and ponds. The customer is responsible for notifying the contractor in advance of the contract signing and the start of the contract treatment if they utilize any of the water in their lakes or ponds for irrigation purposes. The customer accepts full responsibility for any issues that may arise from the irrigation of turf, ornamentals, trees, crops, or any other plants as a result of treated water being used by the customer for irrigation without the consent or knowledge of the contractor.
9. Although there is rarely direct fish toxicity with the products used for treatment when applied at the labeled rate, any time there is an extreme infestation of algae and aquatic weeds, there is a risk of dissolved oxygen drops as a result of large masses of algae and aquatic weeds dying and decomposing simultaneously. This risk is most severe in times of extremely hot weather and warm water temperatures, as these are the conditions during which dissolved oxygen levels are naturally at their lowest levels. Often times lakes and ponds will experience natural fish kills under these conditions even if no treatment is performed. Every effort, to include

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the method and timing of application, the choice of products, and the skill and training of the applicators is made to avoid such problems. This risk is especially mitigated by the use of systemic herbicides wherever possible, which results in a very slow steady control of the target weed species. However, the customer understands and accepts that there is always a slight risk of the occurrence of adverse conditions outside the control of the contractor that will result in the death of some fish and other aquatic life. The customer also understands and accepts that similar risks would remain if the algae or submersed invasive vegetation present in the lake goes uncontrolled, as it will over time interfere with the health and well being of the existing fish population. The customer agrees to hold the contractor harmless for any issues with fish or other aquatic life which occur as described above, or are otherwise outside the direct control of the contractor, unless there is willful negligence on the part of the contractor.

10. Contractor is not responsible for treatment failures that result from dam or other structural failures, severe storms, flooding, or other acts of God that are outside of the control of the contractor.
11. Contractor shall be reimbursed by the client for any non-routine expenses, administrative fees, compliance fees, or any other similar expense that are incurred as a result of requirements placed on the contractor by the client that are not covered specifically by the written specifications of this contract.
12. The customer agrees to pay penalties and interest in the amount of 2% per month for all past due invoices and related account balances in excess of 30 days past due from the due date as specified by the contract and as stated on the relevant invoice presented to the customer.
13. The customer covenants and agrees to pay reasonable attorney's fees and all other related costs and expenses of SOLitude Lake Management® for collection of past due invoices and account balances and for any other actions required to remedy a material breach of this contract.

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**CONTRACT PRICE: \$740.00 (Plus CT Sales Tax, if applicable)**

**PAYMENT TERMS:**

1. Payment due upon permit application submission.

**APPROVED:**

\_\_\_\_\_

SOLitude Lake Management®

\_\_\_\_\_  
*(Authorized Signature)*

**Town of East Hampton**

\_\_\_\_\_  
*(Print Name and Title)*

\_\_\_\_\_  
*(Date)*



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## Budget Calendar Fiscal Year 2017-2018

Date	Description
January 23, 2017	Submit budget requests to Finance Department
February 06, 2017	Submit budget narratives to Finance Department
February 21, 2017 (Tues.)	Press Release on Budget workshop
February 28, 2017 (Tues.)	Press Release on Budget deliberations
March 13, 2017 (Mon.)	Board of Finance Regular Meeting - 6:00 PM - <u><b>Town and Board of Education Budget Presentation</b></u> - Review deliberations and gather input from public and other boards <i>(Middle School Library)</i>
March 14, 2017 (Tues.)	Budget workshop - 6:00 PM- 8:30 PM - Public Works / Police / Building Dept. / Capital <i>(Middle School Library)</i>
March 15, 2017 (Wed.)	Budget workshop - 6:00 PM –8:00 PM - Senior Center / Library / Youth & Family Svs. / Park & Rec.
March 16, 2017 (Thur.)	Budget workshop - 6:00 PM – 8:30 PM - Fire Dept. / Emer. Mgmt. / EDC / Conservation / MHHL <i>(Middle School Library)</i>
March 17, 2017 (Fri.)	Budget workshop - 4:00 PM- 6:00 PM - Board of Education <i>(Library Community Center)</i>
March 18, 2017 (Sat.)	Budget workshop - 8:30 AM – 10:30 AM -Town Operations
March 20, 2017 (Mon.)	Board of Finance Special Meeting – 6:30 PM - Budget deliberations <i>(Middle School Library)</i>
March 27, 2017 (Mon.)	Board of Finance Public Hearing – 6:30 PM - <i>(Middle School Library)</i>
March 29, 2017 (Wed.)	Board of Finance Special Meeting - 6:30 PM <i>(Middle School Library)</i>
April 11, 2017 (Tues.)	Submit Board of Finance budget to members of Town Council
t/b/d	Town Council Special Meeting - 6:30 PM – Adoption of Annual Budget
May 8, 2017 (Mon.)	Town Meeting - 7:00 PM
April/May 2017	Rivereast advertisement on budget
May 16, 2017 (Tues.)	Town VOTE <i>(Middle School)</i>
June 2017	Set mill rate

*Note: All meetings to be held in the Town Hall meeting room except as noted above.  
 For more information call 860-267-4468.*

**The Town Council and Board of Education are invited and encouraged to attend all meetings**

\*\*\* SCHEDULE SUBJECT TO CHANGE \*\*\*



AGENDA  
ITEM # 12

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

March 14, 2017

To: The East Hampton Town Council,

The documentation of the below listed tax refunds is available in the Office of the Collector of Revenue for your review. There are 3 refunds totaling \$222.68.

Respectfully Submitted,

Kristy L. Merrifield, CCMC  
Collector of Revenue

99.71 +  
98.77 +  
24.20 +  
222.68 \*

## BOARD AND COMMISSION SUMMARY FEBRUARY, 2017

### **250<sup>th</sup> Anniversary Committee**

The 250<sup>th</sup> Anniversary Committee held a regular meeting on February 2<sup>nd</sup>. Committee members volunteered to either head up or form subcommittees on upcoming tasks. The Gala has been booked for November 5<sup>th</sup> at St. Clements from 5:00 – 9:00, \$50/person.

### **Arts & Culture Commission**

The Commission welcomed new member Ed Yocher. Carol Lane has submitted the budget to the Town finance department and the budget summary. Commissioners will attend the budget meeting in March. It was approved that the EHACC will offer a \$250 grant for an arts related project that honors the town's 250<sup>th</sup> celebration. Mindy will be a judge for the Seamster Park Photo contest. The EHACC grant application is usually due on March 1, but the group agreed that the deadline should be extended to April 3. CT Arts Day 2017 will be Thursday, March 2 in Hartford at the Bushnell. 8:30 a.m. to 4 p.m. Carol Lane is going to attend.

### **Board of Finance**

A Regular Meeting of the Board of Finance was held at Public Library Community Room on February 21, 2017. Discussion and action was taken on the following topics:

1. Capital Reserve Fund Appropriation for the Town Hall/Police Department project architect and related services: *Vote 4-0. Motion Passed.*
2. FY 2017 Budget Transfer (Pension Contribution): *Vote 4-0. Motion Passed.*
3. Citizens Guide to the Budget 2017/2018: A draft will be created and distributed for review.
4. Town Facilities Building Committee: Marc Lambert will represent the BoF on the Committee.

### **Brownfields Redevelopment Agency**

The Brownfields Redevelopment Agency held their regular meeting on February 27<sup>th</sup>. They discussed the Town ownership of 1 Watrous and possible agency involvement. An update was given on the flowing water at 13 Watrous, with a possible fix coming shortly from Anchor/Weise Construction.

### **Clean Energy Task Force**

The Clean Energy Task Force held their organizational meeting on February 7<sup>th</sup>. It was noted that the solarize program was a success with 16 new people signing up. Possible sites for a solar array were discussed, with the task force wanting to look at the sewage treatment facility property.

### **Commission on Aging**

The Commission on Aging met on Thursday, February 16<sup>th</sup>. JoAnn Ewing provided an update on the issues with the elderly nutrition program. Also discussed was the Everbridge system, the survey that will be distributed later in March and the budget.

### **Conservation-Lake Commission**

The Conservation-Lake Commission regular meeting was cancelled due to snow. They held a special meeting on February 16<sup>th</sup> to approve the plans for re-subdivision of property at 109 Clark Hill Rd.

### **Design Review Board**

No meeting.

### **Economic Development Commission**

The Economic Development Commission held their regular meeting on February 21<sup>st</sup>. Rossini's, then KOCO are the next Belltown Spotlight on Businesses of the Month. At the March 21 meeting, all local businesses are encouraged to attend to hear Jeff Pugliese from the Middlesex Chamber discuss benefits. That meeting will be at the Middle School. A business showcase/vendor fair is being discussed and investigated for the end of the summer.

### **Ethics Commission**

No meeting

### **Fire Commission**

The Board of Fire Commissioners held their regular meeting on February 13<sup>th</sup>. New Scott packs and pack trackers were approved for purchase and the IM Responding service was renewed. Repairs to Tanker 3 because of a catastrophic engine failure were discussed. Public Works was in possession of the truck and working on it at the date of the meeting. The Awards Program payouts for 2016 were approved.

### **High School Building Committee**

The High School Building Committee held their regular meeting on February 16<sup>th</sup>. Phase 5, which is the last phase of the plan, is being worked on now. At the date of the meeting, the water testing appeared to show a decline in copper. This is continuing to be monitored closely, and money was set aside for engineers to investigate the issue and design a water system (per the State Department of Health regs). The project is still on track for substantial completion by June.

### **Inland Wetland Watercourses Agency**

The Inlands Wetlands and Watercourses Agency held their regular meeting on February 22<sup>nd</sup>. An application for directional drilling at 135 Middle Haddam Rd. was continued, pending an investigation by a third soil scientist to give an opinion that will help the committee decide whether to approve (as they now have two opposing opinions from the applicants and the interveners). Application for re-subdivision at 109 Clark Hill Road was accepted, and applications for the EH Housing Authority new parking lot at Bellwood Court was continued. Applications for Fat Cat Brewery for a parking lot on Tartia Road and small additions to homes at 46 Meeks Point and 15 Wangonk were designated as agent approvals.



## **Joint Facilities**

No meeting.

## **Library Advisory Board**

The Library Advisory Board held their regular meeting on February 6<sup>th</sup>. They discussed having representatives from the High and Middle Schools attend their meetings, how the Friends of the Library can be helped and/or utilized and the upcoming budget.

## **Middle Haddam Historic District Commission**

No meeting.

## **Parks & Recreation Advisory Board**

At the February meeting of the Parks and Recreation Advisory Board, the board discussed the fundraising for the Seamster Park Playground project and the events scheduled for February, March and April. Shawn Mullen gave a report on the status of the upcoming Spring and Summer programs. The board also discussed a possible replacement of the Sears Park boat launch, kayak rental rack, and Concession options at the park.

## **Planning & Zoning Commission**

Amendments to East Hampton Zoning Regulations- Section 8.4.M, Special Regulations, Standards For Specific Uses, Accessory Dwelling Units – continued to next meeting.

Application of Clark Hill Estates, 109 Clark Hill for a re-subdivision. Map 11-Block 39/ Lot 2-4 – continued to the next meeting.

Application of Bart Blau (Paug Dog's) for Hotdog Vending-Lake Pocotopaug-application voided by PZC.

Application of Sheila Mullen (Fat Orange Cat Brew Co.), 47 Tartia Rd., for additional parking on property. Map 27/ Block 55/ Lot 2 – continued to next meeting.

Application of Theater Square for a Commercial Sign. Map 01A/ Block 39A. Lot 28A – Approved.

Application of Text Amendment, Active Adult Congregate and Senior Housing, Sections 4.2.D.1; 8.5.B; 8.5.C.1; 8.5.D.1; 8.5.E; 8.5.G – Denied.

Application of T&O Enterprises East High Street for New Commercial Construction (13, 850 sq. ft.) Map 26/ Block 85/ Lot 14 – Moved to a public hearing for the next PZC meeting.

Bond Reduction Request, Skyline Estates, Phase 1B – Vote: No reduction granted.

## **Town Facilities Building Committee**

The Town Facilities Building Committee held their organizational meeting on February 23<sup>rd</sup>. Glenn Gollenberg was elected Chairman and Kurt Comisky Vice Chairman. All information was reviewed, particularly the RFP for the architect which was about to go out. Many clarifying questions were asked and answered. The Committee will be meeting weekly for now in order to meet the tight deadline.

## **Water Development Task Force**

No meeting.

### **Water Pollution Control Authority**

The regular meeting of the Water Pollution Control Authority Committee was held at the Colchester-East Hampton Waste Water Treatment Plant Meeting Room on Tuesday February 7th at 6:00 P.M. The committee reviewed and discussed the CWWA (CT Water Works Assoc.) Legislation report. Mr. Smith did an overview of the January 17<sup>th</sup> Joint Facilities meeting. The primary discussion was the review of the 2017/18 JF fiscal budget and its impact to the WPCA budget. The lift stations on Hawthorne Rd and Princess Pocotopaug have had repeated problems. After checking/replacing all the mechanicals it was determined that the Force Mains were clogged. The cost for cleaning both lift station was approx. \$18K. Mr. Smith gave an update of the Water Development Task Force meeting and an overview of the property on South Main Street which a portion of the property may be given to the Town to secure a water source.

### **Zoning Board of Appeals**

No meeting.