

MEMORANDUM

TO: Town Council

FROM: David E. Cox, Town Manager

DATE: November 8, 2019

SUBJECT: Town Manager's Report

The following information includes follow up from general items that were discussed at previous Council meetings as well as updates of a general nature from the departments. The items are organized by department and are intended to provide information on activities currently being undertaken by the Town's departments and those matters that are upcoming. Not all departments will be represented in each Report.

Library

- The Library will be a co-author on an Op-Ed in the Rivereast regarding the MacMillan Publishing Group's recent decision to place an 8-week embargo on new eBook sales to libraries. This embargo limits the Library's ability to provide access to information for all. It particularly harms library patrons with disabilities or learning issues and will create enormous wait lists on some of the Library's most popular titles. We are encouraging people to take action to oppose these new restrictions. Attached is a draft of that Op-Ed which will be co-signed by libraries from: Colchester, Hebron, Marlborough, Portland. We expect it to be published this week or next.
- On Monday, October 28, the Library launched the 3rd annual Food for Fines program. For every non-perishable food item donated, the Library waives \$1.00 in overdue fines. All food will be given to the East Hampton Food Bank the week before Thanksgiving. Fees will not be waived for lost or damaged items.

Parks & Recreation

- Staff is working on a new job description for a Program Supervisor, which would be a part time position primarily responsible for running evening and weekend programs. The goal of the position would be to enhance our recreation program offerings and to build revenue that will, in turn, help offset our rising minimum wage rates. The position would be funded out of the Parks and Recreation Special Revenue account, which is funded by fees paid for programming.

- The Parks and Recreation Advisory Board authorized the Glastonbury High School Rowing Team to rent the park for 8 weeks in the spring for their rowing program. The school will pay launch and rental fees for their activities, which include not only activity on the water but also storage of boats at the park. This is the third school organization in the last two years to inquire about using the park for rowing and sailing programs.
- In response to early distributions of the letter soliciting easements around the lake for water treatment, a number of volunteers have already come forward. Staff will begin the process of evaluating those sites to determine their viability for some treatment of stormwater from public rights of way or other upslope locations. If they are determined to be viable locations, staff will work toward establishing a basic scope of work and a letter of understanding with the owner. Once final design is complete and the work is approved and expected to begin, a final easement document would be recorded. It should also be noted that seven of the property owners also indicated an interest in developing a buffer zone along their lake front and staff will provide them some information on how that can be developed.
- Staff is working with the water engineer to develop specifications for the three areas identified in the phase one work for the recently received grant (Clark Hill, Boulder Road and Mott Hill). The projects are expected to be released for bidding by Thanksgiving.

Police Department

- The Department welcomed its newest member on November 12. Caleb P. Cavanaugh has an Associate Degree in Criminal Justice from Middlesex Community College and is currently a member of the Connecticut Air National Guard. He will start the Police Academy on November 15th and will undergo 871 hours of training. Once he graduates in May, he will complete three months of field training with members of our Department before he is allowed to go out on patrol on his own. After his time in the Academy, we plan to introduce Officer Cavanaugh to the community and the Council with a swearing-in ceremony at a Town Council meeting.
- The Department still has one vacancy in the Police Officer ranks. Unfortunately, the recent process, which started with 20 applicants and ended with only two viable candidates will not yield a second potential employee. The other individual decided to go to another department. As such, staff will be starting the recruitment process again in an attempt to fill the remaining opening. The next academy slot is tentatively scheduled for June of 2020.

- On November 6, the Department successfully passed the Police Officer Standards and Training Council's compliance check of 16 mandated standards that all law enforcement agencies in Connecticut must comply with as a result of Public Act 18-161. The 16 standards cover such matters as fair and impartial policing, use of force, response to crimes of family violence, pursuits, use of electronic defense weapons (Tasers), investigation of sexual assault and handling juvenile matters just to name a few.

Public Works

- The North Main Street Paving project is complete including most Punch List items. It is noted that staff informed the contractor that the centerline marking is not acceptable and it has been rejected. The contractor has agreed and is correcting the issue. A different sub-contractor is being scheduled to come in and correct it.
- After some weather-related delay, the Old Marlborough Road paving project is also complete as of Friday. Recall that this was a mill and overlay project, which was done in conjunction with the WPCA to eliminate the patches from the force main breaks under that road and the storm water drainage project completed earlier in the year by public works.
- The road construction season is winding down and the Public Works Department has spent the last couple weeks wrapping up some smaller drainage projects that are expected to eliminate some icing conditions that happened over winter in the past. Based on recent rain events, those improvements seem to be working. The Department is now gearing up for the winter plowing/salting season along with fall cleanup.
- Staff continues to receive a large volume of calls for dead trees that have been compromised by the emerald ash borer and the gypsy moths. With the assistance of a private contractor and, at times Eversource, staff continues to address these trees and will continue through the winter with this activity. To date, staff and the contractor have removed approximately 50 trees and have another 15 on the list for removal. As trees continue to be evaluated, it is estimated that more than 100 trees could require removal throughout Town. The focus is on trees that may damage public or private property if they fall.
- Staff is working with a new contractor to solicit a quote to replace the Town Hall stairs. The previous contractor has had some scheduling issues and will not be able to

accomplish the project with our desired time frame. The goal remains to have the stairs reopened before winter.

WPCA/Joint Facilities

- The North Main Street pumping station project is in the final stages. All equipment is set and final wiring and testing will be taking place over the next few weeks. A portion of the site will be restored, hydroseeded and prepared for winter. The balance of the site, where some underground work may continue, will be mulched and protected from erosion over the winter.
- Preliminary work is beginning on a spring project that will include the replacement of a sanitary sewer force main along the lake in the area of Pine Trail. As the attached letter to property owners notes, the Town/WPCA engineer will be in the area and in contact to determine the specific pipe design and property owner considerations for development of the project specifications. The project is planned for spring bidding and construction.
- A number of our sanitary sewer pumping stations lost power during last week's storm. As a result, staff was operating temporary generators at the lift stations without built-in generators until late Friday night. No incidents of back up were reported.

Town Manger/Other

- The Public Utilities Administrator and I met with the consultant reviewing the proposals related to development of a public water system in Town. It was a good discussion of the proposals and the limitations of each in terms of how to move us ahead. I have asked the consultant to develop a review of the next steps and the financial implications and considerations as we plan a move forward.
- At a special workshop of the Conservation Lake Commission Thursday night, the Commission members and I were able to ask a number of questions of the Town's consulting Limnologist regarding the proposal to pursue aeration or some other internal lake action to help ensure the lake is open all of next summer. The conversation went well and a great deal of information was received that will help clarify our path forward and will inform the report I will submit for the November 26 Council Meeting.
- The Town Hall project currently remains on schedule for substantial completion in March 2020. Major milestones have been reached in the building including completion

of windows and sealing of the building from the weather. Discussions regarding the final details of operational activities such as furniture, computer and security operation are ongoing. The contractors are working to complete certain landscaping and site restoration activities so that the site is prepared for winter and will be ready to go when the growing season arrives in 2020. Major outside work, including paving and siding, should be complete soon. Significant inside work milestones are also being achieved as drywall installation continues and elevator installation has begun.

DC

Attachments

cc: Management Staff

OP-ED to the Rivereast

Everyone loves an e-book. Borrowing of e-books at libraries across the state are up, up, up! But a recent decision by the Macmillan Publishing Group is going to make it far more difficult for our local libraries to fulfill demand for popular titles.

Beginning November 1st, Macmillan Publishing group will not allow libraries to purchase more than one copy of a new ebook title for the first eight weeks after it is published. What does that mean for you, the library patron and tax payer? It means you're going to wait a lot longer for that latest Lisa Scottoline, C.J. Box, Elin Hildebrand or Louise Penny book.

Libraries serving small towns work hard to maximize the use of tax-dollars they receive from their communities. Thankfully, we've always had a symbiotic relationship with book publishers. Libraries buy a lot of books and so publishers give us big discounts. Kind of like a consumer shopping at Costco. But that was before e-books. Now publishers are changing the game and it's hurting the tax payer.

Ebook purchasing has always been difficult for libraries. Even though ebooks are digital files, publishers insist that we treat them like physical books. Only one patron can borrow an ebook at a time. If we want to let more than one person read it at a time, we need to buy another copy. This wouldn't be so bad except that libraries regularly pay up to ten times more than other consumers for an ebook copy.

Take for example the popular book Educated by Tara Westover. You, a member of the general public, can purchase an ebook copy on Amazon for \$12.99 but if a library purchases that same ebook, the price jumps to \$95.00 per copy. If that wasn't painful enough for libraries, after 24 months the book *disappears* from the collection, and a replacement copy will cost another \$95.00.

Because ebooks are so expensive, libraries have banded together to purchase ebooks cooperatively, spreading the cost over multiple towns rather than just one. With Macmillan's recent decision however, we're left in an even more vulnerable position. Macmillan will only sell one copy of an ebook to each library group. Colchester, East Hampton, Marlborough, and Portland each share ebooks with 30 other towns and Hebron belongs to a 63 library consortium. That means one ebook copy of the latest Nora Roberts book for all of the residents in 63 towns. We think that's crazy.

All of this has been difficult for libraries to swallow since the beginning. Add to this the embargo Macmillan has placed on its titles and it will be impossible to serve our communities with the ebooks they need and want. The wait time for an ebook will be unacceptably long.

For many of our users, ebooks are more than a convenience, the adjustable font size accommodates those with vision loss, while a choice of fonts helps people with dyslexia read more easily. These restrictions will harm those who already face barriers to information access, including youth, senior citizens, people with disabilities, and those with limited incomes.

Our libraries are joining libraries across the country in asking Macmillan to reverse its new policy. Thousands of readers have added their names to a petition launched by the American Library Association at ebooksforall.org. We are asking you, our local communities, to learn more about this issue and consider signing the petition. We hope to convince Macmillan to edit this chapter of their publishing model and continue to let library patrons read all the eBooks they want.

Signed: East Hampton Public Library, Douglas Library of Hebron, Cragin Library of Colchester, Richmond Memorial Library of Marlborough and Portland Public Library

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Water Pollution Control Authority
20 Gildersleeve Drive, P.O. Box 218
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Telephone (860) 267-2536, FAX (860) 267-9913

RE: Pine Trail Force Main Replacement Project

Dear Property Owner,

If you are receiving this letter, the Town has a sewer easement that crosses your property or close to it. Recent repairs and inspections of the pipeline within that easement indicated that sections of the pipe has deteriorated and needs to be replaced. We have retained a consulting engineering company – CLA Engineers, Inc., to design the replacement. Within the next couple of weeks, they will be contacting you to access your property in order to gather the information needed to prepare plans of the replacement. They will also discuss with you the potential limits of disturbance on your property and the planned restoration. Our schedule is to prepare plans this winter and bid the project for spring construction.

Thank you in advance for your cooperation in this matter.

If you have any questions please feel free to contact this office.


Very truly yours,



Scott Clayton
Public Utilities Administrator

MEMORANDUM

TO: Town Council

FROM: David E. Cox, Town Manager 

DATE: November 12, 2019

SUBJECT: Agenda Information and Town Manager Report Supplement

The following is additional information for the benefit of the Town Council and the public as it relates to items on tonight's regular Agenda and for general information.

Agenda Information

6 Bids and Contracts

6a Contract for Carbon Filters at Memorial School – This project will be paid through the Water System Fund, which is funded by user fees. It is not being paid through the Capital account or other tax supported fund.

Action: The Council is asked to adopt a motion to approve award of a contract to Water Boy, LLC of East Hampton for the Memorial School Carbon Filter Installation Project in the amount of \$18,543.88 to be expended from the Water System Fund.

11 Appointments

11a Board of Finance – It is my understanding that the Council intends to appoint Robert Hein to the Board of Finance to replace Barbara Moore who has resigned due to her election to the Town Council. Both individuals are affiliated as Democrats and Mr. Hein received the next highest Democratic vote total in the recent election. A question was raised as to whether a conflict of interest exists because Mr. Hein is employed as a substitute teacher with the Board of Education. After review of the Town Charter, Ethics Code and general Code sections as well as a review of State Statutes and discussion with the Town Attorney, it is confirmed that there is no language that would disqualify his appointment. In the event a matter under consideration by the Board of Finance was a direct conflict with his position, Mr. Hein will be advised to recuse himself. Consideration and action on the general funding of the Board of Education would not create such a conflict.

11b Town Council Sub-Committees – The following are the intended appointments.

- 1) **Appointments Sub-Committee** – Barbara Moore, Dean Markham, Mark Philhower
- 2) **Personnel Sub-Committee** – Kevin Reich, Derek Johnson, Tim Feegel
- 3) **Capital Improvement Committee (Town Council Appointments)** – Barbara Moore, Pete Brown

Town Manger Report

Town Manger/Other – A question was raised whether there is a conflict of interest or some other disqualifying reason that would prohibit a person from holding a position on the Board of Finance and another Board or Commission. Specifically, the question was raised whether Wes Jenks, who was recently elected to the Board of Finance can maintain his position on the Conservation Lake Commission. As with the other potential conflict question, the Town Charter, Ethics Code and general Code sections as well as the State Statutes were reviewed. The matter was discussed with the Town Attorney. It is confirmed that there is no language that would disqualify a person from holding these two positions.

As a matter of disclosure, it should be reported that Mr. Jenks is the signatory on a previously-existing lease the Town has for the parcel on which the Town's squad cars are parked. His signature on the lease is related to his membership in the private Limited Liability Corporation that owns the property. The lease was executed before he was elected to the Board of Finance. Further, the lease, which is not planned for amendment, will be terminated in the upcoming months as the new Town Hall facility opens. As always, in the event a matter under consideration by the Board of Finance was a direct conflict with his position on the Conservation Lake Commission or his private business, Mr. Jenks will be advised to recuse himself.

DC