

Town of East Hampton  
Town Council Regular Meeting  
Tuesday, March 21, 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.

**Adoption of Agenda**

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

**Approval of Minutes**

A motion was made by Ms. Engel, seconded by Mr. Piteo, to approve the minutes of the Town Council Public Hearing, Special and Regular Meetings of February 28, 2017 as written. Voted (6-0-1) Mr. Reich abstained as he was not present at the meetings.

**Presentations**

**Introduction of Library Director**

Town Manager Michael Maniscalco introduced the new Library Director Ellen Paul.

**Public Remarks**

Ann McLaughlin, 85 North Main Street, commented that the Commission on Aging survey was in the Rivereast on Friday, March 24<sup>th</sup>.

Margaret Faber, Schoolhouse Lane, handed in a petition urging the Town of East Hampton to purchase the Middle Haddam Schoolhouse. She also provided comment on why the Town should acquire the Middle Haddam School. Her letter and petition will be included with the minutes filed in the Town Clerk's Office.

Jay Hansen, 22 Summit Street and Town Historian, commented in favor of the Town purchasing the Middle Haddam School.

Mary Ann Dostaler, 56 William Drive, commented that she is glad the meeting was rescheduled to the Middle School instead of Town Hall. She asked a question about her post on the Rumor Buster page regarding the location for Town meetings.

Ron McCutcheon, Middle Haddam, urged the Town to purchase the Middle Haddam School property.

Ramona Agro, Moodus Road, commented in favor of the Town purchasing the Middle Haddam School.

Todd Schrager, East Hampton, commented in favor of supporting historical buildings in Town.

Leslie Anderson Adams, Middle Haddam, spoke in support of the Town purchasing the Middle Haddam School.

## **Bids & Contracts**

### **Bid Waiver for Bus Contract**

The legal notice for the bid waiver for the bus contract was advertised in the RiverEast on Friday, March 3, 2017 for a meeting on March 14<sup>th</sup>. Since this meeting was cancelled due to the snow and the meeting rescheduled to another the night, the Town Manager felt the notice should be re-advertised for a future meeting. In order for the Board of Education to continue moving forward with their contract negotiations, the Council, by consensus, notified Karen Asetta, who was in attendance at the meeting that they are in favor of the bid waiver. The notice will be re-advertised for the April 11<sup>th</sup> Town Council meeting where the Council can make an official vote.

### **Community Center Energy Efficiency Lease**

A motion was made, and then withdrawn by Mr. Reich, to approve the Community Center Energy Efficiency Lease until more information can be obtained for the next meeting.

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

### **Adoption of Fair Housing Resolutions**

A motion was made by Mr. Philhower, seconded by Mr. Hintz, to approve the Fair Housing Resolutions as presented. Voted (7-0)

## **Continued Business**

### **New Town Hall/Police Department Budget Transfer and Appropriation for Design Fees and Pre-Referendum Services**

The pre-referendum services will be approximately \$128,000. This will include the services of the architect, OPM and other consultants as needed. The Board of Finance voted unanimously to recommend these funds be transferred from the mill rate stabilization fund.

A motion was made by Mr. Brown, seconded by Ms. Engel, to approve the resolution as presented to transfer funds for the design fees and pre-referendum services for the Town Hall/Police Department project. Voted (6-1) Mr. Hintz against. The full resolution will be included with the minutes filed in the Town Clerk's Office.

### **FY 2016-2017 Budget Transfer**

As a result of the transition to a Defined Contribution retirement system, the Defined Benefit Plan allocations across departments has become more complicated. The Board of Finance has recommended unanimously to transfer the funds for pension payments to one location rather than allocate it across departments.

A motion was made by Mr. Reich, seconded by Mr. Philhower, to approve the budget transfer as presented for the pension funds. Voted (7-0)

### **Continued Discussion of Facility Programming at Town Hall/Police Department**

At the last Council meeting a vote was taken to include Chatham Health and Probate Court in the Town Hall/Police Department facility. No action was taken on including the Board of Education administration offices. Since the last meeting there were questions as to why the Board of Education was not included. The Council discussed what they felt should be included in the facility to try to prioritize the departments that would possibly be added. Four members felt the order of importance was Board of Education/Probate/Chatham Health. Discussion also included how it would be determined what was affordable to the Town. The Chairman of the Town Facilities Building Committee was in attendance and said the architect should be able to provide a cost estimate without having to do a full design.

A motion was made by Ms. Engel, seconded by Mr. Hintz, to direct the Building Committee to request of the architect a price range based on Town Hall/Police Department plus the Board of Education, Probate and Chatham Health. Voted (7-0)

### **Discussion Regarding Exemption for Owner's Project Manager**

Mr. Maniscalco explained that on March 2<sup>nd</sup> Mr. Hintz sent an email to the Council claiming that the vote to exempt the Project Manager from bidding was illegal and that he had spoken to the Town Attorney who also agreed. The Council was provided a memo from the Town Attorney who states the vote was legal after being given all of the documents and information regarding the vote. Also provided was a memo from Robinson and Cole who have been retained specifically for the project that explains the applicability of the single source exemption to the project. A lengthy discussion on the project took place that included Mr. Hintz questioning whether the Motto's owned C&E Enterprises LLC, a question on the ownership of the property and the basis of the original RFP.

Mr. Hintz and Mr. Philhower requested this item be placed on the next Council agenda for continued discussion.

### **Continued Discussion with Conservation-Lake Commission Regarding Copper Sulfate Treatment for the Lake**

Joe Carbonell, Vice Chairman of the Conservation-Lake Commission, provided additional information to the Council on the copper sulfate treatment. The permit covers a two year period which allows for the potential to treat additional times. The cost is approximately \$6,000 per application of the treatment.

A motion was made by Mr. Reich, seconded by Mr. Piteo, to approve the application for the permit with Solitude Lake Management. Voted (7-0)

### **New Business**

None

### **Town Manager Report**

#### **State Revenue Projections/Town Budget**

Mr. Maniscalco reported that very little information has come from the State on the budget. An updated budget calendar was provided to members.

#### **Update on Town Facilities Building Committee Meeting**

The RFP responses for the architect were received on March 21<sup>st</sup>. Seven were received; they will be shortlisted to four or five. The Construction Manager RFP is being worked on. The Committee participated in a site walk and have developed sub-committees.

#### **Update on Open Positions**

##### **Police Officer**

Two police candidates are in the final stages of interviews.

Five responses for the Town Attorney RFP were received. Interviews will occur next week.

Fundraising efforts are underway for the meal program at the Senior Center and Meals on Wheels. There have been conversations with the Board of Education on supplementing meals.

Mr. Hintz asked about the Rumor Buster question regarding 1 Watrous Street indicating the building would need to be deconstructed and reconstructed if a Police Department were to be built there. He asked Mr. Maniscalco for the structural engineering report that supported his response. Mr. Maniscalco indicated there was no specific report but was based on past discussions with firms that have dealt with building a police department in an existing building such as 1 Watrous.

### **Appointments**

#### **Board of Finance**

A motion was made by Mr. Philhower, seconded by Ms. Engel, to appoint Michael Rose to the Board of Finance through November, 2019. Voted (7-0)

### **Tax Refunds**

A motion was made by Mr. Reich, seconded by Ms. Engel, to approve tax refunds in the amount of \$222.68. Voted (7-0)

## **Public Remarks**

Ramona Agro, Moodus Road, asked what the cost of the copper sulfate treatment will be and what in what form it is applied.

Mark Lambert, 20 Brookside Court, noted that C&E Enterprise LLC is in fact owned by Steve and Lisa Motto, per the Secretary of State's website.

Roger Abraham, Clark Hill Road, commented that he is against the copper sulfate treatment to the lake, noting possible issues. He noted that through testing he does with his students, that there is a nutrient loading issue near Mohawk Trail.

Todd Schrager, 66 Main Street, asked if the copper sulfate treatment was done to the Lake years ago. He commented that the Town should ban pesticides and fertilizer.

Mary Ann Dostaler, 56 William Drive, asked if the Board of Finance vacancy was announced and if the appropriation for the pre-referendum services was going to a Town Meeting.

Council provided the following answers:

Copper sulfate treatment is \$6,000 per application and is in powder form.

Copper sulfate has not been used in the lake – there was an alum treatment years ago.

The Board of Finance vacancy was filled through the Republican Party, the same party that vacated the seat.

The funding for the pre-referendum services is a transfer not an additional appropriation.

## **Communications, Correspondence & Announcements**

### **February 2017 Board and Commission Report**

The February 2017 Board and Commission report was provided to Council members.

### **Middle Haddam School**

Chairperson Anderson noted that the Middle Haddam School item will be placed on the next agenda for discussion. The Town Manager was asked to provide zoning information on that property.

Also on the next agenda will be a discussion of future meeting locations and a discussion on fracking waste that is being discussed in other towns.

## **Adjournment**

A motion was made by Ms. Engel, seconded by Mr. Reich to adjourn the meeting at 8:20 p.m. Voted (7-0)

Respectfully submitted,

Cathy Sirois  
Recording Clerk