

Town of East Hampton
Town Council Regular Meeting
Tuesday, March 8, 2022
Town Hall Council Chambers and Zoom

MINUTES

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

Call to Order & Pledge of Allegiance

Chairman Philhower called the meeting to order at 6:30 p.m. in the Town Hall Council Chambers and via Zoom.

Adoption of Agenda

A motion was made by Ms. Walck, seconded by Mr. Feegel, to adopt the agenda adding a moment of silence for the Ukrainian people and a satisfactory resolve to the humanitarian crisis. Voted (7-0)

A Moment of Silence was observed for the Ukrainian people and a satisfactory resolve to the humanitarian crisis.

Approval of Minutes

A motion was made by Ms. Walck, seconded by Mr. Goff, to approve the minutes of the Town Council Regular Meeting of February 22, 2022, as written. Voted (7-0)

Public Remarks

Barbara Moore, Overlook Road, and member of the East Hampton Ambulance Association commented that the Ambulance Board is dedicated to working with the Town to finalize a plan that will improve and sustain medical response. Her full comments will be included with the minutes filed in the Town Clerk's Office.

Mike Piergalini, 16 Fern Lane, commented on the proposed ordinance for private roads. He feels in Section 273-16B the description is vague related to a road being structurally safe. He disagrees with Section 273-17 assessment of costs for significant repairs. He is prepared to litigate the matter if necessary and has retained an attorney and has spoken to several neighbors. He feels there is implied acceptance based on actions of the town such as paving, plowing, public travel by commercial carriers, no tax relief, and no consistency with formal easements for utilities. He noted to get a building permit it requires access to a public street. He hopes this issue can come to a conclusion without an attorney.

Karen Asetta, Fern Lane, commented that she would like more clarity on the statements in the ordinance regarding the definition of the road being structurally safe.

Kate Fry, 22 Fern Lane, commented that she is in support of her neighbors' comments regarding Fern Lane and is not in favor of the ordinance.

Pam Hatfield, 37 Fern Lane, commented that the road is in poor condition due to the winter maintenance, and it needs to be repaired for the safety of residents. She feels the ordinance is ambiguous and is not in support of the ordinance and would like a better solution.

Presentations

None

Bids & Contracts

Contract for the Towing, Maintenance and Repair of Police Vehicles

Mr. Feegel recused himself from this item.

An Invitation to Bid was posted for the towing, maintenance and repair of police vehicles. Belltown Motors was the only firm to respond to the bid.

A motion was made by Mr. Brown, seconded by Mr. Reich, to award the bid for the towing, maintenance and repair of police vehicles to Belltown Motors as presented. Voted (6-0)

Mr. Feegel rejoined the meeting.

Resolution/ Ordinances/ Policies/ Proclamation

Proclamation for Lions Club Humanitarian of the Year

A motion was made by Mr. Reich, seconded by Mr. Brown, to approve the proclamation as presented for Tom Donnelly, the 2022 Lions Club Humanitarian of the Year. Voted (7-0)

Consideration of a Policy Regarding Establishment and Adjustment of Fees

A policy was prepared as requested by the Town Council to indicate that the responsibility for establishing fees rests with the Town Council. Some fees are addressed in the Code and identify the Town Council as the approving body, but some fees are not addressed in the Code. The policy will establish a practice by which fees are regularly reviewed and updated. The Council would not be required to set program fees for activities for Park & Rec, Library, Senior Center etc. A list of fees will be provided to the Town Council before the end of April.

A motion was made by Mr. Feegel, seconded by Ms. Walck, to approve the policy regarding the establishment and adjustment of fees. Voted (7-0)

Review and Set Public Hearing for an Ordinance Amending Chapter 273 of the Code of the Town of East Hampton Regarding Streets and Sidewalks Concerning Limited Maintenance of Private Roads

Mr. Cox reviewed the information regarding Fern Lane provided in the Agenda Information. He will work with the Public Works Director regarding a suggested language change from “structurally safe” to “severe disrepair”. Questions were asked at a prior meeting, and he answered those questions - Poe Road and Byron Road are not public roads; in 1990 the residents were billed for paving activity, the road was again paved in the early 2000’s but no paperwork was available; the Town attorney indicated that the creation of the historic district did not accept the road as a town road. Council members discussed the ordinance and chose to wait until the next meeting to see a clean copy of the revised ordinance before setting a public hearing date.

Continued Business

Sub-Committee Reports & Updates

Mr. Brown reported that the Water Sub-Committee will be meeting on Wednesday, March 9th at 4:30pm.

Mr. Reich reported that the High School Athletic Fields Building Committee met on February 24th. They discussed the spring construction schedule which is dependent on the temperatures. The tennis courts and the track need to be resurfaced and the temperatures need to be not less than 50 to 55 degrees. The committee also reviewed concerns regarding the right field area outside the third base line. The area should be sodded. There might be a change order required. This change order would allow the field to be used this season which is ideal. Seeding this area would not be completed in time for baseball season. Standard colors for the tennis court and track were chosen to minimize cost. The next meeting will be on Thursday, March 10th at 3:00pm.

Consideration and Action Related to Ongoing Participation in MIRA

The background information for the MIRA item is included in the Agenda Information that will be filed with the Town Clerk's Office.

A motion was made by Mr. Goff, seconded by Ms. Walck, to opt out of the agreement with MIRA. Voted (7-0)

New Business

Discussion of Next Steps Regarding Ambulance Services

The background information regarding ambulance discussion is included in the Agenda Information that will be filed with the Town Clerk's Office. A workshop will be scheduled between the Town Council and the East Hampton Ambulance Board on Tuesday, March 29th at 6:30pm.

Consideration of a Motion to Establish the Fee for Police Vehicle Use as a Part of Private Duty Work at the IRS Mileage Reimbursement Rate Times 30 Miles Per Hour of Vehicle Use

Members of the Police department are sometimes hired by private contractors and other private parties to provide traffic control and safety services while they are working in roadways or otherwise obstructing roads in Town. Police vehicles were billed at a rate of \$5 per hour during the week and \$10 per hour during the weekend. The new proposal is to charge the IRS reimbursement rate per mile time 30 miles per hour of use. At the current IRS rate of 58.5 cents per mile, the hourly charge would be \$17.75.

A motion was made by Ms. Walck, seconded by Mr. Goff, to establish the fee for police vehicle use as a part of private duty work at the IRS mileage reimbursement rate times 30 miles per hour of vehicle use. Voted (7-0)

Town Manager Report

Mr. Cox provided an overview of his written report which will be included with the minutes filed in the Town Clerk's Office.

Appointments

A motion was made by Mr. Goff, seconded by Mr. Peterson, to appoint Bradford Cillizza as an Alternate on the Zoning Board of Appeals, filling the term of an elected member that resigned. Voted (7-0)

Tax Refunds

A motion was made by Ms. Walck, seconded by Mr. Goff, to approve tax refunds in the amount of \$792.90. Voted (7-0)

Public Remarks

Pam Hatfield, 37 Fern Lane, asked what the ordinance process is. Mr. Cox replied that once the Council is happy with a draft ordinance they would set a public hearing where the public would be able to comment and then it would be voted on during the regular meeting. Ms. Hatfield asked if any Council members have driven down Fern Lane. Mr. Feegel noted he did. She has before and after photos to share with the Council. She asked what would cause the Town to drop a road from the private road list? She noted that the property owners are willing to quit claim the road portion of their properties if needed to have the road accepted as a town road. She is also not in favor of any costs on the residents.

Several emails were received from residents of Fern Lane that will be included with the minutes filed in the Town Clerk's Office.

Communications, Correspondence & Announcement

February 2022 Board and Commission Summary

The Council members received the February 2022 Board and Commission Summary

The Commission on Aging submitted a memo related to the sub-committees formed to further study the survey. They are looking for members of the Council to join the three sub-committees.

Adjournment

A motion was made by Mr. Goff, seconded by Mr. Feegel, to adjourn the meeting at 8:21pm. Voted (7-0)

Respectfully Submitted,

Cathy Sirois
Recording Clerk