

Town of East Hampton
Town Council Regular Meeting
Tuesday, March 22, 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. Peterson, to adopt the agenda as submitted. Voted (7-0).

Approval of Minutes

A motion was made by Ms. Walck, seconded by Mr. Peterson, to approve the minutes of the Town Council Regular Meeting of March 8, 2022 as written. Voted (7-0)

Public Remarks

Mike Piergalini, 16 Fern Lane, read aloud a letter sent to the Town Manager and Town Council from an attorney about the ordinance change for private roads in town. The letter refutes what Attorney Carella has stated about Fern Lane and the ordinance pertaining to said road. Mr. Piergalini also stated that the ordinance would decrease the values of the properties and homes on the road. He asked why the town performed assessments and made the homeowners pull permits for their houses. He states that if the Town and Town Council moves forward with the Ordinance the residents have a letter with intent to sue and they will bring the Town Council to court over the matter.

Ann McLaughlin, 85 North Main Street, gave a brief history on the Yellow Ribbon tree in the Village Center. She mentioned when soldiers came back from Afghanistan or Iraq a yellow ribbon was tied around a part of the tree giving it its name. She asks permission to use the tree to honor Red McKinney during the Paint the Town Red/Old Home Day celebration. The memorial would be put up a couple days before Old Home Day and would be taken down a few days after. She states that the tree won't be damaged by the display and the sightlines for drivers won't be obstructed.

Lon Fishman, 13 Fern Lane, wanted to thank the Town Council for considering private roads like Fern Lane to come to an agreement on the Ordinance. He spoke on his history and experiences in East Hampton in his 40 years of living in town. In the past, the town has taken care of the road. They filled in potholes, plowed during the winter, and even paved when the road was in need of it. He asks why that help couldn't be grandfathered into the new Ordinance.

Pam Hatfield, 37 Fern Lane, wanted to express her agreement with the other public speakers about the Ordinance that would affect Fern Lane. She expressed her thanks to the Town Council for the new Ordinance; but she feels that it falls short. She wants to know how the road will be maintained and

cared for if the Ordinance is passed. She states that there is a long-documented history of the town maintaining the road. She also states that the town allowed 2 sub-divisions to be built and an expansion of the road. She asks the Council members to consider the safety of the public and the residents of the street when voting on the Ordinance.

Presentations

None

Bids & Contracts

None

Resolution/ Ordinances/ Policies/ Proclamation

Consideration of a Resolution for the Allocation of Additional American Rescue Plan Funds

The town wants to allocate \$500,000 of the State and Local Fiscal Recovery Funds (SLFRF) lost revenue distribution for the purpose of funding the capital cost and construction engineering for three force main projects. The three locations for the projects would be Pine Trail, Bay Road, and Maplewood Drive. The members briefly discussed the resolution.

A motion was made by Mr. Feegel, seconded by Ms. Walck, to approve the allocation of the \$500,000 for the three (3) force main project resolution on Pine Trail, Maplewood Drive, and Bay Road as written. 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

The ordinance would solidify protecting the road against being damaged. The Council members suggested adding a liability clause into the draft ordinance. There was discussion of taking out the part stating that if the road is too far gone the residents are on their own. This change would be to help reassure the residents that the town isn't giving up on the road or those living on the road. The town wants the road to be passable/ drivable to make travel in town easier. The surface integrity of the road would only need to meet town's regulations.

A motion was made by Mr. Reich, seconded by Mr. Feegel, to have the Public Hearing for the Ordinance for the next Town Council meeting at 6 p.m. This motion was tabled.

A motion was made by Mr. Brown, seconded by Ms. Walck, to table the Public Hearing until the Ordinance is revised with the changes made in the discussion. Voted (7-0)

Continued Business

Sub-Committee Reports & Updates

Mr. Brown reported that Environmental Partners will be testing existing wells for quality and quantity of water. The testing will be held in late March or early April. They plan to test the areas of Salmon River, Hurd Park, Pine Brook, and Oakum Dock.

Mr. Reich reported that Mr. Jeffrey Leith, a member of the High School Athletic Fields Committee, sadly passed away. It was a tremendous loss to the community and to his family. There was a meeting held last Thursday. The members want to wait on warmer weather to start scheduling events. There

was discussion of possibly installing temporary lines on the tennis court. The members also discussed when to resurface the tennis court and track since it would take a couple days with good weather needed. The committee gave approval to use the tennis court and track without lines to let students practice in anticipation of the sports season. The members allowed the baseball team to use the renovated baseball field and the first game is this upcoming weekend. The commission approved using some budget funds to address an issue with the right baseball field fall line. Sod was installed on the sides instead of seeding. The sod was applied around the field to be properly covered in grass when the games start up. The next meeting will be next Thursday, April 7 at 3 P.M.

There will be a Capital meeting on Monday, March 28th at 6:30 P.M.

New Business

A motion was made by Mr. Philhower, seconded by Ms. Walck, to add item (b) to address Ms. McLaughlin's request from public remarks. Voted (7-0)

Consideration and Action on an RFP for Edgerton Street Sidewalks

Matt Walsh, Public Works Director, spoke to the Council members about the RFP for the Edgerton Street sidewalk project. About 800 feet of sidewalk needs to be replaced. The project needs a contractor before the sidewalks are paved. The timeframe of the project would be 3 weeks if Public Works is handling the job. That is the reason why the project is being handed over to a contractor. Fixing the drainage pipe will be done during paving of the sidewalk to minimize the impact on the sidewalks as much as possible.

A motion was made by Mr. Reich, seconded by Mr. Feegel, to approve the RFP for the Edgerton Street Sidewalk as submitted. Voted (7-0)

Memorial Honoring Red McKinney During Old Home Day

A memorial for Red McKinney will be placed around the Yellow Ribbon Tree in the Village Center during the Old Home Day event.

A motion was made by Mr. Goff, seconded by Mr. Reich, to approve the memorial and the use of the Yellow Ribbon Tree. Voted (7-0)

Town Manager Report

Mr. Cox provided his written report for the Council members which will be included with the minutes filed in the Town Clerk's Office. Mr. Cox wanted to address two items to the members. The Police Department has become part of the work being done under a grant received by The Department of Mental Health and Addiction Services for this region. The coordinator met with someone who is providing services to individuals who are struggling with drug addiction. The Police Department's involvement allows them to connect individuals and their families they come across during calls with the free services to help put them on a recovery path. The Board of Finance increased the unused fund balance policy by 10-12% depending on what is being spent on and how much money is being requested. The target is to maintain an undesignated fund balance in that range. This will make sure the town is financially healthy. This plays a factor with the bonding process, with investing, and for cash flow.

Appointments

None

Tax Refunds

A motion was made by Ms. Walck, seconded by Mr. Goff, to approve tax refunds in the amount of \$1,120.66. Voted (7-0)

Public Remarks

None

Communications, Correspondence & Announcement

None

Adjournment

A motion was made by Mr. Reich, seconded by Mr. Peterson, to adjourn the meeting at 7:29 pm. Voted (7-0)

Respectfully Submitted,

Katrina Aligata
Recording Clerk