

Town of East Hampton  
Town Council Regular Meeting  
Tuesday, April 12, 2022  
Town Hall Council Chambers and Zoom

**MINUTES**

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

**Not Present:** Eric Peterson

**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 Mr. Goff, seconded by Ms. Walck, to adopt the agenda with the addition of Item 15b under Executive Session for Personnel Information. Voted (6-0).

**Approval of Minutes**

A motion was made by Ms. Walck, seconded by Mr. Feegel, to approve the minutes of the Town Council Regular Meeting of March 22, 2022 as written. Voted (6-0)

**Public Remarks**

Mike Piergalini, 16 Fern Lane, commented that neither the Town nor the Town Attorney has responded to his attorney's letter regarding Fern Lane. He continues to feel that actions by the Town over the years has accepted Fern Lane as a town road. If necessary, he will continue toward litigation. He reviewed multiple sections of the ordinance and feels the ordinance is flawed. Mark Deighton, 17 Fern Lane conceded his 3 minutes to Mr. Piergalini.

Pam Hatfield, 37 Fern Lane, commented that she feels the revised ordinance is more reflective of the services provided in the past except Section 273-16 B & C which implies the residents will be charged to fully pave the road. She would like this section amended. She also asked if private road signs will be put on other private roads in town and when repairs will be done to Fern Lane.

Terese Fishman, 13 Fern Lane, noted she is concerned about the private road ordinance and the sections regarding resurfacing only small portions of the road.

**Presentations**

None

**Bids & Contracts**

**Contract Award for Gildersleeve Drive Site Improvements**

An RFP was issued for the construction of the access road on the WPCA wastewater treatment plant property for Eversource related to the Air Line Trail improvements in this area. Bids were received

from five companies and Priority Landscaping provided the lowest proposal at \$56,000. The engineer has evaluated the company through its references and recommends the contract award.

A motion was made by Mr. Reich, seconded by Mr. Goff, to award the bid for Gildersleeve Site Improvements to Priority Landscaping in the amount of \$56,000. Voted (6-0)

### **Resolution/ Ordinances/ Policies/ Proclamation**

#### **Proclamation for Retiring DPW Employee Dan Sargent**

A proclamation was presented to Department of Public Works employee Dan Sargent, congratulating him on his retirement after 27 years of service.

#### **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 provided an updated version of the draft ordinance with changes from the Town Attorney. He provided responses to some questions that have been asked. He noted small portions of the roads may be repaired rather than just potholes. The language regarding severe disrepair has been removed. Larger repairs are at the discretion of the Town Council. The placing of Private Way signs will be researched and corrected where needed. There was no definite answer to what repairs would occur when. He did note that a more routine schedule of repairs and activities will be prepared.

Council members would like a listing of what maintenance will be done to the private roads for the next meeting.

A motion was made by Ms. Walck, seconded by Mr. Feegel, to set a Public Hearing date of April 26, 2022 at 6:00pm for the ordinance. Voted (6-0)

#### **Resolution Correcting the Acceptance of Sunrise Lane in the Skyline Estates Subdivision**

Chairman Philhower recused himself from this item.

Sunrise Lane was accepted as a town road in 2019 however, there was an error in the amount of right of way that was accepted due to a change that was made to the road during development. A resolution with a corrected map is presented to correct the error.

A motion was made by Mr. Feegel, seconded by Mr. Reich, to adopt the resolution accepting the corrected Sunrise Lane improvements and right of way. Voted (5-0)

Chairman Philhower returned to the meeting.

### **Continued Business**

#### **Sub-Committee Reports & Updates**

Mr. Reich reported that the High School Athletic Fields Building Committee met on April 7. There were some minor repairs to the sod portion of the baseball field. They discussed possibly waiting for the track and tennis court resurfacing until June but the contractor's schedule would not allow for this change. The track resurfacing will start when the evening temperatures are above 50 degrees and the tennis court will be done after the track.

### **New Business**

#### **Review & Possible Approval of Police Department General Order 5.8 – Traffic Accident Investigation**

Police Chief Dennis Woessner provided an overview of the changes to Police Department General Order 5.8 – Traffic Accident Investigation. The change provides that an officer must have persons involved in a crash that are suspected to be under the influence of alcohol or drugs be tested by a Drug Recognition Expert. Possibly within a year the department will have a certified Drug Recognition Expert but, in the meantime, there is one certified officer at Troop K.

A motion was made by Mr. Goff, seconded by Ms. Walck, to approve Police Department General Order 5.8 – Traffic Accident Investigation. Voted (6-0)

#### **Discussion of Town Hall on a Private Road**

Mr. Philhower noted that he was adamant in original discussions of the Town Hall building project that the building be on a town road not a private road however this language was never followed. He would like to have the Town Manager see how this can be corrected. The road is structurally built to town standards.

A motion was made by Mr. Reich, seconded by Mr. Goff, to actively seek a process to transfer the Town Hall portion of the road starting at Route 66 to the Town Hall building to a public road after final paving. Voted (6-0)

#### **Transmittal of 2022-2023 Budget from Board of Finance**

The Town Council officially received the FY 2022-2023 Annual Town Budget from the Board of Finance. The Council will give formal consideration to the budget and related resolutions for the Town Meeting and referendum at the April 26 meeting.

### **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.

### **Appointments**

None

### **Tax Refunds**

A motion was made by Mr. Goff, seconded by Ms. Walck, to approve tax refunds in the amount of \$2,508.87. Voted (6-0)

### **Public Remarks**

Pam Hatfield, 37 Fern Lane, commented that it is outrageous to hear discussion about the acceptance of a private road after the discussion of the ordinance regarding private roads. She wants to know when Fern Lane residents can expect to see road repairs.

### **Communications, Correspondence & Announcement**

#### **March 2022 Board and Commission Summary**

Council members received the March 2022 Board and Commission Summary.

**Executive Session**

- a. Strategy and Negotiation Regarding Collective Bargaining – Police Union**
- b. Personnel Matter**

A motion was made by Mr. Goff, seconded by Mr. Feegel, to enter Executive Session at 7:25pm for Strategy and Negotiation Regarding Collective Bargaining – Police Union and Personnel Matter. The Town Manager is invited into the session. Voted (6-0)

Executive Session ended at 8:06pm

**Adjournment – No action will be taken following Executive Session**

Mr. Philhower adjourned the meeting at 8:06pm

Respectfully Submitted,

Cathy Sirois  
Recording Clerk