

Town of East Hampton  
Town Council Regular Meeting  
Tuesday, September 13, 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. Reich, to amend the agenda to include a Moment of Silence on the passing of Queen Elizabeth. Voted (7-0).

**Moment of Silence**

A moment of silence was observed for Queen Elizabeth.

**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 August 9, 2022 and Special Meeting of August 12, 2022 as written. Voted (7-0)

**Public Remarks**

Brian Joy, owner of the arcade on Summit Street, commented with his frustrations about an ordinance regulating amusement devices and the \$100 per machine fee per year and the antiquated requirements in place to open his business. Chairman Philhower suggested he contact the Town Manager to have an item placed on the next Council agenda.

Russ Kaplan, Chairman of the Clean Energy Task Force and Lorry Belanger, Vice Chairperson of the Clean Energy Task Force, provided an update on the activities of the Task Force and invited the Town Council members to the Electric Car Show on September 24. A written statement of his remarks will be included in the minutes filed in the Town Clerk's Office.

**Presentations**

None

**Bids & Contracts**

**Contract Award for Lake Pocotopaug Watershed Improvements Project 1-6**

Parks & Recreation Director Jeremy Hall provided an overview of the Lake Pocotopaug Watershed Improvements Projects 1-6. The low bidder is Priority Landscaping, LLC at \$232,050. Chairman Philhower noted his concern regarding area 2 which is the Edgewater/Town Hall Pond being included since this area is private property.

A motion was made by Mr. Goff, seconded by Mr. Reich, to award the bid for the Lake Pocotopaug Watershed Improvements Project Areas 1-6 to Priority Landscaping LLC in the amount of \$232,050. Voted (7-0)

Mr. Hall also noted that there was a project put out to bid for Areas 7 & 8 but no responses were received for this bid.

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

#### **Review Ordinance to Extend the Moratorium on Certain Activities Related to Adult-Use Cannabis**

Mr. Cox provided an overview of the amendment to the Ordinance to extend the moratorium on certain activities related to adult-use cannabis. The amendment would extend the moratorium to December 31, 2022 or upon the effective date of regulations established by the Planning & Zoning Commission, whichever occurs earliest.

A motion was made by Mr. Goff, seconded by Mr. Feegel, to set a public hearing on the amendment to the ordinance extending a moratorium on certain activities related to adult-use cannabis for September 27, 2022 at 6:30pm during the regular Town Council meeting. Voted (7-0).

### **Continued Business**

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

Mr. Reich reported that the High School Athletic Fields Committee met at the High School and toured the project areas. A punch list was created for final issues and the project will be considered complete once the punch list is completed.

Mr. Cox reported on the Water Sub-Committee noting that the drilling and testing at Pine Brook was delayed due to issues with the original contractor. A contractor has been hired and the drilling and testing will take place and then they will flush the system at Oakum Dock and test there.

#### **Update on 3 Walnut Avenue Property**

Mr. Cox provided an overview of the plans for 3 Walnut Avenue. The plans include the development of a multi-use/multi-purpose space that includes parking and other uses. As this is a Brownfields site, the soils on the site may be contaminated based on information in the town's files. The Brownfields Redevelopment Agency is currently working on a grant application for Federal EPA funds to cover the cost of the necessary soil evaluation at the site so that the appropriate remediation can be planned as part of development. The full details are included in the documents filed with the minutes in the Town Clerk's Office.

### **New Business**

#### **Consideration to Waive Bidding for Fire Station #1 Roof**

Mr. Cox reported that the Facilities Director is requesting the competitive bidding process be waived in favor of three quotes for the Fire Company #1 roof replacement.

A motion was made by Mr. Peterson, seconded by Mr. Feegel, to consider the bid waiver for the Fire Company #1 roof replacement. A notice will be posted in the newspaper regarding the bid waiver and the item will be considered at the September 27, 2022 Town Council meeting. 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. Reich asked for an overview of the 9 Town Transportation and Dial-A-Ride. Mr. Cox noted that the Estuary 9 Town Bus Service and Middletown Area Transit merged in the summer and are now providing additional transportation in town including for seniors and handicapped riders. Mr. Reich also asked if the grant for the new Senior Center bus was received. Mr. Cox reported that the town did receive the 100% funded grant but are still waiting for the vehicle.

### **Appointments**

#### **Appointments Sub-Committee Recommendations**

A motion was made by Mr. Goff, seconded by Mr. Reich, to appoint the following:

- Nico Guerrero – Clean Energy Task Force
- Margaret Wilcox – Conservation-Lake Commission Alternate
- Jason Hartling – Conservation-Lake Commission Alternate
- Kim Crabbe – Park & Recreation Advisory Board
- Amie Meacham – Library Advisory Board

Voted (7-0)

A motion was made by Mr. Goff, seconded by Mr. Reich to reappoint the following:

- Victoria Minor Man – Brownfields Redevelopment Agency
- Cheryl Lobo, Marty Podskoch & Alternate Nico Guerrero – Conservation-Lake Commission
- Zachary Nelson – Design Review Board
- Dean Kavalkovich, Scott Hill & Peter Wall – Inland Wetlands
- David Terry – Water & Sewer Commission

Voted (7-0)

#### **Creation and Appointment of Members for Bevin Park Monument Committee**

Chairman Philhower appointed the following individuals to the Bevin Park Monument Committee:

- John Tuttle
- Melissa Engel
- Tom Portelance
- Eric Peterson
- Brandon Goff - Chairman

### **Tax Refunds**

A motion was made by Ms. Walck, seconded by Mr. Goff, to approve tax refunds in the amount of \$5,186,84. Voted (6-0-1). Mr. Reich abstained.

### **Public Remarks**

None

**Communications, Correspondence & Announcement**

**August 2022 Board & Commission Summary**

Council members received the August 2022 Board & Commission Summary.

**Adjournment**

A motion was made by Mr. Reich, seconded by Mr. Feegel, to adjourn the meeting at 7:15pm. Voted (7-0)

Respectfully Submitted,

Cathy Sirois  
Recording Clerk